



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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MERRIMACK CONSERVATION COMMISSION

OCTOBER 21, 2013

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, October 21, 2013 at 6:33 p.m. at the Merrimack Memorial Conference Room.

Chairman Tim Tenhave presided:

Members of the Commission Present: Matt Caron, Vice Chairman
Thomas Lehman
Gage Perry
Simon Thomson
Lauren Kras, Alternate

Members of the Commission Absent: Ron Davies
Councilor Thomas Mahon
Robert Croatti, Alternate

Also in Attendance: Peter Flood, Chairman, Pavilion Committee
Phil Straight, Pavilion Committee
Mark Threlfall, 515 D.W. Highway
Dawn Tuomala, Civil Eng./Wetland Scientist, Manadnock Survey, Inc.
Judy Threlfall, 515 D.W. Highway

Commissioner Davies was excused.

Chairman Tenhave reminded the viewing audience hunting season is upon us, and encouraged those venturing out into the woods to dress appropriately, e.g., hunter orange, and stick to the trails.

PUBLIC COMMENT - None

APPOINTMENTS

1. Pavilion Discussion – Peter Flood and Friends

Peter to update the Commission on the Roger Duhamel Pavilion at Watson Park and plans for an educational panel.

Mr. Phil Straight, Pavilion Committee, thanked the Commission for its assistance. He stated his belief the proposed design for the educational panel would be both unique and fitting, and welcomed input from the Commission.

Mr. Peter Flood, Pavilion Committee, spoke of a draft plan for the educational panel. The permanent structure would consist of five boards (4' high x 19-19.5" wide), upon which information relating to conservation matters, both of a timely and educational nature, could be displayed. The structure would be buried about 1.5' below the surface (can dig up to 2'), and constructed with pressure treated lumber. Although the proposed design indicates a list of materials, a request was made that a carpenter be asked to review the list and make recommendations. The structure would be situated (looking at it from the highway) about 15' off to the right of the pavilion. A stone dust walkway is recommended for placement around the structure.

Chairman Tenhave questioned whether the stain/colors would match those of the pavilion. Mr. Flood responded a white background might invite graffiti; therefore, consideration was given to a stained background. The informational material could be covered with plastic, laminated, or made permanent by being screwed onto the

stained plywood board. When asked, he suggested those putting together the information to be displayed may consider a cover such as Plexiglas for information of a permanent nature.

Commissioner Perry stated a concern with the number of structures located in a small area. Mr. Straight responded it is a very valid concern and something the committee discussed. The intent of the area was for open space. However, it is hoped once the trail is put in along the river it will be utilized by the school, which brought to the forefront the idea of education. He suggested the placement of the structure up against the trees is most visually pleasing. Chairman Tenhave questioned whether all panels would be visible. Mr. Flood stated the intent to have a walkway around the structure. The trees would be a close backdrop. He noted the pavilion was included in the Watson Park Master Plan, the creation of which Mr. Watson participated in.

Commissioner Thomson questioned who would be responsible for monitoring the content posted, and was informed the intent was for the Commission to dictate materials to be posted. Mr. Straight suggested the Parks and Recreation Department would likely take the leading role with regard to ongoing upkeep, etc. When asked if he has had that conversation with the department, Mr. Straight stated they had early on; however, the educational component has not been discussed directly. Chairman Tenhave questioned whether approval of the structure would be required by the Town Council. Mr. Flood stated his belief that would not be required as the educational facility was included in the original discussion of the pavilion. He stated he would be happy to pose the question or accept the opinion of the Commission. Mr. Straight remarked, if the Commission is amendable to the plan and placement, the Town Manager could be asked if the need exists to go before the Council.

Chairman Tenhave stated concern with placement against the tree line and accessibility. He suggested it may be best served if designed as a three panel kiosk and pushed as close to the tree line as possible with a path in the front of it so that as visitors are moving towards the pergola or the other end, they would have to walk past it and view the education material. Mr. Flood remarked, if the desire were to do away with the iconic pavilion shape that could be accommodated. It would be easier to construct. Chairman Tenhave noted design plans are already in place for kiosk structures. Mr. Flood suggested, if such a panel were constructed each panel be at 108 degrees, which is the way the pavilion is constructed.

