



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION

DECEMBER 4, 2017

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, December 4, 2017 at 6:33 p.m. in the Merrimack Memorial Conference Room.

Chair Gage Perry presided:

Members of the Commission Present: Matt Caron, Vice Chair
Michael Boisvert
Cynthia Glenn
Gina Rosati
Tim Tenhave, Alternate Member
Councilor Jackie Flood

Members of the Commission Absent:

Also in Attendance: Ethan Belair, Hillsborough County Forester, UNH Cooperative Ext.

PUBLIC COMMENT - None

PUBLIC HEARINGS - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS - None

NEW BUSINESS

1. Ethan Belair, UNH Cooperative Extension's County Forester for Hillsborough County

Discussion regarding the Town and Community Forest Inventory Project

Mr. Belair stated UNH has been working on a town and community forest project. Having recently come on board, he is heading up the Hillsborough County portion of this project. What they have been trying to do is map out all the town owned forested properties throughout the State regardless of whether a conservation property or a piece of land attached to the town transfer station. They have researchers on campus interested in what towns own, and what they are doing with the properties they own.

He commented, as the County Forester, it behooves him to understand where the publicly owned land is, and to introduce himself around the County. His position is intended to help landowners in the County.

The Cooperative Extension has been contacting individuals on the Conservation Commissions or Planning Boards of each town seeking information on what the town owns, where it is, map and lot numbers, and how properties are being used and managed.

Mr. Belair provided a brief synopsis of the survey (copy attached) addressing some of the types of information being sought, and requested a member of the Commission assist him in obtaining the desired information.

Mr. Belair stated the desire to understand, for each of the properties the Town owns, information that falls into four major categories: 1) governance and protection status, 2) management, 3) parcel use; and 4) finances.

Commissioner Tenhave volunteered to assist in the information gathering.

Mr. Belair questioned if the Commission experiences difficulties with issues such as forest management, trail maintenance, putting conservation measures in place, or other areas where it is felt the Commission does not have the tools necessary. He reiterated he is available to work with any land owner in the County, towns included. His time is at no cost to the Town.

Commissioner Tenhave noted the Commission is in the process of establishing new sub-committees for properties. Both the Wasserman and Fields Farm Conservation Areas need forestry plans. Mr. Belair spoke of how his role fits into work in the County, and how he could be of assistance if the Commission is trying to figure out which properties are of higher or lower conservation value regarding whether time is efficiently used to put a management plan in place, if help is needed in contacting a forester, evaluating some of their work, if there is the desire for someone to walk the site with a forester that the Town employs to provide a second opinion, etc.

As he works for UNH, he is not allowed to do anything that would be viewed as taking business away from a professional such as Bay State Forestry, which the Commission has contracted with. He can help right up to the point of writing a Management Plan, e.g., can help assess wildlife habitat value, organize trail volunteer days, etc.

Chair Perry noted the Commission contracts with Bay State Forestry on an ad hoc basis. If UNH could be utilized to complete management plans on smaller properties the Commission would like to have them done for, but believe it to be cost prohibitive, that would be helpful. Mr. Belair responded he could provide an opinion of options that might be pursued with the property long-term, e.g., were there no potential for timber management down the road, identify the area as high-quality wildlife habitat, which might help the Commission come to a decision as to whether having a plan in place would be advantageous to the property.

Commissioner Tenhave commented he would be pleased to get his opinion on some of the parcels to provide an idea of what level of management plan should be put together.

Commissioner Boisvert questioned what is meant by land protection. Mr. Belair responded it can range from going through the process of designating a town forest or selling a conservation easement to the Society for the Protection of New Hampshire Forests, for example, down to less official conservation measures such as gaining involvement from townspeople using the property, installing a trail system. He commented properties that have no official conservation protection status, but are utilized, tend not to be sold.

