

Barrington Conservation Commission
March 25, 2021 7:00 p.m.

Ken Grossman as Chair of the Barrington Conservation Commission, due to the COVID-19/Coronavirus crisis and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, this commission is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to the meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, this is to confirm that we are *providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:*

--by clicking on the following website address:

Join Zoom Meeting

<https://us02web.zoom.us/j/82426612735?pwd=QWp3R2g1MmdxTzhWN2FZUmpZbGZUQT09>

Meeting ID: 824 2661 2735

Passcode: 557756

One tap mobile

+19292056099,,82426612735#,,,,*557756# US (New York)

We are utilizing the Zoom platform for this electronic meeting. All members of the commission have the ability to communicate contemporaneously during this meeting through the Zoom platform, and the public has access to contemporaneously listen and participate in this meeting as well.

For further security there will be a "waiting room" allow the chair to control entry.

MEMBERS PRESENT

Ken Grossman, Chairman
Anne Melvin, alternate
Doug Bogen, Vice Chair
Dan (Cass) Cassidy
Jenny Stuart, alternate
Charlie Briggs

ABSENT

Glenn Gould, alternate
Jack Gale, alternate
Dan Ayer, Select Board liaison

CALL TO ORDER Barrington Conservation Commission (BCC) Ken Grossman called the meeting of March 25, 2021 to order at 7:03.

DELEGATION OF VOTING MEMBERS Ken Grossman confirmed the presence of members as above, with Anne serving as a voting member.

Approval of the March 11, 2021 meeting minutes **Charlie Briggs made a motion to approve the minutes of March 11, 2021 as amended. Anne Melvin seconded the motion, which passed unanimously with a vote of five (5) to zero (0) in favor.**

Treasurer's Report (Charlie Briggs) Charlie reported that there is an available balance of about \$20,000.

NEW BUSINESS/OLD BUSINESS

- **Nippo Grant Support** Charlie shared that the Nippo Lakes Association has received a grant from the EPA through the state for work on mitigating the erosion on Flower Drive. This work is to help stop the spread of phosphorous in the lake leading to algae blooms, and this problem is also being addressed by an alum treatment of the lake. This in lake treatment needs a state permit and requires a preliminary public comment and hearing in April/May. **Anne Melvin made a motion to have the BCC support the in lake treatment being permitted by**

DES in recognition of both the recreational value it would provide as well as the improvement of wildlife and plant habitat. Dan Cassidy seconded the motion, which passed unanimously with a vote of five (5) to zero (0) in favor. Ken will send a BCC note of support to DES.

- Whip-poor-will research The Society for the Protection of NH Forests, in conjunction with NRCS, would like to put audio recorders in SATWaSR to help with whip-poor-will research. **Charlie Briggs made a motion to approve the placement of listening devices in SATWaSR for the purpose of whip-poor-will research. Doug Bogen seconded the motion, which passed unanimously with a vote of five (5) to zero (0) in favor.**
- Trails books **Charlie Briggs made a motion to appropriate an amount not to exceed \$1,200.00 for the printing of 200 trail booklets. Doug Bogen seconded the motion, which passed unanimously with a vote of five (5) to zero (0) in favor.**
- NHACC dues **Charlie Briggs made a motion to pay an amount not to exceed \$475.00 for NHACC dues. Dan Cassidy seconded the motion, which passed unanimously with a vote of five (5) to zero (0) in favor.** Charlie will check with Barbara or Marcia to see if this amount can come out of the Land Use Budget.
- Easement monitoring tool At a cost of \$40.00 there is an app provided by SPNHF to help with monitoring. **Dan Cassidy made a motion to appropriate an amount not to exceed 40.00 for the SPNHF app to facilitate monitoring. Anne Melvin seconded the motion, which passed unanimously with a vote of five (5) to zero (0) in favor.**
- Grant opportunity There is grant money available from the Aquatic Resources Mitigation (ARM) program to protect aquatic resources in Strafford County, and it was noted that there are 13 potential sites in Barrington. Doug brought up the possibility of having Richardson Dam included as a potential site. Preliminary applications are due by the end of May. Doug will talk with Marcia Gasses and Conner for ideas on prioritizing sites, and this will be discussed in more detail at an April meeting.
- Richardson Dam There has been a preliminary assessment of what the dam needs, with the recommended approach being to lower the dam so that it is non-menace. Conner would like to send the plan off to DES for approval, and if approved it could go out to bid. BCC members would like to review the proposal and it will be discussed at the next meeting.
- By-Laws Ken will have more conversation with Conner about CC membership.
- Trails Committee Ken will discuss the trails committee/CC relationship with Conner.
- Website (Jack Gale)
- Turbocam Easement (Jenny Stuart)
- Co-occurrence maps (Dan Cassidy)
- Easement Monitoring **Anne Melvin made a motion to accept the easement monitoring plan (below) as proposed by Jack Gale. Charlie Briggs seconded the motion, which passed unanimously with a vote of five (5) to zero (0) in favor.**

PLANNING BOARD CASES ON APRIL 6, 2021

220-50-RC-21-SR (Owners: Roy Hurlbert-PEH & Son, LLC) In discussion there was a question raised about power poles allowed in wetland buffers. Ken will include this in his note to the PB.

