

## OFFICIAL CONSERVATION COMMISSION MEETING MINUTES

April 13, 2015

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

**Attendance:** Steve Couture, Chair; Cindy Robertson, Vice-Chair; JoCarol Woodburn, member; David Hess, member.

**Excused:** Phil Fitanides, member; Todd Lizotte, Town Council Rep.

### Public Input

None.

### Meeting Minutes

*C. Robertson motioned to approve the meeting minutes for February 18, 2015. Seconded by J. Woodburn. Motion passed.*

### Appointments

#### a. Christine Soucie, Finance Director – Impact Fees

S. Couture: For background, this is relative to the Parks and Recreation Advisory Board recommendation for \$100,000 in impact fees for the Merrimack Riverfront trail system. Christine will give some background relative to that request.

C. Soucie: Basically what I want to talk about is impact fees and how they're utilized, how they're managed and what the situation is with the Town. In 2001, we adopted the ordinance for impact fees and it can be used for growth related items, not maintenance type of things. It has to tie to development. The ordinance says that the governing body is the ones that can obligate and spend the funds. With regard to the Parks & Rec impact fee, late December you went to the Parks & Rec Advisory Board, you discussed your project, and they had supported the use of \$100,000 of impact fees. I know they wrote a letter to the Board, and Council has not made a decision on that yet. So that's where that stands. The issue that we have is that the Parks & Rec Advisory Board has a Petersbrook project estimated at \$500,000. When Council was putting together their CIP, they used all of the impact fees to offset that Petersbrook project. There weren't even enough impact fees to cover the full Petersbrook, so Council said they weren't going to finish the project because they don't want to use tax dollars. There's no talk about finishing Petersbrook anytime soon, so we are talking about finishing this a couple years out. When I looked at the impact fees, I wasn't quite sure how the Parks & Rec Advisory Board

could advise giving \$100,000 to the Conservation Commission for the Merrimack trail system, when they haven't finished Petersbrook. I'm in a conundrum in that I don't know how to advise Council. I think we need to clarify with the Parks & Rec Advisory Board what their thoughts were when they recommended the \$100,000. If you read the minutes for the December 16<sup>th</sup> meeting, which you attended, the first part is New Business where the DPW Director says that it's going to cost over \$500,000 to finish Petersbrook and in the second part of the meeting they recommend the \$100,000 for impact fees. So that's where we are with that. Parks & Rec Advisory Board is meeting April 21<sup>st</sup>, which I am going to attend to get their feelings of how they were going to manage both projects using the impact fees and then we will be able to say what the next steps are.

S. Couture: I went to two meetings with the Parks & Rec Advisory Board on the request. The first time, they made a decision that they were supportive of it but they wanted to make sure that Leo came in and gave them an overview of the impact fees. That was the second meeting, which is what you are describing, the meeting with Leo. I don't want to speak for the Parks & Rec Advisory Board, but my recollection of the discussion was basically that they didn't have enough for Petersbrook and they knew that there would be fundraising to try to get those additional dollars, and that there is a need for additional trails. If I remember correctly, there was \$100,000 for us and they did allocate some of the remaining impact fees to Petersbrook at that same meeting. I don't know if they set it out specifically in their minutes. In the account that they were working off of per Leo, there was more than \$100,000 and the remaining was going to Petersbrook. That was my recollection. Tom Prasol did call a second meeting to make sure everyone was on the same page, and Leo gave the background, and everyone understood how much was needed for Petersbrook and what the request was for Conservation Commission. They took that into account that they weren't going to have enough for all of that, and they took the vote and made their recommendation.

D. Hess: What I have seen in the exchange of emails was that you had basically told the Parks & Rec Advisory Board that they couldn't authorize the \$100,000 and that the Council could not take it up. Is that just a misunderstanding?

C. Soucie: Yes, I haven't told the Parks & Rec Advisory Board anything.

D. Hess: So, you haven't kept it off the Town Council agenda?

C. Soucie: No, I haven't.

D. Hess: So where is it and why is it in limbo?

C. Soucie: I don't know where it is.

D. Hess: Shouldn't it have been on the Council agenda? And if it's not, then why isn't it?

C. Soucie: I'm not quite sure. I know that the Parks & Rec Advisory Board did write the letter but I don't know where that went. The way the process should have worked is that DPW should have done a staff report, the staff report with the letter would have been sent to Administration, and then it would be on the Council agenda. I don't know if any of that has been done. I haven't seen any of it. That would explain why it hasn't been taken up.

S. Couture: After the meeting, the Parks & Rec Advisory Board said that they would write the letter and Leo said he would speak to the letter at the Council meeting. The letter was there, but maybe then there was no follow up.