Commissioner Boisvert questioned how land protection relates to riverfront property, e.g. Sklar property, which has been used and abused. The Commission has only just begun its efforts regarding the property. Mr. Belair questioned if the Commission has worked with the Natural Resource Conservation Service (NRCS), which is a USDA agency. The NRCS funds conservation measures through a series of cost share programs. They have designations for the funds they can expend, e.g., timber stand improvement, creating a certain type of wildlife habitat. He believes one of the designations is access control. They can do some cost sharing for putting in gates, erecting signage, etc., especially when there is a resource concern. He spoke of working with another County Forester who does a lot more of the recreation planning as a specialty, and stated he could speak with him in terms of what is available for other cost sharing or other programs that are already set up, with that in mind. He works with the NRCS agents that cover this County, and can arrange to go out, as a group, and get the process started. The Commission stated the desire to start that process as soon as possible. Chair Perry spoke of the overall issue of enforcement, particularly with OHRVs. Mr. Belair stated he would look into what might be available in terms of assistance in that area.

Vice Chair Caron spoke of a parcel acquired with Land Conservation Investment Program (LCIP) funds noting the requirement for annual reporting on the property. The request the Commission receives every year is to do a stewardship/management plan. In the past, attempts were made to reach out to UNH to see if there is a grad student or the like who might be interested in doing that work. A connection has not been made thus far. Mr. Belair remarked the folks on campus that run the forestry program in Durham, are always looking for senior thesis projects and ideas for undergrads to do something that is independent but supervised. The Cooperative Extension is highly encouraged to take on that supervisory role. He stated he has never done that, and is uncertain what the mechanics of that would be. An undergrad would not have any sort of licensure, which would mean the result would not be an official plan per se. Vice Chair Caron stated the request has been more of just get something on paper. Mr. Belair responded that should be something that could be done.

A brief discussion ensued around the potential for educational events the Commission and the Cooperative Extension could put on.

2. New Hampshire Tree Farm Program

Discussion regarding MCC Involvement in the program

Chair Perry stated there to be a few parcels that are in the Tree Farm Program, and it is becoming a little more directive. He questioned the extent of the benefits of belonging to the program.

There was a time when companies like Home Depot and Lowes were going in the direction of only buying trees from locally certified tree farms, which was an effort to stop the over foresting of property. As a result, tree farms had the potential of receiving a better rate on timber. That didn't really pan out, and efforts to expand the program slowed. There remain parcels that are in the program, which requires a commitment on the part of the Commission.

Mr. Belair stated there is not a specific marked benefit to the Town to having that land in tree farm. Were the Town a private landowner paying property taxes on that parcel, that would differ. With current use there is the normal current use rate and then the active stewardship rate, which applies to those properties where there is a management plan in place or you are an active tree farm.

He commented on the change in requirements for tree farms, e.g., endangered species checks, management

plans, etc., noting it is a much more onerous task.

Were the Commission to investigate some sort of a certification for either the increase in timber value or public perception of intrinsic value of green certification standards, he would encourage a different standard; Forest Stewardship Council, Sustainable Forestry Initiative, which have much more specific guidelines in terms of how forests are managed and ensure, more stringently, the sustainability of forest management. They are similarly onerous tasks to certify forests by. Sometimes you get a premium in selling lumber if you are an FSC certified landowner. The FSC is well regarded within the forestry industry and for those laypeople who take an interest in that. If all the Town of Merrimack's forests or some portion of them are FSC certified, there is a public perception benefit, which is not to be overlooked.

Commissioner Tenhave commented when you look at the scheme of things the Commission has going, he is uncertain he would want to put a lot of his time into the tree program aspects of things.

Chair Perry remarked he would not want the public to think the Commission is turning its back on the need for management plans, to manage invasives, or take proper care of the forest, but he is uncertain there is the need for the over-arching requirements. Vice Chair Caron commented he is uncertain if the program necessarily lines up with the Mission of the Commission.

Mr. Belair stated the way the Tree Farm Program works is that every 5 years the Commission is due for re-certification and inspection. If no action is taken, as the certifications lapse, he receives a notification, and would call the Commission to ensure they are aware they are due for an inspection. If the response were "we are not interested", they would be crossed off the list.

Councilor Flood stated her preference that there be an active withdrawal, and explanation as to why. She suggested someone might want to pick up such a project in 20± years when some of the properties mature. Mr. Belair stated cancelling the certification is no barrier to future certification. He remarked he has never had anyone do so, but if the Commission wished to send written notification to his office indicating the intent to pull the properties out of the program, the reasons why could be detailed, and he would retain the letter on file.

Councilor Flood suggested other towns of similar size likely have the same issue of people wanting to participate, but for the onerous burdens, which may be able to be influenced.

