

Sunapee Conservation Commission Meeting Minutes for May 5, 2021

Present via Zoom: Van Webb, Terry Mattson, Matt Hurd, Cliff Field, Mark Reynolds

Present at the Town office: Tim Fleury, Lela Emery

Tim Fleury read the Governor's Emergency Order.

Terry Mattson made the motion to approve the meeting minutes of April 2021. Motion seconded by Matt Hurd. Vote - TF Y, LE Y, MH Y, TM Y, CF Abstain, MR Y, VW Y

Mail:

NHDES recorded notice of application Ramsey Family Revocable Trust, 608 Edgemont Dr, Sunapee 148/50

NHDES approval for Anita and Michael Hayes, 77 Lake Ave, Sunapee 128/54

Wetland Application by Notification for Ogilvy Family Compound Trust, Garnet Hill Road, Sunapee 126/021/000 repair or replace exiting legal docking structure 20'X30' crib, 6'x13' walkway. SCC no action
ASLPT Monitoring Reports received for:

Wendall Marsh North – no concerns

Ledge Pond – no concerns

Webb Forest Preserve I – no concerns

Otter Pond Protective Association – no concerns

Webb (Dane Lot) - no concerns

Simpson Reserve – no concerns

Wright – no concerns

Webb (Harrison) – no concerns

Wendall Marsh South – a copy of this report was also sent to the TOS Board of Selectman

Treasurers Report:

Conservation Commission Fund balance \$29,328.35

Town Forest Fund balance \$22,860.29 (includes proceeds from Ledge Pond Timber Harvest)

Operating Budget balance \$2,825.00

Van requested Mark contact Lynn regarding having the \$55,000 warrant article funds transferred into the CCF account in order to reflect the SCC actual fund balance.

Cliff Field made the motion to accept the Treasurers report. Terry Mattson Seconded. All in favor, TF Y, LE Y, MH Y, TM Y, MR Y, CF Y, VW Y.

Van and Mark met with Jeremy at Ledge pond to review the trail locations. Trails may need to be adjusted due to the debris left from the cut. Invoice was presented for Meadowsend Timberlands Ltd for \$1,350 for trail location work at Ledge Pond. Map with proposed trail location emailed to Commission Members. Van forwarded the map to Lucian Osborne who will be contributing to the project for Eagle Scout credit. Receiving this bill brings up the subject of trail work and possibility volunteers doing work which would save us money. Volunteers to be revisited as a later agenda item.

Matt Hurd made the motion to pay invoice number 55 from Meadowsend Timberlands Ltd \$1,350.00 for Ledge Pond Trail Work from the professional Line item from the SCC budget. Motion seconded by Cliff Field. Vote – TF Y, LE Y, MH Y, MR Y, CF Y, TM Y, VW Y. Van made the note that the Town Forest Fund needs a vote at town meeting. SCC should think about determining a dollar amount for the Ledge Pond trail work and submit the cost to the Town Forest Fund. The above invoice would be part of the expense, and we could take our time to do the work and then submit final cost.

Logan Young and Jeremy Fenne were present via Zoom on behalf of Eversource. They reviewed the proposed work involving 9 miles from Sunapee to New London and the replacement of 14 utility poles,

no change in alignment. Appropriate paper work has been submitted to DES and Shore land due to the proximity to Otter Pond. All protocol will be followed for any environmentally sensitive areas. Terry Mattson asked about overhead lines v. buried. Due to the expense of the archaeologically and wetland impact it is not supported. There will be a Public Utility License to cross the lake and this work will be done in the Fall. SCC members thanked Logan and Jeremy for the review. SCC no action required.

Trails Liability/Trail Committee – Cliff Field, Aaron Simpson and Donna Nashawaty have a zoom meeting planned for May 6. Any SCC members able to join are invited. Robert Barry, a risk management consultant, recommends organizations follow best practices by having volunteer read and sign a statement which will need to be tailored to what we are doing and NO mechanical/power equipment. Cliff has done some research on other entities that use volunteers and how they deal with the liability concern. NH Timberland Association offers chain saw classes. Forest Society trains their volunteers, they work in teams and wear Personal Protective Equipment (PPE). Pinnacle has volunteers for trail work and so much trail work has been done it has been a detriment to the trails as there is erosion. Cliff learned other groups purchase separate liability insurance. SCC could purchase this from their budget \$816 for a policy. SCC would like to pay for a separate liability policy to enable us to get more projects done, more community/member involvement, and save on expenses.

