

**DEERFIELD CONSERVATION COMMISSION**  
**1967 – FIFTY-SIX YEARS AND COUNTING – 2023**  
**Regular Meeting Minutes – March 13, 2023**

**Attendees:** Haley Andreozzi, Wes Golomb, Chloe Gross, Erroll Rhodes  
**Members Absent:** Serita Frey, Josh Freed  
**Visitors & Guests:** Sherrie Trefry (VHB) – Kurt Nelson, Matthew Cardin, Claire Schenck (Eversource)  
Phil Bilodeau, Paula Duchano, Kevin Cini

Acting Chair Haley Andreozzi convened the meeting at **7:04 pm**

**Representatives from VHB and Eversource** presented information about a Conditional Use Permit (CUP) it is seeking from the Planning Board for proposed utility maintenance on the existing **345 kV 307 transmission line in Deerfield**.

**Project Information:**

- Optical Ground Wire (OPGW) replacement – 345kV 307 transmission line running from Deerfield to Elliot, Maine
- OPGW: uppermost wire - provides lightening protection and additionally facilitates communication transmission
- Installation improves outage detection and provides quicker system response
- Structures #188 and #189 targeted for the work
- Replacement of existing 115-foot wood structure #188 with a 120-foot, weathered steel structure
- Anticipated timing: June/July 2023 Pole replacement – August/September or November – optical ground wire pulling
- Placement of a 50' x 50' (60' x 60' per application) temporary work (pulling) pad around #189 for access to structure
- Placement of a 100' x 100' structure replacement pad surrounding structure #188
- No new access required: An existing road behind the substation will be used

**Permitting:**

- Planning Board Conditional Use Permit due to anticipated impacts to wetlands, streams, and wetland buffers
- Pending: Wetland and Alteration of Terrain permits from NHDES (being issued to PSNH dba Eversource)
- Wetland and AoT permits will not be issued till Fish and Game is satisfied
- Planning Board waiting for the AoT permit and Fish and Game recommendations before final CUP approval

**Areas Of Concern:**

- Protection of the high-quality habitat in Deerfield
- Management practices for protection of rare, threatened, and endangered species (RTE's)
- Black Racer snakes and Blanding's turtles are of special concern
- Timing of project during nesting season for turtles and snakes
- Last wetland mapping performed in the summer; re-flagged in the fall of 2022
- Vernal pool mapping does exist but no vernal pools are in the Deerfield section of the project

**Attention to Landowner Concerns:**

- Addressing abutter concerns are part of the process
- Eversource works with and relies on landowner information about individual properties and conservation land
- A master list is kept of abutters within a 100-foot perimeter
- Introductory letters are sent to notify owners along the line
- Landowners with particular sensitivities can reach out to Eversource
- Contact: Claire Schenck - Project Services Contractor for Eversource Energy (603) 319-7378, (603) 634-2215
- Public posting: Eversource notifies towns and provides contact information
- A general time frame is given followed by systematic notices, outreach, and periodic postings
- Towns can choose to reach out further to residents if desired with additional information
- Abutters receive initial notification with periodic reminders as project progresses
- Helicopter landing sites were questioned since they have been known to land on resident parcels in the past
- Helicopters are based in Pembroke, fly along the line during daylight hours and usually utilize the ROW for landing
- Independent contractors identify landing zones and formulate plans with linemen
- Safety is taken seriously, with means and methods set at a high bar
- Contractors provide a detailed pulling plan, traffic control, and plans to safeguard humans, structures, and livestock

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**Environmental Impact Minimization & Oversight:**

- Relative to habitats of note existing under the timber mats: area is considered standard wetland habitat,
- Timber matting to be used to stabilize work areas, reduce impacts to wetland soils and to bridge stream crossings
- Removal of matting after installation of OPGW within the current growing season
- Sites monitored for regrowth anticipated in the current or next growing season
- Daily inspection of erosion controls by work crews; weekly inspection by environmental monitor
- Removal of “spoils” to upland area or trucked off-site
- VHB waiting for Fish and Game permit additional recommendations
- VHB acting on behalf of Eversource for permitting, storm water and pollution review, and submission of weekly sediment and erosion reports

