

MERRIMACK CONSERVATION COMMISSION
MARCH 18, 2019
MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, March 18, 2019 at 6:32 p.m. in the Merrimack Memorial Conference Room.

Chair Gage Perry presided:

Members of the Commission Present: Matt Caron, Vice Chair
 Cynthia Glenn
 Gina Rosati
 Michael Swisher, Alternate Member

Members of the Commission Absent: Michael Boisvert
 Steven Perkins
 Tim Tenhave, Alternate Member
 Councilor Peter Albert

Also in Attendance: Max Townsend, Life Scout, Troop 48
 Melissa Miller, 97 Turkey Hill Road
 Andrew Duane, Member, Wildcat Falls Sub-Committee
 Elizabeth Petrides, Member, Wildcat Falls Sub-Committee

Chair Perry designated Michael Swisher to sit for Michael Boisvert.

Chair Perry noted the applicant/owner of Item #1 under Statutory/Advisory Business was unable to be in attendance. However, he wished to have some discussion of the item as it will be before the Commission for further discussion/recommendation at a future date.

PUBLIC COMMENT

Max Townsend, Life Scout, Troop 48

Questioned what projects the Commission might have that could be addressed through an Eagle Scout project. Vice Chair Caron spoke of the number of properties the Commission is responsible for, and asked about the Scout's interests to try to determine the best fit.

Life Scout Townsend spoke of enjoyment of the outdoors and hiking. He noted the desire to avoid a project such as a kiosk. He would like a project that is personal to the location chosen.

Melissa Miller, 97 Turkey Hill Road

Commented they have only resided in Merrimack for the past 2 years, and are currently closest to Grater Woods.

Vice Chair Caron spoke of recent projects in Grater Woods; overlooks, benches.

Life Scout Townsend noted two Scouts from his troop recently did work in Grater Woods; Outdoor Classroom and benches.

Commissioner Rosati indicated the Parks and Recreation Department is looking for someone to work on benches. Perhaps Life Scout Townsend could pass that information along.

Vice Chair Caron commented there is not a camping area within Grater Woods, but there are bluff areas where benches could be located. He spoke of discussion around revamping the exercise trails at Wasserman Park. Some of the work is minor; some of the areas have signs informing users of the activity, and those signs/posts have fallen over, etc. The exercise trail was created over 20 years ago.

Asked about the timeline for project completion, Life Scout Townsend stated the desire to be working on it during the warmer months.

Chair Perry spoke of Eagle Trail in Grater Woods, which was constructed by a Scout. There are good locations along that trail for picnic areas, etc.

Vice Chair Caron will work with the Scout in identifying a project.

PUBLIC HEARINGS - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS

1. **Kinsley Osgood-Barnard (applicant/owner)** – Review for recommendation to the Planning Board of a Waiver of Full Site Plan Review for a dog daycare/grooming/boarding business. The parcel is located at 9 Harris Avenue in the C-1 (Limited Commercial), Aquifer Conservation and Elderly Housing Overlay Districts and Wellhead Protection Area. Tax Map 6D-1, Lot 038.

The applicant has been informed of the need for the plan to include identification of wetlands, etc.

Commissioner Swisher commented, particularly given the type of business, his concerns would be relative to the watershed and runoff. He would like to understand how those concerns would be addressed.

Commissioner Glenn questioned what would be used to address ice melt.

Commissioner Swisher asked if the barn structure is existing or proposed. The belief is it is proposed. He questioned stormwater management associated with the structures.

Commissioner Rosati questioned grooming products used; Town sewer or septic.

Commissioner Swisher noted the original structure was constructed in the '50s. There is likely lead paint. Chair Perry stated his belief that would be addressed during the permitting process.

NEW BUSINESS

1. **Wildcat Falls Parking Expansion** - Andrew Duane

Andrew Duane, Wildcat Falls Sub-Committee, spoke of the increased popularity of the Wildcat Falls area. The original parking area, on a good day, fit 3 cars. There is now an expanded parking lot that

holds roughly 15 cars. During summer months, the lot is almost always full and on weekends overflowing. Cars park along the left-hand side, which is technically not permitted although the signage was removed.

Parking along that side is not permitted for two reasons; it makes it dangerous for cars backing up and the need to maintain sufficient clearance for emergency vehicles to get through to the gate. There may also be concern with parking too close to the wetlands located behind. Once the lot is full, vehicles begin parking out on the road. It becomes a safety hazard for the neighbors who are very upset about this behavior.

