

OFFICIAL CONSERVATION COMMISSION MEETING MINUTES

August 11, 2014

Steve Couture called the meeting to order at 6:00 p.m.

Attendance: Steve Couture, Chair; Phil Fitanides, member; JoCarol Woodburn, member; Todd Lizotte, Town Council Rep; Frank Kotowski Planning Board Rep.

Excused: Cindy Robertson, Vice-Chair; David Hess, member

Public Input: None

Meeting Minutes:

J. Woodburn moved to approve the meeting minutes for July 14, 2014, seconded by

P. Fitanides. Motion passed. T. Lizotte and F. Kotowski abstained.

Invoices:

S. Couture: We have one invoice for Clay Pond Conservation Area stewardship plan. It's for Task III- Ecological and Timber Resources Inventory for \$400. We just met with them and there will be more of an update later, but they've been out in the field a lot.

J. Woodburn motioned for payment of an invoice from Moosewood Ecological, LLC. dated August 6, 2014 for Task III- Ecological and Timber Resources Inventory in the amount of \$400. P. Fitanides seconded. Motion passed.

Appointments:

Deirdre Brotherson, Hooksett Memorial School

D. Brotherson: I teach 4th grade at Hooksett Memorial. I saw the article in "Forest Notes" about the recently purchased land on the Merrimack. It aligns so well with a lot of the 4th grade curriculum we have. I like to use a strategy in my classroom called problem based education, which gives students a problem and offers the opportunity to solve it. I saw a comment in the article about wanting to use the land for

educational purposes. I thought we could work together. In 4th grade science we talk about water, land, erosion, and interdependence of species. In social studies we talk about history, the mill workers, immigration, natural resources, economics etc. and all those things fit in with this piece of property. I don't know if you have plans for the property, but I figured I would throw my hat into the ring and see if we could work together. I'm hoping to make some connections and see where you were headed with the property.

S. Couture: Thank you. It's exciting that this article spurred some interest. One of the major factors when we were seeking funding was educational opportunities, so I was excited to receive your email. The only plans we have on paper so far are for a potential trail network as part of the Heritage Trail. Other than that we don't have many other plans on paper.

F. Kotowski: I'm glad you are here expressing interest. Back when we did the Heads Pond, the Audubon Society was in the position to do what you are proposing, but due to financial limitations were not able to do it, so I would encourage you to stay in touch with us. This is important work. Thank you

T. Lizotte: I'm also on the School Board. This is my first meeting back on Conservation Commission. I'm extending support from the School Board side. My interest is to maximize that particular property because it has a lot of exciting things there and is unique and there is a diversity of things to see and do. I also like the concept of the economics aspect of it. I gave a small speech to a 2nd grade class about the Town seal and what it means related to the manufacturing industry and travel and commerce on the river. I'd like to see some education with the history. Maybe you could connect with the Historical Society. I would be willing to talk to them and let them know I'm in support of it.

D. Brotherson: We are working on a few things this school year: Amoskeag Fishways to do something with Hannah-Ho-Hee Pond and the turtles there. My class started a Save the Turtle campaign two years ago because they always cross the street when the buses are coming and we are looking to do more outdoor classroom science. I'm hoping we can learn a lot with Amoskeag Fishways and do something with the pond that may be applicable to the Merrimack property. I live in Concord and kayak the Merrimack River and recognize that it is an amazing resource. I could see how our pond project goes and bring back some examples to you of what we are doing there and see if some of that could transfer to the Merrimack property.

S. Couture: We are working on establishing an access point right now, but next year when we establish one it will be a lot easier to get kids out there. Thank you so much for responding to the article and seeing this opportunity. We can keep in touch through email.

D. Brotherson: I know there are other teachers interested and the connection with the Town is very important with the students. Thank you.

T. Lizotte: I would like to go back to the School Board and see if I can get authorized to interact with the teachers and then I can set the groundwork for this type of project.

