

**Peterborough Conservation Commission minutes
December 15, 2022, 7 p.m., Peterborough Town House**

Present: Jo Anne Carr, Swift Corwin, John Kerrick, Dick McNamara, John Patterson, Bob Strong, Francie Von Mertens, Robert Wood; Town Planner Danica Melone; Select Board liaison Tyler Ward; Recreation Director Lisa Koziell-Betz, Kate Coon

Minutes approval

November 17, 2022 and December 1, 2022 site visit minutes were approved.

Dog Park project, Evans Road

Lisa Koziell-Betz presented preliminary plans for a one-acre, fenced dog park on town property on Evans Road. As it would be near a Conservation Commission-managed trail that does not allow dogs, Town Administrator Nicole MacStay suggested the concept be presented to the ConCom first.

Kate Coon, member of the dog park subcommittee, said that other town entities would be approached relating to possible plans for a fire-safety complex off Elm Street on the same town-owned parcel, and plans discussed in the past for affordable housing on the parcel. Neighbors also would be approached.

Lisa explained that the penned area includes two clusters of trees along the southern edge of the open field that could provide shaded benches for dog-attenders.

The presence of red maples, AKA "swamp maples," in the wooded area suggests the presence of wetlands. Members agreed that a formal wetland delineation would be needed to flag the town's Wetland Protection Overlay Zone if the two tree clusters appear to be in forested wetlands and are included in the penned area.

Members did not have concerns about the dog park's proximity to the Evans Flats Trail.

Lisa said the committee intends to fundraise among dog-owners and others to fund the project.

Natural Resource Inventory (NRI)

Town Planner Danica Melone said in the recently adopted Master Plan Vision Chapter "the highest priority for the town was identified as preserving natural features and natural resources."

As the state also requires that towns have a NRI, it was time "to bite the bullet." Having an NRI also would help FEMA's community rating system for the town, relevant to getting discount on flood insurance.

She also said that Town GIS-IT Director Fash Farashahi has been hired by several towns to do NRIs and is eager to help launch Peterborough's.

Fash's office would do the data pull and mapping of up to a dozen natural features, with ConCom narrative and public outreach assistance later on.

As one possible map addition, members agreed that viewshed mapping was too subjective. Jo Anne Carr said that Jaffrey's NRI identified a very few "**prime viewsheds**" in town. This enables the Planning Board to request sensitivity to visual impacts in the site design and layout of any proposed development in a prime viewshed area. Members agreed that prime viewshed mapping was a good idea.

Danica described the process as Phase I Mapping; Phase II Honing in on any mapping ConCom would like; Phase III Narrative and public outreach, assisted by Danica.

Von Mertens said that insofar as the town not having an approved Natural Resource Inventory, that was the intent of the town-approved 2003 Master Plan Open Space Chapter. It has resource maps, townspeople surveys to prioritize natural resource protection, land protection goals including established funding source for conservation, a Select Board appointed Open Space Committee, and reaching 20% conserved land in town immediately. All goals were met.

Danica said the goal is to establish a document that could steer zoning code changes (OSRD was mentioned), and steer town planning boards and staff when considering a project especially at the conceptual stage. Fash's goal is a "public-facing app" that is user friendly and accessible online.

Members agreed that if an NRI could help educate landowners along rivers and streams about town code and general shoreline BMPs, that would be a welcome bonus.

All agreed for a greenlight for the mapping. Some questions about funding remain to be settled. In the meantime, members can check NRIs for other towns. Jaffrey's as well as Bow and Concord as recommended by Dick McNamara who attended a NHACC workshop on NRIs.

On another topic—trails mapping—GIS staff has been mapping public trails in town. All agreed it should be a process done with ConCom input given long-term trails knowledge, maintenance, and creation—including a loop being added to the Fremont Conservation land main trail. GIS staff mapped the Monadnock Conservancy's new Cunningham Pond trail network, a trail not shown on the ConCom's trail guide that dates back some years.

