



# Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

## MERRIMACK CONSERVATION COMMISSION

OCTOBER 17, 2016

### MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, October 17, 2016 at 6:30 p.m. in the Merrimack Memorial Conference Room.

Chairman Gage Perry presided:

Members of the Commission Present: Matt Caron, Vice Chairman  
Cynthia Glenn  
Tim Tenhave, Alternate Member  
Gina Rosati, Alternate Member  
Councilor Thomas Mahon

Members of the Commission Absent: Michael Boisvert

Also in Attendance: Kyle Fox, Director, Public Works Department  
George May, Souhegan River Local Advisory Committee  
Nelson Disco, Souhegan River Local Advisory

Committee  
Matt Casparius, Director, Parks & Recreation Department  
Mike Powers, Bay State Forestry  
Jason Hill, Civil Engineer/Project Manager, T.F. Moran

Construction  
Debra Huffman, Horse Hill Nature Preserve Sub-Committee  
Lynne Wenz, Horse Hill Nature Preserve Sub-Committee  
Andrew Duane, Wildcat Falls Sub-Committee  
Paul Labrie, 30 Beebe Lane

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PUBLIC COMMENT - None

### APPOINTMENTS

#### 1. Visit with:

- **Kyle Fox, Director Public Works Department, ToM**
- **Matthew Casparius, Director Parks & Recreation, ToM**
- **George May, SoRLAC**

Discuss the initiation of the Fields Farm/Souhegan River Canoe Launch project.

Commissioner Tenhave stated the discussion to be of the Fields Farm property as well as the Souhegan River canoe launch point or take-out point near Seaverns Bridge. He spoke of discussions conducted earlier in the year with Directors Fox and Casparius, and Mr. May, which were precipitated by runoff

problems at the take-out/launch point at Seaverns Bridge. The Town has been doing work in the area, and there are challenges with parking, etc. Believing there may be other opportunities for addressing the issues, the possible use of the Fields Farm property was discussed. The Town owns that property, and the Commission manages it for conservation reasons. The property was purchased for both conservation and passive recreation park purposes, and the thought was that a project could be created that would relieve some of the strain on that take-out point and provide opportunities for the Town to mitigate that area in some way.

Director Fox remarked the Souhegan River canoe launch has been something his department has been working with Mr. May on for quite a number of years. The launch has existed for a long time, and is in very poor condition due to riverbank erosion. At its best it was a difficult place to navigate to; very small parking area and a fairly steep dropdown into the river. Over the years, the department has done minimal work that could be done without requiring a permit. The current state is more severe, and will require a larger effort involving wetland permits, additional funding, etc. A few years back the project was put into the Capital Improvement Program (CIP) with the intent of putting funds towards addressing the area.

Last spring a member of the Amherst Conservation Commission initiated meetings to discuss areas to address along the Souhegan River (protected river). As discussions went forward it looked like an opportunity to combine efforts, and perhaps abandon the existing location of the canoe launch in favor of a better location on the Fields Farm property, and have a collaborative process with the Commission utilizing some funds that were going to be programed for the canoe launch, some Commission funds that were going to be put towards the Fields Farm project, and even looking at the New Hampshire Department of Environment Resources (NHDES) Aquatic Resource Management (ARM) Fund. The project could be that of a nice park, trails, canoe access, and picnic area.

Director Fox provided copies of the slides he intends to present with the CIP submission to the Planning Board and Town Council. The hope is to have the project funded in the next fiscal year (beginning July 1, 2017). The hope was to begin discussion with the Commission, Parks & Recreation, and the Souhegan River Local Advisory Committee (SoRLAC).

Commissioner Tenhave noted a copy of the Purchase Deed for the property was provided, and identifies what was intended, from a legal standpoint, for that property.

Mr. May commented the SoRLAC is the State group that advises on permits along the Souhegan River. He stated his support of additional access to the river. He provided a copy of a Google map indicating the area that would be suitable for an access point. The river goes up from Seaverns Bridge in a straight line and then takes a real sharp turn to the right. After that point, it drops over several ledges. During the summer it is not passable. People wishing to use a recreational canoe or kayak don't want to go beyond that point. From that corner down up to Seaverns Bridge would be an acceptable place for an access. The river there is fairly shallow in most places, is sandy, and pretty much straight. Where it goes up and turns to the right anything beyond that drops over the area that is called Indian Ledges, which is definitely not suitable. Chairman Perry commented right at that corner is the area that appears to have the least amount of slope.

Mr. May noted a residence is being constructed on the north side, which is something that should be considered as part of the plan. He stated the plan would be to have steps that go from the upper part of the banking down to the river. The Souhegan Watershed Association runs canoe trips on the river, and they use that stretch of the river a great deal. That stretch of the river from that corner, going upstream, almost to Boston Post Road/Souhegan High School, is runnable during the summer.

