



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION

APRIL 21, 2014

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, April 21, 2014, at 6:35 p.m. in the Merrimack Memorial Conference Room.

Chairman Tim Tenhave presided:

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

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

Also in Attendance:

Chairman Tenhave appointed Alternate members Boisvert and Kras to serve as voting members.

PUBLIC COMMENT - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS - None

OLD BUSINESS

1. Beaver Activity

Commission to discuss recent beaver problem areas and what it wishes to do while understanding the Beaver Management Study is out for bid.

Commissioner Perry noted three (3) recent reports of beaver activity. When asked if private property is being flooded, he remarked, to date, their efforts have been thwarted. Madison Lane is one of the areas where problems are occurring; the end of the drainage culvert is being blocked. However, he was able to remove the materials blocking the culvert. He commented on the amount of fresh chew in Grater Woods on the outside of the classroom. Adam Jacobs, Operations Manager, Public Works Department, has made him aware of a few locations the department is actively managing; Meadow Wood Pond and the area that runs under Naticook Road over to Greens Pond Road.

Chairman Tenhave noted the woman who resides on Powderhouse Road has spoken with Mr. Jacobs as well. With that area, Mr. Jacobs has stated he would open up the beaver box and try to maintain the level the

Commission had requested. Chairman Tenhave informed Mr. Jacobs the Commission would want to include that area as part of the beaver management study.

Commissioner Perry stated it is one of the active areas, and remarked he got the impression from the e-mail received from Mr. Jacobs that he expected the Commission to provide a level the area should be kept at. He stated he would not wish to be responsible for identifying a particular level. There has been an engineered dam and culvert sewer ejector put in over there. There is an overflow and they should just keep it below. Chairman Tenhave stated his impression it should be left at the level of the beaver box.

Chairman Tenhave questioned the will of the Commission, e.g., whether the desire was to take action at this time or continue on with the beaver management study, which would mean allowing a few months to go by before taking any sort of action. Commissioner Perry stated a concern with getting into a position where there is the need to have someone available to address the issue and not have a specific plan in place. He spoke of the management policy and his disbelief it appears the decision to take action is left up to the Commission. He spoke of the Public Works Department personnel working to mitigate issues they are aware of, and questioned whether the Commission is the entity to initiate such action. Chairman Tenhave stated the Town has the ability to address anything that impacts infrastructure. It can take whatever measure is required to ensure infrastructure is not impacted. The Commission only becomes involved when the situation involves private homeowners and it is Town owned land the beavers are working.

Commissioner Perry remarked if Town personnel are working now at clearing catch basins, etc. to allow water flow because of beaver activity, he suggested there is no need for the Commission to become involved. Chairman Tenhave stated agreement the Commission does not need to become involved in that. However, the area behind Madison is an issue for the Commission to address. Commissioner Perry stated he is managing that area.

2. Forestry Plans

Commission to discuss what it believes is important to have in its forestry plans.

This is a continuation of the efforts to create a forestry plan template or outline to use with parcels going forward.

Chairman Tenhave spoke of the Grater Woods Homestead Plan, which has been reviewed on several occasions. Also available for review is the Ecological Assessment for the Horse Hill Nature Preserve, which is now roughly ten years old. Management Plans have been done by Bay State Forestry Service for South Grater Road, Mast Road, Mitchell Woods, as well as several others; however, they are very basic (few pages).

Chairman Tenhave commented the only property management plan that is not out of date is the one for Grater Woods. He spoke of the amount of blow down and trail damage that is present at Wasserman. Commissioner Perry noted a good deal of blow down is also present in Grater Woods.

Chairman Tenhave requested volunteer(s) to spearhead the effort of identifying what should be included in the plans. There is the need for someone to drive the effort by putting together a proposal for what should be included in all plans as well as what should be included in plans for second or third tier properties (those not actively managed). He spoke of Wildcat Falls, which had a forestry operation 4-5 years ago, which should have a plan that coincides with the property in its current state.

Commissioner Kras stated a willingness to drive the effort, and her opinion plans should not be limited to forest management, but should involve trails, trail management, what the sub-committees might want to see occur on properties and the ecological and education components of each property. She requested clarification the Commission wished to head in that direction. Chairman Tenhave stated concurrence. He noted the need to decide which aspects of the plan should be generated by the Commission and which should be generated by an outside entity. He suggested it would be best for the forestry section to be created by the Forester, which takes time. He recommended the Commission provide the Forester with a list of 3-4 properties and guidelines, and request that effort begin.