Chair Perry stated a list of the properties currently in the program would be provided the Commission for review prior to voting on a motion for formal withdrawal.

3. Barry Conservation 4-H Camp

Discussion regarding MCC Involvement

Chair Perry stated the Commission previously sponsored scholarships to send Merrimack children to camp. The scholarships were funded through a line item in the budget. It has been many years since the Commission has received applications for scholarships. Commissioner Tenhave commented the funds have been used to help pay for the raptor classes, vernal pool party, etc.

Commissioner Glenn remarked she likes the idea of supporting the scholarship fund; however, is in favor of educational projects the Commission has coordinated, e.g., vernal pool parties, which reach many children in the community.

Commissioner Tenhave commented he does not believe the Commission would be opposed to someone reaching out requesting the Commission sponsor his/her child to attend conservation camp. Commissioner Boisvert agreed, were there a financial need, he would support that. Commissioner Rosati questioned whether there is public awareness of the opportunity. It was noted the availability was previously advertised in the schools. It just stopped receiving interest.

Chair Perry commented on the changes to the program. It was noted the program has many offerings, which include shooting sports, hunter education, trapping, etc., and the cost has increased. He questioned the will of the Commission. Commissioner Rosati stated agreement it would be more beneficial to the community to utilize the funds to conduct educational programs in Merrimack. Vice Chair Caron stated agreement as did Commissioner Glenn.

OLD BUSINESS

1. Signage & Enforcement on the Sklar Waterfront property

Chair Perry spoke of having emailed the Police Chief regarding signage, noting the property is already missing at least one sign. The Chief responded, and had Officer Tarleton contact him. Officer Tarleton and he spoke of the issue and what the options are. Were the Commission to finance it, they could have a targeted detail that could spend up to 4 hours in the area. Beyond that, the department will work towards increasing the patrols in the area, but the officer(s) would be subject to being pulled away, if needed.

Chair Perry commented one of the problems of the past with enforcement has been those partaking in undesirable activity are only present for a few moments, and by the time the police arrive, are long gone.

The Commission discussed the amount of debris in the area, and suggested, at a minimum, an effort for a thorough cleaning. Commissioner Rosati questioned, if paying for a detail, could a request be made that the officer be in plainclothes.

Councilor Flood stated her understanding there is no concerted effort to police Town land. She suggested this to be a new concept, and the need for a conversation about that between the citizenry and Town Manager and Police Department. She spoke of an instance the Town Center Committee experienced with graffiti on the new river trail; the Police Department sent officers down from time to time, and she believes still does. There was some talk of adding 1 or 2 policemen to address such issues. She stated she would speak with the Town Manager about this issue. Commissioner Tenhave spoke of patrols of the Grater Woods area that were financed out of the Conservation Fund, and did not result in a change in behavior.

Chair Perry spoke of this parcel being much smaller and the access being more contained than Grater Woods, and questioned the will of the Commission in terms of sponsoring detail(s). Vice Chair Caron suggested the strategic placement of a single camera would solve the problem. Chair Perry agreed that would address part of the issue. He commented on the ATV traffic occurring. Councilor Flood was pleased with the suggestion of the camera. Commissioner Tenhave stated he would be supportive of dedicated patrol(s) if it followed a total clean-up of the area. In its current state, it appears both inviting and as if there is no concern. He suggested a spring clean-up day be planned and conducted, and then immediately have extra patrols. That approach has been successful in the past.

Chair Perry stated the need to get Town involvement given most of the debris/trash is located on the Town parcel. The Commission was in support of organizing a clean-up day (early April) after which a patrol could be supported.

2. Chapter 111 – Beginning the re-write

The Commission discussed the process for the review/re-write of Chapter 111. The initial draft proposal was presented at the November 20th meeting, and updated based on input provided at that time.

Commissioner Tenhave stated the desire to understand if the Commission agrees with the process, and is ready to pass the information on to the Town Manager and the Director of Community Development to see if Town staff agrees with the process. Once all parties agree, a meeting could be scheduled with the Town Council seeking to gain their concurrence on the process, and identification of a funding source.

When the matter was last before the Council, Commissioner Tenhave committed to having a proposal on how to conduct the update in quarter one.

Commissioner Rosati commented on the thoroughness of the document, and on being pleased there are time restrictions included.

