

**DEERFIELD CONSERVATION COMMISSION**  
**1967 – FIFTY-SEVEN YEARS AND COUNTING – 2024**  
**Regular Meeting Minutes – April 8, 2024**

**Attendees:** Josh Freed, Serita Frey, Erroll Rhodes, Judy Marshall (Alternate)  
**Members Absent:** Haley Andreozzi, Davis Brush, Ken Cohen, Chloe Gross  
**Visitors & Guests:** Timothy Ferwerda, Jeanne Menard, Peter Lyon

Chair, Serita Frey opened the meeting at 7:05 pm.

Lacking a quorum, Erroll Rhodes moved, and Serita Frey seconded a **motion to have the chair appoint Judy Marshall as a voting alternate for the April 8<sup>th</sup> 2024 regular meeting.** The motion passed and the appointment was made.

**Visitor: Timothy Ferwerda – Ferwerda Mapping LLC (Agent)**  
**Shoreland Permit Application – NHDES File# 2024-00591 – 6 Willow Lane, Deerfield – Map 207 Lot 73**

**DCC was copied on correspondence from the NHDES** acknowledging their receipt of a *Shoreland Permit Application* (RSA 483-B) filed by Ferwerda Mapping LLC on behalf of the Atkinson Family Revocable Trust.

**Wetland Scientist Timothy Ferwerda, acting as agent for the Atkinsons, explained to the members that an expedited Wetland Permit by Notification** is being requested for a project...*to connect an existing drilled well to an existing structure that is being rebuilt.* The existing camp will be torn down and rebuilt 10 feet further back from Pleasant Lake, placing it in a *more nearly conforming* location on the lot.

**There are currently two wells on the lot; a dug well, and a drilled well.** The Atkinsons wish to trench and run a water line from the drilled well to **a new structure which will impact 573 sq. ft. of wetland** based on the proximity of the well and proposed trench to the wetland. Topsoil and excavation material will be removed and placed on either side of the trench. Upon completion, the excavation material will be used to backfill the trench and covered with the original topsoil, which will be seeded with a wetland seed mixture. **A proposed leach field is to be located 260 feet back from the shoreline which will not impact the wetland.** It is unknown if either well is serviceable at this time. The rationale for using an existing well located in a wetland rather than drilling a new well in a more suitable location was questioned and there was concern that future maintenance of the power and piping would result in the need for future incursions into the wetland. **The objective is to minimize the disturbance.**

It was suggested that Mr. Ferwerda obtain clarification on the condition of the wells and **request a meeting with the ZBA to review the plan before proceeding.** Mr. Ferwerda will provide an electronic copy of the application to the DCC.

**DAR Builders, LLC – Residences at Freeses Pond – Map 209 Lot 34**  
**NHDES File #240315-058 Alteration of Terrain Permit Application (RSA 485-A:17)**

**DCC was copied on the above Alteration of Terrain permit application.** The applicant, Reginauld Moreau of DAR Builders, LLC, is in the process of developing a senior housing project in close proximity to Freese Pond on Map 209 Lot 34, off Route 43 and 107. Both Peter Lyon and Jeanne Menard, who were present at the meeting, are supportive of the project.

**The DES notice indicates that the permit requested is to disturb approximately 155,200 sq. ft. of earth at the subject property,** and additionally, there is concern about winter salt being washed into Freese Pond. Although there have been updates to the original plan, it is important to note that **DCC was previously approached by Mr. Moreau at its July 11, 2022 meeting** and asked to provide a letter of support for a then-proposed filing with the State for remediation; however, the consensus was that it would be difficult to draft a letter in support of filling in any wetland, regardless of the circumstances. **It is unknown what updates to the plan have been made since that time;** however, given the location and extensive area being disturbed, **DCC would like to weigh in with the DES, but has not received a copy of the plan to review.** The deadline for comments is April 24, 2024.

**Mr. Rhodes will contact either Mr. Moreau or Doug MacGuire, DAR's agent with The Dubay Group, Inc.,** to request a presentation to the DCC, and to determine if there can be an extension to the time allowed for DCC to comment to NHDES. Depending on the response, DCC hopes to be able to follow up at a later date. It was not clear at this meeting

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what DCC could be expected to do since it does not have the plan, and timing is insufficient to comment by April 24th since DCC will not be meeting again until May. It was mentioned that the Planning Board intended to contact the DCC.

**Eversource G146 Transmission Line Structure Replacement (GZA File No. 04.0191410.34 )**  
**Amended CUP Application & Wetlands Permit Application (Standard Dredge and Fill)**

**Jeanne Menard updated the members on her meeting with DES regarding the Eversource G146 structure replacement project to discuss the permit impacts to area DF31 for poles 21 and 22.** She was informed that the project is being split between two different wetland permit applications: a Statutory Permit by Notification (SPN) and a Standard Dredge and Fill for impacts to very poorly drained soils. Of concern is the lack of attention to area DF31 where it appears blasting will be necessary to construct the access to poles 21 and 22 . Blasting an area of ledge and special access requirements are not mentioned in the Wetlands Permit Application, and an Alteration of Terrain would be required.