Asked if the street is posted “no parking”, Elizabeth Petrides, Wildcat Falls Sub-Committee, stated her belief it is not posted; however, there is an agreement that parking would not be allowed on the street. Mr. Duane noted the prior expansion of the parking lot was a contentious issue with the neighbors, and the desire is to address their concerns, when possible. The way the expansion was sold was that it would get the cars off the street.

Mr. Duane provided a PowerPoint presentation depicting the existing lot and potential options for expansion.

Option 1 would lengthen the lot back along the access road. It would provide 3-4 spaces before running into problems with the curvature of the road, trees that block the lot from abutters, and fire lane access. It would be relatively simple to accomplish and have minimal impact.

Mr. Duane noted in front of where the cars park, there is a small berm and about 20’ of open grass space. Option 2 would push the berm back by about 7’ leaving sufficient room for cars to park along the left-hand side safely and room for emergency vehicles. He commented on the width of the gates being what was used to determine the size of the vehicle that would access the area, e.g., emergency vehicles.

Chair Perry stated the need to verify that, given the riparian zone from the edge of the water. That typically has a 25’ do not disturb buffer.

Option 3 would remove the berm and use much of the open grass, thereby allowing for the expansion of the lot creating two lanes of parking (nose in) and increasing the number of available spaces by 11-15. Although the option would bring cars a little closer to the abutter, there would remain the stockade fence and the tree buffer.

Chair Perry stated the need for space to allow vehicles to maneuver through the lot.

Ms. Petrides commented on discussion around placing markers delineating spaces. Vice Chair Caron spoke of the need to identify parking spaces to be able to maximize the number of vehicles that could be accommodated.

Mr. Duane stated each of the options could include a wooden guardrail and markings for spaces. If using Option 3 it would be required to identify two sides of parking. There would likely be the need for a few no parking signs at the far end of the guardrail and on whatever trees are off the edge to ensure that area remains clear and open.

Chair Perry spoke of when the parking lot was first put in place commenting to say it was a contentious issue is an understatement. It was incredibly contentious. People lost their jobs because of this. Some were volunteers, but nevertheless were removed. Asked if he has discussed this with others, Mr. Duane stated he spoke with Commissioner Tenhave who reminded him of how contentious it was.

Chair Perry stated this is not something the Commission will be able to simply approve. The proposal would likely have to go before the Town Council. Mr. Duane stated his hope the promise that an expansion would get the cars off the street would be enough to sway in favor of the proposal.

Chair Perry spoke of the parking lot expansion at the Horse Hill Nature Preserve (HHNP). That expansion resulted in the ability for more people to park there, which made the area even more popular, and now people are parking in the street again.

Mr. Duane questioned if signage should be posted along Iris Drive and Currier Road. Chair Perry stated the proposal goes beyond that of simply expanding the parking lot. The Police Department will have to be consulted. People complain about parking on the street, but if there is no Ordinance prohibiting it, there is no enforcement authority.

Mr. Duane remarked Option 4 is one he does not believe to truly be a consideration. However, if a new perpendicular lot were constructed, it would stay clear of the wetlands and provide a large amount of tree cover between the lot and abutters. There would be less impact to the abutters, but much larger of a project than is called for. The denser section of trees is a very thick section of forest and is deep enough that you cannot see the residence.

Mr. Duane commented Option 2 would provide for safety in backing up and sufficient emergency vehicle access. If there are regulations against parking too close to wetlands there is concern as there is a wetland directly over that (3' away is standing water).

Chair Perry questioned if any of the residents have been contacted regarding their concerns with parking on the street, etc. Ms. Petrides responded she does not know that for certain. In recent years she has heard of the police being called on people parking in the lot. They still monitor it closely. She has not heard anything recently.

Chair Perry questioned if the only issue is that of parking or if there are complaints of motorists speeding, etc. Mr. Duane responded Commissioner Tenhave has brought up the issue of parking on numerous occasions. The reason the original parking lot expansion was approved was the promise it would eliminate parking on the street.

Mr. Duane stated his recommendation would be for Option 3 and that it is possible to do a little of Option 2 and lengthen the lot to provide an additional space. Once the weather conditions have improved, the sub-committee could speak with the PWD around the preferred size of spaces, clearance required, etc.

Chair Perry commented when the lot was created, they purposely parked one of their trucks along the edge, turned the lights on, and marked where to begin building that fence. He is uncertain Option 4 is a bad one, but it would be an uphill battle.

