

Town of Merrimack, New Hampshire

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Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION JULY 16, 2018 MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, July 16, 2018 at 6:42 p.m. in the Merrimack Memorial Conference Room.

Chair Gage Perry presided:

Members of the Commission Present:

Matt Caron, Vice Chair Michael Boisvert (arrived at 6:44 p.m.) Cynthia Glenn Gina Rosati Tim Tenhave, Alternate Member Councilor Peter Albert (arrived at 6:49 p.m.)

Members of the Commission Absent:

Also in Attendance:

Life Scout Carson Petrie, Troop 48 Life Scout Brigham Parker, Troop 48

PUBLIC COMMENT - None

PUBLIC HEARINGS - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS

1. Scout Project - Carson Petrie of Troop 48 is presenting his project to build benches at Grater Woods

Life Scout Carson Petrie stated his Eagle Scout project to be the construction of four (4) benches in Grater Woods. He spoke of having utilized and appreciated the trails and the views they provide and how he would like to construct benches so that others can enjoy the area as well. He noted the four (4) locations the benches would be placed at; Red Maple Trail, Gateway Trail, east end of View Trail, and west end of View Trail, noted areas of bush/brush that may be removed to enhance the view, and provided examples of what the benches would look like; 8' long, 18" wide and approx. 2' tall made from pressure treated lumber and composite decking material. Benches would be supported by four 4 x 4 posts.

Holes will be dug for cement support (approx. 2' deep, 2'6" long and 1' wide). Impact would be the potential for removal of shrubs/bushes and the digging of holes. The intent is for the benches to be placed at a minimum of 15' from water's edge.

A pancake breakfast fundraiser is planned for September 15th. Donations will be sought from local businesses and individuals. It is estimated each bench will cost \$125.00.

Life Scout Petrie stated his desire to present to the Eagle Board on September 11th. Work on the project would begin between September 22^{nd} and October 6^{th} . It is hoped the project will be completed by October 12^{th} . How the benches would be affixed to the cement has not yet been determined. There are a few options; attach posts when cement is poured or pour the cement, allow to harden, and attach posts with angled brackets to cement.

Commissioner Tenhave spoke of another option whereby the cement is poured, and a threaded bolt dropped in before the cement hardens.

A brief discussion of how the cement would be mixed, transported, etc. ensued. The importance of keeping the cement away from the waterbody was relayed (always use clean bucket for water grab).

2. Scout Project - Brigham Parker of Troop 48 is presenting his project to work on the Outdoor Classroom at Grater Woods

Life Scout Brigham Parker stated his project to be the Outdoor Classroom located in Grater Woods directly behind the Merrimack Middle School. The Outdoor Classroom would replace the previous one, which has decayed over time. The project includes a teaching platform (8'x10'), which would be located in the area where the first bench was previously located, and 12 benches (2 rows of 6; 5' in length). Also considered is the last three benches on each side being 10' in length (15" in depth).

Materials and supplies would be sought from local merchants at a lower cost or donation.

The structures would be stabilized in cement (2' deep). Pressure treated lumber would be wrapped in tar paper (to keep from rotting) and placed in cement. Commissioner Tenhave questioned if the teaching platform would also be elevated off the ground and was informed it would be raised (put in cement).

Councilor Albert questioned the impetus for cementing the posts underground, noting the difficulty that would be experienced were a post to break, etc. Life Scout Parker responded he is uncertain how such a repair would occur; could potentially be drilled out. It was suggested the posts could be placed directly in the ground. Chair Perry commented on the previous benches having been removed and found in other locations. Vice Chair Caron stated agreement, if not cemented in place, they would be moved.

Life Scout Parker commented on having spoken with a contractor who works in the area and suggested wrapping the wood in tar paper and placing in cement.

Fundraising will include a pancake breakfast or soup and salad dinner at the troop's location in Nashua. There is also the potential for donations of material(s).

Vice Chair Caron commented when speaking with Life Scout Parker he brought something impactful to his attention; as this is not on school property, it is not just for the school children. It could be utilized by other groups, organizations, etc.

Chair Perry noted the project location is on Town owned property; therefore, the project will have to go before the Town Council for final approval.

