



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION

JANUARY 28, 2019

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, January 28, 2019 at 6:30 p.m. in the Merrimack Memorial Conference Room.

Chair Gage Perry presided:

Members of the Commission Present: Michael Boisvert
Cynthia Glenn
Steven Perkins
Gina Rosati
Tim Tenhave, Alternate Member (arrived at 6:31 p.m.)

Members of the Commission Absent: Matt Caron, Vice Chair
Councilor Peter Albert

Also in Attendance: Dawn Tuomala, Deputy Director/Town Engineer
Don Laliberte, Horse Hill Nature Preserve Sub-committee
Bruce Peterson, Horse Hill Nature Preserve Sub-committee

PUBLIC COMMENT - None

PUBLIC HEARINGS - None

APPOINTMENTS

Chair Perry noted the Commission was provided a copy of a letter of interest from Michael Swisher. He was recommended to the Town Council for an alternate position on the Commission.

STATUTORY/ADVISORY BUSINESS - None

NEW BUSINESS

1. Seaverns Bridge Canoe Launch – Meet with Dawn Tuomala, Town Engineer, PWD

The Commission received a letter from Dawn Tuomala, Deputy Director/Town Engineer, regarding the canoe launch (copy attached).

Deputy Director Tuomala spoke of the plan put together last year that included the possibility of moving the canoe launch from Seaverns Bridge Road into the Fields Farm Conservation Area. A few weeks ago she received a work order to address erosion at the Seaverns Bridge Road launch. Photos were provided with the letter.

There is the need to either address the erosion issue at Seaverns Bridge or move forward with placement in the Fields Farm Conservation Area. With minimal funds available to address the issue, there is not the option to do both.

Were the launch placed in the conservation area, given the topography, there would be the need to go back some distance. Whether a parking lot is placed in the front is another question. A parking lot half a mile into the woods may not be desired nor would carrying a canoe that distance.

Deputy Director Tuomala remarked she has not done any design work or looked at the possibility any further than this, but she is being prompted to do something.

Chair Perry commented addressing the original launch has been tried on a few occasions. Deputy Director Tuomala stated an area closer to Amherst was addressed, and seems to be holding quite well. She is uncertain of the work put into this area. Barriers were placed as a concern was expressed regarding the possibility of a vehicle going over the banking.

Chair Perry noted there is a parking lot on the other side of the road. He questioned how the area would be addressed noting riprap has been placed in the past and did not prove to be the solution. Deputy Director Tuomala stated it would have to be bigger stone/larger riprap, some type of a wall, and if the desire was for pedestrian traffic to be accommodated, that would add another layer to the project. The bank could be stabilized, but that would accomplish that one thing, and would not permit canoe launching in that area.

Commissioner Tenhave questioned the role DES would play in work being done near the river, and was told permits would have to be applied for. At this point, they are not aware of the issue. The desire was to be proactive to avoid further erosion. A foreman has indicated it has been in this condition for quite some time. She went by during the recent storm, and it appears what has been done on the road is no longer directing drainage down in this area. That is a good thing. Now, it is a matter of people dragging their canoes down and pulling silt and sands with them.

Commissioner Tenhave spoke of meetings held with Kyle Fox, Director, Public Works Department (PWD), a few years ago to discuss these two opportunities. Members of the Souhegan River Local Advisory Committee (SoRLAC) and the Souhegan Watershed Association got involved. George May was of the opinion that both projects be done as he did not want to lose the spot by the bridge. There is history there, and it was functional. The Commission started to consider what could be done at Fields Farm. What has caused delay is volunteer power to do it as well as the desire to put a sub-committee together so that a review of the entire parcel could be done. Since that time the committee has been technically chartered, but there are no members.