Mr. Duane stated that option would be costly as it would require a good deal of modifications, excavation, work. It is probably overkill. He suggested with a lot that can accommodate 30 cars, if full, that is the point where users should be turned away. It is a small park not having the number of trails the HHNP has. He spoke of the possibility of indicating alternative places for users of the site to park, and of the connectivity to the high school.

Commissioner Swisher questioned if the percentage of visitors going to the falls versus the rest of the acreage is known. Ms. Petrides suggested, during peak summer months, it is likely 50/50.

A discussion ensued around the necessity of discussing with the Police Department where parking is and is not permitted as well as the ability of the Town Council to designate a no-parking area. Mr. Duane suggested an ordinance prohibiting parking along that road could be what would sell the expansion project. Chair Perry noted were that to occur, no parking signs would have to be erected, which may not be desired by the neighbors.

Commissioner Glenn commented, depending on the number of spaces provided, the lot would also have to include handicap spaces. Mr. Duane remarked there is a substantial portion of the area that is wheelchair accessible.

Commissioner Rosati noted the need for the parking lot to be regraded.

Mr. Duane stated the sub-committee has discussed the surface treatments, and has been promised the same surface treatment the HHNP lot received, once the road building season starts for the PWD. He suggested the proposal should be considered prior to the resurfacing.

Chair Perry questioned if Option 3 is the recommendation of the sub-committee. Ms. Petrides stated the desire to first check with the PWD to ensure the measurements have been done correctly allowing sufficient space for vehicles to maneuver, etc.

Asked about next steps, Chair Perry cited the need for measurements to be taken and an understanding to be gained of what can and cannot occur to generate additional spaces. He reiterated the need for involvement of the Town Council.

Stressed was the need for the wooden guardrail where spaces could be marked; particularly if Option 3 were chosen.

Chair Perry spoke of the need for outreach into the neighborhood. He will reach out to Kyle Fox, Director, PWD, and the Town Manager to determine how they wish to proceed.

2. Property Signage and Maps – What do we need

Chair Perry noted maps were printed; however, due to miscommunication, printed were maps for Wildcat not Wasserman. The printer would prefer, instead of printing a few signs, to either wait until the need exists for enough signs to fill up a 4 x 8 sheet or identify other signage that are needed and could be printed on the same material.

Vice Chair Caron suggested some of the information printed on the back side of the maps could be printed separately (enlarged) and posted at the kiosks; HHNP (5), Grater Woods (5), Wildcat Falls

Conservation Area (1), and Wasserman Conservation Area (1). That would be in addition to the two full-size maps for the Wasserman Conservation Area.

Commissioner Swisher suggested printed material could also be educational in nature, e.g., invasive species, wildlife, etc.

Chair Perry suggested a list of the Q.R. codes be printed to be available in the Community Development Department.

Commissioner Swisher questioned if consideration has been given to locating a kiosk at the other end of the Quarry Trail. Vice Chair Caron suggested that to be a good location for one of the smaller kiosks like what was placed at Conservation Drive and Beebe Lane. There is a map box on a tree at the Quarry Trail. Commissioner Swisher suggested maps be located internal to the property highlighting connectivity. Vice Chair Caron spoke of the smaller kiosks that could be located right on a tree.

Vice Chair Caron recommended a sign (approx. 30" in length) for the Sklar Waterfront Park (blue background with white lettering). He commented on the efforts of the Scout in constructing the kiosk and the need to utilize it from the start. A similar sign could be placed at the Wasserman Conservation Area kiosk.

Commissioner Swisher questioned if the Outlook Trail area in Grater Woods is in Merrimack or Amherst, and was informed if you are on this side of the stone wall, it is Merrimack. He suggested that area to be underutilized, and a great location for a Scout project. The panoramic photo of the peaks has deteriorated. Vice Chair Caron suggested the material used for the maps could be used to replace that.

Chair Perry will look to Papergraphics to see what can be done to accommodate the suggestions and seek an estimate of cost.

MOTION BY VICE CHAIR CARON TO APPROVE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED TWO HUNDRED FIFTY DOLLARS (\$250.00) TO PAPERGRAPHICS FOR PRINTING OF TRAIL SIGNS, MAPS, AND VARIOUS OTHER PRINTED MATERIALS. FUNDS ARE AVAILABLE IN FUND 53
MOTION SECONDED BY COMMISSIONER GLENN
MOTION CARRIED
5-0-0

OLD BUSINESS - None

OTHER BUSINESS

1. Sub-committee Updates

Horse Hill Nature Preserve

Commissioner Glenn noted the Loop Trail between posts 3 and 4 was re-opened per the vote of the Commission. The sub-committee met on February 25th. The question was raised of the amount of notice that must be provided in advance of a meeting. It was suggested the Community Development

Department be asked to provide that information. Commissioner Glenn stated the question came about during discussion of the mud season and if there is a need to close trails, etc. Chair Perry stated trails can be closed during mud season. There is no need for a meeting/vote.

