

OFFICIAL CONSERVATION COMMISSION MEETING MINUTES

September 14, 2015

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

Attendance: Steve Couture, Chair; Cindy Robertson Vice-Chair; JoCarol Woodburn, member; Phil Fitanides, member; Deborah Miville, alternate; David Ross, Town Council Rep.

Excused: David Hess, member; Todd Lizotte, alternate

Public Input

None.

Meeting Minutes

C. Robertson motioned to approve the meeting minutes for August 10, 2015. Seconded by J. Woodburn. Motion passed. D. Ross abstained.

Appointments

a. Dan Kern, Bear-Paw Regional Greenways

i. Heroux acquisition

D. Kern: I have an updated budget on the Heroux property. We put in the \$30,000 LCHIP request. I increased it a little bit from last time to make up for the ARM money. I got a price on the survey of \$9,200. He's ready to go if we're ready to move forward. The new thing on the funding end of things is the Merrimack Conservation Partnership Transaction Grant. I think we could probably get about \$15,000 for that. That leaves \$18,000 left. I'm at a position where I just don't think we can go to outside funders to get the property for free for the town. The Town's contribution has to be something. If we get all the requested funds, then it will be \$19,000 for the town.

S. Couture: We authorized up to \$91,000 so we are set. My only question on your budget is the appraisal because we already have an appraisal. Do we have to do something else?

D. Kern: Karen paid for the first appraisal that was done. I'm just concerned that if it takes us much longer to close, like beyond the end of the year, we may have to update it. If we can close before the end of the year then we won't have to update it for LCHP. It's usually around \$1,000

to \$2,000 to bring the appraisal up to the current date. Other than that, it looks good. We need to put the request in for the NHDES Drinking Water Source Protection too. That process will probably drag on into the beginning of next year, even if we are ready to close.

S. Couture: With the Purchase and Sale agreement we need to close before the end of the year but we can do the grants rolling.

D. Kern: One thing I would encourage us to do is if we do the survey, then we won't have to wait until the middle of next year to close the project. I would ask that the Town pay for that as opposed to Bear-Paw. It's a lot for us.

S. Couture: We could pay for it when we get the bills. We could get three bids and go through that whole process without reimbursing you.

D. Kern: T. D. Broulliette Surveying is one of the cheapest I've run into.

D. Ross: He's familiar with the area. He's done work for us already. The value is in line with the market. I can't see that it will be a real problem.

S. Couture: If you send us an amount, we can pay it out of the Conservation Fund.

D. Ross: Would paying for the surveyor count toward the \$19,000 the Town would pay overall?

S. Couture: It depends on how we do the grant applications and what we are seeking them to pay for.

D. Kern: I would like the Town to submit the application, but we can prepare it. We have other projects we are trying to get funded and there is a limit to how much we can submit. I'll give him the go ahead to move forward, but I'll solicit my usual bids.

D. Ross: It would be good to have three bids.

S. Couture: Great, thanks for all the work on the application to date. There's a site walk with LCHIP on Tuesday, October 13th, 9:30am to 11:30am. I plan on attending and maybe other people are interested. It's not so much a "fun" walk as a look at the property with LCHIP representatives.

ii. Town properties

D. Kern: We scheduled a few site visits around the Summit View and Pike area, but have had to cancel because of weather. We have a walk scheduled for next Tuesday at 4:00pm, tentatively.

S. Couture: The timing is good because Pike is moving along. We have Summit View on the Bow town line and there's a connection with Pike there. Overtime that will be a good connection.

D. Kern: We are still planning to go out there and we are still considering it, so I apologize for the delay.

S. Couture: It would be great if it would all be under the same executory interest.

iii. Old Home Day

D. Kern: We have a few events that day, but we will have at least one person there. We can bring maps to display. Also, we are closing on Hinman Pond II, the 200 acres that abuts the Great Marsh area. There aren't many more properties left for us in that area now.

