

New Hampshire Council on Resources and Development

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DRAFT MEETING MINUTES – May 14, 2015

MEMBERS PRESENT

Meredith Hatfield, Chair, Director, NH Office of Energy and Planning
Robert Beaulac, Designee, NH Department of Administrative Services
Timothy Carney, Designee, NH Department of Education
Timothy Drew, Designee, NH Department of Environmental Services
Elizabeth Muzzey, Designee, NH Department of Cultural Resources
Richard Cook, Designee, NH Fish and Game
Gail McWilliams Jellie, Designee, NH Department of Agriculture, Markets and Food
Nancy Spaulding, Designee, NH Department of Transportation
Marta Modigliani, Designee, NH Department of Justice
William Ray, Designee, NH Housing Finance Authority

OTHERS PRESENT

Susan Slack, NH Office of Energy and Planning
Kellie Walsh, NH Office of Energy and Planning
Tracey Boisvert, NH Office of Energy and Planning
Jared Nylund, NH Department of Administrative Services
Dan St. Hilaire, NH Liquor Commission
Lou Barker, NH Department of Transportation

I. ROLL CALL

The meeting was called to order by Ms. Hatfield at 9:03 a.m. CORD members, guests and OEP staff were introduced.

II. APPROVAL OF MINUTES

ACTION: On a motion by Mr. Beaulac, seconded by Mr. Carney, the minutes of March 26, 2015 were approved, with Mr. Ray and Ms. Modigliani abstaining because they had not attended the meeting.

IV. DISPOSAL OF STATE OWNED SURPLUS LAND

A. SALEM – SLR 15-004

Ms. Hatfield noted that CORD approved this SLR at the previous meeting on March 26, 2015, contingent upon receiving no adverse comments during the public comment period. CORD received comment from the Rivers Management Advisory Committee.

Ms. Slack said RMAC's comment recommended conditioning the sale of the property and any subsequent development on maintaining a minimum vegetative buffer of 50 feet, or the minimum required by local zoning, whichever is greater, along World End Brook. She said the RMAC recommendation was passed on to DAS, which is acting on behalf of the NH Liquor Commission.

Mr. Nylund presented an existing conditions survey of the parcel and explained that the front three acres are buildable and almost completely developed, and the back two acres are wetland and undevelopable. Mr. Nylund said there is an effective buffer already in place on the property because of the wetlands and the town's wetland buffer requirement. He said the challenges of imposing a vegetative buffer in perpetuity would require the state to retain an interest in the property as well as a state agency to enforce and monitor the buffer, which he said does not seem feasible.

Mr. Carney asked what the local ordinance stated for a wetland buffer. Mr. Nylund said the local ordinance has a 40-foot vegetative wetland buffer.

Ms. Hatfield asked if any CORD members had further discussion or changes to approval. Mr. Drew stated that any future development would need a wetlands permit if it was within the wetland area, and that there could be additional local protections. Ms. Modigliani stated that she thinks it is important to pass the information regarding the discussion of the comment from RMAC on to the Long Range Capital Planning and Utilization Committee. Ms. Slack said CORD shares its minutes with the Long Range committee so that it can take CORDs action into consideration. Ms. Muzzey said she believes it is important to state the reasons why CORD considered the comments but did not take action on the recommendation from RMAC. CORD members agreed.

ACTION: On a motion by Mr. Carney, amended by Ms. Hatfield, then seconded by Mr. Ray, CORD reaffirmed its decision to approve SLR 15-004 after reviewing the Rivers Management Advisory Committee's recommendation and determining that CORD believes there are sufficient state and municipal protections for the brook. CORD members also took into consideration the difficulty of enforcing development restrictions on the property.

III. LACONIA – SLR 15-005 – A-H

Mr. Barker presented the request from the Department of Transportation to renew eight leases of state-owned railroad land water frontage to abutters, all on Paugus Bay (Lake Winnepesaukee) for use and maintenance of pedestrian crossings, docks and waterfront access per RSA 228:57-a.

