



# CONSERVATION COMMISSION TOWN OF BELMONT, NH

Wednesday, January 27, 2021  
Remotely by Zoom  
Belmont, New Hampshire

Zoom: Chairman Denise Naiva; Vice Chair Scott Rolfe; Members Terry Threlfall, Jr., Ed Stephenson, and Keith Bennett.  
Absent: Members Jane Jordan and Claude Patten, Ex-Officio.  
Staff: Rick Ball and Colleen Akerman.

D. Naiva called the meeting to order at 6:05 pm and welcomed those in attendance. She announced that as Chairman of the Conservation Commission, she finds that due to the state of emergency declared by the governor, this public body is authorized to meet using electronic means. She said that the Commission gave notice to the public of the necessary information for accessing the meeting using Zoom or telephone, and she announced that any party experiencing any difficulty in accessing the meeting at any point, should call 603-267-8307, and the meeting will be recessed until access can be restored for all parties.

The Chairman noted there is a quorum this evening and held a roll call attendance:  
Scott Rolfe.  
Denise Naiva.  
Craig Clairmont, Public Works Director.  
Ed Stephenson.  
Terry Threlfall.  
Keith Bennett.  
Rick Ball, Land Use Technician.  
Colleen Akerman, Building & Land Use Clerk.

## **Board's Action – Minutes 12/02/2020:**

**MOTION:** K. Bennett moved to approve the minutes of December 2, 2020.

The motion was seconded by E. Stephenson and carried on a roll call vote by D. Naiva, S. Rolfe, T. Threlfall, E. Stephenson, K. Bennett. (5-0)

## **NH Department of Environmental Services Applications:**

**1. JCB LLC – 69 Sunset Drive (now 2 Pond Road) – Map/Lot 107-151-000-000:** Shoreland PBN accepted for temporary impacts within the 150-250 shoreland zone to install a sewer line from a proposed residence outside of the shoreland zone to the hookup on Sunset Drive within the shoreland zone. The placement of the sewer line will have a necessary result in 292 square feet of temporary impacts.

2. **Michelle Castle Rev Trust – 13 Gilman Shore Road – Map/Lot 111-065-000-000:** Shoreland permit approved to impact 5,819 square feet of protected shoreland in order to re-develop lot after the original 1,101 square foot home was damaged due to accidental means. The project includes constructing a new larger primary structure further from the reference line, and converting a gravel driveway to a pervious driveway. Impervious Surface Percentage Approved: 31.8%.

**Current Planning Board/ZBA Applications:**

**1. Planning Board – 12/28/2020 and 01/25/2021:**

- a. **Petitioned Zoning Amendment:** The Board declined to give their recommendation for a proposed amendment to revise the Zoning Map referenced in Zoning Article 3.B to change the zoning district designation of tax lots 237-003-000-000, 237-004-000-000, 237-005-000-000 and 237-006-000-000 along Hurricane Road and Church Street from “Rural” to “Residential Multi-Family”. This amendment will be placed on the ballot without the support of the Board.
- b. **Mountain Made Materials:** The Board approved a request for a one-year extension (2/24/22) of Earth Excavation approval to expand existing excavation area including blasting. Property is located at 224 Hurricane Road, Tax Lot 231-014-000-000 in the “R” Zone.
- c. **213 Daniel Webster Highway LLC:** The Board approved a request for site plan approval to remove and replace a storage building. Property is located at 213 Daniel Webster Highway, Tax Lot 101-027-000-000 in the “C” Zone.

**2. Zoning Board – 12/16/2020:**

- a. **Aranosian Oil Company, Inc. - 93 Daniel Webster Highway – Map/Lot 201-093-000-000:**  
The Board approved four variance requests to construct a gas station and convenience store with drive through:
1. A Variance of Article 5 Table 2 of the Zoning Ordinance to construct a fueling island closer (37’) to Daniel Webster Highway than allowed (50’).
  2. A Variance of Article 5 Table 2 of the Zoning Ordinance to construct a fueling island closer (39.75’) to Ladd Hill Road than allowed (50’).
  3. A Variance of Article 4 of the Wetland Ordinance to place below ground storage tanks closer (95’) to the wetlands than allowed (250’).
  4. A Variance of Article 4 of the Wetland Ordinance to place fill material associated with a drive lane closer (2.2’) to the wetlands than allowed (15’). Small piece of wetland ditch and goes into drainage pipe that comes out and turns and goes out the Goodwill retaining wall. Wetland was insignificant and R. Ball tried to get them to go to DES and center it more, but they declined. The Board agreed.

**3. ARC –12/22/2020:**

- a. **Mountain Made Materials, LLC – 224 Hurricane Road – Map/Lot 231-014-000-000:** Review for one-year extension of earth excavation approval to expand excavation area including blasting.
- b. **213 Daniel Webster Highway, LLC - 213 Daniel Webster Highway – Map/Lot 101-027-000-000:** Review for removal and replacement of dimensionally nonconforming storage garage.
- c. **Van Hertel – Jamestown Road – Map/Lot 118-016-000-000:** Review for subdivision of one lot (59 acres) into six (2-3 acre lots) and a 45-acre remainder.
- d. **Aranosian Oil Company, Inc. – 93 Daniel Webster Highway – Map/Lot 201-093-000-000:** Review for construction and operation of a gas station and convenience store with drive through.

