Lancaster Conservation Commission Meeting Minutes
Monday, July 14, 2025
25 Main Street, Lancaster NH 2nd FL Conference Room

Board Members Present: Sam Mayne, Nancy Southworth, Vickie Gibbs, Sam Sabean—QUORUM
Others Present: Land Use Coordinator Robin L. Irving

Chairman Mayne opened the meeting at 1730H

Minutes: Vickie Gibbs moved to accept as written the June 9, 2025 meeting minutes. Nancy Southworth seconded the motion. The majority of Commissioners voted to accept as written the June 9, 2025 meeting minutes, Sam Mayne abstained because he was not present for the presentation part of the meeting, Sam Sabean abstained because she was not present at the June meeting, none opposed. *Motion passed.*

Appointments: None

New Business: None

Old Business:

Town easements and next steps: Per the Land Stewardship Program email, there were two suggestions: 1) town counsel could look into the implementation of an easement, and 2) if moving forward, language can be tailored so that the Town could enforce as they find appropriate.

- Ben/Kirsten Southworth Easement: The septic was replaced and is not entirely within the inholding boundary where there are no restrictive uses. In the easement language there is an exemption from restrictions for utilities. The question is whether the septic is a utility system that is exempted. Because public utilities are typically exempted and not private systems, the issue should be reviewed by counsel. LUC Robin Irving recommended submitting a question of interpretation of the language to NHMA. Vickie Gibbs asked about reasonable hardship: Would they have been able to situate a septic system completely inside the boundary or was it necessary that they situate it as it currently exists? Mayne responded that his understanding is that they *could* have put it within the boundary. The rationale was based on being downhill assuming it would improve function. His opinion is that the issue is not of significant impact to warrant a legal consultation. The property owners have proposed a land swap to shift the boundary—so long as this intent is documented, the Commission can decide to not move forward with

an enforcement despite being a breach of easement. Gibbs felt strongly that the easement language should be modified to reflect the agreement, particularly to protect future owners of the property. Mayne recollected that the property owners offered to pay the attorney's fees for amending the easement. LUC Irving asked if an additional survey would be required for the new boundary? Mayne said that there is already a survey, but it will involve moving a pin, so they will need at least the new boundary surveyed.

Sam Mayne moved to accept the proposal for a boundary shift/land swap and to require the property owners to pay the attorney's fees and any costs associated with a resurvey and moving of the pin(s). Vickie Gibbs seconded the motion. All Commissioners voted to accept the proposal for a boundary shift/land swap and to require the property owners to pay the attorney's fees and any costs associated with a resurvey and moving of the pin(s), Nancy Southworth abstained because of familial relationship, none opposed. *Motion passed.*

Mayne mentioned that he has been hesitant to move forward with this resolution because, per his understanding of easement law, the modification of the easement language is not permissible. Gibbs mentioned that it is in the CC's interest because it allows them to keep the same amount of land in conservation. Everyone agreed that there is no downside to the Town. If the change is not feasible, the property owners are still subject to enforcement. A formal letter should be drafted to notify the property owners.

- Barbara Peaslee-Smith: There are issues regarding water quality impact due to poor road management. The road has been ruined through travel by large trucks going to the three camps located above the easement area—apparently, Smith has asked the camp owners to fix the road. Further, despite having been ditched, heavy storms still erode the base; the area needs stone laying to shore the ditches. One question to consider is whether those property owners have a deeded right-of-way across the Smith land; the easement precedes all but possibly one of those parcels. Gibbs recommended continued monitoring and review next year. Mayne felt that the CC should get legal guidance at some point. Gibbs stressed that, if Smith is being held responsible for the private way that they are all using, then it lends credence to her asking them to fix the road that the Town can impose consequences. If there is no deeded right-of-way, Smith could prohibit travel or put up a gate across her land, especially if there is continued failure to fix the road. Whether or not the right-of-way is in the deeds of the campowners, a notice ~~should~~ *could* [RLI] be sent to Smith setting the premise that "for water quality reasons…road management must follow XYZ criteria," that Smith can refer to when communicating with the campowners. The next step would be to mention the issue to Smith and walk the area with her. LUC Irving will research the deeds.

LES Update: Trees on the south end are in the ground; the north end will be done in the fall. A contractor for removal of invasives has been hired. The CC received 2 bid proposals; Sam Sabean d/b/a Keep It Native was the lowest bid and the conflict of interest was disclosed. The final design for the wetlands restoration was received. Mayne will send this out to the CC.