NEW BUSINESS

1. Discussion of baiting on Conservation properties

Chair Perry spoke of an email received by the Commission requesting permission to bait on Commission properties. He sought information from Tim Thompson, Director, Community Development Department relative to any requirements related to Town owned/public property. The matter was forwarded to the Town Council and a legal opinion sought.

Chair Perry stated his opinion the decision of whether this type of activity should or should not be allowed should apply to all Commission/Town owned land. He would like the Commission's recommendation to the Town Council to be in line with that.

Commissioner Boisvert stated his opinion that no baiting be permitted. Commissioner Rosati stated concern if one form of baiting is permitted it opens the door for all forms of baiting.

Councilor Albert remarked he is not against hunting; wildlife management needs to occur. However, he questions if it is good to be drawing bear into a recreational area. He too expressed concern that type of activity could become wide spread. He is not in favor of supporting the activity on Town/Commission property.

Commissioner Boisvert stated concern with habituating the wildlife to a food source that may not be its normal food source. Commissioner Glenn stated they bait with donuts, something she is surprised Fish & Game permits. The same reason why they tell residents to bring in their bird feeders is why you should not bait the animals, e.g., it habituates them to humans, they congregate together, etc. Aside from the cruelty and safety aspect, there could also be a monetary aspect; at times individuals will pay others to maintain a bait site. Precedent has been set with that in terms of tapping of trees; do not wish for use of Commission properties to result in a monetary gain.

Commissioner Tenhave suggested the individual be invited to a meeting to discuss the request with the Commission prior to the Commission forwarding a recommendation to the Town Council. This issue came up in a previous term during which he was Chair. In that instance, he notified the individual he would place the matter on a future agenda and would request he/she attend the meeting. The individual chose not to proceed. Vice Chair Caron commented, since his time on the Commission he has assisted Fish & Game, on three separate occasions, in locating bait sites the Commission was unaware of. He is aware 1 of the 3 was dealt with in a severe manner.

Chair Perry remarked the next meeting is August 6^{th} . As noted in the request, the required paperwork must be submitted to New Hampshire Fish & Game prior to August 1^{st} . Councilor Albert commented there is always next year, and if the individual wishes to pursue the request the opportunity is there.

It was noted some of the parcels that make up Grater Woods are owned by the Commission and some by the Town. For those it owns, the Commission would have the final say. The individual could be provided the form necessary to have the request placed on an agenda for an upcoming meeting of the Town Council and could also make a request to be placed on a future agenda and appear before the Commission.

Commissioner Glenn remarked, according to NH Fish & Game, although hunting may be permitted, as baiting is not specifically addressed, landowner permission would be required.

Commissioner Rosati questioned if it would be permissible, for an individual seeking to locate a lost dog, to set up cameras, and place food and a cage (trip plate) on Commission property. Commissioner Tenhave suggested a policy position be established to codify the procedure.

MOTION BY COMMISSIONER TENHAVE TO AUTHORIZE COMMISSIONER ROSATI TO UTILIZE HER DISCRETION AND ALLOW GRANITE STATE DOG RECOVERY TO UTILIZE COMMISSION PROPERTIES, WHEN NECESSARY, AND THAT COMMISSIONER ROSATI INFORM THE COMMISSION AND THE APPROPRIATE SUB-COMMITTEE OF SUCH ACTIVITY IN A TIMELY MANNER MOTION SECONDED BY COMMISSIONER BOISVERT MOTION CARRIED 7-0-0

Chair Perry stated he would respond to the request informing the individual of the need to determine the parcel in question to ensure approval is sought from the appropriate entity.

It was noted the request is made of a public body that has a process, e.g., agenda request form. There is not sufficient time to respond to the request in advance of the August 1st deadline.

A policy discussion around the issue of baiting on Commission properties will appear on a future agenda.

Commissioner Tenhave stated the need for counsel to provide an opinion as to whether a broad-based restriction could be put in place, e.g., inclusion in Chapter 111.

2. Grater Woods Ecological Inventory - Moosewood Ecological

Chair Perry noted receipt of the quote requested of Moosewood Ecological. Included were options such as community outreach, e.g., winter walks, vernal pool party. Chair Perry commented although not items he believes should be included in the ecological inventory, it is something the Commission should be discussing.