Commissioner Tenhave commented he has been down by the river along a lot of the property and there are huge issues with steep terrain on almost the entire property until getting to where the flood area is. Whatever is done there has to be way back for it to sustain the floods from year to year. Deputy Director Tuomala commented that is what she saw. Commissioner Tenhave remarked the only thing he believes could make sense would be to do something like what was done off Boston Post Road near

the Souhegan High School where they have a step system that takes you almost all the way into the water. The idea would be some way to incorporate a step system into the bank of the river.

Chair Perry commented on a Scout who approached the Commission a while back with a potential Eagle Scout project to build a set of steps in the area. NHDES was asked what would be required, and indicated a lot of permitting would be required as items would have to be sunk in the riverbed to make it sustainable, because of the topography. He is concerned the project would involve more than is anticipated.

Chair Perry commented on the issue of the distance for parking at Fields Farm. The topography would result in a large road in the center of the parcel. Commissioner Tenhave agreed it would be a long road, a parking lot, and a project just to get down to the river.

Commissioner Boisvert commented it seems Fields Farm is not feasible and practical for a canoe launch. Chair Perry responded it depends on how large of a project you want to make it. Deputy Director Tuomala stated her belief both projects would be very large undertakings. Commissioner Tenhave stated his thought to be if spending money on a road project or something like this the one on Grater Woods should be done first. It is emergency access, fire prevention access, etc. The project being considered he believes would result in a cost of \$100,000±. Deputy Director Tuomala agreed cost would easily reach that amount.

Commissioner Tenhave restated he would much rather put the money into Grater Woods. It is an existing area that has a problem where this project would be creating a new one. He stated his belief the Commission owns property on the opposite side of the bridge (down river). He suggested the possibility of grant money for a canoe launch.

Asked about the timeframe for determining the direction to take, Deputy Director Tuomala stated she has been informed the area is fairly stable at the moment. It is uncertain. Chair Perry commented it could be a long time or the next rain storm. Deputy Director Tuomala reiterated the department has done all it can to divert the water. There are a few areas that appear to be ready to fall. If that happens, something will have to be done. Commissioner Tenhave commented he does not see the Fields Farm area getting anywhere for two years. The Commission could narrow down the possibilities by doing a dedicated walk. Commissioner Boisvert commented if unable to drive at least half way in, he does not believe people would use a boat launch in that area.

Deputy Director Tuomala agreed with the concerns regarding the distance involved. There would have to be some kind of step downs and whether it could be done far enough from the bank on the other side to be able to step it down is unknown. How to shore it up she is uncertain, but it would require a good many permits. Commissioner Tenhave suggested something such as what was done at the boat launch at Naticook Lake; put something into the water or close to the water. Deputy Director Tuomala commented on the ability to drive down into that one.

The consensus of the Commission was not to move forward with a boat launch at the Fields Farm Conservation Area, at this time.

Chair Perry commented on the desire to stay in contact regarding the issue.

2. Commission to vote on a request to meet with a wildlife biologist regarding beaver activity at Horse Hill Nature Preserve

Chair Perry noted the UNH Cooperative Extension could come down and review the area at any time. He questioned whether the Commission is ready to commit funds to do anything on the trail.

Don Laliberte, Horse Hill Nature Preserve Sub-committee, stated the Beaver Management Policy states "Upon receiving a formal complaint regarding nuisance beaver activity on Town-owned lands, the Conservation Commission shall evaluate the effect on the site and other abutting parcels; examine detailed site map(s) and visit the site to determine the scope of the issue."

He questioned if Commissioners have visited the site since the time of the initial complaint and proposal presented on January 7th.

Chair Perry and Commissioner Tenhave indicated they have visited the site. Commissioner Glenn stated she visited the area prior to the complaint.

Mr. Laliberte stated the desire for the minutes of the January 7th meeting to be approved prior to the Commission voting on this issue, and his opinion Commissioners who have not visited the site since the time of the complaint should recuse themselves.

