



CONSERVATION COMMISSION
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MINUTES OF THE CONSERVATION COMMISSION

Wednesday, December 10, 2014 – 7:00 p.m. – Town Hall Conference Room

Members Present: Chair Chip Hussey, Bill Bilodeau, Laura Byergo, Joe Fredericks, Kevin Lucey

Chair Hussey opened the Conservation Commission meeting at 7:05 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

1. Land Purchase [Map R21, 7]

Chair Hussey updated the Commission on the status of the land purchase. Several years ago at Town Meeting, residents did not approve a warrant article that would allow the purchase of conservation land by the Board of Selectmen. The purchase of land at Map R21, 7 recently approved by the Selectmen will have to go to a Town Meeting vote. Chair Hussey recommended the following warrant articles: (1) purchase the property at Map R21, 7; (2) change the ordinance to allow the purchase of property or easements, and an option to sign a purchase and sales agreement by the Selectmen with endorsement by the Conservation Commission; (3) the first \$5,000 of any LUCT collected by the Town of Greenland go back into the land purchase fund. Members clarified that Chair Hussey was proposing \$5,000 for any LUCT collected.

The land purchase [Map R21, 7] has been approved by the Board of Selectmen. A warrant article will be presented by the Selectmen at Town Meeting. Discussions regarding collected LUCT funds included a percentage, a set amount at the beginning of each year, and a specific amount of each transaction. K. Lucey told members that the Conservation Commission needed the continuous ability to enter into a purchase and sales agreement for the purchase of land. J. Fredericks suggested the purchase and sales agreement as its own warrant article.

The Conservation Commission will present three warrant articles: (1) change the ordinance to allow the purchase of property or easements by the Selectmen with agreement from the Conservation Commission; (2) an option to sign a purchase and sales contract by the Selectmen with agreement from the Conservation Commission; (3) \$5,000 of any LUCT collected annually by the Town of Greenland go back into the land purchase fund. If changing the ordinance for the purchase of property to be authorized by the Selectmen fails, it would be important to have a purchase and sales agreement to tie up the property until Town Meeting.

MOTION: *J. Fredericks moved to support the Board of Selectmen in their warrant article for the purchase of land at Map R21, 7; the Conservation Commission moves forward three warrant articles: (1) to change the ordinance to allow the Board of Selectmen to purchase property with endorsement from the Conservation Commission rather than Town Meeting; (2) to change the ordinance to allow for purchase*

DRAFT: SUBJECT TO CHANGE

and sales agreements and to allow for the purchase of easements; and (3) \$5,000 per fiscal year from the LUCT fees to be transferred to the Conservation Land Capital Reserve Fund.

DISCUSSION: L. Byergo asked if the ordinance were changed to allow for the purchase of easements, would the purchase have to go to a Town Meeting vote. As an expenditure of funds, it would have to be voted by the Town; however, a purchase and sales agreement could be executed. Warrant articles must go to Town Meeting and not be on the ballot. J. Fredericks questioned ordinance changes proposed by the Conservation Commission going forward as a warrant article rather than on the ballot as an ordinance change, similar to the Planning Board. Chair Hussey responded the RSA's stipulate that zoning changes will be a written ballot. L. Byergo stated that there is a January 01 deadline for the *Grapevine* that will be available in March, suggesting that there should be an article in the *Grapevine* referencing the proposed warrant articles.

MOTION: *J. Fredericks moved to support the Board of Selectmen in their warrant article for the purchase of land at Map R21, 7; the Conservation Commission moves forward three warrant articles: (1) to change the ordinance to allow the Board of Selectmen to purchase property with endorsement from the Conservation Commission rather than Town Meeting; (2) to change the ordinance to allow for purchase and sales agreements and to allow for the purchase of easements; and (3) \$5,000 per fiscal year from the LUCT fees to be transferred to the Conservation Land Capital Reserve Fund. Second – L. Byergo; all in favor. MOTION CARRIED*

2. Trail Update

L. Byergo walked the trail as presented on the map shown to the Commission, describing what was proposed and how they may want to extend the trail. There was a discussion on what the Commission envisioned. J. Fredericks proposed as the first phase of the Greenland Greenways, a trail be executed from the trailhead at Van Etten Drive, through Coastal Way and through the easement at Cushman Way. Chair Hussey suggested continuing to Meaghan Way. J. Fredericks added they would continue to explore connections to Stratham conservation land.