Vice Chairman Caron questioned whether electricity has been run to the pavilion, and was informed it has not. A master electrician has provided an estimate of approximately \$8,500 to get electricity across D.W. Highway, down to 100 amps, underground 50+ feet and have another 100 amp service at the pavilion end. Mr. Straight stated the Town Council would be discussing the issue in connection with the Merrimack Rocks event.

Vice Chairman Caron questioned whether the proposed structure would have electricity run to it. Mr. Flood stated a plastic pipe feed was placed under the pavilion concrete foundation to bring wires up. It would be a simple task to connect a wire and be able to illuminate the educational material. Mr. Straight remarked, although illumination has always been desired, given the park closes half an hour after sundown and requires a special waiver to be utilized after hours and the lack of funding, the issue of electricity was placed on the back burner.

Chairman Tenhave questioned whether discussions have taken place with the school regarding specific content desired or further discussions with George May, Chair, Souhegan River LAC. Mr. Flood stated they have not and remarked the concern at this time is to confirm the amount of space and the structure that would be necessary and satisfactory to the Commission. After that, the Commission, the Town, or the Parks and Recreation Commission would solicit ideas as to what would be the desired information.

Commissioner Perry stated his agreement with the idea of constructing a typical kiosk given the reasons already stated. Commissioner Kras questioned whether the location against the tree line would limit the amount of foot traffic. She commented if the trail were constructed to wind through it, it would attract people to it. Chairman Tenhave stated the pavilion to be approx., 30' off the tree line. Visitors to the pavilion will appreciate that there is another structure present. Mr. Flood stated there to be a depressed trail behind the tree line that looks almost like an old roadway and would be a natural place to have the river walk trail come up and then around to the pavilion.

Mr. Straight questioned whether the desire was to get the structure as close as possible to the pavilion and up against the tree line. Chairman Tenhave stated his desire for the structure to be close to the trees and to avoid encouraging people to go around it. Mr. Flood suggested the question of positioning be left up to the Public Works Department to determine to accommodate grass cutting, etc. Vice Chairman Caron was in agreement with a three-sided kiosk. Chairman Tenhave stated his only concern to have been how content would be managed. He suggested a protocol should be created at some point. Commissioner Thomson stated his agreement with the kiosk style. Commissioner Lehman stated he did not feel strongly one way or the other. Commissioner Kras

stated she had no particular preference. Her only concern is with placement and that the information is kept fresh.

Chairman Tenhave thanked Messrs. Flood and Straight for their attendance. He spoke of discussions that took place over a year ago when the funds were approved and concerns expressed around having an educational aspect. He stated his appreciation of having a location to post information where users of the area can be educated about the river, the structures that are there, and perhaps educational opportunities that relate to the history of the location.

Mr. Flood stated his recommendation each of the three panels be the same size and be set at 108 degrees. He suggested it might be reminiscent of the construction of the pavilion. Mr. Straight stated his belief that Committee members, working alongside Chairman Tenhave and the Parks and Recreation Department will, come up with a good placement solution that pleases all parties.

STATUTORY/ADVISORY BUSINESS

1. Canis Properties, LLC. (applicant/owner)

Review for recommendation to the Planning Board of an application proposing to construct a 4,075 sq. ft. addition and to convert a portion of an existing 2,350 sq. ft. residential duplex for a commercial dog grooming, training, daycare & boarding facility (d.b.a. "SuperDogs" Daycare & Boarding). Approximately 1,558 sq. ft. of the existing duplex will serve as a residential caretaker's unit for the facility.

The parcel is located at 637 Daniel Webster Highway in the C-1 (Limited Commercial), Aquifer Conservation Districts & Wellhead Protection Area. Tax Map 6E-2, Lot 023.

Dawn Tuomala, Civil Engineer/Wetland Scientist, Manadnock Survey, Inc. informed the Commission the property at 637 D.W. Highway (duplex) is served by an onsite sewerage disposal system located in the front yard and municipal water (MVD). There is an old well located in the back yard, which will have to be filled.