C. Soucie: I don't know who the letter got sent to.

S. Couture: I believe it went to Council because they were aware of it. It seems like a very big miscommunication.

D. Hess: I've been informed that some of the recreation impact fees are going to lapse in July and revert back to the developers. Can you verify that?

C. Soucie: Yes, in July we will have to return funds if they aren't obligated. The DPW Director is aware of that and we are going to obligate additional funds for Petersbrook prior to the July 1<sup>st</sup> deadline.

D. Hess: Do you know how much funds are likely to lapse on July 1<sup>st</sup>?

C. Soucie: I do but July 1<sup>st</sup> is just the start of it and more funds lapse each following month. So knowing what funds will lapse on July 1<sup>st</sup> doesn't really give you a sense of the total between now and the end of the year.

S. Couture: That was part of the discussion at the Parks & Rec Advisory Board meeting. Well thank you, so I guess there is some follow up on our part and with Parks & Rec Advisory Board and with the acting DPW Director. I'll follow up with Diane and see what the status is. It looks like Christine will be going to the Parks & Rec Advisory Board on the 21<sup>st</sup>. We should have something moving one way or the other by May for the Council.

D. Hess: Just for your own information, I've spoken informally with a member of the Parks & Rec Advisory Board and they were under the same misapprehension that I was, that someone in the administration told them they couldn't do that. Just so you're aware of that.

S. Couture: OK, thanks and I'll make sure to clarify that with Diane when I talk to her as far as next steps.

**b. Mark West, Bear-Paw Regional Greenways – Map Presentation**

M. West: My name is Mark West. I'm on the Board of Bear-Paw Regional Greenways and in 2014 we endeavored to do some new mapping of our region. Just as we expanded into Hooksett from our original seven towns, because of partnerships and projects, we have recently expanded into Pittsfield and Barnstead. We got grants from the Open Space Institute and other organizations to do something called resilient landscapes. There's money that's available that is trying to show what happens when climate change occurs and what happens to wildlife and habitats. What they found through that analysis was that landscapes that have diverse slopes, diverse elevation, and diverse habitats are more likely to survive a change in climate and change in landscape without as much damage. It's similar to agriculture: if you have a monocrop, one crop, and you get a pest, the whole crop can get wiped out as opposed to if there are lots of different crops. This map shows some of the elements that go into this mapping. Bear-Paw began with Bear Brook and Pawtuckaway. We have two very large state parks in our region and maybe we should look at connections between them. Large forest blocks become very high in importance. We also looked at landscape complexity and landscape connectivity (roads, housing, development that breaks that landscape up). We also looked at the highest ranked habitat and the Wildlife Action Plan and you have a ton in your town. Some towns have just a smidgen of it but your town is loaded with it. Then we have all these other special elements like undeveloped riparian corridors, aquifers, water supply land, and highest ranked agricultural land. There is a whole legend of all the different things that are mapped and the resulting issue is the areas outlined in red that are focus areas. What a color occurrence map does is it layers everything. If you don't have any of those higher elements, it's white. If you have higher elements, it's dark. The shading helps show it. You're actually seeing on the map the co-occurrence of the specific areas. The Hooksett map extends into other towns, and focus areas can cross town lines. You can see that there are areas outside our focus areas where a few elements are starting to add up, but we are focused on areas that are still relatively less developed and have a concentration of darker colors and co-occurrence. The big focus area is where a lot of work has been occurring. The thing about maps is that they can become outdated very quickly, so any projects that closed before the end of 2014 are not mapped. More conservation land is constantly being added. We started the properties that Bear-Paw is involved with. We have protected areas but we have very high ranking areas right next to them so that's why work continues. It's not to say that if projects came along outside these focus blocks that we wouldn't work on them and conserve them, but we're specifically trying to show what our mapping has found is really important. All the data is referenced. Rather than a big long report, all the information is on the map. Dan Kern is the one who manages the data. There is a digital version of this.

S. Couture: I want to thank you for the time and effort to develop the map. It's going to be really helpful, not only for Bear-Paw but for the Town too. It's a great resource.

M. West: It helps you see where a bunch of important things are located together. We did it for all the towns. Thanks for being a member.

S. Couture: Thank you.

D. Hess: I put in a request to Dan Kern to see whether Bear-Paw would be interested in taking executory interest in a number of lots on the west side of the Merrimack River. Would you know about that?

M. West: Yes, it did come up. It was three weeks ago and there was snow everywhere and we wanted to do a site walk. We will be scheduling a site walk, probably in April, to take a look at it. The maps weren't clear and we wanted to take a closer look.

