

Litchfield Conservation Commission

July 10, 2008

7:00 p.m. Town Hall

2 Liberty Way

Members Present: Joan McKibben Chairman
Tom Levesque
Sharon Jones
Marion Godzik
Richard Husband – Alternate (arrived at 7:05)

Selectmen's Rep: Al Raccio

Absent Roger St. Laurent - Alternate
Ray Peebles
Stephen Tarara

Called to order 7:02 PM

Items Discussed:

1. **Moore's Falls-** Chain still needs to be repaired. Jeff Guay called Joan McKibben and he is certain he can repair the sink hole for \$500., no more then \$600. Joan McKibben motioned to have Jeff Guay repair the sink hole with the materials donated by Rick Charbonneau – Continental Paving, Al Raccio 2nd the Motion McKibben will double check but is pretty sure the Insurance Certificate is already on file with the Town of Litchfield. Al Raccio is looking for a written quote from Jeff Guay and amended the Motion by Mrs. McKibben for the cost of repairs not to exceed \$700., Al Raccio continues to 2nd the Motion to contract with written quote with insurance certificate passes 5-0-0. The chain still needs to be repaired, Jeff Guay will enter the property by the chain and not by St. Francis. Al Raccio to Madam Chairman to ask the Road Agent (Gerry DeCosta) to take a look at the chain, Madam Chairman will ask Gerry to take a look.
2. **Map 15 Lot 6** – Farwell Engineering (R. Theroux – owner) at the 7/8/08 Planning Board Meeting they rescinded the idea of calling in a hydrologist and Dr. Ballesteros never responded to LCC letter requesting that he come out and look at the property. Tom Levesque mentioned Dr. Ballesteros should have been called rather then contacted by mail. Tom Levesque thought that property owner could possibly make a swale and divert the water back to the east side of the property, not a low swale with cattails that would attract mosquito's. The Planning Board suggested LCC purchase the land. LCC could approach the property owner about buying the development rights.

3. **Map 20 Lot 116** - Sybil Lane, Case withdrawn from ZBA Docket by applicants attorney without prejudice. If they are to go back to the ZBA they will have to start the procedure from the beginning. Site visits done on 4/22/08, 3/8/08 ZBA, 11/26/07 w/LCC. Variances DENIED code enforcement or zoning decision still needed – applicant needs letter from LCC.
4. **Map 2 Lot 128** – Cutler Road – Morgan Hollis Attorney for Mario Plante - Joan McKibben waiting for that to come up to the ZBA.
5. **Stage Crossing Map 12** – Easement/Town Access, Joan McKibben spoke to John Poulis of the Condo Assoc. at Stage Crossing and gave him a copy of the Quit Claim Deed, they (the condo assoc) was not happy and sent a letter to LCC stating so. The Condo Assoc would like the easement transferred to them or the Town of Litchfield to sell it to them. The easement is 1/3 of a mile from 3A. Al Raccio states it's an interesting piece of corridor, Al Raccio goes on to mention that it was offered to the Condo Assoc. with the whole parcel but it was not a consideration, Mr. Raccio is surprised that the Condo Assoc., is now coming back to LCC. The transfer of right of way was a Quit Claim Deed. Al Raccio's concern is ie; in 50 years from now when the people from the Condo Assoc., Conservation Commission or other members of the current boards in Town and maybe even the buildings/condo's are gone the Town may need that easement.

Side Bar – 3rd Party Protection or easement restrictions need to be filed in order to keep conservation lands as conservation lands with language protecting conservation issues.

Tom Levesque thinks we should just close the book on the issue. Al Raccio Motions that LCC send a "thank you but no thank you" note, LCC will preserve the access and we will be 'good neighbors' and it's in the Town's best interest, Tom Levesque 2nd the Motion.

Chair calls for comments from the public:

Two members from Stage Crossing Condo Assoc in attendance. Jean White of 6 Old Stage Crossing/ on the Board of the Condo Assoc., she mentions that other then the easement it is private property. Al Raccio says by opening the roads to fire and police it's open to the Town. Ms. White's concern is of the future too i.e.; different members on LCC – they might want to open that up, Ms. White feels they were blind sided. Mrs. McKibben does not think so, LCC had asked Lamontagne Builders for right of way before Stage Crossing Condo Association.

Al Raccio's motion with control mechanisms i.e.; 'good neighbors, Tom Levesque 2nd **Motion passes 5-0-0.**

Joan McKibben appoints Richard Husband (alternate) to the open seat for the meeting.

