



Town Council Meeting Minutes

Thursday January 12, 2017, at 7:00 PM, in the Matthew Thornton Room



Chairman Harrington called the meeting of the Town Council to order at 7:00 p.m. Present at the meeting were Vice Chairman Rothhaus, Councilor Boyd, Councilor Dwyer, Councilor Flood, Councilor Koenig, Councilor Mahon, Town Manager Eileen Cabanel, and Assistant Town Manager/Finance Director Paul Micali.

Pledge of Allegiance

Chairman Harrington led in the Pledge of Allegiance.

Announcements

Town Hall offices will be closed on Monday, January 16th in observance of Martin Luther King, Jr. Day.

Community Development staff, the Planning Board, and Town Council mourn the loss of Planning Board alternate member Jeffery Sebring who passed away on Friday, December 30th. Jeff was a valuable member of the Planning Board since April of 2015, and had previously served as part of the Masterplan Steering Committee. Chairman Harrington extended condolences to Jeff's family and friends.

A moment of silence was observed in member of Jeffery Sebring.

Budget meetings will be conducted by the Town Council at 6:00 p.m. on Thursday, January 19th, Monday, January 23rd, and Monday, January 30th (if necessary). Regular meetings of the Town Council will be conducted at 7:00 p.m. on Thursday, January 12th and January 26th. All meetings will be held in the Matthew Thornton Room.

Town Manager Cabanel noted two items on the agenda for the January 23rd meeting that will require a good deal of time/discussion; Fire Department budget, with the proposal for four additional firefighters and the design alternatives for the Public Works Department (PWD) garage. The engineer and architect will be in attendance to present the different design alternatives. They are not completely new in terms of size, configuration, etc. They are slightly different and less expensive. She suggested it may be beneficial to schedule that discussion for a different night.

Councilor Boyd stated the desire to dedicate a meeting night for that discussion. Chairman Harrington stated agreement. It was suggested the agenda for the regular Council meeting on the 26th be reviewed to determine if that would be an appropriate evening for that discussion. If the agenda is expected to be heavy, consideration will be given to conducting the discussion on January 30th.

Merrimack Safeguard will be hosting "Community Connections, Putting the Pieces Together" on Thursday January 19th from 6:00 - 8:00 p.m. at the John O'Leary Adult Community Center. This community forum is designed to educate the community on how various organizations in the Merrimack area help promote a healthy environment for your family.

Perfluorooctanoic Acid (PFOA) Information Update - None

Public Comments - None

Recognitions, Resignations and Retirements - None

Appointments

1. Annual Review with the Conservation Commission

Submitted by Conservation Commission Chairman Gage Perry

Per Town of Merrimack Charter Section 6-6, at least annually, there should be an annual review with the Conservation Commission. This agenda item is to highlight the commission's significant actions, current projects, anticipated actions, and to raise any concerns the Council should know or could act on.

Gage Perry, Chairman, Merrimack Conservation Commission (Commission), provided a PowerPoint [Presentation](#) (copy attached). He identified current members of the Commission, and noted there are 2 full-time and 1 alternate positions open.

Mr. Perry spoke of the Commission's Mission; responsible to view the natural resources in Town, make them available to the public, and ensure a balance between the use of conservation lands and public recreation. By State Statute (RSA 36-A) and Town Code (Chapter 111), the Commission reviews and provides recommendations to the New Hampshire Department of Environmental Services (NHDES) with regard to Dredge & Fill permits and reviews and provides recommendations to the Planning Department/Board for projects within the Aquifer Conservation District and Wellhead Protection areas. The Commission manages roughly 1,600 acres of conservation open space land in Merrimack.

A slide was presented outlining the proposed projects for 2016 and current status. The Commission remains in acquisition mode with regard to what are believed to be key parcels; abut existing parcels and would fit in nicely with how those parcels are managed. As there are no longer large amounts of unfragmented land in Town, the Commission recognizes its purchasing and procurement ability is waning, and is beginning to transition into more of a management mode with regard to existing properties.

The commission will continue to partner with the New Hampshire Association of Conservation Commissions, the New Hampshire Cooperative Extension, School District, etc., in providing educational opportunities. The Commission also partners with the Parks and Recreation Department and is working with its sub-committees to offer additional outdoor activities for the citizenry.

