



Town of Merrimack, New Hampshire

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Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION

OCTOBER 3, 2016

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, October 3, 2016 at 6:31 p.m. in the Merrimack Memorial Conference Room.

Chairman Gage Perry presided:

Members of the Commission Present: Matt Caron, Vice Chairman
Michael Boisvert
Cynthia Glenn
Gina Rosati, Alternate Member
Councilor Thomas Mahon

Members of the Commission Absent: Tim Tenhave, Alternate Member

Also in Attendance: Lynne Wenz, Horse Hill Nature Preserve Sub-Committee

PUBLIC COMMENT - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS - None

OLD BUSINESS

1. For Public Works Department (PWD) Review, finalize list of properties/areas that require regular maintenance.

Chairman Perry spoke of the discussion that occurred at the September 12th meeting regarding properties/areas owned or maintained by the Commission where it is believed the PWD could provide assistance. Both the Grater Woods Sub-Committee and the Horse Hill Nature Preserve (HHNP) Sub-Committee engaged in discussion of this. The HHNP Sub-Committee did not identify any areas/items.

Chairman Perry commented, at present, there are four general areas where maintenance, on a semi-annual basis, is desired, e.g., mowing: Grater Road at the Gateway Trail, Mitchell Woods road, Wildcat Falls road, which goes along the powerlines all the way down to the river, and the edges of the Red Maple Trail.

Vice Chairman Caron commented during the HHNP Sub-Committee meeting it came up that the PWD used to mow around the parking lot. A member of the Sub-Committee was present on a day they came in to mow, and instructed them not to. The member then took that back, and said they should still mow it. He suggested the Commission make the PWD aware of the desire for the area around the parking lot to be mowed. The item will be placed on the list.

Commissioner Boisvert suggested Wildlife Opening 1 and Wildlife Opening 2 be mowed. Vice Chairman Caron questioned if the desire is for Wildlife Opening 2 to be open. It has been mowed twice. The trail is not apparent. Vice Chairman Caron suggested the extent of the mowing could be cut back. Chairman Perry commented the reason they are called Wildlife Opening 1 and 2 is because they were to be kept in a state that is conducive to animals that wanted an opening. The schedule for mowing that is every 4-5 years. He noted the Forester would be present for the Commission's next meeting, and suggested that be discussed with him. It will be placed on the list.

NEW BUSINESS

1. Review & Recommend Merrimack Village District's Easement for Watkins Forest/Mitchell Woods Deed to allow for the testing and installation of a new Town Well

In its agenda packet, the Commission received a copy of the Easement Agreement from the Merrimack Village District (MVD) to utilize Mitchell Woods and Watkins Forest.

A year ago the Commission discussed the potential for a well in that area, which would be used in times of drought. With the recent closing of two wells as a result of PFOAs, it has become more urgent. It was noted the Easement language has been reviewed by Town counsel.

Chairman Perry stated he has no issue with the Easement. He intends to request the MVD replace the gate. That is a Tree Farm. They want a 50' easement for that opening, which is about the width of the property. It may be that some of the brush has to be taken down as the tree farm sign is not visible from the road.

Vice Chairman Caron questioned if they would be willing to use a gate similar to those utilized by the Commission on its other properties. Chairman Perry responded he would think so, and noted they could be supplied with a lock box as well so that the setup is consistent with other properties. He suggested the Commission could provide MVD an idea of what such a gate would look like.

The MVD wishes to construct a road through the area. It is probably going to be gated; don't need to mow. Until that point in time, Mitchell Woods will remain on the mow list.

The Trustees of the Trust Fund are looking to do a forestry project in the area. Chairman Perry stated he would be contacting the Trustees in regard to a potential cut. It has not been done for approx. 15 years, and it may be time for a cut before this project goes in. The two parcels, Mitchell Woods and Watkins, are managed as one. Hunting is only permitted on the Watkins Forest side. When asked, he stated there are a number of test wells back there and have been for quite some time. They lost the ability to check a few of them because of the water level. It wasn't until the water leveler was put in that they could get to some of the wells.