**Projects:**

1. **Goals for 2021:** D. Naiva stated this was discussed at the last meeting and work on the goals is

currently in progress.

## 2. Currier-Sanborn:

- a. **No Dumping/Gate/Deer Stand:** R. Ball reported that “No Dumping” signs have been ordered. When he did the inspection for Five Rivers, he noticed evidence of ATV and 4-wheeler traffic and ordered a gate for the main part of it. He is not sure what to do along the railroad ROW. The woods are wide open and riders can go anywhere they want. It wouldn’t do any good to put logs or rocks there. The waste material that was dumped has been moved. D. Naiva asked if the signs indicate what type of matter can’t be dumped, such as yard waste and leaves. People think it is okay to dump that type of organic material. R. Ball said the signs say “No Dumping Allowed” and there are also “No ATV or dirt bikes” signs. K. Bennett expressed concern that people are potentially dumping material with invasive species. R. Ball noted that he is going to tack a business card up near the deer stand asking the owner to call him. There was discussion about when the deer stand needs to be removed. S. Rolfe noted the State requires them gone by January 1<sup>st</sup>, but private lands are probably not covered under that deadline. R. Ball responded that he will check the RSA to find out more. D. Naiva commented the Commission should monitor things to see if material continues to be dumped.

## 3. Village Trail:

- a. **Comment:** D. Naiva reminded the Commission of a letter that was sent to the Land Use Office and emailed to members back in January. R. Ball read the letter to the Commission as it was difficult to read on the screen. The letter was dated December 4, 2020. The letter indicates there are huge problems on the trail with law violations, vandalism, and stealing and the Town should do more to protect it. D. Naiva reported that she walked the trail and there was a little dog waste here and there but it was not a massive problem. She did not see any trash and can’t speak to the vandalism. R. Ball stated Staff has not been made aware of any of theft or vandalism. S. Rolfe commented that the Commission has no enforcement capabilities and the letter writer should contact the police. D. Naiva asked R. Ball to reply and reiterate that the letter writer should contact the police. There were Christmas decorations by the second granite bench but they may be gone now. D. Naiva indicated that the decorations were still there. She has joined the Belmont Community group on Facebook and contacted someone who posted some pictures of the trail asking if they had seen trash or vandalism. The person reported they did not, except for the decorations. It is okay to put up memorials but they should be removed after a period of time. R. Ball will follow up on the decorations.
- b. **Bench:** Mr. Craig Clairmont is here this evening to propose another bench further down the trail closer to the farm. He is making the request on behalf of Jennifer Deware and John Deware, who lost their son Jacob in an accident this fall. Jacob loved the outdoors and loved to fish and was an outstanding kid. There would be no cost to the Town. A group of friends will install the bench at a location agreed upon with R. Ball. He said that the area around the bench would be well maintained. S. Rolfe said it is a worthy cause and a good thing to do a memorial for Jacob. It was the consensus of the Commission to allow installation of the memorial bench.
- c. **Community Outreach:** D. Naiva has connected with other people on the Facebook group about the trail. She said it would be nice to get some citizen volunteers to help manage properties. They would be a logical resource if the Commission thinks it is appropriate. She asked if we could solicit for members for the Commission. R. Ball said yes, and notices can also be placed in the group. D. Naiva commented that there are over 1,000 people on that group and a lot of them are younger people. S. Rolfe said it is worthy to look for volunteers and members for the Conservation

Commission.

- d. **Trail Maintenance:** C. Clairmont said that in years past, the Department of Public Works (DPW) has had a program where residents from the Belknap County Jail come to help around Town with things the DPW doesn't have the time to do, such as cleanup on the trails. With COVID last year the program did not take place. He hopes they are able to come back this year. They have been a big help and this is a fantastic program. If they are able to come back, he would like to use the program and work with R. Ball to help alleviate the situation down on the trail.

#### 4. **Tioga Headwaters:**

- a. **Safety Zone on Andrew Sanborn Farm:** D. Naiva asked if the signs have been put up. R. Ball said they have not. When the Safety Zone signs arrived from Fish & Game there was 3 feet of snow. Duck season is over now. R. Ball will go out to post them later in the winter or in the spring with K. Bennett. R. Ball showed a graphic on screen marked with the proposed locations for the signs. He measured 300 feet out from the line but many of the spots were in the woods and not visible, so he found better locations with more visibility. K. Bennett said the plan looks good. R. Ball reported there was a phone call questioning the need for the signs. He said he explained the Commission's position and invited the caller to attend a Conservation Commission meeting.

#### **Complaints/Violations/Concerns/General Info:**

**Newsletter Articles:** D. Naiva explained that the Town of Belmont publishes a monthly newsletter distributed by email. She said R. Ball has been super about putting topics out there related to conservation. Commission members are reminded that they are free to contribute to the newsletter conservation-wise. R. Ball stated next month's newsletter will include an article focusing on the importance of conservation land.

