

TAMWORTH CONSERVATION COMMISSION

July 13, 1992

PRESENT: John Mersfelder, Harold Cook, Nat Steele, Peter Cooperdock, Ned Beecher, Lori Gerard, Chris Conrod, Peg King, Betty Steele

1. Minutes of previous meeting approved.
2. Dredge and fill violation, Jackman Pond, Lindsay. John said the Lindsays had requested that the area in question be redelineated, as it doesn't meet soil requirements for prime wetlands. Their application has been denied by the Wetlands Board and they have been threatened with a fine. They have applied to appeal and will have a hearing unless they can negotiate for a settlement with Mary Ann Tilton, Wetlands Board Attorney. The Wetlands Board has final decision in change in delineation of prime wetlands. The Lindsays have broken the law as they didn't apply for a dredge and fill permit before putting fill in the beach area.

Mr. and Mrs. Lindsay and their natural resource consultant, Peter Spear, came in to the meeting. Nancy Lindsay said the former owner, Ted Graham, had a dock and beach in the area in question. She hoped the problem could be solved at a low level and asked for cooperation of the Commission. She said there are three ways to go - the best would be agreement that the beach had no impact on the wetland; the second, to redraw lines of the prime wetland, and third to challenge the procedure by which prime wetlands were delineated.

Peter Spear, making his presentation, requested that the Commission support some type of permitted use. He suggested that on Commission letterhead findings be prepared which address the specific jargon that is in the prime wetlands law. He believed the area in question had sand in it previously. Peter Spear could draft such a letter if the Commission wished. The law states there should be "no significant loss". He said there is some submergent vegetation further out in the pond, but none near the shore. No fill has been put in the pond, though some may have eroded into it. The area needed for permitted use was understated in the application for dredge and fill and must be clarified. Along with the letter Mr. Spear would like ~~for~~ Mr. Hill, the lawyer, and himself to meet ~~with~~ with Ketterring of the Wetlands Board to schedule a rehearing at which at least one member of the Commission would be present to formally present the letter.

VOTE I - Tamworth Conservation Commission accepts the proposal brought before it by Peter Spear on behalf of the Lindsays to provide written and oral support of the application of the Lindsays for a beach. (Moved by Ned, seconded by Nat, and voted unanimously.)

It was agreed Mr. Spear would send John the draft of a letter within a week and the Commission would hold a special meeting, tentatively on July 27th, 7:30, with the Lindsays present; probably it would not be necessary for Mr. Spear to attend.

At this point Harold left the meeting. The Lindsays and Mr. Spear also left.

3. Treasurer's report - Lori said the C.D. valued at \$5191.74, was up for renewal on July 19th at 3.67%. The savings account is at 3%, and about to go to 2½%. John suggested \$5000 be put into an E Board, with the remainder in savings.

VOTE II - That the Treasurer, with advice of the Chairman, invest in any manner appropriate so that the Commission can have access if needed. (Moved by Nat, seconded by Peter, voted unanimously)

Lori then left the meeting.

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4. Wetlands Board Reports. The Steeles' application was accepted as modified; Lloyd's has been approved; and for the Duck Pond the Wetlands Board has requested a re-application to deal with conditions before, during and after. There has been a mini impact application from Bowles.
5. Wetlands Board - John suggested a presentation by administrator Kettenring, to be hosted by TCC, with officials of neighboring towns invited, and refreshments served. It was agreed this would be good. Chris suggested it be open to the public also.
6. A Wetlands Delineation Workshop, hosted by Peter, will be held this weekend at Puddin Pond, North Conway.
7. Easement Monitoring. Soc. for the Protection of N. H. Forests has asked TCC for a report on easements the Society holds in Tamworth, and Chris has replied to them that there has been no change. A public walk on the Cave easement is planning. Reg reported Lou Flaccus and Dick Alt are willing to have signs on their easements; and that Kennett High School shop has a router and will make signs in the fall. Chris reported documentation on Aspinall, Cave and Perkins easements is all but complete.
8. Household Hazardous Waste Collection, July 25th. Chris will put up sign at the dump. Peg has literature which she will put by the dump sign as well as in stores and libraries.
9. Scenic Roads Ordinance. It was reported that James Johnson was upset by cutting on Fowlers Mill and Philbrick Neighborhood Road. Nat said the Planning Board had four hearings, well attended by power companies and other professionals, but by only one landowner.

There has been cutting on Philbrick Neighborhood Road near junction with Route 113. The Planning Board has received no application from the Town for this, as is required by the Scenic Roads Ordinance.
10. Public Relations. John feels public needs to know about work TCC is doing and suggested an article for the paper as to what is being done, with further information available at the Town Offices.

It was reported that the Conway Daily Sun has weekly municipal calendars in which TCC might be included. As Nat said the Planning Board was considering this for its meetings, he was asked if he would also include TCC meetings.
11. Environmental Ordinance Summaries - Ned will bring in a new proposal for publicizing these as the present method is not working.
12. State program for designation of rivers. Peter said there are several levels of designation. As this would in most cases involve dams, a complex and controversial issue, it was agreed to take no action at present, though TCC might comment on specific issues.
13. Planning Board Report. The Board is re-doing sections of the Master Plan, primarily for economic consideration, and for a community survey.

The Phase II Plan of Tamworth Realty Trust Associates at Bryant Mill has not yet been accepted by the Board, but it now appears the bank will put up money for a road construction bond, which may make it possible for the Planning Board to accept it.

TCC is involved in the right of way along the Bearcamp and feels this should be clarified to insure the public can use it. More research would be helpful. It was agreed to ask Lori if should would pursue this.

Betty Steele