S. Couture: We have the full wetlands applications on file if it's something you want to look at.

M. West: We voted to consider the properties, which means Dan can spend time on it but we need site walks. We will get you an update before the end of the month.

**c. Jennifer McCourt, Merrimack Reserve, Map 1, Lots 4, 6, 8 & 9**

J. McCourt: Good afternoon, I'm Jennifer McCourt with McCourt Engineering and with me are Richard Uchida from Hinckley Allen and Paul Scarpetti. We are here to go through the plans to show you what's happened through the Planning Board process and the state approval process. Planning Board gave us conditional approval with the major condition being compliance with our state approvals. The big things we were working through at that time were the Wetlands Bureau, AOT and Shoreland and they all referred back to Kim Tuttle regarding the threatened and endangered species, mainly the eagles. Kim Tuttle sent it out to an eagle biologist. We went out and mapped the pine trees in the area. At first we were going to shift the road towards the river, but the eagle biologist said they would rather have the road as far away from the river as possible and replant the area it's in now with pine trees. That's shown on the plan. You can see starting from the cul-de-sac, anywhere from the driveway and the river to the detention pond and houses, is roosting area for bald eagles. There is a re-planting area and roosting area. This has fewer pine trees but we are still protecting it. Then there's the retention area, where no trees will be cut. We have the five house lots that we had shown you before. We have the northern roosting area included in the easement that's being granted to the town. It's also referenced in the condo docs. We will be creating a path through the woods, but we will not be cutting any pine trees. One other change that we made was the level spreader at the edge of the condo property to treat the water before it gets into the detention pond. Everything else (the road, the cul-de-sac, the

houses) have all remained the same. We resubmitted back to all the state agencies and expect permits soon. Along with the eagle roosting area will be a sign saying that it is there. Also every 75 feet there will be placards explaining there's a conservation area there. We removed the picnic area because they didn't want concentrated foot traffic.

S. Couture: In the roosting area specifically?

J. McCourt: Right, they didn't want a specific picnic area there. We won't be doing the cul-de-sac work between January and March.

D. Hess: Do we have a copy of the bald eagle report?

J. McCourt: We don't have a report but there is an email thread from Kim Tuttle. It was mainly just comments from her. After she met with the eagle biologist and Mike Marchand, she came back and told us what to do. We had an arborist tell us when the planting should be done.

S. Couture: As far as the open space that's non-roost restoration area, I noticed in the easement deed under "Use of Open Space," there are instructions that no structures should be built without permission from the grantor. I understand why the picnic area is not where it was originally, but one of the benefits to the Town was that we'd have this area where people could enjoy the scenery. I was wondering if you had given any thought to that: instead of us asking permission in the deed, we get permission on the front end with what we can do with the open space area.

P. Scarpetti: I'm not concerned about a picnic table, but if someone were to try to build a building or a tree fort, we wouldn't want something like that to be built without asking. Is it picnic tables you'd be asking for?

S. Couture: For example, I was at Watson Park in Merrimack and they have a couple picnic tables and a gazebo area and I thought that it might be nice for the town to have something like that, so that's why I'm asking.

J. McCourt: As long as it's not on the east side of the road. It would need to be on the west side of the road. It would probably need to be chained to a tree so it wouldn't move to the east side. I'm just not sure how much traffic you'll get down there.

P. Scarpetti: It's been a balancing act with the state. I'm amazed at what we went through with Fish & Game, as far as the kind of restrictions. If you wanted to cut trees down for a gazebo, we'd have to go back to Fish & Game for permission.

R. Uchida: You could put something next to that sentence that talks about the ability to place a picnic table on the west side of the driveway. That's out of the eagle roosting areas. That's somewhat easy to specify in terms of where that is.

S. Couture: There's enough open space to do that without cutting trees?

P. Scarpetti: There are some areas.

S. Couture: I do appreciate the conservation you are putting forth for the bald eagles.

P. Scarpetti: I have no problem with that at all. Jocelyn and I had envisioned that people would use it for that. That's why we're here.

R. Uchida: We will specify that you can't cut trees to get the table in there.

D. Hess: I understand that the roosting area occupies almost the entire length of the conservation area on the river side.

J. McCourt: Yes, except for where the detention pond is.

P. Scarpetti: The only time that they are trying to be restrictive is January, February, March.

S. Couture: That northern corner is all designated roosting area?

J. McCourt: Correct.

R. Uchida: That's the one area they will allow the winter activities (snowshoeing, hiking). They won't allow it further down.