A great deal of time and effort was expended in 2016 addressing the NED pipeline activities. Work continues to monitor this activity.

A goal of 2016 was to recommend an update to Chapter 111. That did not come to fruition, and the hope is that as the Town begins reviewing its five-year plan, the Commission will be able to work to provide recommendations/suggestions.

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An area of Grater Woods that experienced a problem with target shooting was addressed with the assistance of the Public Works Department (PWD). Work has begun on the expansion of the Grater Woods Stewardship Plan to include newly acquired properties. A portion of South Grater Road was discontinued and gates have been installed. The result has been a great reduction in the wetland violations that had been noticed. An unfortunate result is that access has been blocked from that area for some of the allowed uses. The Commission is working with the PWD and generating a bypass road that will meet a new trail. The Commission was unable to create a consistent Forestry Management Plan. Work continues with the Forester on this.

There continues to be issues with beaver and water levels in Town. In 2016, 3 additional water leveling devices were installed. The PWD is pleased with the reduced level of repetitive cleaning activities required to maintain water flows.

With regard to the efforts to bring more people onto the properties and improve their experience, the Commission has contracted with the Nashua Regional Planning Commission (NRPC) to provide new property maps for the 4 major properties.

Councilor Flood questioned aids that exist to prevent dams from clogging up culverts, etc. Mr. Perry spoke of pond levelers that have been and continue to be installed. Inlets are placed 10-15' away from impoundments and outlets much further beyond the impoundment. The entire device is underwater. When beaver hear the water running they dam around it. With the devices in place, they are damming around a large area where the water flow is underneath.

Other activities in 2016 include the Ecological Assessment of the Continental Boulevard property. It is a very diverse property supporting a wide variety of small wildlife and potential learning communities. The completed report will be posted shortly.

The Commission coordinated with private citizens and volunteers to add benches to the Horse Hill Nature Preserve (HHNP) and Wildcat Falls Conservation Area properties.

The Commission is planning for its 17th annual Seedling Give-A-Way. Underway are negotiations for the purchase/easement on 3 additional parcels totaling approx. 120 acres.

Invasive species control at Brookline Drive continues. A wider review and identification of invasives throughout conservation property is being planned.

With regard to finances, Fund 51; Special Conservation Fund, ended FY16 with a balance of \$41,070.31. Fund 53; Land Use Change Conservation Fund, wrapped up FY16 with a balance of \$773,006.24, and the HHNP Fund \$1,296.01. The Commission has a small budget managed by the Community Development Department; \$4,231.00.

A slide was presented identifying the goals/activities for 2017. Many of the activities remain constant, e.g., maintaining properties and educational opportunities. Some additional activities include the creation of a new bypass trail allowing permitted uses access to Grater Woods from the discontinued portion of South Grater Road, creating standardized forestry/Management Plans for the properties,

continued expansion of the website, and continued documentation of the Commission's processes and procedures.

Addressing areas where the Council could provide assistance, Mr. Perry spoke of Council support for land/easement acquisitions, funding a Town-wide GIS system, and an update of Chapter 111 to support consistency across Town, School District, and Commission properties.

Vice Chairman Rothhaus thanked the Commission for its work. He questioned the number of parcels being considered for acquisition. Mr. Perry stated there to be a number of parcels in Town that are of interest to the Commission; there is property abutting Fields Farm that is going to be developed. The developer has already discussed an easement or some type of grant on that property. Vice Chairman Rothhaus questioned if there is a value that can be identified on the larger pieces being contemplated.

Tim Tenhave, Merrimack Conservation Commission, stated the Commission has publicly discussed a few different projects that are going to provide 4 parcels; one is the Chestnut Hill development being proposed near the Middle School. As a condition of their development they had to acquire a NHDES wetland permit. Part of their wetland mitigation will provide the Town about 100 acres of that large parcel. Another parcel is known as Fields Farm; previously referred to as the Ireland property, and located along Amherst Road. The developer and owner of the development being done there have designated some common space around the outside of that, which provides land right along the Souhegan River. When the parcel reaches a point where development is near complete and they no longer need the common land for staging, etc., the Commission will have the opportunity to acquire that property. It is not clear yet whether it will be an easement or an outright donation. The Commission is looking at providing kayak and canoe access off of the Souhegan River; a place for people to park and perhaps a picnic area that is in line with the intent of the Ireland family when donating that parcel. There is another parcel near the Grater Woods area the Commission has been somewhat verbal about wanting. In doing that, the Commission will complete the vision that is in the Town Master Plan for that area of Town. In the next 2-3 years that may come to fruition.