Brendan Quigley, Pike Industries

B. Quigley: I'm Brendan Quigley with Gove Environmental Services here on behalf of Pike and their quarry expansion. We were here in February. Nothing has changed on the project since then but we were working through some technical issues, primarily with the life of the project and the timeline of impacts. There's a new permit now under DES, which we expect to receive coverage under, which will mitigate the issues with timing. We are back now to revisit the conservation land. We've discussed the concept

with DES and Army Corps and we think we have the right components now. We are still looking for an easement holder. We are back with a draft conservation easement deed, which you would want Town Council to review. It addresses some of the Board's concerns, which were mostly related to access. Ari Pollack, counsel for Pike, is here and had a hand in creating this. He is here to answer questions as well. One issue was we weren't sure we wanted to be creating access points and taking on liability for people wandering over where they shouldn't be. Hopefully we've created something that will indemnify them for that sort of thing. This easement would allow the Town to develop trails without Pike being liable. The area is 140 acres now, which we discussed in February. The northern part is mostly a large swamp, but you might want to develop trail connections in other areas and take on the maintenance. The Board has seen the area and I believe agreed that there is some relative value there in relation to conservation of wildlife habitat and water quality, as well as acting as a buffer, which is the intent.

S. Couture: What is the status and timeline you have for this as far as permitting and the easement work?

B. Quigley: We have a request for more information from DES due at the beginning of September. DES recognizes this is a larger project so they have no problem extending deadlines. As far as mitigation, we still need to work that out. We've done a lot of the front work on this: the permit, timeline, and impacts, which are a major sticking point because there were possibilities that the project could change a lot, so that's why we are back here now to see if this would be acceptable to the Town.

F. Kotowski: Is this the document you are seeking a blessing on?

A. Pollack: I'm a lawyer at the Gallagher firm in Concord. We are doing work for Pike on this project. We need an entity to hold title to the conservation easement separate from Pike, so someone can monitor and enforce our commitment to conservation. We would like you to send the draft proposal to your Town Attorney so that the Town can see if it's an easement it's willing to hold. The other issue is whether or not it should be held for public use. They could be allowed to use the land as long as it doesn't interfere with operations or create a safety issue. If the Town is the manager of the land, then in exchange we would like the protection and indemnity to not be held responsible for what the Town allows to occur out there. You don't have to allow it, but we are trying to accommodate your desire to allow it and protect ourselves.

P. Fitanides: I'm looking at Section 1E, Use Limitations "C. No structure or improvement shall be placed or introduced onto property." That's a strong limitation on 140 acres if we want to do a picnic area, shed, fire pit and dock.

A. Pollack: We have no issue with what you are describing. The issue is if the Town wants the right to do that, we need them to pick up the responsibility to manage it. At this stage, we're open to whatever the Town wants to do out there as long as it satisfies State and Federal regulators issuing the permits.

S. Couture: I think the indemnification is the big question. This would have to go to Town Council and Town Attorney before we go over details and comments. If this makes sense to everyone, we can do that.

A. Pollack: We are willing to work out the details with the Town. We just want to work out that we aren't responsible for what the town wants to allow.

B. Quigley: Other details we can lift out of the Clay Pond easement, except that that is focused on access. This would have to be acceptable to DES. We would have to strike a balance.

S. Couture: It's possible there might be some restrictions we would like to achieve. The indemnification is the major issue though.

P. Fitanides: What about issues with restriction on hunting, fishing, access?

A. Pollack: We want to make this a public resource, but make sure there is responsibility because there is a gravel pit next door.

T. Lizotte: If injury happened because someone ended up in the gravel pit area, we wouldn't be responsible for that. I assume a trail system would help prevent that, but the Town couldn't be indemnified for that. Is all 140 acres given at one time; it's not phased?

S. Couture: Yes.

F. Kotowski: I recommend we talk this over internally. This should go to our Town Attorney and see if it conforms to other similar documents, and possibly do a workshop on this.

S. Couture: We could send it to our Attorney to look at from the Town perspective and indemnification. We could provide you with the Clay Pond documents and have you take information from there. We would need to get the Town Attorney's opinion first. You could email it to Carolyn and we will send it to our Town Attorney and go from there.