Commissioner Glenn questioned if there are in place procedures for how to close a trail, and was informed the Commission simply puts in place signage indicating the trails are closed for mud season (at kiosks).

The sub-committee questioned what the signs should state, and was suggested they could simply state trails closed, mud season. The sub-committee wished to be able to provide explanations for trail closures. Chair Perry suggested notices could be posted on the website; a banner could be located at the top of each page indicating trails closed for mud season. The Commission has locations for postings; however, no matter how or where postings occur there will always be someone who states it was not known/seen. It was noted the Commission places signs in the kiosks and on either side of an entrance indicating trails closed during mud season.

Commissioner Glenn stated the sub-committee would like to prioritize upgrading the trail from the parking lot to post 3 so that if the rest of the property had to be closed people could still walk to post 3 and back. Asked what the upgrade would entail, she indicated that is where the sub-committee requires assistance. Vice Chair Caron remarked it is compacted gravel. Commissioner Glenn questioned if there is something that could be done, e.g., installing culverts. Vice Chair Caron indicated the only way to keep it from becoming muddy is to pave it. It is a woods road and it gets muddy when it rains. Commissioner Swisher remarked in some of the spots it is already 6' above grade. Chair Perry noted the issue exists only during a particular time of year.

Chair Perry remarked he understands the desire, but it is difficult to say we are going to close the trails; well except for this part or that part. It is a short period of the year that trails must be closed. Signs can come up and down based on the conditions. Posting them at the kiosks is effective as some note the signs and turn around. We could cover the road with another foot of gravel and bring it to 7' above grade, but then after 3 seasons of rain, leaves, pine needles, it would just be muddy again.

Commissioner Glenn questioned if there is information available on classes on general trail maintenance. Vice Chair Caron stated there to be one in CT in May. Chair Perry spoke of the Annual Land Conservation Conference; Saving Special Places, taking place at the Prospect Mountain High School in Alton, NH on April 6th. The registration fee is \$65. The Commission will cover the cost of registration.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. March 4, 2019

The following amendments were offered:

Page 4, Line 38; correct the spelling of "hurdle"

Page 5, Line 3; insert a "," following "would"

Page 5, Line 34; insert "the" before "camera"

Page 6, Line 46; remove the "," following "Don"

**MOTION BY COMMISSIONER ROSATI TO ACCEPT, AS AMENDED
MOTION SECONDED BY COMMISSIONER SWISHER
MOTION CARRIED**

4-0-1

Commissioner Glenn Abstained

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Vice Chair Caron stated he has communicated with the Student Conservation Association's New Hampshire Corps (SCA NH Corps.). They provided him with information on their procedures when doing a project. They do a ten day "hitch"; schedule 11 days to have a break at some point. They select their projects, and one of their requirements is services. It seems they would like a location to shower, use the restroom, etc.

Asked if the services must be located on the property, Vice Chair stated he would discuss that in greater detail with them this week. "Camping area or housing for the crew, including access to water and bathroom accommodations" is how the requirement was stated. Chair Perry questioned if Wasserman could be utilized. The possibility will be discussed with Matt Casparius, Director, Parks and Recreation Department.

Commissioner Glenn spoke of HB442, which would close coyote hunting during pup rearing months. The Stoddard Conservation Commission signed on to a letter supporting the bill and had requested the Commission consider signing it as well.

Commissioner Glenn noted the New Hampshire Association of Conservation Commissions (NHACC) signed on to the letter as did 12 conservation commissions. It appears the vote will occur in the next day or two. You don't know when a bill will be voted on until the calendar is publicized. She stated her opinion because the rules NH Fish & Game or the Legislature make are applicable to Commission properties, it is the right of the Commission to comment or vote one way or another regarding supporting such bills. Chair Perry stated the Commission manages the properties and can determine whether there will be hunting, etc.

Commissioner Glenn noted the NH Fish & Game Biologists recommended the bill to the 11-member body, which is comprised of all consumptive users. There is no one that just represents conservation. You must have a hunting, trapping or fishing license to sit on the body. The Biologist asked that it be brought up to Rule Making, which would take public comment. The Commissioners denied that request. That is why it went to the Legislature.

