

## OFFICIAL CONSERVATION COMMISSION MEETING MINUTES

March 14, 2016

C. Robertson called the meeting to order at 4:00 p.m.

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

**Excused:** Steve Couture, Chair; Todd Lizotte, alternate

### Public Input

None.

### Meeting Minutes

*D. Hess motioned to approve the meeting minutes for February 8, 2016. Seconded by D. Miville. Motion passed. C. Robertson, J. Woodburn and D. Ross abstained.*

### Appointments

#### a. Earl Sandford, Sandford Survey & Engineering

##### i. 6 Sunrise Blvd., Wetlands Permit

##### ii. 8 Sunrise Blvd., Wetlands Permit

E. Sandford: My name is Earl Sandford of Sandford Survey and Engineering and I'm presenting two projects next to each other. Basically these are two sites on the Merrimack River on Sunrise Blvd. They have experienced some erosion problems on the riverbank. They asked me over a year ago to engineer something to prevent the erosion from creeping into their lots. The neighborhood was majorly hit and he has done some reinforcements on his property. We are trying to armor the riverbank where it's been sensitive. A lot came from several 2006 and 2007 storm events and a lot of things that had been stable for decades became exposed. There has been significant erosion since those storm events. I approached DES to go with a manufactured lock wall but the state wouldn't allow that unless it was approved with a bioengineering approach, so we stepped back and redid the design with a bioengineering approach. At the water level, heavy rip rap will be used, but a few feet above the waterline will be bio-logs. You fill them and they grow some plants. We have 85 lineal feet of shoreline that has been eroding away. What was there 20 years ago is less today. We made the case to the DES Wetlands Bureau and they were happy with our plan at our last meeting. We are going to have more jurisdictional area when we are done. We are taking out a fair amount of existing embankment and replacing it with rock and

bio-logs. There are also plantings in the schedule to keep it as green as possible. The dock was approved by Eversource but it didn't go through DES so we are looking to rectify that and get approval for the embankment reinforcement and the dock. We are asking for a larger dock because it needs to accommodate the owner's dad who has a wheelchair and a walker. The 8-foot width would facilitate that. In general, it's not a lot of impact. We've had the conversation to see if there were any actions we needed to take to protect endangered species. Also, we are trying to coordinate with Eversource who is doing some dam maintenance once the snow melts because they are going to drop the water level down for a one-week window. We are coordinating with that. We are hoping to meet this window of opportunity in the spring. It's a 5-year permit.

D. Ross: I don't know if we have any say in regard to the dock issue. It concerns me that this has been a known violation for a decade. It's not unknown that you need permits for docks. If we have some say, my say would be that I don't like the idea of the docks because it's an ongoing violation. Also, I'm not familiar with bio-logs at all. I'm a little uncomfortable with the bio-logs and I'm very uncomfortable with the docks if that's a question for us, I don't know. That would be my comment.

D. Hess: I'm not sure of this but to my knowledge docking is solely under jurisdiction of DES because the Merrimack River is a navigable stream subject to the Army Corp of Engineers. I'm not sure we have authority on that subject.

D. Ross: I understand it's under their jurisdiction. I'm just saying that if they ask us to comment that's my comment.

E. Sanford: My understanding is that there are multiple people who have unpermitted docks. I can't speak to whether they are aware of it. No one gave this owner a letter of violation and he is still stepping forward to make sure he is compliant, so he should be commended for that. They have a right for this dock under RSA.

C. Robertson: We will make a note of Mr. Ross's comments in the minutes. What's your timeframe that you need our approval by?

E. Sanford: As far as the river draw down, the timeframe is May or June but it could be as early as April. The state said they would start their review in 28 days and that was a week ago. Unless they find some major issue, I expect approval shortly. Procedurally, we submit to the Clerk and

they forward it to you and any comments you have go to the Wetlands Bureau. I think we are on a good time schedule right now.

C. Robertson: So you are just looking for comments from us, then DES reviews this and gives the final approval?

E. Sanford: Yes, I have already had significant back and forth with DES.

C. Robertson: Have you shown us both 6 and 8 Sunrise?

E. Sanford 6 Sunrise will require removal of some trees and some additional plantings. This one has 78 feet of shoreland. The two lots are next to each other but there is about 150 feet between the two projects.

D. Ross: What are the bio-logs you reference?

E. Sanford It has a synthetic wire fabric that goes around and gets anchored back into the soil. It's almost as stable as rip rap. If you go to erosion control seminars, they are showing demonstrations and trying to promote them as being a green alternative to rip rap. They have gotten positive feedback.

