

# OFFICIAL CONSERVATION COMMISSION MEETING MINUTES

October 7, 2014

S. Couture called the meeting to order at 4:00 p.m.

**Attendance:** Steve Couture, Chair; Cindy Robertson, Vice-Chair; JoCarol Woodburn, member; Frank Kotowski, Planning Board Rep, Phil Fitandides, member.

**Excused:** David Hess, member; Todd Lizotte, Town Council Rep.

## Meeting Minutes

*C. Robertson motioned to approve the meeting minutes for September 8, 2014. Seconded by J. Woodburn. Motion passed. F. Kotowski abstained.*

## Appointments:

### **Jeff Littleton and Swift Corwin, Moosewood Ecological: Clay Pond Stewardship Plan**

J. Littleton: The main purpose of this meeting is to gather some feedback of the stewardship plan. We've completed a full draft and want to incorporate your thoughts from the original summary we provided. In addition, we got great input from Mike Marchand especially in terms of recreation. We had a large discussion about that regarding potential ideas for recreation. Do you have any specific questions or comments for us?

S. Couture: Does this draft reflect all the comments and discussion from the last meeting?

J. Littleton: Yes, but we shied away from including anything on recreation because we got some feedback from Mark Marchand about the sensitivity of the property concerning rare species and the types of activities that may or may not be conducive to the property. We are prepared to talk about recreation with you and we can share a draft map and some ideas, but it comes down to you, the Town. For instance, Chester Turnpike is obviously gated and open to ATV/snowmobile traffic, but not vehicular traffic. As we are looking at this property, we are thinking in terms of the rest of the roads and what their legal standing is.

S. Corwin: They are not classified as Class VI roads.

S. Couture: Right, there is some documentation that they are abandoned. Our intent, if we have the legal ability to, is to gate N. Candia Rd at three different locations.

J. Littleton: Right, we agree with that because there are some issues there with road sedimentation and culverts failing. There is active off-roading and activity in the wetlands there, but Manchester Water Works has cut off access to that. They cleaned up the trash out there, but now there's a boat and some mattresses. This is all beyond where we would gate.

S. Couture: Right, so there is some justification.

J. Littleton: And that would be one of our recommendations, putting gates up.

S. Corwin: I'd like to talk about the language of recommendations. Would it be better to call them management "options" rather than "recommendations" to tone down the language, unless you feel like you want "recommendations"?

S. Couture: We prefer "recommendations" because whatever we do, it will have to go through Town Council. Coming from them it gives us more language to work with and is in our favor to have in the report. Unless there are options you want to talk about.

J. Littleton: There are lots of options and we can provide you with conceptual recommendations and ideas, but also considerations that are site specific, especially in terms of the trail. There are vernal pools and knolls we may want to steer away from. With wetlands out on the west side of the property, they are conducive to Blanding's turtles' and other reptiles' feeding grounds and habitat. Those are some of the considerations to think about that when developing any sort of recreation. Also, around Wiggins Rd. which leads up to the French's home, there's access to one parcel that has a huge complex of wetlands. We don't see a lot of ATV activity there, but the easement says passive recreation, which excludes ATVs, so you may want to bar that area. Those are some considerations, the issues with illegal ATV activity.

S. Couture: There are three things I want to mention. One is the primary access point needs to be on a classified portion of road. We will need that included in the report. We need to establish a trail head, an access point and a parking area. Two is the gates, and we talked about that. Three is the recommendations for recreation options. Based on your knowledge, what do we need to consider for details?

S. Corwin: One thing is the culverts on N. Candia Rd. and the impact to those puddles and washes. The concern there is that 4-wheelers are spraying silt out into the wetlands. So, do you make the road unattractive to 4-wheelers or simply put up gates and signs? There's a beaver pond at the northeast corner of Compartment 1 at the southeast part of property. N. Candia Rd. is washed out a lot, even in Candia. This is worth having a discussion with Candia about and saying there's a problem and we should team up to cut down the traffic. Once you cut traffic down, do you fix the culverts and restore the road grade or just block the road? That's something you need to think about. You also need to think in terms of future logging. In the recommendations, we have called for logging in Compartment 1, which would be accessible from N. Candia Rd. It's all part of the whole thing, so you have to decide because it's a lot of money to upgrade the culverts. It's a pretty formal procedure.