Commissioner Glenn reiterated the Commission, as a body, is not represented on the Fish & Game Commission. Vice Chair Caron remarked the Conservation Commission cannot fix that. Chair Perry stated there would be the need to petition to change the bylaws of the Fish & Game Commission. Commissioner Glenn stated her belief it is approx. 5% of the NH population that hunt.

Commissioner Rosati noted 1/3 of NH Fish & Game's funding is generated from hunting & fishing licenses, which is why they will tend to side with hunters.

Commissioner Glenn remarked coyotes have packs resulting in one female and one male breeding. They control the others. If they are killed, the pups likely don't survive, and the others start mating. Then you have even more litters. The way it impacts the Commission's properties is in trying to keep things in balance.

Vice Chair Caron stated that reason alone is why the NHACC signed the petition.

Vice Chair Caron commented at the Commission's last meeting it was expressed the Commission wished there were more guidance from areas such as NHACC. They had not yet decided. They had the research done by the Biologist, reviewed it, and took a vote.

Commissioner Swisher commented he is amazed with the level of energy put into the topic; if only 5% of the State represents hunters and if the percentage of those hunters that care about hunting coyote is say 5%, that is a small number, and yet there is a lot of energy being spent on this.

Commissioner Rosati suggested putting notice on the website informing users of the properties that hunting season is all year for coyotes; wear orange colors.

Chair Perry spoke of the winter ecology walk and how well attended (22 attendees) and successful the event was.

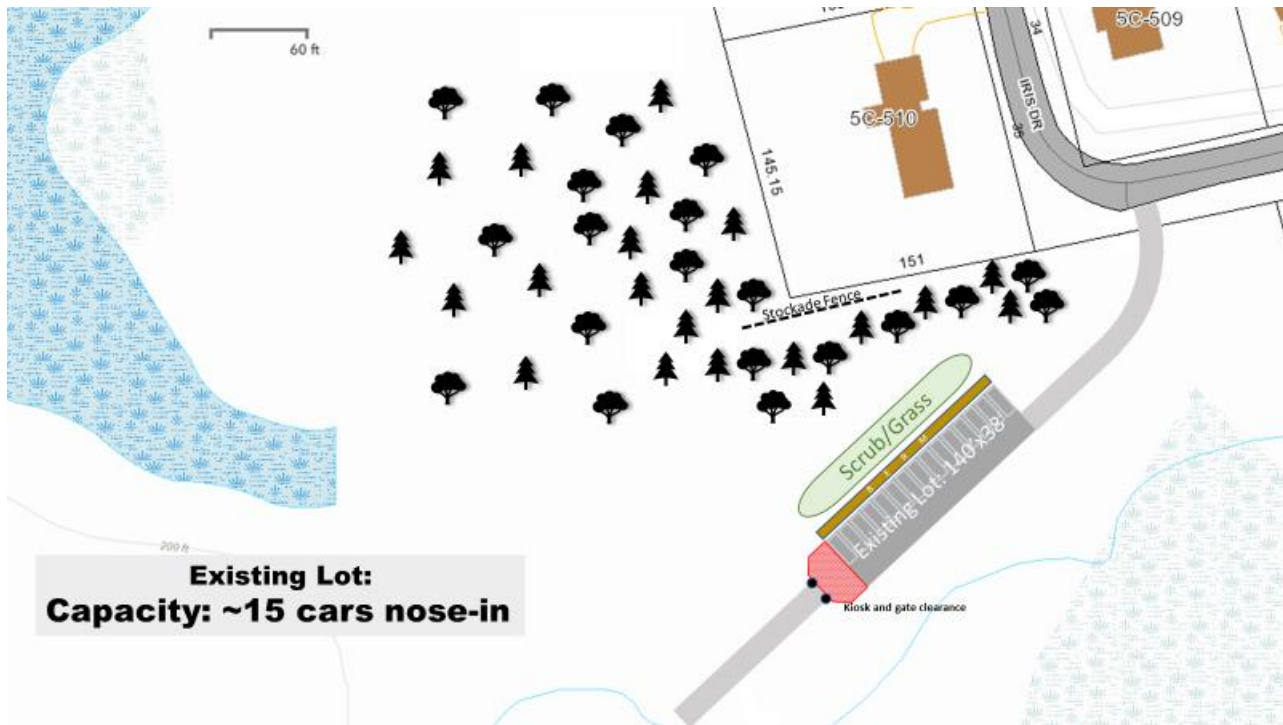
The Vernal Pool Party is scheduled for May 4, 2019 at 9:00 a.m. beginning at the upper lot of the Middle School.