239-1.1-TC-21-2Sub (Owners: David & Glenda Henderson) Charlie expressed concerns with a gravel road going through the wetland and uphill. A site walk was recommended, and Ken will let Marcia know a site walk is requested.

Public Concerns

SELECT BOARD REPRESENTATIVE COMMENTS AND CONCERNS

COMMITTEE REPORTS

A) Lands Committee, Trails Committee

B) Isinglass River, Oyster River and Lamprey River Local Advisory Committees.

ONGOING PROJECTS FOR 2020

A) Meeting with Lakes Associations

B) Natural Resource Inventory accessibility

OTHER PROJECTS

forest management for SATWaSR

DATES TO REMEMBER

Sightings included a baby beaver, wood ducks, bald eagles, song sparrows, phoebes, migrating mergansers, and canada geese.

The meeting was adjourned at 8:32.

Respectfully submitted,
Pat Lenzi

Easement Monitoring Procedure

Barrington Conservation Commission, Easement Monitoring Subcommittee

Reference: Chapter 12, Managing Conservation Land, Trails and Easements, *Handbook for NH Municipal Conservation Commissions*

1. **Purpose:** To outline the steps and procedures to conduct easement monitoring on behalf of the Barrington Conservation Commission (BCC).
2. **Definitions:**
 - a. Easement: a right in real property held by another, for example a right of way, utility easement, or conservation easement.
 - b. Easement monitoring: Easements held by municipalities must be monitored periodically to ensure compliance with the terms of the easement. Monitoring at least annually is considered to be best practice.
 - c. Monumentation: Stakes, pins, drill holes, stone markers or other artifacts to note a boundary of a property.
3. **Planning:**
 - a. Checking the list: Check the list of required easement monitors required and match them against your available personnel, time and weather to select the monitoring to be done.
 - b. Contact the owner: An important part of the monitoring process can be the opportunity to communicate directly with the landowner(s) or land manager. Be sensitive to privacy when seeking information, as not all landowners are going to be welcoming of the monitoring process. As a general rule you should notify landowners of an upcoming inspection, and invite them along if appropriate. In some cases you may want to do this via a standardized letter. You should also follow up with a communication, preferably written notification accompanied by the completed monitoring inspection report. Following are some suggested questions to ask a landowner or land manager:
 - Have there been any changes to your address? Do you have e-mail? Would that work best?
 - Have you sold or transferred any of your land? To whom? Do you plan to sell or transfer the title?
 - Are you still making the same uses of the land, e.g. timber, hay, sugaring, etc?
 - Have you implemented any new uses?
 - Do you have a management plan? Would you like information about them?
 - Are you planning any major projects / construction? Have you reviewed your deed?
 - Any interesting wildlife / natural history sightings or anecdotes?
 - Have you had any major changes due to natural causes, ice storm, insects, etc?
 - Has there been any public / recreational use of the land? What uses? Any problems?
 - How's the neighborhood? Any other conservation efforts? Any conservation setbacks?
 - Ask them if they have any questions for you....