**Additional Observations:**

- Gray-shaded areas on the plan are covered under the Utility SPN and are the only areas to which the SPN applies.
- 100-foot buffer zones (Town-stipulated setbacks) are identified on the Utility SPN but not on the Wetlands Application (inconsistent information given for identical areas)
- There are inconsistencies between the Utility SPN and the Wetlands Permit Application
- There was a separate application for the Utility SPN submitted prior to the Wetlands Permit Application; however, DCC did not receive a copy of the Utility SPN application.
- The ledge area is a difficult approach to poles 21 and 22 and more information on their plan of access is needed

**Questions and Discussion:**

- Are there vernal pools in the gray-shaded areas
- How does Eversource intend to address the Town of Deerfield's Wetland Overlay District
- What is the proposed plan for access to structures in wetland DF31 and what is the impact to the wetland

**Proposed Comments and Recommendations to NHDES *(See letter attached to these minutes)***

- Provide clarification regarding the plan of access to structures 21 & 22 in wetland DF31
- Delay work in that area to mid-to-late May to allow for turtle warming (Eversource time period is 4/15 to 10/15)
- Clarify how Eversource plans to address Deerfield's wetland ordinances and Town regulations

Serita Frey will officially submit DCC's comments regarding the Standard Dredge and Fill Wetlands Permit Application to the NHDEs on April 9, 2024.

**Approval of Minutes:**

**Motion:**

**Josh Freed** moved to approve the minutes of the **February 12<sup>th</sup>**, the **March 11<sup>th</sup>** and the **March 25<sup>th</sup>** meetings  
**Serita Frey** seconded the motion.

**Discussion:**

None.

**Vote:**

The vote to approve was unanimous.

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**Organizational Business:**

**Membership:**

**Reappointments of Serita Frey, Erroll Rhodes and Judith Marshall (Alternate)**  
**Three-year terms (5/1/2024 thru 4/30/2027)**

**Motion:**

**Josh Freed** moved to nominate the expiring slate of members to serve for another term  
**Serita Frey** seconded the motion.

**Discussion:**

None.

**Vote:**

The vote to nominate was unanimous

**Finance Report:**

**STATEMENT balances in the conservation fund:**

<b>FEBRUARY 29th:</b>	<b>\$ 407,557.81</b>	<b>(Includes interest of \$921.88 earned in January &amp; posted in February)</b>
<b>MARCH 31st:</b>	<b>\$ 408,393.13</b>	<b>(Includes interest of \$835.32 earned in February &amp; posted in March)</b>
<b>LUCT – 2023 YTD</b>	<b>\$ 65,500</b>	

Erroll Rhodes reported that DCC will be receiving 100% of the LUCT collected in the first quarter of 2024 in the amount of \$13,500. Another \$13,500 is anticipated to be collected in the second quarter of 2024 for which DCC will receive 95% of the total collected.

**Natural Resources Inventory:**

Serita Frey submitted the Moosewood contract to John Harrington for posting per his request and Moosewood's approval.

The meeting adjourned at 8:50 pm.

**See Addendum on Page 4**

**The next regular meeting is scheduled for 7 PM on Monday, May 13, 2024**

*(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*

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Deerfield, New Hampshire 03037

April 8, 2024

Alani Ramas  
Wetlands Bureau, Land Resources Management  
Water Division, NH Department of Environmental Services  
Concord, NH 03302

Dear Ms. Ramas:

This letter is in response to the *Standard Dredge and Fill for Impact to Very Poorly Drained Soils* permit application submitted by GZA GeoEnvironmental on behalf of Eversource on Feb 22, 2024. We would appreciate your consideration of the following concerns:

1. Clarification and additional information are required regarding how Eversource proposes to access structures 21 and 22 in wetland DF 31 to comply with the minimum impact that is mandated. The ledge area appears to be a difficult approach that may require alternative methods not covered in the current application.
2. We are concerned about the proposed timing of matting placement in wetland DF 31 and recommend that work in this area be delayed until at least mid-to-late May. This concern stems from time restrictions recommended by NH Fish and Game to protect hibernating rare turtles. Turtles need to get out of the water and into the sun to warm up first thing in the spring. This is a vital part of their life cycle, and they will not be able to do so if there is equipment and noise in the area in April. Work in this area, if delayed until mid-to-late May, will greatly improve chances for turtles not to be impacted by an early spring start to structure work in the area.
3. We would like to better understand how Eversource plans to comply with Deerfield's wetland ordinance that specifies permitted and prohibited uses within the Town's Wetland Conservation District. This is not clearly outlined in this permit application.

Thanks for your consideration of these concerns.

Best regards,

Serita Frey  
Chair, Deerfield Conservation Commission

Serving future generations of Deerfield citizens