S. Couture: It will be tough to enforce but hopefully the signs will work.

P. Scarpetti: Right, there will be placards and signs and also the people living there will enforce and maintain it.

J. McCourt: Just to reinforce the main issue, Paul went out last week and someone had cut a tree down and took the main portion and left the top.

P. Scarpetti: I'd call the police about it, but it's just an ongoing problem.

S. Couture: You're still waiting for a final response from Fish & Game?

J. McCourt: She just wanted verification that we weren't going to cut anything.

D. Hess: You mention in the email chain that the public parking will be in the center of the cul-de-sac and all winter activity will be west of the driveway. How will parking fit in the center of the cul-de-sac?

P. Scarpetti: It will be wider and it will be striped.

J. McCourt: We widened the center of the cul-de-sac by nine feet and added parking.

S. Couture: Just to go over the process again, you came to us first for a recommendation to the Zoning Board, then Zoning Board approval, then Planning Board approval, then to us because we have approval per the Town Council, and then the final decision is the Town Council and they will have all the input to consider for the discontinuance of the road. That's the process that the Council set up a year ago. One other item to bring up is that we did put into regulations how we usually treat stewardship fees and they had already gone through the Planning Board process before it was codified. At the same time we have the ability to ask for a stewardship fee and it's going to be a lower fee because of the conservation easement deed. I think it's very applicable as it's going to be a high maintenance property as far as making sure the natural resources are protected over time. Jennifer did a quick calculation on this and I believe it was under \$2,000 so we have that opportunity as well. We communicated back and forth so I'm providing background to the other members that Jennifer and I had a conversation about it. Does anyone have any other thoughts or concerns?

D. Hess: I think everyone knows my concerns and so I will be voting no.

P. Scarpetti: I would think that because it's an eagle roosting area that you could appreciate that we are trying to conserve the property.

D. Hess: I wasn't aware of the eagle issue until tonight, but it doesn't change my feeling.



S. Couture: So that we are all on the same page, could you remind us of your position?

D. Hess: As I mentioned in my email of August 11<sup>th</sup>, “From a conservation perspective, I strongly oppose any iteration of the Scarpetti project as proposed. I believe that the highest and best conservation use of the property in this area is for the Town to retain ownership of the Class VI extension of Edgewater Drive and Lot 6 as it exists along the River in their present locations – right along the banks of the Merrimack River. This provides an exceptional opportunity to develop a trail from the southern terminus of the Town-owned land to the Bow town line on the west side of the river, immediately along the river’s edge. It also preserves the natural viewscape of the rivershed in this immediate area much better than if five additional residential units were to be constructed along this stretch of the river. The proffered exchange for giving up this conservation gem – a “pocket park” of barely ½ an acre in size isolated from any other conservation lands – is, for all intents and purposes, worthless from a conservation perspective. It is small, isolated, fragmented, and has much less conservation value, in my opinion, than the land currently held by the Town in this location. I realize some people believe that a property owner should be entitled to use his/her property as he/she wishes as long as it is permitted by local land use regulations. I share that general philosophy. However, the Scarpetti proposal does not warrant this consideration. Granting their proposal would significantly and substantially expand, enlarge and intensify the permitted uses on this property over what is currently allowed, and what was allowed when the Scarpettis purchased it. They don’t own the property; they want to acquire it from the Town. As such, rejecting this proposal does not diminish their rights as a property owner. It merely limits them to those they currently possess. Please thank all of the Commission members for considering these thoughts. David W. Hess, Member.”

R. Uchida: You may recall that parts of that road are eroding into the river and pieces of that Lot 6 are stranded due to the erosion. Our proposal is to open up the entire parcel rather than just the isolated pieces of the road. I appreciate Mr. Hess’s position. I thought that opening up that parcel in a broader way for the recreational use might make it more of a public benefit over the long haul.

S. Couture: Getting back to the stewardship fee, do we have a copy of the calculations?

R. Uchida: The stewardship fee was based off of the 3.5% for a conservation easement, not the 1% for deed restrictions.

S. Couture: Correct, it should be based off the 1%. In this scenario, the owners still have responsibility.

P. Scarpetti: We plan on having an active role in maintaining the property and it's in our documents so I think we went that one step further of what most people do because we will be maintaining it.

S. Couture: I saw that and I appreciate that. One reason we have the stewardship fee is so that the town can make sure its responsibility is met, to make sure things are being maintained.

C. Robertson: I respect Dave's position and I hear it, but I respectfully disagree with him. I think you've done a really nice job in developing this property. I think this is a good use to try to create something that the town can use. People will now have access when they didn't have it all the way down before. I appreciate the protection of the eagles. I recognize you were required to do that but it's still going to be nice. I don't have a problem with that. I think it's fine and I plan to vote in favor of it.