The question of the purpose of the study was raised. The study would provide data on wildlife habitats as well as the forest. Having such information helps inform decisions about trail locations, e.g. avoiding endangered species, nesting sites, etc. Also gained would be insight on habitat restoration or creation. Past studies have provided information on species the Commission was unaware were on its properties.

This parcel is in what Fish & Game considers the highest ranked habitat of concern, and one of the largest parcels in Merrimack that has that ranking. When Fish & Game does a Wildlife Action Plan it is done based on soils and presence or non-presence of buildings, etc., and they provide general guidelines that it is probably an area of concern, but they don't get to the level of detail that an ecological study does.

Discussed was the study done on the Horse Hill Nature Preserve (HHNP), which proved very helpful when there was concern the pipeline could go through the property. The study uncovered a lot of things, which proved useful when Eversource was doing their powerline maintenance; had real data that resulted in Eversource addressing the concerns expressed by the Commission.

Chair Perry stated the item would be placed on the agenda for the Commission's next meeting to allow Commissioners time to review the quote.

3. Decision on public events & tentative dates for Conservation properties

Chair Perry commented on the two events Jeff Littleton, Moosewood Ecological, brought forward, an offer by Professor David Bloniarz, President, ReGreen Springfield, to conduct some type of study, and a woman who has stated a willingness to share her experience with creating a backyard environment for birds. He questioned the will of the Commission relative to scheduling this type of community outreach. Commissioner Tenhave spoke of the success Matt Casparius, Director, Park and Recreation Department, has had in attracting people to events.

Commissioner Boisvert commented on the level of participation that has resulted from advertising in the Merrimack Journal. Chair Perry stated the Commission could also reach out to the New Hampshire Association of Conservation Commissions. Vice Chair Caron noted Vernal Pool Parties receive the best attendance when advertised in the schools. Councilor Albert suggested utilizing Merrimack TV to record events/classes to be played back on cable.

Councilor Rosati stated the Wildcat Falls Sub-Committee is working with the Library to do Geocaching with students. A date will be set for a "Meet Your Park" at Wildcat Falls.

Chair Perry commented on past expression of not wanting to refer to the properties as parks and questioned if the current membership had a similar concern. Commissioner Tenhave spoke of the Town parks that have their own set of rules, etc. Commissioner Rosati commented the event could be publicized differently. Commissioner Boisvert suggested the Library to be a good location for advertising.

Chair Perry will reach out to the individual who offered to speak about her experiences with birding and determine the most appropriate time of year for that event.

Professor Bloniarz has offered to speak to whatever issue(s) the Commission would like him to, e.g., software, urban forestry. The suggestion was made for a discussion of invasives.

The topic will be added to the next agenda for further discussion.

4. Annual Meeting of the Commission

- Commission to review its by-laws and see if any changes are necessary

It was noted the by-laws could be amended at any time.

The consensus of the Commission was to move forward with the by-laws as written.

- Commission to hold its annual election for Chairperson and Vice Chairperson

Chair Perry called for nominations for Chair of the Merrimack Conservation Commission for the 2018-2019 term.

COMMISSIONER CARON NOMINATED COMMISSIONER PERRY SECONDED BY COMMISSIONER GLENN

Commissioner Perry stated a willingness to serve the Commission in this role for an additional term.

VOTE ON ELECTION OF GAGE PERRY TO THE POSITION OF CHAIR OF THE MERRIMACK CONSERVATION COMMISSION FOR THE 2018-2019 TERM MOTION CARRIED 6-0-1 Commissioner Perry Abstained

Commissioner Perry declared Chair of the Merrimack Conservation Commission for the 2018-2019 term.

Chair Perry called for nominations for Vice Chair of the Merrimack Conservation Commission for the 2018-2019 term.

COMMISSIONER ROSATI NOMINATED COMMISSIONER CARON SECONDED BY COMMISSIONER GLENN

Commissioner Caron expressed a willingness to serve the Commission in this role.

VOTE ON ELECTION OF MATT CARON TO THE POSITION OF VICE CHAIR OF THE MERRIMACK CONSERVATION COMMISSION FOR THE 2018-2019 TERM MOTION CARRIED 6-0-1

Commissioner Caron Abstained

Commissioner Caron declared Vice Chair of the Merrimack Conservation Commission for the 2018-2019 term.