D. Ross: How long has this technology been used?

E. Sanford: 8-10 years.

D. Ross: I'd be interested to see a project that was done with this 10 years ago.

***D. Hess motioned to send a memo to DES stating the Conservation Commission has no comments or issues with the wetlands permits for 6 and 8 Sunrise Blvd. as presented.***

D. Ross: I still have a discomfort with the bio-logs.

C. Robertson: That was recommended by DES?

E. Sanford Yes, this was recommended.

D. Ross: OK, I didn't realize that.

*Seconded by D. Ross. Motion passed.*

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

**a. Merrimack Riverfront Trails**

**i. Construction Bid Results**

C. Robertson: The construction bids came in and we selected the low bidder, Morello Construction at \$204,434.

C. Cronin: Yes, this was good because your construction budget was set at \$250,000.

C. Robertson: Do we have a start date for the work?

C. Cronin: I think they were originally supposed to start last week but it's pending the rain. They said that they will notify us when they start. The first two steps will be clearing the trees and shrubs and relocating the fence where the Rowing Club is. Morello was the low bidder and they had great references and they are out of Peterborough, NH. I think it's just a small family owned company. They are able to do such great work for so cheap because they invest in really great technology that's really accurate and computerized so they don't need as much manpower.

C. Robertson: Let's put a Groundbreaking Ceremony on the next agenda to discuss.

**ii. Signage**

C. Cronin: Nancy Smith has graciously granted us an easement to come through her property to do the trail work. Part of her property includes an easement across the trail to a dock she owns on the riverfront. One of her concerns is trail users using her dock. Informally, Dan Tatem has recommended that maybe the Commission come up with some kind of signage plan to prevent people from entering her property. It might be nice that the Commission pay for this for her in exchange for the easement.

D. Hess: We have an obligation with Mason to erect an impediment from free travel from our easement on to his land. The thought that occurred to me is a split rail wood fence that keeps people on the easement area and some discrete signage. I think that both Mason and Smith should be responsible for fencing off their docks. It's their liability if anyone gets hurt on their docks. An attractive fence should be helpful.

C. Cronin: OK, we can keep looking into that and see what options we come up with.

**b. Pinnacle Improvements (HCC, Heritage Commission, PRAB Collaboration)**

**i. Roadside historic marker**

**ii. New trails & trail signs**

K. Northrup: I want to know how the money will be spent, specifically, how much there is and what you plan to do.

D. Hess: I volunteered to coordinate with you to come up with a plan. I didn't know if you had any ideas in advance. If not, you and I should get together sometime soon to go over it.

K. Northrup: Steve had suggested a historic marker sign. If we have extra money, \$2,000 would get us a roadside marker sign. It takes 6-8 weeks to be made. We talked about what to do for trail signs to identify historic spots on the area, like the zoo. It all depends on what we have for impact fees.

D. Hess: I suggest Kathie and I get together. You know the history and I know about Bud and his military history.

K. Northrup: We could incorporate the history into the names of the trails. Will there be clearing at the top for the view? We could install something that tells what you can see from the top.

D. Ross: You can get a scope that tells you that as well.

D. Hess: I suggested it would be ideal to have a trail on the south side of the Pinnacle.

K. Northrup: The alternative would be to do all the history in the kiosk as opposed to the roadside sign. It depends on how much money we have.

D. Hess: Carolyn, can you send Kathie and me how much money we have and when the deadline is? Let's get together when we know what we have.

### **c. Clay Pond**

D. Kern: I have an update on Heroux. We have a site visit planned for Monday, March 21 at 11:00 AM with Holly Green of DES. She's the administrator of the Drinking Water Source grant program, which is providing \$50,000 for the project. I have an updated budget. We started the survey. I did a bidding process. There was one bid lower than I selected at \$8,100. The one I selected was an extra \$400 but he will complete it by the end of March. The lowest bid wouldn't be able to do the survey until the summer. I'm also looking at ways to lower costs. I'm looking at doing the environmental assessment in-house. We are good to go. The town costs are about \$37,000 after grants. There is a study that says the Merrimack River watershed is the most threatened in the country due to loss of forest. Bear-Paw purchased another 189 acres with a Fish and Game easement just north of the other properties. Before the next meeting I'll send a draft conservation easement for your review.

D. Hess: Any word on the lots on the Bow line?

D. Kern: As far as I know we are going to move ahead but I need to get the Board out there on Monday to see it.

D. Hess: I'd be happy to join you if I have time.

**i. Forestry**

C. Cronin: In your packets is the scope of work and contract with Calhoun Corwin Forestry, I think Steve just wanted you to look it over and see if you have any questions or comments. I know they have been going back and forth with Steve and the Town Finance Director.

