

DRAFT MINUTES  
CONSERVATION COMMISSION MEETING  
FEBRUARY 10, 2016

PRESENT: Bob Boynton, David McTigue, Jack Messe, Matt Oliveira, Lisa Oden, Lori Rautiola, Kleta Dudley (SoRLAC Representative)

PUBLIC: Al Jenks, Karen Miller, Justin Ingrassia, Virginia Notter

The meeting was called to order at 7:30 at the Town Office.

Bob made a motion to approve the December 9, 2015 and January 13, 2016 minutes as amended. Jack seconded the motion and it passed unanimously. In follow up with the January 13, 2016 minutes, Karen noted she had come to Bob in November regarding membership but Bob did not recall.

7:40 pm - Mr. Al Jenks:

Al was interested in getting a map of wetlands in New Ipswich and Bob suggested Southwest Region Planning commission (SWRPC) may have one. Al wanted the Commission to be aware of the potential impacts on his property due to the pipeline project, noting there is at least 1.68 acres of wetlands on his property with two ponds that would be directly impacted. He questioned what the impact would be on the wetlands when blasting occurs. Bob noted they cannot tell the impacts at this time because they do not know how much and what kind of blasting they will do or how far/deep the blasting would go. When Kinder Morgan submits the permit, the State will determine if the impact is minor or major. The Commission will get a copy of the permit; then the Commission and the landowners can submit comments to the State. Al asked what the timeline would be if the project goes through and Bob estimated by mid-2017 they would most likely be getting permits from DES.

Virginia Notter questioned how DES will know if there is stone or granite underneath the wetlands and Bob responded they will send their own experts out to do ground testing.

Al referred to a visit from a lawyer at Windblown last week who stated sometime soon Kinder Morgan will be going door to door looking to start negotiating on buying a right of way on properties which Al thought was presumptuous as all the parameters are not known. He asked if any information the Commission receives in the future could be passed on to concerned landowners and Bob concurred.

Al mentioned a beautiful beaver pond on his property which is also used for his business that he does not want to see become a mud hole. Bob added the Commission is doing what they can with its limited resources and funds and when the time comes will give it as much scrutiny as possible. Al asked Bob to describe mitigation and Bob stated the Commission is chartered by the State and if a wetland is impacted there will be mitigation. The amount of mitigation is determined by the value and type of wetland. The money goes into the Aquatic Resource Mediation Fund, (ARM) which is a State pool, and the money can only be used in the same watershed.

Al questioned if the pipeline does come and goes directly through two of his ponds, would this be considered a project for mitigation. Bob answered yes, they would need to restore the pond and it would be mitigatable.

David mentioned it would be nice to know where Kinder Morgan draws the line between restoration and clean up verses mitigation and Bob agreed adding usually if the impact is greater than can be remediated, they get mitigated. Virginia asked who oversees the work being accomplished and Bob stated locally the Commission would oversee projects like this and report to DES and the project would have to be monitored. Matt added the landowner would also address any issues that arise.

The members and public conversed about the rock being blasted from the trench of the pipeline and impacts to the wetlands close by. Al questioned where Kinder Morgan would put the fill from the blasting and Bob answered that would not be in the Commission's purview unless they were filling wetlands with it. Matt added they may haul it away and have it made into crushed stone and possibly use it as road bed. Bob noted DES would handle the site excavation part of the project, and it would have to meet State permit requirements as well. Al urged landowners to be aware as to what Kinder Morgan is doing with things such as blasted rock that comes off their property and Bob also urged everyone to have their land documented beforehand with pictures.

Al questioned if the Town would hire a wetland scientist to come in and evaluate the area and Bob mentioned that the Commission wanted to hire Rick Van de Poll but was not allowed to because the Town felt Kinder Morgan should be paying and they want to wait until the permits are approved. Virginia questioned if the Commission had any idea how much this would cost so it could be in the budget next year and Bob figured roughly \$75,000 depending on how much detail would be done. Lisa questioned if most landowners know they should have an inventory of their property and added a lot of people move here from a more populated area not having much knowledge about their property. Bob noted the Pipeline Task Force is a group of people who should be making this information known to the homeowners. He recommended the Selectmen and Commission contact Mr. Van de Poll to come and speak with a group of landowners and inform them what they should be considering. Al asked if there is a list of all the landowners affected and Bob answered he has generated maps showing homes affected within ¼ mile, ½ mile and 1 mile. Virginia added the Pipeline Task Force should have a list as well and Karen noted the list keeps getting longer due to new staging areas of the project.

Mr. Justin Ingrassia voiced his concern about an aquifer on his property on Timbertop Road. Bob suggested having Kinder Morgan install a meter beforehand to make sure the flow does not change, and to have the water tested before any work is done. Justin added he was more concerned with blasting being done so close to the aquifer as it is shallow and in fractured rock not sand. Bob recommended contacting a hydrologist to get an analysis showing what the impacts may be.

Kleta questioned if the money received for mitigation is not used in town for projects then it has to be used in the watershed and Bob concurred stating the money from the pool, or the ARM fund, has to be used in the watershed. Karen questioned the status of the ground water protection ordinance and Bob responded it was too late for this year to get the ordinance into place but it will be in for next year. Karen also asked if the overlay maps of the habitats Al had mentioned earlier were on the town website and Bob answered they are.

**Old Business:** Bob reported the Commission would like to nominate Lisa Oden, Karen Miller and Kleta Dudley as Alternate members but first need to find out which slots are open so the vacancies can be staggered; otherwise, the Commission ends up with four open vacancies all at once. Bob asked Lori to find out which slots are open. The Commission will then make a motion to nominate the new members. Bob asked Karen what role she would like to play on the Commission and Karen stated she would like the water resources and wildlife habitats but would be happy with any role. Bob added we all

have a common thread to protect the environment; however it is important that while being at other meetings such as Pipeline Task Force, we do not speak on behalf of the Conservation Commission. Karen stated she had started coming to the Conservation Commission meetings due to the water resources potentially being impacted from the pipeline and that her intention is not to “butt heads about the pipeline” with the Commission but to help.

Lisa stated the concern about the pipeline brought her to the Commission many months ago but then after Dixie suggested she become a member, she contacted Joanne for more information and diligently researched what the Commission is all about, and thought about the broader aspects of it. This is what she was expressing her interests in.

Bob noted he hopes people will see why the Commission has remained neutral about the pipeline. The Commission has not seen sufficient impacts to warrant being against the pipeline; however everything should be done to make sure if the pipeline does go through it does not impact anything unnecessarily, and if it does have any impacts, there is mitigation.

Bob asked the members if they came up with a list of potential properties for mitigation projects. He added some things to the overlay maps on the website that will search for properties and identify all the natural resources on it. This is how worthwhile mitigation properties will be determined.

The meeting adjourned at 9 pm.

Respectfully submitted,  
Lori Rautiola, Secretary