



CONSERVATION COMMISSION
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MINUTES OF THE CONSERVATION COMMISSION

Wednesday, May 12, 2021 – 7:00 p.m. – Virtual via Zoom

Members Present: Bill Bilodeau, Laura Byergo, Rich Collins, Brad Lajoie, Joe Russell, Lloyd Ziel

Members Absent: Joe Fedora

Also Present: Mindy Prieur, Summer Intern; Chris Blackstone, NH Association of Conservation Districts; Vicky Nelson, Rockingham County Association of Conservation Districts

Chair Byergo opened the Conservation Commission meeting at 7:02 p.m. It was announced a quorum was present and the meeting was being held virtually through Zoom. A checklist to ensure meetings are compliant with the Right-to-Know Law during the State of Emergency was read into the record by Chair Byergo.

Attendance was taken by roll call: B. Bilodeau – present, L. Byergo – present, R. Collins – present, Brad Lajoie – present, J. Russell – present, L. Ziel - present.

1. Summer Intern: Mindy Prieur, UNH Student

Matt Tarr, UNH, recommended Mindy Prieur for the summer intern position. M. Prieur was a member of his graduating class of Wildlife Biologists. J. Fedora and L. Byergo interviewed M. Prieur. Her resume includes working with the NH Cooperative Extension, has been a lab assistant, and has field experience (including setting traps for various insects). M. Prieur briefly addressed members.

2. Rockingham County Association of Conservation Districts and NH Association of Conservation Districts

Chris Blackstone NH Association of Conservation Districts, addressed members. A background history of the NHACD was given. Their main mission is to conserve, protect, and promote responsible use of New Hampshire's natural resources. They are a volunteer, tax-exempt, non-profit organization. The four main areas of focus are soil health, water quality, wildlife habitat, and farm and forest viability. C. Blackstone did a slideshow presentation about NHACD.

V. Nelson explained the Rockingham County Association of Conservation Districts and their main focus: technical assistance to municipalities, habitat conservation and restoration, technical assistance to farmers, and conservation easements. Most of their conservation projects are grant based. V. Nelson did a quick overview of the RCACD. They have over 10 years of habitat restoration at Odiorne Point State Park; they are doing turtle habitat demonstration projects to help some of the endangered turtle species; habitat restoration for the New England Cottontail; work with their partner Natural Resources Conservation Service (they hold easements that have been contracted to RCACD to do habitat improvement).

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Technical Municipal Assistance: They work with towns to provide third party natural resources reviews mainly on developments or for septic systems. They also do natural resources impact reviews for developments (one or more lots). It is 'fee for service' based.

Invasive Plant Management: They received an Integrated Pest Management Grant from the Department of Agriculture to assist towns in reducing their invasive seed spread from town sheds, waste disposal sites, etc. They have their own licensed herbicide applicators.

Soil Health and Assistance to Farmers: They focus on the Great Bay watershed and how the equipment can help farmers in the watershed manage their soil better and reduce runoff into the Great Bay watershed. They also offer several programs for farmers.

Conservation Easements: They hold over 100 conservation easements on approximately 4,600 acres. They are the primary interest holder and responsible for making sure the terms of easement deeds are upheld. They have decided as a group not to accept new easements.

Soil Potential Index Calculations for Current Use Tax Assessments: The district does this for landowners; they have historical land photos dating back to 1943. V. Nelson reviewed several smaller services that the RCACD offers.

B. Bilodeau asked if the people who witness test pits and do septic system reviews for the RCACD were readily available. V. Nelson responded they are currently scheduled once a week; their soil scientist is available on Wednesday's. The service can be scheduled during the week for larger sites (example: subdivision) when many test pits are needed and require more time.

V. Nelson, responding to L. Ziel's question that NHACD was looking for fundraising support, stated she was not familiar with that question. RCACD receives some funding from the County as well as technical municipal services and grants. RCACD does not have an active fundraiser at this time. NHACD has two conservation planners servicing the State; there is demand for an additional planner. NHACD has a grant but a match is needed for that position.

L. Byergo asked for the range of fees (example: to double-check a septic test). The Conservation Commission is responsible for checking when a development does something in a wetland or near a wetland buffer. V. Nelson stated that the Town normally passes the cost on to the developer or landowner. She will email the fee schedule to L. Byergo. L. Byergo noted the Conservation Commission is working on a grant for area management, habitat restoration, invasive species pulls, etc. There are many different areas where the Conservation Commission might be able to coordinate with the RCACD.

L. Byergo questioned if NHACD and RCACD had gotten involved with the regional wildlife corridors that DES, The Nature Conservancy, and UNH have been working on. V. Nelson stated as it relates to an individual conservation project; they do not have an overall project for wildlife corridors. They are mindful of the corridors when working on projects.

