Members present: Chuck Mitchell, Ben Wadleigh, Paul Rushlow, Helen Hanks, Kathi Mitchell, Sukie Clark and Bob Hardy. Also present: Carolyn Hurst, Ken Norton, Katherine Dawson, Sandy Plessner, Rich Vandenberg and Rip Patten.

**WRTA**: Rip Patten of Credere Associates gave a preliminary report on the Phase II Environmental study of “Ernie’s” (Tax Map U4 Lot 71) based upon the lab reports. The final report has not been completed, however, based upon the findings to date there are no underground tanks and no contamination where the old tanks had been removed. The drain inside the building is connected to the sewer main. There were PAH’s found in excess of state standards, however the count is not very high and probably derived from “urban fill” as opposed to some other source. As there are no regulations relative to urban fill, DES will not be concerned with the PAH. There is one soil sample located near the building that exceeds state standards for arsenic and lead. The arsenic and lead are located 4-6 feet below the surface and can be removed during demolition of the building. DES will require monitoring of this site until such time as 2 reports show levels of arsenic and lead below the state standards. It is expected that the only requirement by DES will be the monitoring of this site. It is recommended that the site be covered by a landscape fabric and soil to avoid contact with the PAH, however this is not required.

Carolyn Hurst brought the Commission up to date on the status of the P&S for the property. WRTA has received a DOT grant that included dollars for the purchase of this property, however that money is not in hand yet. If the WRTA purchases the property before the grant dollars are issued, then it cannot use those funds retroactively for the land purchase. Carolyn has requested another extension on the P&S, but she is not optimistic that it will be granted. The Conservation Commission cannot purchase the land by December 30 as it is required to hold 2 public hearings before expending money.

Chuck Mitchell explained that the Conservation Commission would have to purchase the land either directly from the seller or from WRTA as it cannot contribute dollars for another organization’s purchase. Sukie Clark asked if DES will require that the property be cleaned. Mr. Patten replied that urban fill is not regulated by the state, therefore there is no requirement to remove it. If the lead and arsenic area near the building were to be removed, DES would require monitoring until 2 reports are below state levels. He added that there probably is funding available to municipal or non-profit groups, but not immediately. Further discussion relative to
removal of the building and any hazardous materials involved. The testing showed no PCB’s above state standards and any asbestos can be removed at time of demolition.

Chuck Mitchell asked the Commission to think about whether it wants to invest dollars from the Conservation fund, if so at what level of commitment. The WRTA does not want to own the property, but it is critical for the construction of the bridge and for trail parking. The CC cannot purchase the property by Dec. 30, so unless an extension is granted, the WRTA will have to purchase it with their funds. Carolyn Hurst noted that the title search has been completed, so it’s just a matter of timing at this point. She is asking for the extension but is prepared to purchase by the 30th. Using the trail’s funds will create a financial burden as the funds are earmarked for other purposes. It would be simpler for the town to purchase the property directly, but that can only happen if an extension is granted. Both Sandy Plessner and Katherine Dawson were in favor of the purchase given the report of minor environmental issues. Members discussed the issue of funding the demolition of the building and who would be responsible. Carolyn Hurst suggested that there could be grant money available for that purpose.

After further discussion relative to the costs of removing the building, the timing of the purchase, grants that may be available, etc. Sukie Clark moved, seconded by Ben Wadleigh to purchase the “Ernie’s” property (Tax Map U4 Lot 71, 180 E. Main St.) for a sum not to exceed $70,000 contingent upon a clear title. Bob Hardy expressed concern about the cost of demolition and who will be responsible for it. He added that if the town purchases it outright without the WRTA, then the town will be solely responsible for the demolition. He cautioned the Commission that the Riverside Park also had a clean Phase II report, however tanks were found and removal was very expensive. Ken Norton responded that this study included ground radar which is more accurate and that no excavation is planned for the property. Katherine Dawson suggested that the town does not have to demolish the building, it could be part of an agreement with WRTA that the building be demolished before selling to the town. Sandy Plessner suggested getting an estimate of the cost of demolition before any public hearing. After further discussion, the motion passed with concern. A public hearing will be scheduled for the January 17, 2011 meeting.

Paula Huiser: Chuck Mitchell reported that Ms. Huiser had called him to inquire what can be done about the Conservation Commission’s concern for removal of trees within the 20 foot buffer of Ice House Pond. Sandy Plessner added that Belknap Hyundai is now looking at a different property.

Martin land: Chuck Mitchell received an email from Philip Miles, NH DOT relative to the status of purchasing this property from the state. The plan is moving along, however it will be another 6-9 months before it can be completed. Language for a restrictive easement to be
included in the deed from the state will be compiled by a committee of Helen Hanks, Bob Hardy and Kathi Mitchell.

**Stipends:** The Commission should develop a policy of issuing stipends and how many meetings should be attended to receive them. Sandy Plessner commented that the Selectmen have a policy not to pay a committee member if they do not attend meetings.

**Correspondence:**
- Fidelity: Denied coverage for purchase of Martin land. Will send a response correcting statements made in the denial letter.
- Phase I report of “Ernie’s” property
- DES – permit for Pine Street bridge
- DES – shoreland permit for Belknap Subaru
- BCCD meeting Jan. 31
- Bohler – response to CC’s concerns with Walmart parking lot.

**Minutes:**  Sukie Clark moved, seconded by Helen Hanks to approve the minutes of November 15, 2010 as read. Motion passed.

Members wished Sukie a happy 60th birthday.

Meeting adjourned at 6:35 pm.

Respectfully submitted,

Eliza Conde, Secretary

*Minutes approved 01-17-2011*