Mr. May stated the desire for the additional access point to be created in addition to addressing the erosion issues associated with the access at Seaverns Bridge. He noted the recent culvert work in the area has provided some improvement with regard to runoff, but there is the need to channel the runoff that is coming down the road/hill off to the side so that it is no longer running into the eroding section of the footing. Were the Seaverns Bridge launch to be repaired, it would mean filling the two large washout sections with stone, gravel, etc., and steps put in as has been done in other areas. Mr. May commented he has been approached by a few different Boy Scouts looking to do projects in that area. If the erosion could be controlled that area could be saved as an access point.

Mr. May commented putting in the new access would result in cars being parked and left in the woods. He noted parking on the opposite side of the Seaverns Bridge access has been repaired and is plentiful.

Chairman Perry noted existing parking for Fields Farm is along the roadside and the berm down on the river side. Mr. May stated the parking on the opposite side of the street (from the river) can accommodate approx. 10 cars parked head in. Chairman Perry questioned if that is appropriate for parking. Director Fox responded it is acceptable providing the vehicles are off the street and not impeding traffic.

When asked, Director Fox stated there is no plan in place for the additional access at this time. There are a few ways in which they could proceed: 1) address the issues of the existing launch making it the best they can, and keep it the single access, 2) move the access to Fields Farm and repair the existing area with regard to the erosion and protection of the river, which would be done regardless, and 3) have access at both locations.

He questioned the will of the Commission with regard to utilizing the area within Fields Farm for an access point. That would be a key decision point moving forward in presentations to the Planning Board and Town Council for the CIP reviews.

Commissioner Tenhave stated his belief, at some point, Director Fox would be asked to provide a professional opinion, and questioned if he is still in the information gathering stage or at the point where he has formed an opinion as to what would be most appropriate. Director Fox responded probably a little of both. He remarked as a result of the earlier discussions it sounds as if there is a great opportunity where a lot of things align, and it becomes a really good opportunity to make a really nice recreation area for folks to use the river. The secondary issue of the existing area; from a slope stabilization standpoint, taking more material out and sloping it back giving it a more stable slope is certainly a good way to stabilize the slope. That would certainly eliminate any thought of parking there; however, as was stated, when the culvert project was done last year, parking spots were created across the street. Perhaps users of the access could be encouraged to park on the east side of Seaverns Bridge Road and carry their canoes across the street and down a shallower embankment than what exists today.

When asked about sight lines for users parking on one side and carrying a canoe across the road, Director Fox stated the sight lines are pretty good. It is pretty close to the intersection with County Road/Amherst Road. The sight distance on that side is really good. Looking back to the south the sight lines are pretty good.

Mr. May commented some consideration has been given to what could be done at Seaverns Bridge; not only stabilizing the bank, but making it a very attractive location where you could pull up right to the opening, unload your boat, park across the street, and walk down. Kind of building it up a little right at the edge and making it more of a park area so that you would have to walk in there. Commissioner Tenhave stated his concern would be having vehicles too close to the river. It would have to be done strategically so that users of the area wouldn't be driving off into the river or cause fluids to enter the river.

Chairman Perry stated his belief the Commission has always been supportive of utilizing Fields Farm for this project, and questioned the will of the Commission. Commissioner Tenhave stated agreement. Vice Chairman Caron questioned if the Deed would allow it noting language that reads: "The Town shall prohibit the use of motorized vehicles, all-terrain vehicles, snowmobiles and motorcycles or the like, unless necessary for maintenance, police or emergency purposes." A truck with a boat on the back would be a motorized vehicle. If there were a parking lot along the road and a trail bringing users down to a ramp it may be possible. Councilor Mahon questioned if the Deed language was intended to stop the use of those types of vehicles on a regular basis for just riding around or if it was a prohibition from accessing the property or the river. Vice Chairman Caron reiterated the language states "...unless necessary for maintenance, police or emergency purposes."

Mr. May commented he viewed that as four-wheeled motor vehicles or motorcycles. Chairman Perry remarked he read it as prohibiting using that property as an ATV park. However, noted the point is a good one. Councilor Mahon suggested Town legal counsel could be asked to review the language, in the context of the entire Deed, and provide an opinion. He stated his opinion if a vehicle were to be taken onto the property to drop something off and come back out and parking elsewhere, he would not believe that to be prohibited. When asked about having a parking lot in the area, he stated he would see that the same way.

Commissioner Tenhave commented he had envisioned a 20-24' wide access to a parking lot somewhere closer to the river, and then by the river there would be picnic tables, likely a kiosk for information, an area where fishermen could enjoy that sport as well, and a place to pull in and out a kayak, but not to back a trailer into the water. He provided the example of the stairs that were constructed near the Souhegan School. Chairman Perry remarked to bring a trail in from the road would be about 800-1,000', which is a long way to carry a canoe.

Commissioner Tenhave questioned if the desire would be to separate the two projects, or if the belief is if there is a commitment to do one, the other would be structured differently. Director Fox stated his opinion combining the projects is the most economical way to proceed. He commented the department gets its marching orders from the Town Council and Town Manager, and if Fields Farm is not part of the project, their focus would be just on the existing canoe launch because that is what they have to fix. If they open the project up to both locations, they could spread their resources around a little and try and work it from a combined standpoint. If that were the direction, he questioned if the department would meet in this type of forum to go over details and progress or if the Commission would appoint a Liaison to work with Public Works and Parks and Recreation on the project. Chairman Perry stated he would envision it to be an appointment from the Commission to work with the Town departments.