Chair Perry stated there to be beaver activity on most all Commission properties. This situation is severe given the level of clearing. Only in a few locations has the Commission taken any action to address these issues; there was a single instance where trapping occurred. That situation related to the water level causing problems with a septic system of a private residence (on a protected water source that leads into Baboosic Brook) Commissioner Glenn reiterated that was an issue involving a private residence, not Town owned forest.

Chair Perry commented the Commission went through fairly extensive research as to what to do, and the biology team from UNH and professional private organizations that were hired recommended a one-time trap and install water levelers. That is what was done. The Commission has not had any problem in that area since.

A few water levelers have been installed on other Town owned properties where beaver activity was affecting private property. Meadowood Pond is the best example of that. The water level was starting to erode the front yard of a residence. In all those issues it was the water level that was addressed.

Commissioner Glenn noted all Commissioners were provided photographic evidence of what is occurring. Chair Perry stated his viewpoint is this is simply nature doing nature's thing.

Commissioner Boisvert questioned if the Commission would be voting on trail work or having someone from UNH come review the area. Chair Perry suggested the Commission would be committing funds to address the issue. At some point in time it will require a professional coming onsite to identify the action that should be taken. It is likely there will be several entities that would be looked to; Fish & Game would have an opinion as would the UNH Cooperative Extension, and private organizations.

It does not cost anything to close a trail. The PWD has already been out and removed several trees to address safety issues.

Commissioner Glenn stated her opinion it is natural for landscapes to change over time. This isn't a neighborhood that is paved; trees will fall, wildlife will come in. She enjoys being able to see what

they are doing. It is a forest. It is conservation land, not a park. This is what happens out there, and rerouting the trail is the easiest thing to do. It could be re-opened once the perceived danger is resolved.

Commissioner Rosati questioned if the UNH Cooperative Extension imposes a fee to investigate, and was told you can contract with them for work, but they also have grant funds they can use to conduct surveys of wildlife issues. She suggested this would be a great opportunity for students to review the area and provide an opinion. She does not believe the Commission has the funds to expend on a full study. As was pointed out, the Commission has had beaver studies done before. This is a nature preserve and beavers are doing what they do. She spoke of the number of other things the Commission needs to expend funds on. However, if UNH students wished to visit the site and provide an opinion, she would be supportive of that.

Bruce Peterson, Horse Hill Nature Preserve Sub-committee, stated he enjoys the beavers and finds it interesting to see what is occurring, but it is also interesting to him that this particular year it seems there is so much more being done by the beavers than any time in the past. He walked around the Horse Hill Nature Preserve (HHNP), and could not see much beaver activity at all. It seems the beaver pond underneath the powerlines is void of beavers. He believes it would be interesting for the Town to figure out what is going on in the area. Part of the objective of the properties is education. He questioned if there might be a non-cost solution of having someone from NH Fish & Game view the situation and educate us as to what is going on.

He noted the PWD cut down two trees. He and Mr. Laliberte cut downed trees to ensure the trail is passable. There remain trees that are hung up or readying to fall. He has been over there on weekends and seen families walking the path. He is uncertain of the safety of the area. He reiterated he would like the Town to find out what is occurring and use the information for educational purposes.

He questioned the current Beaver Management Policy. Commissioner Tenhave stated the one that is 16 years old (posted online) is the current policy.

Mr. Peterson remarked the policy is dated 2002. He came upon the GZA GeoEnvironmental (GZA) Comprehensive Beaver Management Plan, which states "to coordinate review of conflicts created by beaver, the Town established a Beaver Management Policy in 2002. Although the policy created guidance for reviewing beaver conflicts, the current policy does not provide clear guidance in how to address and minimize beaver conflicts and it does not provide a system to clarify when routine maintenance is allowed without review by the Conservation Commission. The following management plan is designed to identify known beaver conflicts and measures to minimize hazards and property damage caused by the beaver while protecting beaver colonies and associated natural resources to the greatest extent practical." It goes on to say "It is our understanding that documentation from this effort will be used to develop an updated beaver management policy that streamlines management activities and provides a framework for prioritizing sites and addressing conflicts." Mr. Peterson questioned if there is a plan to move this effort forward.