L. Byergo was opposed to giving GPS coordinates to someone to have trails cut. Plans will be done by AMC for designing the trail; she suggested asking the Parks for a grant to properly build the trail. Chair Hussey clarified that once the environmental work and planning is done, the trail will need to be cleared before putting the plan in place. K. Lucey suggested tabling the trails until AMC provided the correct information. K. Lucey added lidar needed to be included and is very important because of the unique topography.

3. FEMA: Revisions to Article VIII – Floodplain Management District

Chair Hussey explained that the Conservation Commission was asked by the Planning Board to review the proposed FEMA revisions to Article VIII for any possible conflicts. If the Town of Greenland doesn't approve the proposed revisions, residents will be unable to obtain a mortgage. J. Fredericks suggested the Planner should make sure that the Wetlands Ordinance conforms with the FEMA revisions. He added that FEMA recommendations go further than the Wetlands Ordinance.

4. Approval of Minutes: Wednesday, November 12, 2014

MOTION: *J. Fredericks moved to approve the minutes of Wednesday, November 12, 2014. There was no second; four in favor, one abstain (L. Byergo). MOTION CARRIED*

5. Other Business

L. Byergo stated that for the record it was 8:05 p.m. L. Byergo questioned the Conditional Use Permit and wetland buffer impact at 239 Bayside Road, which was reviewed at the meeting on November 12, 2014. She stated that wetland buffers were established to protect the functioning of the wetlands. If the wetland buffers are being protected, there should be no encroachment. The Conservation Commission should be thinking about how impacts into buffers should be addressed. J. Fredericks stated that the politics of reality are that you have to give and take. He continued that the Conservation Commission shouldn't become, nor would it be beneficial for them to become, seen as hindering development in Town. If they are strict on not allowing minimal incursions into wetland buffers, the Conservation Commission would be seen as hindering rather than facilitating good development. The property owner has the right to develop his land. The Conservation Commission is an advisory board and advocates for conservation of natural resources. They have no approval authority; however, they have a bully pulpit of asking about the environment and/or natural environment. To be taken seriously, the Conservation Commission has to practice the politics of reality and allow development of land, while advocating for good development and what's realistic to achieve.

B. Bilodeau strongly disagreed with J. Fredericks. L. Byergo stated that Greenland is seen as a very inviting and nice place to live and that needs to be protected. The Town should try to attract development that is in keeping with the Town and meets its ordinances. The ordinances should be defended. Property owners do have a right to develop their property, but it should be done with an understanding and respect of the ordinances that Town residents passed.

Chair Hussey reminded members that they are an advisory board. L. Byergo reiterated that as an advisory board they should have some standards, asking how they provide reliable, consistent advice to the Planning Board. She continued that as a Conservation Commission, they should discuss the issues and think about what's happening with the wetland buffers. Thinking about it as a Commission, can they come up with some standards so there is consistency in providing advice on the buffers?

After a brief discussion of 34 Newington Road, L. Byergo mentioned that there is a "Soak Up the Rain" program that may be able to help the abutter with her water problem.

K. Lucey recently attended a conference on sea level rise and its effect on salt marshes. As sea level rises, so does ground water. The buffers on both sides of Bayside Road are going to ultimately be wetlands.

6. Adjournment

MOTION: B. Bilodeau moved to adjourn at 8:25 p.m. Second – J. Fredericks; all in favor. **MOTION CARRIED**

NEXT MEETING

Wednesday, January 14, 2015 – 6:30 p.m., Town Hall Conference Room

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: