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**TOWN OF
BROOKLINE, NEW HAMPSHIRE**
Conservation Commission

**P.O. BOX 360 – 1 Main Street
BROOKLINE, NH 03033-0360**

<http://www.brookline.nh.us>

**Minutes
Tuesday, October 13, 2020
Conservation Commission
Meeting Start at or about 7:00 PM**

Present: Francis (Buddy) Dougherty, Chairman
Jay Chrystal, Vice Chairman
Tom Rogers, Member
Jerry Jaworski, Member
Sean McNair, Alternate
Ron Olsen, Selectboard Representative
Drew Kellner, Alternate Selectboard Representative

Absent: Eric DiVirgilio, Alternate, and

PB Case SP#2020-F: J-20 Proposed addition to Stateline Convince Store, 44 Route 13. Allen & Major Associates Inc.

In attendance for this meeting is Bob Clark with Allen & Major Associates Inc.

Bob said they are proposing an addition to the back of Stateline Convince Store. This will be used for dry storage and will have a covered loading dock. **Bob** reviewed the plan with the Board they reviewed the 50 Foot wetlands buffer and the 100 year flood line. **Bob** said this addition will be 1,376 sf onto the existing 14,460 sf. There will be no further pavement. They are basically removing one impervious surface and replacing with a building. There are no changes proposed to the front of the building only to the back. They are adding a handicapped parking stop to be in compliance with state guidelines. The Board said they had no issues or comments for the Planning Board in regard to this plan.

Thanksgiving 5k

Drew said they will be holding the 5k this year on Thanksgiving Day. They will be calling it the Brookline Turkey Fun Run & Walk. He reached out to the Cohen Camps for permission. They will be making a few changes this year, there will be no someday sign up, no bathrooms or water provided. They will be going live tomorrow for online race sign up. They may stagger the start line to keep with the Governors executive orders regarding Covid-19. They will have a 75 person cut off.

\$20 dollars a person to sign up. They will keep time but again this is a fun run. The race start will be at 8:00am and parking will be open at 7:30am. they only need 3 volunteers himself and Tom are the first two they could use one more but can do without if no one can make it. They are not requiring masks for the run they are still discussing it but if they come up on a group of people, they will ask you put a mask on to pass by. **Drew** said they are trying to make this a low effort event.

Property Monitoring Project

Jerry read through his presentation:

Review of Property Monitoring Project Goals

- **Locate all FEE (town-owned) and EASEMENT (town-managed) deeds and plans**
- Document Book/Page of deeds and physical addresses of properties
- Document the allowances and restrictions for each deed
- Store downloaded PDFs, scanned images and documents in an online repository
- Assist NRPC in adding protected lots and portions thereof to the Conserved Lands GIS database which can be used by the “Brookline New Hampshire Parcel Map” ArcGIS app during on-the-ground monitoring
- Develop a plan for periodically monitoring all owned and managed properties

Locate Deeds, Easements and Plans

- Datasets Used
- Town owned land from 2019 Annual Report
- BCC Land Purchases spreadsheet from Kristen
- Avitar 2019 data provided to NRPC by Kristen
- NRPC’s Brookline Parcels database
- Granit/NRPC’s Conserved Land database
- Hillsborough County Registry of Deeds LAREDO database
- Queries for EASMENT, EASEMENT, DEED, DEED & VOTE, DEED & CONSENT, DEED & CERTIFICATE
- Approximately 400 deeds investigated
- Hardcopies of 17 Easement Deeds and Plans that Kristen provided to Jordan and me in 2018

Document Findings

- Results captured in a Master spreadsheet including:
- Lot #

- Lot/Easement Size in acres
- Current Owner
- Book & Page #, Date, Grantor and Grantee of Deed or Easement
- Plan # and Date
- Is it an Open Space Lot?
- Is BCC designated to monitor the easement (RSA 36-A)?
- Does it have a Conservation Easement?
- Easement Description (text captured to a PDF)
- Permanent Easement Document # and Plan # if applicable
- Portion of Lot Protected
- Organization responsible for monitoring property
- Conservation Area if applicable

Document Allowances & Restrictions

- **Text of 49 easements were**
- Captured in Laredo via screenshots
- Converted to text via Google Docs character recognition engine
- Edited to correct conversion errors
- Converted to PDF and named using Book & Page
- **For easements on a portion of one or more lots**
- PDFs of Plans were downloaded from Laredo (thanks Kristen)

Assist NRPC in adding protected lots and portions thereof to the Conserved Lands GIS DB

- Provided Andrew Smeltz with an edited version of the Master Spreadsheet providing
- 7 Corrections to the existing Conserved Lands database
- 21 Changes to the “PPAGENCY” field corresponding to the change in easement monitor from BCC to PLC for the Hobart-Fessenden lots
- 9 lots to be added
- 16 easements on partial lots to be added along with a GIS database containing polygons created by geo-referencing images of the easements taken from Plans to NRPC’s Parcel Database

Categorization of Land as Conserved

- NRPC's Conserved Lands database includes most of the Town-owned lots regardless of use including cemetery, recreation and school district lots, the Safety Complex and land taken by the Tax Collector
- My approach is different: For a lot to be categorized as conserved and managed by the BCC it must meet at least one of the following criteria:
 - Purchased by the BCC
 - Designated as an Open Space lot in a Deed, Plan and/or Easement
 - Deed specifies lot is to be managed by Conservation Commission
 - Has an easement that protects the lot or a portion of the lot
 - Town-owned lot within or adjacent to a Conservation Area or other BCC-managed land
 - Town owned lot with wetlands
 - 23 of the 135 Town or School District owned lots do not meet any of these criteria