Chair Perry stated there is; the Commission simply has not yet had the time to do it. The idea is to use that as the genesis to create a new management policy. Based on existing language, should an infrastructure or other issue arise, the PWD is supposed to come before the Commission before doing anything on the properties, and the Commission only meets twice monthly.

Mr. Peterson commented on having read the beaver management plan, and that it appeared GZA didn't do any work on the HHNP. Commissioner Tenhave stated they visited beaver sites that were problematic.

Commissioner Perkins remarked it is tough to justify spending Town funds on it unless we are prepared to manage that current population. He would be inclined to do that if there were property or infrastructure damage. This is probably where they belong. If the trails must be closed, then they must be closed.

Commissioner Glenn commented although Jeff Littleton, Moosewood Ecological, LLC, hasn't been out there since this happened, when it was mentioned to him, he did not seem shocked. She does not believe this to be that unusual an occurrence in the forest.

Commissioner Boisvert remarked the greatest concern seems to be with trees that could fall in areas being used. He suggested the trail be closed. Chair Perry suggested the trail be closed and signage erected informing users of the closure. Commissioner Tenhave agreed with posting of signage indicating the trail is closed indefinitely.

Chair Perry noted, in addition to mentioning the issue to Mr. Littleton, he contacted UNH and made them aware as well. Asked if NH Fish & Game would charge a fee to provide an opinion, Chair Perry stated he did not believe so. He believes what would occur is an individual/group willing to come out would conduct a review and provide an opinion; however, formalizing plans and implementation would be at a cost.

Mr. Peterson commented when taking the path that goes down to the first bench at the beaver pond (at hut), he has already removed two trees in that area and there is another the beaver have been working on. If closing the trail to eliminate hazards, it should be closed before the trail that goes down to the hut.

MOTION BY COMMISSIONER TENHAVE TO CLOSE THE PORTION OF THE LOOP TRAIL BETWEEN POSTS 3 AND 4; THE PORTION THAT GOES ALONG LASTOWKA POND

MOTION SECONDED BY COMMISSIONER BOISVERT

ON THE QUESTION

Chair Perry stated he would not want to limit the area, e.g., if activity shifts, he would like the ability to move the signs appropriately. Commissioner Tenhave commented it is likely that will have to occur.

MOTION CARRIED

6-0-0

Chair Perry stated he would reach out to Matt Tarr, UNH Cooperative Extension, and make a specific request that they visit the site. It would be interesting to find out why they are here now. Commissioner Tenhave requested they be asked to look across the pond to the other side closer to the horse farm as they are doing the same thing over there.

Commissioner Tenhave questioned the will of the Commission relative to making a request of the PWD to provide some means of physically blocking the trail. Commissioner Rosati stated agreement

with physical blockage and that a request be made that they conduct another review of the area to see if additional trees need to be addressed. Chair Perry commented the main trail can be accessed with a vehicle to place something, but the other side of the trail might only be able to have a few saw horses, etc. Commissioner Boisvert suggested flagging in the trail area.

OLD BUSINESS

1. 19th Annual Seedling Giveaway – Finalize Seeding Order

The consensus of the Commission was to replace the Red Spruce with Crabapple (non-native).

Chair Perry noted there would be 425 trees at a cost of \$440.

MOTION BY COMMISSIONER ROSATI TO APPROVE THE EXPENDITURE OF FOUR HUNDRED FORTY DOLLARS (\$440.00) FOR THE PURCHASE OF 425 SEEDLINGS FOR THE 19TH ANNUAL SEEDLING GIVEAWAY. FUNDS ARE AVAILABLE IN FUND 53

MOTION SECONDED BY COMMISSIONER GLENN

MOTION CARRIED

6-0-0

2. Game cameras on Conservation properties

Vice Chair Caron requested the item be placed on the agenda. Chair Perry commented the Commission has put up a few cameras as has NH Fish & Game. He believes it was Vice Chair Caron's desire to purchase cameras. Commissioner Boisvert stated his belief one of the cameras was stolen. Chair Perry noted the game cameras have captured photos of wildlife as well as vandals.