B. Quigley: We want to pull something together more substantial for the next meeting. Time is of the essence.

S. Couture: Once we hear back from Town Attorney, we can work as quickly as we can but we want some counsel first if that seems reasonable and fair.

Edgewater Drive (Jennifer McCourt, Paul Scarpetti, and Richard Uchida)

P. Scarpetti: First of all, I want to apologize for the communication gap with going to Town Council about the class VI road. We were advised to go there first about the road itself.

S. Couture: Thank you. We understand that this is not the normal process we are both used to.

R. Uchida: I'm an attorney with Hinckley-Allen in Concord. I represent Paul and Jocelyn Scarpetti. Jocelyn owns the property in question. We were last here in May 2014 to discuss the general concept. It was important to come to Conservation Commission because of the proximity to the river and also because we were proposing an open space recreational easement. Since then we've been to Planning Board. With respect to the discontinuance we received an endorsement from the Board on the proposal you saw. Most recently, Town Council wants us to come back with a recommendation from the Conservation Commission on which proposal makes the most sense. We are going back to Town Council two nights from now. We were hoping for your thoughts tonight. We are here for the discontinuance, not the design or plan. The parcel is 10.5 acres. There's a class VI road that historically ran down the river shoreline. Portions have washed away from that road due to erosion. The half still on Scarpetti's land is still kind of there, the other half is in the river. There's Lot 6, which the Town claims it may own although there is no deed. That consists of some juts into the class VI road as it faces the river. We propose that the Town discontinues the class VI portion of Edgewater Drive and deed over Lot 6, even though there are no deeds to the Town, and in exchange we will give access and a utility easement. The path runs to the Bow town line to property owned by RH White. This could be for passive recreational hiking, walking, and viewing the river. We would deed a formal cul-de-sac to the town so it has a more formal turnaround. Everything would be maintained by the property owners. There was a question of legality. The Town

attorney says from a legal perspective it is doable, if they want to do it. Since last time, we went to Town Council with the original proposal just described. Town Council said in exchange for land, would you give us a piece of land to be owned by the Town. In addition to the cul-de-sac, we created an option where we would convey a 10,000sf parcel of land on the shore for what the Town might see fit to use it for. It hugs the shore and comes up against the water. We would still have a recreation easement and picnic area under that proposal. This is a new option that Town Council asked us to look at. Another proposal is to confine the Town's ownership to the base of the property. This proposal is to deed 10,000sf and an additional 17,500sf to the Town, so they would own the cul-de-sac, 10,000sf parcel and a 17,500sf buffer parcel. Those were the options in front of Town Council and what will be before them Wednesday night. Originally, we said we would provide a dock, but after input about traffic and cars to the dock we've revoked that proposal, so that this won't be an active recreational area with traffic impacts to neighbors. We are here for your best judgment of which option makes sense. We are hoping for a recommendation from you to bring back to the Council.

S. Couture: Frank and Todd, do you have any additional information from Planning Board or Town Council on this?

T. Lizotte: My impression is that the Town Council, myself included, went too far in terms of what they were looking at it. We were only dealing with closing on a class VI road. Certain opinions were voiced by the councilors and these proposals reflect those opinions. From my perspective it's about the development of this and giving residents access to the river. The question is do we want the burden of a larger parcel along the river that we would have to police? Speaking for myself, I wouldn't want that because it might seem free but may cost us money in terms of law enforcement and other aspects.

F. Kotowski: I think the Planning Board is receptive to the idea of development on that land, but defers environmental concerns to the Conservation Commission. The Planning Board was under the impression that at one time there would be public access to the green space north of the developed parcel and docking facilities deeded to the town. The general viewpoint of the Planning Board is that they are receptive to that, but questions did arise and I don't know the resolution of the dock and I wasn't aware of new plans for the cul-de-sac. Could you enlighten me on that, Mr. Scarpetti?

