



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION

DECEMBER 1, 2014

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, December 1, 2014 at 6:34 p.m. in the Merrimack Memorial Conference Room.

Chairman Tim Tenhave presided:

Members of the Commission Present: Matt Caron, Vice Chairman
Michael Boisvert
Gage Perry
Councilor Thomas Mahon

Members of the Commission Absent: Cynthia Glenn
Robert Croatti, Alternate
Lauren Kras, Alternate

Also in Attendance:

Commissioner Glenn had a previous engagement, and was unable to be in attendance.

Chairman Tenhave reminded the viewing audience to wear hunter orange, and stay on marked trails if utilizing the woods during hunting season. He noted the Commission's website, www.Merrimackoutdoors.org, identifies conservation lands where hunting is allowed.

PUBLIC COMMENT - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS - None

OLD BUSINESS

1. Funding for Police Patrols at Grater Woods

The Commission to receive any feedback from the Grater Woods Sub-Committee and to lay out a plan for getting necessary material ready to start the patrols.

Vice Chairman Caron informed the Commission the Grater Woods Sub-Committee will create a pamphlet to be handed out during patrols anticipated to begin in the spring. Chairman Tenhave stated the desire for the pamphlets to be completed in the March timeframe to accommodate final arrangements with the Police Department in April.

Commissioner Boisvert stated concern with the inability to become familiar with the entirety of the trail system, and the reduced opportunity for interaction with users, if all patrols are conducted on ATVs. Commissioner Perry noted that was discussed, although he is unsure if a decision was reached. He suggested the Commission request patrols be mixed.

2. Gates and Closing a Portion of South Grater Road

Commission to discuss the gates shown in the Grater Woods Stewardship Plan and decide if this is now the time to move forward to the Town Council with this action.

Chairman Tenhave spoke of prior discussions on this issue, and remarked earlier in the year it was tied with the conduction of a forestry project at Grater Woods. He stated the desire, regardless of whether a forestry project is undertaken, for gates to be put in place and a portion of the road to be closed.

He noted there would be the need for the Commission to take the item before the Town Council, and the possibility the Town Council may wish or be required to conduct a Public Hearing on the matter.

One of the gates is intended for the most southern location possible on South Grater Road and the other ideally where the property line begins on South Grater Road coming from Amherst.

Chairman Tenhave questioned the will of the Commission with regard to bringing the matter before the Town Manager and soliciting a legal review to get the process started.

The consensus of the Commission was to move forward with acquiring the necessary legal review and Town Council approval.

Commissioner Perry noted the gate on Mitchell Woods is in disrepair, and requires maintenance. He questioned whether there is a requirement for similar action to be taken for the Commission to replace an existing gate. Chairman Tenhave stated his belief the Commission would be free to replace a broken gate. Councilor Mahon stated agreement. It was suggested the replacement project be coordinated with the Merrimack Village District (MVD) and be publicly known.

3. Merrimack Village District (MVD) Well at Mitchell Woods

Commission to continue the review and potentially make a recommendation to the Town Council in regards to an easement for an MVD well on the Conservation property known as Mitchell Woods.

Chairman Tenhave stated questions raised at the last meeting were forwarded. To date, no response has been received. It was noted the New Hampshire Department of Environmental Services' (NHDES) Rules were attached to the copy of the Sanitary Protective Area Easement Deed.

Commissioner Perry suggested something more concrete would have to be done with regard to the exclusion zone. During recent visits to the area, he noted paintball activities have increased. Councilor Mahon suggested the opportunity for a neighborhood meeting to educate residents on the activities of the Commission and the sensitivities of the area, and to see if such activities could be shifted to another location.

4. Beaver and Water Control Activities

Commission to review the current beaver and water control activities it has undertaken. Other activities may be discussed including some being taken by Town staff. Action on funding current or new activities may also be discussed along with the ongoing comprehensive Beaver Management Study.

Commissioner Perry stated there are three devices currently installed in Town, and a fourth proposed for the Hanson Drive property. The quote received includes an entire water tube for bypassing the dam.

Chairman Tenhave questioned whether the problem could be resolved through removal of the grate. Commissioner Perry remarked he had the same question; however, has learned there is concern around the possibility material/debris could get into the culverts, which would require entrance into the culvert for cleaning/regular maintenance. There are two culverts; one at each end of the pond.

Commissioner Perry spoke of work that began the prior Thursday at the Meadow Woods location. Workers encountered logs laying perpendicular to the dam, which would have prohibiting the setting of the pipe at the necessary level. The Public Works Department (PWD) provided assistance with removal of the logs. The largest pipe that could be placed without requiring a permit (15") was put in at that location.