Clay Pond Parking Area

S. Couture: While you're here, we have a proposed parking area at the end of Chester Tpke.

C. Cronin: Last week Joe Wichert, the applicant, Jim, Jo Ann and myself got together to talk about parking options.

J. Donison: The owner has a three-lot subdivision. They own a property on the opposite side of the road too. They did a survey and wetlands delineation. They want to build a house and they are willing to give an easement just beyond where the Class V road ends for ten parking spaces. They said they would be willing to grant an easement for that.

C. Cronin: We asked about doing a kiosk in the right-of-way and parking on their property. The Town would be responsible for building and maintaining the parking lot and the kiosk. We need to draft some easement language for that. They want to reserve the right to remove the kiosk if it's not maintained. Joe presented a plan with two options for parking. Option 1 is ten spaces in a row along the road. Option 2 is two rows of parking double stacked but it would block cars. Both options are ten parking spaces at nine feet across.

D. Ross: The single stacked would be the preferred method. Would the stone wall be removed?

J. Donison: I would think so. We will make sure that removing that stone wall isn't an issue.

S. Couture: Option 1 seems pretty straightforward.

J. Donison: I want to point out that it is on a Class VI road so the Town can't maintain it.

D. Ross: I know we're not required to maintain a Class VI, but I didn't realize we were prohibited from it.

J. Donison: We are prohibited unless it's an emergency lane.

D. Kern: What if you shifted the parking area about ten feet? Then the access to the area would be from the Class V road and you could maintain it.

S. Couture: We need to get back to the property owner because this issue is holding up his subdivision approval. We want Option 1 and if we shifted the parking about 10 feet so that it's accessed from the Class V road, would that work as far as maintaining the parking lot?

D. Kern: You might be stuck because it seems funny that the Town would build a parking lot that you can't get to. I'd be worried because it seems like a contradictory mess.

J. Donison: The owner's goal is to not have the parking lot too close to the proposed house and that's why it's designed that way.

S. Couture: It's parking at your own risk on a Class VI road.

D. Tatem: You should consult with the Town's legal counsel and find out the legalities of what you can do and what you can't do.

S. Couture: Yes, I think we need to go to legal counsel and find out if what we are doing makes sense. We can say that we are satisfied that the applicant met the condition.

S. Couture motioned to conditionally approve Option 1 conditional upon the opinion of the Town Attorney regarding access and maintenance. Seconded by D. Ross. Motion passed.

b. Dan Tatem, Stantec – Merrimack Riverfront Project

D. Tatem: For today's update we have made some significant progress. We will get the wetlands permit with no comments. We got Dean to sign the letter requesting the 20-day waiting period for Town department head comments because it's a Town project. I talked to Bill Thomas about the revised height of the boardwalks to eliminate most handrails, and we submitted a waiver. We will have the permit tomorrow. We got support from Fish and Game. We addressed all their concerns. We got the Shoreland permit. We discussed mitigation with Lorie Sommer and received verbal approval of the Trail Notification Permit. At the last meeting you decided that the sacrificial decking will be an "add-alt" bid item. The farm bridge (the northernmost crossing) has been the most difficult piece. That was a wetland that years back someone just built a road on, so the wetlands parallel it. I think we are close to designing it at 12-foot wide. It has to be done safely. All the boardwalks will be timber with reduced-sized concrete abutments. The big question to finalize the trailhead bridge is the style of it. The options are a stick-built wood frame

for \$46,500, a pre-engineered Glulam for \$29,000, or a Contech steel truss bridge for \$43,000, which is rusted-steel with wood handrails.

P. Fitanides: Is it marine-grade wood?

D. Tatem: No.

P. Fitanides: This stuff tends to rot, so I would think anything less than marine grade is unacceptable.

D. Tatem: This is not near any salt and it's 12 feet above the water. All it's going to get is rain, so I would imagine it will last about 100 years. The Glulam is good for about 50 years.

D. Ross: I like the third option because it looks the nicest and will deter people from climbing on it.

C. Robertson: I like the second one because it looks nice and it's a good price for 50 years.

D. Tatem: I can get some more pictures for you if there is a style you like and I can give you options for handrails.

P. Fitanides: The Glulam looks like it might have a lot of problems down the road. The bridge is susceptible to dry rot.

D. Tatem: I'll put together a one-page summary with additional pictures, I'll address the concerns with the dry rot, I will confirm the life expectancy, and I'll get the cost on the steel option as wood.