OLD BUSINESS

At the June 18th meeting, Chair Perry questioned the desired direction of the Commission relative to application to the Aquatic Resource Management (ARM) Fund. The State offers services for generating the applications. He questioned the will of the Commission relative to incurring costs for those services.

The item was inadvertently omitted from the agenda and will be placed on the agenda for the next meeting.

Bike Demos at the HHNP

Vice Chair Caron spoke of the 3D shoot (archery) scheduled for July 29th, which is one of the dates Cycles Etc. had requested for a bike demo. The HHNP Sub-committee felt strongly the events should not occur on the same date. Cycles Etc. has indicated they could move their event to August 26th.

Commissioner Glenn was asked to post the events on the Commission's website.

• Chapter 111 Update

Commissioner Tenhave stated the preliminary list of properties discussed at the last meeting was edited and forwarded to the Town Manager. He requested an update on the status of the review by Town staff and was informed it is still underway. It is hoped feedback will be available in time for the next meeting.

He and Commissioner Rosati met with Yvette Couser, Director, Merrimack Public Library, and her staff to discuss the project and where they could be of assistance. He stated his belief, once a preliminary list is agreed upon, they will begin the research. They were asked to follow the Deed trail, e.g., if a parcel is straightforward that they follow it back to the previous deed to ensure a restriction was not dropped from one version of the deed to the next as that has been seen in the past.

Commissioner Boisvert spoke of the need to work on the signage at the Sklar property.

OTHER BUSINESS

- Discussion on communications or correspondence received concerning regulated MCC activities and any issues concerning MCC managed lands
- Sub-committee Updates

Wildcat Falls

The sub-committee met on July 10th. A tentative clean-up date has been set for the morning of Saturday, July 28th. Wildcat Falls remains on the Public Works Department (PWD) wait list for parking lot resurface as well as the cable evaluation and erosion repairs (fire road).

Chair Perry indicated he would reach out to the PWD on outstanding action items.

Commissioner Rosati stated she spoke with Life Scout Sidhanth Dhanarha about a possible Eagle Scout project. Although a bridge in the area where the erosion is occurring was discussed, the idea was not one that could be supported. She provided a copy of the email communications to be included with the meeting minutes. Alternate projects include the Wasserman Fitness Loop and a kiosk on the Sklar property.

Councilor Albert stated the desire to see the Fitness Loop as a priority project and questioned whether that is Town or Commission property. Commissioner Tenhave commented Wasserman Park is made up of 130 total acres; the Commission portion (80 acres) has certain restrictions and the park side of the property its own restrictions. It is technically Town property that the Commission manages for the Town.

Vice Chair Caron spoke of creating a punch list of projects that are needed. Desired for the website are photos of past projects and descriptions of future ones.

Commissioner Rosati spoke of projects the sub-committee has expressed an interest in. It was suggested the particulars be identified including whether they are projects the sub-committee would like to undertake or are seeking assistance with. Commissioner Rosati commented the discussion has been around identifying potential Eagle Scout projects. Vice Chair Caron stated a desire to assist with the erosion issue.

New sub-committees

Vice Chair Caron spoke of the need for sub-committees for Wasserman Park, Fields Farm and the Sklar property. He questioned if the Commission has received any inquiries from residents wishing to serve in this manner.

The Commission has chartered a sub-committee for Fields Farm, agreed to the Charge, and put out feelers. Two individuals have expressed interest; however, not enough for the formation of the sub-committee. Commissioner Tenhave remarked he may be able to attract some residents in his neighborhood to be part of that. However he does not believe there would be a great deal of interest until the parcel that is common land for the neighborhood is turned over to the Town and becomes part of Fields Farm.

Vice Chair Caron stated he has heard from a few individuals who may be interested in participation on a sub-committee for Wasserman Park.

Commissioner Boisvert stated he would do some outreach to see if there is interest in participation on a sub-committee for the Sklar property.