Vice Chairman Rothhaus questioned if there is a rough idea of what annual maintenance costs will be into the future for the parcels the Commission owns/manages. Mr. Perry stated that to be an area the Commission is starting to look into; what it takes to transition from a procurement mode into a management mode. The Commission has addressed items as needed, but a thorough look into the future yearly maintenance costs of all properties has not been completed.

Vice Chairman Rothhaus questioned the permitted uses that have been denied access to Grater Woods from the discontinued portion of South Grater Road, and was informed dirt bikes and ATVs are permitted in the powerline area, etc. At this time, they cannot get around the gates and have to find another entrance. Unfortunately, they will find a way, which is not desired. The intent is to provide a means for entrance. The prior activity that was occurring in the area necessitated the gates.

Councilor Dwyer stated he is concerned with further expansion when there is less than a million dollars available for the future. With maintenance costs unknown, he would be cautious about additional expenditures. Were the fund balance to fall below \$500,000 he believes it would be detrimental for the future preservation of the land.

Councilor Dwyer suggested the Commission's website may be the key to keeping volunteerism at a healthy level, and spoke of the burnout rate of volunteers when taxed too much.

Councilor Flood stated her pleasure with the new maps. She asked, and was informed the maps will be posted to the Commission's website, and will be able to be printed from there.

Councilor Flood commented there are times when developers use common land as a way to gain a few additional lots in their development. She questioned if consideration has been given to approaching developers with the concept of donating common land for use by all residents, particularly if it abuts Town owned land. Mr. Perry stated there are subdivision laws that govern how that is broken up. However, that is precisely what is occurring with the Chestnut Hill development and somewhat with the other property, e.g., they have maximized the lots they can have on a footprint, have created a certain amount of common space, which allows them to have the minimum lot sizes, and the property around it, which is useable, but is not developable, is what would be coming to the Commission.

Councilor Flood stated agreement with being very selective in acquisitions that come at a cost with an eye towards the future maintenance of existing properties. She commented on the benefits of capturing, in writing, the duties associated with membership on the Commission and its sub-committees. She remarked more committees should utilize such a mechanism to make publicly known what is involved in membership.

Councilor Koenig echoed the comments of his colleagues with regard to appreciation of the work of the Commission. He asked for clarification on what a vernal pool party is. Mr. Perry responded Grater Woods has a tremendous amount of topography, which results in a large number of consistent seasonal pools. They are a huge breeding ground for amphibians. The Commission has contracted with a Wildlife Biologist to conduct a vernal pool party. The practice began with the Middle School Science class. In the March/April timeframe when the critters are starting to change from egg mass to having real bodies and trying to move and migrate, students come out and go into the pools; stand in the river, hold an egg mass, and have the opportunity to get a first-hand look at what is occurring in nature.

Chairman Harrington stated agreement with concerns stated regarding future procurement and the capacity of the fund.

Public Hearing

1. Public Hearing - Consideration of Changes to the Town of Merrimack Charter
Submitted by Town Council Chairman Nancy Harrington and Vice Chair Finlay Rothhaus
The Town Council to consider the acceptance of recommended changes to Article VIII, Section 8-18 – Town Treasurer, of the Town of Merrimack Charter, pursuant to New Hampshire RSA 49-B:5.

Chairman Harrington stated the proposed change to be for the position of Town Treasurer to be an appointed position rather than an elected position.

Chairman Harrington declared the Public Hearing open at 8:06 p.m.

No public comment was offered.

Chairman Harrington declared the Public Hearing closed at 8:07 p.m.

