

FREEDOM CONSERVATION COMMISSION

September 18, 2018

7:00p.m. at the Freedom Town Hall

FCC Members Present: Chairmen Paul Elie, Vice Chair Cheryl Harris, JP Mcvitty Frank Lalumiere, FAC Rep. David Straw

FCC Members Absent: Alice Custard, Sue Hoople(A), Sarah Tabor,

Others Present: Stacy Bolduc Recording Secretary, Tony Raynes, Maureen Raynes, John Panagiotakos, Cheryl and Mark Bernard, Mark McConkey, Jake McConkey

Quorum: A quorum was met

With a quorum having been declared the meeting was called to order at 7:00 p.m. with Paul Elie as Chairmen presiding. The minutes of the previous meeting were reviewed next.

Minutes

A motion was made by Cheryl, seconded by Frank to accept the August 21, 2018 meeting minutes with the following amendments: Remove the (A) after Frank Lalumiere and on page 2, third paragraph change request *to requests*. **Motion passed.**

Invoices

Intervale Lock & Safe

Date 9/11/18

Amount \$91.98

Invoice # 6839

Four padlocks for the gates

Farmers Lane Perched Beach Application

Paul explained this is a new application before FCC to review and ZBA has requested that any comments or concerns that the FCC may have be put in a letter and they will address them at their meeting next Tuesday. Due to an admin error, FCC did not see the new application until tonight.

Mark McConkey came before the board to update them on the changes to the application. With the aid of a new map, he explained he took the recommendations from their last meeting and incorporated them into the new map and application.

Mark explained, a new application was submitted to the State of New Hampshire wetlands, and it was reviewed thoroughly and approved. When the application was being reviewed by wetlands, they became aware that the association is a community beach vs. a personal beach. Therefore, there are different standards, one being the opening of the beach is not restricted to 20% and, the new map reflects this. Mark spoke with wetlands about the depth of the beach and was informed there is no standard on the depth of the beach, but once the beach has been approved, you can only replenish it with no more than 10 yards of sand every six years.

The Zoning Board wanted to be certain that there was sufficient stormwater management in place for the water that would run off the hillside. Civil Engineer Paul Kings services were attained, and he certified the plan and stated the grass swale that was in place was sufficient to carry stormwater coming down the hill, and the stone on the design is sufficient to take care of the stormwater.

Check future meeting minutes for any amendments or changes to these minutes.

Because the hillside is stable with grass, the association asked the Zoning Board of adjustment to waive their additional plantings on the hillside and instead proposed doing additional plantings on the south-east side of the beach. The Zoning Board responded they wanted the association to get more information from the engineer which they did, and his conclusion was that the structure was sufficient for a 50-year storm.

Other details discussed:

- The 6-inch berm will be built at the top of the hill so if there is a major event at the top of the hill it will help channel the water to the culvert.
- Timeline of the project was discussed. Cheryl expressed her concern for flooding now that the dam was not replaced with the updated computerized dam and asked Mark when he planned on starting the project, Mark stated all the work has to be done in the dry, and is not sure if it will be this fall or winter and explained he talked about this with the Zoning Board and they did not express any concerns nor did Wetlands.
- A request for a 10-foot variance will be reviewed with the ZBA next Tuesday.
- No trees will be cut.
- Vegetation that is disturbed by construction will be replaced.
- The initial installation of the perched beach does not have a requirement of how much sand you can have. The standard of no more than 10 yards is applied to replenishing the sand over six- years.
- The plantings suggested are five junipers on the right-hand edge half way between the wall with a six-foot offset. Plantings were not carried up the hillside because it is currently stable with the grass that is there.
- Front wall will be solid and will retain the sand. There are no stairs proposed at this time though they may consider them in the future.
- Being a community beach, the 20% opening does not apply. Mark explained the fact sheets that DES has for perched beaches is for personal beaches.
- Army corps of engineers found the application complete and meets their standards.
- Cheryl confirmed the only issue at this time is the setbacks.
- Paul stated given the fact that this has been going on for so long, and the fact that plantings that were originally there and are not there anymore he suggests, that pictures be taken upon completion of construction of the plantings and for the following three years annually to ensure compliance.
- Paul stated will need to fully comply with RSA 483.B the Shore Line Protection Quality Act and Freedom Shorefront District Zoning Ordinance.

Paul opened the meeting up to the public for comment.

Cheryl Bernard addressed the board and stated she is a part of the association and explained there are 20 lots, and there have been several lots that have sold recently to people with small children and feels the beach is not child-friendly because it is rocky. She stated she supports the perched beach and expressed her concern in trying to get down the hill due to the incline.

Mr. Raynes (abutter to Mark McConkey) came before the board to express his concerns regarding the linear footage and the setbacks regarding the boat ramp and stated he is not against the beach but is concerned what the beach is going to look like and what it is going to do to the ground. Mark explained the footage and that it is close to the property line. Mr. Raynes confirmed with Mark that he is ok with him getting his truck down to the boat ramp because it is close to his property line. Mark responded he would like to be a good neighbor. Mr. Raynes shared a picture of his boat with the board to show them the size of the boat that he needs to get down to the boat ramp. Frank asked how big the boat is, Mr. Raynes responded about 9 ft. and again reiterated that one of his concerns is that there is not adequate linear