S. Couture: It's an aesthetics and maintenance question that is the concern right now.

D. Miville: If we approve this, are we approving the same style for the farm bridge?

D. Tatem: This bridge marks the entrance to the property so you want to look nice. The farm bridge is going to be built to be structurally sound enough to support a farm tractor, so it will have a basic design.

D. Ross: As far as handrails, there is a required grab rail at wheel chair height which is typically steel. Would it have that?

D. Tatem: The steel bridge has what they call a rub rail. Bikes require taller rails. With steel, you will have to paint it and if it gets rusted no one will want to touch it. I can also find out where some of these have been installed in the last couple years so you can go out and look at them. We need the abutter to sign the temporary construction easement for us to be able to do the work. We need to discuss the construction schedule. It's our opinion that this should go to bid this fall because the clearing has to be done after late October for the bats. You need to cut those trees this winter. If something goes wrong with that, you could still get an Intent to Cut because you own the property.

S. Couture: Could we just do the tree cut and not do the construction until 2016?

D. Tatem: Yes, or you could do a pre-bid meeting and if it's not a bad winter they could work all winter. You may get better pricing if you push the work out because we are bidding other projects and they are so busy we aren't getting any bid responses.

S. Couture: The issue is the timing of the DRED funds. The Notice to Proceed probably won't come out until mid-November but that's still unclear. There was a hang up on the state and federal side so it got pushed out. I asked about options for using the money, but I haven't heard back yet. I want to discuss Dave Hess's email. On September 10th Dave went out to the property with Mike Marchand and Chris Williams. This doesn't make sense to me but, for some reason, it sounded like Mike and Chris thought we were asking for a 12-foot wide path. They walked the existing walking trail in the second field and they were fine with that. It would just need to be mowed. It doesn't need a permit or any construction. Dave is questioning the 12-foot width. He said that most are 4 to 6 feet, but that sounds narrow. Dave is talking about the loop off the main drag. It's too wide and might take away from the aesthetics of the property. I wanted to bring that up for him. My question for Dan is if this is changed how would that affect everything?

D. Tatem: If we start changing widths we will have to come up with two designs, especially for the bridge design and that will be an additional cost. It will save you money in bid construction.

D. Ross: When you look at it, 12 feet is pretty wide for a walking trail.

C. Robertson: This came about from discussing the pedestrian safety issue when bikes and walkers are on the trail at the same time.

D. Tatem: It's nothing we can't change and it would be cheaper to build. I would need to sit down and go through the plans again to get a cost estimate though.

Consensus to reduce the trail from 12 feet to 8 feet on the loop trail.

D. Tatem: As far as your wetlands permit goes, leave it at 12 feet and then build 12 feet or less, because you're approved for 12. I would just have to check about the expiration of the permit.

S. Couture: Thank you. Nice job getting the permit in.

D. Tatem: For the next meeting I will look into trex handrail for the bridge, the cost for the wood truss on the Contech instead of the steel, lifespans for the Glulam and steel bridge, pros and cons on pressure treated decking versus trex decking, and Phil's concern on the marine-grade versus regular pressure treated and susceptibility to mold, and more pictures. You guys have the most environmentally friendly project I've ever seen. You will have an invoice by the end of next week or earlier. It can wait until the October meeting for approval.

Other

a. Merrimack Riverfront Trail System Project

i. Schedule Public Informational Meeting

S. Couture: From your perspective, based on how much information we will have, when do you think is a good time to have this meeting? It's to inform abutters what we are constructing and how.

D. Tatem: I would wait until the plans are done. Then we can put together poster boards with details and photos and I can attend that meeting.

S. Couture: What's the timeline on that?

D. Tatem: Probably a month. I need extra time now that the trail width has changed.

S. Couture: So late October would be a good time. It would be a 6:00pm meeting at the library. Let's do tentatively Monday, October 26th.

ii. Moose Plate Grant Application

S. Couture: We have an excellent application. It was well worth the money spent for the consultant. She did a really good job and I think we have a good shot. Once we submit it, I can send it out to everyone.

iii. DRED Grant Application

S. Couture: We talked about this earlier. I will follow up with them.

iv. Kiwanis Partnership

S. Couture: I sent an email to Tom Young who is, I think, the Chair of their trail sub-committee. We will need some fundraising support. They are at the beginning of setting up their budget and it sounds like they will set aside some money for this project.

