

Newfields Conservation Commission (NCC) Minutes

- 1. Meeting Date:**
 - a. 15-APR-2024
- 2. Meeting Open:**
 - a. 7:04 p.m.
- 3. Members:**
 - a. Forrest Hayden
 - b. Chris Griffith
 - c. Allison Watts
 - d. Josh Lent
 - e. Jeff Couture (non-voting member with expired term – awaiting reconfirmation)
 - f. Dave Mason (non-voting member with expired term – awaiting reconfirmation)
 - g. Mark Kasper - Selectboard Representative
- 4. Guests (attendees in audience not included):**
 - a. Ellen Snyder – Chair of the Newmarket Conservation Commission
- 5. Administrative Business:**
 - a. The video stream of the meeting was initiated by Selectman Kasper. This is the first Conservation Commission meeting to be live streamed and archived via www.townhall-streams.com
 - b. NCC Members reviewed the previous month's Meeting Minutes:
 - i. Chris Griffith motions to approve, Allison Watts seconds, all in favor YES.
 - c. C. Griffith provided the Treasurer's Report:
 - i. Allison Watts motions to accept, Forrest Hayden seconds, all in favor YES.
- 6. New Business:**
 - a. New Selectboard representative – NCC members introduced themselves and welcomed Mark Kasper.
 - b. Complaint and impact on reappointments - Lynn and Mark Girard:
 - i. Allison Watts recused herself for this matter due to affiliation with SELT and sat in the audience.
 - ii. Chris Griffith provided a timeline of the Girard (Haughton Easement) activity relative to the NCC:
 1. 4/19/2021 - Lynn and Mark Girard attended the Conservation Commission meeting. The Girards discussed SELT's access to the Piscassic Greenway and presented numerous safety concerns. The Girards presented new driveway plans that relocated the driveway to the approximate area of the 50ft wide Stewardship Easement on the western edge of their property.
 2. 5/17/2021 - The NCC discussed updates received from the Girards. The driveway negotiation was still ongoing with SELT. The NCC discussed the need to approve the final plan as access for the NCC to the town-held conservation land could be impacted.
 3. 8/16/2021 - Mark and Lynn Girard attended the Conservation Commission meeting. This was the most recent meeting the Girards have attended. The Girards stated that negotiations with SELT fell through due to SELT refusing to give 24 hour notification prior to accessing the land. The NCC continued to discuss the approval regarding moving access to the 50ft wide Stewardship Easement on the western edge of the Girard's property. There were several concerns mostly about the easement language suggesting that the access can only be relocated when the excluded

area on the northern side of the rail trail is developed. Ultimately, the NCC decided that the relocation could be approved as long as the new driveway falls within the 50ft Stewardship Easement. The NCC made this decision due to the safety concerns expressed by the Girard family. The NCC discussed having a site walk with the Girard family and their engineer.

4. 9/17/2021 - Several NCC members attended a site walk. Driveway construction had begun from Piscassic Rd about to the point of a garage/barn. The crew was having trouble locating some of the pins and could not determine whether keeping the driveway within the 50ft Stewardship Easement would be possible. The NCC left the walk approving of the relocation as long as the new driveway fell within the 50ft Stewardship Easement. Later that day, Chris Griffith received an email from Lynn Girard stating that they located the pins and the driveway will fit within 50ft Stewardship Easement. The Girards plan to proceed with a 15ft-20ft wide road – requiring approval of SELT.
5. 9/20/2021 - The site walk and the email were discussed and the NCC believed that the driveway/access were being relocated.
6. 9/27/2022 - Selectboard Meeting: Jeff Couture and Chris Griffith were in attendance for a different matter. Mark and Lynn Girard presented an alternative access plan. Jeff and Chris discussed a brief history of the Girard access from the NCC's perspective.
7. 5/15/2023 - Conservation Commission Meeting: Josh Lent conveyed that the Selectboard was planning to send SELT a letter in support of moving easement access from the Girard's property to another easement - The Cole Farm on Bald Hill Road. This relocation would involve building an access road through the Cole easement property. Several concerns were raised, including: How did this come up with the Selectboard when our understanding was the Girards were proceeding with the relocation that the NCC approved? Why was the NCC not included in this discussion when it involves access to a town-held easement?, Why is the Selectboard getting involved in a matter between a citizen and a private entity?, Why is this recommendation being made without first assessing potential impacts to the Cole easement?. Michael Kessler stated he would make this an agenda item for the next Selectboard meeting prior to sending the letter to SELT.
8. 5/30/2023 - Chris Griffith, Jeff Couture, and Forrest Hayden attend the Selectboard meeting to discuss the letter. The Girards were also in attendance. The three members of the NCC discussed concerns and the Girards discussed the safety concerns related to SELT access through their property. The three NCC members reiterated that the access point is also for the NCC to access to a town-held easement and asked why we were not included in the conversation. Michael Sununu stated that the Selectboard had been working on this issue for "the better part of a year" and had maybe "6 meetings" about it. There was also reference to his attempt to mediate the matter in a meeting between SELT and the Girards. Upon review of Selectboard minutes and agendas, Chris Griffith could only find one record of a meeting involving the Girard property. That meeting was the one that Jeff Couture and Chris Griffith happened to attend on 9/27/2022. It was requested that the NCC be looped-in any time an NCC

matter comes before the Selectboard. All parties agreed to work toward improved communication.

