

DEERFIELD CONSERVATION COMMISSION

Meeting Minutes – February 10, 2014

**Members Present:** Erick Berglund, Deb Campelia, Serita Frey, Wes Golomb, Kate Hartnett, Dave Linden, Herb McKinney

**Visitors/Volunteers:** Dan Kern (Bear-Paw) & Frank Mitchell (Volunteer)

Serita Frey called the meeting to order at 7:17 PM

Jim Deeley approached the DCC with a plan to **rekindle the fire under the idea of a trails club**. In 2011, at the request of the Planning Board, he and Anne Deely identified the town's existing trails and Class VI roads, and produced Deerfield's current trail maps. At that time it was felt that a trails club would be a logical next step, not only for the recreational component but also to assist in trail maintenance.

[http://townofdeerfieldnh.com/Pages/DeerfieldNH\\_BComm/Conservation/Trail%20Maps](http://townofdeerfieldnh.com/Pages/DeerfieldNH_BComm/Conservation/Trail%20Maps)

The renewed interest in the project came after Mr. Deely was **approached by a group of runners** who would like to **expand their access and membership to include Deerfield**. They, along with members of *The Friends of Northwood Meadows State Park* and *NALMC* (Northwood Area Land Management Collaborative <http://nalmc.net>), envision a **multi-town, connected system of trails that would link the parks**. Seeing that this could become the core of a trails club, and recognizing the need to lay the proper groundwork, **Mr. Deely has asked DCC for feedback**. This **system could potentially extend from Pawtuckaway to Bear Brook**. NALMC currently boasts 2600 acres of permanently conserved land extending from Northwood Meadows to the North and south into Deerfield to Saddleback. Similarly, **Southeast Land Trust** <http://seltnh.org/>, having just received a \$400,000 LCHIP grant to create a **conservation corridor from Pawtuckaway to Great Bay**, has also expressed interest in the idea of extending the Northwood greenway south to Bear Brook.

Serita Frey feels the **DCC could support creation of a network of connected trails over town-owned and conserved lands**; however the Commission is not in a position to negotiate with landowners to allow passage over private parcels. Mr. Deely suggested the possibility of connecting Deerfield's existing trails, involving volunteers from the proposed club to maintain them, and eventually adding to that system. Ms. Hartnett also observed that **interest in expanding the trails could inform decisions currently being made with respect to the easement deed**.

Structurally, Erick Berglund felt that a **trails club could not operate independently** and there would **need to be a linkage of agencies**. Kate Hartnett suggested that the club **could be autonomous** but given that the trail plans were commissioned by the Planning Board as part of the Master Plan, the club should work through or be connected with the Planning Board; however the Board could still defer to the DCC for oversight, **possibly as a volunteer committee of the DCC**. Ms. Hartnett volunteered to convey the information to the Planning Board and invited Mr. Deely to present his ideas at its next meeting.

Mr. Deely noted that members of NALMC were scheduled to meet with a representative from the State regarding the state-owned lands, and Serita Frey felt that this **increased interest was an opportunity to act on the enthusiasm** being generated by the various parties. Asked by Erick Berglund about the club's focus, Mr. Deely responded that it would be multi-focus; not just on running. Mr. Deely cited Bob Kilham's work with the *Tamworth Trails Club*, noting that they had created a handbook and developed a hut system, with the club being responsible for maintenance, and that *The Friends of Northwood Meadows* had acquired a grant to develop a handicapped trail. **Mr. Deely has also reached out to PSNH regarding their policy** for use of its owned parcels (as opposed to easements) and found them to be very open to putting in trails, as long as there is structure. **PSNH has a representative in charge of recreational activities**.

DEERFIELD CONSERVATION COMMISSION  
Meeting Minutes – February 10, 2014

Dan Kern was present to **discuss Bear-Paw’s revisions** to the latest version of the easement deed which was reviewed and modified by DCC members at the January meeting. **Discussion included:**

