

*Enfield Conservation Commission Minutes, April 11, 2024*

**Enfield Conservation Commission – Meeting Minutes**

**DEPARTMENT OF PUBLIC WORKS/MICROSOFT TEAMS PLATFORM**

**April 11, 2024**

**CONSERVATION COMMISSION MEMBERS PRESENT:** Leigh Davis, Shirley Green (Chair), Jean Hinshaw (via Teams), Edward Rippe, Kate Plumley Stewart (Selectboard Representative), Carol Wyman, John Welenc

**CONSERVATION COMMISSION MEMBERS ABSENT:**

**STAFF PRESENT:** Whitney Banker-Recording Secretary

**GUESTS:** Jerold Theis, Mark Manikian (Mascoma Lake Association), Scott Williams (Pathways Consulting, LLC), Glyn Green (via Teams), Amy Smagula (via Teams)

**CALL MEETING TO ORDER:**

Chair Green called the meeting to order at 7:05 pm.

Chair Green amended the agenda's order.

**PRESENTATION ON LAKES & DREDGING: Amy Smagula, NH Department of Environmental Services (DES) Watershed Management Division**

Chair Green introduced Ms. Smagula, and the discussion around dredging. Ms. Smagula is a freshwater biologist with NH DES.

Ms. Smagula introduced the three main areas of focus of her presentation regarding lakes and dredging: causes of sediment buildup in lakes, lake dredging, and stormwater management. The slides from the presentation will be shared separately with commission members.

Ms. Smagula highlighted two programs homeowners and community members can use to help make changes that protect the lakes: the NH LAKES LakeSmart program (<https://nhlakes.org/lakesmart/>) and the NH DES SOAK up the Rain program (<https://www4.des.state.nh.us/SoakNH/>).

Mr. Rippe said he lives on Crystal Lake and stated concerns about silt and sand that ran into the lake from the stream nearby during the July 2023 storms, which have altered the lake depths in some areas to only a few feet. He stated his concern about the impact of wildlife and asked Ms. Smagula if it would make sense to remove this sand and silt. Ms. Smagula recommended first working to evaluate and stabilize the stream to help stop this from continuing. She suggested working "upstream first, then downstream".

Ms. Smagula said federal section 319 grants, which come through the NH DES, are available to help with stormwater restoration projects. These grants are available annually and could be allocated toward situations like this. The grant does have a match requirement with some flexibility for the type of match (monetary, material movement, etc.). Ms. Smagula encouraged the commission and town to explore these and similar grant opportunities that may help address this problem. Members discussed some additional preventative measures that could be taken for this potential project (off Hawley Drive, on Crystal Lake).

Ms. Wyman asked about ½-mile of drainage ditches that feed into a stream on private land (from a state-maintained road) that have a similar problem in her neighborhood on Mascoma Lake. Ms. Smagula recommended the Watershed Assistance Program at NH DES to find what options are available for this type of project (the same course of action as the Crystal Lake water issue).

Ms. Stewart asked what is being done at the state level to help mitigate the problem. Ms. Smagula said that NH DES and the NH Department of Transportation (DOT) work together in these situations and will also loop in town road crews if/when needed.

Ms. Green took attendance as a roll call, with one member attending virtually.

## **CORRESPONDENCE**

### **Rogalski, 20 Nancy's Way, Enfield NH – NHDES Wetland Application (Project No. 13292)**

Mr. Williams with Pathways Consulting LLC is representing the Rogalskis project to stabilize a bank on their property. The bank was unstable in early 2023, and the storm of July 2023 further impacted it to the point that emergency repair was needed.

In the spring of 2024, Pathways began pursuing the process of repairing the bank through an emergency authorization with NH DES. This would have allowed stabilization of the bank in its current position, post-storm, but would not allow it to be refilled to its previous existence. Pathways felt this was a temporary fix, and they are pursuing a complete fix that fills in the cavity left by the storm.