Commissioner Tenhave suggested the Commission may want to consider a forestry project while in the area, e.g., thinning/cleanup; something that would hopefully be revenue neutral in the end. Chairman Perry commented that could be the start of the access road as well.

Commissioner Tenhave remarked he views this as more of a recreation spot, and questioned if having another park would be something that would fall into Director Casparius' overall plan or could be down the road. Director Casparius responded it could definitely fit into the overall plan. They have been heavily focused at Wasserman Park for a number of years, but are beginning to work outward. He remarked any time water access can be improved, particularly given the current condition of existing access points, would be beneficial.

Commissioner Tenhave commented this property is not strictly a conservation property, which would mean, at the end of the day, it would not be a property the Commission would actively manage. Director Casparius stated his opinion the parcel could fit within the Parks and Recreation Department.

Mr. May suggested the area could also consist of biking and/or hiking trails. Commissioner Tenhave commented it would be nice to put in a trail that gets users far enough away from the river so that it is not impacted, but close enough to be enjoyed. The existing trail system is currently only maintained by hunters. At some point it may marry up with land (20 acres) the Commission may get an easement on or ownership of near where the development is occurring. All of the frontage of that property along the river will fall to the Town in some form. Vice Chairman Caron noted that is very close to Indian Ledges. Chairman Perry commented on how that parcel connects up to Tomasian Road, which is also potentially an area for access.

***The consensus of the Commission was to move forward on the Fields Farm access point.***

Chairman Perry remarked, with regard to the existing access point, his concern is with slope stabilization, and whether there is the ability for it to be a good access point for people with parking on the road.

Commissioner Tenhave spoke of the need to get plans together to be prepared to make an ARM Grant request in the March timeframe to get it on their books should that be the intent. By September of next year the request would have to be at the point where it could be approved or disapproved.

***Commissioner Rosati volunteered to serve as the Commission Liaison.***

Director Fox commented until receiving the go ahead from the Planning Board and Town Council it is really not a project for the PWD. He stated his belief the department will have a better sense of where they are going with the project in the November/December timeframe.

Councilor Mahon noted language within the Deed also states: "All reasonable efforts to preserve and respect privacy of abutters including locating parking areas as far as reasonably possible away from abutters taking into consideration the land's topography, terrain, and other natural characteristics...."

There seems to be recognition that parking is required to gain access. However, he will seek an opinion from legal counsel.

## **2. Visit With Town Forester Mike Powers, Bay State Forestry**

Mike Powers of Bay State Forestry will discuss the Commissions existing Tree Farms and our responsibilities relative to these.

Mike Powers, Bay State Forestry, stated the Town of Merrimack's Town Forests have been enrolled in the Tree Farm Program for some time (likely since early '90s). In order to remain enrolled in the program, every 6 years or so a periodic inspection has to be conducted. The program began as a recognition program that private landowners and municipalities (having 10 acres or more) enrolled in to show that they were doing good forest stewardship on their property, e.g., managing for the long term. It has since morphed into a certification program. It is a third party green certified program. What that means is every 4-5 years or so New Hampshire Tree Farm gets audited by a third party. The last one done by PricewaterhouseCoopers was in 2014. They choose 25+ tree farms in the State and go through all of the paperwork, e.g., forest management plans, inspection forms, etc., conduct a site/field visit, and review the kind of management that has occurred on the property to verify that the management plan is being followed.

Chairman Perry asked if the inspections were to include Merrimack's local forests, would Bay State Forestry be part of that inspection. Mr. Powers noted as a licensed Forester and Tree Farm Inspector he would be involved with that process. He provided an example of the inspection form that is required to be completed every 6 years. Currently an inspection form has to be completed for each property (if not contiguous). Mr. Powers stated it appears the Skyler lot, Mast Road, Grater Woods, Wildcat Falls, Gilmore Hill, and the Horse Hill Nature Preserve (HHNP) are all properties that were enrolled in the program and those which would need to be inspected and paperwork completed on.

Mr. Powers reiterated New Hampshire just had an audit in 2014 at which time the southern counties were audited. The next audit will be in another 4 or 5 years, but they will audit the northern counties (likely north of the Lakes Region). Realistically Merrimack properties likely will not be audited for another 8 years or so. Even when the southern counties get audited it doesn't necessarily mean any of the Merrimack properties will be among those chosen to be audited. There are in the area of 1,400 tree farms in New Hampshire, and they pick 25-30.

Chairman Perry provided the example of Grater Woods noting there is one line of information on Grater Woods in the document, and the area has changed dramatically since 2010. He questioned if every time a parcel is added to Grater Woods does it automatically become a Tree Farm? Mr. Powers stated that could be the case, and remarked all that would be needed would be for some sort of addendum to the plan noting the additional acreage.