- **Reinsertion of language** requiring **Trail construction and management** to be part of a *Management Plan* (See 2 D vi)
  - Ensures that trail construction would be **supervised by a qualified person**, be well designed and well maintained
  - Language currently contained in *Reserved Rights*
- Debate on the definition of the terms *Management* and *Forest Management* as they relate to overall *Stewardship*
  - **A Stewardship Plan is a Management Plan that covers all intended uses.**
  - When managing a property, there should be a plan for managing an activity, and it should be supervised/overseen by a “qualified” person
  - *Forestry* is only one element of *Stewardship*
  - The term *Forest* should be removed as a modifier to the term *Management Plan*, and be used to define a **separate plan related to timber harvesting activities** prepared as *part of a Management Plan*
- **Professional oversight** of *Management* activities, i.e. forestry, trails, etc.
  - Would still allow the Town to do the work
  - Would still require that a plan be developed and supervised by a professional
  - Could prevent problems caused by inconsistency and lack of knowledge
  - *Supervision* would be defined by what is customary
- **Responsibilities of the parties** for overall *Management* and *Forest Management*
- Removal of the **prohibition of motorized vehicles**: Arguments included:
  - It is unenforceable (by Grantee) and would require the grantor to actively enforce
  - If not enforced grantor would be in violation of the terms of the easement, risking citation by the grantee
  - The Town can restrict separately without this prohibition in the easement deed
  - Concern that if not in the deed, the **restriction could be removed at a future date by the Town** and be allowed by vote of a less conservative membership
- **Re-inclusion of Outdoor** as it pertains to *Educational Activities/Purposes*
  - Not limited to subject matter pertaining to the *outdoors*
  - Would represent the teaching, *outdoors*, of a subject or an activity
  - Originally removed to be more concise
  - Intended to prohibit the construction of an educational facility on the easement
- Debate over the **use of the term non-commercial** as it relates to activities
  - Would refer to small-scale not-for-profit activities (as opposed to the sale of a product by a logger for profit)
  - Not generating more income than would be incurred in costs
  - Kate Hartnett suggests **review of Charlie Moreno’s opinions** regarding *non-commercial forest management* prior to making a final decision to reinsert the term.

DEERFIELD CONSERVATION COMMISSION  
Meeting Minutes – February 10, 2014

- Absence of Bear-Paws **definition of Forestry** as contained in the original base document
  - Not determined if the members wish to re-insert
- **Fees for Use or Service**
  - Possibly for covering the *costs* of private use
  - Dan Kern made an argument for **potentially charging for private use** in the future for a *profit* (i.e. Bear Brook charges for weddings)

Feeling that the changes were reasonable, Serita Frey asked that members review Mr. Kern's edited document and insert additional thoughts and comments by Wednesday 2/12, leaving in the tracked changes, so Mr. Kern could present the revised document at Bear-Paw's Land Protection meeting on the 17<sup>th</sup>. **The goal is to vote on the final draft at the March meeting.** The document **will not address sections on Extinguishment and Amendment** until after Ms. Frey consults with Attorney Raymond.

**Approval of Minutes:** The minutes of the **January 13<sup>th</sup> meeting** were approved unanimously.

**Financial Officer's Report:** Erick Berglund reported a balance in the Conservation Fund at the end of **December of \$243,296.34**. The balance at the end of **January of \$245,144.72** included interest of \$31.10, a transfer of \$1017.28 representing the unexpended balance of the DCC 2013 budget (allowed by vote of the Town in the 1980's), and a check in the amount of \$800 covering 50% of the cost of the upcoming *Restricted Use Appraisal* for Project #28.

**Project # 29 A & B:** Erick Berglund spoke with the owners and cautioned them to **consider long term plans for the property** when deciding on the amount of acreage to be excluded from the easement. Serita Frey will schedule a **non-public session allowed under RSA 91-A:3,II-(d) to discuss the project at the March 10<sup>th</sup> meeting.**

**Boisvert Warrant Article #11:** Serita Frey will prepare the explanatory text to accompany the proposed Warrant Article asking the Town to designate the Boisvert Conservation area a Town Forest under conservation easement. The **final text is due the week of February 17<sup>th</sup> for placement in the Voter's Guide.** Any suggestions or edits should be sent to Serita for inclusion prior to the due date.

**New Business:** Serita Frey addressed **an e-mail received from the Lamprey Rivers Advisory Committee** regarding a small grants program being offered for a *...demonstration project that addresses a water or river-related problem and that educates people in your town why the problem exists, why it matters, and what can be done to fix it.* Pointing to an amendment attached to **School District Warrant Article #2** recommending that **repairs to the DCS parking lots follow environmentally sound practices**, it was suggested that the project might be eligible for the grant. The clerk will pass a copy of the correspondence to Kevin Barry, School Board Chair and Serita Frey will approach Barb Mathews, the maker of the amendment, with the prospect of applying.

Serita Frey adjourned the meeting at 9:18 PM.

**The Next Meeting is Scheduled for Monday, March 10<sup>th</sup>**

*The draft minutes were prepared and submitted by Judy Marshall. Final revisions to these minutes will be contained in the minutes of the following meeting, after approval by the Deerfield Conservation Commission*