- c. Review the conservation easement document: Ensure you understand the activities allowed on the property (hiking, hunting, agriculture, timber harvesting, etc.). Review the survey maps to understand the boundaries, topography and features of the property. This should all be available as baseline data from when the easement took effect. Not all easements have baseline document reports (BDR). It would be useful to produce a "Current Condition Report" for those that lack a BDR.
- d. Review the previous easement monitoring inspection report, as well as any from farther back in time if advisable
- e. Enlist help: Reach out to members of the Conservation Commission, Trails Committee and colleagues to join you in this activity. It helps to cross train others, have multiple sets of eyes to search and inspect and makes for a more pleasant experience.
- f. Schedule a time and meeting location with all who will participate.
- g. Plan what areas of the easement (if not all) are to be monitored. Areas/boundaries abutting house lots are more likely to have problems than those abutting empty or conserved lands, as are access points from abutting properties. Periodically walk paths, roads, etc. that run through the easement.
- h. Pack your gear: You will need specific items to conduct the monitoring.
 - i. Normal hiking gear
 - ii. Weather-appropriate clothes, layers and protection (sun, ticks, etc.)
 - iii. Water and snack
 - iv. A GPS unit with new and/or extra batteries
 - v. A compass for walking the bearing lines from the survey
 - vi. Survey maps, noting monumentation coordinates, features (rock walls, water features, etc.), bearings for boundaries, etc.)
 - vii. Copies of the conservation easement (CE) and previous monitoring reports.
 - viii. An ability to take notes (i.e. notepad & pen, a phone app, or a voice recorder)
 - ix. Camera (phone) to photograph any observations of note.
 - x. Eye protection, as you will be walking boundaries, where there won't be trails, but rather brush and limbs that could strike your face.
 - xi. Marking tape to highlight monumentation or witness markers to ensure they can be located again. A can of red or orange spray paint can be useful for marking drill holes.
 - xii. Boundary markers to replace damaged or missing markers for the BCC. This will also require a hammer and aluminum siding nails.
 - xiii. Signs such as "No ATVs" or other prohibitions that may need to be posted or replaced.
- i. Prep your navigation: You may want to load the GPS coordinates of monumentation into your unit and place readable coordinates and notes on your copy of the survey map(s). Ensure the units on your GPS match those on the surveys (DDD MM SS or DDD.ddd; magnetic vs. true north)

4. Execution: The following are to be accomplished during the actual monitoring

- a. Record the date and attendees.
- b. Discuss your plan, route and all planned activities with the team.
- c. Look for, note location and condition of the following:
 - i. Condition of any trails, blazes or signs that you may use.
 - ii. Annotate the location of all located monumentation, if not already documented. Add witness markers with tape or paint to help locate the monumentation.
 - iii. Any hazardous conditions (i.e. felled trees, "widow makers", trail washouts, etc.)
 - iv. Note any stone walls, water features, bridges or trail infrastructure. Note all natural and man-made alterations.
 - v. Note any equipment or material indicating illegal or prohibited activity (i.e. tree stands, dumping, logging, storage, etc.)

- vi. Note any violations of the boundaries by homeowners on adjacent lots. Note any tire tracks from ATVs or other vehicles; although these may not be expressly prohibited by the terms of the conservation easement, they should be noted and reported to the landowner.
 - vii. Repair or replace property boundary markers for the BCC.
 - d. Record your observations as appropriate in your GPS, your notes or with photography.
 - e. Make sure you have gathered the inputs of your team.
5. **Documentation:** Prepare and submit an *easement monitoring inspection report* as required by the easement. Use of the previous easement monitoring inspection report is recommended. NOTE: this is in many ways the most important part of the monitoring process. The best monitoring in the world will be meaningless, esp. in court, if a report is not written and filed.
- a. Name of easement, location, owner & address, phone, email
 - b. Date, method, and participants
 - c. Description of current land use, noting your observations, natural and man-made alterations. Include location coordinates, maps, photos of observations.
 - d. State whether there is compliance with the restrictions of the easement.
 - e. Include your name, phone, email and signature.
 - f. List all attachments included in the report (photos, maps, coordinates, aerial photos, etc.)
6. Share your report with the team for edits, corrections and feedback. Include these edits into final report.
7. Distribute the final report to
- a. The owner;
 - b. The files with the selectperson's office; and
 - c. In the appropriate easement file in the land use office.
8. Update your records to reflect the completion of the easement monitoring and inform any other bodies of the completion.

Appendix 1. Template

TOWN OF BARRINGTON
EASEMENT MONITORING INSPECTION REPORT

Easement Name: _____ **Date of Inspection:** _____

Location: _____

Executory Interest Holder: _____

Current Owner: _____

Address: _____

Phone: _____

Email: _____

Local Contact for Owner (if necessary): _____

Address:

Phone:

Executory Interest Holder (if any):

Method of Inspection: Ground ____ Aerial ____

List all persons attending the inspection:

Landowner Contact Prior to Inspection: No ____ Yes ____

If yes, by: Letter ____ Phone ____ Personal ____ Other ____

Date contacted: _____

Description of Current Land Use:

Observations

List man-made alterations since the previous monitoring. (For example, construction, dredging, filling, trails, timber harvest, clearing new fields, etc.) Describe activity or alteration; noting extent, location, purpose, individual responsible (if known). Attach maps, photos, and illustrations as necessary.

List natural alterations (flooding, fire, insect infestation, etc.). Note location and nature of changes. Attach maps, photos, and illustrations as necessary.

To the best of your knowledge and observation, is there compliance with all restrictions specified in the conservation easement? Please describe.

Other observations/comments.

Name of Monitor:

Signature of Monitor:

Phone:

THE FOLLOWING ITEMS ARE ATTACHED TO THIS REPORT:

___ Aerial photos ___ Ground photos ___ Maps ___ Illustrations ___ Other