6. **Lower Merrimack River** Local Advisory Committee Corridor Plan will be presented at the Planning Board Meeting on 7/22/08.
7. **Alternate vs. Full membership** (Roger St. Laurent and Stephen Tarrara) – Al Raccio brought this up at the Board of Selectmen's meeting – the Board feels they both (Roger and Stephen) both have to resign and get re-appointed. Joan McKibben will email Howard Dilworth Selectman's Admin. to have it put on the agenda for Monday nights meeting 7/14/08 to resign

8. **Garden Drive Fen** – dog waste issues. Marion Godzik walks that area frequently and Joan McKibben went up to check it out as the Police Chief asked if anyone had complained about the dog waste to LCC apparently a fist fight broke out over the issue. **RSA 466:31 Dogs a Menace, a Nuisance of Vicious** RSA 466:31 II (c) If it digs, scratches, or excretes, or causes waste or garbage to be scattered on the property other than it's owner's. LCC will put signs stating it's Town Property. Joan spoke to a representative at the State Prison, they can do black on yellow signs. Marion Godzik wants put something out on the local cable channel re; picking up after your dog. Al Raccio mentions that is something the Health Inspector or Dog Officer should do. Tom Levesque mention the prior Police Chiefs in Town have never responded regarding dog issues.

Side Bar – Signs were purchased by Jerry DeCosta (Litchfield Road Agent) from the State Prison, 2 Wildlife Xing signs 24x24 diamond shape signs for the area Joan & Marion rescued the turtle on Albuquerque Ave near Meadowbrook Dr.

9. **Stormwater and Wetland Signs** – EPA mandates Wetlands Signs. Gerry DeCosta (Road Agent) in the fall will put up signs for LCC. Al Raccio asks why is LCC purchasing road signs, Joan McKibben states LCC not purchasing just assisting the Road Agent with the verbiage. Al Raccio thinks Stormwater Management has specific wording for the signs, he suggests if LCC is to get involved to get a copy of the guidelines. Joan McKibben will email a copy of the guidelines to Richard Husband and he'll work on it.
10. **Budget** – by 9/5/08 to Selectmen, a rationale is needed for every line item, they are looking for it to be less then 2007 or no more then a 1% increase.
11. **Voluntary well-head protection program** – NRPC presented at 6/17/08 Planning Board Meeting. Joan McKibben will email the minutes from that meeting to LCC as they identify areas that should be protected, any well heads w/over 20 users. They are specifically looking at public water supply systems specifically the community wells which serve 25 residences or more and the non-transient, non-community which means schools, business that have had the same population that come there every day but do not live there. 98% of those systems in the state of NH rely on groundwater. Most of the wells in Litchfield have a protection program in place, 7-11, Litchfield Technology Park, Tabernacle Christian School and Tumbling Tykes.

All other business – Mr. Pettit from 132 Page Road in attendance, he called Joan McKibben and asked if he could come in. Mr. Pettit abuts Wilson Farms cornfield, Wilson Farms has been trucking in approx. 75 truckloads of sand to help build up part of the cornfield that has been flooding in the spring. Mr. Pettit's property floods in the spring due to the overflow of the pond on the Wilson Farm property, Mr. Pettit states the pond used to flow down the swale in the direction of 3A. A couple of years ago a section of the swale collapsed and since that time Mr. Pettit's property floods. Mr. Pettit also stats Mr. Ricard his next door neighbor who also abuts the cornfield his property floods as well, his septic system has failed the last 3 springs. Mr. Pettit states his property would not get as flooded if Wilson Farms would re-open the swale. Mr. Pettit has pictures and is going to send to Howard Dilworth – Selectmen's Admin along with documentation and cc LCC and see if he can get on Monday 7-14-08 Selectmen's meeting agenda.

Joan McKibben phoned Kevin Lynch interim Building Inspector of Litchfield and invited him to come to meeting. While waiting for Kevin to arrive Tom Levesque motioned to accept the minutes from 6/5/08, Marion Godzik 2nd the motion, the motion passed 5-1-0.

Kevin arrived at 8:30 PM. Mr. Pettit and LCC explained the situation to Mr. Lynch, Mr. Lynch stated half the battle is knowing when things were done, such as when was the pond done? Joan McKibben will contact NRCS (Natural Resource Conservation Service) to see if they have any record of it. Kevin Lynch will write Mr. Wilson a letter with his concern of the direction of the runoff water. Mr. Pettit will be happy if the swale is re-opened and the direction of the water flows away from his property. Mr. Pettit will hold off on contacting the Selectmen and await a response from Kevin Lynch's letter to Mr. Wilson.

Design of Replacement of Chase Brook Culvert. Al Raccio bought up the RFP (Request for Proposal) for design work on the three culverts, Page Road, Cranberry Lane and Albuquerque as it relates to conservation land in the area. They should attend an LCC meeting to present and explain. BOARD OF SELECTMEN NEVER SAW BID SPECS! LCC wants to write a letter requesting an analysis of impact on watershed.

LCC to schedule 3A cleanup at the next meeting, 8/7/07.

LCC received a letter from Senator Sununu with a CD 2008 Guide to Federal Conservation Grants.

Al Raccio motions to adjourn, Marion Godzik 2nd the motion. Motion carries 6-0-0 adjourned at 9:18 PM

Submitted by: Sharon M. Jones, Secretary