

Center Harbor Conservation Commission

Meeting Minutes: 9-11-2017

- 1) **Call to Order** - The meeting was called to order at 10:03 AM by Acting Chairman Viens. Present were Commissioners Karin Karagozian and George Gurney, who with Viens constitute a quorum for voting purposes. Commissioner Bronson was absent. Peter Helm and Roger Larochelle from Squam Lakes Conservation Society were also present. Center Harbor resident Maureen Criasas was present.
- 2) **Agenda Review** – No changes were made to the agenda.
- 3) **Approval of Minutes** – Minutes of the Feb 16th 2017 meeting were reviewed but no vote was taken as George Gurney was not a voting member at the time of the February meeting and therefore could not approve minutes. Minutes will be posted as DRAFT minutes and voted on at the next CC meeting.
- 4) **New Business** –
 - a. **Kimball Island Easement Transfer** - Pete Helm of SLCS reviewed a previously submitted proposal for SLCA to legally assume the primary protection responsibilities for the Town's easement on the conserved property on Kimball Island. In this scenario the Town would become the secondary Easement Holder which is consistent with the Town's easements on Center Harbor Woods and Fogg Hill. The rationale is two part:
 - i. SLCS has been performing the monitoring of the easement since 1977 while the Town was responsible for any enforcement of violations. By transferring the primary protection or enforcement responsibilities to SLCS the Town will continue to own the easement but not have to perform inspections or monitoring and in the event of a violation, not have to undertake enforcement actions. SLCS will perform these instead.
 - ii. Any Legal Expenses incurred as a result of enforcement will be covered under SLCS's legal defense insurance, thereby eliminating a potentially substantial risk to the Town.

Discussion ensued on specific details of the proposal. Primary concern was making sure the Town was being protected by this agreement and that it was consistent with the Town's existing easement agreements. Also, what costs would be incurred. Pete Helm noted that the only cost to the Town would be a voluntary one-time contribution to the SLCS stewardship fund for ongoing expenses (monitoring and legal insurance). Mr. Viens noted that this could be disbursed from the Conservation Commission's Fund balance. As those monies are not taxpayer dollars there would be no expense to the Town's general fund or the taxpayers.

When the discussion was completed Mr. Viens motioned for the Center Harbor Conservation Commission to *"reassign the primary protection responsibilities as*

documented in the Kimball Island Conservation Easement deed dated October 24, 1978, Bk 772, Pg 414, to the Squam Lakes Conservation Society. Such reassignment will be reflected in an Assignment & Assumption Agreement that is substantially similar to the version reviewed at this meeting, and once fully executed, will be recorded. The Agreement shall specify that the SLCS will become the primary easement holder and the Town of Center Harbor will assume the rights and responsibilities of the secondary holder of the Conservation Easement.” Seconded by George Gurney. No additional discussion occurred. Vote was unanimous to approve.

Mr. Viens then motioned *“for the Center Harbor Conservation Commission to disburse monies from its Conservation Fund in the amount of FIVE THOUSAND DOLLARS to the Squam Lakes Conservation Society to help defer costs associated with the ongoing stewardship and permanent legal defense (e.g., insurance and associated annual deductibles) of the Kimball Island Conservation Easement in conjunction with the transfer of the Town's responsibilities to SLCS.”* Seconded by Karin Karigozian. No additional discussion occurred. Vote was unanimous to approve. Mr. Helm thanked the Commission and noted that the SLCS Board would review and hopefully approve the agreement at their October meeting and that would notify the Conservation Commission at that time to process payment accordingly. The Commissioners thanked Mr. Helm for his work on this project.

- b. Mr. Larochelle then briefed the Commission on the completion of several projects in Center Harbor. These included:
 - i. The Overlook project on College Road
 - ii. Creation of the Harris Woods
 - iii. Three projects on Sturdevant Cove
 - iv. Whittier Woods

He noted that SLCS is also working on projects in both the lower and upper Dog Cove area. No details were provided as these projects are still in the formative stage.

- c. **Mystery Snail Infestation** – Mr. Viens informed the Commission that Chinese Mystery Snails have been found near the boat launch in Waukegan, and it must be presumed that they will spread throughout the watershed. They are considered an invasive species. At this point there is no corrective action other than collecting them when spotted and dropping them in dry buckets until they die. More details on the snails can be found on-line.

5) **Correspondance**

- a. The current Bank Statement for the Conservation Fund was reviewed by the Commissioners. The current balance is \$77,933.74 The fund has been growing thanks to the increased LUCT contribution being changed to 50% at Town meeting.
- b. DES Permit filings were reviewed:

- i. Winnepesaukee Flagship Corporation
- ii. McCrillis Hill wetlands dredge and fill impact plan
- iii. Dock replacement – 5 Owls Head Road

6) Open Discussion – None

The Meeting was adjourned at 11:42 AM.

The following handouts presented at the meeting are available for inspection and copying at Town Hall:

- Draft Assignment & Assumption Agreement
- Agenda
- Meeting Minutes 2-17-2017
- Kimball Island Conservation Parcel Map
- Current Easement Deed
- Use Limitations & Reserved Rights
- Original Grant from the Society for the Protection of New Hampshire Forests