Being proposed is maintaining the two-bedroom unit as a residence for the property owners and converting the one-bedroom side of the duplex into an office area. In the back, would be a 4,075 addition constructed to house a dog care center (climate controlled). The first floor area is where daycare activities would take place (6:30 a.m. – 7:00 p.m.). The basement level would be used for boarding. Grooming facilities would also be located in this area as well as training classes (evening classes of 4-6 individuals/dogs). These activities are currently occurring at the facility located at 515 D.W. Highway. Both properties are within the Aquifer and Wellhead Protection Districts. The project has gone before the Planning Board and received conditional approval based upon conditions placed upon it by the Planning Board including the recommendation of the Conservation Commission and an outside engineering review.

With the addition, the sewerage disposal system located onsite will be abandoned. The pet care center would be on municipal sewer. Anticipated is the need for 40 gallons/day with a peak of 60 gallons/day. They will be tying into the municipal sewer.

The dogs are kept inside for the majority of their time at the facility. They are allowed out for four 45-minute intervals throughout the day. Feces are picked up immediately, bagged in a trashcan and then double bagged and placed in a dumpster. The covered dumpster is hauled away at least once a week, twice a week during the summer months. The play area on the right side of the structure is for the daycare and the one out back for the boarders.

The front parking lot has been tilted back towards D.W. Highway. A rain garden has been sized to handle the entire area and part of the roof line that will head in that direction. There is an overflow on the southwest side and some wide swale areas in the back to help detain and treat any runoff before it goes out. In a ten-year storm the amount going off site is reduced. In a twenty year storm there is an increase of .1 CFS and in a fifty year storm an increase of .2 CFS. Ms. Tuomala suggested another infiltration trench may be added in the back yard, which would take care of that excess.

Chairman Tenhave stated one of the primary concerns of the Commission is getting water back into the ground. Commissioner Perry questioned whether the intent was to increase the size of the paved area beside the existing house, and was informed the area is getting slightly smaller. It extends over the property line and will have to be reduced in width although will be slightly extended. The drainage has been placed traveling backwards along the

edge into the swale to be treated. When asked, Ms. Tuomala stated there would be no parking in the area. Asked if the surface has to be paved, Mr. Mark Threlfall stated he would be amenable to utilizing crushed stone.

Mr. Threlfall stated there would not be a need to remove snow from the play areas. With regard to snow storage for the paved areas, Ms. Tuomala stated there to be room onsite (just in front of the rain garden). One of the notes would address snow removal from the site when necessary.

Asked about capturing roof runoff, Ms. Tuomala stated she had originally considered rain barrels; however, recently has given consideration to some type of infiltration trench along the back side. Chairman Tenhave stated agreement with that approach noting, over a long period of time, it may require some cleaning due to sand and/or asphalt that will come off of the roof with the rain. Commissioner Perry questioned where the peak of the roof to the addition would run, and was informed runoff would shed to either side of the property. Mr. Threlfall noted the existing building would have a new roof installed, which would bring the peak level up to match that of the addition.

Chairman Tenhave questioned whether wetland impact was anticipated as a result of additional water in the area. Ms. Tuomala remarked once past the lower swale area, the topography is flat for a distance before dropping off. The surface of the play areas was stated as Peastone. Note #15 on page 1 references no salt use.

Chairman Tenhave stated he would inform the Planning Board the Commission has no additional comments regarding the project.

OLD BUSINESS

1. Grater Woods Follow-On Projects, RFP, Appendix E items

Commission to potentially take action on an RFP for work that addresses some of the projects in Appendix E of the Grater Woods Stewardship Plan. Commission to also discuss how it wishes to proceed on the other items in Appendix E not included in the RFP (Gates on South Grater Road, Gateway Hill and water crossing).

Chairman Tenhave noted discussion that took place at the last meeting regarding whether or not the Commission had agreed upon the scope of work as identified within the RFP. Review of the meeting minutes indicates the idea of the scope was well presented; however, the consensus of the group was to move forward with the RFP and when reaching the point of discussing accepting a bid, the Commission would be sure that the statement of work was accurate. He questioned the will of the Commission.

Commissioner Lehman stated his desire to see the scope of work reduced. He remarked the road was put in in 2008 and the Commission is now faced with making corrections to it as it is unhappy with the way it was designed or laid out. Commissioner Perry stated the only issue with the road to be the riprap and the fact it has been pushed aside over time. Initially the intent was to cover with crushed stone the sections of riprap and a few areas where water acceleration and drainage issues were being seen. Since that time the riprap has been pushed aside and the areas have increased considerably in size (75-80' in one instance).