P. Scarpetti: Thank you.

S. Couture: I do appreciate Dave's comments and position. I have committed a lot of consideration over time. At the same time, I am encouraged to an extent that the natural resource characteristics of this property have come to our attention, so some restoration is occurring that we would not have thought of otherwise. It does limit our access which is one of the things we focused on in the beginning. In the end it seems like we have a good balance. I do appreciate the time and effort that you put into the process, and how many times it's come before us. Two items that I think I've already mentioned: the stewardship fee is something we should recommend. The other is to give us some leeway as far as creating a picnic area without a lot of restrictions. If we want to build a covered area and it doesn't take down any trees, I think giving us some flexibility instead of trying to negotiate it right now would be my preference.

D. Hess: What is the current size of the proposed open space easement?

J. McCourt: The complete open space area is 9.7 acres.

S. Couture: As far as the deed language, generally what we do is we send it to the town attorney for review, specifically the attorney that we work with on conservation issues, so I just want to make sure you're aware of that.

P. Scarpetti: I gave the condo docs and the final plans to Dr. Shankle so he could review them for the Town Council.

J. McCourt: My only concern is that hopefully there are no big changes as we have already been through Fish and Game and I don't want to have to go back there again.

P. Scarpetti: I'm fine with the stewardship fee. As far as a building, what size are you looking at if we were to put the language in there?

S. Couture: Maybe a 20-foot by 20-foot space if that's available.

P. Scarpetti: Yes, we could do that, we just want to make sure that we protect the trees.

J. McCourt: You may want to put it in square footage instead in case you need to go long and narrow or make it around a tree, or something like that.

S. Couture: That's a good recommendation.

P. Scarpetti: We'll put 400 square feet in there.

***S. Couture motioned to approve the Merrimack Reserve (Map 1, Lots 4, 6, 8 & 9) as presented to the Conservation Commission this evening for consideration by the Town Council with the following conditions: 1. A 1% stewardship fee be calculated according to the Planning Board Fee Schedule for the conservation area that's protected by the deed, 2. Deed language be amended to include the right for the Town to have a 20 ft. by 20 ft. picnic area within the open space area that's not restricted due to eagle roosting habitat, 3. The deed language be reviewed by the Conservation Commission Attorney and upon a positive response and approval by the Attorney, that the package then move to Town Council. Seconded by C. Robertson. Opposed by D. Hess. Motion passed.***

J. McCourt: What is the time frame? We have a meeting on May 13<sup>th</sup> with the Town Council so I want to make sure we have an answer.

D. Hess: I recommend sending it to Mark Dunn directly and tell him it is urgent.

J. McCourt: Great, we will email it and make sure everyone is copied on it.

P. Scarpetti: Thank you very much. It's been a pleasure working with all of you on this Board.

S. Couture: Thank you for your patience in working through the process.

P. Scarpetti: I think it's going to be a great thing for the town.

**d. (Continued Appointment) Christine Soucie, Finance Director**

S. Couture: Christine is back with something quick to share with us.

C. Soucie: Thank you. I wanted to get back to Mr. Hess's question about how much impact fees we would be returning as of July. It's \$695 as of July 31<sup>st</sup>, in August another \$2,085, in October another \$3,000. By the end of the year it's about \$8,000. We do have plans to encumber the funds one way or another. I also want to touch base with you on the email that kind of started this whole thing. I had sent Steve an email along with the Voters' Guide and had asked him to look at the changes and if he had anything to get back to me. He responded to Councilor Sullivan and Councilor Lizotte and asked if Council would be voting on this prior to the printing of the Voters' Guide. Councilor Sullivan then emailed me and asked me to respond. I said, the answer to Steve's question is no, Council will not be voting prior to printing the Voter's Guide. The reason it hasn't gone to Council was because there wasn't enough money between both projects and the reason why I said that they wouldn't at the time was, logistically, the Council meeting and the printing wasn't going to work for them to have it on the agenda. That's just a clarification. In no way did I say that they couldn't request funds to be used for the project. I just said that they wouldn't be voting on it at that time, so I think that's where the confusion was.