**Recommendations:**

- Gated access at Cate Rd. to prevent unauthorized use by recreational vehicles
- Regular monitoring to take place, based on Fish and Game recommendations and best management practices
- Regular sweeps as requested in the past, with reports to F&G (Blanding’s turtles & black racers of special concern)
- Eversource to provide weekly inspection reports to Keach-Nordstrom Associates (Planning Board consultants)
- Third-party monitor for RTE’s to provide a check and balance to VHB and Eversource-only monitoring
- DCC to review Fish and Game and AoT permit recommendations when received
- DCC ability to add to Fish & Game recommendations, which may or may not be more stringent
- DCC to draft letter to Planning Board to cover general recommendations (advisory capacity only)

**Motion:**

*Erroll Rhodes moved to draft a letter addressing DCC’s concerns and recommendations to the Planning Board, relative to the Eversource 345 kV 307 Transmission Line project.*

*Haley Andreozzi seconded the motion*

**Vote:**

*The motion was approved unanimously*

Kurt Nelson requested that **VHB and Eversource receive a copy of the recommendation letter**. Members did not object. If the recommendations are not addressed, DCC can then follow up.

Because the project is within the quarter mile corridors of the Little and North rivers, it is subject to review by the Lamprey River Advisory Committee (LRAC). **DCC was copied on a letter addressing LRAC’s concerns, and its recommendations to NHDES**, based on a review of the Alteration of Terrain Permit Application for the project. DCC expects to receive a copy of the approved AoT from NHDES and can make its own additional recommendations at that time.

**Approval of Minutes:**

**Motion:**

*Wes Golomb moved to approve the minutes of the February regular meeting.*

*Erroll Rhodes seconded the motion*

**Discussion:**

In the absence of documentation in the clerk’s notes, it was unclear if there had been a motion to approve placing Warrant Article #21 on the ballot. After discussion, it was determined by the members currently present that **a vote had been taken, and approval given, to place Warrant Article #21 on the ballot.**

Additionally, Erroll Rhodes made the following amendments to the February minutes as high-lighted in red:

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**Paragraph #7 Line #3:**

*Chair Frey noted that the practice of the Town holding an interest had been a sticking point in the conveyance of a previous easement, and that having the ability to contribute without the need for the Town to become a secondary interest holder could address those concerns. “Mr. Rhodes felt that stated that the cited examples, upon investigation, had not checked out, but that any fears or objections could be alleviated with proper education of landowners on the nature of the practice.”*

Relative to Mr. Rhodes’ above amendment, Haley Andreozzi responded that there had been others who did object.

**Paragraph #7 Line #15:**

*It was further noted that the DCC was obligating future generations of DCC members to uphold the Town’s interest in an easement if the primary interest holder failed to address a violation of the terms of the easement. “The NH Attorney General acts as a backup interest in all conservation easements, which it exercises by way of receivership.”*

There was additional discussion relative to the process by which the Attorney General’s Office would handle such a failure.

**Vote:**

*The motion to approve the minutes as amended was approved unanimously.*

**Finance:**

**The balance in the Conservation Fund at the end of February was \$350,362.03 which includes** previously unposted interest for December and January (\$560.04 and 623.50 respectively). February interest is anticipated to be reflected in March. Changes to previous banking arrangements resulted in all of the interest earned being temporary allocated to the Town’s *General Fund*. The Town’s relationship banker was aware of the issue and made the necessary adjustments. There was no information available on the amount of LUCT for 4<sup>th</sup> Quarter 2022 at the time of the meeting.

**Motion:**

*Erroll Rhodes moved to approve payment of an invoice for annual dues in the amount of \$300 to the NH Association of Conservation Commissions*

*Wes Golomb seconded the motion*

**Vote:**

*The motion was approved unanimously*

**The Clerk reminded the members that the Commission needs to nominate and vote for officers for 2023 at the April meeting for the term beginning May 1, 2023.** John Harrington previously recommended that DCC name both a chairperson and a co-chair. The power to allow a member to participate remotely, or to declare an emergency meeting, or to allow a member participating remotely to be counted as part of a quorum in an emergency, lies with the chair, or co-chair in the absence of the chair. A previous situation occurred in which the chair was absent and there was no one with the authority to declare an emergency.