Commissioner Perry displayed photographs taken 24 hours after the work was completed, and noted the results achieved. Also displayed were photographs of the piping, etc. installed at Mitchell Woods, which is similar to what has been installed in all locations to date. Commissioner Perry stated three devices have been placed to date. A review of the areas 24 hours after placement shows a reduced water level at all three locations. The devices appear to be working as expected. When asked if any concerns have been expressed by neighbors, etc. Commissioner Perry stated he has not been contacted by anyone.

The quote provided for work to be performed on Hanson Drive totals \$1,880 and includes a one-year maintenance plan. Commissioner Perry remarked approval of the project/quote does not necessarily mean the work will be performed in this calendar year, as it is weather dependent. However, if approved, the price will be held until the work is performed.

Chairman Tenhave stated his only concern to be the inlet side. Being addressed is the outlet of the pond; however, the inlet also has a culvert attached. He questioned whether it is believed the stream would become a beaver issue. He noted, during a recent visit to the site he did not witness any activity. Commissioner Perry stated his last visit to the area was approximately one month ago. Hanson Drive is located off of Seaverns Bridge Road and connects to Bates Road. Chairman Tenhave commented the pond is in an oval shape with cattails at the inlet side and fairly wide open water at the outlet side. Photographs of the area were displayed.

Beavers have knocked down some of the small growth, which dropped into the roadway causing the PWD to clear the area. While in the area, additional trees were trimmed to prevent re-occurrence. That trimming caused concern with neighbors. The area where beaver issues are occurring was identified. Commissioner Perry noted this to be another area where the question of simply removing a grate was posed, and the response received was if any materials become caught in the pipe it would require entering the 30' pipe to clear it.

Commissioner Perry noted the water level is 1'± higher than intended. The water level, in some areas, is 2-3' below the level of the road. When asked, Chairman Tenhave stated his belief the direction of the water when heading under the road, is towards Stump Pond.

Chairman Tenhave questioned whether the Commission wished, at some point, to rely on PWD to perform some of the work. This particular area is not technically Commission property; the pond is owned by the Association and the structures are the responsibility of the PWD. The Town has the responsibility to maintain culverts, etc. He questioned whether there would be a need to gain permission from the Association to conduct work in the area or if the work would be considered within the easement of the culvert.

Commissioner Perry questioned whether this would present the opportunity for the PWD to construct and/or place one of the devices. Chairman Tenhave stated his concern to be that of bringing in a private entity to perform work without understanding where the boundaries of the Town are. He added he has heard from some of the neighbors that they want the beaver to be present, and are willing to assist in efforts to ensure they remain. Commissioner Perry stated the focus has not been to remove beaver. The project is that of water level management.

Commissioner Perry noted the quote references a pond leveler with a pipe. It was his belief the same equipment as has been installed in the previous three locations would be put in place at the Hanson Road location; however, he is uncertain. He suggested further discussions may be necessary to gain clarity. Chairman Tenhave remarked if the intent is for a pond leveler, that work would clearly be outside of the bounds of an easement area as the pipe would dump straight into the concrete.

Commissioner Perry will follow up with GZA to gain clarification of the type of equipment proposed for the area.

Chairman Tenhave will speak with the Town Manager regarding obtaining a legal opinion relative to boundaries associated with work performed in easement areas.

Commissioner Perry will request Rick Seymour, Director, Public Works Department, and Adam Jacobs, Operations Manager, attend the Commission's January 5, 2015 meeting to participate in a discussion of priority areas identified within the Comprehensive Beaver Management Plan. In preparation for the meeting a list of questions will be generated for discussion, e.g., areas where easement issues may require clarification, specific areas where the PWD may perform and/or finance the work to be completed, etc.

Chairman Tenhave questioned the opinion of the Commission as to whether all of the projects should be financed utilizing Commission funds or projects falling on Town owned/maintained property should be financed through the Town's general fund/departmental budget.

Councilor Mahon stated his opinion, if falling under the purview of the PWD that department should be responsible for and budgeting for the expense. Chairman Tenhave noted the anticipated return on investment relative to the expected reduction in maintenance costs in the long-term.

NEW BUSINESS - None

OTHER BUSINESS

- Purchase of Additional Trail Markers

The quote provided by Classic Signs, Inc. for four sheets of blue triangles is \$668 (\$167/sheet).