Commissioner Lehman remarked the initial intent was to clear out the riprap that was causing the issues for walkers. Commissioner Perry stated the desire had been to cover the riprap as the surface was difficult to pass for anything other than a wheeled vehicle. Commissioner Lehman stated the Forester has suggested the riprap would make a good border, the area could be filled in, and the washed out areas addressed. He commented it was Commissioner Perry who provided the Forester with information on the type of material to be used. Commissioner Perry responded the type of material was recommended by the initial company that participated in the site walk several years ago. Bay State Forestry also recommended crushed and washed stone. Commissioner Lehman remarked crushed stone is not the same as crushed gravel. Commissioner Perry noted crushed gravel has particulate in it.

Commissioner Lehman stated he is amenable to clearing up the riprap and addressing the washout areas, but he does not think it necessary for the appearance to mirror that of the project just completed at the Red Maple Trail. The roadway is suitable for the allowable uses in its current state. He stated the biggest problem to be that some of the riprap is still in the middle of the trail. He suggested the main issues to be addressing the washout areas and moving the riprap out to the side. That could be addressed without the proposed amount of material.

Chairman Tenhave questioned what the surface would look like. Commissioner Perry suggested it would be back to the same surface that led to the placement of riprap in the first place. Commissioner Lehman stated it to be

crushed gravel under the riprap. Commissioner Perry stated it is local materials, sand, clays, etc. Commissioner Lehman remarked the Forester has indicated he would work with the Commission if the desire were to reduce the scope of work.

Commissioner Thomson commented he has walked the area, found it in need of repair, but believes the current proposal to be more extensive than may be necessary. Commissioner Perry explained previously the difference between the bottom of the trail and the height of the land was close to 3' in some area. During times of rain the area literally filled with water. The whole roadway was brought up to the level it is at now. The stone ford that went across there was open rock. So much water and sand have come down the hill that it filled the area. To try to compensate for that some rather large boulders were placed, which could not be walked on. That resulted in complaints received from individuals riding horses and the school stating they would no longer send the cross country team out there as they could not run on that hill. Because of the way it was designed it worked to stop some of the runoff. Going with the suggested changes to the scope would result in the same situation where there would be a blank hill with just the road surface, which would wash down into the culvert. The purpose of the proposal is to capture the water, let it infiltrate where it lands, and stop it from running all the way down the hill.

Commissioner Lehman stated the RFP does not call for stone; it calls for 6" of crushed gravel, which is the same material that is there currently. Commissioner Perry disagreed and stated what is in place currently is local material, e.g., sand, etc. Commissioner Lehman remarked it is native gravel. There are fines on the surface that are going down into the rock culvert, but the RFP asks for 6" more of the same basic material. Commissioner Perry disagreed what was being proposed was the same as what is currently in the area. Commissioner Lehman reiterated his opinion what is in place is not crushed stone, and suggested crushed stone would be pushed aside over time. He is of the belief the best material to be used is gravel, which is similar to what is currently in place.

Commissioner Lehman suggested the erosion problems could be solved and the riprap pushed back to the sides. It was suggested the maintenance cycle could be three years. Commissioner Perry reiterated the road would be right back to the surface that caused the original problem.

Chairman Tenhave stated a concern that all of the uses designated for the area are adequately managed. He questioned whether either solution accommodates all uses. Commissioner Perry stated if the riprap were pushed out of the way all uses could be accommodated, but that would not solve the maintenance problems, which is the reason the riprap went on, e.g., to stop the fines from washing down the hill. Commissioner Lehman stated in the steep areas even with the added material the same maintenance issues would exist through the use of gravel. Commissioner Kras questioned whether the Commission put out an RFP hoping to receive a response from a contractor already doing work in the area. Vice Chairman Caron stated there was a contractor in the area working on the Red Maple Trail and the thought was they would be able to provide a bid that would correct this issue. Commissioner Kras remarked it appears a solution was dictated and RFPs requested rather than requesting multiple contractors provide options.

