

# OFFICIAL CONSERVATION COMMISSION MEETING MINUTES

September 8, 2014

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

**Attendance:** Steve Couture, Chair; Cindy Robertson, Vice-Chair; Phil Fitantes, member; JoCarol Woodburn, member; Todd Lizotte, Town Council Rep.

**Excused:** David Hess, member; Frank Kotowski, Planning Board Rep

**Public Input:** None

## Meeting Minutes:

P. Fitantes: On page 3, I didn't use the word "etc." I would like to replace "etc.," with "fire pit and dock." Also, on page 7, it says "how many stories." I also asked the question, "Are there any mezzanines?" I would like to add that in.

*T. Lizotte motioned to approve the meeting minutes for August 11, 2014, as amended. Seconded by C. Robertson. Motion passed.*

## Other:

### Merrimack Riverfront

S. Couture: To apply for DOT funds we need solid numbers and concepts as opposed to rough estimates. We did a good job with the letter of intent. Stantec did the environmental considerations as part of the update for us. I asked if they would be interested in this and I also checked with Leo Lessard to see if there was an existing consultant contract with the Town that I should be aware of, which there isn't. Dan Tatem walked the site. It helped us with what specifically we are asking for as far as the layout: parking area, the rowing club, bridge across abutments, railroad right of way, an off shoot to get to last corn field and a loop to get to the Merrimack Street fields. A lot of it is using existing trail. So that's the agreed upon layout. There would be 12-foot wide gravel trails, crossings where needed, and some wetlands boardwalk

J. Woodburn: Did he ask for pictures?

S. Couture: Yes we provided those.

P. Fitanides: Do we have a Town Engineer yet? Or did we put this out for bid?

S. Couture: We don't have a Town engineer yet. Conservation Commission doesn't follow the same administrative procedures as other Town departments. It was under \$5,000 so we didn't need a bid. I told Dan this couldn't go over \$3,000. Ideally if we had more time, we could do something like this to prepare for going for money for 2015, but everything is moving pretty fast.

J. Woodburn: We need a map for the application. Will Stantec do one?

S. Couture: That needs to be discussed and we can make sure they do that. It will be one map produced to be included in the application and will outline how trails will be built.

P. Fitanides: This first paragraph of the document says "boat club" and should say "rowing club."

S. Couture: Correct, he used the wrong term.

J. Woodburn: We should make sure the map shows where it is located in the grand scheme; a broad view. That's supposed to be part of the application.

S. Couture: I'll see if they can do that or if we can do it ourselves.

***C. Robertson motioned to enter into the scope of services agreement with Stantec. Seconded by P. Fitanides.***

T. Lizotte: We should see if they can make a portable file to be given to Community Development that we can use again later.

***Motioned passed.***

J. Woodburn: We need a letter of support from Town Council to add to the application. Our application is due on the 26<sup>th</sup>. I have a template letter for Town Council.

T. Lizotte: I can take it and bring it to the Town Council meeting on Wednesday.

S. Couture: We need to state in the application that we have an 80%/20% match: the application is requesting 80% of the funds for the project and the Town is funding 20%, but we need to be able to state that we have the ability to provide that 20%.

***C. Robertson motioned to commit \$200,000 from the Conservation Fund to serve as match in the event that Conservation Commission receives the DOT TAP funding. Seconded by J. Woodburn. Motion passed.***

S. Couture: JoCarol attended a meeting at DOT and attended a site walk, and is pulling together our application materials. She is doing an incredible job, so I want to say thank you.

## **Authorization of Expending \$49,000 in the Conservation Fund for SNHU Mitigation**

S. Couture: This is a retroactive approval for the Finance Department. Some minutes got lost and they need a motion from us on record to approve use of the Conservation funds for SNHU mitigation.

*S. Couture motioned to authorize expenditure of \$11,978.30 for tax lot 04-34 and \$20,812.17 for tax lot 04-35 to implement SNHU mitigation dollars required by the DES permit. Seconded by T. Lizotte. Motion passed*

P. Fitanides: Do we have any mitigation in turning the SNHU parking lot into a lawn?

S. Couture: They don't need a permit so mitigation is not required.

## **Clay Pond Easements**

S. Couture: Dan Kern took our existing Clay Pond easement language and made sure it met the requirements of DES. The big change was relevant to riparian buffers and tightening up those requirements. All of page 5 going into page 6 sets out where sensitive areas are that we want to protect with the easement. I sent this to Laurie Summer from DES and she said she's already OK with it. Unless there are any changes tonight, we can send it to Mark Dunn. Mark can review it and send it back to us for the next meeting. We would then vote on it and send it to Council in order to close.

P. Fitanides: On page 2, section F about the Lake Massabesic watershed. Are there any other watersheds in the area and are there any liabilities associated with those? I wonder why we need that mentioned in there and if it makes us liable.

S. Couture: That's part of the purpose and just states why it's important. It's a factual statement. Are there any other concerns with sending it on to review?

J. Woodburn: Does Moosewood need to see this?

S. Couture: It's the same as our other easement language, so no, not in particular.

J. Woodburn: We could just let them know that this is in progress.

P. Fitanides: On page 5, section VI. A., it states "No soil disturbance, tree cutting or removal shall occur and no herbicides or pesticides shall be used." What if there is some type of pesticide used to control invasive species, or even mosquito spraying?

