

**MINUTES OF THE
CENTER HARBOR CONSERVATION COMMISSION**

Tuesday, November 18, 2008

The meeting convened at 10:15am.

Attending were:

- From the Commission: Ellen Bennett, Maureen Criasia, Helen Heiner, Karin Karagozian, Harry Viens, and JoAnn Wood, Secretary (aka Mme. Mao). Bruce Bond, Chairman, arrived at 11:15
- From the SB, Randy Mattson, who came bearing cookies
- Rick Van de Poll (who joined the meeting at 10:15 for about 45 minutes)

I. The minutes of the October meeting were read and approved without corrections.

II. The Prime Wetlands project/ Bear Pond issue. In the course of sending out letters to abutters of the five prime wetlands under study, questions arose concerning Bear Pond - i.e.:

- Had the intention been to consider Bear Pond part of the Hawkins Pond wetlands complex?
- If so, had that been made clear at the time of the public hearing in May of '05 and to voters at Town Meeting '06?

Rick included Bear Pond in his study proposal. However, he is already discovering that the wetlands as defined in Noelle Beaudoin's maps do not accurately reflect the real wetlands areas as defined in the 1978 study. And this leads to a major legal issue: as the Town voted on the basis of these maps, is the Commission bound to limit Rick's study accordingly, even though the maps don't reflect the real extent of the wetlands in question? Or is the Commission legally bound to adhere to those boundaries? Bear Pond is only the most obvious of these 'unacknowledged' wetland areas. And in all cases, if the study is expanded, there will be tax implications for the landowners.

Rick said that Meredith had run into the same problem – although compounded by the fact that DES had already approved the wetlands – and was in the process of holding public hearings to see if voters would approve redefined wetlands.

The Commission ultimately agreed to go with the wetlands as defined by the '78 survey and as drawn on the large laminated map that came out of that effort. Most of the five wetlands are fairly accurately defined on this map and it was felt that any additions to those wetlands will constitute a part of the NRI project. And, if necessary, the Commission can submit any significant additions to town vote in the future. Rick agreed

to revise the landowners' contact list as soon as possible so that Janet Kimball can send out the additional letters.

At which point, Randy gave him a cookie and he left, a happy man.

II. Permits/applications. The Olsheski property was again the topic of discussion:

- Bruce gave a brief history of the Olsheski's non-compliance with local environmental regulations – e.g.,
 - - Clear-cutting violations
 - - What appears to be a permanent dock
 - - New construction violations (Ken Balance has already denied several building permits)

Maureen volunteered to attend the zoning board meeting to present the Commission's case (a memo will be sent to all Zoning Board members prior to the meeting). Further, the Commission agreed to write two letters to DES:

- Bruce and Maureen will take on the Olsheski dock issue
- Bruce and Maureen will also draft a letter to SPA, which Karin will fine-tune.

III. NRI Funding. Maureen and Bruce sent out RFQs to three firms, with the understanding that nothing could be undertaken until a vote at TM '09.

- Watershed to Wildlife (too busy to take on the study)
- Rick Van de Poll (\$15, 000)
- Gove Engineering (\$22,800).

Clearly, Rick's proposal is the most attractive (it reflects, of course, the work he is doing for the PW study as well as relevant information he has gleaned from the Meredith and Moultonboro studies) As a warrant article needs to be prepared to cover the NRI study, the Commission spent some time discussing whether we should allow a bit extra to cover 'unknowns'. Randy agreed to get guidance from the other selectmen.

III. Updates on Planning Board and Energy Committee.

- Helen reported a very quiet period for the Planning Board
- JoAnn, Randy and Harry summarized the results of the Great Light Bulb Giveaway on Election Day.

IV. New business. As time had run out, the Commission agreed to hold over a discussion of budget matters until the December 9 meeting.

The meeting adjourned at 12:20pm.

Respectfully submitted,

JoAnn Wood
Secretary