Commissioner Lehman stated his belief the Commission dictated to the Forester. Commissioner Kras stated a desire to understand the different options. She does not wish to expend the funds to have the project completed if it will not address the runoff issues. She suggested the Commission could explore all options over the winter and address the situation in the spring. Commissioner Perry stated what is before the Commission is the recommendation of the Forester. Information was provided to the Forester that was recommended the last time the area was reviewed. The Forester looked at the proposal and agreed with the materials recommended for use.

Chairman Tenhave added, when the area was reviewed previously the Forester and contractors made a recommendation. When the issue came forward again this summer Commissioner Perry questioned whether that recommendation was still accurate and viewed as the way the Commission should move forward. Commissioner Perry added the only thing that was different were the measurements. Vice Chairman Caron noted there was also the recommendation to put in some grade dips at the top to get the runoff directed right to left rather than straight down the hill.

Chairman Tenhave questioned the will of the Commission with regard to the scope of work. Commissioner Lehman suggested the Commission move ahead. When asked he stated he was not in agreement with the statement of work. Commissioner Kras stated she was agreeable to the statement of work. Commissioner Thomson commented he does not have the background of the trail the other Commissioners have, but believes the scope is a little too much, and; therefore was not supportive of it. Commissioner Caron stated his agreement with the current statement of work. Commissioner Perry reiterated the same recommendation has remained in

place after two reviews of the situation. He suggested if the Commission were to prolong the project the statement of work would remain valid, but would not be enough as the size of the area would only increase.

When asked about the prior quote received (\$36,000 - \$40,000 range), Commissioner Perry stated the quote was from a local contractor estimating the cost of X number of feet, X number of depth, X number of hours with an excavator, etc. He added it was not the contractor that does road work, it was a quote provided off the cuff based on X number of loads, etc. He further explained it was not a formalized bid. It was noted the section coming up the road from the ball field was included in the prior quote and is not included in the current quote.

It was noted the majority of the Commission is in agreement with the current Scope of Work.

Chairman Tenhave remarked one response to the RFP was received (\$12,300). It is preferable, when dealing with dollar values of this amount, to have a minimum of three responses. Paul Micali, Finance Director, has confirmed the only response received was the one before the Commission for consideration. Xenia Simpson, Purchasing Agent/Accountant, has confirmed the contractor who did the work on the Red Maple Trail has acknowledged receipt of the RFP; however, provided no response.

Chairman Tenhave stated he was surprised with the lack of response from other potential bidders. Commissioner Lehman was not supportive of going through the process another time. He spoke of the intent to move the project ahead quickly, which is why the RFP was put out in advance of a final decision on the scope of work. Having reached this point, he would like to move the project forward.

Commissioner Kras questioned whether the Forester has provided an opinion on the dollar value of the quote provided. Chairman Tenhave stated the quote to be within \$1,000 of what Bay State believed the cost would be. Chairman Tenhave spoke of the need for coordination with the School District given the need for access through School District property. The contractor will have to work through the process identified within the Memorandum of Understanding.

**MOTION BY COMMISSIONER PERRY TO AWARD THE CONTRACT TO THE SOLE BIDDER, W.A. PARKS, LLC, IN THE AMOUNT OF TWELVE THOUSAND THREE HUNDRED DOLLARS (\$12,300) AND TO AUTHORIZE THE FORESTER TO OVERSEE THE PROJECT. FUNDS ARE AVAILABLE IN FUND 53
MOTION SECONDED BY COMMISSIONER THOMSON**

ON THE QUESTION

Chairman Tenhave stated his hesitancy and a desire to receive more than one response to an RFP. Vice Chairman Caron echoed his remarks.

MOTION CARRIED

2-1-3

Commissioner Tenhave voted in opposition

Commissioners Caron, Lehman, and Kras abstained

Vice Chairman Caron informed the Commission the bid for the bridge over the wetland on Gateway Trail has not yet been received. However, he is aware the same contractor that installed the gate is interested in that work and is working on putting a bid together. Having a desire for potential contractor(s) to be able to view the area, he suggested the project be viewed in the spring and worked on next summer. He is not aware of the potential cost. He would prefer to have a contractor who has done this type of work look at the project and provide an estimate of scope and cost.