MOTION made by Councilor Mahon and seconded by Councilor Boyd to move the recommended changes to Article VIII, Section 8-18 – Town Treasurer, to the ballot

ON THE QUESTION

Councilor Boyd questioned if the motion were premature given there are approvals that need to be obtained prior to the Council voting to place the matter on the ballot. Chairman Harrington stated she had posed the same question, and is of the understanding the motion would initiate the process.

Council Mahon remarked there could be two motions to put this to the ballot. The Attorney General's Office, Secretary of State, and Revenue Administration will review it. They may come back with suggestions for changes. In that instance, the Council would have to review the proposed changes and determine whether or not to place them on the ballot.

Chairman Harrington read the proposed changes into the record:

“ § 8-18 Town Treasurer

A. Treasurer. There shall be a Town Treasurer (hereinafter called “Treasurer”) who shall have all the powers and duties granted by this Charter and New Hampshire State Law, provided however that in making investments of Town funds, the Treasurer shall follow the written investment policy as adopted or modified by the Town Council. The Treasurer shall be appointed by the Town Council on the basis of merit and fitness to perform his/her duties and may be removed by the Town Council. Vacancies in the office of Treasurer shall be filled pursuant to New Hampshire State Law.”

The language that was removed is as follows:

“The Treasurer shall be elected on an at-large basis to a term of three (3) years at the Town Election.”

MOTION CARRIED 7-0-0

Legislative Updates from State Representatives - None

Town Manager's Report

The Department of Resources and Economic Development (DRED) has approved the Town's recent application to amend the Economic Revitalization Zones (ERZs) along D.W. Highway, which will now incorporate the parcel that Spraying Systems Company is relocating to from Hudson. Spraying Systems is a mix of R&D and manufacturing of spray nozzles for a wide variety of markets. They are a privately held company with an international manufacturing presence. Their New Hampshire facility was established in Hudson in 1988 in an approx. 6,000 sq. ft. facility. Their move to Merrimack will

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be taking over 130,000 sq. ft. of the GT Advanced Technologies (GTAT) building (Spraying Systems now owns the property; GTAT will maintain a small presence in the building for approximately 18 months). Spraying Systems has 60+ employees currently, and will be adding more staff in the future.

The designation of the site as an ERZ allows the company to apply for tax credits from the State Business Profits and Business Enterprise Taxes. The designation as an ERZ has no impact on local tax collection.

Merrimack Police is excited to start their 22nd Citizen's Police Academy. Twenty one Merrimack residents have signed up to learn more about their police department. Participants will experience how the department functions and meet the officers who are dedicated to keeping our community safe.

Merrimack has been awarded another Transportation Alternatives Program (TAP) grant to extend sidewalks on D.W. Highway from the library to Twin Bridge Road and install sidewalks on Woodbury Street. The competitive program received 47 requests for \$34 Million. The program only has \$4.5 Million available statewide, and Merrimack is one of 12 communities picked for the award. The total amount of the project is \$650,000. The grant is an 80/20 match meaning the Town would contribute 20% or \$130,000 and the Federal Government \$520,000.

Town officials will be meeting with the New Hampshire Department of Transportation's (NHDOT) Turnpikes Division to discuss DOT's 2017 work in Merrimack; Turnpikes plans to present these projects to the Town Council at a later date. The projects include:

- Paving of Continental Boulevard from Industrial Drive to NH 101A
- Paving of Industrial Drive from US 3 to Continental Blvd.
- New signals at the Tinker Road intersection of Continental Blvd. including adding left turn lanes
- Construction of maintenance ramps at the Exit 12 interchange for the Bedford Open Road Toll (ORT) conversion
- New signals at the Exit 12 intersections due to above work

Chairman Harrington requested additional clarification on the maintenance ramps at the Exit 12 interchange. Vice Chairman Rothhaus stated his guess the intent would be to provide for maintenance roads to gain access to go northbound. Vice Chairman Rothhaus requested information be sought on the cost of that project to the State.

Consent Agenda - None

Old Business - None

New Business

1. Land Donation for the Merrimack Conservation Commission

Submitted by MCC Chairman Gage Perry and MCC Member Tim Tenhave Town Council to consider the approval of a donation of land to the Conservation Commission, pursuant to RSA 36-A. The parcel of land is known as Tax Map 6B-186 and is located along Woodbine Lane.