The bank had receded about 20ft after the July 2023 storms. Pathways proposes to re-establish the slope with where it previously was (to match up-stream and down-stream banks), to place stone several feet above the ordinary high-water line, and re-grade the bank above this, to include filling in the cavity presently there. They would also plan to plant vegetation that will establish deep roots to help hold the bank in place in the future.

The end goal is to restore the area to as close to its former state as possible. The planting plan includes dogwood, non-invasive honeysuckle, viburnum, and seeding along the bank.

A standard dredge & fill application has been filed with NH DES.

Ms. Wyman commented that she is familiar with the property and stream and thinks the plan addresses the issues in that area well. Members agreed that the plan was good and very thorough.

The plan will be to begin the work as soon as possible after obtaining a permit.

#### **REVIEW MEETING MINUTES: March 7, 2024**

Mr. Welenc moved to approve the March 7, 2024, minutes as amended. Mr. Rippe seconded. Roll call vote in favor of the motion (7-0).

##### **Amendments:**

Line 7 – correct Chair/Vice Chair

Line 18 – “Chair Green”

Line 254 – add Mr. Rippe’s question re: septic requirement changes in the past 20 years

Line 289 – change item from “old business” to “other business”

##### **Roll Call Vote:**

Leigh Davis, Shirley Green (Chair), Jean Hinshaw (via Teams), Edward Rippe, Kate Plumley Stewart (Selectboard Representative), Carol Wyman, John Welenc **all voting Yea.**

**None voted Nay.**

**None Abstained.**

#### **PUBLIC COMMENTS**

Mr. Manikian, a member of the Mascoma Lake Association (MLA) Board of Directors, was invited to speak at the May meeting by Ms. Wyman. Due to a scheduling conflict, he came tonight, and Ms. Wyman asked if the board had time to discuss the water testing volunteer program for the MLA, the Volunteer Lake Assessment Program (VLAP).

Mr. Manikian gave an overview of the MLA VLAP program. Three times a year, they test water at various depths for temperature and oxygen saturation readings, contamination, etc. The same locations are tested each time, including the deepest part of the lake, which is on the Enfield section of the lake at 72’.

Ms. Wyman asked if there were ways to improve the increased cyanobacteria blooms. Mr. Manikian said that sediment washing into the lakes is a significant issue, as has been discussed throughout the meeting. The MLA was awarded a \$100k grant to evaluate the watershed and come up with a management plan, which they are in the process of starting. With the watershed plan in place, if a significant outbreak requires mediation, the state will assist with that

mediation. The watershed management plan includes all bodies of water within the Mascoma watershed. Lebanon is the lead on the management plan.

Ms. Davis commented that there are no consequences for new buildings that are elevated above the lakes, have no erosion control, and can then wash down into the lakes. Chair Green commented that silt-fencing is only required in certain places. Ms. Stewart commented that educating the community is one way the commission can help with this issue.

There was additional discussion around septic system maintenance and the impacts of failing systems on the lake. Mr. Theis suggested that the MLA check for enterococcus bacteria, which can indicate septic system failure contributing to lake bacterial issues. Ms. Wyman asked if information can be forwarded to the commission on how to access the lake and watershed testing data; Mr. Manikian will forward information on how to access this.

## **NEW BUSINESS**

### **Invitation to “Presentation on Landscaping Our Shoreline”**

Conservation Commission will post attendance for this event as a meeting, as it was likely there would be a quorum of members present.

### **Taking Action for Wildlife – 2024 – Community Assistance**

Members briefly discussed their review of this item and were concerned about how much time they could devote to it. Mr. Welenc will review the application information to see if his current school program fits well. He will work with Chair Green as/if necessary.

Regarding school programs, Mr. Welenc shared that he would like to pursue working with the high school for a fall presentation. Mr. Theis also stated that he would like to do a presentation on fireflies for the schools when the fireflies are out.

### **Shedd Street and Johnston Drive Property Discussions per NH RSA 41:14-A**

Ms. Stewart introduced the two properties to be discussed by the commission ahead of the Select Board (SB) moving forward with the sale of each.

