

MERRIMACK CONSERVATION COMMISSION

AUGUST 19, 2013

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, August 19, 2013 at 6:34 p.m. at the Merrimack Memorial Conference Room.

Chairman Tim Tenhave presided:

Members of the Commission Present: Matt Caron, Vice Chairman
Ron Davies
Thomas Lehman
Gage Perry
Simon Thomson
Lauren Kras, Alternate

Members of the Commission Absent: Robert Croatti, Alternate
Councilor Thomas Mahon

Also in Attendance: Deborah Huffman, Horse Hill Nature Preserve Sub-Committee
Molly Jacobson
Mr. Ken Clinton, President, Meridian Land Services

Alternate Member Lauren Kras served as a voting member in the absence of Councilor Mahon.

PUBLIC COMMENT - None

APPOINTMENTS

1. **Visit with Molly Jacobson** – Insects of HHNP Brochure
Commission to thank Molly and hear more about how she created the “Insects of Horse Hill Nature Preserve” brochure

Ms. Debra Huffman, 60 Amherst Road, Horse Hill Nature Preserve Sub-Committee, expressed the gratitude of the sub-committee for the efforts put forth by Ms. Jacobson. Ms. Jacobson had approached the sub-committee and volunteered to create the brochure for the community. She is a recent graduate of Merrimack High School, and has provided the community with a professionally prepared brochure highlighting the insects and habitat located at the Horse Hill Nature Preserve.

When asked about her motivation, Ms. Jacobson remarked she has a particular interest in all things natural, with insects being a particular favorite. She has conducted a great deal of research over the course of her life and is involved with a lot of insect related issues online. She spoke of the rare species she noted as common within the preserve and a desire to showcase them to users of the property. She plans to attend the University of New Hampshire majoring in Wildlife and Conservation Biology and hopes to find a location to study Entomology at the graduate level.

Chairman Tenhave commented all who have viewed the brochure have been impressed with its content and the way in which it is presented. It was noted laminated copies as well as some number of paper copies will be located at the kiosks and a copy posted to the website.

Commissioner Perry questioned whether Ms. Jacobson would be receptive to invitations to participate in walks, etc. conducted on other Town owned properties to share her knowledge with participants, and requested she share with the Commission information on how she conducted her research so that efforts could be made to produce similar brochures for other parcels. Ms. Jacobson was receptive to the requests and stated a willingness to participate when available. She spoke of a website, Bugguide.net, hosted by the Iowa State University of Entomology, which is where she conducts research. She has also utilized the Kaufman Field Guide Series, and first-hand eye witness accounts.

STATUTORY/ADVISORY BUSINESS

1. Northview Homes & Development, Inc. (applicant) and Carl A. Quimby Revocable Trust & Larry Kittle (owners)

Review for recommendation to the Planning Board of an application proposing to consolidate and re-subdivide three lots into thirteen lots, located at 164 Amherst Road, 8 Pollard Road, and an unnumbered parcel in the R-1 (Residential), and Aquifer Conservation Districts. Tax Map 4B, Lots 146, 146-1 and 152-1. The application also proposes a lot line adjustment between 166 Amherst Road (Tax Map 4B, Lot 145) and 164 Amherst Road (Tax Map 4B, Lot 146).

Chairman Tenhave recused himself from discussion on the agenda item.

Chairman Tenhave stepped down and Vice-Chairman Caron presided:

Mr. Ken Clinton, President, Meridian Land Services, spoke of Wildwood Acres, a re-subdivision of a previous 1949 subdivision. The property is largely surrounded by the Horse Hill Nature Preserve (HHNP). It is on Amherst Road and a short stub of road called Pollard Road. The proposal is to take the 1949, 28 lot sub-division (of which a handful of lots have been sold) and reconfigure the lots as well as the roads.

The project has been before the Planning Board on several occasions as well as the Zoning Board of Adjustment (ZBA) to work out a lot arrangement; 13 lots, reconfiguration off Pollard Road (short spur road). The project is before the Commission due to the Aquifer Conservation District within the stub of leftover right-of-way.