P. Scarpetti: We did decide to move the one house to the cluster of the other 5 to give the town more access and green space. But at Council, Joe Slem, a direct abutter, talked about the dock. It got me thinking. We've only wanted what was the best use for the town. People have been dumping there and I've been maintaining it. This proposal would put maintenance on a homeowners association with no burden on the Town. I agree that we have a great launch across the river, like what Joe said, why add another? This proposal is for more of a passive use like fishing, without dealing with things like motor boats. I was afraid of people launching across the river, coming across to our dock and asking their friends to meet them there. So the dock is off the table now.

R. Uchida: Access of the property to the north, under the first option, the townspeople would have access to the northern end of parcel and all the green space.

P. Fitanides: Are you looking to discontinue the road before the project starts? What if you discontinue it and the project is stopped? Would you be able to stop the right of way?

R. Uchida: We would ask the town to discontinue the road subject to approvals for the project. You are correct that even with the discontinuance any parties with private rights of access, we and the town can't discontinue those rights.

P. Fitanides: What about utilities on the proposed homes?

R. Uchida: We haven't gotten into that design detail that far.

J. McCourt: Planning Board will make us do underground utilities. There has been no discussion about fuel sources, so we don't know yet.

R. Uchida: The proposed utility easement would be if the Town needed it for itself on the property. Especially with Bow there, in case they approach the town wanting help on infrastructure needs in the future.

P. Fitanides: What about sewer and water?

R. Uchida: That's also up in the air right now.

P. Fitanides: Is there any bearing on PSNH? They have an easement/right of way there. Have you seen if they have objections?

R. Uchida: Not yet, we aren't at the design phase yet. There are a number of issues like PSNH, zoning, subdivision, but those are moot if we are denied.

P. Fitanides: Will the gates be locked at the cul-de-sac?

P. Scarpetti: We are proposing gating a private driveway only for homeowners. It would most likely be electric with a keypad. There would be an open area, though, with signage stating there's public access and what activities are allowed

J. McCourt: We are providing 9 parking spaces for the public use at the cul-de-sac. The gate would also have a knock box for public safety use.

P. Fitanides: Do you have copies of the original deeds or Jocelyn's deed you could provide us?

R. Uchida: We can provide you with Jocelyn's deed, but not the Town's deed on parcel 6 because it doesn't exist.

P. Scarpetti: We acquired everything about 10 years ago. The deeds go back to the 1700s though.

P. Fitanides: Would you rename the discontinued road?

P. Scarpetti: Fire asks that private roads be named, but we haven't really thought about it yet.

S. Couture: I like the idea of all the house lots up to one end. It's like a conservation subdivision to an extent. One original intent was to provide access to river. If we lose that I'm not sure why we are having this discussion here, so that's a really important component moving forward. As far as types of river access, it would make sense for the Town to be able to provide for someone in a non-motorized boat. I think something helpful to the Council would be to think of this as a land acquisition to an extent. It would be helpful if the Conservation Commission put forth what the intent should be if Town Council grants the discontinuance of road. I don't feel comfortable hashing out all the details now because the ZBA and Planning Board and the state still need to be involved. Right now the Council is just looking for advice. How do you all feel about that?

T. Lizotte: What's interesting is that it's a private road to nowhere into a housing development. My concern is law enforcement. It's not a big development with an entrance and condos. The idea of it as a central location that is given to the Town was to discourage people from vandalizing, as was the history of the place, but now it becomes a superhighway for that with the road in there. That's my concern.

S. Couture: I understand those concerns, like with all our open space, you need to clean up what was there and manage it as it continues. Maybe as a park people are less likely to vandalize. Arguments go both ways, so I understand.

F. Kotowski: When Manchester Sand and Gravel deeded to the Town the Head's Pond trail, more dumping occurred. Now that the trail is there and it's maintained and gated, dumping is a minor problem. There's a benefit to keeping it clean and orderly because it's a nice neighborhood and this could be too. I agree there should be access for boats to pull out of water by hand.

P. Scarpetti: That's the reason for the gate. The only people driving down will be residents. The only public access would be pedestrian access. Someone cut the chain on my gate a few weeks ago and there are trucks down there, so it's been tough. If we develop it and have people living there, it will cut down on those activities.