P. Fitanides: Can we collect funds at Old Home Day?

S. Couture: We are allowed to collect money but I think an online crowdfunding source will be more official, like GoFundMe. Does someone want to look into it?

J. Woodburn: I can look into it.

S. Couture: It sounds like Deb can set up in the morning at Old Home Day and I can take over from there. We need something to display our poster boards on.

S. Couture motioned to approve up to \$100 dollars for table top easels for Conservation Commission displays. Seconded by D. Ross. Motion passed.

b. Clay Pond

i. Gates

C. Cronin: I talked to Dennis Sweeney from Blue Ribbon Fence today. He can install the gates in October. He can't get a truck out to all but one location, so he will have to use his ATV and hand carry everything and hand mix the cement out there. So, it's going to be a lot of work. I told him that if this beyond the scope of what a typical donation is, that we can help out or pay him.

S. Couture: We can reimburse him for supplies if he just wants to donate his time. For the effort he's putting in, we can do whatever helps.

ii. Winter Timber Harvest

S. Couture: We had Compartment 1 scheduled to have winter timber harvest and it will take care of a motorized vehicle access point, which will be really helpful. Is the Commission comfortable with me going back to the consultants and asking about the cost of doing this and how it works? I just want to start the conversation.

Mila Paul gave an explanation of different ways foresters get paid for timber harvests.

D. Ross: Plus, coming up with a forestry plan for the whole Town has been ongoing and is being spurred into action now. I had made a suggestion about the Town and spending more time toward the internship and understanding forestry. I shared that with the Council and the Administrator took note of how to expedite the process of getting you to work with us and the Town in general. Anything we do moving forward with forestry maintenance and any experience

we get now is going to give us some more information to move forward with how we manage these forests. We have a lot of forests in town and there's a lot of value in it. We need to make who gets paid as clear and as simple as possible, when it comes to the consultant or the forester.

S. Couture: Ok, so I will reach out to Swift and find out about some proposals of how to move forward with it.

c. Development Regulations Amendment – Developer Open Space Requirements

S. Couture: It's something we need to work on.

C. Cronin: We need to discuss what we want developers to be responsible for whether it's setting boundaries or placing medallions. That's the background on that. It's just something we need to start thinking about.

S. Couture: I'll send an email to Dan Tatem and see what he thinks. For the next meeting we should have what we currently require.

d. Clay Pond Kiosk with Bear-Paw

i. Clay Pond Signage

C. Cronin: You saw this last time. Everyone gave their revisions. Mila updated it to reflect those revisions, so this is your last pass through. If you have any more changes we can do that and send them in for ordering.

Commission decided on language and punctuation changes for the proposed Clay Pond signage.

C. Cronin: Mila has graciously volunteered to continue working on this even though she is no longer getting paid. The Commission has already authorized up to \$225 for signage expenses. My question is about ordering the medallions. I got a quote from Voss Signs. It costs \$196 for 100 medallions (\$1.14 each) and \$262 for 250 medallions (\$0.83 each).

S. Couture: It seems like we should get 250 but that's a lot of medallions.

M. Paul: I think if you order 100 medallions, you won't use them all for a while.

S. Couture motioned to authorize up to \$300 to purchase 100 medallions and 7 Clay Pond signs. Seconded by D. Ross. Motion passed.

e. NH Active Transportation Conference, September 30th

C. Cronin: Tim Blagden, Executive Director of Bike-Walk Alliance NH contacted to see if we would like to send a poster of the Merrimack Riverfront Trail Project to the conference. The

conference is free and is Wednesday, September 30th from 8:30am to 3:30pm at the NHDES office, 29 Hazen Drive. Jo Ann and I are interested in attending.