Horse Hill Nature Preserve

Part of a recent discussion of the sub-committee was the potential for parking issues during the bike demo events. The sub-committee suggested, if parking were to become an issue, it may be that the events could be moved to a weekday or to Wasserman Park. The sub-committee also discussed the possibility of the group donating to the HHNP similar to what occurred with the Snowshoe race event. It was noted the Snowshoe race event was a for-profit event. Commissioner Glenn suggested the events were similar; bike manufacturers utilizing Commission property in an event intended to showcase their product. Commissioner Glenn remarked if parking becomes a problem, there may come a time where the Commission has to deny the use of the facility.

Vice Chair Caron commented parking can be a problem on a Saturday without any other events taking place. The need exists to inform individuals parking cannot occur on the side of the road. Councilor Albert stated his recollection there is no law prohibiting parking. Vice Chair Caron commented the

problems are only imagined at this point. Should they arise, they could be addressed in some way. Commissioner Glenn stated her recollection the issue that arose previously stemmed from the Commission advertising for the event. It was suggested the website could indicate there will be an event taking place on a particular day and that parking would be limited. Vice Chair Caron noted a posting would be put in the kiosk a few days leading up to the event. Making the public aware of scheduled events and other entrances/properties could be helpful.

Commissioner Glenn commented on the sub-committee having learned of a bicycle shop recommending people utilize the HHNP to try out their e-bikes. Vice Chair Caron stated he had a lengthy discussion with the employees of the shop, and that will no longer occur. Commissioner Glenn stated the sub-committee intends to post signage at the kiosks reminding users of prohibited uses.

Commissioner Glenn commented on the ongoing maintenance items, e.g., mowing. Chair Perry stated his uncertainty the PWD will be able to be looked to for mowing inside the fence line. Vice Chair Caron commented the fencing was erected last year, and you can no longer see into the area (grass, before fencing, is 5' high).

Commissioner Glenn informed the Commission Newt Coryell has indicated, after 20 years of service, he does not wish to seek re-nomination at the conclusion of his term (7-31-18). She requested arrangements be made for him to be formally recognized for his service to the community.

MOTION BY COMMISSIONER GLENN TO REAPPOINT ROSE SHAJENKO AS A FULL MEMBER OF THE HORSE HILL NATURE PRESERVE SUB-COMMITTEE FOR A TERM TO EXPIRE JULY 31, 2021 MOTION SECONDED BY VICE CHAIR CARON MOTION CARRIED 7-0-0

Commissioner Glenn stated there are currently two alternate members, one of whom cannot be considered for full membership as he is not a resident of Merrimack. The other, Bruce Peterson, has expressed an interest in becoming a full member. She spoke of the level of help he has already provided as a recently appointed alternate member of the sub-committee.

It was suggested, in the interest of transparency, that the appointment of a full time member be placed on the next agenda.

Commissioner Tenhave questioned other terms that may be expiring on the various sub-committees.

Commissioner Glenn noted the Girls Scout Troop, interested in making walking sticks and setting up a walking stick bucket at the HHNP, made their presentation to the sub-committee. It is likely the container would be set up on the back of the kiosk to keep it safe from snow plows, etc.

Vice Chair Caron questioned the status of the maps for the HHNP. Commissioner Glenn responded additional maps were donated by Papergraphics and were passed out to the sub-committee membership for distribution.

Chair Perry questioned if the Commission wished to identify a limit to the number of maps that would be reproduced each year.

It was suggested, as long as they are at no cost, and are not ending up as trash, they should continue printing them.

Grater Woods

Commissioner Rosati stated her expectation she would be hearing from Life Scout Jack Elliott who is constructing an observation deck in Grater Woods.

PRESENTATION OF THE MINUTES

The following amendments were offered:

Page 6, Line 40; replace "Clara Drive" with "Klara Drive" Page 9 Line 16; replace "Lime" with "Lyme"

MOTION BY COMMISSIONER ROSATI TO ACCEPT, AS AMENDED MOTION SECONDED BY COMMISSIONER GLENN MOTION CARRIED 6-0-1 Councilor Albert Abstained

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Councilor Albert spoke of being the Town Council Liaison to the Concerned Citizens Water Advisory Group. During its last meeting, the Group discussed extending an invitation to the Chair and/or Vice Chair of the Commission to attend a meeting to discuss any impact of PFAS on Commission properties or concerns the Commission may have.