Land Conservation

A property highly ranked by the Open Space Committee is in the process of being conserved by a conservation easement held by the Harris Center—150 acres that include some 30 acres across the town line in Greenfield.

Von Mertens, member of the Open Space Committee, said the OSC worked hard, and successfully, to convince ConCom members some 15 years ago that the Land Acquisition Capital Reserve Fund was established to cover land trust and/or landowner expenses if the land had high conservation value. She displayed a history of town funding support from the capital reserve fund. The Open Space Committee recognized that landowners always gave up market value when conserving their land, no matter the IRS charitable deduction that might be available.

Members agreed a case-by-case consideration is best when it comes to considering landowner expenses. John Patterson said if support is needed to make the project succeed, that could be compelling. The Thomas easements are a good example. The 375 acres conserved were on three parcels, each requiring a survey for the Monadnock Conservancy to accept an easement on them. The capital reserve fund paid for the surveys.

Eric Masterson from the Harris Center will be at the January 19 ConCom meeting to discuss the easement. A funding discussion is likely.

Tyler Ward suggested we require Eric to play his bird video. Unanimous approval.

Sale of property on Greenfield Road/Route 137

Members discussed possible solutions to the wetland issues regarding sale of a one-acre parcel owned by the town to abutters. A ConCom site visit determined that prior owners of the abutting parcel had dug a well built a shed, and likely filled wetlands for a driveway partially on the town land.

A meeting between Tyler Ward, Von Mertens and Town Administrator Nicole MacStay confirmed that when the original house and foundation was expanded to within a few feet of the town parcel, and likely within the town's Wetland Protection Overlay Zone, the code officer did not take note of code infractions.

Discussion resulted in a letter (attached below) to the Select Board recommending that, prior to sale, a wetland delineation of the relevant area on both town and abutter parcels be done to determine future developable land outside of the WPOZ; that the area be monumented and cited in the deed; and a shed on the town parcel built in the wetland be removed by the town before sale.

Fremont "Welcome to Duffy's Woods" sign

Instead of the routed-out foam-core signs that resemble old-style wooden park signs and cost over \$1,000 each, members recommended getting a quote and design for metal signs similar to the one Bob Strong suggested. Following logo and general coloring of the Wheeler Trail and Fremont Conservation Land signs that Steve's Lettering also did makes sense.

Von Mertens will contact Steve Rigopoulos about a metal-aluminum sign option.

/fvm

Letter attachment below



December 16, 2022

To Peterborough Select Board
From Peterborough Conservation Commission
Re Sale by the Town of R012-035 to its abutter at 730 Greenfield Road/Rte.136

The Conservation Commission made a site visit to the town's one-acre property on Greenfield Road December 1 and met with the abutting property owner regarding encroachment onto the town property and Wetland Protection Overlay Zone (WPOZ). It was confirmed that a large shed in poor repair, the abutter's well, and portions of the abutter's driveway and backyard are on the one-acre Town property.

When a prior owner rebuilt the original house, expanding its foundation to within a few feet of the Town property, perhaps encroaching on the town's WPOZ, an opportunity for the town to note encroachment and require a wetland delineation was missed.

To protect the town's wetlands from further impacts, the Conservation Commission strongly recommends that the town contract for a wetland delineation.

Requiring the placement of wetland boundary markers, as cited in Town code, likely will be indicated by the wetland delineation. At a minimum, boundary markers should be placed along the 50-foot wetland buffer where the buffer has remained naturally vegetated, as well as along any vegetated buffer areas of lesser width. This is to prevent further encroachment into the WPOZ.

The Conservation Commission agrees that sale of the one acre to the abutter is the right path forward for both Town and the abutter. Both Town and abutter were unaware of longstanding issues, and a wetland delineation will make clear where a garage or any other future structures can be sited.

We recommend removal by Town DPW crew of the shed that's located on Town property, very likely in a jurisdictional wetland, before sale.

Francine Van Muten