Commissioner Lehman stated the need for the Commission to reach a decision regarding gating South Grater Road (area between two property lines). It is currently a Class VI road (not maintained), which can be gated. As a Class VI road, improvements cannot be made; however, if designated as an emergency lane the improvements could be done.

State RSA dictates anyone having an interest in that portion of the road can deny permission to have it designated as an emergency lane. He is unaware of whether anyone else would have a legal right to that section. Chairman Tenhave clarified if an emergency lane were proposed in an area where there were multiple owners that were abutters to it those owners would have particular rights. They could relinquish those rights, they could be compensated for those rights, or they could choose the ability to access their properties through those gates, e.g., have a key, and the need would exist to work out a process for their use.

Chairman Tenhave noted the requirement to declare a legitimate potential emergency need in order to designate the road as an emergency lane. He does not believe there would be difficulty making such an argument. Commissioner Lehman stated Chapter 231:59-a reads in part: "In the case of a private way, notice shall be mailed to all persons known to have a legal interest in the way, 10 days prior to the hearing, and the emergency lane shall not be declared if permission is denied by any person with a legal right to deny such permission. Neither the appearance nor non-appearance of such persons at the hearing shall prevent such permission from later being denied or withdrawn." He is unaware if the other private parcel owners along that Class VI road could be considered as having a legal right to access the other side. Chairman Tenhave noted there is access from another point; Wilson Hill Road. Commissioner Lehman suggested that be pursued with Town Council.

The only other option would be to classify it as a Class A trail from the boundary area in the woods all the way to Wilson Hill Road. On a Class A trail, public access would not be required. In such an instance, Town Council would put an ordinance in place around the uses of that road and restricting certain uses, which might help law enforcement with issues occurring along the private parcels on that road. It would also reduce the ability of the owners of the private parcels to develop from that access point. Owners would have to be compensated as it would render the area undevelopable. Chairman Tenhave stated his belief there are four different owners before reaching the property (if going all the way to Wilson Hill Road with a Class A trail).

He stated the quickest way to address the issue is to gate the area and look to the Town Council to approve an emergency lane designation for that section between the two property lines. Consideration of designating the entire stretch a Class A trail could take place at a future time.

Commissioner Lehman explained if designated a Class A trail, the private parcel owners would retain the right to access their properties and do not have to abide by the ordinance(s) set for the Class A trail. With a Class B trail designation, owners of the private parcels would have to abide by regulations set in ordinance.

Chairman Tenhave suggested the language be drafted and brought before the Commission for an official vote before bringing to the Town Council.

NEW BUSINESS

1. Horse Hill Nature Preserve Sub-Committee Appointments

Commission to consider the re-appointments of expired terms of some of the members of the Sub-Committee. Commission to discuss the Sub-Committee's Charge as well.

Chairman Tenhave provided some history of the formation of the sub-committee. In 2002 a Warrant Article was passed to purchase the Horse Hill Nature Preserve. After the purchase took place the Selectmen put together the Green's Pond Master Plan Committee (former name of property). About a year into the process the name was changed to the Horse Hill Nature Preserve (HHNP) Sub-Committee. A Master Plan was put together. The Selectmen approved the plan and dissolved the committee.

They then took that group of 30+ members and created the Horse Hill Nature Preserve AdHoc Committee, which was in place from 2003-2006 when it was dissolved. One of its charges was to create the definitive plan for the HHNP. That plan spoke to the idea that management of the property should be done (large portion except 26 acres) by the Merrimack Conservation Commission.

Review of the definitive plan simply says the Merrimack Conservation Commission (MCC) should appoint a sub-committee to carry out the management tasks of the HHNP as set forth in the definitive and master plans. It also states the sub-committee should consist of a minimum of 5 and a maximum of 7 members. The MCC is encouraged to select representatives from the MCC, Parks Committee, and volunteer citizens to serve on the sub-committee. A chairperson should be elected annually by members. The sub-committee should propose an annual implementation schedule of the definitive and master plans. The implementation schedule should identify activities that will be undertaken on an annual basis where necessary. The sub-committee should solicit the assistance of volunteers to accomplish tasks as set forth in the implementation schedule. They should meet quarterly at a minimum in a public session and report to the MCC at their next regularly scheduled meeting.