Walk Your Woods – Mark and Matt will make contact and meet with John Augustine regarding planning a featured hike/walk for Sunapee. Maybe plan a Fall Foliage hike for Treatment Plant Road – Sunapee Springs trail loop could be a good start and highlight the parcel. Schedule for October and get PR over the summer for the event. Scott Blewitt has made a request via email for an article for the Summer Newsletter if SCC would like to contribute. SCC member's agreed that all the Town Trails need to be well marked before sending people off. We and they should feel comfortable that they are not going to get lost. Also suggested there is an app called Trail Finder. No other information offered.

Charlene and Lucien Osborne are present to hear update on Ledge Pond and where Lucien will fit into the future trail work on the parcel in order to earn his Eagle Scout. SCC received a Forestry Service agreement from MTL for \$3,500 outlining the plans and cost of building the proposed trail on Ledge Pond. SCC will not be signing the agreement and instead plans to hopefully use volunteers from the community for a plan in 2022 to complete the work for the new proposed trail. Map was emailed to SCC members and to Lucien. SCC will come up with a budget and plan to withdraw the funds for the project from the Town Forest Fund which is where the proceeds from the Ledge Pond timber sale were deposited. Fitting to have the expense for the parcel come from the income from the parcel. Lucien has conditions to follow for his Eagle Scout Project. Lucien cannot start the project until his plan for the project is laid out and it is approved by the BSA. Lucien will also need a mentor. Van will respond to Jeremy at MLT regarding not spending \$3500 but authorize \$1,500 to define flagging out the trail, viewpoints, plants, and to introduce Jeremy and Lucien via email for the 2021 work. Van forwarded the MTL proposal to Lucien and Van said that Lucian could work with Jeremy on flagging, and a SCC member would need to be present with Jeremy and Lucian. Terry Mattson has volunteered to be Lucian's SCC contact. Van asked Lucien to give the SCC, in email form, a timeline on his project, define the expectations, include info and define the scope of his project within the BSA guidelines and parameters. A summary for his project and how the SCC can support it. The Eagle Project has been added to the June agenda.

More discussion on filling the Secretary vacancy.

Georges Mills Newsletter on hold to incorporate Ledge Pond update

Wendall Marsh North has a view easement. This was missed in the Title work. This existing view easement came to light on Wendall Marsh North when the lot owner wanted to exercise the right. They wish to establish their view and contacted Ann with ASLPT. Town Attorney, Donna Nashawaty, SCC and the Town of Sunapee are responsible for the monitoring and defining easement. There will need to be a record going forward of what needs to be cut for the view. At this time they are not sure how extensive the cut would be. The easement includes 3 lots on Ryder Corner Rd. The Title search done for the SCC had no indication of this view easement and it is not in our Title. SCC acquired the parcel and it was appraised without this view easement. Do they have the right and claim on our parcel? Even if it is an error by the lawyer, does the Title insurance cover it? An error of omission? Deed recorded or not recorded. Before we move forward on this we need clarification if the easement is on our title too, to confirm on the deed. Does our parcel show the easement existed on the SCC parcel? Tim Fleury will draft a letter to Donna for Town Counsel to verify a recorded easement on WMN Title/Deed. It needs to be clarified if that was missed during the title search on our property and that it did preexist. Also need to get clarification on Title insurance as this is going to cost us money. Discussion tabled until June Meeting. Tim will send out a letter to SCC members for review. Include Aaron Simpson.

Shooting range – Chief Cahill sent an update to the SCC. The Energy Committee is looking at the possibility of adding a solar array to the site. SCC has no role in that decision. The Treatment Lot is part of the Town Forest System managed by SCC. The solar array/shooting range on Town Forest is not a permitted use on Town Forest. SCC wants to be informed on what is happening and give an opinion. Van wrote to the Energy committee for their view on the parcel for their project. A question if the triangle parcel is in the Town Forest? Tim will look at map to confirm if parcel is included in Town Forest. SCC has no veto power. SCC will speak at public hearing.

Van will contact Scott Blewitt regarding putting/highlighting trails in the Town recreation Newsletter. Tim reported that the SCC has permission to post information in the SRGK Kiosk located on Ski Tow Hill. Tim will plan to put up literature on the Emerald Ash Borer which is now in Sunapee.

Tim Fleury reviewed/read aloud through all the ASLPT monitoring reports (listed above) all free and clear of issues or encroachments and do not need any action on behalf of the SCC. The Town Manager received a report on the Wendall Marsh South property. The report states a shooting range, trash and tree house present on the property. An ATV trail, which are not allowed, also poses a threat and infraction due to their proximity to the trail heads which have a buffer zone around each one. SCC discussed options and feel Scott Hazelton and a Town crew, using the right of way, would be best candidates for the task of clean up. Cliff will bring this topic up for discussion with his May 6 am meeting with Donna.