Meridian Land Services has completed modern wetland mapping in the area, soil analysis, and test pits. The contours are 2' contours. The boundary has been verified. All survey and base data is current (this year) and accurate. Several isolated wetlands were found on the property. No wetland or buffer impacts are being proposed as part of the project, e.g., no grading or drainage issues relative to any of the wetlands mapped.

In conversations with the Planning Board and abutters, drainage has been the most paramount concern expressed. There is a slope situation where drainage from the high point, Blodgett Hill, runs down through properties, makes its way to Amherst Road, bumps into the Amherst Road drainage system, crosses the street through Piedmont, Davidson, and on down to the river. As part of the project, drainage has to be collected, treated, infiltrated, mitigated, and is then metered offsite at an equal or lesser rate than it currently does. There are four different drainage areas where drainage is being collected and treated prior to leaving the site. Engineering calculations show, post sub-division, drainage is leaving the site at a lower rate and treated.

Chairman Caron questioned whether any construction would take place on the area of the parcel that crosses the aquifer, and was informed none would. Mr. Clinton stated the area is that of a paper street (50' wide right-of-way), which is unnecessary from a road or development standpoint; it is just land owned by the current landowner that they either have to keep and incorporate into a lot or convey out at a later date should they so choose. If they convey it out, he cannot state for certain a future owner would not wish to place a small structure on the property; however such a proposal is not part of the current project. When asked if the right-of-way includes any improvements (path, etc.), Mr. Clinton stated it does not. He added the area is left as a paper street at this moment, which will be consolidated into a single private lot that would not be future right-of-way. When asked, he explained the area is not wide enough to allow for the setbacks that would be required for a building; however, if the land were conveyed to either abutter and became part of their continuous lot, they could conceivably use it for building setbacks. At this time there is no immediate plan to do that.

When asked about Lot 4 and access from the street into the area across the wetlands, Mr. Clinton stated, at this time, there is a proposed driveway easement through Lot 5. He remarked the property will be served by MVD water and individual leach fields. Another option would be to enter Lot 4 through Lot 3, which would not impact the buffer. When asked if the two lots would have to, at some time, share a section of driveway, Mr. Clinton stated they could have side-by-side curb cuts on Lot 5, and Lot 3 would be even more separated given how the house would be configured.

Swales would be constructed; some with riprap some with grass. In steep areas riprap would be used and in the infiltration areas it would be grass given the need for a natural surface for the water to infiltrate. The goal of the Alteration of Terrain (AoT) Permit is for infiltration on drainage to get back into the ground of the property it came down on as opposed to all of it coming off the site.

The potential areas of housing were included in the plans so that calculations for post-development on each lot are taken into account for the drainage, e.g., a driveway and a house with an impervious surface roof. That allows for the factoring into the calculations additional impervious surface beyond the road improvements.

He reiterated they were able to reconfigure Pollard Road in a spur to avoid any direct or buffer impacts. The greatest impact will be during construction. The plans include stormwater protection plans, e.g., straw bales, silt fencing, etc. Chairman Caron remarked, in the past, with other developments that have touched the HHNP, the builder has provided the Commission with a Right-of-Way. Mr. Clinton stated that to have been a consideration early on. He had reviewed the maps on the website for trail locations and how they run to see if there was anything reasonable to do. Due to the proximity of the main parking area and its location relative to the site, it didn't seem there would be a real need for the public to have a secondary access point; therefore, it was not included as part of the project.

Chairman Caron suggested a Right-of-Way would be less for public access and more for access by the Commission during times when projects are being conducted in the area. He suggested a lot line Right-of-Way, not for vehicle access, but for pedestrian access, e.g., hauling a wheel barrel, etc. Mr. Clinton remarked that could be difficult given the expectation ledge will be encountered along the common boundary in the area of lots, 6-10. It is likely there will be a 6-8' section of ledge cut, which could be 1 to 1 slope and preclude any access, other than through the driveway, to those homes. He remarked it is not his intention to state it to be a foregone conclusion no further easement or access would be granted; however, at this point he is unsure it would be practical. He stated it could be looked at and mentioned to the Planning Board, but, at this point, it is unlikely.