#### **Budget/Expenditures:**

**Gate for Currier-Sanborn and Postage:** R. Ball informed the Commission that every time the Commission expends any funds this year there will need to be a vote because the Commission has no operating budget this year. All of the funds will be expended directly from the Conservation Fund balance.

**MOTION:** K. Bennett moved to withdraw \$144.79 from the Conservation Fund for the following:

- a. \$139.99 for a gate at Currier-Sanborn property.
- b. \$ 4.80 for postage.

The motion was seconded by S. Rolfe and carried on a roll call vote by D. Naiva, S. Rolfe, T. Threlfall, E. Stephenson, K. Bennett. (5-0)

**Conservation Fund:** D. Naiva reported the Selectmen have placed an Article #25 on the warrant to cut the Current Use tax that goes to the Conservation Fund from 100% to 50%. The Selectmen have not approached the Conservation Commission to get any input on the article. She is looking for any strategies to use at the deliberative session, which will be held on Saturday, January 30<sup>th</sup> at 10 am. The session will be available on Zoom but only for listening. Zoom users will not be seen or able to speak at the session.

K. Bennett asked what the reason is for cutting the funding? D. Naiva referred members to view the video recordings of the Selectmen's meetings. She expressed concern that there is a lack of understanding of what the Conservation Commission does and how much it costs. The ballot question lists how much money is currently in the Conservation Fund. The problem is that it takes years to accumulate those funds. This year there were lots of properties taken out of Current Use. The Commission's operating budget was

cut and now they are proposing to cut funding for the Conservation Fund.

S. Rolfe added that it is a sad thing to look back at years prior to 2016 and see that some years the funding was only \$3,000. There were several lean years where the market was poor and there was no money. The whole perception that the Fund is rolling in money is false. It may be today, but not necessarily tomorrow or next year. D. Naiva asked S. Rolfe if he would be willing to speak at the deliberative session. S. Rolfe said unfortunately he will be away this weekend. He offered to help with some talking points. He said it comes down to dollars and cents. People don't seem interested in what the Commission does, it is all about what the taxpayers are paying. The savings is 3 cents per \$1,000 on their tax bill. S. Rolfe observed that they are missing the point. The importance is how much open and protected space there is in Town. Lots of people are using the trails and open spaces. Lots of people like it and are using it. C. Clairmont recommended putting notices up on the Belmont Community Facebook page.

K. Bennett said that with COVID-19 he has seen an increase in the number of people walking the trails daily around the old Rogers Road. They need to get out of the house.

D. Naiva asked members to please email her with some talking points and R. Ball asked to be CC'd on the emails. D. Naiva emphasized that things could be different if the Commission was aware of the proposal before it was included on the warrant. The only way to change things now is to amend the article at the deliberative session. S. Rolfe said it is disconcerting that there are misconceptions about conservation.

R. Ball explained that Ward Peterson originally brought the article forward in 2001 to use 100% of the Land Use Change Tax for permanent conservation. When land that is in a temporary conservation practice (Current Use) comes out of Current Use there is a 10% penalty of the current value. The Commission has used this money to permanently protect some open space as an offset. He complimented the Commission on their properties, which are all in the top tier of wildlife habitat around the Tioga River. The Currier-Sanborn property protects ½ mile of the Winnepesaukee River. K. Bennett commented that perhaps the Commission should have spent their money more quickly. He suggested pointing out that the properties conserved are not necessarily just for watersheds. D. Naiva responded that land is terribly expensive, and even with the amount in the Conservation Fund she can't think of a property that would go for that amount. She commented that R. Ball has always been good at getting grants to help with acquiring properties and the Commission has been careful and thoughtful with purchases. There is a plan in place for the Town. The highest ranked locations to protect have been identified. Clean water is tantamount to health and wellbeing. D. Naiva is concerned about the barriers and misunderstanding with the Selectmen. K. Bennett stated that should be one of the Commission's goals. There was discussion about possible amendments for the warrant article. D. Naiva acknowledged that she appreciates the Selectmen being fiscally conservative but nickel and diming is short sighted. K. Bennett asked about reaching out through the newsletter and educating people. D. Naiva also recommended letters to the editor and posting to the Belmont Community FaceBook page. E. Stephenson asked if the warrant article remains as is, and it is voted down, does the funding remain at 100%? R. Ball answered yes. S. Rolfe asked if Conservation Funds were used to support the bridges on the Rail Trail. There was discussion that improved land is more recreational in nature, and about the increases in property value when there is conservation land. Undeveloped land costs taxpayers less money.

**Next Meeting:** It was the consensus of the Commission to hold the next meeting by Zoom, on March 3, 2021.

**Adjournment:**

**MOTION:** E. Stephenson moved to adjourn at 7:05 pm.  
The motion was seconded by S. Rolfe and carried on a roll call vote by D. Naiva, S. Rolfe, T. Threlfall, E. Stephenson, K. Bennett. (5-0)

Respectfully submitted:

Colleen Akerman  
Building and Land Use Clerk