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footage for the front of the boat ramp. He also stated he was in favor of the conservation and the aesthetics of the ramp. With the aid of pictures of the ramp and shoreline, Mr. Raynes expressed his concerns about the opening and sand being washed away when the water is high and the lack of trees and bushes. He would like to see respect for the shoreline and would like to see more attention to shrubs and trees at the top of the hill on one side and the aesthetics of the shoreline. John Panagiotakos feels if this is all about the aesthetics of the beach, not utilities and permitting and pointed out, if the beach doesn't get done the beach stays the same as it is today and the aesthetic value of what it is right now stays the same. Paul confirmed that is correct and this commission cannot force anyone to do any plantings, all the commission can do is recommend. John responded they are here today to look at the merits of the beach as it is presented to the board. If there are recommendations beyond the suggested plantings, they are all ears and will take it into consideration but cannot promise anything today. He went on to say this is the first time he has heard anything about the boat ramp in three years, and went on to say there is enough bandwidth for Mr. Raynes to put his boat in. John also wanted it noted that Mr. Raynes is the only one who uses the boat ramp out of the entire association. Cheryl further explained due to the steepness of the hill no one else will put in their boat at the boat ramp because it is so hazardous.

Paul asked Mark if anything will be done to improve the grass at the boat ramp. Mark responded no. Paul mentioned the cyanobacteria at Danforth bay due to the phosphorus and nitrogen load that it is a problem on the lake and bays and feels the vegetation falls short of what he would like to see.

After discussion around the proposed plantings by both Mr. Raynes and the association, Mark wanted to stress in the strongest of terms that this beach has little to no effect, however there is a catastrophe happening next door which is a culvert that is 24 inches wide that is jetting out into the lake every day of the week. He has talk to both the State and the Town, and nobody wanted to discuss it and asked the board not to make the beach an argument and stated if you want to crusade, make the culvert a crusade. Paul said the culvert is a valid point, but it is not on the table tonight.

Mr. Raynes again reiterated his concerns about the aesthetics and confirmed he is not against the beach but is concerned about what the beach is going to look like after adding the concrete wall and what it is going to do to the ground. He does not feel a piece of concrete belongs there and every chance should be taken to make it look nice and to make it look like it is a part of the shoreline, not just a piece of concrete dropped in the middle of the beach. He feels without the vegetation that's what it will look like. Discussion ensued around vegetation.

Paul asked the board their feelings about adding more vegetation.

Frank expressed his concerns about the cyanobacteria outbreak and feels any planting that is done will improve the quality of the water. Discussion ensued

Cheryl Bernard mentioned the association had many meetings to decide what kind of rock to use and it was decided by voting what to use and Mr. Raynes had a say in that. It was a combined effort to agree on what to use to keep the wall looking natural.

After an engaging discussion around the plantings and how many would be appropriate and what type of plant would be a good fit for the area the following motion was made:

Cheryl made a motion that low growing shrubs or other native vegetation be planted above the retaining wall at recommended distances apart, the number is approximately six in addition to the five junipers as shown on the map, motion was seconded by Paul Elie; Motion passed unanimously.

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After the motion passed unanimously, the following left the meeting at 8:20 p.m. Mr. and Mrs. Raynes, John Panagiotakos, Cheryl and Mark Bernard, Mark McConkey, Jake McConkey.

Madison Logging

David updated the board on the FAC's decision that the next meeting committee members will bring their input on what the conditions will be for Madison to be able to use the road. One of the suggestions was a line of credit be in place to fix the road if it needs repairs. The committee was not happy with the amount of the bond Madison suggested.

David went on to discuss the timeline of the project. Paul said these suggestions could be discussed at the joint meeting with the FAC. Cheryl would like to see the report that Barry Keith wrote up for recommendations and inquired if anyone has seen it.

Paul shared what he had for information (Madison Town Forester Tim Nolan's report and Barry's recommendations). Cheryl will check with Janice to see if she has anything and David will check with the FAC to see what they have for a report. Discussion ensued.

2018 Goals

Paul spoke with Green Mountain, Barry Keith, and Trust of Public Lands and was informed acquisition of land could be a very lengthy and costly process. Paul is recommending to the board that the goal for acquisition of land be put on hold for now and focus on the Shoreline Survey. A copy was handed out, and Paul explained how the survey was done, and an environmental impact number was assigned according to if there is a steep slope or no vegetation and the lot was color-coded accordingly. The red is the worst and, the survey was done from the water only. Green Mountain is currently in the process of writing a grant that would be used to help solve some of the problems contributing to the runoff going into the lake. Blair Folts is the director at Green Mountain helping to write the grant and hopes to have done next week.

Ossipee River Suds

Doris Sirois lives on the Ossipee River and has reported seeing suds regularly on the river near the falls on Tuesday's and Thursdays. Paul has talked to the zoning officer; health officer and DES and they concur that it has something to do with the water and the waterfalls and the water that accumulates along the water's edge. The suds are gone for now if they come back next year they will capture some and send them off to the DES lab to have them tested.

The cyanobacteria were briefly discussed.

Rules and Procedure

The members of the board that was present tonight signed the rules and procedure, those people not present tonight will sign next month. FAC will receive a copy once everyone has signed.

NHACC Annual Meeting Registration

NHACC annual meeting registration is now open, and members can register for classes.

Check future meeting minutes for any amendments or changes to these minutes.

Paul spoke with DES and he has been added to the notification list. If there are any alerts, Paul will post them to the new Freedom bulletin board that replaces Jennifer Molin's board.

Shoreland Applications that have gone before the zoning officer, were passed around for review.

There being no other business to come before the board, **JP made a motion, seconded by Paul to adjourn the meeting at 8:50 p.m.**

Respectfully Submitted,
Stacy Bolduc
Recording Secretary

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