There were no concerns stated by the Commission.

2. Review & Approve the 2017 MCC Meeting Calendar

Vice Chairman Caron questioned why the first three meetings of the coming year are scheduled to take place in the Matthew Thornton Room. Chairman Perry stated his assumption the Merrimack Memorial Conference Room is not available. Councilor Mahon commented he is unsure if the calendar for budget meetings has been set; however, the Town Council typically conducts those meetings on Mondays.

The consensus of the Commission was to accept the calendar as presented.

3. Review & Approve the purchase of "No Dumping" signs for 10 & 18 Brookside Drive properties.

Chairman Perry stated the cost of the signs to be approx. \$18/each and the cost of posts, nuts, etc. approx. \$10/each. The desire is to purchase two signs to place at 10 and 18 Brookside Drive.

MOTION BY COMMISSIONER CARON TO EXPEND AN AMOUNT NOT TO EXCEED SIXTY DOLLARS (\$60.00) TO COVER THE COST OF SIGNAGE TO BE POSTED AT THE PROPERTIES LOCATED AT 10 AND 18 BROOKSIDE DRIVE. SOURCE OF FUNDING IS FUND 53
MOTION SECONDED BY COMMISSIONER BOISVERT
MOTION CARRIED
6-0-0

4. Review & Approve quote for Tree Work at HHNP

Chairman Perry provided the Commission with an update to the quote from McCabe Design, Inc., which was included in the agenda packet. The only changes are in who the quote is addressed to, e.g., Conservation Commission as opposed to the HHNP Sub-Committee and the date.

The quote addresses the reshaping and pruning of one (1) Apple tree and one (1) White Walnut tree as well as the cost to cut down three (3) Pine trees. Total cost is \$600.00.

Chairman Perry spoke of the HHNP Fund, which was created solely for the HHNP. He stated his opinion that fund should be utilized for items related to the HHNP alone. Maintenance items should be covered utilizing Commission funds. Councilor Mahon questioned if any other proposals were sought, and was informed there were not. Commissioner Glenn noted, once the trees are cut, the Town will come in and chip them.

MOTION BY COMMISSIONER GLENN TO APPROVE THE PROPOSAL FROM MCCABE DESIGN, INC., IN THE AMOUNT OF SIX HUNDRED DOLLARS (\$600.00) FOR TREE WORK AT THE HORSE HILL NATURE PRESERVE. SOURCE OF FUNDING IS FUND 53
MOTION SECONDED BY COMMISSIONER BOISVERT
MOTION CARRIED
5-0-1

Councilor Mahon Abstained

5. This year's New Hampshire Association of Conservation Commissions (NHACC) meeting is on Saturday 12 November 2016 at Pembroke Academy in Pembroke. Members are encouraged to attend. <http://www.nhacc.org/annualmeeting45/>

Chairman Perry commented the guest speaker at this year's meeting is Tom Wessels, Author of Reading the Forested Landscape. Registration cost is \$45 until October 14th after which it increases.

Commissioners interested in attending should make the Chairman aware so that registration costs can be paid.

6. Review activity and balances of the MCC Funds 51, 53, and the HHNP fund.

Chairman Perry provided a handout detailing activity and balances of the funds (copy attached).

7. Review & Approve the Classroom Bridge design and funding.

Chairman Perry commented on time spent working on the streambed that is behind the trail and going into the Outdoor Classroom at the Middle School. The bridge will have to clear span the water and will ultimately be 50-55' long. There is quite a bit of washout on both sides of the trail where the bridge edges will come up. The type of material that will be used to address the washout has not yet been determined; will have to be a boardwalk of some type. The bridge design is complete, and includes approx. \$1,200 worth of material costs. Having participated in the construction of a bridge of a similar style in Andover, MA, Chairman Perry and Vice Chairman Caron volunteered to coordinate the construction.

Chairman Perry noted past practice to include a ten percent (10%) contingency for such projects.

