

**Enfield Conservation Commission – Meeting Minutes**  
**DEPARTMENT OF PUBLIC WORKS/MICROSOFT**  
**TEAMS PLATFORM**  
**November 3, 2022**

**CONSERVATION COMMISSION MEMBERS PRESENT:** Leigh Davis, Shirley Green  
(Vice-Chair), Doug Smith, Jerold Theis (Chair), John Welenc

**CONSERVATION COMMISSION MEMBERS ABSENT:**

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

**GUESTS:**

**I. CALL MEETING TO ORDER:**

Chair Theis called the meeting to order at 7:00 pm.

**II. REVIEW MEETING MINUTES: October 6, 2022**

*Mr. Welenc MOVED to approve the October 6, 2022, Minutes presented in the November 3, 2022, agenda packet as presented.*

*Seconded by Mr. Smith*

Amendments:

N/A

**Roll Call Vote:**

**Leigh Davis, Shirley Green (Vice-Chair), Doug Smith, Jerold Theis (Chair), John Welenc**  
**all voting Yea.**

**None voted Nay.**

**None Abstained.**

*\* The Vote on the MOTION was approved (5-0).*

**III. NEW BUSINESS:**

**1). Discussion of all Warrant Articles to be presented by the Conservation Commission**  
**At Town Meeting in March 2023.**

Chair Theis said that Ms. Davis had sent out the warrant articles for members to review.

The commission reviewed the warrants. Chair Theis clarified that he would send them on to the Selectboard once they are final drafts (altered, if necessary, after today's review). Chair Theis will ask for the Selectboard to review these articles at their next meeting.

Ms. Green asked when the deadline was for the articles. Chair Theis said it is sometime in December. Ms. Green said if the Selectboard does not approve, they can petition. Chair Theis said he felt they should begin to gather signatures right away. The deadline for petitioned warrant articles is February 7, 2023.

Ms. Green and Ms. Davis said that they felt members should go to the Selectboard meeting in person.

- Article: Re-establish the 100' or 150' setback from all prime wetlands.
  - Surrounding towns have a good buffer.
  - There is research that a 100' setback only removes 70% of pollutants before they drain into the wetland.
  - Community education on prime wetlands is needed.
  - 150' setback for prime wetlands.
  - Add a descriptive narrative of prime wetlands.

**Ms. Davis MOVED to accept the description of the article with an amended 150' setback from the designated edge of the prime wetlands.**

**Seconded by Mr. Welenc**

Amended article:

To see if the Town of Enfield will vote to establish a Setback Buffer of one hundred fifty feet (150 ft) from the delineated edge of all designated Prime Wetlands in Enfield to protect these vital areas, which contribute to flood control, water quality, groundwater recharge, shoreline stabilization, fish and wildlife habitat, recreation, and education. No Tax Impact.

**Roll Call Vote:**

**Leigh Davis, Shirley Green (Vice-Chair), Doug Smith, Jerold Theis (Chair), John Welenc all voting Yea.**

**None voted Nay.**

**None Abstained.**

**\* The Vote on the MOTION was approved (5-0).**

- Article: Appropriation of unexpended operating funds to be ...in perpetuity.
  - Relevant to the current budget, balance remaining.

- Parks and Recreation get a much higher budget. Establishing a trail master in conjunction with this department may require a budget increase.
- No impact on taxpayers.

To see if the Town will vote to authorize the Conservation Commission to retain, in perpetuity, the unexpended portion of its yearly budgetary allocation, as authorized by RSA 36-A:5, said amount to be placed in the Conservation Fund Account held by the Municipal Treasurer in accord with RSA 41:29

**Chair Theis *MOVED* to approve the warrant article as written.**

***Seconded by Mr. Welenc***

**Roll Call Vote:**

**Leigh Davis, Shirley Green (Vice-Chair), Doug Smith, Jerold Theis (Chair), John Welenc all voting Yea.**

**None voted Nay.**

**None Abstained.**

**\* *The Vote on the MOTION was approved (5-0).***

- Article: Land use change (to remove land from current use) fees to go to Conservation Commission.
  - Grantham, Canaan (up to \$5,000), and Grafton get 100% of the current use fees for their Conservation Commission budget.
  - Demonstrate benefits to community members and how the Conservation Commission will use the money.
  - Funds may help pay for the Trail Master position.
  - At most 50% of a property can be developed with current zoning regulations.
  - The Conservation Commission will ask for 50% of the fees.