Commissioner Thomson noted, as the firm that prepared the prior plans, Bay State will have information that can be utilized as a starting point. Chairman Tenhave suggested the request be that the basic forestry aspects be

covered, and that Bay State be allowed to take it from there. Providing the list of properties and requesting the work begin, at this time, would allow Bay State to work it into their schedule.

Commissioner Perry remarked the Commission has been receiving e-mails from users questioning access to/restrictions on certain parcels. He suggested the first priority be those properties where the Commission has not been able to get into to establish trails, maps, etc. (2nd tier properties). Chairman Tenhave spoke of the level of interest in Fields Farm.

The properties recommended by the Commission as a starting point for Bay State were; Wasserman Conservation Area, Fields Farm Conservation Area, and Mitchell Woods/Watkins Forest.

Commissioner Kras agreed to have information available for consideration for the Commission's second meeting in May.

NEW BUSINESS

1. Fertilizer Recommendation

Commission to discuss creating and/or providing fertilizer use details to the owners/applicants of projects appearing before the Commission. This information is to also be shared with other Town Boards/Committees and Town Staff.

The Commission has been recommending the use of slow release nitrogen, low phosphate fertilizer. Chairman Tenhave stated a desire for the Commission to do more in the way of education. He spoke of recent changes in State law, and noted RSA 431, which states in part "No fertilizer sold at retail that is intended for use on turf shall exceed a content level of 0.67% available phosphate unless specifically labeled for establishing new lawns, for repairing a lawn...." The law went into effect January 1, 2014. Also noted was the availability of landscaper certification (voluntary program).

Chairman Tenhave spoke of Best Management Practices (BMPs) and stated they all stress soil testing be conducted and that the type of fertilizer used be based upon the results of that testing.

He questioned the will of the Commission with regard to recommending soil testing and allowing the results of said testing to dictate the type of fertilizer to be used. The NH Cooperative Extension performs such tests. Commissioner Thomson spoke of a personal experience where soil testing indicated the need for additional phosphorous. Commissioner Kras stated her belief suggesting soil testing does not preclude the Commission from also suggesting slow release nitrogen and low phosphate fertilizer. Commissioner Perry suggested recommendations could be for the use of slow release nitrogen and low phosphate fertilizer in lieu of soil testing.

Chairman Tenhave suggested the recommendation include review of the NH Cooperative Extension website. Commissioner Perry stated a desire to look further into the landscaper certification particularly given the Commission's encouragement that applicators of de-icing compounds be Green SnowPro Certified.

Chairman Tenhave stated a desire for standard language to be identified and available in the Planning Department so that applicants are well aware, in advance of appearing before the Commission, of the recommendations of the Commission with regard to these matters. Commissioner Perry suggested the information also be posted to the website.

Chairman Tenhave agreed to draft language for review at the Commission's next meeting.

2. May 5th meeting

Commission to discuss cancelling the May 5, 2014 meeting.

Chairman Tenhave stated he and Vice Chairman Caron have scheduling conflicts and would not be able to be in attendance for a May 5th meeting. Commissioner Perry stated, if able to attend at all, he would arrive late.

The consensus of the Commission was to cancel the meeting scheduled for May 5, 2014.

It was noted the meeting scheduled for May 19th would likely run long. Chairman Tenhave spoke of the need to review Chapter 111. He questioned whether the sub-committees had reviewed the materials, which was previously suggested. Commissioner Thomson stated some discussion occurred at the last meeting of the Wildcat Falls Sub-committee, e.g., leashes for dogs, etc. There are areas where additional clarification is desired. Chairman Tenhave stated a desire for those clarifications to be provided as it is his hope final recommendations will be received from the sub-committees prior to the end of August so that the Commission can begin its work.

OTHER BUSINESS

- Beaver Management Study Update

Opening is scheduled for May 5, 2014 at 2:00 p.m. in the Finance Department. Chairman Tenhave stated a desire to review the responses at the May 19, 2014 meeting.

- Presentation on Pennichuck Brook Watershed Restoration Efforts

The Restoration plan presented at the March 4, 2014 Planning Board meeting can be viewed at: http://www.pennichuck.com/watershed_restoration_plan.php. A great deal of time was expended measuring phosphorous and phosphorous loading. Phosphorous does naturally occur in soil so you have to filter some of that, but you can see where they are seeing issues. They have gone as far as to recommend certain areas be mitigated. One such area is in Merrimack; in the area of PC connection. There is a fairly large cost associated with that mitigation.