S. Couture: We've applied for some grant money in the past to upgrade some of the culverts.

D. Kern: Most of the traffic on that road is trucks, so the more accessible you make it to vehicles the more people will use it. There's a long history of people riding through that road. I can't imagine the resistance you will run into with the gates. If you're going to fix that road you're going to have to figure out how to keep the trucks out of there and that means replacing gates frequently. I've seen gates smashed down.

S. Couture: Another thing to think about is Manchester Water Works and their access, if they are going to use N. Candia Rd.

D. Kern: You can see the mistake they made in terms of access and opening the road. There were some small dumping issues before they opened it up – farm animals were dumped out there – but it's nothing like since they've opened the access up. I don't know what the solution is, but you need to take it all into account.

S. Corwin: We could put the water across the road with a culvert.

S. Couture: It seems clear that we want gates as a recommendation. We can list options on what we can do about the crossings depending on the use. If we need it for forestry or access, maybe we could replace the culverts, but that seems to be on the far end of things.

D. Kern: Moneywise, it would be hard to get the money, but maybe you could get grants.

S. Corwin: As a walking trail that could be nice, but it's not nice right now without doing something about the crossings.

D. Kern: The end product is not supposed to be a list of recommendations; it's supposed to be a stewardship plan for the property. At some point the Town needs to amend the report or do a second report or listing. They need to decide what they are going to do. They need a plan, not options.

S. Corwin: True and the cost of putting up gates, culverts, filling, getting wetlands permits, engineering... that's another thing is how much do you want to spend to fix a problem out there? It depends.

S. Couture: I think we can have a plan with options. We can make a decision on some items and explore options on others. We need to have a public meeting where we present these recommendations and options and get feedback. Then we make decisions on specific items, or we could say we aren't quite sure on some options. It's all part of the process.

J. Littleton: The idea is it's an ongoing plan that should be revisited every ten years. You see if the management is actually accomplishing your goals, if it's not you bring it back and reevaluate if there's new species or if trails need to be rerouted. Things will constantly be coming up.

S. Couture: Maybe a recommendation should be to explore options for N. Candia Rd. But in order to go to Council they need to be comfortable approving our decisions to allow us to implement them.

S. Corwin: That's helpful to know and makes sense.

S. Couture: We need to be comfortable considering any options in the plan.

D. Kern: This reminds me of an interesting point someone made in that before you think about options you need to really define your goals and figure out what you are trying to accomplish. The goal setting process will eliminate a lot of options. What kind of trails do you want to end up with? What are you concerned about? Some of that feedback will come from the people about what they want to see out there.

J. Littleton: We are using the goals of the conservation easement: maintenance of soil productivity, protection of water quality, maintenance for the enhancement of wildlife habitat... These goals have already been established for the property. It's how to achieve those goals.

D. Kern: Not all those goals are consistent with each other but if you want access and to build trails, then they should be consistent with those goals. So what is the goal for the trails?

S. Couture: We want people to have access to the property. We want formal access –something that is marked and known so they can appreciate the attributes that we've protected.

S. Corwin: We have found some special places that are worthy of introducing to people. For instance, the area in Compartment 4, on the west edge, has a large blueberry meadow. There's a logging trail that runs out there, not all the way, but to the edge of the top of the hill. We are thinking of a trail along that bluff. The idea of that is to allow people to enjoy that feature. In everything you do there's trade-offs. The trail could go through some reptile habitat, but it seems wherever you are out there you will be in that habitat, but that's one idea, to specifically visit a nice part of the property using infrastructure that's already there. Another idea is on Compartment 6, there's a road out to a peninsula, which is part of the beaver complex. You could use that road to make a trail loop to introduce people to that part of the property.

S. Couture: This is what we were thinking about to use existing and create some new. Did Mike see these?

S. Corwin: Yes and he had some concerns about reptiles in Compartment 4. He said that Bear Brook has a problem with trails because there are so many of these reptiles, and their habitat is similar to yours. There are so many hikers and mountain bikers, that it's a two-edged sword. You want people to be able to enjoy this asset that the Town has without introducing new disturbance into it. I can understand that and respect that. Simply marking as the travel ways, the places you already have out there, you could do that, without doing any new trails. But it would be logical to make Compartment 6 a loop in the northwest. You could do that in Compartment 4 too, but Mike's concerns are super valid.

J. Littleton: There's a variety of considerations that we will include for recommendations. The existing trails create opportunities. From a big picture in terms of recreation, there's Chester Turnpike, N. Candia Rd., Wiggins Rd., Hall Mountain Rd., Knowlton Rd. There is also an ATV road. These are already existing recreation trails on the property. We could add enhancement to them.