Ms. Hatfield reviewed comments from other state agencies. The Lakes Management Advisory Committee and Department of Resources and Economic Development had no concerns or objections. The Rivers Management Advisory Committee is not within jurisdiction. The Division of Historical Resources commented that the Concord to Lincoln Railroad corridor is potentially eligible for the National Register of Historic Places, but the proposed leases have no potential to affect the property and any changes to the property would require consultation with DHR. The Department of Environmental Services had no objections, as long as the dock owners maintain compliance with the permitting requirements of RSA 482-A. For existing, permitted docks, no renewals to the permits are necessary.

ACTION: On a motion by Mr. Drew, seconded by Ms. Muzzey, CORD unanimously approved the request for the Department of Transportation to renew eight leases of state-owned railroad land water frontage to abutters on Paugus Bay for use and maintenance of pedestrian crossings, docks and waterfront access per RSA 228-57-a.

Mr. Barker also stated he would like to withdraw Meredith SLR 14-024 from CORD due to not being satisfied after having conversations with the Needle Eye Association and based on CORD's recommendation. CORD members agreed and accepted the withdrawal.

IV. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)

A. Ms. Boisvert, Director of the Conservation Land Stewardship Program proposed a request for CORD to authorize the Commissioner of the Department of Resources and Economic Development to execute a deed conveying certain LCIP property to the Town of New Boston pursuant to chapter 233 of the Laws of 2014 (HB 1145) for the Riverdale Road Bridge reconstruction project. Ms. Boisvert said 2,595 square feet of permanent slope easement has been authorized by the legislature.

Ms. Hatfield said this is similar to the Sewalls Falls Bridge project from the previous CORD meeting. Ms. Hatfield also said there was small compensation for both items in the legislation. Mr. Beaulac asked who receives the compensation. Ms. Boisvert said the compensation is deposited in the Land Conservation Endowment to support future monitoring.

ACTION: On a motion by Mr. Beaulac, seconded by Ms. Modigliani, CORD voted unanimously to authorize the commissioner of Department of Resources and Economic

Development to execute a deed conveying certain LCIP property to the Town of New Boston pursuant to chapter 233 of the Laws of 2014.

B. Program Updates

Ms. Boisvert requested that CORD authorize a disbursement of up to \$165,000 and \$168,000 for fiscal years 2016 and 2017, respectively, for LCIP-related program responsibilities as well as monitoring responsibilities for certain other State-held, non-LCIP conservation easements. Ms. Boisvert said these figures are within the Treasury's recommended maximum of 5% of the 12-quarter rolling average for withdrawals, assuming very modest increase in available income prior to fiscal year 2017. Ms. Boisvert also stated these disbursement amounts are based on OEP budget figures. At this point it is not known whether the CLS Program will be housed at OEP, Department Resources and Economic Development or NH Fish & Game beginning in Fiscal Year 2016, so actual projected budget figures are not currently available. Ms. Hatfield said if the CLS Program is housed within NH Fish and Game or Department of Resources and Economic Development, the Program's budget figures could be lower.

ACTION: On a motion by Mr. Beaulac, seconded by Mr. Drew, CORD voted to authorize the expenditure disbursement of up to \$165,000 for fiscal year 2016 and \$168,000 for fiscal year 2017 for LCIP related program responsibilities. Ms. Hatfield abstained.

V. OTHER BUSINESS

A. Review of Future Meeting Dates

Ms. Hatfield stated that the next CORD meeting is scheduled for July 9, 2015, which may conflict with member's schedules due to proximity to the holiday. She asked members to please let Ms. Slack know of other possible meeting dates in July if July 9, 2015 does not work for everyone. Ms. Slack will follow up via email with CORD members.

B. My NH Photo Campaign

Ms. Muzzey spoke about the Department of Historical Resources "My NH Photo" campaign. The campaign's purpose is to gather photos of favorite historical places in New Hampshire to add to the five year preservation plan. Ms. Muzzey asked CORD members to send in photos if they would like.

VI. ADJOURNMENT

ACTION: Ms. Hatfield adjourned the meeting at 9:41 a.m.

Respectfully Submitted,

Meredith A. Hatfield, Chair
Director, NH Office of Energy and Planning

MH/kw

CORD 2015 Meeting Schedule

January 15, 2015

May 14, 2015

September 10, 2015

March 12, 2015 (postponed to March 26, 2015)

July 9, 2015

November 12, 2015