Chairman Caron questioned ice-melting compounds and noted there would be quite a bit of flow on the roadway going down. The Commission typically recommends either no de-icing compounds of any sort be utilized or that the use of de-icing compounds be minimized, and that applicators be Green SnowPro Certified. Mr. Clinton stated the roads would be public roads. Kyle Fox, Deputy Director, Public Works Department, has already reviewed the plan set and issued comments, and the plans are required to go to a third party engineer, CLD, for review and comment. He stated he would defer any of the road maintenance items to the jurisdiction of Deputy Director Fox.

Chairman Caron noted the Commission typically recommends no invasive species be utilized for landscaping materials, especially in such proximity to the HHNP. Mr. Clinton stated he would have no issue including a note in the plans stating landscaping shall not include invasive species; however, commented he is unsure how enforcement would occur.

Vice Chairman Caron stepped down and Chairman Tenhave presided.

OLD BUSINESS

1. Grater Woods Sub-Committee Charge

Commission to continue its discussion on establishing a Sub-Committee for Grater Woods. The review will include what is necessary in the Charge for the Sub-Committee, membership, etc.

When the question of consistency between sub-committees was posed, Chairman Tenhave suggested the Charge identified for the Grater Woods Sub-committee could be used as a template for other sub-committees.

Discussion of the questions posed by Councilor Mahon resulted in the following decisions by the Commission:

- The Conservation Commission Ex Officio member shall be eligible for Chairmanship.
- Non-resident membership shall be restricted to one (1) member who can serve in the capacity of alternate. Any exception to that restriction would have to be approved by the Conservation Commission.
- The Commission has no objection to the number of non-resident members of "working" sub-committees/groups reaching an amount that constitutes a quorum.
- Full and Alternate members shall serve three-year staggered terms.
- The Sub-Committee shall elect a Vice-Chairman. The Vice-Chairman shall assume the role of Chairman in instances of his/her absence. This should be addressed under "Membership" so that the sentence reads: "One of these 5 members to be voted as the Chairperson of the Sub-Committee and another as Vice-Chair."
- In the event the position of Chairperson is vacated, the Vice-Chair shall assume that position until unable to do so or re-elected.

- Members can be removed, for cause, by the Conservation Commission.
- The requirement for the Chairman to meet annually with the Conservation Commission should be identified as a "minimum requirement".
- Under "Membership" amend the first sentence of the second paragraph to read: "The Full-time and Alternate members, appointed by the Conservation Commission, are to serve a 3-year staggered term (August 1st to July 31st)."
- The Charge should not include language indicating contact between the Sub-Committee, Community Development Director and the Conservation Commission is restricted to the Chairman of the Sub-Committee.
- Should the need arise to appear before a public body, the Conservation Commission will determine the appropriate representative.
- The paragraph which reads: "The Chair may be asked to represent the Sub-Committee or the Conservation Commission and appear before the Town Council, School Board, or other official body. The Chair is allowed to make motions and vote as any other member would." should be amended, in the first sentence, by adding the words "Sub-Committee" between the words "The" and "Chair" and by adding the words "by the Conservation Commission" between the words "may be asked" and "to represent".
- Amend the document to state "Sub-Committee Chair" in instances where it is implied by use of the single word "Chair".

The Commission discussed draft language provided by Commissioners Lehman and Davies. Commissioner Lehman stated his desire for language to be minimal and suggested should questions and/or uncertainties arise; an opinion will be sought from the Commission. He stated a desire for language to be included encouraging participation by major groups such as the Right Riders, e.g., "that a representative of any active large user group that's recognized by the Conservation Commission is afforded a full time position."

Commissioner Davies stated his desire for the language to be made clearer through condensed and concise language. The area of the "Charge" would clearly define the duties of the Sub-Committee membership.

Chairman Tenhave opened the floor for public comment.

Public Input

Shannon Barnes, 55 Lawrence Road

Noted she was a member on as well as the School Board Liaison to the last sub-committee formed for Grater Woods.

Matt Shevenell, Business Administrator, Merrimack School District

Noted he served as a sort of quasi member of the Grater Woods Sub-Committee towards the end of its evolution until its dissolution. He stated the desire for the Merrimack School District to have a voice on the Sub-Committee, solely to provide insight on how activities occurring within Grater Woods might impact school district property. He provided the example of should ATV trails be constructed that converged on Gateway Trail, it would automatically create a condition where everything would go onto Gateway Trail, which would make it attractive to continue on down to the school property. He spoke of prior instances where ATVs have smashed in the door of the maintenance shed and traveled onto the soccer field.