Haley Andreozzi stated that, if nominated, she would be willing to take on the responsibility of co-chair, having stepped into that role in the past when necessary; however, since Ms. Andreozzi is currently DCC’s Finance Officer, someone would need to be willing to accept the Treasurer’s position. Chloe Gross indicated that she would be willing to take on the financial duties if nominated.

The question was raised regarding the need to annually create a **warrant article to allow unencumbered funds from the DCC annual budget to be deposited into the Conservation Fund at the end of each fiscal year.** It was suggested that there may have been a one-time warrant article allowing an automatic budget carryover.

**Erroll Rhodes asked if DCC has a set of by-laws** to address issues such as succession in the absence of the chairperson. The clerk was unaware of their existence and offered to contact some past members to make that determination.

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**Legislation:**

**House Bill 2**

NH Association of Conservation Commissions (NHACC) is asking for opposition to a bill eliminating the requirement for licenses and certifications in NH for Foresters, Soil Scientists and Certified Wetland Scientists. March 24<sup>th</sup> is the deadline to sign on to the NHACC letter opposing **House Bill 2 Relative to Certification for Wetlands Scientists**. Haley Andreozzi led a short discussion. A clip from the NHACC newsletter reads: *Removing NH Certified Wetlands Scientists, Certified Soil Scientists and Licensed Foresters from state regulation would create legal uncertainty for towns and private landowners. Many legal documents and contracts contain the provision that work must be completed by a licensed professional. Easement deeds, local ordinances and NH rules and regulations include language that the natural science work must be certified by a licensed forester or certified wetlands scientist.*

**Motion:**

*Erroll Rhodes moved to have DCC sign on to the NH Association of Conservation Commissions letter opposing House Bill 2 which would eliminate licenses and certifications in NH for Foresters, Soil Scientists and Certified Wetland Scientists.*

*Wes Golomb seconded the motion*

**Vote:**

*The motion was approved unanimously*

**House Bill 609**

This pending legislation would eliminate the 9-member Site Evaluation Committee (SEC) resulting in siting decisions being made by the 3-member Public Utilities Commission (PUC). Passage would severely impact public input.

**Public Outreach:**

In view of the rescheduling of Voting Day to March 28<sup>th</sup>, **Wes Golomb has re-posted the two video presentations** narrating an explanation of warrant articles #21 and #23.

Haley Andreozzi will reach out to John Harrington to schedule **training for the video equipment**.

**Stewardship/Easement Monitoring:**

It was reported that resident Ed Cross objected to cars parking in an area that is believed to have been designated for use by visitors to the Arthur Chase Town Forest. The **Planning Board trail maps do indicate parking is designated at the intersection of Range Road and discontinued Ridge Road**. Mr. Cross was prohibited by Deerfield Police from putting up a *no parking* sign and was directed to call Deerfield Police if parked cars created a problem in the future.

**Regulated Wetlands & Shorelands – Notifications/Permits/Applications/Potential Violations**

- **Incomplete Forestry Statutory Permit-by-Notification (RSA 482-A) – NHDES File #2023-00257**  
Deerfield Map 424 Lot 54 – Calgary Mackenzie – 46 Dover Rd., Chichester
- **Forestry Statutory Permit-by-Notification (RSA 482-A) – NHDES File #2023-00257**  
Deerfield Map 424 Lot 54 – Calgary Mackenzie – 46 Dover Rd., Chichester
- **NHDES Shoreland Permit by Notification Application**  
NHDOT - Bridge Replacement - Bridge No. 137/116 over Freese Pond

A *Motion to Adjourn* by Erroll Rhodes with a second by Haley Andreozzi at 8:53 pm passed unanimously.

**The next regular meeting is scheduled for 7 PM on Monday, April 10, 2023**

*(Please check the website [townofdeerfieldnh.com](http://townofdeerfieldnh.com) for scheduling changes) These minutes were prepared and submitted by Judy Marshall. Revisions, if any, will be contained in the minutes of the next meeting and posted to the Town website, after approval by the Deerfield Conservation Commission*