S. Couture: I think it would be great if you did a poster since you will be attending. It would be great to get some tips on trails from some of the other people who are attending.

f. Pinnacle Kiosk Status

C. Cronin: Between fundraising and donations, Justin received all the materials he needs and will not require impact fees from the Town. He needs to coordinate with DPW, who will help him dig the post holes when they are ready to install. He is not doing the content of the kiosk, just the structure itself, so we may want to work on something. Mila did a trail map and we have lots of historic information so we could put something together.

S. Couture: Great. Also, Diane is planning to donate a granite bench to the Pinnacle trail area, which is an \$830 value if I remember correctly. Carolyn, did you find out any more about getting the historic plaque fixed to a rock by DPW?

C. Cronin: I need to check into that. That was in my original email to DPW, but that was probably over a month ago. I'll look into that.

S. Couture: We should do that while we are getting the kiosk up since we are required to do it.

g. October Meeting Date Alternative – Columbus Day

C. Cronin: Your next meeting date is Columbus Day, so you need to reschedule. Last year you did the day after Columbus Day. The meeting room is free October 6th, 7th, 8th.

Consensus to meet Thursday, October 8th at 4:00pm.

h. Upper Merrimack River Local Advisory Committee Presentation in December

S. Couture: Michele Tremblay, who is developing our Moose Plate application, is the chair of the Upper Merrimack River Local Advisory Committee. It includes Bow, Franklin and Concord. Once she saw the project we were doing, she wanted to know if we could talk about it when they meet in Bow so that they could be aware of it. They are meeting in Bow in December and I can attend.

i. Other Business: Invoices, Correspondences, etc.

i. Mileage Reimbursement for Mila - \$2.87

S. Couture: I just need to sign this form for mileage reimbursement even though it's already paid?

C. Cronin: Correct, you already authorized the payment, I just need the paperwork.

ii. Stantec Invoice Statement - \$3,974.72

S. Couture: We don't actually have the invoice, just the statement. We will be getting the invoice for the October meeting.

iii. NHACC Annual Membership Dues Invoice - \$580

C. Robertson motioned to renew membership with the NHACC in the amount of \$580. Seconded by P. Fitanides. Motion passed.

iv. Comcast Donation - \$973.88

S. Couture: We got a donation from Comcast for \$973.88 for our participation in Comcast Cares Day. This will be on the consent agenda for the Town Council to accept the donation "in gratitude for helping make their 14th annual Comcast Cares Day a huge success." Since they partnered with us on our clean-up they decided to donate to us this money.

S. Couture motioned to accept the donation from Comcast in the amount of \$973.88. Seconded by P. Fitanides. Motion passed.

S. Couture: The wetlands violation on the Head's Pond trail was resolved within a week. They didn't know that they did something wrong. Property owners nearby built a trail on the opposite side of the Head's Pond trail going down into the wetlands. Once they found out they did something wrong, they cleaned it up quickly, so a good response by everyone on that.

D. Miville: I have a question that relates to conservation easements. In the work Mila did, she came up with a to-do list for us on each property. Is there going to be a time on our agenda where we go over that? Is that something we are supposed to do?

S. Couture: Yes, it is and that's a great idea. We just haven't done it. I think that's a good idea to pick a property for our next agenda. Carolyn was going to have some discussions internally as far as addressing breaches.

C. Cronin: We found out that Concord handles it all through their Planning Department, which is surprising. They gave us templates for the letters they send out to property holders with easements. I was just thinking about this because I've been cleaning up the files. It would be nice if we send a letter to the property owners with a copy of the easement monitoring report so that they are in the loop. I think it would be good if you do a workshop where you just get the easement stuff done.

S. Couture: That's a good idea. If we were to do that it would probably be in the winter because we have a lot going on this fall.

S. Couture: Dave has something he wanted us to consider. He met with Mike Marchand from Fish and Game and Chris from Audubon. We talked about the connector trail at the beginning of the meeting. These are the details: a footpath for pedestrians only, no powered or unpowered vehicles including bikes, meandering along the path already there – no straight lines or straight shots. Minimal width of 30-36 inches, leaving it in its natural state, mowed perhaps several times per year but no additional ground cover or improvements such as stone dust. It would just be maintained with a weed whacker. We aren't cutting anything; it's an existing trail.