Councilor Albert requested individuals providing presentations to the Commission include a PowerPoint or similar type presentation that can be viewed by the television audience. It was noted the equipment utilized to record Commission meetings is not like that which is utilized in the Matthew Thornton Room. There are times when the camera is unmanned; general purpose camera used which captures the membership but not the screen.

ADJOURNMENT

MOTION BY COMMISSIONER GLENN TO ADJOURN MOTION SECONDED BY VICE CHAIR CARON MOTION CARRIED 7-0-0 The July 16, 2018 meeting of the Merrimack Conservation Commission was adjourned at 9:10 p.m.

Submitted by Dawn MacMillan

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Ca	Office Outlook Web Access	Type here to search This Folder 😥 🔛 Address Book 🔢 Options 🧃	L	og (Жf
112	Mail	A Reply Reply to All A Forward Move X Delete Close	•	P	х
84	Calendar Contacts	Re: Wildcat Falls - Possible Eagle Scout Bridge Tim Tenhave			
์ -2	Deleted Items (4) Drafts [2] Inbox	Sent: Saturday, July 07, 2018 8:43 AM To: Mike Boisvert; Gina Rosati; Matt Caron Cc: Gage Perry; mcleanka@bmus.net			
Ğ	Junk E-Mail	Hi Everyone,			
Ţ	Sent Items	Email is not the place to discuss this. Please have this conversation at a public meeting and include this email chain as part of the minutes.			
	Click to view all folders ⊭	Thanks,			
	Gage Perry Photos Read - From Merrimack cl Read - From town employe (34)	Tim			
0.02	Read - Pipeline/Gas indu (7) Read - from MCC members (10) Read - from Tim Tenhave (14)	On 7/6/18, 1:16 PM, "Mike Boisvert" <mboisvert@merrimacknh.gov> wrote:</mboisvert@merrimacknh.gov>			
	Read - from other (4) Scouting Projects Wildcat Falls Sub-Commit	>A Kiosk at Sklar is fine with me. We would just need to figure out where >to put it and whether it would be on MCC or town land. > It would let people know something is happening/changing there! >Mike >			
2	Manage Folders	<pre>>From: Gina Rosati >From: Gina Rosati >Sent: Friday, July 06, 2018 10:28 AM >To: Matt Caron; Mike Boisvert >Cc: Gage Perry; Tim Tenhave; mcleanka@bmus.net >Subject: RE: Wildcat Falls ~ Possible Eagle Scout Bridge ></pre>			
		>Thanks for weighing in, Matt. I'm going to copy Mike on this, so he can >weigh in, too.			
		> >Mike, are we ready for a Sklar kiosk? >Gina Rosati			
		>			
		<pre>>If it is the spot along the river with a dip between two trees I believe >it's a waist of wood and making a natural surface trail unnatural. >Bridges are for crossing something and there is nothing to cross there >plus the added weight count disturb the underlying roots holding the bank >in place. >Personally I think the Skalar klosk is way more worthy a project and much >easier for wood transport if I am the scout.</pre>			
		> >-matt			
		> >Sent from my iPhone			
		> >> On Jul 6, 2018, at 9:50 AM, Gina Rosati <grosati@merrimacknh.gov> wrote: >></grosati@merrimacknh.gov>			
		>> Hi all,			
		<pre>>> After talking to Eagle Scout candidate Sidhanth, I suggested 3 projects >> (WCF bridge, Wasserman Fitness, Sklar kiosk), and he chose the bridge at >>Wildcat Falls. After talking more in depth with Karen LaBonte, the place >>where Karen was thinking of a bridge on the North Loop Trail is actually >>where it was suggested we put up a snow fence. Would a wood structure >>work here or is that just a waste? >></pre>			
		<pre>>> The purpose of this email is to see if Matt, Gage and Tim have >>suggestions for a wood structure, whether it is a bridge or viewing deck >>or kiosk detailing wildlife habitat, that this Eagle Scout candidate >>could build at WCF, and where it would be located. If not, what other >>project would you like to see him complete. Is it too soon to start a >>kiosk at Sklar? >></pre>			
		>> (FYI, I did suggest the Fitness Trail at Wasserman, and he didn't seem			