ADJOURNMENT

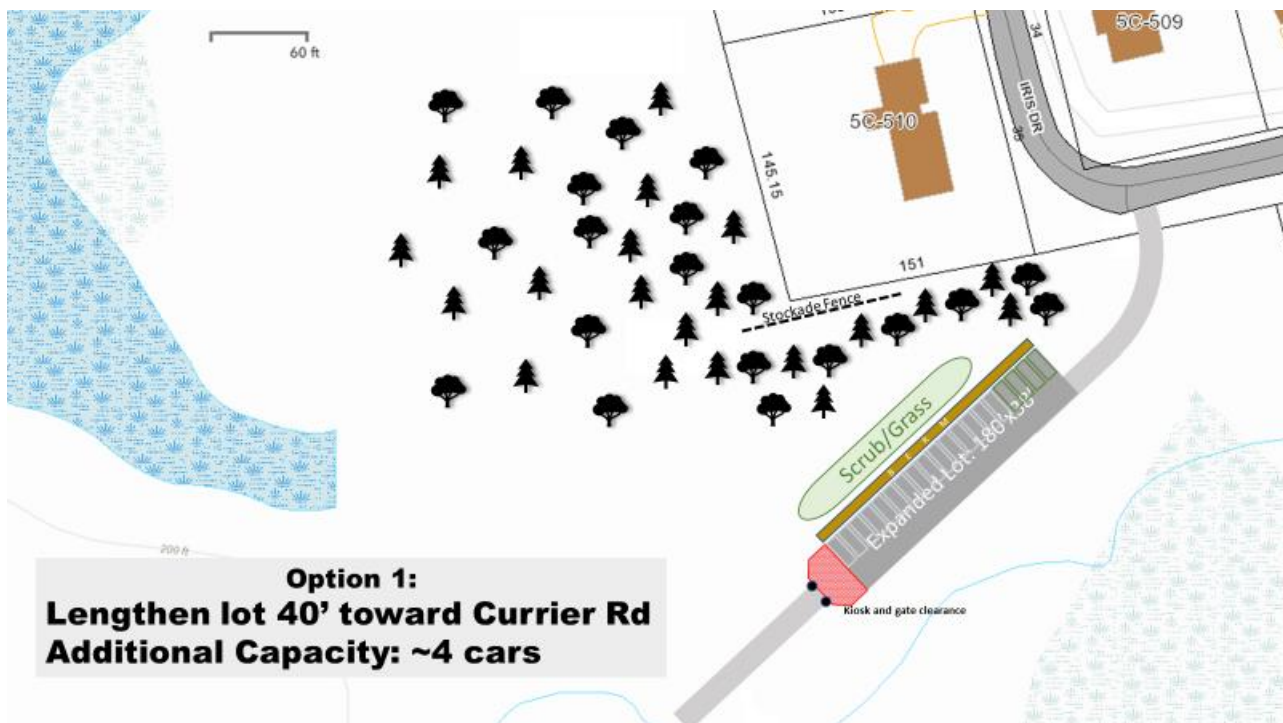
MOTION BY VICE CHAIR CARON TO ADJOURN
MOTION SECONDED BY COMMISSIONER ROSATI
MOTION CARRIED
5-0-0

The March 18, 2019 meeting of the Merrimack Conservation Commission was adjourned at 8:40 p.m.