D. Hess: What's the sequence of getting the warrant article and the contract approved, which comes first? If the warrant article isn't approved, then the Town should pay for the timber cut.

C. Robertson: Is the timing of the contract related to the warrant article?

C. Cronin: I think the timing of the timber cut is more in line with the Stewardship Plan than anything else. Last time Steve appeared at the Council to talk about the timber cuts that was a concern of the Council, that if the warrant article doesn't pass that the harvest wouldn't happen. I think Steve assured them that even if the warrant article doesn't pass, the Conservation Commission would go ahead with the harvest in good faith as part of the Stewardship Plan. I think they are going forward with the forestry, regardless.

D. Ross: I'm rather confident this will pass just from what I've heard around town.

C. Cronin: Another thing to add is that the contract includes a town parcel that's not conservation.

C. Robertson: Do you need the comments tonight?

C. Cronin: No, if you want you can take it home, read it, and email me your comments, just don't reply all.

**ii. Warrant Articles**

C. Robertson: What's the deadline on this?

C. Cronin: I think they need them this Wednesday or next Wednesday?

D. Ross: It's next Wednesday.

**iii. ARM Fund Grant Opportunity**

D. Kern: Steve was talking about possibly doing a wetland restoration grant on the Clay Pond property. There's a culvert under Wiggin Road we were going to replace with a bridge. On North Candia Road, there are a few wetlands that we could restore. Steve was thinking about it but we aren't sure if it's worth it until the road is secured.

**d. Other Committee Updates**

**i. Council**

D. Ross: No update.

**ii. Planning Board**

C. Cronin: They recommended sending all the zoning amendments to the Town Ballot, they held a workshop with SNHU to discuss the Southern Leg of the By-Pass (whether to keep it or release the money back to the general fund), they discussed installing sidewalks on Martin's Ferry Road and to see if SNHU would fund a piece of it, Kent Septic was approved for an additional building, Bluebird Self Storage was approved, and SNHU is coming in with plans for a new athletic complex and dorm.

**iii. Parks & Rec Advisory Board**

D. Miville: We meet tomorrow.

**e. Deliberative Session – April 2, 2016**

C. Cronin: I imagine Steve might want some to attend.

C. Robertson: I'll be there.

**f. Comcast Cares Day Project**

C. Cronin: I was in touch with Jason Hyde at Comcast. They did Earth Day with us last year. In talking to him and Steve and Kiwanis they landed on doing some work at the Head's Pond Rail Trail on April 30<sup>th</sup> from 8:00 AM to noon. They will be doing some clean up and trail maintenance. If you want to volunteer you can register online at [www.ComcastInTheCommunity.com](http://www.ComcastInTheCommunity.com). It's nice they reached out to us again. We should keep this in mind for next year if there is a project we need help with.

**g. Johny's Pizza Workshop Food - \$145.50**

*D. Hess motioned to approve payment to Johny's Pizza for the workshop food in the amount of \$145.50 from the Conservation Fund. Seconded by D. Ross. Motion passed.*

**h. NHANRS Annual Dues - \$20.00**

*D. Ross motioned to authorize payment to NHANRS for 2016 dues in the amount of \$20.00 from the Conservation Fund. Seconded by J. Woodburn. Motion passed.*

**i. Stantec Invoice - \$2,570.14**

C. Cronin: I believe this is for oversight of the bid process and is part of their contract.

*D. Ross motioned to authorize payment of an invoice from Stantec dated February 19, 2016 for construction administration in the amount of \$2,570.14 from the Conservation Fund. Seconded by J. Woodburn. Motion passed. D. Hess abstained.*

**j. Walmart Photo Reimbursement - \$10.74**

C. Cronin: This is a thank you gift for Blur Ribbon Fence for the gates they donated. It's a mounted photo of turtles at Clay Pond and we will include a nice thank you letter.

*D. Ross motioned to approve reimbursement to Carolyn for the Walmart photo in the amount of \$10.74 from the Conservation Fund. Seconded by D. Hess. Motion passed.*

**k. Drink Reimbursement - \$7.49**

C. Cronin: I have another reimbursement for drinks for tonight. At the last meeting you approved reimbursing me from the operating budget, but we are over budget so they wouldn't accept it. So I am asking you to please reapprove it from the Conservation Fund.

***D. Ross motioned to approve reimbursement to Carolyn for the workshop drinks in the amount of \$7.49. Seconded by J. Woodburn. Motion passed.***

***D. Ross motioned to adjourn at 5:21pm.***

D. Ross: I'll motion to adjourn because the next item is a workshop not a meeting.

***Seconded by J. Woodburn. Motion passed.***

Respectfully submitted,

Carolyn A. Cronin

Assistant Planner/Conservation Commission Staff Support