The item will be placed on the agenda for the Commission's next meeting.

3. Chapter 111 Update

Commissioner Tenhave requested the item be placed on the March 4, 2019 agenda. By that time, he will have gone through all of Deeds, Easements, etc., pulled the data together, and categorized the properties.

OTHER BUSINESS

- Sub-committee Updates

Horse Hill Nature Preserve

A meeting is scheduled for Monday, February 4, 2019 at 7:00 p.m. in the Merrimack Memorial Conference Room.

Wildcat Falls

Commissioner Rosati stated she and Karen LaBonte met with the Town Council to discuss the February 19th Moonlight Snowshoe Walk (7:00 p.m.). The request was approved. A suggestion made was that parking occur at the High School. In a conversation with Police Chief Roy at the end of the

meeting, the Chief suggested parking on Currier Road, and indicated her belief she could arrange that. Commissioner Rosati stated she is waiting to hear back from the Chief.

Chair Perry commented it would be helpful to understand, in advance, what the attendance level might be for events such as this. Commissioner Boisvert noted the Parks and Recreation Department has a means of identifying numbers. Chair Perry will reach out.

Regarding the request for blanket approval for future events, the Council requested information be provided to the Town Manager's Office so that the Council could be informed through her announcements at Town Council meetings.

The next meeting is scheduled for February 5, 2019 at 6:30 p.m. in the Merrimack Memorial Conference Room.

Wasserman Conservation Area

The Commission is seeking volunteers to serve.

Fields Farm Conservation Area

The Commission is seeking volunteers to serve.

Sklar Waterfront

At the next meeting, the Commission will look to formally charter a sub-committee.

Grater Woods

Chair Perry stated the sub-committee would meet the following evening at 6:30 p.m. Work will begin on incorporating updates for the management plan. Updates will include the addition of work that has been done, parcel names, numbers, etc.

Commissioner Boisvert spoke of significant shooting that occurred onsite the previous day. It appeared to be in the same area as in the past. The activity continued for quite some time and finished with rapid fire.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. January 7, 2019

The following amendments were offered:

Page 1, Line 21; Ms. Wenz was speaking as a resident

Page 2, Line 14; replace "that" with "pine"

Page 2, Line 42, replace the comma with a period following "hoped"

Page 3, Line 15; replace "Bowman Court" with "Watanic Bowmen"

Page 5, Line 34; add to the end of the sentence "were observed on the dam as well as the lodge"

Page 6, Line 43; insert "also of" before "HHNP Sub-committee,"

Page 7, Line 29; replace "member" with "Commissioner"

**MOTION BY COMMISSIONER GLENN TO ACCEPT, AS AMENDED
MOTION SECONDED BY COMMISSIONER ROSATI
MOTION CARRIED
6-0-0**

PUBLIC COMMENT

Don Laliberte questioned why sub-committee meeting dates are not listed on the Town calendar. Chair Perry remarked meetings of sub-committees of the Conservation Commission are listed and meeting dates identified on the Commission calendar (www.merrimackoutdoors.org).

Mr. Laliberte stated his belief meeting dates would be listed on the Town's calendar. Chair Perry remarked it has been years since he last posed that question, and it may be that it was prior to the current Town Manager. He will pose the question again.

Mr. Laliberte stated his appreciation for the Commission looking further into what is occurring regarding beaver activity. He requested Commissioner Glenn be permitted to relay information received without having to wait for a meeting of the sub-committee. Chair Perry stated the information is public and made available once received by the Commission.