In September of 2006, the MCC created the Horse Hill Nature Preserve Sub-Committee. The decision was for a seven member sub-committee with staggered appointments of 1-year, 2-year, and 3-year terms with an appointed conservation representative filling the 7th position. There are no alternates. That went forward and appointments were made.

Chairman Tenhave questioned whether the Commission, within the bounds of the definitive plan, wished to create a more exact charge or if members were satisfied with the existing language. He commented, over time, he would like to see a common charge in place. Commissioner Perry stated his first response is to leave it alone as it has been one of the more successful sub-committees and the property is well managed and well kept. He does not believe changing their Charge would change the work they do. He suggested it might be worthwhile to first develop a template before making any changes. Commissioner Kras stated agreement.

Chairman Tenhave agreed to place discussion of the issue on a future agenda.

Chairman Tenhave noted one of the current members is identified as an Alternate. The three terms appointments up for renewal are those of Adrian Cote, Debra Huffman, and Helynn Wenz. Vice Chairman Caron stated Debra Huffman has requested a three-year term, Helynn Wenz a two-year term, and Adrian Cote a one-year term.

Chairman Tenhave stated the terms to be for three years. Staggering terms were put in place initially, but once in place the length of term is three-years. Chairman Tenhave noted each sub-committee member is a volunteer at will and could choose not to continue.

**MOTION BY COMMISSIONER TENHAVE TO APPOINT THE FOLLOWING INDIVIDUALS TO THE HORSE HILL NATURE PRESERVE FOR TERMS TO EXPIRE JULY 31, 2016: DEBRA HUFFMAN, ADRIAN COTE, AND HELYNN WENZ
MOTION SECONDED BY COMMISSIONER CARON
MOTION CARRIED
6-0-0**

Commissioner Tenhave called for nominations for an Ex-Officio member to the Horse Hill Nature Preserve.

**COMMISSIONER PERRY NOMINATED COMMISSIONER CARON
SECONDED BY COMMISSIONER THOMSON**

**VOTE ON ELECTION OF COMMISSION CARON AS THE EX-OFFICIO MEMBER OF THE HORSE HILL NATURE PRESERVE
MOTION CARRIED
5-0-1**

Commissioner Caron Abstained

2. Wasserman Conservation Area Forestry Plan

Commission to discuss the update of a Forestry Plan for the Wasserman Conservation Area along with including the new parcel that is adjacent to this parcel.

Chairman Tenhave informed the Commission of discussions he has engaged in with the Town Manager and other town employees regarding the dog park to be located at Wasserman Park, and the need that has been created for an area to be cleared. With an awareness of the need for a forestry project on the Town side of Wasserman Park, the possibility has been discussed of potential cost savings should the two projects be combined.

In his discussions, he has stated his belief, if considering such a combined effort, he would find it appropriate for the Commission to review the forestry plan and ensure alignment with the plans for forestry on that property before committing to moving forward.

He would like to see the Commission create a template to be used in all forestry projects, and questioned if the Commission was agreeable to the Wasserman Conservation Area being the first parcel such a template is applied to. Commissioner Lehman stated it is typical for the Forester to develop a plan based on the objectives of the Commission. Chairman Tenhave clarified his intent is to determine if the Commission wishes to update the plan and, if the decision is to conduct a forestry project, to see if the opportunity exists to combine efforts to benefit from economy of scale.

Commissioner Perry stated a desire to have a template in place. When asked for clarification on a template, Chairman Tenhave stated forestry plans have been done on all of the properties, which have ranged from 1-2 pages to 30 pages in length with varying levels of detail. He is of the belief the Commission should determine what an appropriate plan should involve. Commissioner Lehman reiterated it is the Forester who has to do that.

Chairman Tenhave stated the Commission could identify what it desires to be included in a plan. Commissioner Lehman stated foresters have a set template they utilize. Commissioner Kras suggested information desired beyond the standard information on water, soils, etc., could be identified, e.g., level of detail for maps, forest types, etc.

Chairman Tenhave remarked what he was envisioning was a template that could encompass the majority of the properties. When used for a particular property, notes could be added informing of areas where particular emphasis should or should not be placed.