S. Couture motioned to move forward with the connector trail as Dave Hess outlined. Seconded by D. Ross. Motion passed.

S. Couture: We got a lot line adjustment on Rowes Corner Lane. There are two points to consider: First, it is in the Low Density Residential District and second, it abuts conservation property at Manchester Water Works. We need to consider if this is in the best interest of the town. What are your thoughts?

Consensus to say "no comment" to the Planning Board on the lot line adjustment.

P. Fitanides motioned to adjourn at 7:09pm. Seconded by C. Robertson. Motion passed.

Respectfully submitted,

Carolyn Cronin

Assistant Planner/Conservation Commission Staff Support

Merrimack Riverfront Trail Design Project
Hooksett Conservation Commission
Project Status Summary
September 14, 2015

Work Item Summary:

- RTE Species Survey and draft report – Completed

RTE Survey Results

- No rare plants found in or near to the proposed trail layout
- No eagle nesting sites found
- No Blanding's Turtles or Hog Nosed snakes found
- Prime habitat for Blanding's turtles

RTE Recommendations

- Restrict tree cutting to fall/winter (bats)
 - Less than 1% of property to be affected
- Limited or no construction from April to June (turtles)

Fish and Game Comments

- Propose RCP pipe rather than HDPE
- Removed southern trail section at NHF&G request - Completed
 - Discussed alternate trail options with Mike Marchand of (NH F&G)
 - "Nature Trail" removed and replaced with alternative trail location
 - Sent to Surveyor to get additional survey done
 - Removed all trail options along island area
 - Received email from NH F&G supporting the project.
- Wetland delineation and GPS flag locations – Completed

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- ~~○ Revised trail locations to minimize wetland impacts – See revised trail map~~

 - Phase 1A Survey - Completed
 - Copy provided to NHDHR with accompanying Request for Project Review
 - Recommended Phase 1B

 - Phase 1B Field Survey (shovel and Auger probes) - Completed
 - Nothing found
 - Report to be issued by 7.13.15
 - Issued and Submitted – No further action

 - Topography survey – Completed and received today

 - NHDES Shoreland Permit – Drafted
 - Waive Permit Fee & 5 Day Review Period
 - Submit this week
 - Permit RECEIVED

 - NHDES Trail Notification Permit – Denied by NHDES
 - Full, Major Permit required
 - No Waivers
 - Expedited Review recommended by Bill Thomas
 - Mitigation to be improvements to existing crossings
 - Full Permit will be submitted this week
 - We will provide check for Fee (to be reimbursed by Con Com)
 - Discussed mitigation with Lorrie and received a verbal approval last week
 - Worked with Bill to submit waiver and revise height of boardwalks to eliminate most handrails

~~o Permit to be issued tomorrow, per Bill~~

- Meeting with NHDES - Scheduled for 07.14.15 at 10:00am
- Conservation easement and recorded plans – Reviewed for project compliance
 - o Notify Easement Holder (certified mail)
 - o We understand that this has been completed
- Discussed waivers with NHDES
 - o Prime wetlands
 - o 60' length of fill
 - o 3,000 sf per impact area
 - o No waivers needed with Standard, Major Wetland Permit
- Geotechnical Drilling to be scheduled by 7.10.15
 - o Done – Expected Results
 - o Wetland soils over Silty sand over course sand
 - o Met with Jay Prichard - Farmer
 - o Went back out this last Saturday to do more borings at “Farm Bridge” location.
- Bridge Designs
 - o 2' above ground to not be considered impact
 - o Working with Structural
 - o Looking into grating (decking) – Not good for snowmobiles
 - o Snowmobiles? How much traffic is expected?
 - o Sacrificial decking for heavy snowmobile use?
 - o Several structural typical designs
 - o Sacrificial decking to be an “Add-Alt” bid item
 - o Farm Bridge to be 12' wide due to wetland constraints
 - o Contech Steel Truss Bridge - \$43,000

~~○ EnWood Glulam - \$29,000~~

○ Stick Build Design - \$46,500

- Construction Easement with Therrien
 - Sent draft language to Steve and Carolyn
 - Verbally approved by Therrien

- Construction Schedule – To be discussed today