MOTION BY COMMISSIONER ROSATI TO APPROVE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED ONE THOUSAND THREE HUNDRED AND TWENTY DOLLARS (\$1,320.00) TO COVER THE

**COST OF THE DESIGN AND CONSTRUCTION OF THE CLASSROOM BRIDGE. SOURCE OF FUNDING IS FUND 53
MOTION SECONDED BY COUNCILOR MAHON
MOTION CARRIED
6-0-0**

OTHER BUSINESS

- Update on Jeff Littleton's work at our Continental Boulevard property

Chairman Perry noted Mr. Littleton has submitted an invoice for August. Beyond that, he did not have an update to provide.

- Nashua Regional Planning Commission (NRPC) Trail Mapping update

Vice Chairman Caron stated he has walked a number of properties with representatives of the NRPC, and has requested an example be provided of the work already done prior to the walking of Grater Woods. He is awaiting a response. He will make another request, and will copy the Commission.

Councilor Mahon commented the report he received from the NRPC the prior week indicated they had just completed one of their big regional mapping projects, which may be what is interfering with their ability to address this work as quickly as they might otherwise.

- Update on Land Donations

Chairman Perry stated his preference to withhold an update until Commissioner Tenhave was present to provide input. He commented the meeting relative to Profile Drive went well.

- Update on no-cut buffer area along HHNP and Wasserman Heights

In the absence of Commissioner Tenhave, the Commission's point person on this matter, the update was postponed.

- Update on encroachment into Wasserman Conversation Area

In the absence of Commissioner Tenhave, the Commission's point person on this matter, the update was postponed.

- Update on Anheuser Busch Volunteer Opportunity

Chairman Perry stated he has not heard back from Anheuser Busch, and sent an additional email earlier in the day looking to identify whether there remains interest. The Commission received an email several months ago asking if there were any volunteer opportunities. The Commission would like to identify the type of volunteer activity they are looking to support.

- Website update

In the absence of Commissioner Tenhave, the Commission's point person on this matter, the update was postponed.

- Update on Grater Road bypass road design & construction

Chairman Perry commented "Grater Road bypass" is not an official name, but simply a means of identifying the area. The gates have been erected in Grater Woods to close off the section of road along the beaver pond, which is flooded. The area was walked recently with Dawn Tuomala, Deputy Director/Town Engineer. The PWD will support the Commission in the designing of a new road. Deputy Director Tuomala has a good deal of experience in that area, and will be of great assistance to the Commission.

Chairman Perry commented the area was walked before the rain, and the ground along the road was wet. Those soils have been tested, and the area is a wetland. The road was originally constructed in a wetland long before wetland rules and regulations were in place. That section of road is officially no

longer a road. A location believed to be a good bypass for it has been identified. Deputy Director Tuomala is looking for volunteers (2) to assist in surveying the existing road and the area of the proposed new road. She has indicated her availability during the coming weekend. Chairman Perry hopes to be in the area on Sunday. Members of the Sub-Committee will be asked about availability.

- Tree Farm Status – Town Forester will be attending 17 October meeting to discuss

Chairman Perry noted the laws surrounding tree farms have changed. The Town Forester, Matt Powers, Bay State Forestry, will be present at the Commissions October 17th meeting to discuss existing tree farms and the Commission's responsibilities relative to those. Chairman Perry requested sub-committees be made aware of the discussion.

- Fields Farm Property

Chairman Perry stated the need for support for the project the Town is engaging in to construct a canoe launch on the Souhegan River. The existing launch area is not adequate.

The Fields Farm property is down river of that, and there are some areas along the river that are relatively high and flat, which would seem to be a good location to build another park. Kyle Fox, Director, PWD, has indicated it is in their focus for FY17 to do some work in that area. They will need support from the Commission to create plans and develop that park.

