Members present: Helen Hanks, Bob Hardy, Ben Wadleigh and Chuck Mitchell.

Also present: Eliza Conde, Secretary.

Helen Hanks moved, seconded by Ben Wadleigh to accept the minutes of July 19, 2004 as read. Motion passed.

New Business:

MacArthur, Wetlands application: Members reviewed the Minimum Impact Expedited Wetlands application for a driveway entrance on Calef Hill Road. After discussion, Bob Hardy moved, seconded by Helen Hanks, to sign the application for submission to NHDES. Motion passed and 5 copies of the application were signed.

EPA/ Riverside Park: Chuck Mitchell reported that he had been in contact with the EPA relative to disturbing soil near Winnipesaukee River and the possible need for a Wetlands Permit to do so. The EPA is communicating with DES in this matter.

Bob Hardy informed the Commission that he had met with a representative from SPNHF who cautioned him about the language required in a Deed Restriction to allow the Conservation Commission or the Town to enforce the restrictions. Easements are more desirable and enforceable than deed restrictions. The Commission may want to discuss this issue with the Planning Board so that future easements or restrictions have the correct language included.

Konover Development Corp.: This plan is still in the process of acquiring permits, etc. The ZBA incorporated all of the Conservation Commission’s suggestions into their approval.

Park Committee report: Bob Hardy reported that there is more contamination than originally expected. EPA, DES, the Park Committee and the Selectmen will be meeting to discuss these findings. The Park Committee is in fund-raising mode. There is little
else that can be done until the area is clean.

Jack MacDonald/ wetlands issues: Chuck Mitchell read the letter to Bob Dwinal relative to concerns about his earthwork affecting Mr. MacDonald’s wetland area. He also read two letters of response from Mr. Dwinal. Chuck will visit with Mr. Dwinal. This appears to be a neighborly conflict although the Conservation Commission has previously been concerned about the wetland area on Mr. MacDonald’s property.

Richard Belair: The Commission reviewed a Minimum Impact Expedited Wetlands application submitted by Mr. Belair for a 4’X24’ dock on his property on Winnisquam. Before signing this application, the Commission will request more information from Mr. Belair relative to:

1. Location of proposed dock in relation to the brook on the property.
2. The town tax maps show this property to have only 28 feet frontage which is different from the application.
3. Will there be need for a dredge and fill application.
4. Is Mr. Belair proposing to remove the Cattails from the shore line.

A letter requesting this information as well as permission to conduct a site walk will be sent to Mr. Belair.

Old Business:

Roland Huckins: Chuck Mitchell noted that DES has sent a letter to Roland Huckins denying his Wetlands application for a driveway as Mr. Huckins did not respond to their previous list of questions.

John Bernard (conservation “set aside”): There has been no response from Atty. Puffer relative to this issue. Chuck Mitchell will contact Atty. Puffer and report at next meeting.

Route 3/11 DOT project: Chuck Mitchell had talked with Jon Scanlon at length about Jon’s concerns relative to this project. As the Commission has done all it can at this point, Chuck suggested that Jon write to any and all parties involved with his concerns. DES has responded to the Commission’s letters and believes that all is in order.
Correspondence:

1. DES: Complaint that Robert Sprague has placed fill in a wetland area on Patricia Ann Drive
2. DES: Complaint about digging near the lake at 46 Lake Road.
5. Request for nominations for “Volunteer Commendation”. The Commission will work on the application to submit Pat Clark’s name for this recognition.

Other: Helen Hanks expressed concern about milfoil in the lakes and asked if there are any resources available.

Chuck Mitchell had received a complaint about the clear cutting on the bank on property next to the post office. Bob Hardy has looked at this property and noted that they cleared what they said they were going to do. The Conservation Commission had expressed its opposition to this plan at the time, but the Planning Board approved it, so there is little that the Commission can do at this time.

Bob Hardy noted that there is a site plan before the Planning Board to expand Mike’s Auto and that there appears to be wetlands on this property. Eliza will e-mail Sandy Plessner to ask to review this site plan and let her know of the Commission’s concerns.

Checklist for applicants: Members worked on changes to the checklist, rewording, deleting, adding, etc. This will be continued at the next meeting.

Meeting adjourned at 9:15 pm.

Respectfully submitted,

Eliza Conde, Secretary