The inspection form highlights the Tree Farm standards. The first standard is the landowner has and implements a written forest management plan consistent with the size of the forest and the scale and intensity of the forest activities. Basically it is saying you want to keep your plans pretty much up to date and relative. Bay State typically looks at a 10-15 year window where they consider a plan is in need of updating. Mr. Powers stated whether or not to remain in the Tree Farm Program is a decision for the Commission. When asked what the advantage is of being in the program, he commented if a private landowner owning 40-50 acres of land, it is just a nice sign. If you are a Town with Town forests and are harvesting products off the Town forest it is nice to be able to let residents know Town properties are green certified through the Tree Farm system, the Town is adhering to these standards and managing its property in a responsible way, and there is the potential for a third-party audit to occur at some point to make sure the Town is managing its forests in a responsible and long-term sound manner.

Chairman Perry commented there are a lot of lumber purchasers that will only purchase from certified tree farms. Mr. Powers commented they have not seen a lot of price increase for certified wood, but they have seen an increased market for that wood.

Commissioner Tenhave questioned the return on investment. Mr. Powers responded that is up to the Commission to determine. He reiterated there is no specific timeline that dictates a plan of a certain age has to be redone. If you have plans that are closing in on 15 years old, you may want to consider updating them over the next 4 or 5 years in case there is an audit in the southern counties and Merrimack is chosen for that audit. Again, that is only if the desire is to remain in the program. Chairman Perry

questioned what would occur in the event of a failed audit. Mr. Powers responded Bay State would ensure that didn't occur. Chairman Perry questioned if the end result of failing an audit would be removal of the sign and nothing more. Mr. Powers stated the status would be knocked down to what is called a pioneer status. The property would no longer be an official tree farm; would be pioneer until the standards were brought back up to where they should be for an official tree farm.

Commissioner Tenhave commented the form names off a number of properties that are not technically Conservation Commission properties but Town owned properties. The Town Council could weigh in on this if they so desire. He spoke of his desire to understand the value that had been seen in this as there was considerable effort that went into reaching the point the properties are in today. Mr. Powers reiterated there is nothing saying the Commission needs to stay in the program. The only benefit he sees out of it is that it is a third-party certified program, and that when you harvest products off of Town owned land you can prove you are managing your forests responsibly and keeping all plans up to date. He stated his belief that is the only benefit for a Town. There are a lot of private land owners in the program that have been in it forever. Chairman Perry questioned if land could be put in current use if not a tree farm. Mr. Powers stated if you are a certified tree farm you automatically qualify for the stewardship category of current use, but you don't have to be a tree farm to qualify.

Councilor Mahon remarked he used to have this discussion with his bosses and Board of Directors when going for a certification with the International Association for Continuing Education and Training; what does it get us, and what it does is keeps us focused on what we wanted to do with our training programs and had a review that was conducted every 5 years to ensure the programs were developed and presented and records kept in a meaningful way for people who attended the training programs.

About 10-12 years ago when this was all arranged it was the hot topic about branding, and they were talking about it is not quite the same thing as you would have in the private sector. There is a bit of that going on in the public sector, and one of the things they urged people to do was get certifications because then there is someone else looking at what you are doing and how you are doing it, and you are just not making it up as you go along. From his perspective it encourages you to keep your plans up to date. It also provides you with the ability to go back to the Council or the public and identify the reason why a particular project is being done or why an appropriation is being requested, and here is how it fits into the overall plan that we have for the properties that we manage.

Commissioner Tenhave remarked it is validation that the Commission is doing what it said it would do and what it is entrusted to do.

Chairman Perry commented on Mitchell Woods and his awareness Mr. Powers was looking at the potential of a forestry project in there. He questioned if and how the tree farm status would be impacted if a structure is being put out there. Mr. Powers stated he did a plan on the Watkins Forest property. They were due for a tree farm inspection this year. He did the inspection, updated their plans, and they talked a little about the well, but he has not spoken with anyone since. He is unsure of the size of structure being considered. It would not affect the tree farm status. As long as there remains 10 acres of forest land it would not be impacted. All that would be required is an amendment to the plan indicating an acre was taken out for the structure, etc. Chairman Perry questioned if it could be handled as easily as attaching the Deed. Mr. Powers responded he would think so.

Mr. Powers stated there is an inspection that is due this year. The Commission would have until September or October of next year to get the inspection done. If not completed in that timeframe the property would be placed in the pioneer category until the inspection was complete. He provided the example of a plan that is 13 or 14 years old, is a little out of date as two timber harvests have taken place, the forest is quite different than what it was when the original plan was written, and stated it would be acceptable to say we realize the plan needs to be updated, we can go ahead and do the inspection and include a note indicating the plan will be updated within the next 3-5 years. If and when there was an audit and that property were chosen as part of that, a review of the paperwork would be conducted, and if the plan was supposed to have been updated and was not then there would be some issues.

Commissioner Tenhave questioned if the Commission should authorize Bay State Forestry to assess where we stand and what the gap is of where we need to be, and provide an estimate as to what it will take to bridge that gap, and put the Commission in compliance. Mr. Powers stated his agreement that

would be a prudent way to proceed noting he has not looked through all of the plans; some may be fine, some may be a little out of date, etc.