Commissioner Boisvert suggested the Commission conduct a walk of that property. Vice Chairman Caron spoke of walking the property, and commented there are areas, at the bank, where you are just above water level. In the area of the property line, there is a stream that he believes either is the property line or meanders with the property line. On that end (most westerly point) it is low, but towards the center of the property there are areas where the bank is 40' down. A little further down you are close to water level (Indian Ledges). This year, this time of year, you can walk across the river.

- Sub-Committee updates

With regard to activities of the Grater Woods Sub-Committee, Vice Chairman Caron informed the Commission the trails approved by the Commission at its July 18, 2016 meeting are being signed and marked. The Sub-Committee will be prepared to come before the Commission with an update to the Stewardship Plan in combination with whatever is mapped through the NRPC (likely a winter project). The Stewardship Plan, although very fresh and approved by both the Commission and the Town Council, will need updating to identify new property, trails, gates, etc. He commented he does not wish to make any material changes to the Stewardship Plan, but instead provide updates. He questioned the will of the Commission.

Chairman Perry remarked the Commission intentionally worked towards writing the management and stewardship sections as standalone and then referenced the properties that are under that management process. Updates should not be more than adding the properties, tree stand types, etc. The management and stewardship functions are not intended to change. They may be upgraded or changed if a new parcel is acquired that has a different type of land than previously addressed. He stated his support for updates only.

Vice Chairman Caron stated the updates would include identifying new trails in the trail appendices and new map, which includes the new parcels.

Commissioner Boisvert questioned if there has been discussion of trails or what to do with new parcels. Vice Chairman Caron responded we are inheriting a lot of trails very few of which are in great condition. There is a lot of activity on the parcels. Commissioner Boisvert questioned if consideration is being given to utilizing existing corridors/trails. Vice Chairman Caron stated his impression the majority of the trails are to be decommissioned. Chairman Perry commented there is a lot of crisscross activity, which the Commission is trying to stay away from.

Vice Chairman Caron stated his belief when going through the parcel with the NRPC; they will map everything that exists on the parcel. Once that process has been completed, the Sub-Committee will discuss which trails should remain, and will bring a recommendation forward to the Commission for consideration (late winter).

With regard to the HHNP Sub-Committee, Commissioner Glenn informed the Commission of the resignation of Amanda Yonkin (term to expire 7-31-17). It was noted Ms. Yonkin has served on the Sub-Committee since its inception, and has done tremendous work on its behalf. Her departure leaves an opening for a full-time member. Commissioner Glenn noted an alternate member has expressed interest in serving in that capacity. Chairman Perry stated an individual can be appointed to fill the remainder of Ms. Yonkin's term. Chairman Perry stated his understanding the Sub-Committee itself can appoint someone to fulfill the remainder of the term. When the term expires, the position would be advertised as any other would.

Vice Chairman Caron spoke of the new trails; one re-route and one new. Chairman Perry stated the desire for a site walk to occur prior to the official acceptance of the trails. Vice Chairman Caron stated the trails are marked; he has walked them and is comfortable with them. He noted there were some changes made by the Sub-Committee, and he has not received the full detail as to why.

The consensus of the Commission was to conduct a site walk of the new trails in the HHNP on Wednesday, October 12th at 5:00 p.m. Members will meet at the Amherst Road parking lot (184 Amherst Road).

Commissioner Glenn informed the Commission a member of the HHNP Sub-Committee, Tim Adams, is leading another hike at the HHNP on October 9th beginning at 9:30 a.m. in the parking lot. The hike will consist of the full loop, and will include the Twister Trail. The hike will be approx. 4 miles in length and is expected to take 1½-2 hours to complete.

Lynne Wenz, Member, HHNP Sub-Committee

Noted she also works with the Massabesic Audubon Center. The Center has a number of naturalists on hand that conduct activities outside of their center. She had suggested they check out the inhabitants of some of the ponds. Among the species they found were the New Hampshire Leech, large polliwogs, a number of types of bugs, Fathead Minnows, etc.

Ms. Wenz was proposing such an activity at the HHNP. The activity would consist of an initial lecture followed by participants using nets to scoop the water, and see what they find. They typically have a session that follows where artwork is done, which serves to reinforce what was learned. She believes the event could be promoted as a family event.