Mr. Shevenell spoke of his prior involvement in a variety of activities associated with the property and commented on the historical knowledge he could bring to the table. He also touched upon the long history of School Board member participation.

Shannon Barnes

Commented they could also bring to the table knowledge of what the educators are looking for out of this property. Students go beyond the borders of the school district lines for nature walks, scientific studies, sports activities, etc., and she would like to keep the dialogue open concerning possible new opportunities for the students and findings the students may come up with such as those the Commission discussed earlier in the evening with Molly Jacobson.

Ms. Barnes noted the Memorandum of Understanding, which is in place to cover any management concerns of the School District.

Commissioner Lehman questioned whether a problem is seen with the proposed trail layout and plan. Mr. Shevenell responded he has not yet studied the proposed trails; however, he would be happy to review them. He suggested enough discussion has occurred so that individuals are sensitive about not directing traffic towards school property. Commissioner Lehman remarked the Commission tried to keep that in mind when designing the trails, e.g., create a buffer zone in the area where the signs are located on Gateway. He stated his agreement a member of the School Board sit on the Sub-Committee and a desire for that individual to be familiar with the plan. He also stated he would like to be made aware of the School District's opinion on the proposed trails.

Ms. Barnes commented she would likely be appointed as the School Board Liaison given her past involvement and her remaining time on the School Board. She remarked, just prior to the dissolution of the prior sub-committee, a few items were put in place to divert traffic from the fields such as the suggestion a boulder be placed in the area where there is a fork in a trail that heads in the direction of school property. The boulder, if put in place, would direct traffic away from the fields.

Membership

Commissioner Perry stated a concern with the Commission designating who can/cannot be appointed as a member of the Sub-Committee. He provided the example of requiring membership/representation from any large group; if the number of groups rose, you would not want to have a sub-committee of 30 people. He noted the School District shares a great deal of border with the property and a classroom was constructed purposely near the school for their use. The School District is a huge user of the property and should have input. Commissioner Lehman suggested the School District could be encouraged to have a member on the Sub-Committee.

Commissioner Davies stated his opinion no limitation should be placed on who could fill the five (5) full-time member positions. Those interested in participating should be considered and those believed most appropriate appointed. Commissioner Thomson commented dictating participation by certain groups could eliminate the possibility for another interested volunteer from participating. He suggested the Commission properly vet interested parties. Vice-Chairman Caron and Commissioner Kras stated their agreement with the comments made by Commissioner Thomson. Commissioner Lehman stated his opinion membership should not be limited. He suggested wording address a minimum of five (5) full-time members, and his strong belief communication has to occur with the Right Riders Club; a club recognized by the State and the Town and directed to be created by the HHNP Sub-Committee to work on the HHNP and other properties in the Town. He suggested membership on the sub-committee to be where that communication would occur. He would like language to be included encouraging participation by the Right Riders Club.

Ms. Barnes noted the School District is a property owner.

Chairman Tenhave stated although he does not believe particular groups should be designated as required to have membership on the Sub-Committee, he does believe the School District is the exception to that, and there should be a requirement for a representative to be a member given their property is included in the conservation easement. Commissioner Lehman agreed and spoke of incorporation of educational opportunities into the Stewardship Plan.

Being of the belief a member of the School District would apply for membership, Commissioner Kras questioned whether specific language requiring that should be included within the Charge. Commissioner Perry reiterated the School District is the owner of part of the property being managed. Vice-Chairman Caron suggested the following language: "Alternate members should be chosen giving priority to a representative of the Merrimack School District, the Amherst Conservation Commission and/or the Nature Conservancy (no more than one from each organization)." Such language provides for the one land owner in addition to the Commission and the two largest abutters to be given priority when seeking alternate members.

Commissioner Davies stated his agreement with a representative from the Merrimack School District; however, apart from that entity, residents be given priority. Commissioner Kras suggested the language could be left vague such as "major interest groups".