**MOTION BY COMMISSIONER TENHAVE TO AUTHORIZE THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR BAY STATE FORESTRY TO CONDUCT AN ASSESSMENT OF THE COMMISSION'S STATUS AND PROVIDE AN ESTIMATE OF WHAT IT WILL TAKE TO PUT THE COMMISSION IN FULL COMPLIANCE WITH THE TREE FARM PROGRAM**  
**MOTION SECONDED BY VICE CHAIRMAN CARON**  
**MOTION CARRIED**  
**6-0-0**

Commissioner Tenhave noted the Commission has purchased three additional parcels to Grater Woods (100 acres), and anticipates two additional parcels (totaling an additional 100 acres) in the near future. Vice Chairman Caron noted the previous owner conducted some forestry within the last 5 years.

#### STATUTORY/ADVISORY BUSINESS

##### **1. TFMoran Inc., & Franklin Savings Bank (applicants) and KRG Merrimack Village LLC (owner)**

Review for recommendation to the Planning Board for construction of a 2,161 s.f. building with site improvements. The parcel is located at 1 Dobson Way in the C-2 (General Commercial) and Aquifer Conservation District. Tax Map 4D Lot 080.

Jason Hill, Civil Engineer/Project Manager, T.F. Moran Construction, informed the Commission the project is in the Aquifer Protection Overlay District. He was before the Commission seeking a recommendation to the Planning Board.

Mr. Hill stated there are no wetlands on the property. They have mapped wetlands to certify there are no wetlands on the property. The property is not in any other jurisdiction or protected overlay districts.

The parcel is vacant and was slated for development. In the 2004 timeframe, the overall area under common ownership was developed as a mixed-use commercial/retail development, and a private road was constructed (Dobson Way) to provide access to the lots reserving this piece for development. It is a small parcel at roughly 9/10<sup>th</sup> of an acre, and has been cleared. There is a detention pond on the site, which provides some stormwater treatment and detention for the existing retail in the Shaws center, which was associated with the 2004 development. Being proposed is a 2,161 sq. ft. (footprint) area branch bank for Franklin Savings Bank. It is a single-story facility with two drive-thru lanes, 19 parking spaces, a single handicap parking space, and associated improvements; sewer, water, fire, drainage, natural gas service connection, power, and telecommunications.

Part of the employee parking occupies a portion of the existing detention facility. They have modeled/analyzed that detention facility and determined the capacity, which was constructed, exceeds its original design capacity. They are also proposing additional stormwater storage capacity for the new development for treatment. These three things will enable them to reduce the flow leaving to the existing sewer storm drain system. They propose placement of catch basins to trap some of the water from the small parking lot, and have specified a few Best Management Practices; deep sump catch basins with oil/gas trapping hood devices to prevent the gas petroleum products from getting into the storm water system. It is a pretreatment practice. Sediments and things of that nature will be addressed with a StormTech underground chamber system, which is typical commercial installation and very straightforward. Isolator row as another pretreatment practice, which basically has access on either side, is a series of chambers with fabric surrounding it and having inspection and access ports on each side so you can get a hose truck to come in and clean out the sediment when it accumulates. The primary is exfiltration of the water quality volume. Larger storms build up and overflow into the existing detention pond. The system reduces the peak rate of runoff leaving the property and promotes recharge into the ground by the exfiltration. They have tested the soils with a Guelph permeameter device to understand what the rate of infiltration of the soils is. It is sand in the area. When you get certain sand it is too fast and you will need to amend it to slow it down so it traps some of the pollutants. This is not the case with this site. It is 10" per hour. It has been designed accordingly, and has a good natural permeability for treatment.

Other key aspects of the project are snow storage sites in the area around the perimeter. If room for snow storage is not sufficient, excess snow would have to be removed from the site. There is a log that has been embedded into the stormwater report, which has to be kept by the owner who has to track maintenance practices being conducted on the stormwater system. There is a log that has to be maintained by the owner to track the amount of chemicals and salt being used as a maintenance record.

Commissioner Tenhave remarked the Commission consistently requests the use of straw bales as opposed to hay bales. Information was not included in the plans indicating how de-icing would be managed. Mr. Hill stated he does not believe they put specifications on the plans for that component, but knows there is a log that tracks the use of those chemicals, which for the most part is rock salt and some de-icing chemicals. Commissioner Tenhave stated the preference for no de-icing compounds of any sort or that the use of de-icing compounds is minimized.

Mr. Hill stated they could consider no use of de-icing compounds, however, in these types of developments there are liability concerns relative to slips/falls, etc. Commissioner Tenhave stated the way they mitigate that is to suggest applicators be Green SnowPro Certified. There is a Green SnowPro Program, which is a certification process that contractors who do snow removal can go through to learn how to properly apply sand, salts, and de-icing compounds. If they follow what they have learned it minimizes the liability the property owner has for slips, trips, falls, etc. Mr. Hill stated he would conduct research on that and be prepared to discuss it further.