Mr. Tenhave provided a PowerPoint [presentation](#). He stated RSA 36-A empowers the Commission to receive the gifts of money, personal property, real property, water rights, etc. The Commission can only receive those with the approval of the local governing board. Being sought is approval for the donation of real property. The RSA requires the conduction of a Public Hearing, which was done in December.

The parcel in question is Tax Map 6B-186 (approx. 7 acres) located along Woodbine Lane. The donation is from the Profile Estates Homeowners' Association. The parcel is accessed between 11 and 15 Woodbine Lane, abuts Watkins Forest, and is part of the same Baboosic Brook aquifer as the Mitchell Woods property. Members of the Merrimack Village District (MVD) recently appeared before the Commission to discuss a desire to place a well in that area. The donation would serve a number of conservation related purposes and provide buffer for the well, which will be future drinking water for the Town.

The parcel itself does have a well easement for access; a well is located on an adjacent private property, and the previous owners of this parcel provided an easement to the private landowner to access the well for maintenance.

The intent is to leave the property in its natural state. The Commission will utilize funds from Fund 53 to cover the costs associated with recording fees, staff support, and Town attorney fees. The Commission had set aside up to \$6,500 to complete the transaction. The actual cost is expected to be slightly less than half that amount. The Town has assessed the property at \$0.00. It was never meant to be a buildable lot or utilized in any way except for open space. It was the common land for the development when it was put together in the early '70s. The property is being donated "as is" for conservation purposes. It does have a restricted Deed that is being placed on it, which is very similar to the Deeds that have been done on all previous land donations and purchases that have taken place over the past few years.

The property has a Declaration of Covenants that was put together when it was created as open space as part of the development. Those covenants will carry over. The Commission worked with the Homeowners' Association to amend them to allow public access and allow the Homeowners' Association to make the donation.

MOTION made by Councilor Dwyer and seconded by Councilor Boyd to approve the donation of land to the Conservation Commission, pursuant to RSA 36-A. The parcel of land is known as Tax Map 6B-186 and is located along Woodbine Lane, and to authorize the Town Manager to sign all documents, on behalf of the Town, which are necessary to complete the transfer and acceptance of the donation

ON THE QUESTION

Councilor Boyd thanked the Commission for its hard work. He noted the Council has been aware this was on the horizon, and he is pleased it has come to fruition. It is a perfect tie in to property already owned by the Town, e.g., Watkins Forest and Mitchell Woods.

Councilor Boyd thanked the Homeowners' Association for the donation, and remarked it really bookends the purchase over on Klara Drive. He spoke of how the parcel provides the upland buffer for the well the MVD is looking to place in that area, and commented it is a win/win for the community.

MOTION CARRIED 7-0-0

2. Land Donation for the Town of Merrimack

Submitted by Ajit Kumar

Town Council to consider the acceptance of a land donation offer of property located on Pine Street known as tax map parcel 6D-1/122-1.

Mr. Kumar was not in attendance.

Town Manager Cabanel stated her understanding several years ago the Town conducted an auction of properties it did not wish to retain. Mr. Kumar purchased the above-referenced property at that auction.

Councilor Flood remarked the property seems to abut the London Court land, and she wonders why they are not interested or if they may be a potential buyer. Vice Chairman Rothhaus commented he understands why the Town would not be interested in once again having ownership of the parcel. He stated his understanding the desire is to donate the property to the Town, and questioned if the owner was asked if he wished to consider donating the property to the owners of London Court.

Town Manager Cabanel stated the gentleman simply contacted her office, and indicated a desire to donate the property to the Town. Vice Chairman Rothhaus stated a desire to be of assistance to the property owner unless there is a large cost involved to the Town. Councilor Koenig suggested the property could simply be accepted. Councilor Dwyer agreed. It was noted there would be a small cost associated with changing the Deed, etc.

MOTION made by Councilor Dwyer and seconded by Councilor Koenig to accept a land donation offer of property located on Pine Street known as tax map parcel 6D-1/122-1.

ON THE QUESTION

Councilor Boyd questioned if there was any concern that the property owner who requested the item appear on the Council's agenda was not present.