S. Couture: Thank you.

**e. Keith Coviello, Owen's Marine Property, Map 49, Lot 44-1**

K. Coviello: I'm Keith Coviello from Long Beach Development. I'm here with Keith Martel from Sterling Homes. We are in the very early stages of putting a property together. It's a piece of property that was before the Town of Hooksett back in 2004, Randy Owen's "Owen's Marine." Ultimately, it fell to a denial from DES and the impression I was given, from different sources, was that Randy and his sources were having trouble accommodating some of the Commission's requests. However, we are here to say we know you didn't like Randy's proposal. We're proposing a little bit less. We would like some feedback in terms of what exactly they didn't like. Was it the amount of impact? Were there some other things that you didn't like? For us to move forward is this something we can be working on together? We plan on using Keach-Nordstrom Associates because they did the work the first time and Schauer Environmental Consultants will be the wetlands scientist because he was the wetlands scientist back in 2004. The property is on 28 Bypass by the Granite Group. We are here to get some information, some history, and some good input to move forward.

D. Hess: I'm confused about the two plans here. Is one a before and after?

K. Coviello: Yes, the one that says Keach-Nordstrom Associates was proposed back in 2004 and the other is a concept that I've been working on.

D. Hess: The plan shows a rectangular lot and your site location shows a hammerhead in the back. Are you just showing the front of the lot and the back will be all conservation easement or something like that?

K. Coviello: Yes, they were working on a conservation easement back in 2004. Basically I just blew up the concept plan so you could see more of the work.

S. Couture: What's the total square footage of wetland impact on the new plan?

K. Coviello: I didn't actually calculate it yet, but I think I have about a 15,000 square foot decrease.

K. Martel: I think the original plan was in the 30's. The old plan protruded much farther out into the wetland than the current concept.

K. Coviello: It's just shy of 40,000 square feet in the original design.

K. Martel: Keith's new concept just impacts the fingers of the wetland, not the main body of it.

S. Couture: So there's approximately 20,000-25,000 square feet of impact.

K. Martel: We've had a hard time finding historical opinions or input on this as far as what was liked and what wasn't liked.

S. Couture: Clearly you've minimized the impact. Mitigation is going to be required. I'm not so keen on holding an easement because it's isolated, so maybe a deed restriction and payment. That's my initial reaction. Obviously you will have to go through AOT and Planning Board.

D. Hess: I agree except that I notice right behind the locus site, the zoning is Medium Density Residential. I'm wondering if that's been developed.

K. Martel: That's the Beaver Brook development where, I believe, he's just put down the first stretch of road.

D. Hess: If this will be connected to another conservation easement, we may want to consider it.

S. Couture: I think the easement does actually abut.

K. Martel: Manchester Water Works also owns the property immediately to the south of us. Our general intent is to keep development toward the front of the property. We just want the Commission's input, understanding that the first concept pushed fairly far out into the wetland because of the specific use that he had.

C. Robertson: We should look up the old minutes to see what they said.

S. Couture: Something to look at from a mitigation perspective is abutting easement land on Beaver Brook.

D. Hess: How big is the Manchester Water Works property?

K. Martel: 30 or 40 acres. I'm not sure. We will minimize the impact and figure out what to do with the back of the property.

K. Coviello: The original proposal was for boat sales so he needed a big layout for boat display, but we will be retail mixed with some office use so it's a much different project from what was originally proposed.

S. Couture: Have you met with the State yet?

K. Coviello: We were more concerned with this board because the State wasn't able to come to terms with the Town. At least that's how it was explained to me by a couple of people. We intend to reach out to the State and see if I can meet with someone up there.

## **Other**

### **a. Warrant Article**

S. Couture: I presented to the Garden Club. That went well. It was about eight or nine of them. It went really quick. They were very receptive. I mentioned the warrant article and said that the

Conservation Commission recommended it and got letters of support. We had our plug at the Kiwanis event and there were a lot of people there.

J. Woodburn: There were about fifty people at the Deliberative Session. There were a few questions about where the rest of the money is coming from.

C. Robertson: Voting day is May 12<sup>th</sup>. I could be out there in the morning.

S. Couture: We can have a sign, information and a map.

D. Hess: There is a rule in the state that any visuals have to be held, you can't have it on a stand. The idea is that someone needs to be there.

S. Couture: We need to present to the Hooksett-ites. Maybe we need someone at a lunch time slot on Voting Day.

D. Hess: I'll take lunch.

C. Robertson: We meet again the day before the election.

## **b. Internship Update**

### **i. Job Description**

S. Couture: The job description looks wonderful. Can you give some background on where this is at as far as getting posted?