The question was raised of whether those identified as having priority consideration for membership would automatically exclude other interested individuals, e.g., if six individuals were interested in full-time membership and five belonged to one of the identified interest groups. Commissioner Kras suggested, all else being equal, association with one of the identified interest groups could be a determining factor. Commissioner Davies questioned whether the School District representative could be an individual not a resident of Merrimack. Commissioner Perry stated that could occur.

Commissioner Thomson stated his opinion it should not be a requirement for a member of the Sub-Committee to be a representative of the School District; however, if language is included that encourages participation in the meetings, he is agreeable to that. Vice Chairman Caron reiterated his desire for priority to be given to representative(s) of the School District and abutters to the property as alternate members. When asked, Chairman Tenhave stated his opinion if not a requirement for a full-time member to be a representative of the School District he would like to see a requirement for an alternate member to be.

The majority of the Commission agreed upon the following language:

- *Participation by any particular group/entity should not be a requirement for either full-time or alternate positions on the Sub-Committee.*
- *The Sub-Committee shall consist of seven (7) full-time members and three (3) alternate members.*
- *Non-resident membership shall be restricted to one (1) member who can serve in the capacity of alternate. Any exception to that restriction would have to be approved by the Conservation Commission.*
- *The Sub-Committee shall elect, on a yearly basis, a Chairman and Vice Chairman.*
- *A member of the Conservation Commission shall serve as an ex officio member of the Sub-Committee.*
- *Full members shall serve three-year terms. Terms are to be staggered so that in one year no more than two (2) members are recommended and approved. In the case of a vacancy, this rule shall be relaxed but the new member will be recommended and approved to fill out the remainder of the unexpired term. Alternate members shall serve one-year terms. The ex officio member shall serve a one-year term.*

Vice Chairman Caron agreed to compose language for consideration as the Charge of the Sub-Committee by combining aspects of the three drafts provided along with the decisions reached by the Commission. Commissioner Perry agreed to provide assistance. The intent is to provide a draft, via e-mail, in advance of the September 16th meeting.

2. Beaver RFP and Activities

Commission to hear update on the Beaver situations we have been tracking and our progress on securing trapping services for beaver on Conservation property.

Chairman Tenhave noted the position taken by the Commission at its special meeting of July 22nd was to "award the contract to Critter Control contingent upon verification the bid meets the minimum criteria of the RFP, and in the absence of such verification to authorize the Chairman to initiate negotiations with Nuisance Wildlife in an attempt to reduce the total bid price." He was unable to verify the bid submitted by Critter Control meets the minimum criteria of the RFP; it was not received by Town staff. Negotiations with Nuisance Wildlife resulted in a commitment to trap the first 12 animals at no charge, providing exclusivity to the Town is given for one-year to allow that to occur. After the first 12 animals, work would be performed in accordance with the fee schedule.

That work has begun, and the animals are being taken away. Chairman Tenhave questioned the will of the Commission with regard to relocation of the animals, and noted there would be an associated cost for relocation.

It was the general consensus of the Commission not to relocate the animals at this time; however, to re-address relocation of animals after the initial twelve (12) are removed.

It was noted there is a requirement for reporting to the State on the size, sex, location, etc. of the animals. Copies of the report(s) will be provided to the Commission.

3. Fence at Wildcat Falls Parking Lot

Commission to hear update on the recent fence installation at the parking lot for Wildcat Falls as well as an update on plantings to complete the project.

The 6' stockade fence was constructed utilizing 4 x 4 posts and is slightly above the ground (not touching). An auger was used to dig the holes, which required removal of some of the brush to gain access. Total cost was approximately \$1,300 of the \$4,000 authorized. A recommendation will be made to utilize remaining funds to cover the cost of plantings, which was intended when the funds were approved. Chairman Tenhave reminded the Commission of a bid received from a local nursery for fir trees (10-12'). Installation would have to be done by machinery and would be costly.

The Commission agreed Chairman Tenhave should continue discussions/work with the sub-committee and that plantings be put in place adhering to the approved project budget and prior discussions of the type(s) of plantings.

4. Other projects at Grater Woods

Commission to hear an update and potentially take action in regards to the recent site walk with the forester at Grater Woods and the different trail projects noted in Appendix E of the Grater Woods Stewardship Plan.