The Commission also recommends use of low-phosphate, slow release nitrogen fertilizer. Mr. Hill stated his understanding of the concern and what the intent is, and believes the landscaping can be designed that would ensure if they were to reduce the load into it that they would have plants that could survive accordingly. Commissioner Tenhave added another recommendation is that the soils be tested before applying fertilizer as it may be found that fertilizer is not needed. Mr. Hill stated the use of the site for a bank is probably the best use they could be putting on the parcel in terms of a clean use from a pollutant generating point of view.

Commissioner Tenhave noted the plans refer to the Merrimack Village District as Merrimack Village Department. It is a separate legal entity from the Town.

Chairman Perry requested the landscape plan include only native species.

Chairman Perry stated a letter would be sent to the Planning Board with the recommendations as stated.

#### OLD BUSINESS

- 1. This year's NHACC meeting is on Saturday 12 November 2016 at Pembroke Academy in Pembroke.** Members are encouraged to attend. <http://www.nhacc.org/annualmeeting45/>.

Chairman Perry noted a check has been requested to cover the cost of attendance for him and Commissioners Glenn and Boisvert.

#### NEW BUSINESS

- 1. HHNP – New Trail discussion**

Chairman Perry commented there is a new trail, but also an existing trail that requires attention. Members of the Commission as well as members of the HHNP Sub-Committee walked the site. The existing/main trail is well used, and requires attention. The purpose of the bypass trail is to take traffic off the existing trail. There is some concern regarding the initial section of the trail, which moves towards Long Pond. He contacted a Wildlife Biologist who will look at the area to see if there is a reason for concern. It could change the start of the trail to some degree. Overall there is a comfort level with the trail. They will look to minimize some of the angles of some of the turns and some of the switchbacks.

Debra Huffman, Member, HHNP Sub-Committee, stated the Summit Trail has some erosion problems. Vice Chairman Caron and Peter Mikolajczuk, member, HHNP Sub-Committee, performed some mapping



in the area. As was mentioned, the only point of contention is that the original trail, as it was laid out, had some loops that went near Long Pond. A handout was provided, which depicted the area of concern.

Ms. Huffman stated what is done on the HHNP is dictated by the three plans. The Town conducted an exhaustive amount of discussions around what the Master Plan said should occur on the property, the Ecological Assessment indicates where activities can occur, and the Definitive Plan dictates where it should happen. Whenever there is any discrepancy they turn to the plans that dictate pretty much everything that is done, within reason. The top page of the handout was from the Definitive Plan, and showed Long Pond is designated as a turtle nesting as well as beaver area. It is a sensitive wildlife area. As the Summit Trail crosses over the top it is rather eroded. Vice Chairman Caron and Mr. Mikolajczuk have laid out a trail to the east side. The problem is the two loops that go to the west are getting closer to Long Pond. They don't want any trails going that close to the turtle nesting area believing that is not in keeping with what is mandated by the plans. The Ecological Assessment dictates staying a minimum of 100' away from sensitive areas, and focuses on the fact that increased recreational use causes disruptions.

Ms. Huffman noted the HHNP is not a recreational property/park, it is a nature preserve. Human use is incidental out there. There is always a balance between human use and wildlife. The Sub-Committee is mandated to speak for the wildlife as well as the humans. The final page of the handout was a map of the final Definitive Plan. The recreational properties are to the west and most of the new trail development is geared towards the west. The east is identified more as the wildlife corridor and where they try and keep things more pristine. The trails are in the middle, and there is the need to be careful of what is done in that area of the property. She remarked when you have a whole side of a hill to get down, getting near Long Pond is just not necessary. She added the Summit Trail is eroded and there is the need to get around it. According to the plans we are not mandated to get around it by getting near Long Pond, and if it had to, she would propose closing the trail.

When asked if she believes the existing trail is well outside of the 100' buffer, Ms. Huffman stated she has not measured the existing trail, but at the beginning it gets close. The new loops go significantly closer to the pond, and she would rather see both of them go off to the east.

Commissioner Tenhave questioned if there is a map of the new trail. Ms. Huffman remarked they had one they approved. When they walked the area they said except for the loops on the Long Pond side it was fine, and Mr. Mikolajczuk then redid the map to remove the loops on the Long Pond side.

Chairman Perry commented when they walked it recently they walked one section and then went across. Ms. Huffman acknowledged it has changed a bit. There is a map, but she is uncertain if it is accurate with what exists today. Chairman Perry noted the trail is fairly well flagged. He commented he understands why they went towards the pond, and if it is within that 100' buffer zone or will cause an impact on that 100' buffer zone then something has to be done with that start point.

Lynne Wenz, Horse Hill Nature Preserve Sub-Committee, noted the wildlife in the area is very well documented. She has worked with the New Hampshire Department of Fish & Game and the Audubon Society. The term Fish & Game uses for encroachment that disturbs wildlife is called human pressure. It shows up in various ways. During the summer immature Bald Eagles will stay there and ducks particularly will just drop by in the spring on their way north as the ice unfreezes. She spoke of the Great Blue Herons that used to be at White Pine Swamp, and commented approximately 15 years ago someone intentionally damaged the dam. By draining the swamp there wasn't enough water to nurture wildlife such as the fish that Herons eat. They wound up in Long Pond. During a walk with a Fish & Game Officer the officer commented Osprey would likely move in, and they did. The area is quite a habitat and needs to be appreciated. Ms. Wenz commented some wildlife has already been lost; the American Bittern has left the area.