S. Couture: Some general comments: We're in favor of the open space along the river with access to residents. It would make sense that ownership remains with the association and that an easement is held by the Town. That the access and alignment of things specifically, that the Council not act on that specifically, that they allow Planning Board and Conservation Commission to use their normal processes - that the Council only act on the road itself. We could agree to the general concept of a cul-de-sac with parking spots and 6 lots on the north and leave it at that, and leave the rest of the details to the planning process.

T. Lizotte: Speaking for myself, my impression is that we are back to where we should have been: yea or nay on the road. The only hold out is that there is a contingent on Town Council that says if we are giving up land, we want land. The Council wants to know what Conservation Commission wants in terms of open space.

S. Couture: One last item is to make it clear that when we hold an easement there is a stewardship fee for management of the properties, which the Town Council should be aware of. This is how we normally deal with projects and want to make sure that Town Council understands that. Does that seem like a fair approach?

P. Scarpetti: Yes, it does.

P. Fitanides: Are these single-family houses? How many stories? Are there any mezzanines?

P. Scarpetti: 2-bedroom single family. I'm thinking of a ranch style, two story because we are gearing toward empty nesters.

P. Fitanides: I'm just trying to figure out how much traffic there will be from people living there versus public use, that's all.

R. Uchida: We are still in the preliminary stage and not in the design phase yet.

S. Couture moved to recommend that the Town Council support the discontinuance of the class VI road, Edgewater Drive, with the following points:

1. That the Conservation Commission supports the creation of open space on this property with public access for town residents.

2. That the property be held by the Homeowners Association and with the open space protected with a conservation easement held by the Town.

3. The Conservation Commission is supportive of partial ownership of some part of the property if the Town Council feels it is necessary.

4. Access specifics and alignment of the new road can be determined through normal Planning Board, Conservation Commission, and Zoning Board development processes with the exception of the six lots to the north and the location of the cul-de-sac.

5. An access point for non-motorized boats should be part of the open space access with details to be specified in the easement language.

6. As part of the normal development process, a stewardship fee is required and expected for the conservation easement with the amount to be determined later.

Second by T. Lizotte. Motion passed.

T. Lizotte: As a Town Council rep I support this motion.

P. Fitanides: Would Dan Kern from Bear Paw be involved in this?

T. Lizotte: Town Council discussed that if we give up Lot 6, we are looking for an equivalent piece of property.

S. Couture: The town would own it.

Motion passed.

Public Input

Bruce Seavey, 51 Auburn Rd: I've lived there all my life. I own it now. I'm not asking for anything from you but I need help because there's a culvert going across the road and with all the new development it's dumping into the field when it rains. I want to trench that out so I can control the flow of water and I don't know where to go and didn't want to get in trouble. There are wetlands there. It's my problem but I don't want to get in trouble for doing something. I can do the work; I don't need the town to fix it.

F. Kotowski: Have you talked to Leo at DPW? He maintains the culverts. He could look at it and let you know if it's failing in some way.

S. Couture: I concur to talk to Leo to take a look and have a conversation. I'm pleased you've come to talk to us. I'll email him to let him know you came to use so when you call him he will have some background.

Other:

Staff update

File Organization

C. Cronin: Since I've come on board as Conservation Commission staff contact I've been trying to get familiar with the files and where things go, where I might find info. I'm organizing things. Currently, folders are by map and lot, they have permits in them and there are special project folders, which makes sense, so I'm adding more permits into those. I'm making new map and lot and project folders as we need them. I made one for grant applications so hopefully in the future we can refer to those when we are filling out new applications. I created a binder for all invoices, budget info and finance memos. I've only put in what I've received since I've been here, but I can add the old papers if you want them all together. I'm going through old papers and trying to file them. Lastly, I came across big cardboard boxes, which I assume came from the old town hall and they are full of plans and there's no space to put them, so for now I'll leave them if that's ok.