- Wasserman Conservation Area – Annual LCIP Property Walk and Report

The Commission set the date for the walk for Sunday, May 18, 2014 at 8:30 a.m. Members will meet in the parking lot by the Parks and Recreation building. Chairman Tenhave stated the intent to GPS the areas walked as well as document through photographs.

- Structures on Conservation Areas

Commissioner Perry spoke of structures that have been constructed in various conservation areas, e.g., bridges, etc., and suggested a formalized procedure be established by which structures are inspected and maintained to ensure structural stability. Commissioner Thomson suggested a list be generated identifying each structure and that the sub-committees be charged with upkeep. Commissioner Perry agreed; however, noted not all properties have sub-committees in place. Commissioner Kras stated there to be value in conducting an annual review of all properties to identify structural deficiencies, etc. She suggested that could be done in conjunction with an educational aspect, etc. Commissioner Davies suggested the need to provide information on structures to the Town for insurance purposes. Chairman Tenhave stated agreement with generating a list of structures inclusive of GPS coordinates. Commissioner Perry noted he has identified structures within Grater Woods. Commissioner Thomson stated a clean-up day has been scheduled for Wildcat Falls, and suggested an inventory could be created in conjunction with that effort. Commissioner Perry agreed to initiate a list that could be added to. Vice Chairman Caron recommended the list be shared with each sub-committee.

Commissioner Davies suggested the list could be posted to the website, which would allow users to provide input if issue(s) are witnessed. Commissioner Perry suggested the list also include structures such as the drilled rocks, old foundations, wellheads, etc. Commissioner Kras suggested that information along with trail maps, etc. be put onto a site such as Google Earth so users could put it in their phones, etc. Chairman Tenhave suggested Sue Holstein could retain a master copy.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. April 7, 2014

The following amendments were offered:

Page 8, Line 45; replace the word "shop" with the word "show"

Page 1, Line 42; replace the word "treating" with the word "treated"

Page 3, Line 30; replace the word "being" with the word "begin"

**MOTION BY COMMISSIONER TENHAVE TO ACCEPT AS AMENDED
MOTION SECONDED BY COMMISSIONER PERRY
MOTION CARRIED
7-0-0**

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Vice Chairman Caron remarked he spent time in Grater Woods over the long weekend. The new bridge constructed by the contractor is holding up well. What used to be a giant mud pond is now a simple 18" stream that flows through there. There is no pooling. It was the disturbance by motorized vehicles traversing the area that made the area wet. He stated his belief the area will soon seed itself and become grassy with the one stream flowing through it, which has been covered with the bridge. However, it flows to a pond, and the beavers are damming that pond.

Commissioner Boisvert questioned the work being performed on Suicide Hill. Vice Chairman Caron stated he has begun the project of creating water bars utilizing rock, which keeps motorized vehicles from breaking and pulling the water bar down the hill (if made of wood they would break on the wood). Commissioner Boisvert offered to provide assistance.

Vice Chairman Caron spoke of a use occurring in areas where inappropriate, and noted the Sub-committee would meet on Saturday (8:30 a.m. at the cul-de-sac on Conservation Drive) and post signage.

Chairman Tenhave questioned whether the path coming down from Conservation Drive was addressed. Vice Chairman Caron responded the area that was washed out was addressed during the fall and held through the spring thaw.

Commissioner Thomson informed the Commission and viewing audience the Wildcat Falls Sub-committee will be conducting a trail day on May 12, 2014 at 5:00 p.m.

Chairman Tenhave noted he has received a receipt from the Horse Hill Nature Preserve Sub-committee for the bench being constructed in memory of Harold Watson. That project is moving forward.

Chairman Tenhave spoke of the passing of Constance Kreider. Ms. Kreider was very influential and helpful with the Horse Hill Nature Preserve. She was a member of the original Master Plan Committee, the follow-on committee that reported to the Selectmen, and the committee the Commission formed. She also served with the Heritage Commission and was a volunteer guardian with C.A.S.A. (Court Appointed Special Advocates). Chairman Tenhave commented she was one of those who could smile and change your whole day. She will be missed.

ADJOURNMENT

**MOTION BY COMMISSIONER PERRY TO ADJOURN
MOTION SECONDED BY COMMISSIONER CARON
MOTION CARRIED
7-0-0**

The April 21, 2014 meeting of the Merrimack Conservation Commission was adjourned at 7:45 p.m.

Submitted by Dawn MacMillan