Chairman Perry asked for confirmation the only issue is that of the very beginning of the trail. Ms. Huffman agreed where it loops over toward Long Pond. Chairman Perry remarked regardless of where it goes the only part of concern is the wet area in the middle that people are walking through now. The space to the left of it was still wet. They would have to look at the area to see if the entrance could be located further up. He stated his impression everyone was in agreement the trail is okay and liked. Mr. Huffman stated there was the part Mr. Mikolajczuk designed that was the continuation of the Mormon Trail the Sub-Committee had no issues with. She remarked when it was walked with Mr. Mikolajczuk they

had the concept of sort of diverting bikers more onto those trails. She commented part of their mandate is to include trails for bikers.

Chairman Perry stated the problem is that main trail needs to be closed down. Ms. Huffman stated her belief the Sub-Committee was in agreement they were fine from Post 6 up to 15, and that it is really in the area where you go over the hump and down. Chairman Perry noted the group only walked the one trail. They did not walk a walking trail and a bike trail. The Commission cannot agree to put in another walking trail without seeing the area. Ms. Huffman responded she was not requesting that; she was just looking to remind everyone that part of the mandate is to, where possible, get conflicting users to have their own space without encroaching on the eastern side of the property. Chairman Perry commented on the need to keep the steepness of the hill in mind.

Vice Chairman Caron stated his belief that even if the post/beginning of the trail were moved, changing the entrance will not change the habits of current users. Ms. Huffman stated her belief very few people are at the pond, and commented they don't see trash out there, broken down trees, etc. Chairman Perry noted the footpath is pretty well established. Ms. Huffman responded that was not a footpath until recently. That is an unauthorized trail that popped up in the last year. Chairman Perry remarked, people are obviously using it, and it is the problem.

Commissioner Tenhave commented if there is all of a sudden new behavior that is considered bad behavior that should be dealt with separately. He does not believe that new trail should be accommodated. Vice Chairman Caron agreed it will have to be addressed. He spoke of the possibility of moving the post, and noted he did not walk the area where the post might be moved to, and is not familiar with what the area looks like.

Chairman Perry remarked he would not want to start the trail down the hill just to get down to the bottom and not know where it should go. Ms. Huffman stated she does not believe there is a route at this time that is acceptable. It is her belief it needs to be remapped to stay out of the area of Long Pond.

Chairman Perry reiterated he has reached out to a Wildlife Biologist, and when he hears from him a time can be scheduled to view the area. Vice Chairman Caron noted at the other end of Long Pond, the trail goes through the turtle nesting area. Ms. Huffman stated that occurs at the very end. That was laid out extremely carefully. They went as close to the property boundary as they physically could to get as far down Long Pond as possible. Vice Chairman Caron commented if you look at Lastowka Pond, all of them, the trail goes through it. Ms. Huffman stated Lastowka Pond is in the recreational area. She noted it is mandated to use the existing logging roads. They didn't want new trails to be cut in except for the ones laid out in the plan, and they have created all of them. They have done what the plan dictates be done, and in addition they have permitted two mountain bike trails, which is in accordance with the plan. But they were told use the logging roads, and cut as few new trails as possible. There was a logging road that went right next to Lastowka Pond, and that is what leads to the parking lot. There was very little they could do with that without cutting into a wetland. That road was there because it went between wetlands.

Commissioner Tenhave noted there was an area that was designated to be a forestry cut area, which forced the trail closer to the pond, and then closer to the parking lot the possibility of athletic fields dictated where that trail could and could not go as well. He remarked the portion being looked at to be discontinued has an erosion problem, and questioned if it should be treated like Gateway is treated or Suicide Hill on Grater Woods; just deal with the current trail and try to create water bars and make the best of it, and leave it as is, and not put in any new trail. Chairman Perry stated that could be the direction. Very similar to Gateway Hill, a fairly large bridge would have to be put in the model to span the wet area. Chairman Perry commented on the steepness of the hill, and how difficult a task it would be. He suggested he would almost rather close it off, and not use it. Commissioner Tenhave commented that is also an option. He spoke of remembering the long discussions that occurred in the early 2000s about what trails would be done and how they would be put, and Ms. Huffman is extremely accurate; the will of the people involved was to utilize the current trails as much as possible, and make the best of them. If making the best of them means that some maintenance has to be done on that hill in order to improve it then we deal with that. As mentioned the property was put together, through the three plans mentioned, by a very large consensus of people.

Chairman Perry spoke of the amount of material that would have to be added to the length of that trail up that hill. Commissioner Tenhave questioned if there may be a better solution, and questioned if solutions

have been explored that keep to the same trail or is the thinking that it is beyond that point, and it really needs to be a re-routed trail. Vice Chairman Caron stated his belief the trail cannot be saved. Unlike Gateway Hill where it is like a bowl and Gateway is the only option, this area has a nice gentle slope right next to the steep hill. Commissioner Tenhave suggested it is likely worth looking at it with the caveats that have been expressed.

