

Fitzwilliam Conservation Commission
19 Dec. 2016 – Minutes

Present: Paul Kotila, Chair; Barbara Green; Kevin Woolley, alternate; Hiel Lindquist, Dorothy Zug

Absent: Rick Brackett, Cheryl Norskey

Guests:

Matt Buonomano

Review Minutes of 21 Nov 2016

Approved as submitted

Agenda Review:

Dog Waste Cleanup Bags:

This will have to wait till spring.

Chamberlain Property—Update:

The Conservancy has secured the funding. Anne McBride said there is nothing more for us to do. She will keep us posted. Our Commission has pledged \$6000 for the project.

Prime Wetlands Update— Matt Buonomano, Planning Board:

There are two more Planning Board hearings about this: Jan 3rd and 24th . Rick Van de Poll will be there on the 3rd to answer questions.

Lindquist asked if abutters will be sent notifications. Buonomano replied he believed so, and that something will be put in the January newsletter.

There was a discussion about helping abutters understand possible impacts. The plan was to notify property owners who would be impacted by the 100-foot setback. An amendment to the WPOD adds Prime Wetlands as designated areas and establishes setbacks.

Buonomano said he missed the Oct. 17th meeting and was here to ask questions. He wants to hear what we'd like to see this year and longterm. Also he wanted to understand the process on deciding which were Prime Wetlands and how it was presented to the town. Is it a true public benefit? Education would be essential. Was the Commission involved with the selections?

Kotila responded yes, we have been engaged with Rick Van de Poll from the start. We were given the opportunity to comment on the prioritized list.

In that the larger set was narrowed down to 6, Buonomano asked whether it would be better to consider all the areas at once, or ask for a smaller set?

Kotila noted we have deliberated the same question. Van de Poll has tried many approaches, which tend to be town specific. The Selectmen seem to want to start with something small for a better chance for approval.

Zug asked when the WPOD was first adopted. Members estimated it goes back at least to 1988.

Kotila said the effectiveness of the WPOD is that people know about it ahead of time and plan accordingly. Compliance is the biggest problem.

Buonomano asked about enforcement. What are the penalties for violations?

Green replied we can recommend that structures be moved.

Buonomano asked if we had thought about restricting the Prime Wetlands candidates to wetlands above a certain size.

No, Kotila replied, it was originally planned to survey wetlands down to two acres but the Cons Com and selectmen had him go down to one acre.

There was a discussion about the permitting process in Concord and locally. Shoreline protection is different. Van DePoll has stated that the State has no setback limitations for wetlands. Our town is more restrictive, with a 75-foot setback.

Buonomano said he was trying to think of all the things that could go wrong. Would people accelerate development if they think more (Prime) wetlands will be designated in the future? Also, since wetlands are significantly affected by beavers, would someone be encouraged to drain a wetland? How is livestock affected? Pesticides can't be used in a buffer but you can do agriculture in buffer. Also, Pierce Road goes right through one wetland. How to prohibit driving through it? There are 2 un-permitted structures out there. Also one on Martin Rd. His fear is litigation.

Green said the problem with a ballot vote is that the majority of people don't pay attention and don't have enough info.

Kotila said the cases mentioned give you things to think about but we can't get too caught up in the minutia. Preexisting uses are grandfathered.

Green cited a recent case of two houses on Laurel being converted into one house (as an example of how non-conforming projects are grandfathered and often permitted for alterations according to the project's specific merits.)

Woolley noted that beaver ponds come and go, as they are cyclical.

Kotila—the town has had an ordinance much more comprehensive (than the State's). Maybe the 6 (Prime Wetlands) is all that we will have.

Green added, if projects like the pipeline weren't a threat, we probably would not be having this discussion.

Zug added that we're not adding a lot more setback than we already had.

Having all this information (from the study) is a good thing for the town, said Kotila.

Metzger TF Stewardship Plan Changes:

Kotila reported this is still being worked on for the re-ordering of priorities we had requested.

Lindquist asked that we talk about the next steps for the Plan at our January meeting, like getting a management group to implement it. We need to get a printout. Kotila will put this on the agenda for next time.

Solar Array Proposal:

No news.

Monadnock Advisory Committee Update:

Lindquist reported on the timber cut on Monadnock, off Shaker Rd. There will be a walk we can go to. It is about 200 acres by the Marlborough trailhead.

Site Walk Reports:

None

Budget Reports:

Payroll YTD —\$1,109.31

Total YTD expenses — \$821.93. It would be nice to know if our \$10,000 request is granted. Sauble will ask selectmen when they'll know the status of this.

Discussion of Wenniger Property:

Nothing new. Anne McBride at the Conservancy is the contact person.

There was a discussion about the property. We have no commitments but are interested in pursuing it.

Planning Board:

Nothing new.

Other Business:

Zug observed that the Widow Gage parking lot was plowed “beautifully”, there is a good supply of maps, and the trails are being used.

There is nothing more on the Tolton property but Zug will continue to follow this.

Kotila asked what we would like to do about end-of-year donation requests. Last year we had given consideration to the kind of organizations we wished to donate to.

Lindquist suggested we give to organizations that are doing something in our area.

Members agreed the Conservancy is a good resource for us.

Zug proposed giving \$250 to the Conservancy. Members agreed unanimously.

There was some discussion about the status of the Slavic land gift, which is still pending.

Correspondence:

Letter of Compliance re Lapointe deficiencies at M 38, L9, on Rockwood Pond, with conditions of approval; Memo from Debbie re Town Reports, due Jan 13. (Sable was asked to draft a summary, which she will email to members.) The Monadnock Conservancy donation request.

Zug requested that we spend more time on correspondence in the future.

Adjournment:

Meeting adjourned at 8:30 p.m. Next meeting will be Jan. 16th, 2017, beginning at 7:00 p.m.

Respectfully submitted,
Jeanne Sable, Secretary