Councilor Koenig responded he did not have concern. The individual offered to donate the land that has virtually zero value, etc.

MOTION CARRIED 7-0-0

Minutes

Approve the minutes from the Town Council meeting of and December 15, 2016.

The following amendments were offered:

Page 2, Line 35; replace “When” with “Councilor Boyd” and preplace the “,” with a “.” after “place”

Page 16, Line 30; replace “Floor” with “Flood”

Page 15, Line 40; “error” with “era”

MOTION made by Councilor Boyd and seconded by Councilor Koenig to accept the meeting minutes of the Town Council meeting of December 15, 2016 as amended. MOTION CARRIED 7-0-0

Comments from the Press - None

Comments from the Public

Larry Demers, 17 Woodbine Lane

Stated his opposition to accepting grant funds for the installation of sidewalks. He remarked sidewalks do really well in a storefront community, which is not the case in Merrimack. There are sidewalks in Town that are not used and have no connectivity, e.g., by the bowling alley located near the hospital. He stated there to be a great many instances of sidewalks that are not connected and/or utilized, and spoke of expenses associated with plowing those pieces of sidewalk.

Tim Tenhave, 72 Amherst Road

Stated he was appearing before the Council as a resident. He encouraged the Council to look at the budget as well as encourage members of the staff to look more closely at the activities of the Commission. He stated there to be a great deal of usage occurring on Commission owned/managed property. Last year there was inappropriate usage occurring at Grater Woods. The Commission addressed that through funding additional police patrols out of its Fund 53. He stated his opinion those costs should have been rolled into the Police Department’s everyday activities. The properties are utilized quite a bit.

The Police understand the road structure and all that needs to happen, but he does not believe that the majority of the members understand the trail structures. He is concerned, were there to be an issue on one of those properties, emergency personnel would not have a complete awareness of what the Commission has been putting together. The work of the Commission is based on money that goes back to the ‘90s when the Town voted to put together, for the purposes of creating this open space and creating it to be accessible. He believes it is now time for the Town to be thinking about what the implication of creating all of this open space is, and what the Town should be doing with its Fire, Police, and emergency departments.

There will be a budget impact. Consideration should be given to whatever training should be taking place for trail rescues as well as trail familiarization. He commented on a fire that occurred in Wildcat Falls about 7 years ago. Nearly 7 acres was lost before the Fire Department was able to bring it under control mostly because of access.

Mr. Tenhave commented when the Commission separately funded the Police Department to conduct the additional patrols it was at a time when the Police Department had been thinking about conducting

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the patrols, but did not have the means to do it. Police, Fire and Emergency need to have a presence in those properties just as they do in the parks, etc. He commented if people saw more of those folks on the trails it would go a long way toward quality of life for the residents of the Town.

Chairman Harrington stated agreement to the need for emergency personnel to have knowledge of the trails in addition to access. Councilor Boyd stated his recollection last year or the year before the Fire department acquired a forestry vehicle, and that there is a general understanding by the Police and Fire of how to navigate the properties.

Mr. Tenhave commented it may be that they are much more aware than he is aware of. He commented the mapping project the Commission is working on with the NRPC will create maps that have GPS downloadable information for handheld devices. Emergency personnel would be able to utilize their GPS as they would when on the roadways.

Councilor Flood commented Police and Fire take care of the Town. They don't differentiate between properties and should not differentiate between park and conservation land. They are trained to deal with the types of situations that could arise.

Vice Chairman Rothhaus remarked he does not believe there is the need for additional funding in the budget. The Fire Department maps out buildings in Town regularly and the conservation properties are areas that should be incorporated in their activities. He suggested Town Manager Cabanel could initiate a discussion to ensure they realize the importance of inclusion. He is not of the opinion the Commission should have to expend the funds necessary for addressing those areas/issues.

With regard to the comments provided relative to sidewalks, Vice Chairman Rothhaus stated agreement there are sidewalks in Town that will wait a long time before connectivity is realized. In those instances the sidewalks were required to be constructed, per Town Code, by the contractors. The grant funding is earmarked for an area that is heavily used by students in the afternoon and has heavy vehicular traffic. For safety purposes, he believes it very important for those sidewalks to be constructed.