To see if the town will vote to authorize a percent of the land use change tax collected pursuant to RSA 79-A:5 to be deposited into the existing conservation fund in accordance....as authorized. If adopted this article will take effect April 1, 2023, and shall remain in effect until...at a future town meeting.

***Vice-Chair Green MOVED to approve the warrant article as written.***

***Seconded by Mr. Smith***

Amended article:

To see if the Town will vote to authorize fifty percent (50 %) of the Land Use Change Tax collected pursuant to RSA 79-A:25 to be deposited into the Conservation Fund in accordance with RSA 36-A:5, III. If adopted, this article shall take effect on April 3, 2023, and remain in effect until altered or rescinded by a future vote of the Town Meeting.

**Roll Call Vote:**

**Leigh Davis, Shirley Green (Vice-Chair), Doug Smith, Jerold Theis (Chair), John Welenc all voting Yea.**

**None voted Nay.**

**None Abstained.**

*\* The Vote on the MOTION was approved (5-0).*

- Article: Town Forest off Methodist Hill Road

**Mr. Welenc MOVED to approve the warrant article as written to establish a Town Forest on 100 acres of land off Methodist Hill Road.**

**Seconded by Mr. Smith**

Amended article:

To see if the Town will vote to establish in perpetuity a Town Forest under RSA 31: 110 on a tract of land on Methodist Hill of 100 acres, Tax Map 2, Lot 29 currently owned by the Town of Enfield and considered surplus property. And to authorize the Conservation Commission to manage the Town Forest under the provisions of RSA 31:112 and to authorize the placement of all proceeds that may accrue from this forest management into a separate Forest Management Fund, which shall be allowed to accumulate from year to year as provided by RSA 31: 113.

**Roll Call Vote:**

**Leigh Davis, Shirley Green (Vice-Chair), Doug Smith, Jerold Theis (Chair), John Welenc all voting Yea.**

**None voted Nay.**

**None Abstained.**

*\* The Vote on the MOTION was approved (5-0).*

Chair Theis will submit the final articles to the Selectboard to ask for their approval. Petition signatures will be put together for any articles that the Selectboard does not approve.

**IV. OLD BUSINESS**

**1). Approval of payment to Whitney Banker, Recording Secretary**

Ms. Banker confirmed she had received this payment.

**2). DES letter to Daniel Regan, Oct 13, 2022, issue of a permit to install a U-shaped seasonal dock at 414 Lockhaven Rd. Enfield Tax Map # 47, Lot # 01**

The permit for the U-shaped dock was approved.

**3). DES letter to Town of Enfield Oct 23, 2022, permit to dredge and fill on Oak Hill Rd. Tax Map # 9, Lot # ROW**

This permit was approved.

**4). Johnson Beach Issue BOS Meeting Minutes Sept. 19 and Oct 3, 2022**

Chair Theis applied to be part of the committee. Vice-Chair Green said that the committee will be announced at the next Selectboard meeting. Land Use Administrator Mr. Taylor had suggested someone from the Conservation Commission be on this committee.

**5). Lack of cooperation from Town Hall in supplying construction blueprints to CC where Dredge and Fill applications for Wetlands are submitted. Example 65 French Rd. Tax Map #17, Lot # 24-01 and 193 Crystal Lake Rd. Tax Map # 44, Lot # 12-13.**

Chair Theis said that the town has decided they will not allow the blueprints submitted by the construction companies to be removed from the town hall. DES regulations say that the blueprints should be sent to the Conservation Commission.

Chair Theis said that he will ask the town hall to notify the construction companies that they are to send a copy of the blueprints to the town for any dredge and fill or wetland activity to be forwarded to the Conservation Commission. Chair Theis will write to the company doing the work for these and say that if the CC does not receive a copy of the plans, they will request that the DES pause review (this will stop construction for at least 1 month).

Chair Theis has asked the company (by email) Fuss & O'Neil for a copy of the proposed plans for the Dufoe development (Tax Map #44, Lots #12 and 13). The DES has issued the shoreland permit with conditions under the RSA. Chair Theis expects he is unlikely to receive a copy of the blueprints since DES approved the permit. Chair Theis said the biggest problem for this was that they planned to reduce the impervious surfaces, which would cause more water runoff. He also had questions about the septic system.

**V. CORRESPONDENCE****1). Report on the spill of fuel and or oil into the Knox River due to the wreck of a Dump Truck**

Chair Theis wrote to Mark Demgard (with DES). Mr. Demgard said it was impossible to know how much contamination reached Mascoma Lake, there are too many factors (how full the tank was, etc.). The Enfield Fire Department was the first responders on the scene and did a fantastic job of installing absorbent material to contain the spill. DES also installed measures to absorb the material, and no petroleum products were detected at the bridge. Chair Theis said that it appears that no contamination reached the lake.