Vice Chairman Caron informed the Commission he, Commissioners Perry and Lehman, and Mike Powers of Bay State Forestry Service walked Gateway Trail and reviewed Gateway Hill. They walked almost to the school property and looked at the major site discussed at the last meeting. Mr. Powers also walked the property with a sub-contractor (Forester) and has provided an assessment and a quote for the repairs discussed at the Commission's last meeting as well as a few other areas noted during the site walk.

Chairman Tenhave noted if the Commission wished to consider the quote, the projects could potentially move forward at the same time as the work being performed on the Red Maple Trail, which may result in cost savings due to economy of scale. He questioned the will of the Commission.

Commissioner Lehman suggested different water diversion tactics such as a conveyor belt could be used for erosion control rather than the suggested placement of ¾" crushed rock laid out between the existing 3" crushed rock. Chairman Tenhave noted projects costing in excess of \$10,000 require a formal bidding process be undertaken (Request for Proposal (RFP)). Town purchasing procedure would allow the Commission to approve a contract without undertaking the formal bidding process if the contractor is already onsite, has been proven to be the low bidder on multiple bids in the past, and is the most experienced in that section of the property, providing the total project cost remains below \$10,000. Vice Chairman Caron stated the quote provided was in the total amount of \$13,500 for repair of five (5) locations; Wildlife Opening #1 (location of sandpit) up past the Barred Owl Wildlife Opening. The area at the bottom of Gateway Hill is not included.

Commissioner Lehman questioned whether a decision has been made as to how the project will be completed. Commissioner Perry stated a few individuals/professionals have reviewed existing conditions and made recommendations as to how to address them, and he has confidence in the opinions provided by the same individuals who constructed the road. The condition of the road itself was spoken of highly.

Commissioner Lehman commented requests were made for what the Commission would like to see done, and Bay State Forestry was receptive to the desires of the Commission. Commissioner Perry reiterated Bay State and their sub-contractor were the ones who walked the area and made recommendations. The question of whether options could be included in the RFP was raised.

Commissioner Lehman remarked when the road was originally constructed, 3" gravel was put in place. Given the type of traffic the area gets placement of that size stone was not the best decision. Placing ¾" stone in the area would be an improvement; however, he believes that gravel will also be moved around over time. He suggested the road could be re-graded and a conveyor belt water bar system put in place. He remarked he has spoken with the head of the Department of Resources and Economic Development (DRED) about such a system and been made aware they have had a lot of success with it on other properties. He is of the belief it would be a less costly solution.

Vice Chairman Caron remarked a recommendation has been made, which appears would fit the needs of the user groups. If the Commission were to move forward with the RFP process, the Commission could review responses at its next meeting in the hope of getting some of the work done this calendar year. He stated his belief the quote that has been received will change significantly if the proposed work is not done at the same time as the Red Maple Trail project, e.g., necessary equipment will not already be onsite.

Commissioner Lehman commented the road is not in that bad a condition, yet the discussion is around spending \$13,000 to address repairs. Chairman Tenhave stated the need to understand the current condition and the condition suitable for the classification of the trail (Class A; all users). The surface needs to be conducive for all of the intended uses. He suggested the RFP could either specify the desired solution or request optional solutions be provided that would address all needs. Commissioner Kras questioned whether water bars were discussed with the forester. Commissioner Lehman stated some discussion took place around water bars. Commissioner Perry commented the original design (crushed stone) was intended to provide for water infiltration versus runoff. Three individuals have reviewed the area since that time with the same concept in mind. The inclusion of water bars would generate runoff.

Commissioner Lehman suggested an RFP be drafted and the Commission have the opportunity to discuss the draft as well as other available options at its next meeting. It was reiterated the opportunity for cost savings has a short window. When asked, Vice Chairman Caron stated other quotes received were in the area of \$36,000. Commissioner Perry noted a quote received two years prior, which was in the \$40,000 range. When asked if he believed what was being proposed would not work, Commissioner Lehman stated his only concern to be putting $\frac{3}{4}$ " stone in place, which could also be disturbed over time. Vice-Chairman Caron commented everything will be disturbed overtime.