Chair Perry questioned where the data that is generated by this process would be housed/stored for future reference/use. It was noted some of the characteristics would not be captured in the current assessing database, and questioned the possibility of having fields created so that the information could be added to the database, which is where he believes it belongs.

The question could be posed to the Town Manager and Community Development Director, and their input could be included in the proposal.

Chair Perry questioned Phase 1, step 2 relative to removing Town properties that have municipal improvements; specifically, would parcels having a conservation purpose that have development such as a building, shed, etc. on them be removed from the chapter. Commissioner Tenhave responded the note was intended to indicate there would be exceptions.

It was suggested the sentence that reads “The determination includes removing all Town properties that:” could be amended by deleting the word “all”.

Commissioner Tenhave suggested there be a column that identifies whether a property is a designated Town forest.

OTHER BUSINESS

- Boys & Girls Scout Projects – Primary Contact / Project List

Chair Perry questioned the will of the Commission relative to establishing a Liaison/point of initial contact for coordination between the Commission and scouting organizations. He suggested a list be made available of all desired projects, which could become scouting projects. Commissioner Boisvert questioned if the individual sub-committees have a list. Vice Chair Caron remarked that is how it tends to happen now. Chair Perry commented on keeping the lists current and readily available. Were there a singular initial point of contact, that individual could make the scout aware of available projects. The scout could then be pointed in the direction of a sub-committee. That sort of structure would hopefully eliminate duplicate efforts.

Commissioner Rosati volunteered to be the initial point of contact.

Commissioner Tenhave remarked he could speak with Wendy Wetherbee, Wetherbee Creative, and request, as part of the next quarterly update, that a project page be created for the Commission's website. The page could include photos and other information on completed projects as well.

- Sub-committee Updates

Grater Woods

Chair Perry stated, at the Sub-committee meeting on the 21st, agreement was reached to retread the Ridge and Brickyard bridges. A proposal has been put together with an expected not to exceed cost of \$300.

Vice Chair Caron commented the bridges are about to fail. They were constructed with lumber from Grater Woods, which was never treated.

**MOTION BY COMMISSIONER BOISVERT TO APPROVE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED THREE HUNDRED DOLLARS (\$300.00) TO COVER THE COST OF MATERIALS NEEDED TO RE-TREAD THE RIDGE AND BRICKYARD BRIDGES.
SOURCE OF FUNDING IS FUND 53
MOTION SECONDED BY COMMISSIONER GLENN
MOTION CARRIED
7-0-0**

Vice Chair Caron stated the Sub-committee discussed the potential need for a scouting project to address the Outdoor Classroom and various other scout interests.

Fields Farm Sub-Committee

Commissioner Tenhave spoke of the draft Charge for the Sub-committee, which was provided in advance of the meeting (copy attached).

The Charge was modeled after the Charge for the Horse Hill Nature Preserve Sub-Committee. The size was changed to 5 full-time members and 3 alternates like what exists with the Wildcat Falls Sub-committee. The other difference is the creation of a Management Plan.

He requested Commissioners review the document for consideration at the next meeting.

The name, Fields Farm, was provided to the Commission by Charles Ireland, who owned the parcel. When he donated the parcel to the Town he requested it be named Fields Farm.

There is a commitment from the developers of the Tomasian parcel to donate the 20+ acres around that development to the Town for conservation purposes. That acreage abuts this parcel.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. November 20, 2017

The following amendments were offered:

In all instances where it appears; replace “Chairman” with “Chair”

Page 2, Line 51; insert “Brook” after “Baboosic”

Page 5, Line 24; replace “There was note” with “It was noted”

Page 5, Line 46; replace “COMMISSIONER” with “CHAIR”

**MOTION BY COMMISSIONER BOISVERT TO ACCEPT, AS AMENDED
MOTION SECONDED BY COMMISSIONER GLENN
MOTION CARRIED**

7-0-0

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Commissioner Tenhave noted the last weekend for most hunting activity is the coming weekend. Users of the trails are encouraged to wear hunter orange while in the woods.

ADJOURNMENT

**MOTION BY COMMISSIONER TENHAVE TO ADJOURN
MOTION SECONDED BY COMMISSIONER GLENN
MOTION CARRIED**

7-0-0

The December 4, 2017 meeting of the Merrimack Conservation Commission was adjourned at 9:07 p.m.

Submitted by Dawn MacMillan