When asked, Commissioner Glenn stated the event could be advertised through the Parks and Recreation Department.

When asked if there would be a single entry point into the pond, Ms. Wenz stated participants would meet at the HHNP parking lot on Amherst Road and proceed up the hill to Lastowka Pond. The shoreline is quite open near the first dam, and participants would be on the shoreline using their nets to scoop the water.

The associated cost, inclusive of travel, is anticipated to be \$200.00. Nets would be provided for use. It was noted previous events of this nature were provided at no cost to townspeople. The timing of the event is uncertain. Chairman Perry commented one of the purposes of the Conservation Fund is education, and this type of activity is precisely what the funds are intended for. The event could accommodate 25-30 participants. It was suggested the event be conducted during the spring.

**MOTION BY COMMISSIONER ROSATI TO APPROVE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) TO COVER COSTS ASSOCIATED WITH THE FAMILY EVENT AT THE HORSE HILL NATURE PRESERVE. SOURCE OF FUNDING IS FUND 53
MOTION SECONDED BY COMMISSIONER CARON
MOTION CARRIED
6-0-0**

Commissioner Glenn informed the Commission of the elections conducted at the last meeting of the HHNP Sub-Committee. At that time, there were concerns expressed regarding training. The Sub-Committee questioned if co-Vice Chairs would be permitted for a one-year period. Councilor Mahon questioned what the Sub-Committee's Charge indicates, and was informed it addresses a single Vice Chairman. Commissioner Boisvert suggested the current Vice Chairman could be appointed to serve in that capacity with the expectation he/she would resign and another would be elected once trained. Chairman Perry commented as Chairman of the Commission he is currently being trained by a member holding the position of Alternate member. He is of the belief, if there is a will of the past Vice-Chairman to support the individual appointed to the role, he does not see the need to behave in a manner that is not consistent with the Charge.

The next meeting of the HHNP Sub-Committee will be conducted on Monday, October 10, 2016 at 7:00 p.m. in the Matthew Thornton Room.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. September 12, 2016

Chairman Perry noted the minutes were not included in the agenda packet.

The consensus of the Commission was to postpone acceptance of the September 12, 2016 meeting minutes until the next regularly scheduled meeting.

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Councilor Mahon commented it is the work the Commission has done that has gotten it to the point where continued efforts on matters such as the Stewardship Plan are administrative in nature.

Chairman Perry noted hunting season has begun, and encouraged users of the trails to be cautious of the activity, wear orange clothing, etc.

NON-PUBLIC

MOTION BY COUNCILOR MAHON THAT THE COMMISSION ENTER NON-PUBLIC SESSION PURSUANT TO RSA 91-A:3, II(d) CONSIDERATION OF THE ACQUISITION, SALE OR LEASE OF REAL OR PERSONAL PROPERTY WHICH, IF DISCUSSED IN PUBLIC, WOULD LIKELY BENEFIT A PARTY OF PARTIES WHOSE INTERESTS ARE ADVERSE TO THOSE OF THE GENERAL COMMUNITY

MOTION SECONDED BY COMMISSIONER CARON

A Viva Voce Roll Call was taken, which resulted as follows:

Yea: Cynthia Glenn, Matt Caron, Tom Mahon, Gina Rosati, Mike Boisvert, Gage Perry

6

Nay:

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MOTION CARRIED

The Commission entered non-public session at 8:01 p.m.

The Commission reconvened at 9:35 pm.

Chairman Perry stated the Commission sealed the minutes of the non-public session by way of a roll call vote.

ADJOURNMENT

**MOTION BY COUNCILOR MAHON TO ADJOURN
MOTION SECONDED BY COMMISSIONER CARON
MOTION CARRIED
6-0-0**

The October 3, 2016 special meeting of the Merrimack Conservation Commission was adjourned at 9:36 p.m.

Submitted by Dawn MacMillan