**MOTION BY COMMISSIONER CARON TO PUT OUT A REQUEST FOR PROPOSAL
MOTION SECONDED BY COMMISSIONER PERRY**

ON THE QUESTION

Chairman Tenhave questioned whether Vice-Chairman Caron was willing to draft the RFP, and was informed he is. When asked if he were willing to draft it with the potential members of the Commission may not be willing to award a contract based on the RFP, Vice-Chairman Caron stated he would draft the RFP in accordance with the meeting conducted with and the recommendations made by the professionals.

MOTION CARRIED

6-1-0

Chairman Tenhave voted in opposition

When asked, Chairman Tenhave stated he was opposed based upon his concern an RFP would be put out and consensus of the Commission may not be reached, which would prolong a final decision on the direction for resolving the issues. He added, if this type of approach is used a number of times contractors may lose faith in the process. Vice-Chairman Caron remarked having met with the professionals, given the quote provided is 1/3 of the cost of other quotes received, and the fact the solution recommended appears to be viable, he does not believe there would be doubt.

Vice-Chairman Caron was asked to work with the Forester to provide a draft RFP to Paul Micali, Finance Director, and request the bidding close in time to allow for responses to be available to the Commission for review at its September 16th meeting.

Vice-Chairman Caron informed the Commission the Amherst Conservation Commission (ACC) has placed a parking lot, kiosk, and trails on both their and Merrimack property (trails), which are posted on the Amherst map. When asked, he stated he has discussed this with the ACC and they are aware. Chairman Tenhave requested he be provided with contact information for the Chairman of the ACC. With the approval of the Commission, Chairman Tenhave will make contact and pose questions on behalf of the Commission.

NEW BUSINESS

1. Horse Hill Nature Preserve Fund Donation and Expense Approval

Chairman Tenhave informed the Commission of receipt of a donation in the sum of \$312.00 received from 3C Productions. 3C Productions is the organization which runs the snow shoe and other races conducted at the HHNP. He expressed the Commission's gratitude to 3C Productions for their donation and efforts. The donation is directed specifically to the HHNP Fund.

Chairman Tenhave spoke of the request made by a Cub Scout group to do work on one of the properties; preferably the HHNP. The request was directed to the Horse Hill Nature Preserve Sub-Committee, and a

member of the sub-committee worked with the scouts on plantings in the area of the parking lot. The cost of plantings was \$176.50. Chairman Tenhave stated the desire for the expense to be reimbursed; approved and withdrawn from the HHNP Fund. The fund has a current balance of approximately \$700.00.

**MOTION BY COMMISSIONER TENHAVE TO APPROVE THE EXPENSE OF ONE HUNDRED SEVENTY SIX DOLLARS AND FIFTY CENTS (\$176.50) AND REIMBURSE THE INDIVIDUAL WHO INITIALLY COVERED THE PROJECT COST. FUNDS ARE AVAILABLE IN THE HORSE HILL NATURE PRESERVE FUND
MOTION SECONDED BY COMMISSIONER CARON
MOTION CARRIED
7-0-0**

OTHER BUSINESS

Discussion on communications or correspondence received concerning regulated MCC activities and any issues concerning MCC managed lands.

Items of note include:

- Lay Lake Monitoring Program – Letter explaining payment on invoice
- DES Notice to Fish and Game Dept. – Complete Forestry Notification
- DES Wetlands Permit for Manchester Street Bridge replacement project
- Public Works Dept. – Sewer Division, clearing work at 15 Robert Milligan Parkway in Conservation property.
- Update on Red Maple Trail Project at Grater Woods.
- Naticook Lake Milfoil activities

Given the lateness of the hour, acceptance of meeting minutes was tabled until the next regular meeting.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. June 17, 2013

Merrimack Conservation Commission. July 15, 2013

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Commissioner Perry remarked comments were made recently regarding the height of water behind Madison Lane and Lisa Drive and the lack of wildlife witnessed in the area. The beaver have since moved deeper into the swamp and the water level is down tremendously. A great deal of wildlife is being seen in the area. In fact, he received a call from a neighbor on his way to the meeting informing him of bear in his backyard.

ADJOURNMENT

**MOTION BY COMMISSIONER LEHMAN TO ADJOURN
MOTION SECONDED BY COMMISSIONER CARON
MOTION CARRIED**

The August 19, 2013 meeting of the Merrimack Conservation Commission was adjourned at 9:16 p.m.

Submitted by Dawn MacMillan