



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION MONDAY, JULY 24, 2023 MEETING MINUTES

CALL TO ORDER -

A Meeting of the Conservation Commission was called to order on Monday July 24, 2023 at 6:30 pm in the Matthew Thornton Room.

Steve Perkins, Chair, presided:

Members of the Commission Present:

Eric Starr, Vice-Chair
Ellen Kolb
Gage Perry
Andy Hunter, Town Councilor
Andrew Duane, Full Member

Members of the Commission Absent

David Trippett, Alternate Member
Karis Welsh, Full Member

PUBLIC HEARINGS - None

NEW BUSINESS –

- **Feedback from the Town Council Retreat – Submitted by Andy Hunter**
With a large agenda, the Council was unable to have a discussion on the possibility of creating the position of Conservation Officer. Much discussion centered on pay scales and making Merrimack a better place to work. The need for more athletic fields in town was discussed. Councilors talked about the feasibility of a new public safety complex as well as the possibility of a solar energy “farm” at the old landfill. Regarding parks and conservation areas: Councilors agreed that the Depot Street canoe launch needs to be evaluated for repair needs; they discussed the parking lot at Sklar and how to get equipment there; and fund balances were also reviewed.

Councilor Perry asked what's the impetus for a solar farm. Councilor Hunter replied that it would be a green energy initiative that could reduce the Town's electricity cost.

Chair Perkins noted that the Conservation Commission (MCC) has moved away from seeking a Conservation Officer for the time being. He asked about social media policy for Town boards like the Conservation Commission. Councilor Hunter said there was some discussion at the retreat about social media, but the Town Manager is still looking into this topic. Councilors did not take up any formal social media policy for boards.

Councilor Hunter noted that the Town's own Facebook page has a notification section, and the Commission could ask the Town Manager to post events and news there. Councilor Hunter added this, relative to the most recent Town Council meeting: Souhegan River Trail plans are moving forward. He will send information via email to the Commission.

- **Clarification on E-Bikes – Submitted by Ellen Kolb**

Commissioner Kolb said that her statement at the last Commission meeting regarding class 1 and class 2 e-bikes being legal on Conservation properties was in error. In fact, according to chapter 111 of the Town Code, class 2 is prohibited. She thanked former Vice-Chair Mike Boisvert for pointing out the relevant law.

- **Fields Farm Update – Submitted by Steve Perkins**

Now that the Commission understands the Fields Farm property boundaries better it is time to come up with a strategy for proceeding forward. There's about 95 acres of land, though it is not safely accessible, it is getting a lot of use.

Commissioner Perry noted there was probably a plot plan of the property available in the Community Development Department. At one time, the Commission had worked with the Department of Public Works to determine a place to put a path connecting the property to the parking lot. Commissioner Perry said they would need to work with the Town again because this work would require a curb cut onto Amherst Street.

The process may be lengthy as the process to get a curb cut for Horse Hill Nature Preserve was very involved. Commissioner Perry stated it is a wooded parcel all along Amherst Road and doesn't currently have a curb cut. Chair Perkins questioned what the process was in the past. Commissioner Perry said they worked with the Town Engineer and Director of Public Works in the past.

They would have to walk the area to figure out where access to Amherst Road could be placed since the path would probably have to bisect the parcel. The parking was down towards the Northern end of the parcel since this was the only large flat area that would work without an Alteration of Terrain permit. At the time of the

Commission looking into this previously, a development was being built nearby. The laydown area was supposed to be where the curb cut was going to come off of Tomasian Drive. Councilor Hunter asked about the status of Tax Map 4B Lot 9-1 on Tomasian Drive. Commissioner Perry said this land would not be granted to the Commission, but would be turned over to the residents of the Windy Hollow development.

Chair Perkins asked how the Commission wanted to move forward, citing that they had a couple options. They could schedule a site walk or designate a few representatives to set something up with the Town Manager and Director of Public Works to flag the area. Commissioner Perry said a lot of previous conversations centered on using the Horse Hill Nature Preserve (HHNP) parking lot. This was not feasible because the only way between the parking lot and Fields Farm is by going onto Amherst Road. Even now people are ducking onto Amherst Road just North of Farmer Road because that is the only spot where Fields Farm property meets Amherst Road. However, people are passing private property to get to this area which may be a liability issue for the property owner.

Commissioner Kolb expressed interest in seeing the property with someone from Town who is familiar with the parcel and what it would take to get access to it. Councilor Hunter asked if the area between Peaslee and Mason Road was a potential access point because it looks like it borders Amherst Road. Commissioner Perry noted this was correct, this was the only place to access the property with a vehicle.

Councilor Hunter sought to further clarify the issue. Commissioner Perry noted that people are parking at the HHNP lot and then crossing private property to enter Fields Farm. Councilor Hunter noted they were entering here because it was closer to the HHNP property and parking lot. Councilor Hunter said they could still find a potential access point further South on Amherst Road. Commissioner Perry confirmed this. Discussion continued on regarding whether the whole Commission should hold a meeting at the property, or if individuals should walk the site and then go forward from there.

Commissioner Duane asked if there was any kind of trail map published for this property by the New England Mountain Bike Association (NEMBA). Commissioner Perry said the Commission hadn't published maps of the property, but there are published trails which contributes to the problem since there is not an access point.

The Commission will take up this topic again in another month.

OTHER BUSINESS –

- **Review Conservation Commission Rules of Procedure. Tabled from the 5.22.23 Conservation Commission Annual meeting – Submitted by Steve**

Perkins

Motion by Commissioner Perry to remove the table on the discussion of the Conservation Commission Rules of Procedure.

**Motion Seconded by Vice-Chair Starr
Motion Carried Unanimously**

The Commission's review of its Rules of Procedure (ROP) was tabled while the group explored the possibility of having a student member from the Merrimack School District. Chair Perkins reported on his communication with Town Manager Paul Micali about this, and it appears that the Town Charter (Article VI) is specific about membership on the Conservation Commission. Adding a student representative would require amending the Town Charter, which would go on a ballot for a town-wide vote. As an alternative, we could invite a student to report to the Commission quarterly, as a single agenda item at a meeting. Commissioner Perry asked Councilor Hunter about the procedure for amending the Charter, and the Councilor said he would ask the Town Council to consider this at a future meeting.

Motion by Commissioner Kolb to approve the Conservation Commission Rules of Procedure as they were presented at the May 22, 2023 meeting.

**Motion Seconded by Chair Perkins
Motion Carried
6-0-0**

APPROVAL OF MINUTES –

Motion by Commissioner Perry to approve the June 26, 2023 Conservation Commission minutes with the following amendments.

Page 5, Line 191 – Change “many” to “much”

**Motion Seconded by Chair Perkins
Motion Carried
6-0-0
Abstained: Commissioner Duane**

ADJOURNMENT –

**Motion to Adjourn by Councilor Hunter
Motion Seconded by Commissioner Perry
Motion Carried
6-0-0**

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The July 24, 2023 meeting of the Conservation Commission was adjourned at 7:05pm.