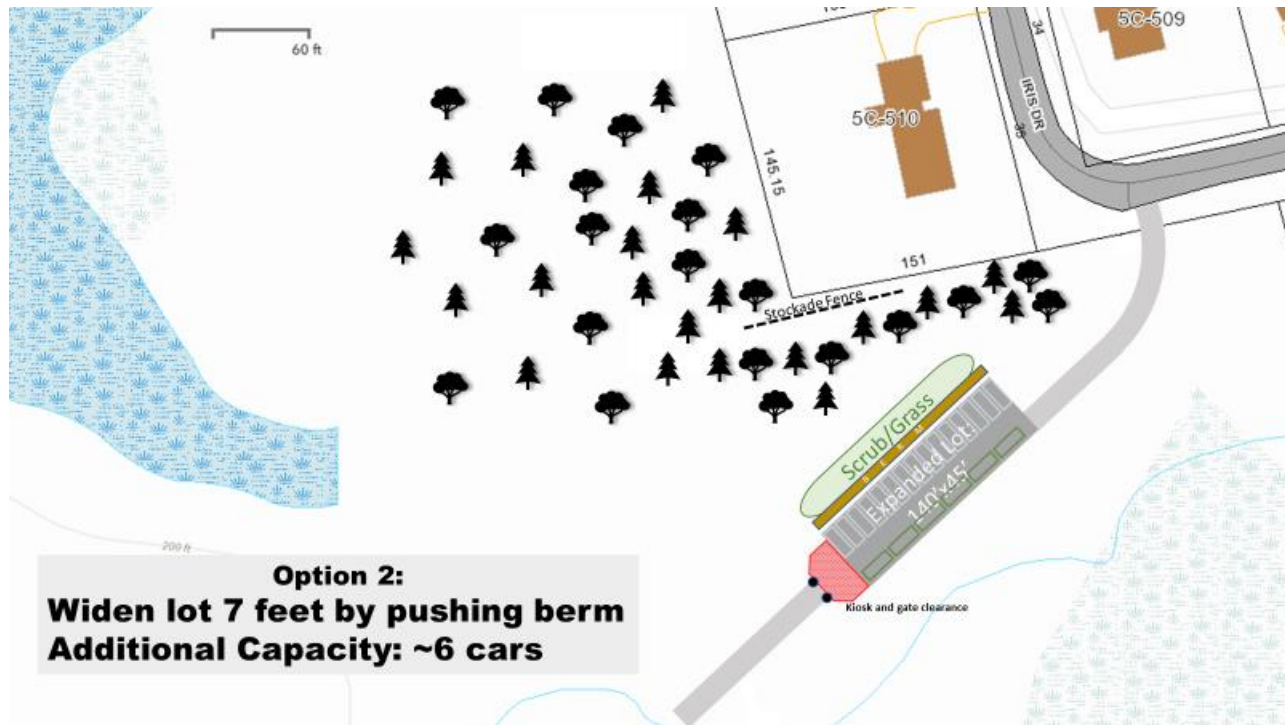
Submitted by Dawn MacMillan



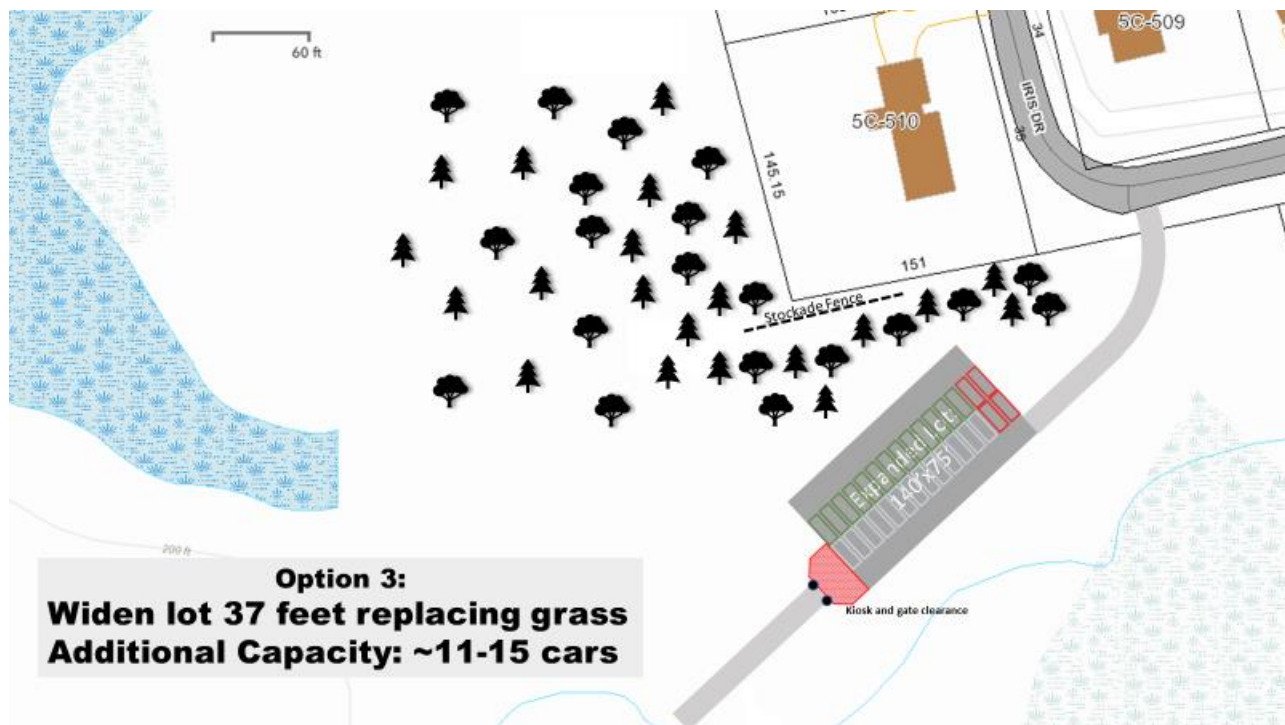
An additional 6 or 7 cars can (and sometimes do) fit along the left side. This makes it dangerous for the nose-in cars to back out, and restricts fire-lane access to the gate (14' clearance)



