

Town of Gilsum, NH
Conservation Commission
DRAFT MINUTES
Gilsum Public Library
Wednesday, April 4, 2018, 7:00PM

Conservation Commission members in attendance:

- Fritz Clark, Chair
- Ralph Jernberg
- Janine Marr

Community members in attendance:

- Bill Whyte
- Bart Cushing
- Clem Louder
- Peter Granucci

1. CALL TO ORDER

Chairman Fritz Clark called the meeting to order at 7:00 PM.

2. CHAIR COMMENTS

The meeting was recorded for transcription purposes.

3. REVIEW MINUTES

Former Secretary Chapman was unable to attend tonight's meeting, so the previous meeting minutes were not available for approval.

Chairman Clark stated that after Town Meeting 2016 the Commission met with the Selectmen and turned over documents pertaining to the Town Forest article. He wanted to ensure the list of documents was included in those minutes:

- 1930 tax sales for Town of Gilsum
- 1933 minutes for Town of Gilsum
- Selectmen 1933 Town Report Article #12
- 1934 Schedule of Town Property
- 1940 minutes for Town of Gilsum
- 1940 Town Report regarding Article #12
- 1946 McDonald to Louder deed
- 1955 minutes for Town of Gilsum
- 1955 Town Report regarding Article #12
- 1979 Louder to Louder deed
- 1982 Cersosimo Subdivision Phase 2
- 1982 Cersosimo Subdivision Phase 3

- 1998 Land Use Agreement between Town of Gilsum & North Helicopter Services & Rough Country Forestland
- 1998 Land Use Agreement payment record
- 1939 Blister Rust Report of the Carpenter Lot
- 1979 Lounder Subdivision
- Andrews to Lounder deed on town road to the dump
- 2006 Article #13 in Town Report on Land Use Change Tax

Chairman Clark stated this was an official meeting. RSA 91-A, the “Right to Know Law” allows the public to attend meetings, but not participate in discussions of the Commission; however, everyone would have a chance to speak. He was very glad to see everyone.

Chairman Clark read from a letter by the Commission in the 2012 Town Report about the Conservation Fund. A goal at that time was to become stewards of the open space land owned by the Town. In 2005, the Town voted to appropriate 100% of the Land Use Change Tax (LUCT) to the Conservation Fund with monies to be spent for activities authorized under RSA 36-A. As of 2012, the voters of Gilsum had given no further input into the use of the Fund. The letter said meetings were open to the public if residents would like to bring an issue to the Commission. He then moved to public comments.

4. PUBLIC COMMENTS

Mr. Cushing asked when the last Commission meeting was held. The Chair was not certain. Ms. Marr said she had minutes in an email from 2016 and that the Commission was supposed to meet that August. Mr. Cushing said he has interest in getting involved with the Commission, and that in the past he has brought the town into compliance with the gravel law when on the Planning Board. He also worked with the Monadnock Conservancy on the *Rural Character Preservation Plan 2009* that stated what the funds would be used for. His understanding was that the funds are to be used for easements and things important for the town and was interested in keeping that fund in place. Mr. Cushing’s biggest concern, and reason he wanted to get involved, was that if we were faced with a large-scale development and had not had meetings for two years, it could be argued in court that the only reason the Commission was robust was because of the development. Mr. Cushing is hazardous waste certified and does aquifer protection work, site remediation, and landfill closures.

Chairman Clark responded to Mr. Cushing’s comments about the LUCT and reported that as of 9/16/15 his records indicated \$76, 612.80 in the Conservation Fund. Mr. Cushing stated that he spoke with Rick Brackett [Monadnock Conservancy] who said that the money can be used for matching grants for easements or purchases. Mr. Jernberg stated that the fund amount given by the Chair was different than the number given at Town Meeting by about \$15,000 and thought that the Fund should have closer to \$80,000 by now.

Mr. Lounder stated that he has represented the town in various ways for over 30 years. He was on the Budget Committee when the Commission was enacted. He cares about the town and felt he would be a positive presence on the Conservation Commission. He would like to see the Commission pursue what they were originally told to do with that money. Mr. Jernberg said it would be nice to see everyone working together for the good of the town.

Mr. Granucci stated that conservation has been a major concern his entire life; he helped with the transition of the town dump into a transfer station. He believes in what we're trying to do and wants to help. Chairman Clark asked what he thought would be a wise use of the LUCT money. Mr. Granucci thought it should be used for protection of the town; for lawyer's fees for development. He likes the town because it's rural and would like it to keep that quality.