S. Couture: I'd like to see those ideas like you just mentioned in the report. Those would be good for us to know where they are located so we can review them every year.

P. Fitanides: How many blueberry bushes do you think are out there? Is it high bush or low bush?

S. Corwin: It's hard to tell because it's so difficult to get to. You would have to wade out there through the wetlands to get to them right now.

J. Littleton: There are existing woods roads that are out there now and I see people using them. I don't see a lot of ATV activity which surprises me, but it's something you should keep an eye on. If you gate them, they may find new opportunities and that's what we should discuss.

S. Corwin: N. Candia is a flat road with not a lot of erosion, but water sits in those ruts and trucks spray the silt everywhere. But Hall Mountain Rd. and Wiggins Rd. are steep and were upgraded for logging. The logging is done and the roads are forgotten so they should really be put to bed so they stand up to rainstorms. If vehicle traffic happens when wet, ruts will form and we will need to monitor that.

D. Kern: I don't know what the status of those roads is.

S. Corwin: The NHDOT public road GIS overlay lists them as unclassified.

D. Kern: I assume unclassified to them means they don't know the status. It could be a Class A trail or abandoned. You will need to know the status if you want to put a gate up.

S. Corwin: It's something to look into.

S. Couture: So we need to look into Wiggins Rd., N. Candia Rd., Hall Mountain Rd., and Knowlton Rd. Is Mark Dunn someone who would know how to research this?

D. Kern: He should. He spends a lot of time at the Registry and these are documents that would have been recorded or not.

S. Couture: We should look into that and see if we have legal authority to do this.

S. Corwin: The best parking access for visitors seems to be with the cooperation of Manchester Water Works. There are two parking places there now on N. Candia Rd.

J. Woodburn: How far is that from the trails?

S. Corwin: About a half mile approximately. So that would be the main parking area, where the Class V road stops, not at the gate.

D. Kern: There's the Manchester Water Works property. We need to find out who to talk to about that. It would be nice to swap some land with them at some point. There's another land owner out there too who owns both sides of the road at the very end.

S. Couture: So we have our homework to do with the attorney. There's also the forestry to talk about.

S. Corwin: Recognizing that there are lots of sensitivities out there, you may not want to consider logging because it's a big impact. But there is some potential for it and some good things about it. The Wildlife Action Plan is a good place to start. There are certain species in NH that are having a hard time because of general trends in the countryside: cottontail, woodcock, ruffed grouse. Those are the three main ones, but there are other species that like this kind of management. Everything we do in the woods with logging is a tradeoff to something else. You make a choice every time you do work in the woods. The least benefit from forestry on this parcel would be standard selective cutting. It makes more sense, looking at the Wildlife Action Plan, to think in terms of even-aged management, which is more aligned to nature and history of the landscape: group selection cuts (patches up to four acres). I would spread them out among the various Compartments, staying out of Compartment 6 to the north. I would do the first operation in Compartment 1, spacing two years apart, then work in Compartment 4, but maybe not, then Compartment 5. Lastly recognizing that the forest in Compartment 2 will be developing a lot in the next ten years, to go back in and do some patches. Think about patches historically. These are highly productive forest soils. The site will grow really good wood and there's good regeneration out there. In the future, it won't be great wood, but white pine makes a lot of sense to roll into the future. If you can grow good timber, while having other uses, then all the better but we need to think in terms of sixty years, not ten. So we are looking at Compartments 1, 2 and 5.

S. Couture: Do you have an estimate on the financial benefit?

S. Corwin: I can make a projection from the inventory, but it will be very conservative.

J. Littleton: Doing some cuts in there where there are sandy soils would enhance habitat. They are not going to generate revenue, but hand cutting could enhance species habitat.

D. Kern: I have a question on the Appalachian oak. Is there any way to tell how far it extends into this area?

J. Littleton: There are areas on Compartments 4 and 6 and the front part of 5. There are areas with pitch pine, hemlock, chestnut saplings, red oak, black oak, huckleberry, hemlock...

S. Corwin: Fire is a big component of pine forest. We are not recommending fire, but we need to acknowledge without it, there is going to be big change. If it's dry sometime, fire might run through there, but they are better at fighting fire now. It could happen in there.

J. Littleton: We are focusing on Blanding's turtles as the main species. We are not concerned about mammals because they are doing pretty well. We are looking to enhance wildlife on the property. That's where we are coming from with a lot of these management techniques. We have a public hearing in two weeks. What format are you thinking of?