#### **-Shedd Street:**

Ms. Stewart provided a brief overview of the history of the Shedd Street property. As the former Department of Public Works site, some contamination had to be remediated as part of preparing the property for sale. The buildings have been fully removed, and the state will conduct soil testing again to prepare the property.

Ms. Stewart further provided an overview of the SB process for moving forward with public hearings and board outreach for proposed sales of this property. She explained that the SB is looking for the commission’s input on whether this property has conservation value, per the

RSA. The town will put out an intentionally broad Request for Proposals (RFP) to allow various proposal types. The property is on municipal water and sewer. The total parcel is 2.21 acres (Tax Map 34, Lots 60 + 61). Ms. Stewart shared the RFP with the commission.

Commission members discussed whether they had any concerns about selling the property from a conservation standpoint. Members agreed they had no concerns and were in favor of selling the property.

Ms. Hinshaw asked if this was an opportunity for the commission to request that the SB and Town Manager consider any conservation priorities when reviewing the proposals and keep watershed and similar conservation impacts in mind as they move forward with the sale. Ms. Stewart said that she would convey this to the SB.

Mr. Rippe moved to approve of the sale of the Shedd Street parcel by the SB. Chair Green seconded. Roll call vote in favor of the motion (7-0).

**Roll Call Vote:**

Leigh Davis, Shirley Green (Chair), Jean Hinshaw (via Teams), Edward Rippe, Kate Plumley Stewart (Selectboard Representative), Carol Wyman, John Welenc **all voting**

**Yea.**

**None voted Nay.**

**None Abstained.**

**-Johnston Drive:**

Ms. Stewart provided a brief overview of the history of the Johnston Drive parcels. Four lots are owned by the town (Tax Map 14, Lots 3, 4, 5, and 6). Three of the lots have had a former “lifetime lease” come to an end, and one of them (lot 3) still has the “lifetime lease” active. The Johnston Drive Property Use Committee (JPUC) recommended retaining lots 4 and 5 and selling lots 3 and 6 once the lifetime leases on them expire (lot 6’s lease has expired). Ms. Stewart stated that the abutters on the opposite side of the rail trail to lot 6 have the first right of refusal (to purchase the lot if the town is to sell it).

Ms. Stewart asked the commission what their thoughts were from the conservation perspective on the SB sale of the small lot 6. The lot is tiny at 0.09 acres, and the consensus was that permitting through the state and setback requirements would be prohibitive to any building on this lot. The lot is not served by municipal sewer/water. There is only walk-in or boat/swim-in access to the parcel (no vehicular access from Johnston Drive and over the rail trail.)

Members agreed that the best course of action was to honor the recommendation of the JPUC. Ms. Hinshaw also encouraged the SB and Town Manager to consider conservation and watershed when reviewing the proposals for the sale of this property, as with the Shedd Street

property. Members agreed this was an important thing to reiterate for all future town property sales.

Chair Green moved to approve of the sale of the Johnston Drive lot 6 parcel by the SB. Mr. Welenc seconded. Roll call vote in favor of the motion (7-0).

**Roll Call Vote:**

Leigh Davis, Shirley Green (Chair), Jean Hinshaw (via Teams), Edward Rippe, Kate Plumley Stewart (Selectboard Representative), Carol Wyman, John Welenc **all voting Yea.**

**None voted Nay.**

**None Abstained.**

**Old Homes Days**

Chair Green asked members to consider what the commission would like to do for Old Homes Days, the last weekend in July. Due to the weather, Mr. Welenc could not lead the planned hike last year; members agreed they would like to offer this again. Mr. Welenc will put together a short write-up for a hike for this year's event and forward it to Chair Green.

With no additional new business, Chair Green moved on to the next agenda item.

**OLD BUSINESS**

**Approval for Expenditure Reimbursement**

Chair Green asked Mr. Welenc if he had provided an invoice for reimbursement of the school program materials. Mr. Welenc chose to donate the purchase of these materials in kind and will not ask for reimbursement.