S. Couture: Those restrictions only apply to forestry purposes and activities, which will not be occurring.

T. Lizotte: What if an invasive species starts killing the trees?

S. Couture: There's a clause that allows us to opt out.

T. Lizotte: But no one monitors this?

S. Couture: Correct, not this property.

P. Fitanides: What about Section 6, "Alternate Dispute Resolution?"

S. Couture: That language appears standard in all of our easements. DES has an executory interest on page 12, which is required because the State has provided funds for conservation.

P. Fitanides: Has Dave Hess seen this and has he responded?

S. Couture: I sent it to him but he's out of town. It will go to Mark Dunn for review.

### **Staff update – Pinnacle**

C. Cronin: Nothing major has happened. I got a copy of the Pinnacle State Historic Register application so I have all the historical background on it now. I emailed the Parks and Rec Advisory Board, Leo Lessard and Phil Arnone to see how they want to proceed. I only heard back from Leo and he said that there is impact fee money to fund this and there is about \$7,000 set aside for the Pinnacle alone. I'm waiting to hear back from the Parks and Rec Advisory Board. I don't know when they meet or if they have been meeting regularly. I can get in touch with Tom Prasol through Planning Board.

### **Clay Pond Stewardship Plan**

J. Woodburn: We got the first draft today. There's a wildlife management plan and forestry management plan. There will be a trail management plan but it's not ready yet. They will be working to finalize the draft and we will meet with them to go through step by step. The main thing is the public meeting we will have October 21<sup>st</sup>. I have the flyer to post and we will hand them out at Old Home Day and mail them to residents in the area (abutters).

C. Robertson: Will it go to Kiwanis trail people?

J. Woodburn: We would like to get it out to as many people as we can.

S. Couture: We can post it to the Facebook page too. I notice on the draft plan on the soils map, page 5, they didn't bring in the Hanscom and Lambert properties, but they did on all the other maps. I know it's a draft, but I just want to point that out.

J. Woodburn: I'll follow up with them. Can we have everyone review this before the next meeting? Is it October 13<sup>th</sup>?

*Discussion about the next Conservation Commission meeting. The next regularly scheduled meeting is October 13<sup>th</sup>, which is Columbus Day and the Town Offices will be closed.*

*Conservation Commission agreed to tentatively meet on Tuesday, October 7<sup>th</sup>. Tentatively plan to meet with Moosewood Ecological on that date prior to the regular meeting, pending their availability. The decided meeting date will be posted accordingly.*

J. Woodburn: We are good with the flyer. It's ready to post. We can notify abutters. I'll draft an abutters' letter to go with the flyer. We can do a Power Point at the meeting with a history of the property and why it's important to the Town. Does the Town want a slide in there?

T. Lizotte: I can ask at the Town Council meeting. I can ask the Councilors to attend, as well.

S. Couture: Anything else on Clay Pond?

T. Lizotte: The plan talks about culling trees in 2017 and 2024. How would we facilitate that?

S. Couture: Through forestry services. We could hire a forester to make sure the cuts are being conservative. I'm not sure the Town has the specific equipment to do that, which is why we would probably hire someone.

J. Woodburn: What about the fall cleanup we had talked about out there?

S. Couture: Does someone have time to coordinate it? If not, we could have Leo's guys do it for us when they have time and they will charge us. A lot of the cleanup though is on Manchester Water Works property and we don't own it.

### **Conservation Commission Dinner at SNHU**

S. Couture: This is scheduled for Friday, October 24<sup>th</sup>. Dave wanted us to vote on the per person price tonight. I believe it was \$24 per person. Are people buying tickets or are we paying for meals? I'm not sure we should be using Town funds to put on an event for ourselves. We need to commit to a minimum amount of people though. The minimum count is 50 people, I think. We need a headcount by October 14<sup>th</sup>. Is this doable?

C. Robertson: If we all go and bring a guest, we would only need to find about 25 more people.

J. Woodburn: Do we need money to do invitations? We need to figure everything out before the next meeting.

S. Couture: I'll email Dave and see what he thinks about the logistics and if he can give me a list of invitees. Phil is willing to talk to SNHU about pricing and minimum headcount.

T. Lizotte: I could get invitations printed if we need them. I can get a mailing list of volunteers from the Town. We need two different invitations, one for the paid guests and one for the guests that would have to pay. They would need to RSVP by October 14<sup>th</sup>.

C. Cronin: I can take the RSVPs to the office phone and email and keep track of them.

C. Robertson: If we can't get the minimum headcount by then, we can reschedule.

**Invoices:**

*C. Robertson motioned for payment of an invoice from Moosewood Ecological, LLC. dated September 2, 2014 for the August meeting and more work relevant to Ecological and Timber Resources Inventory and management plan in the amount of \$1,200. Seconded by T. Lizotte. Motion passed.*

S. Couture: Dan Kern asked me to do letter of support for another 218 acres they are seeking funding for in the Clay Pond area. I just want everyone to be OK with me signing this.

**Non-Public Session:**

*C. Robertson motioned to enter non-public session at 7:35pm. Seconded by T. Lizotte. Motion passed.*

*NH RSA 91A:3 II (d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

*S. Couture motioned to adjourn the meeting at 8:17 p.m. Seconded by C. Robertson. Motion passed.*

Respectfully submitted,

Carolyn Cronin

Assistant Planner/Conservation Commission Staff Support