

**Hooksett Conservation Commission
Meeting Minutes
May 7, 2013**

Call Meeting to Order: 6:00pm

Attendance: Cindy Robertson – Vice Chair, Jocarol Woodburn – Member, John Turbyne – Alt-member, Phil Fitanides – Alt-member, Jim Walter – Member, Todd Lizotte – TC Rep excused, Frank Kotowski – PB Rep excused, Steve Couture – Chair excused, Dave Hess – Member excused

Public Input: none

Meeting Minutes: John Turbyne motioned to approve the April 16, 2013 meeting minutes Phil Fitanides seconded by voted unanimously.

Appointments:

Austin Woods Subdivision Lot Line Adjustment – Bruce Fillmore & Marcel Labonville

Bruce Fillmore – I have some overall maps that show the trails. I also have a draft copy of the easement that I have made changes too. I have a very rough draft for you to look at tonight. If everyone could take a look at it and we discuss it at our next meeting. The one thing this map does not show is the section of trail that will be discontinued on Lot 18.

Pike Industries – Conservation Easements

Brendan Quigley – I started to take the easement language from some of the easements that were sent to me and at the site walk we began to talk about access. The access issue became a stumbling block for Pike. At this point due to the nature of the operation they do not want any access or parking area or trail system for that area. We may have jumped the gun a little bit. We had another site walk today with State and Federal Officials, trucks were just coming through here and it is not a safe area as this also poses liability issue. Is access an absolute requirement or can we use it as a preservation area.

JimWalter – Are you just saying trails or absolute not access?

Brendan Quigley – The idea of having any formalized access to the facility would just be too much of a liability to Pike.

Cindy Robertson – Was there any other ideas of having access to the property?

Brendan Quigley – That is what we are asking does there have to be access? I am not sure if we have many other options of access. Right now I was told I should come here and find out if there has to be absolutely access? If this is something that can be worked out with possible connection to the Austin Woods trails in the area over here away from the facility then maybe Pike would consider it. I believe Pike is looking for no access to the conservation easement. But I do not want to close the door on

possible connections to existing trails. Not all easements done for wetlands mitigation are like the Clay Pond and some do not have access.

John Turbyne – It would be my thought that if Pike could define an area that they would agree to access and then mark where it is no longer safe to proceed.

Brendan Quigley – This starts to get into the liability issue. I believe Jason does a lot of enforcement to keep people out of the area. They are worried about people wondering in and getting hurt.

Jim Walter – I seem to remember that for us to take an easement it has to have public access.

John Turbyne – I would not be comfortable taking an easement without public access.

Brendan Quigley – We did chat at our site walk today about no access and I asked the DES if it was a requirement of accepting an easement and the state says it is not a state requirement for access. We began talking to the town first due to the fact that you currently hold these existing easements. We thought it would be best to come to you first for the water quality as well as this area is referenced in the master plan as. I am pretty certain this is not going change.

Jim Walter – I think we need to find out if they are definitely against any access at all.

Brendan Quigley – I would really like to see the Austin Woods plans to see where there trails are to see if there was any possibility of a connection. I can see if I can work directly with them to see exactly where everything is located. I will bring a conceptual trail system to Pike after looking at Austin Woods and see what their thoughts are.

Jason Judd – One of the concerns I had is we had a few teenagers come into our Wolfboro quarry and fell 60 feet off the quarry. We have had issues in the past and just want to ensure safety.

John Turbyne – If we could put trails to an area away from the quarry and keep them away from your operation I would be in favor of that.

Brendan Quigley – We did see a lot of wildlife out there today. This is also an area that protects the Brickyard Brook as it supplies the Pinnacle Pond.

Phil Fitanides – How many ponds do you have on site?

Jason Judd – We do not have any quarry ponds. We have redone our storm water permit and we do not take any water from the Brickyard Brook we only utilize our storm water.

Brendan Quigley – I have one more thing regarding the comments to DES as we had extended the time line. If there are any other issues or questions I would like to answer them as we need you to put that information into a letter to DES. We are interested in the easements that are shown but we are working on access issues. I want Bill Thomas and Lori Sommer at DES to be able to start reviewing this. In order to get that process going they need all comments and materials which includes a letter from the conservation commission.

John Turbyne – I raised the question of water run off, is DES going to look at the Brickyard Brook?

Brendan Quigley – Yes that will all be included in the DES permits as well as the Army Corps of Engineering. Only a small area goes away from Brickyard Brook. We had a drainage analysis done and it determined that it was a very small impact to the Brickyard Brook with the new proposed quarry.

Commission Reports:

- 1. Pinnacle Park – Dave Hess – emailed comments** “The Pinnacle: Walked the trail area with the Ehlers this afternoon. The "Tree barriers" are a joke. We will need to eradicate or make the trail impassable for quite some distance - at least 100 yards. Best curative step may be to construct the new trail on the southerly side of the Pinnacle and make that the preferred route to the summit.”

John Turbyne – I don't object to placing the logs on the ground to direct people. I believe a switch to make an easier route is the best way to go. I believe the switchback route along with signage and addition blockage of that trail will work. I believe that all of these together will work. A north side trail would be a lot of work and I am not sure that Leo would be able to do that trail. I have also tried to reach out to the boy scouts and have not heard back to see if that is something that they could do for an Eagle Scout project.

Jim Walter – The owners of Blue Ribbon have done a lot of work maybe they would be able to assist us in helping with the trail and some work on the Pinnacle. Maybe we could reach out to them.

Mrs. Elhers – My impression was that he was measuring the distance from behind our house to make it impassable so that people would not look into our backyard.

John Turbyne – I think there are enough trees to build up and I believe more signage would probably work. I believe Leo is prepared to put some additional signage and build the switch back.

Mrs. Elhers – I am getting the impression that you are hearing our need and I appreciate that but over the past years we have had car windows smashed and other types of vandalism. Last week there was a man and woman about 20 feet on to our property and we took a picture of the man and within 20 minutes the police were at our door because a complaint had been filed about pictures being taken. I just want to keep people out of our backyard.

John Turbyne – Do we have an estimated date as to when the DPW could get in there?

Jodi Pinard – Unfortunately the department is down three employees so as soon as they can get to it they will.

John Turbyne – We will need to have the dedication once we have solved the existing problem with the abutters.

2. Merrimack Riverfront Project – Dave Hess – emailed comment “The Riverfront: I have drafts of the proposed Agreements with both Bailey and Mason from Mark Dunn. I meet with Attorney Germaine Friday at 9 and will be dropping off the Bailey document with him and his realtor. I walked the surveyed area on the north with Bailey two weeks ago, and he is fine with it. Was on the property Monday with a FS rep, who found some stuff we need to get rid of (apparently aka Clay Pond II, but not nearly as serious) but I haven't received those details as of yet. David Campbell has PROMISED me the quit claim deed from MS&G next Tuesday. We need to complete a few documents for DES and LCHIP, and reach a final agreement on the conservation easement with the Forest Society. Final surveys are done. I think that covers the waterfront. Plan to be finalized by our June meeting.

3. Executive Summary for Clay Pond RFP – Jocarol Woodburn – The primary reviewers have been Dan Kern, Steve Couture, and Cindy Robertson. I would like any comments that any of you have. We are going to wait for an answer to see if the timeframe is sufficient and if the watershed should be included as well. The easements would be attached to this as well.

4. Quimby Mountain – N/A

Other:

1. **Invoices** – N/A

Correspondence:

All correspondence was reviewed

Other:

Non-public under RSA 91-A: 3, II d

none

Adjournment – JimWalter motioned to adjourn meeting John Turbyne seconded voted unanimously