**Earth Day Observation Suggestions**

Earth Day is Monday, April 22. Members agreed to make time to work on cleaning up a section within their neighborhoods on or near this date. Ms. Stewart suggested that the commission members take a photo of the most ridiculous or unusual item they find during the clean-up and include one or several items in the commission's section of the May 2024 Town Newsletter. Members agreed this was a fun idea.

**Schedule Health Officer Presentation**

Mr. Ehrenzweig (Health Officer) will come to the May meeting to give a Health Officer presentation. Mr. Morris (Town Manager) will also attend the May meeting to talk to the commission about Right-to-Know. Mr. Rippe commented that he felt it was a privilege to have Mr. Morris volunteer to come and discuss Right-to-Know with the commission.

**OTHER BUSINESS**

**Trail Master**

Members discussed checking with the Trail Master on upcoming projects, volunteers, and equipment/material needs.

Mr. Rippe noted that he and a neighbor are interested in volunteering to help with the trail upkeep. Chair Green said he can obtain a form from the town office or online. Ms. Stewart will forward the form via email to Mr. Rippe.

**Farmer's Market Appearance**

Members discussed having pop-ups during the farmer's markets throughout the season. Members were interested in attending the opening market on May 11. The commission will have this date posted as a meeting in the event that a quorum attends.

**Scarecrow Committee**

Ms. Wyman is a member of the town's Scarecrow Committee. She said there are now 120 scarecrows. The committee is looking for a storage space of about 400sf for the scarecrows and asked members if they had any suggestions. Mr. Welenc suggested checking with the Enfield Shaker Museum about storage at their recently acquired former La Salette properties as an option.

**Correspondence from Dr. Theis**

Chair Green shared that Dr. Theis had provided two articles of interest to the commission, which she will email to members for their own reading.

**Email for Agenda + Right-to-Know**

Mr. Rippe apologized to the board for violating Right-to-Know. He had CC'd the entire board on an email when he should have sent it only to Chair Green and Mr. Taylor. He noted that if anyone had replied, it could have looked like the commission was having a meeting that was not made public.

Mr. Rippe shared that he and Ms. Wyman had made fact-gathering calls to increase their learning about certain topics as new members. Mr. Rippe said that he and Ms. Wyman had identified themselves as members of the Conservation Commission but stated that they were not representing the commission. There was further discussion about being careful with working and ways to identify oneself. Chair Green also pointed to the RSAs that regulate the commission's actions. Members agreed on the importance of understanding the rules to do the right thing. Mr. Morris' presentation at the next meeting will be helpful for board members.

**Lake Discussions**



Mr. Rippe shared that he and Ms. Wyman worked on some outreach calls to the state and town to obtain lake information. He shared some information that they had gathered. Important points included:

- Dredging & sludge deposits (including permits to remove sand/silt that replaces portions of the lake).
- Permit costs
- Ownership of the lakeshore banks
- Watershed planning groups exist to help with issues and expand funding opportunities.

Members discussed some previously discussed issues on Hawley Drive, including culverts. Board members ultimately decided that it was not for the commission to decide but that an engineer would be needed to address water flow problems. Ms. Stewart also suggested pursuing the grant opportunity, which the NH DES representative recommended during the presentation earlier in the meeting, and finding ways to collaborate with various entities on these issues.

Chair Green recommended that the Conservation Commission remain neutral regarding these issues, as it has members who have personal interests in or issues with these roads and lake impacts. She reminded members that the Commission's responsibility is to remain neutral.

## CORRESPONDENCE

**NEXT MEETING:** May 2, 2024

## ADJOURNMENT:

Ms. Davis moved to adjourn the meeting at 9:50 pm. Ms. Wyman seconded. Roll call vote in favor of the motion (7-0).

### **Roll Call Vote:**

Leigh Davis, Shirley Green (Chair), Jean Hinshaw (via Teams), Edward Rippe, Kate Plumley Stewart (Selectboard Representative), Carol Wyman, John Welenc **all voting**

**Yea.**

**None voted Nay.**

**None Abstained.**

The meeting was adjourned at 9:50 pm.