

Town of Newington, NH
CONSERVATION COMMISSION

Meeting Minutes, Thursday, August 20, 2009

Call to Order: Justin Richardson, Chair Person called the August 20, 2009 meeting at 6:05 pm. Meeting posted for 6:30 PM

Present: Justin Richardson, Chair Person; Margarethe Lamson, Vice Chair; Nancy Cauvet; Jane Hislop; Dorene Stern; and Dorothy Watson.

Not Present: George Fletcher and Thomas Morgan

Public Guest: Rick Stern, Landowner

Meeting called to order at 6:05 PM. The Chairman explained that the Commission would take a vote to go into non-public to discuss the legal dispute over prime wetlands on the Pease Development Authority. Following the non-public meeting, the Commission would return to public session, vote to seal the minutes, and discuss the public agenda at approximately 6:30 PM.

- 1. Newington Prime Wetlands** on Pease. Non-Public discussion pursuant to RSA 91-A; 3, II (3) "consideration...of pending claims or litigation". A motion was made by Justin Richardson to go into non-public session. Seconded by Nancy Cauvet. A roll call vote was taken: Justin Richardson; Dorothy Watson, Dorene Stern; and Nancy Cauvet voted in favor (unanimous).

Non-public discussion.

At 6:30 PM the Commission came out of non-public session. Nancy Cauvet moved to seal minutes of the non-public meeting, and Justin Richardson seconded. Roll call: Nancy Cauvet, Jane Hislop, Justin Richardson, Dorene Stern and Dorothy Watson voted "Yes". No other members were present.

- 2. Presentation by Jack Pare regarding Town Geographic Information System (GIS) and Conservation Lands**
Jack Pare was not able to attend and item was removed from agenda for another time.

- 3. Conservation of Fox Point Town Land**
The recent Selectmen's meeting and possible uses of Fox Point were discussed.

Nancy Cauvet recalled a conservation easement had been proposed eight years ago, but had not been completed.

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The pros and cons of putting an article on the warrant were discussed, and ways that an easement could be created to maintain the current use of the property but prevent adverse development, but still allowing the Selectmen to control access (i.e. make available for Newington residents and guests). The possibility of obtaining legal counsel to draft the conservation easement deed was discussed and the requirements for public hearings under RSA 41:14-a or a vote at town meeting was discussed. Attorney Peter Loughlin was suggested.

Vice Chair, Peggy Lamson moved that Chair propose to the Selectmen that they convey a conservation easement for Fox Point and approach legal counsel to prepare an easement if the selectmen were amenable to the idea. Nancy Cauvet seconded. All present agreed unanimously.

4. Conservation Easement and Zoning Restrictions on Stern and KWA, LLC Shattuck Way property.

Dorene recused herself as the Committee opened discussion on town conservation management of Shattuck Way conservation properties. Committee reviewed and discussed wording of Conservation Easement Deed drafted by Wholey & Pelech Law Offices with Rick and Dorene Stern to be sure their concerns regarding public access and use for camp fires, camping, fishing, and hunting. After a bit of discussion, clarification was made that RSA: 36-A:4 confirms the right to make rules on use. It was also pointed out that sometimes leaving the property as is, without identifying signage helps ensure it go unnoticed and used less by the public.

Justin Richardson, Chair motioned to accept the deed, and propose to Selectmen for approval upon striking permission for hunting in paragraph 7B. Jane Hislip seconded, and the committee passed the item unanimously.

5. Newington Town Forest. Plans and deeds were reviewed regarding the location of the Town Forest and Historic District, and the letters from the Historic District Commission. It was noted that a sign at New Road was favored but that the location would be on property managed by the Selectmen or in the Town right-of-way which would require their approval.

6. Regulations for Storm Water Management

Justin noted that Document will be reviewed at the Planning Board Meeting on September, 27, 2009.

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7. Invoices

Nancy Cauvet motioned to pay Mark West Invoices for \$879.20 and \$191.60. Peggy Lamson seconded and all approved unanimously.

8. Correspondence

Committee discussed Executive Director of Pease Development Authority, David Mullen's July 28, 2009 letter to Denis Hebert, Planning Board Chairman.

9. Minutes

Peggy Lamson motioned approval of July 9, 2009 Meeting Minutes and Dorene Stern seconded. Motion passed unanimously.

Jane Hislip motioned to approve July 21, 2009 Work Session Minutes, and Peggy Lamson seconded. All approved unanimously.

Adjournment: Moved to adjourn by Justin Richardson, seconded by Jane Hislop. Motion carried. Meeting adjourned at 8:36 pm.

Next Meeting: Thursday, September 17, 2009 at 6:30 P.M. at Town Library

Submitted: Jane K. Kendall, Secretary