C. Cronin: I sat down with Dean Shankle, Jo Ann Duffy, and Christine Soucie a couple weeks ago to work out the final details and talk about the process of getting this through. Dr. Shankle advised me that the Conservation Commission will approve the position and the job description then it will move on to Dr. Shankle for final approval. Once he's OK with it, they will post it to the Town website and wherever else they are required to post it, but we can post it wherever we want, if we want to send it to schools or post it on different conservation job boards, we can do that. So for the sake of timing, I'm hoping tonight if you have any corrections, additions, questions, concerns we can try to work it through so we can approve it tonight. Dean had recommended keeping it no more than 30 hours per week to make sure it's compliant as a part-time position. The work day would be 9:00am to 3:30pm, they would get a half hour unpaid lunch break. If it's \$10 per hour for 8 weeks the total cost of pay for the intern would be \$2,400. To pay for that, we can move funds from the Conservation Fund to the part-time employee line in the Community Development budget because Conservation Commission no longer has that

part-time employee line. So you would have to approve that when that comes through. From the Human Resources end, the intern would need a full background check, drug testing and physical so they said plan about two weeks for that.

S. Couture: I think the job description looks great. I like the bulleted items. I think it's everything we were hoping to achieve. It gave them the flexibility to work on other projects other than just going in the field, doing inspections and writing up reports.

***S. Couture motioned to authorize \$2,400 from the Conservation Fund to be used to fund the intern and that it can be moved to the Community Development part-time employee budget line and that we approve the job description as presented and that it get posted as quickly as possible. Seconded by C. Robertson.***

J. Woodburn: Do we want to include "some Saturdays" because it says some evenings may be required?

D. Hess: I agree and I think it should go further and say "some weekend work" may be required just to cover anything that might come up.

***Consensus to include "some weekend work may be required." Motion passed.***

D. Hess: Do we have any criteria for qualifications in the job description? Do they have to be over 18 and working towards a Bachelor's or Master's degree?

C. Cronin: It says high school diploma or GED, driver's license and any equivalent combination of education and experience.

S. Couture: We aren't requiring college transcripts or that they are currently in a major relevant to conservation?

C. Cronin: No. With the requirement of a high school diploma you would get someone over 17 or 18 years old. Under "Other Requirements" it says knowledge of land conservation work and/or conservation easement and deed restrictions preferred and interest in conservation, forestry or the natural sciences preferred.

S. Couture: Do we want their transcripts if they are in school?



D. Hess: How long does it take to get the transcripts?

S. Couture: You can do it online now. I would say to give preference to someone with a natural resources degree.

***C. Robertson motioned to amend the prior motion to include “Preference given to applicants pursuing a natural resource management degree. If enrolled in a program, transcripts are required.” Seconded by J. Woodburn. Motion passed.***

## **ii. GPS unit**

C. Cronin: If we get an intern, they will need some kind of GPS app or device while they’re out there. I asked around Town to see if any other department had a GPS we could borrow and no one had one. Then I got in touch the woman from UNH who had been helping me and she said Garmin, which is a pretty general recommendation. Then I reached out to the NH Association of Conservation Commissions to see what they think and Emily Lord there said, if you don’t want to buy a handheld unit there are a lot apps you can use. She said the apps with cell service are more accurate because they use both in the in-device GPS and cellular data to pinpoint your location. She uses an app called GPS Kit. So there are a few things to consider. If we want a Garmin in a lower price range it could be anywhere from \$120 to \$200 or \$300 depending on what features you want. The benefit of that is you don’t need to buy anything else. The other option is to buy an app like GPS Kit, which costs \$15, but it would need an iPad or iPhone and it would need cell service, a case and a screen protector. An iPad Air is \$400 and iPad mini is \$250. It’s more expensive than a handheld GPS, but the benefit is that then you’d have an iPad for Conservation Commission that you could use for other things if you wanted to.

D. Hess: The Council has to perambulate the Town boundaries every ten years or so per the Constitution. Do they have a GPS?

C. Robertson: Maybe the library has some?

S. Couture: It seems like the Garmin is the best option since it’s our first time out.

C. Robertson: Maybe Dan Kern can help us.

S. Couture: We can ask him when he gets here tonight.

## **c. Earth Day Clean Up**

C. Cronin: The Earth Day Clean Up is scheduled for April 25<sup>th</sup> in conjunction with the Recycle & Transfer Earth Day Open House. They will have paper shredding, kids' activities, Touch-A-Truck. They will provide the trash bags for us and pick up, like last year. We have an exciting sponsor this year. We got hooked up with Comcast who talked with Senator Boutin about their "Comcast Cares Day," in which their employees do a volunteer project specifically on April 25<sup>th</sup>. Senator Boutin then passed it along to Frank Kotowski because he's involved with this board, who then passed it along to me and as it turns out it's the same day as the clean-up. Comcast will be providing volunteers and some supplies, as well as coffee and donuts. They have 28 volunteers signed up so far. They can also do gardening and mulching and invasive species removal for Japanese knotweed. It's a good opportunity to give your warrant article elevator pitch. I talked to a reporter from the Banner who will run an Earth Day story on April 16<sup>th</sup> about it. USA Subs and Giovanni's will give volunteers 10% off lunch. Make sure if you want your free t-shirt, to register on the Comcast website. It's pretty exciting and it's a really good way to tie in the Riverfront property. It's starting at 8:00am on April 25.