9. 6/26/2023 - Upon review of the minutes from the 5/30/2023 Selectboard meeting, there was concern that very few NCC comments were included in the record while comments from the Selectboard and the Girards were more accurate. The NCC requested to Michael Kessler that the minutes be amended to accurately reflect the video recorded version. Those changes were made.
 10. 9/18/2023 - The last NCC dealing with the Girard Property prior to the complaint made on 4/1/2024: Under “Old Business” the NCC discussed the Girards recent presentation at a Planning Board meeting. The Girards discussed the possibility of developing the lot in the exclusion area on the north side of the rail trail. The NCC discussed that the primary concerns are maintaining access for monitoring, management, and emergency access to the easement.
- iii. Forrest Hayden relayed that he wished the NCC had been notified of the complaint prior to the 9-APR-2024 Selectboard meeting as the emailed letter of complaint from the Girards arrived in on 1-APR-2024.
 - iv. Selectman Kasper relayed that the complaints against the NCC need to be more specific (what was said and by whom) to better define further action. Next steps include available members of the NCC attending the 23-APR-2024 Selectboard meeting to respond to the complaints.
 - v. Forrest Hayden volunteered to attend the 23-APR-2024 Selectboard meeting and also relayed that during his 4 years on the NCC, he could not recall a single instance of name calling or derogatory comments towards individuals of the town.
 - vi. Josh Lent relayed concerns about relocating access from the Girard’s property to the Cole Farm area on Bald Hill Road. Major concerns included disruption of the field, the necessity to bring in large amounts of fill to mitigate seasonally wet/muddy sections, the requirement to remove the current bridge near the pond/stream to install a new bridge that would accept the weight/width of a logging truck and the assumed need to create a road that would be located between the Mraz North Loop and Mraz South Loop trails - situated upon a significant hillside.
- c. 2023 Monitoring reports:
- i. Cole Easement:
 1. Encroachment has been resolved - lobster traps and brush have been moved.
 2. Chris Griffith motions to accept the easement monitoring report, Forrest Hayden seconds, all in favor YES.
 - ii. Anderson/Vernon Easement:
 1. NCC is awaiting a memo from Sara Callahan (Conservation Consultant) regarding soil compaction and guidance.
 - iii. Daley Easement:
 1. The NCC does not yet have the easement monitoring report.
 2. Sabrina Daley sent images of the site showing that garbage referenced in previous monitoring reports has been removed.
 3. There may be some boats in the care of an abutter on the Daley property. The NCC will further explore the situation.
- d. The NCC discussed difficulties encountered when trying to access the Town of Newfields NCC email account. Forrest Hayden to follow up with the Town Hall.

- i. Josh Lent to setup an auto-message on the Gmail account to say “see town email instead”
- e. Old Lee Trail improvements:
 - i. Ellen Snyder, Chair of the Newmarket Conservation Commission, relayed plans to improve the Old Lee (Class A) Trail and the bridge. There are wet areas on either side of the bridge that crosses the Piscassic River. The Newmarket Conservation Commission is going to apply to the Lamprey River Advisory Committee for a grant to conduct drainage and erosion control – this may involve rock bars and bringing in material. The work on the eastern side of the bridge will likely involve an excavator, which would be brought in via the gate at the end of Old Lee Rd. It is assumed that the Newfields Road Agent and/or the Newfields Police Department has a key to that gate.
 - ii. The Newmarket Conservation Commission is also interested in bringing in a structural engineer to assess the bridge and they are also considering installing a second railing.
 - iii. Chris Griffith made a motion to support the Old Lee Road trail improvements, seconded by Josh Lent, all in favor YES.

7. Old Business:

- a. Community Forrest (Rugg Property) updates and next steps:
 - i. The project is in the fundraising phase.
 - ii. Selectman Kasper has been designated as the contact person for the Town of Newfields regarding the Rugg Property.
- b. Rockingham Recreational Trail Beaver Impact Letter:
 - i. Discussed the impact of the beavers on the Rockingham Recreation Trail and the communication with Jeff Bleichaczyk (NHDES Wetlands Bureau).
 - ii. NCC is investigating the recent removal of the beaver dam/lodge.
 - iii. Forrest Hayden relayed that he was having trouble identifying the owner of a parcel of land abutting the rail trail via the online tax records. Meeting attendee Selectman Harmon, offered that the “onX Hunt” phone app is a good resource for land ownership.
 - iv. NCC to consider calling a meeting with Fish and Game and other related groups.
- c. Commission Member Terms:
 - i. D. Mason reiterated that his term and the term of J. Couture expires in 2024 and both need to be sworn in again at the Town Hall.

8. Mail:

- a. SELT – “Coexisting with beavers”

9. Adjourned:

- a. 8:30 p.m.

10. Next Meeting:

- a. 20-MAY-2024