**MOTION BY COMMISSIONER TENHAVE TO AUTHORIZE THE EXPENDITURE OF SIX HUNDRED SIXTY EIGHT DOLLARS (\$668.00) FOR THE PURCHASE OF SIGNAGE AS IDENTIFIED IN THE QUOTE RECEIVED FROM CLASSIC SIGNS, INC., DATED NOVEMBER 20, 2014. FUNDS AREA AVAILABLE IN FUND 53
MOTION SECONDED BY COMMISSIONER CARON
MOTION CARRIED
5-0-0**

- Horse Hill Nature Preserve

Vice Chairman Caron extended gratitude to Mr. Richard Maloon, a citizen who has attended many meetings of the Horse Hill Nature Preserve (HHNP) and the one who put forth the volunteer effort to re-sign the Loop Trail of the HHNP. In areas where there were no tree, Mr. Maloon pounded green stakes into the ground to place the white markers.

- Amherst Conservation Commission

John Harvey, Chairman, Amherst Conservation Commission has agreed to host a joint meeting of the Amherst and Merrimack Conservation Commissions. The following dates were put forth for consideration: January 14, 2015 and February 11, 2015.

The Commission expressed a preference for the February 11, 2015 date.

- Invoices

Chairman Tenhave noted invoices received from Bay State Forestry for the Trail Stabilization Project and the project on Brookside Drive.

The Commission also received an invoice (\$1,425) for the tree removal and cleanup that occurred on Amherst Road. The vendor was chosen and the work overseen by the PWD.

All invoices will be submitted for payment.

- Annual Seedlings Giveaway

Commissioner Perry stated approximately 400 plants were purchased last year, and the event was conducted over the course of two consecutive Saturdays.

Being proposed for purchase (www.NHNursery.Com):

Dogwood Package – consists of 5 kinds of dogwood flowering shrubs native to NH. All are important to songbirds, providing nesting cover in spring and food sources from summer to fall. The package contains alternate-leaf dogwood, gray dogwood, red-osier dogwood, silky dogwood and yellow-osier dogwood. Price \$25 per package. **Could be in place of either the Christmas Tree or the Native Species package.**

Christmas Tree Sampler Package – contains five each of the following popular trees: balsam fir, Fraser fir, concolor fir, blue spruce, and white spruce. Conifer trees provide cover, nesting habitat, and food for a variety of songbirds and wildlife. Price \$25/per package.

Cranberry – grows in wet to well-drained soils. Flowers/fruit: abundant red berries retained through the winter, eaten by grouse, turkey, deer and numerous songbirds. Plants browsed by deer, rabbits, mice. Price \$20/per 25

Native Species Package – Plants that are native to NH, popular for their beauty and use by songbirds and wildlife for food and cover. The package contains aronia berry, American hazelnut, American plum, Virginia rose, and fragrant sumac. Price \$25/per package.

Commissioner Perry remarked Dogwoods have been popular in the past. Each package listed contains five (5) of each of the varieties listed.

It was noted last year's event resulted in quite a few Spruce trees remaining. Many seedlings that remained were planted at Wildcat Falls, the Horse Hill Nature Preserve, and Grater Woods.

The consensus of the Commission was for purchase of the Dogwood Package rather than the Christmas Tree Sampler Package.

Commissioner Perry stated the total cost would be \$360.00. Delivery is anticipated in early May. May 9th, 2015 and May 16, 2015 were suggested for possible dates to conduct the Seedling Giveaway.

The Commission authorized the purchase of the identified items, the cost of which is to be funded through Fund 53.

- Tennessee Gas Pipeline Project

Chairman Tenhave stated Kinder Morgan, the parent company to Tennessee Gas Pipeline, Inc., has reached out to the Town. The Town Council will be conducting a public meeting later in the month to discuss the project.

The new proposed route would take the pipeline through the power line easement (east/west across Merrimack).

An informational meeting has been scheduled in Mason, NH for December 13th between the hours of 9:00 a.m. and 1:00 pm. at the Mason Elementary School.

Vice Chairman Caron noted the December meeting of the Regional Open Space Team (ROST) will highlight the project. The meeting will be conducted on December 11th at 7:00 p.m. at the Milford Town Hall.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. November 17, 2014

MOTION BY COUNCILOR MAHON TO TABLE THE MEETING MINUTES OF NOVEMBER 17, 2014

MOTION SECONDED BY COMMISSIONER PERRY

MOTION CARRIED

5-0-0

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Vice Chairman Caron commented, due to the recent storm, a good deal of debris has fallen onto the trails at both the HHNP and Grater Woods. As a result, a number of trails have yet to be fully opened. He cautioned users of the trails to be aware of what could be overhead.

ADJOURNMENT

MOTION BY COMMISSIONER CARON TO ADJOURN

MOTION SECONDED BY COMMISSIONER PERRY

MOTION CARRIED

5-0-0

*The December 1, 2014 meeting of the Merrimack Conservation Commission was adjourned at 8:03 p.m.
Submitted by Dawn MacMillan*