Larry Demers, 17 Woodbine Lane

Stated if students and adults in Town are taught what side of the street to walk on there should not be a problem on Woodbury. He tends to agree with sidewalks on part of Route 3. He added the road should be widened.

Chairman Harrington commented on the numerous discussions by the Council relative to sidewalks. Different committees and the Council have expressed different opinions. She stated agreement sidewalks without connectivity are an area of question. However, the proposed sidewalk is to provide pedestrian safety. Because of that it was an exception for the Council; it has value and will be used.

Mr. Demers suggested the portion of the Town Code that requires sidewalks without connectivity be reviewed, and that the Planning Board have the ability to consider each situation on its own merits. Chairman Harrington recommended he express his view to the Planning Board as well. Councilor

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Mahon noted the requirement for sidewalks is associated with the site review process. Changes to the Town Code would be recommended by the Planning Board and approved by the Town Council.

Councilor Flood commented in most cases new developments set aside monies that would have been spent on sidewalks in order to fund another project that would be of public benefit in proximity.

Councilor Dwyer stated agreement with Mr. Demers' viewpoint on sidewalks.

Comments from the Council

Vice Chairman Rothhaus wished his father a happy 83rd Birthday.

Adjourn

MOTION made by Councilor Dwyer and seconded by Councilor Boyd to adjourn the meeting.
MOTION CARRIED 7-0-0

The January 12, 2017 meeting of the Town Council was adjourned at 8:53 p.m.

Submitted by Dawn MacMillan



Commission Members

- Full-Time Members:
 - Mike Boisvert
 - Cindy Glenn
 - Matt Caron (Vice-Chairperson)
 - Gage Perry (Chairperson)
 - Open and looking for a volunteer
 - Open and looking for a volunteer
- Alternate Members:
 - Tim Tenhave
 - Gina Rosati
 - Open and looking for a volunteer
- Ex-Officio – Town Council Member:
 - Tom Mahon

Mission of the Commission

- Per RSA 36-A
 - Responsible for the Proper Utilization and Protection of the natural and watershed resources in Town.
 - Coordinate activities of unofficial bodies organized for similar purposes.
- By other means (RSA, Town Subdivision Rule, etc.)
 - Review and provide recommendations to the NH DES for Dredge and Fill permits.
 - Review and provide recommendations to the Planning Department for projects within the Aquifer Conservation District and Wellhead Protection Areas.
 - Manage ~1600 acres of Conservation open space land in Merrimack.

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Proposed Activities for 2016

Status since our last visit

1. Continue Acquisition Mode for remaining key parcels. We continue to work towards acquiring land or easements that meet our criteria and vision as described in the Town Master Plan (2013) and Biodiversity Plan (2010). Coordinated land donations abutting Mitchell Woods/Watkins Forest and are continuing to work with local developers on open space donations abutting Grater Woods and Fields Farm.
2. Provide education opportunities for Merrimack by partnering with the NHACC, NH Coop Ext, School District, etc. Partnering with the Parks & Recreation Department to provide camping training, planning for the 3rd Vernal Pool Party with NH Coop Ext and working within the MCC Sub Committees to create regularly occurring outdoor activities.
3. NED Pipeline activities related to wetland mitigation projects, FERC EIS, and NH SEC process. Although the NED Pipeline Project has been (seemingly) abandoned, we are continuing to monitor new pipeline proposals and associated news events. This activity garnered a tremendous amount of time during the 2016 year and negatively impacted our ability to complete more desirable projects.
4. Suggest an update of Chapter 111 of the Town Code on Conservation Properties and establish clear rules for the major properties. Discussion only - We will need the towns help with this.
5. Suggest a Target Shooting Ordinance for Town, MCC, and School District properties. With the help of the DPW, we addressed a problem target shooting area in Grater Woods by hosting a workday to remove the trash, limit access and post the property.
6. Expand the GW Stewardship Plan to include our new properties. We are working with the GW Sub Comm. in the update of the appendices and incorporation of the new properties. This is ongoing.
7. Discontinue a portion of South Grater Road and add gates per GW Stewardship Plan. This is complete and has already forced a decline in the re-occurring wetlands violations witnessed in this area.
8. Create updated and consistent Forestry/Management Plans for our properties. This effort was not realized in 2016. We met with our Town Forester and will continue to strive for new but consistent land management plans.