#### **d. Pike Industries**

S. Couture: The easement language is going to change. The Attorney General has now recognized that DES doesn't have statutory authority to accept easements for mitigation executory-wise. So there will be language changed to no longer give DES executory interest but instead makes them so that they can enforce the permit.

D. Hess: We should pass a law that given them executory interest. Have you seen the Attorney General's opinion?

S. Couture: No, I just talked to Lori Sommer about it. So that's a change with Pike. There was also an endangered species determination related to this property so there may be more changes to Pike.

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

##### **i. Bear Paw Invoice**

*S. Couture motioned to approve payment of an invoice from Bear-Paw Regional Greenways dated February 28, 2015 for land acquisition costs relative to Hanscom-Lambert in the amount of \$9,373.61. Seconded by C. Robertson. Motion passed.*

##### **f. Dan Kern, Bear-Paw Regional Greenways**

S. Couture: We are trying to hire an intern to do some easement monitoring and we were discussing what to do for a GPS unit. We are discussing buying a Garmin unit for a couple hundred bucks. Do you have any thoughts or recommendations?

D. Kern: I think that would work. One thing is you can tell where they've been if you download the track every time they go out. The other thing is there are programs that are free that allow you to tie photos with the track. There are two workshops, one on May 16<sup>th</sup> on monitoring and one on June 6<sup>th</sup> at Bear-Paw about navigating in the woods. We are finally moving ahead with Manchester Sand & Gravel with Hinman Pond II. The property is 213 acres. It's a Bear-Paw acquisition with a Fish & Game easement. It fills in the hole between Buxton and Murphy's Drake. It also fills in next to the Great Marsh. We closed on the Great Marsh in December, 395 acres. There are a few Town properties to discuss before we go into non-public.

S. Couture: We got an update on Pike from Mark West.

D. Kern: Yes, we want to go on a site visit. So you're interested in us holding the executory interest?

S. Couture: Yes, because we have abutting parcels and other existing Pike easements.

D. Kern: I can get back to you before the next meeting so I can do a site walk. The other one is a small property, so it's hard to figure out what to do with it because it's so tiny. Maybe it can be amended to Clay Pond II. It's isolated surrounded by Manchester Water Works land. I've talked to them about the idea of a land swap. I think there's room to make some sort of deal.

S. Couture: It would be great to create a parking area and mark it as such. We will open up that conversation with them. I'd like to walk the property sometime in May or June to look at possible gate locations.

D. Kern: Bear-Paw has a couple events coming up. May 9<sup>th</sup> there will be a walk at the Great Marsh Preserve and June 13<sup>th</sup> we are doing a mountain bike ride out at Clay Pond. Also we are looking for volunteers to be committee members or board members if anyone is interested.

S. Couture: Just so you know, we got an award from Kiwanis, the Community Impact Award. We highlighted you in the speech because it's a great partnership.

D. Kern: Congratulations.

### **Non-Public**

***S. Couture motioned to enter non-public session at 6:30pm. Seconded by C. Robertson. Motion passed.***

NH RSA 91-A: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 exit non-public session at 6:45pm. Seconded by D. Hess. Motion passed.***

C. Cronin: Before we leave I just want to let you know that Old Home Day will be September 19<sup>th</sup>. You should start thinking about if you want a booth. They need to know soon.

***Consensus to request a booth for Old Home Day to share with Bear Paw.***

D. Hess: Do we want to ask Diane to ask the DPW guys to clean out the strip between the river and the Rowing Club for access over Brown Brook? Leo had offered to do that.

***Consensus to ask Diane about clearing the access point at Brown Brook.***

S. Couture: We got an update on conservation easements. 1,769 acres are owned by Bear-Paw. When they get Hinman Pond II it will be an additional 213 acres. GE got their AOT permit. Ridgeback got a request for more information because we had asked about the updated modelling for the culvert. We have \$521,000 in the Conservation account. We have the final Clay Pond Stewardship Plan.

***C. Robertson motioned to adjourn at 7:00 pm. Seconded by D. Hess. Motion passed.***

Respectfully submitted,

Carolyn Cronin

Assistant Planner/Conservation Commission Staff Support