B. Lajoie asked if the Conservation Commission could reach out to the RCACD as a pre-emptive measure for support if a proposed development could affect the wildlife corridors. V. Nelson responded that RCACD did not have any regulatory authority. They can provide technical assistance.

3. Packer Bog: Donated Land for Conservation; Berg Conservation Easement

L. Byergo introduced the topic, stating this subject was raised in April but deferred to May so everyone on the Commission could consider the question. The Town would like the Conservation Commission, to

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accept a piece of land that the owner would like to donate to the Town. The property is located in Packer Bog, is not accessible for development and is fairly small. The Town would like the Conservation Commission to accept this parcel under the RSA responsibilities. This is contrary to the Town's recent refusal to accept the Berg's conservation easement offer where the Conservation Commission specifically said Wally and Florette Berg's proposal would help protect a 4 ft. to 5 ft. culvert going under Rt. 95 for wildlife. L. Byergo reviewed two deeds with members.

L. Byergo suggested a site walk, noting it does not go along the railroad or power line and may be difficult to access. The Town does not yet have a deed for this property that states it will be conservation land. The Berg's had put together a conservation easement deed and asked the Town to accept that deed and be the third-party monitor. It was a comprehensive deed and developable lot.

B. Bilodeau assumed this parcel was not 'any good to anybody' because it was in the Packer Bog. Developers were not going to develop it and someone was paying taxes as well as liability insurance. He suggested it should be left as it is. Responding to a question from B. Bilodeau, L. Byergo stated that the Board of Selectmen were willing to take the land and they wanted the Conservation Commission to accept the responsibility of monitoring. L. Byergo noted the land is in Packer Bog which is an important wildlife area and agreed it is less likely to be developed. Even a hummock of dry land would increase its value immensely.

L. Byergo stated it was the Conservation Commission's decision to accept the land or not and if they wanted to work with the Selectmen this way. B. Bilodeau's opinion was that it was no good to anyone; if it were developable land, they would not be giving it away. Taxes were minimal. L. Byergo stated it had some wildlife value. R. Collins stated that some of the fishing conservation groups were very staunch that they were not land stewards; there were better groups to accept the responsibility. He was unsure if the Conservation Commission wanted to be in the land management business, especially on low value properties. Several members questioned why this property was acceptable but not the Berg's. L. Byergo stated the land could be donated to the Town and it would not be a responsibility for the Conservation Commission under the RSA.

L. Byergo met with the Board of Selectmen in April to ask them to approve the Conservation Commission accepting the third-party monitoring role with the Berg property. She stated it was very difficult to hear the Selectmen and video was not available so it was impossible to see the Selectmen (the Town logo was displayed). She made a presentation to the Board of Selectmen that included a revised deed based on advice from the Southeast Land Trust. It took into consideration some of the Board's earlier concerns regarding the liability of having a barn as part of the easement; the Berg's removed the barn. The Board was concerned about future liability and moved to reject the easement. L. Byergo stated she attempted to ask questions and have further discussion; she was not given very much opportunity. One Selectman stated that the land would be more valuable fully developed than as it is now or with a conservation easement. L. Byergo stated the Selectmen did not appear to be looking at quality of life issues or wildlife issues. L. Byergo has contacted the Board of Selectmen Chairman and another Selectman to request an offsite meeting for a better explanation; she had not received a response as of this meeting.

L. Byergo stated the Board of Selectmen referred to the liability issue in Falls Way and enforcement of the conservation easements. Many of the homes have a conservation easement on the rear of the property. It was a White Cedar swamp many Town residents did not want developed. L. Byergo provided a background on that development. Responding to a question from B. Lajoie, L. Byergo stated that the Selectmen were concerned about third-party enforcement on conservation easements in Town.

B. Lajoie questioned the downside of accepting the Packer Bog land. There would not be an easement on the property that would require monitoring. L. Byergo asked if they wanted to take on more land that was not legally conserved. There was continued discussion about the land in Packer Bog and the potential development of 4 Tower Place.

A site walk of the Packer Bog property was scheduled for the weekend of Saturday, May 15 or Sunday, May 16, 2021. B. Lajoie stated if there was no burden to the Town or the Conservation Commission, he did not see a reason for not accepting the land. L. Byergo stated they would vote eventually but were not ready at this time. The Town would own both parcels in Greenland and Portsmouth.

Berg Easement: L. Byergo updated members that the Board of Selectmen declined to accept the third-party obligation. The Berg's remain determined to put an easement on that property. L. Byergo has returned to Southeast Land Trust to find another way to help the Berg's. The Berg's could state in their will that the land was not to be developed; that is more of a challenge and a weaker way of protecting the land. L. Byergo suggested that the Berg's and maybe the Conservation Commission could help the Southeast Land Trust do some monitoring and they could accept the liability. It was a far-fetched idea but was being discussed. There was further discussion about conservation easement monitoring.