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Proposed Activities for 2016 - *Continued*

Status since our last visit

9. Continue to implement water control activities and produce a new Beaver Management Policy for acceptance by the Town Council. Three more Water Leveling Devices have been added in town and are performing well. These devices continue to reduce the Beaver conflicts we have experienced and reduced the repetitive cleaning activities required to maintain water flows.
10. Continue to bring more people into our properties and improve their experience when they visit. We contracted with the NRPC to provide new property maps for the 4 major properties. (HHNP, GW, WFCA and WCA)
11. Document our processes and procedures. This is a slow but ongoing process. Attracting new members and transitioning of the roles within a volunteer group is difficult because of the unknown responsibilities and commitments. We are slowly documenting the various tasks and recording the dates of necessary events so future volunteers have a reference book of expectations.

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Other activities in 2016

- Ecological assessment of the Continental Boulevard property – wildlife, endangered species, wetlands, habitats, vernal pools, etc. This area is a very diverse property, supporting a wide variety of small wildlife and potential learning opportunities. The completed report will be posted soon.
- Coordinated with private citizens and volunteers to add benches to the HHNP and WFCA properties.
- Planning for our 17th Annual Seedling Give-Away.
- Negotiating purchase/easements on 3 additional parcels (~120 acres).
- Continued invasive species control at Brookside Drive.
- Planning a wider review and identification of invasive species throughout our properties.
- Continued to actively manage the Horse Hill Nature Preserve, Grater Woods, Wildcat Falls Conservation Area through our very capable Sub-Committees.
- Continued improvements in trails, bridges, trail markings, and signs through the efforts of our volunteers and Sub-Committees.
- Comprehensive update to our website: www.MerrimackOutdoors.org

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Finances

- Special Funds as of the end of 2015/16 fiscal year (June 30, 2016):
 - 51- Special Conservation Fund \$ 41,070.31
 - 53- Land-Use Change Conservation Fund \$ 773,006.24
 - Horse Hill Nature Preserve Fund \$ 1,296.01
- 15/16 Budget – Fund under Community Development Dept, managed by Tim Thompson
 - 01-21-8393-0 Conservation
 - \$4,231.00
 - For various items: presentations, memberships, education, supplies, Souhegan River water monitoring, Lake Lay monitoring, web hosting, etc.

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Goals/Activities for 2017

1. Continue Acquisition Mode for remaining key parcels
2. Begin transitioning from Acquisition to Management Planning
3. Continue to provide education opportunities for Merrimack by partnering with the NHACC, NH Coop Ext, School District, etc.
4. Monitor pipeline and other energy activities related to wetland mitigation projects, FERC EIS, and NH SEC process.
5. Work with the town on an update of Chapter 111 of the Town Code for Conservation Properties and establish clear rules for the major properties. This would include a Target Shooting Ordinance for Town, MCC, and School District properties.
6. Expand the GW Stewardship Plan to include our new properties.
7. Continue working with DPW to create a new bypass trail allowing permitted users access to GW from the discontinued portion of South Grater Rd.
8. Create standardized Forestry/Management Plans for our properties.
9. Continue to implement water control activities and produce a new Beaver Management Policy for acceptance by the Town Council.
10. Continue to bring more people into our properties and improve their experience when they visit by providing accurate maps and regularly scheduled events.
11. Expand the www.MerrimackOutdoors.org website.
12. Continue to document our processes and procedures.

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Where the Council can help...

- Continue to assist us as we seek approvals for land/easement acquisitions.
- Fill open seats on our Commission.
- Fund a town wide GIS system.
- Update Chapter 111 to support consistency across Town, MSD and MCC properties .
- Provide input and feedback often. We are partners in keeping Merrimack a great place to live, work, raise a family and to enjoy the great outdoors.

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In Closing...

- **Thank You** to the Town Council for your support of our work and to everyone in the Community Development Department, Media Services, Town's Legal Services, and the Town Manager's office.

- Questions?

www.MerrimackOutdoors.org



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