J. Woodburn: I started a Power Point with an intro and then I can give it to you to take it from there.

J. Littleton: OK, we will have a Power Point with pictures.

P. Fitantes: Can you send us information so we can get acclimated?

J. Littleton: Yes, we will be sending a full draft.

D. Kern: I would recommend including road names and route numbers for orientation.

J. Littleton: Yes, we will be doing that.

S. Couture: Thank you, we are looking forward to seeing the draft.

**Dan Kern, Bear Paw: Hanscom-Lambert Properties**

D. Kern: I sent a draft on September 30th of the conservation easement deed. Today I emailed you the same easement with the property description (Appendix A) included.

S. Couture: Could you walk us through this?

D. Kern: The property was purchased with funding from SNHU mitigation money through DES. It was part of the permit and through their ARM program and some other wetland protection stuff they are working on. They have come up with some pretty restrictive language and that made its way onto the deed for Hanscom-Lambert. If you look at the deed and conservation easement, the use limitations start on page 4, but the areas I want to talk about are at the top of page 5. This new language has been coming out of DES on riparian buffers and wetlands. They prohibit forest management within significant wetlands and within 100 feet of significant wetlands and streams. This is a pretty big departure from the past and it's pretty significant. It prohibits any forest management from wetlands and buffers. We are pushing back on that a little bit. When we do the easement baseline, we will probably blaze and mark separately to comply with the easement terms. I would try to push back if we could, but they are in the deed restrictions.

S. Couture: Are we really worried about thirty-five acres anyway?

D. Kern: Right because it's all wet out there, so there aren't many easy ways in there anyway. But we want it highlighted. Below page 5 I misread section 6 that starts "for the purposes of forestry..." but it basically says you can't cut trees. It should say forestry is prohibited in the riparian buffer, so we are stuck with the restriction but we are fighting against it with other projects we are working on. It's an issue to be aware of. Everything else is the same. I want to correct that motor vehicles are not prohibited on any Clay Pond properties. That's something to recommend. There are motor vehicles out there though.

S. Couture: I thought we looked into that last time too, but I'll look again. It seems pretty standard. We still have to close. The next step is to send it to the attorney one more time and get it back and then put it on the Town Council agenda. It may need a public hearing, then we will do a formal closing date.

D. Kern: Yes, we will do a closing. Town Council will approve and have someone sign.

S. Couture: I would propose a motion to forward the conservation easement to the attorney for one more legal check and then take it to the Town Council for approval. Is there any discussion?

P. Fitanides: I have a question about the language that says "no pesticides or herbicides shall be used." The terms "shall be used" make me think we may need to go through some hoops in order to bypass it, if needed.

D. Kern: There's a process you would go through in an emergency situation. The language does allow amendments. DES could give permission if needed.

S. Couture: Does anyone want to make the motion?

***C. Robertson motioned to forward the conservation easement to the attorney for one more legal check and then take it to the Town Council for approval. Seconded by J. Woodburn. Motion passed.***

S. Couture: I'll send the easement to Mark Dunn and ask him about roads: Wiggins Rd., Mountain Hall Rd., N. Candia Rd. and Knowlton Rd.

### **Merrimack Riverfront Update**

J. Woodburn: We got the application in by the deadline. The Stantec estimate was actually over what the grant allowed, so we pared it back to meet the \$800,000 maximum. We are also applying for a \$50,000 grant from the Recreational Trails Program.

S. Couture: Their estimate is \$1,043,941 and it's either the boardwalk or twelve feet of gravel, like Head's Pond. There is almost 1,000 feet of boardwalk and there are three bridges with handrails.

J. Woodburn: They estimated based on certain materials being used.

S. Couture: Stantec was unbelievably responsive. They helped us pare this down also. We are in good shape. I asked the Parks and Rec Advisory Board to consider impact fees if they have some for this. The CIP request is another avenue.

F. Kotowski: This is the one item I hear about over and over again on Planning Board. People are excited about this. If there is anything that would fly on CIP, this has the support.