S. Couture: On the plan sets, if Planning Board has the same plans you can recycle them. We don't need two copies.

J. Woodburn: I have a Clay Pond binder and when I'm done using it, you can have it to file.

S. Couture: What about electronic filing in the town directory?

C. Cronin: I made a folder on the shared drive with agendas and minutes and I made a separate folder for nonpublic minutes in my PC. The hardcopies are sealed across the hall. I organized old agendas and minutes by year on the shared drive.

Pinnacle

C. Cronin: I talked to Kathie Northrup and asked her about including history on the kiosk. She said the application for the State Historic Register has all the history plus photos. Administration has a copy. When Katie comes back from vacation I can get that from her. Kathie mentioned the seal can go on the kiosk. She recommends talking to Parks & Rec Advisory Board and figuring out how you want to arrange the trail maps and other items on the kiosk because there's a lot of history and we have to determine how much we can fit on there.

S. Couture: I think the plaque needs to go on a stone next to the kiosk. The Parks and Rec Advisory Board has a staff person, another Town employee. I think it's Phil Arnone. You should connect with him about getting in touch with the Parks and Rec Advisory Board to work with them.

Conservation Subdivision Ordinance

C. Cronin: Lastly I have the conservation subdivision ordinance. There's a report in your packet. We've had two of these developments come through Planning Board in the past 6 months: Summit View on the Bow town line and Autumn Frost off of Autumn Run near Londonderry Turnpike. In the process of these applications, it raised a lot of questions and concerns about our Conservation Subdivision Ordinance, everything from lot size, density, utilities, to open space. After going through those two applications, the Planning Board recommended staff review this ordinance and see if it's still serving Hooksett today, if it's still doing what we want it to do. I put together this report with the history of the ordinance, issues that arose when it was proposed and issues that arose recently. I have a couple recommendations. 1. Have a formal committee with reps from Conservation Commission, Town Council and the land use boards who would meet regularly and go through the ordinance piecemeal, like we did for our Sign Ordinance. Which is really productive, you learn a lot and it's democratic and hands on, but it's also very arduous and requires a lot of time. We are trying to push things through to the zoning deadlines. It's a short but intense process. 2. Instead of putting it on volunteers Community Development staff could do research and put on workshops with land use boards, Conservation Commission, and Town Council. We could work with SNHPC for their experience and let us come up with several recommendations to present and be voted on.

P. Fitanides: It would be helpful to have a copy of the current ordinance.

S. Couture: Is the intent to get it on the ballot for 2015?

C. Cronin: Yes, it would have to be done by the end of the calendar year.

F. Kotowski: Sign ordinance really had to push at the end there. Everyone has their own ideas so you have to work together. Carolyn and others did a good job turning that out.

C. Cronin: Sign ordinance started in September or October of last year and had it done by the end of December.

S. Couture: What was the Planning Board response to this?

F. Kotowski: There wasn't a discussion; we will discuss it at our next meeting. The more folks you have in the discussion the better, but if people don't have time and it falls on staff they could do that

T. Lizotte: Reading through this it's a lot but the emphasis is the purpose versus intent but, there are clear examples. Will it be a wholesale rewrite or small tweaks? The Sign Ordinance was a revamp.

C. Cronin: That's a good question and something that should definitely be discussed as we look into it. I don't think we need a whole upheaval. The framework is already there in our subdivision regulations and development regulations, so it will most likely be amendments to it

F. Kotowski: We get into areas where someone believes one thing and someone else believes another, both with good reasons. Unless there's a real way to back that up, like from a public safety standpoint, we seem to waiver on things from time to time.

S. Couture: I'm glad you're looking at this ordinance because we've approved a lot of conservation subdivisions and you see that they don't meet the intent, they maximize opportunity. It would be good to look at examples and see if we tweaked it, how it would affect something we approved in the past. I think it's a great exercise. If it's just tweaking, I'm not sure you would need a subcommittee. With a total revamp, you probably would. My perspective is to go by the staff model.

T. Lizotte: I agree that Community Development as the intersection of all those committees anyway, should work on this. A first draft should come from Community Development and be presented to all the board as long as there is reasoning behind it.

S. Couture: I like the idea of a markup and general concepts to see what people think about. But the staff concept I like.