Commissioner Kras suggested examples of existing templates be gathered and utilized to formulate one the Commission finds suitable. She offered to provide such examples. Chairman Tenhave agreed with the approach and questioned the will of the Commission in spending its or a sub-committee's time creating a template. Commissioner Kras stated a desire for consistency with all properties. Commissioner Kras was asked to gather examples to be made available to Commissioners in advance of a discussion being placed on a future agenda.

Chairman Tenhave noted the Parks and Recreation Department is working with the Town to move ahead with their clearing project as they are further along in the process.

3. Grater Woods – Grater Homestead Forestry Project

Commission to discuss the recommendation from our forester related to a forestry project near the Grater Homestead parcel the Commission most recently added to Grater Woods.

Chairman Tenhave suggested if trail work is going to be done in the area consideration should be given to whether a forestry project should be undertaken. Doing so would allow skidder roads or other landings to be leveraged and incorporated into trails. Commissioner Lehman suggested the sub-committee be asked to take on the project. Commissioner Kras stated agreement. Chairman Tenhave remarked he would be hesitant to accept a proposed D2 trail if it were laid out without having an understanding of whether or not forestry work would take place. The first order of business should be a recommendation on whether or not forestry work should be performed.

4. NHACC Annual Meeting – November 2, 2013

Commission to see which members are interested in representing the Commission at the annual meeting for the New Hampshire Association of Conservation Commissions (<http://www.nhacc.org/annualmeeting43/>).

Vice Chairman Caron and Commissioner Perry stated their intention to attend.

Commissioner Lehman departed at 8:59 p.m.

OTHER BUSINESS

Discussion on communications or correspondence received concerning regulated MCC activities and any issues concerning MCC managed lands.

Items of note include:

☐ Budget and Finance Discussion in November

Chairman Tenhave stated his intent to include on the agenda for the second meeting in November a discussion of the budget.

☐ LLMP, what's next?

Chairman Tenhave commented on the decision made not to fully fund the Lakes Lay Monitoring Program. He informed the Commission Mr. Craycraft is looking into why the Commission was not in receipt of all reporting, etc. It may be that the Commission needs to make a future decision regarding funding.

☐ Beaver update

Commissioner Perry stated the Purchase Order to the same trapper utilized previously for the same value and number of animals was issued the prior Friday. He stated his intention to speak with Adam Jacobs, Operations Manager, Public Works Department (PWD), to determine where the most problems are being seen. The trapper has offered some reduction in costs if he can be kept busy enough to trap quickly.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. September 16, 2013

**MOTION BY COMMISSIONER PERRY TO APPROVE WITH CORRECTIONS
MOTION SECONDED BY COMMISSIONER THOMSON**

ON THE QUESTION

The following amendments were offered:

Commissioner Perry requested the fourth paragraph on page 2 be stated more clearly.

Page 12, Line 22; replace "LLNP" with "LLMP"

MOTION CARRIED

4-0-1

Commissioner Kras Abstained

Merrimack Conservation Commission. October 7, 2013

**MOTION BY COMMISSIONER TENHAVE TO APPROVE WITH CORRECTIONS
MOTION SECONDED BY COMMISSIONER THOMSON**

ON THE QUESTION

The following amendments were offered:

Page 5, Line 49; replace "Zina Jordan" with "Xenia Simpson, Purchasing Agent/Accountant"

Page 6, Lines 35 and 41; replace "Jordan" with "Simpson"

Page 9, Line 48; replace the word "fencing" with the word "gate"

MOTION CARRIED

4-0-1

Commissioner Kras Abstained

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Commissioner Perry stated the Girls Field Hockey team would be playing their preliminary game in the finals the following day at 3:00 p.m.

Commissioner Kras informed the Commission she would be providing an invitation to a screening of a documentary "Christmas Bird Counts", which will take place in the next few weeks. The documentary will air on New Hampshire Public Television in November. She is featured in the documentary.

ADJOURNMENT

**MOTION BY COMMISSIONER PERRY TO ADJOURN
MOTION SECONDED BY COMMISSIONER THOMSON
MOTION CARRIED**

5-0-0

The October 21, 2013 meeting of the Merrimack Conservation Commission was adjourned at 9:15 p.m.

Submitted by Dawn MacMillan