

MINUTES

NEW DURHAM CONSERVATION COMMISSION

FEBRUARY 8, 2011

Chairperson Cathy Allyn called the meeting to order at 7:04 PM.

Roll Call: Cathy Allyn (Chair), Charlie Berube (Vice-Chair), Paddy McHale, Terry Jarvis (Selectman's Representative), Bob Craycraft (Alternate)

Excused Absence: Bill Malay

Others Present: David Bickford

Shirley Forest Plan: Chair Allyn introduced Peter Farrell to present his progress developing a plan and hear feedback from the Commission. The board of selectmen hired Mr. Farrell to do a Forest tree analysis of the Shirley Forest and propose a long-term plan for managing it.

Mr. Farrell said that his major goal was to ensure that the town could get income from time to time from the sale of timber on the lot, and that the timber be managed sustainably so that income would continue as long as possible. He based this goal on his discussions with the Board of Selectmen and on the will of John Shirley who donated the land to the town

Mr. Farrell noted that the second edition of the Sustainable Forest Best Management Practices Manual has just been released and that it provides an excellent guide for his work.

He reported several initial findings regarding the property. The first is that the actual acreage that he measured differs from the acreage shown on the town tax maps. In addition, about 40 acres of the land is wetland and 9 acres is in the gravel pit. This leaves the Town about 115 acres of timber to manage. There is a very large volume of timber on the property, approximately 1.3 million board feet. Most of this is white pine, which is a valuable timber asset. The second largest amount of timber is hemlock, which is not very valuable and third amount is red oak, which under good conditions can be valuable timber

In addition to measuring the quantity and quality of the timber on the property, a long-range plan requires considerable additional information. Mr. Farrell looked at the population of species not just in total board feet but also in terms of the distribution at different ages of trees

and the distribution at different sizes of trees. He found that the distribution is quite problematic. The population of younger trees does not match the population of older trees. A very high percentage of the younger trees are hardwood types such as beach, black birch, red maple and hemlock that have little value as timber. Therefore, in planning the management of the forest, the town cannot simply cut the best timber and then leave the next generation to grow to maturity, because the next generation will be much less valuable.

Mr. Farrell said there were three primary components to his management recommendations. The first is to manage the forest for the best quality "regeneration", meaning the best quality of new and next generation trees for timber quality. Doing this requires three components: plenty of seeds of the desired trees, good seedbed, and light in the right places. The seed supplies of many trees vary significantly from year to year. Therefore, the timing of the cutting should match a good seed year. In some parts of the forest, the natural seeding should be supplemented by planting of white pine seedlings.

The quality of the seed bed has to do with the receptivity of the soil to seeds and the quality of the soil. Soil receptivity can be increased by scarification of the ground that is done by scraping or loosening the soil so that seeds can get into the soil. The quality of the soil can be enhanced by leaving a significant amount of the waste wood in the woods to compost rather than taking it all out as chips.

Ensuring adequate light for the new seedlings requires opening up areas of the forest that are large enough so that sunlight can reach the ground a significant part of the day. The most valuable trees require more sunlight while many of the less valuable trees will grow better in shaded areas.

Mr. Farrell's second major recommendation is to plan the timber cutting based on the trees reaching ideal maturity for white pine. Ideal maturity is the point at which the forest provides the best possible return on investment. This is about 120 years. Therefore, the town should plan so that new white pine trees that are started after the next cutting will have 120 years to grow before they are cut. White pine trees will continue to grow and increase in size and value for about that long and then they will begin to slow down in growth or become susceptible to disease or wind damage or other threats.

Keeping a stand of timber going until it reaches the desired maturity requires pro-active management. One part of this management is what he called release work, which means cutting out the growth that might interfere with the maturation of the better trees and removing trees that would compete for light, and soil.

Mr. Farrell suggested that the town plan on six 20-year intervals of harvesting. In each harvest cycle, they would cut about 16% of the trees in different locations spread throughout the forest. The loggers would work in large enough swathes for economical access to the timber, and to ensure adequate space for sunlight to reach the forest floor.

Cathy Allyn said the Conservation Commission hopes the town will manage the forest for recreation as well as timber. Mr. Farrell showed the presence of a snowmobile trail on his map.

He said that if the commission desires, it should decide on the location of hiking trails for summer recreation before the logging work begins. Commission members agreed to work with Mr. Farrell on identifying a location for such a trail. It would be restricted to non-vehicular access.

Natural Resources Inventory: Bob Craycraft reported on the status of the natural resource inventory that is being conducted by FB Environmental. He shared copies of eight maps that FB has produced. Commission members took some time to review each of the maps. They were very pleased and felt the maps would be a valuable new resource to the commission. Bob mentioned that these are draft maps and that he had found a few errors, and he asked other members to look for potential errors. Charlie Berube noted that some areas shown as lakes or ponds are actually wetlands. David Allen asked him to note those inaccuracies on the maps and he asked other commission members to let him know of any other errors that they see. He will pass the information on to FB Environmental so they can correct the errors.

Potential Legal Issues: David Allen gave the commission members background on two permit applications that are in process, which could lead to legal action by one of the parties involved. The Kodiak Woods subdivision needs to get zoning board approval for several wetlands crossings. The New Durham zoning ordinance requires the Zoning Board to get input from the Conservation Commission before making its decision. The attorney for the applicant believes the review done by the Conservation Commission three years ago when the applicant applied for a state permit covers that obligation. Mr. Allen noted that the requirement for ZBA review is a town requirement separate from the state permitting process. After consulting with selectmen Terry Jarvis, he is requesting a legal opinion from the local government center.

The second case involves a state permit request to build a ramp, pave a small area of parking lot, and replace some part of a driveway with permeable pavers. The neighbor took this applicant to court regarding very similar plans about 15 years ago and won his court case. He is threatening to challenge any new construction in court again. Mr. Allen also discussed this issue with Ms. Jarvis. They decided the most important task for the town is to handle the application and the complaint very precisely so that the town can avoid being drawn into any court action. With this in mind Arthur Capello, the code enforcement officer will write a letter to the applicant stating that a complaint has been received and that additional information is needed in order to resolve the situation. He will be checking to ensure the applicant has complied with the previous court order and that if there is any increase in impervious surface, the applicant goes to the zoning board for a variance.

Prime Wetlands: Chair Cathy Allyn had asked staff to prepare a process and timeline for the conservation commission to make a recommendation at 2012 town meeting to establish key town wetlands as quote prime wetlands, which have special protections under state law. David Allen presented a draft timeline and process. He distributed general information about the town's major wetlands that was prepared about 10 years ago in a study sponsored by the Moose Mountain Regional Greenways and asked board members to look at it before the next commission meeting. He noted that the study had reviewed 11 separate wetland areas in town and asked each commission member to study the material on one or two of these areas. At a

future meeting, they can help the rest of the commission understand the particular significance of those wetlands areas

After the commission has become familiar with the 11 wetland areas, it will select those wetlands that the town should protect as prime wetlands. The commission may decide it wants to do site walks to some of the areas in order to understand fully their significance and status.

New/Old business: Mr. Allen distributed parts of an application for a standard dredge and fill permit. The application is not yet complete, but it will be on the agenda at the commission's February 22 meeting.

Terry Jarvis moved to adjourn at 9:25 PM. Paddy McHale seconded. Approved unanimously with no abstentions.

Respectfully submitted,

David Allen
Land Use Administrative Assistant

Minutes approved February 22, 2011

Town of New Durham