T. Lizotte: I go along with staff concept as long as they can defend it with reasoning. That lends more credence to it.

S. Couture: It could be a summary document.

F. Kotowski: It's refreshing to see people with formal planning background getting in Planning Board and in our Planning Department because that's where the initial markup comes from, the people who more than others ought to be looking at regulations in effect today and trying to see how well they fit as we move forward in time and to recommend changes as we see them. If we had the right ordinances in places we could point to that and say this is what our vision is.

S. Couture: So then we would go with Option 2 with caveats. Thanks for your work.

Merrimack Riverfront NHDOT Letter of Interest

S. Couture: Thank you to JoCarol for her incredible effort over the past month to pull together the application. Frank, Dave, Carolyn and I were all involved and it took all of us to have JoCarol pull us together and meet the deadline and get the request in for \$269,000.

F. Kotowski: I admit and apologize that the letter of interest has an error in it because I recently had to purge all my old trail files. I erred on one particular figure, the 1.7 miles that Manchester Sand and Gravel constructed. We only constructed the piece from the parking lot to Pleasant Street but these are all guesstimates anyway. I was amazed at how you pulled it together, JoCarol. Nice job. Very well done.

J. Woodburn: Thank you. I hope we get good results.

S. Couture: It's a great opportunity. 80% of costs would be covered by the grant.

P. Fitanides: Just so you know, everyone should be aware that Manchester Sand and Gravel has plans for a school on the property. They will be set up for education.

F. Kotowski: Audubon was going to do education but had to pull back due to financial constraints. Now Bear Paw is working with them. One concern about Heads Pond is that NH Fish and Game has a real interest in that property. I hope we don't turn the pond over to the state because there will be many restrictions.

S. Couture: According to the way the wetlands permit was written, we are to hold the easement. Thank you again, JoCarol. Are there any ideas on the Moose Plate grant?

J. Woodburn: The deadline is September 26th for the Moose Plate grant application. Any project is eligible as long as it's for conservation purposes.

P. Fitanides: I question the source of revenue from license plates. Is that a restriction on Article 6 of the NH Constitution?

S. Couture: Our general court approved it and no one has challenged it, so it's legal.

J. Woodburn: Which project should we apply for? It has to be specific and has to do with conserving wildlife, not regarding trail development. There is \$5,000 available.

It was discussed that it could be used for the kiosk, signage, boardwalk, Merrimack Riverfront or culverts. The Commission will look at money and timeframes to pull something together.

Clay Pond Stewardship Plan

J. Woodburn: We met with Moosewood Ecological today and had our second task meeting. Our next meeting will be in September hopefully prior to our next Conservation Commission meeting and we will get some work from them in regard to forestry.

T. Lizotte: I've been working with Town Council to do a town forestry plan. I want to talk about how to work together on that. I'd like to spearhead that with approval from Town Council. They want to develop a forestry plan for town property, but don't want to work outside the Conservation Commission on this.

S. Couture: Our perspective is easement properties. Some discussions could be good. We could work with Council to put this together.

J. Woodburn: We are hoping to have everything together for a public meeting October 21st, 5pm-6:30pm. The purpose is to present recommendations for use of the property i.e. trail development, parking, basic land use (hiking, biking, horses, hunting, etc.)

S. Couture: Something to discuss by that October dates is the need for gates and three locations for access points. We need to discuss access and the bridge with Leo before October.

Old Home Day:

Old Home Day booth ideas were discussed including: Clay Pond stewardship plan and maps, the Forest Society article, the Merrimack Riverfront, a flyer and advertising for the October meeting, a display from the Association of NH Forests, or something on the Earth Day event. It was discussed where to get a tent because there is a frame but no cover. Todd offered to set up next to the Town Council booth because he will be there. Steve will follow up about the Forest Society article. JoCarol will work on the meeting flyer. Carolyn offered to print on the Town Hall copier.

F. Kotowski motioned to adjourn the meeting at 8:27p.m. Seconded by P. Fitanides. Motion passed.

Respectfully submitted,

Carolyn Cronin

Assistant Planner/Conservation Commission Staff Support