Mr. Whyte, Selectman, said he was disappointed in how the Chairman chose to facilitate the meeting. Chairman Clark thanked Selectman Whyte for attending, stating it was rare for a selectman to take an interest, and he hoped that [lack of interest] was in the past. Chairman Clark said in the past the Selectmen asked the Commission to: research the class VI roads; demolish the building by the fire house when that land was taken; act as an enforcement agency when a recreation area was built too close to the river and when the Town of Nelson put asphalt at the gravel pit; and clean up the waterfall property. He didn't feel the Selectmen and Commission had been on the same page for years and hoped that was ending. Chairman Clark asked Selectman Whyte how he thought the LUCT money should be used. Selectman Whyte's response was to protect and support conserving the town.

Chairman Clark stated that the Commission had found someone to create a town website and asked Selectman Whyte where that issue stood. Selectman Whyte said some work had been done but [the webmaster] couldn't get anyone to give him material to post. Selectman Whyte said he liked Ms. Marr's idea of each committee in town being responsible for its own page on a town website where they could post notices and minutes of their meetings.

Mr. Cushing asked the Chair if he was ready to move forward. Chairman Clark responded that he felt it was fair to ask people who wanted to be on the Commission why they want to be and that he was ready to move forward. Mr. Cushing said he was glad to see [Selectman Whyte]. Mr. Jernberg said it would be nice to have a selectman attend the meetings.

5. ADDING NEW MEMBERS TO THE COMMISSION

Chairman Clark stated that the RSA [36-A:3] says 3-7 members can be on the Commission unless the articles state differently and there can also be alternate members who don't have voting power unless they fill in for a full member. Chairman Clark said we need to find out how many people we can have on the Commission per the article that enacted it.

6. OLD BUSINESS

Waterfall Property: Chairman Clark said it was 7 years ago that Harlan was going to clean it up but it's not going to happen. He asked if we should find someone else or not pursue it any further. Mr. Jernberg said it was put out to bid again and no one bid on it. Ms. Marr asked if the deed she'd found that listed the property under the Town of Gilsum Conservation Commission meant the Commission owned the property. Chairman Clark said he'd not had a chance to research the quit claim deed and didn't think the Commission actually owned it.

MOTION: Ms. Marr made a motion to table any further action on the waterfall property until we have verified its ownership.

SECOND: Mr. Jernberg agreed.

VOTE: Unanimous.

MOTION PASSED

Frog Pond Property: Mr. Jernberg suggested to the selectmen during their meeting last week that they form a committee representing each town committee to create a plan. He stated that the boundary issue had been resolved. He asked Selectman Whyte if the selectmen talked further on the subject. Selectman Whyte said he liked the idea of a few people getting together to clean it up and that would help us develop a plan. Further discussion included the Fire Department's permitted use of the pond and dredging it with permission of DES; rules regarding cutting trees near the pond; cleanup of trash and brush; access to the area above the pond to remove debris; and survey of the property lines.

MOTION: Mr. Jernberg made a motion to table action on the Frog Pond until we have more information.

SECOND: Ms. Marr seconded.

VOTE: Unanimous.

MOTION PASSED

ACTION: Mr. Jernberg agreed to talk with Selectman Britton about the boundary lines for the Frog Pond property. Chairman Clark volunteered to research the deed.

Town Website: Per previous discussion, Selectman Whyte agreed to call the webmaster.

Resignation of Secretary: Mr. Chapman had resigned the Commission but was willing to serve as an alternate once his house was built. Chairman Clark reiterated that we need to get copies of the old minutes from Secretary Chapman.

7. NEW BUSINESS

Minutes of Tonight's Meeting: Ms. Marr was asked to prepare the minutes of tonight's meeting from the recording, legally within 144 hours from the meeting. She agreed.

Chairman Position: Chairman Clark asked Ms. Marr if she would be willing to be Chairman as he no longer has time. Discussion included the process of the selectmen appointing people to the Commission, and staggered terms for new appointees. Ms. Marr agreed to be Acting Chair for the next meeting to welcome new members and hold elections.

MOTION: Chairman Clark made a motion that Ms. Marr serve as Acting Chairman for the next meeting on April 18th at 7PM.

SECOND: Mr. Jernberg seconded.

VOTE: Unanimous.

MOTION PASSED

ACTION: Selectman Whyte will inform the selectmen that the Commission recommends appointing Mr. Cushing, Mr. Louder, Mr. Granucci, and Selectman Whyte to the Commission with staggered terms.

8. ADJOURN

MOTION: Chairman Clark made a motion to adjourn.

SECOND: Ms. Marr seconded.

VOTE: Unanimous.

MOTION PASSED

ACTION: Meeting adjourned at 8:58PM.

NEXT MEETING: Wednesday, April 18th, 2018, 7PM Gilsum Public Library

Minutes prepared from the audio recording by Janine Marr.