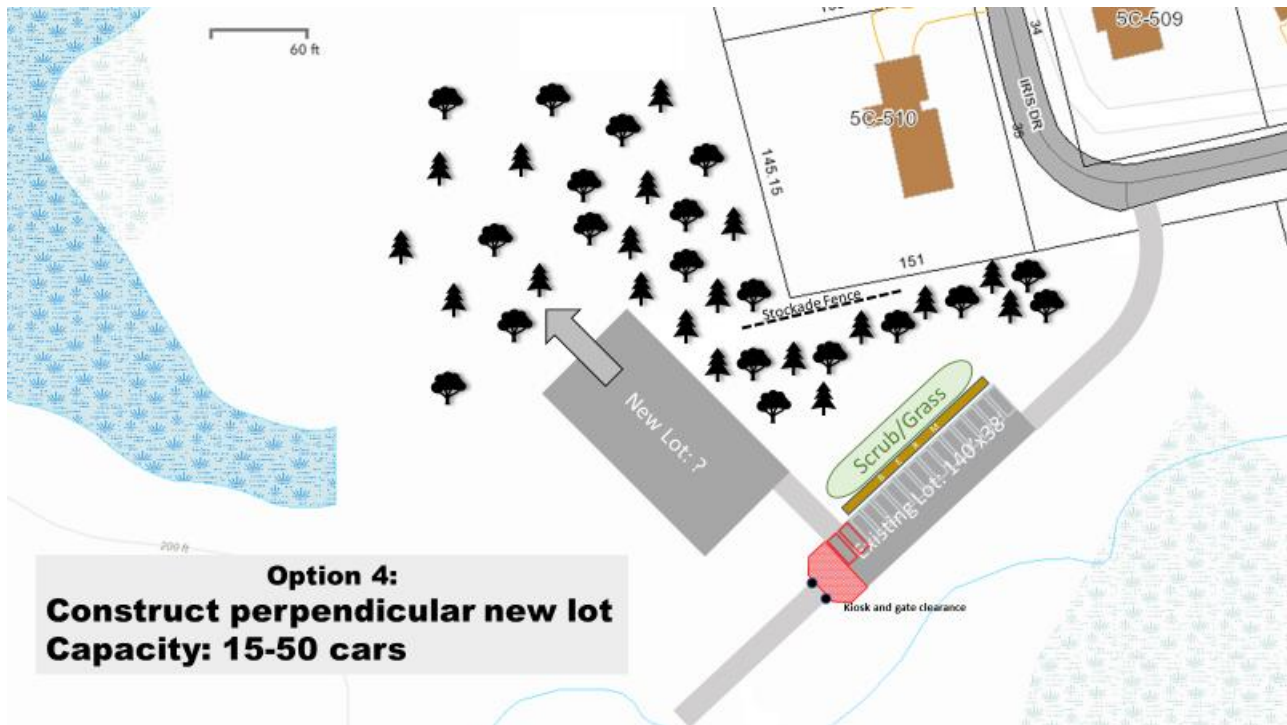
40 feet is about the limit the lot can be reasonably stretched toward Currier Road. This would allow about 4 more cars. Adds a little visibility for the abutter.



Pushing the berm about 7 feet back would allow 6-7 cars to park safely on the left side, easing backing-up and allowing fire lane access. This would not affect sight-lines to the abutter. Combining with option 1 adds another 5-6 spaces.



Using most of the existing berm and grass space would allow the lot to be expanded to about 75 feet in width, allowing two rows of cars to park nose-in. Accommodation for cars to drive to the other side will be needed (remove 1-2 spaces each row; could extend lot toward Currier Rd to alleviate this)



Utilizing the sparsely-wooded area behind the kiosk would allow a second lot to be installed. There is plenty of room for a significant lot (survey needed to determine wetlands, etc.). The woods between the expanded lot and the abutter are dense enough to provide visual shielding. Could be combined with most other options, but not really needed. Note loss of 2 original spaces.