COMMISSIONER COMMENTS

Commissioner Tenhave spoke of the current weather patterns and the condition of the trails. He encouraged the sub-committees to take action in declaring a mud season in January and February.

Mr. Peterson stated one of the agenda items for the next meeting is to discuss trails, mud areas, and how to mitigate that, e.g., re-routing areas. He stated uncertainty regarding how a sub-committee relays information to the Commission, seeks approval, etc. Commissioner Tenhave responded, unless simple maintenance, issues should be discussed with the Commission. As an example, if the desire is to re-route a trail, that should be discussed with the Commission. It may be that a situation would be best served by bringing in material to raise the level of a trail and create water channels along the side of a trail so water can find its way off. Chair Perry noted trails are identified on the maps now. Changes to trails have other impacts.

Mr. Peterson stated his belief there are areas where trails could be adjusted. Commissioner Tenhave spoke of the ability to close trails for periods of time, seasons, etc.

Commissioner Rosati thanked Mr. Laliberte for the photos he provided, which will be displayed at the Winter Carnival on February 23rd.

Chair Perry noted maps have been ordered. In addition, three signs have been ordered. Given the materials being used, additional signs can be ordered without incurring additional cost. Commissioner Rosati suggested investing in metal "trail closed" signs.

ADJOURNMENT

**MOTION BY COMMISSIONER GLENN TO ADJOURN
MOTION SECONDED BY COMMISSIONER PERKINS**

MOTION CARRIED

6-0-0

The January 28, 2019 meeting of the Merrimack Conservation Commission was adjourned at 8:26 p.m.

Submitted by Dawn MacMillan

From: Gina Rosati
Sent: Thursday, January 10, 2019 9:53 AM
To: Cindy Glenn; ConservationCommission
Subject: RE: 2019 Seedlings - Proposed

Thanks Cindy ... I really shouldn't Math late at night. So 35 Hazelnut trees total.

Gina Rosati

From: Cindy Glenn
Sent: Thursday, January 10, 2019 8:25 AM
To: Gina Rosati
Subject: RE: 2019 Seedlings - Proposed

I think you were correct the first time Gina. It looks like the Native Species Package includes 5 seedlings for each of those listed so since we are getting 4 packages it is 20 per seedling.

From: Gina Rosati
Sent: Wednesday, January 09, 2019 11:17 PM
To: Gage Perry; ConservationCommission
Subject: RE: 2019 Seedlings - Proposed

I shouldn't try to Math this late at night. Actually, we'll have 125 Hazelnut trees between the two packages, so that's a lot of nuts. And we had crabapples in 2016 and 2017, but not in 2018, so yes, I'd love to sub 50 crabapples for the 50 Black Walnut, if everyone is in agreement.

Gina Rosati

From: Gina Rosati
Sent: Wednesday, January 09, 2019 11:13 PM
To: Gage Perry; ConservationCommission
Subject: RE: 2019 Seedlings - Proposed

Thanks, Gage,

My only suggestion is that since we've had Black Walnut every year for the past 4 years, and we'll have 35 Hazelnut trees this year, could we get 50 Crabapple trees instead of the Black Walnut?

The winter Robins, Cedar Waxwings, Cardinals, Blue Jays, smaller songbirds, squirrels & chipmunks, bunny and deer love crabapples!

Gina Rosati

From: Gage Perry
Sent: Wednesday, January 09, 2019 8:57 PM
To: ConservationCommission
Subject: 2019 Seedlings - Proposed

An item for our next meeting...

The seedlings are "1st Ordered, 1st Served".

The sooner we order, the less change we get a substitute. Last year, we missed out on the Wild Raisin and ended up with 65 Buttonbush.

Attached are my thoughts for 2019 and the link for the NH Nursery catalog is here -

If you'd like a full copy of the spreadsheet, let me know.

Regards,
Gage Perry
Merrimack Conservation Commission