**2). Septic system review for converting dwelling from seasonal to full-time use or Occupancy Env-Wq 1004.18**

Chair Theis spoke to the Safety Officer regarding septic systems being put into new houses that are being increased in size. There are a lot of factors involved. Env-Wq 1004.18 covers septic system review. There are mechanisms for septic regulation for properties that are being upgraded to full multi-story houses from small camps. This is a state regulation.

Chair Theis said that they are looking at houses along Crystal Lake that are within the 150' setback, with little room in front or behind the home for a leech field. He is continuing to investigate the regulations for these cases. Mr. Welenc said that it did not sound like anyone was coming to inspect the septic system in these cases. Members agreed.

**3). The Role of Toxicology in Wildlife Conservation**

Chair Theis shared this publication, written by Benedette Cuffari and was reviewed by a peer. This involves plastic pollution, industrial chemicals, pesticide toxicity, and further references. [The Role of Toxicology in Wildlife Conservation.](#)

**4). Draft of Master Plan for the Town of Enfield New Hampshire**

Chair Theis said he received a hard copy of the draft of the Enfield Master Plan. He has sent recommendations for conservation to Co-Chair Fracht, as well as Land Use Administrator Mr. Taylor. Chair Theis said that the format was not important, but the content was to be included by the Conservation Commission.

Vice-Chair Green said that Ms. Lindsay Smith is also a co-chair, and Chair Theis may wish to send these to her as well.

Chair Theis said community members may obtain a hard copy by writing to Mr. Taylor requesting one.

**5). Town Newsletter.**

Chair Theis said that he had submitted information to the town newsletter. They are trying to notify community members that the Conservation Commission wants their input.

**VI. OTHER BUSINESS****1). The trust fund currently has \$16,364.83**

There have been no recent additions or removals from this fund.

**2). Returns of proposed conservation land**

Chair Theis had received several returned items as not deliverable. He will check with Tax Collector Ms. Huntley to confirm address information.

**3) Community Center Information Session for Warrant Articles**

Ms. Davis asked if they would like to set up this information session. Chair Theis said he would like to get a final draft of the warrant articles, check with the town on availability, and get together a notice for the meeting. He asked if they should put out the notice in the town newsletter, the Listserv, or both. Vice-Chair Green asked if the town would need to notify Assistant Town Manager Bonnette, as with a quorum it would be an official meeting. Chair Theis will check with Ms. Bonnette on this and let members know when/if the meeting will take place.

**4). Student Outreach**

Mr. Welenc said he would like to look at the Wildlife Action Plan from Ms. Amanda Stone for ideas on how to do outreach with local students.

**5). La Salette is set to be closed, there is no current plan for the land.**

Mr. Welenc said he had heard that all La Salette shrines are to be closed except for the one in Attleboro, MA. This is a significant amount of land in the town to consider for conservation. Vice-Chair Green suggested checking with the Upper Valley Land Trust about the land to see if they have an interest in conserving this land (it abuts the conservation district). Chair Theis said he felt this was important for the conservation to think about. He asked if he should contact Ms. Huntley or someone else. Mr. Welenc said he would investigate contacts at La Salette about this.

**6) Wildlife Preservation**

Chair Theis said that with the current wildlife conservation district, as well as the owners of significant land that were recently sent notices, this is about 46% of the land in Enfield, and 45% is recommended. Enfield is in line with the standard.

**7) Bog Road Gravel Pit**

Chair Theis said that he had a geologist look at the proposal from Mr. Conkey for the gravel operation on Bog Road. The aquifer that was discussed by Eastman residents as a concern is

over the peak of the mountains and would not be affected. However, wells on Bog Road would be at risk of contamination due to the porous gravel. Chair Theis said there was also part of an ordinance that prohibits this type of use.

Chair Theis will write to the Planning Board about this, including the report he received from the geologist.

**VII. NEXT MEETING:** December 1, 2022

**VIII. ADJOURNMENT:**

*Mr. Welenc MOVED to adjourn the meeting at 8:50p.m.*  
*Seconded by Ms. Davis*

**Roll Call Vote:**

**Leah Davis, Shirley Green (Vice-Chair), Doug Smith, Jerold Theis (Chair), John Welenc all voting Yea.**

**None voted Nay.**

**None Abstained.**

*\* The Vote on the MOTION was approved (5-0).*

Respectfully submitted,  
Whitney Banker  
Recording Secretary