### **CIP Request – Merrimack Riverfront Trail Construction DOT TAP Grant**

S. Couture: We need a dollar amount to put forth and we can scale back from that.

P. Fitanides: Will we be able to put this to bid?

S. Couture: Yes, that's part of the process for the construction. Right now we just need an estimate, which we have. I propose we put in for \$100,000 which is less than 10% of the overall project cost. We could say we have submitted for grant opportunities. Our intent would be to construct the primary access and see how the grants line up. I would entertain a motion to make a \$100,000 CIP request for design, permitting and construction of the Merrimack Conservation Area trails

***C. Robertson motioned to make a \$100,000 CIP request for design, permitting and construction of the Merrimack Conservation Area trails. Seconded by P. Fitanides. Motion passed.***

### **Public Input**

J. Taylor: I'm Justin Taylor. I'm with the Scouts and I'm working on something for my Eagle project and I was told that there may be something on Pinnacle that I would be able to work on.

S. Couture: Yes, thank you. We talked to the Parks and Rec Advisory Board about it and we are thinking of a kiosk with a trail map and historic information. It's registered as a State of NH Historic Place. It's very unique as it's the only place in Town designated that way. That's what we have in mind. We also have a plaque that needs to be mounted on a rock. So, yes, we have a project if that seems reasonable for what you need to achieve.

J. Taylor: Yes, I was actually looking for a kiosk to do.

S. Couture: Carolyn can work with you on that. I believe we also have impact fees set aside for materials for that kiosk. You could provide a plan of what would be in the kiosk and the layout.

Alan Stein, Eagle Coordinator, Troop 292: So the process would be that Justin would create a proposal, working with Carolyn on that. Then he would bring it to the Conservation Commission and they would have to accept that before he goes to the Eagle Board. It would be next spring

before it goes into the ground, if that works with your timeframe. Do you have other projects for other Eagle Scouts who may be coming along as well?

S. Couture: Quimby Mountain comes to mind. We have an easement on the property that allows us to build a trail, do a kiosk and do a parking lot. So there are options at that property. Kathie Northrup from the Heritage Commission might also have some ideas.

P. Fitanides: The Merrimack Riverfront Project is further down the road but it is also something to think about.

F. Kotowski: We really recognize what that troop has done over the years. You have done some pretty great things and I'm glad you offer to keep doing it. Great job.

### **DRED RTP Grant**

J. Woodburn: We are applying for the Recreation Trails Program grant. I need to have it done by Oct 28<sup>th</sup> because I'm traveling. I think we have the info for the application. We need to think about what piece we want to apply for, the bridge?

S. Couture: Yes, that's good because if the DOT one falls through, we may have money elsewhere.

### **Old Home Day**

S. Couture: People were excited about the potential trail system on the Merrimack Riverfront Project. There was a good turnout and the fireworks were amazing.

J. Woodburn: There was an article in the Banner about the project.

### **Stantec Estimate**

P. Fitanides: Where it says total quantity, I think it's in yards for gravel. If you give me the exact number, I can shop around some prices for this.

S. Couture: You are welcome to do that informally.

J. Woodburn: This amount is an estimate.

### **Conservation Commission Celebration Event**

S. Couture: How many RSVPs are there to date?

C. Cronin: Less than ten, but that does not include the Commission members.

C. Robertson: Do people send checks to Carolyn?

C. Cronin: The invitation says \$24 at the door, so I assume they can pay at the door. They can still RSVP to me though.

P. Fitanides: If you give me the exact number of people, I can relay that number to the chef.

S. Couture: We can figure out a program. We could ask Dan Kern to say a few words. Carolyn developed some maps.

J. Woodburn: I started a Power Point with pictures and information. We should include contributors and everyone we invited. If anyone has any other pictures to include, please send them to me.

#### **Peter's Brook Conservation Area Deficit**

S. Couture: Will we carry this item forward to the next meeting when Dave is here.

#### **Clay Pond Draft Plan and Public Meeting**

S. Couture: We are in good shape. We have a draft plan, the library room is reserved, and equipment is reserved.

#### **Other Business: Invoices, Correspondences, Etc.**

S. Couture: We have an invoice from Moosewood Ecological. We should find out how much we have expended from the contract.

***C. Robertson motioned for payment of an invoice from Moosewood Ecological, LLC dated October 6, 2014 for Task III – Ecological and Timber Resources Inventory and Task IV – Management Plan in the amount of \$2,085. Seconded by J. Woodburn. Motion passed.***

S. Couture: Is anyone going to the Annual Meeting of Conservation Commissions? That teacher who spoke with us previously is going. We can sponsor a student to go. It's Saturday, November 1<sup>st</sup> in Laconia.

***S. Couture motioned to adjourn the meeting at 6:57 p.m. Seconded by C. Robertson. Motion passed.***

Respectfully submitted,

Carolyn Cronin

Assistant Planner/Conservation Commission Staff Support