Centennial Tree Committee: The notion of a tree committee evolved from a discussion of the trees being planted at the Family Dollar. LUC Irving mentioned that, following consultation with Lucy Wyman, she approved the planting of thornless honey locusts, however, changed the approval to maple (box elder) after consulting with the CC. It was too late and the locusts were planted. The original site plan cited "maple" as the approved trees and did not designate whether they were silver, red, box etc. Regardless of whether box elder or honey locust, both species have invasive suckers and are not particularly hardy.

Wyman's objective is to assist the Town with promoting planting of more shade trees as well as saving certain trees. Her proposal is to have the Commission purchase trees and have volunteers plant them. The Commission would approve a list of native trees that would be purchased through the budget. Gibbs had concerns over the scope of the project—would it be limited to the downtown area or throughout the Town? Commissioners agreed that guardrails should be set up and priorities created. The program would benefit private properties. The annual allotment and amount per resident should be capped and there should be an application process. Priority would be the downtown with outer limits at the residential district perimeter. If trees are purchased from a bulk nursery (preferably local), one tree can cost $7; $1000 could be the budgetary cap (~150 trees per year). Once the applications are available, orders for the following year would be submitted for planting in the spring. Because the Commission cannot manage the scale of this program on their own, it would need to be managed by volunteers. The first year's public interest would determine the real budget and preferred species list. All materials could be made available on the Town's website; interested residential property owners could also submit their emails to be on a group list. Targeting Spring 2026, the CC would need an invoice to encumber funds used to order trees. Promotion materials should focus on planting trees for shade and habitat as opposed to buffer shields. The first task is to verify volunteer commitment. LUC Irving will be the Town point of contact for information dissemination.

Other Business:

Perennial Garden: Southworth did speak with Melissa Grella about the Town's financing a perennial garden. Grella said that Taproot has tried to facilitate such program(s) but there was no consistent volunteer commitment. Gibbs felt that, if there were greater exposure and support of the community gardens, perhaps a perennial garden would follow.

Trails Update: Racheal Stuart still has some level of involvement. She has been emailing her observations e.g. blowdowns to Sabean. Sabean got access to a chainsaw from a tool loan program and is planning to handle the blowdowns on an available afternoon. Gibbs ran the trail about 3 weeks ago and the Savage section of land is difficult to navigate because of the grass—there are hidden rocks and ankle twisting divots. A priority task would be weed whacking. Sabean has been included in ongoing communications between NFC Mike Morin and Stuart. LUC Irving is the point person for the Town. Gibbs stressed that the first task is to build community involvement via an email thread of Facebook page similar to Coos Trails. Notifications of blowdowns or other issues could be posted on the page with requests for assistance and volunteers could respond to the request. Once the networking platform is created, the heightened exposure will draw more attention to the trails' needs. On the Reed Road end, there is a field that needs brush hogging a couple time per year. There are at least 3 hazardous bog bridges—the Commission could consider buying some red cedar logs and planks each year to install and/or rotate maintenance. The students have been working on the Savage land over the past few days. AMC is contracted to finish their 2024 scope of work in the fall. The meeting with NFC on 6/12 is to address long-term maintenance and financing of upkeep; Maeve Cyr will be present and the question of how to set up a transferable networking platform is in her wheelhouse. Sabean will reach out to Alex at AMC to discuss the possibility of a continued partnership. The Commissioners want a town email address. A Google listserv is a possibility as well. The Trails page on the Town website should include a contact email list and links to other platforms and references.

Lancaster Motel: LUC Irving notified the Commission that the Planning Board will be hearing on Aug 13th the site plan for the conversion of the Lancaster Motel into residential apartments. Because of the change of use, the project will be subject to the form-based code requiring tree planting, parking lot buffers, green space etc. Irving explained that the proposal is for internal renovation only and the 36 apartments will be rented at market rate. The facility is intended to not impact municipal parking because it will have on-site parking. Irving felt that it was the Commission's role to support the Planning Board's requirements for green space. If no one is there to represent such an interest, the opportunity to raise the requirement is essentially waived. Cross communication is important.

Vickie Gibbs moved to adjourn at 1901H. Nancy Southworth seconded the motion. All Commissioners voted to adjourn at 1901H, none opposed. *Motion passed.*

By: Robin Irving

Robin L. Irving, Land Use Coordinator for the Lancaster Conservation Commission

Approval Date: 8/11/2025