4. Committee Reports

By-Laws and Conservation Land Deeds: J. Russell reported he worked with J. Fedora and L. Byergo on reiterations of drafts of the by-laws. He felt the by-laws were ready to be voted on. J. Russell researched conservation deeds in Town for the largest donations of land. He explained that he omitted the names of developers who were required to add open space in subdivisions; credit was not given to that type of donation. He looked strictly at people who wanted to donate. There were large tracts in the Bay area heading into Newington, Packer Bog, and interior tracks off Post Road. They will now try to locate those families who may still be in the area and recognize them as part of the 300th Anniversary. L. Byergo offered to work with the Town on how to locate and contact the families. She stated the Conservation Commission would need to decide the best way to recognize families and how many, if not all. L. Byergo suggested a commemorative ceremony for the families who put property in conservation easements. It could be held in the Town Hall area or on conservation property and the press would be invited.

300th Anniversary Celebration: L. Ziel reviewed the Schedule of Events; additional events and activities may be added. He noted there were opportunities for the Conservation Commission to be involved. The 300th Anniversary Committee is interested in hearing what the Conservation Commission would like to do. L. Ziel mentioned to the Committee the maps, guided trail tours and the recognition of families. L. Ziel suggested the Conservation Commission may want to do an educational presentation on Sunday, September 19th during the Market Place and Track and Field events at the School. He has contacted the Center for Wildlife in Maine and they will do a presentation (cost: \$250 plus mileage). A presentation with photo ops and a talk about the importance of wildlife corridors could dovetail with J. Fedora's community outreach project. There was also a discussion about R. Collins' map and the map for the 300th Anniversary. L. Ziel has created a Facebook page and website for 'Greenland Old Home Days' as well as a Conservation Commission group on Facebook.

Community Outreach on Wildlife Corridors: Peter Steckler, The Nature Conservancy, gave L. Byergo a map of Greenland with wildlife corridors highlighted. L. Byergo suggested it be printed on a large size to be mounted on poster board so people could see where the regional wildlife corridors are located in Greenland.

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Trail Maintenance and Easement Monitoring: L. Byergo, B. Lajoie and Larry Day met to discuss trail maintenance. L. Day has built new steps in the high erosion areas on the trail. L. Day and B. Lajoie will finish the last set of steps. L. Day will be using some of the downed trees from Cushman Way, cut them and put them down so people can walk over the wet areas. There is money in the warrant to extend the boardwalk. L. Byergo will organize a volunteer day in September to go after the Black Swallow Wart that is invading the meadow on the upper section of the Thompson Brook Trail. A possible volunteer day in June would be focused on cutting the autumn olive and the multiflora rose along the trail.

5. Protecting Ash Trees in Rolston Park: Review of Board of Selectmen's Decision

L. Byergo met with the Board of Selectmen in April about partnering with the Conservation Commission to protect the ash trees in Rolston Park by inoculating them. There are 11 ash trees in the park; the cost will be \$4,875 to inoculate them. The Selectmen agreed to cover approximately half the cost; the remaining balance would come from the warrant article. L. Byergo noted this was the last year of the three-year warrant article and it would need to be renewed in 2022.

6. Other Business

June Meeting: L. Byergo noted that a decision will need to be made on the by-laws, what event(s) should be done for the 300th Anniversary and funding for those events as well as recognizing people who donated conservation land to the Town or put land into conservation easements. Good educational material needs to be developed; R. Collins has created a brochure for the Thompson Brook Trail (a decision will need to be made). Also to be discussed: information for the website.

Turtle Crossings was continued to the next meeting.

Photos: R. Collins asked for photos for the brochure of the Thompson Brook Trail.

7. Approval of Minutes

MOTION: B. Bilodeau moved to approve the minutes of Wednesday, March 10, 2021. Second – J. Russell; roll call vote: B. Bilodeau – yes, L. Byergo – yes, R. Collins – yes, B. Lajoie – abstain, J. Russell – yes, L. Ziel – yes. Five in favor, one abstained (B. Lajoie). MOTION CARRIED

Approval of April minutes was continued to the next meeting.

8. Adjournment

MOTION: B. Bilodeau moved to adjourn at 9:15 p.m. Second – B. Lajoie; roll call vote: B. Bilodeau – yes, L. Byergo – yes, R. Collins – yes, B. Lajoie – yes, J. Russell – yes, L. Ziel – yes. All in favor. MOTION CARRIED

NEXT MEETING

Wednesday, June 09, 2021 – 7:00 p.m., Zoom

Submitted By: Charlotte Hussey, Administrative Assistant