Breakdown of Conserved Land

Acreage Statistics	Acres	%
Total acreage in Brookline	12,045	
Conserved with BCC as easement/property monitor	2,045.8	17.0%
Conserved with PLC as easement/property monitor	536.9	4.5%
Conserved with BBA as easement/property monitor	159.1	1.3%
Conserved with NRLT as easement/property monitor	101.8	0.8%
<i>Total Conserved</i>	<i>2,843.6</i>	<i>23.6%</i>

Breakdown of Conserved Land that BCC is responsible for monitoring

Lot type/Area	with easement		w/o easement	
	# of lots/easements	acreage	# of lots	acreage
Open Space	15	212	5	131
Palmer-Bartell Forest	2	132	18	388
Whitcomb-Bross Woods	-	-	10	356
Melendy-Morrill Woods	-	-	9	475
Talbot-Taylor Wildlife Sanctuary	2	83	-	-
Other Conserved whole lots	3	11	21	169
Other Conserved partial lots	20	91	-	-
Totals	42	529	63	1517

Develop a plan for periodically monitoring all owned and managed properties

- Start with the 15 Open Space lots since they're mostly dry and likely have survey markers at all vertices

OR

- Start with the 21 Easements on whole and partial lots that protect wetlands and streams
 - Given the drought, it may be easier to find the boundaries so perhaps it makes sense to start with these
 - Only some plans show iron pins marking the easement boundary
 - Need to notify landowners that we'll be walking on their property and why
- **Process**
 - 3 (possibly 4) teams of 2
 - 1 lot or easement per team every month from May-Nov would complete the cycle by November 2022

Questions and Issues

Issues with Deeds

- There are 24 lots belonging to Town of Brookline, Brookline Conservation Commission or Melendy Pond Authority that Avitar does not list a deed for so I could not determine whether there are conservation restrictions on them
- There are 4 Open Space lots not owned by the Town
 - 3 are owned by Canney Hill Development LLC, but all 3 have Conservation

Easements with Town of Brookline as Grantee

- 1 is owned by Conote LLC but it has a Conservation Easement with Town of Brookline as Grantee

“This easement is for the express purpose of maintaining the above-described area in a natural state, restricting the cutting of trees or other manmade disturbances within said area and for the maintenance of a drainage area on said lots...”

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- BARBARA C. COON TRUSTEE**
BARBARA C. COON TRUSTEE
 VOL. 100, P. 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 10

Repository for Easement Project's Digital Content

- Currently the project's 120 files consisting of 80 mb of spreadsheets, easement descriptions and plans are stored on my local disk
 - Documents need to be stored in a safe repository accessible to BCC members for viewing and printing
 - Some BCC members will also need to add/modify content using a prescribed set of office apps
- Candidate repositories
 - Town's internal network and storage environment
 - Doesn't provide access to non-Town employees
 - Town's website
 - Adding and modifying content is awkward
 - Requires members to have CivicPlus login and training
 - Google (Recommended)
 - Secure access and storage on Google Drive
 - Viewing, printing and editing using free Google applications
 - Being used successfully by BTC
 - May need to purchase additional storage for a nominal fee

Jerry said if the Conservation Commission breaks up into groups of 3 or 4 people, they can have the entire list of Brookline lots all walked and reviewed by November 2022. **Drew** said they have a lot of work to do before they are ready to review all the lots. The Board thank Jerry for all his hard work on this project.

IceBreakers – Owner permission

Buddy said Kevin Majeski with the Brookline IceBreakers has sent out an email that states they are going through with the Hood Road Crossing the state just need the landowners on board with this project. Jay made a motion to allow Buddy to sign the landowner permission for the grant for the Ice Breakers to go forward with this project. Ron seconded. Vote yes 5-0.

Milford

Buddy said Amy Smagula has found more milfoil at the North Stream entrance of the Lake and has sent us a map to review. She has sent divers out there.

Camping on Town Property

Tom said he had spoken to the Police Department they had found people who had been camping on town land for long period of time. **Tom** suggested they add this to the November agenda to discuss getting something in writing about camping on town property. this gives them a month to do some research. The Board agreed.

Scenic Trail

Tom said there have been some yard clippings and leaves that have been piled up on the Scenic trail at the end of Dupaw Gould Road. **Buddy** said it looks like more than one person is dumping in this area.

Non-Public

Jay made a motion to go into non-public session under RSA 91-A:3, II (d) for purpose of land acquisition and under RSA 91-A:3, II (c) for matters which discussed in public, may adversely affect the reputation of any person and immediately adjourn the meeting. Seconded by Sean. Roll call vote Buddy, Jay, Tom, Ron, and Jerry all voted yes.

Jay made a motion to come out of non-public session and seal the minutes. Seconded by Tom. Roll call vote Buddy, Jay, Tom, Ron, and Jerry all voted yes.

Minutes

Jay made a motion to approve the minutes of September 9, 2020 both public and non-public as written. Jerry seconded. Vote yes 5-0.

Adjourn

Jay made a motion to adjourn at 9:30pm. Tom seconded. Vote yes 5-0.

Francis (Buddy) Dougherty, Chairman_____

Jay Chrystal, Vice-Chairman, _____

Tom Rogers, Member _____

Jerry Jaworski, Alternate _____

Ron Olsen, Selectboard Representative_____

Minutes prepared by Kristen Austin

Next Conservation Commission meeting will be held on November 10, 2020