Chairman Perry commented perhaps the solution is a large bridge over the base and then kick off to the left to get up the hill.

Chairman Perry remarked and Commissioner Tenhave agreed they were not ready to approve a new trail with so many questions remaining. Chairman Perry remarked the question is now what do we do with a trail that is there that we know is a problem. Commissioner Tenhave stated he does not see any reason why the Commission shouldn't be looking at a new trail, but the layout of that trail is not yet known.

Ms. Huffman will work with Mr. Mikolajczuk on the Summit Trail to explore other options for getting to the base of the trail. It was noted there also seem to be extra switchbacks up top that may be removed. Chairman Perry suggested if a good flagging could be done then options could be considered for the base, e.g., bridge over area of wet or a different entry point.

Ms. Huffman stated the second trail connects the Mormon Trail to the Horse Hill Summit, and the plan Mr. Mikolajczuk laid out for that was agreeable to the Sub-Committee. If the way the trail works out appears to be a good trail for bikers then that would be identified in the brochure. Chairman Perry commented he was comfortable with that trail, and questioned the will of the Commission with regard to moving forward on that trail. Commissioner Tenhave remarked his comfort factor would be gained through information on where the trail is. He commented the Commission has expended a great deal of funds over the past 18 months having other plan work done, and he would like to bounce it against those documents. He does not believe there to be an issue in this area, but wishes to be confident. Chairman Perry agreed to arrange for someone to walk the area and provide GIS data that could be used for such a review.

## **2. Discuss littering and dog waste on conservation properties**

Chairman Perry stated the problem exists on all properties, and there are Town Ordinances that address this issue. He opened the floor for discussion. Commissioner Tenhave remarked there are Ordinances, the trouble is are we really going to send the police department out there to enforce them because they are the only ones who can.

Andrew Duane, Wildcat Falls Sub-Committee, stated the Sub-Committee struggles with this topic. He commented in his last walk of the 200-300 yards of main trail from the parking lot to the end of the drainage pond he counted 20 - 30 piles before he stopped counting. As a dog owner he understands most dogs like to go almost as soon as they get to a new spot. The Sub-Committee has been working on some approaches to address this. They have decided not to go with signage that cites State Statute, but instead to take a more congenial approach with "Please be a good neighbor and pick up after your dog." They are trying to improve the odds with purchase of an outdoor dog waste bag dispenser. He worked with a local store Pets Choice, and the owner has a very good outdoor sturdy, lockable bag dispenser that she has agreed to provide at cost. It is designed for attaching to a piece of lumber (4x4 or 6x6). The plan is to attach it right to the kiosk as you walk in the gate. They are also considering 1 or 2 of the small plastic dispensers that hold 20-25 bags; perhaps attached to intersection posts.

Mr. Duane questioned the will of the Commission with regard to designing a standardized approach for use on many of the properties. Ms. Huffman suggested trying it at one property to see how it works. She commented if you are providing bags, which come at a cost, you then have to provide for throwing the bags away, which means the PWD has to come and dump that garbage, which becomes a cost for Town employees. Chairman Perry remarked if a trash can is placed anywhere it will be filled. Ms. Huffman commented she would rather just take a stick and push it off the trail, which is much more natural. Mr. Duane noted the ability to purchase biodegradable bags. He questioned if the desire would be to note on the signage that the bags are biodegradable. Commissioner Tenhave was not supportive of that idea as an individual who likes to go off trail.

Mr. Duane reiterated the biggest problem is the first 100 or 200 yards of trail from the entrance. They would likely place a small dispenser at Post #1, which is just about at the end of that 200 yard stretch. There is the potential for water to get into the containers as they are not really designed to be weather proof. The Sub-Committee would like to get a dispenser out there. The example provided appears to be a reasonable one, and the bags are at a somewhat reasonable cost comparatively. Ms. Huffman questioned if the Sub-Committee has talked to the Dog Park Group noting the possibility for savings through economies of scale. Councilor Mahon recommended he talk with Director Casparius.

Commissioner Rosati questioned if it would be worthwhile to add a dollar or two onto each dog license to provide a revenue source to pay for the bags.

Mr. Duane remarked they will never be able to solve 100% of the problem. He believes more people would use the bags if they were made available. Commissioner Rosati stated her preference for biodegradable bags. Mr. Duane questioned, and was informed the Town Council is who should be approached with regard to adding an amount to the Dog License Fee. Commissioner Tenhave noted the need to review State law to ensure it allows augmenting of the fee, which he believes to be dictated by State law. He is uncertain if the revenue generated stays in Town.

Mr. Duane stated the Sub-Committee is planning to move ahead with the dispenser. They would like to try it out, and he would be happy to report back to the Commission on the experience in a few months. Commissioner Tenhave stated moving ahead means the Sub-Committee has to make the purchase, which means either the Sub-Committee has to pay that itself or has to get the Commission to agree to expend the money. Mr. Duane stated they would go the latter route. The estimated cost is \$150, which would provide the dispenser box and a fairly long-term supply of bags.

The Sub-Committee was asked to complete the request form and submit it to the Commission for placement on a future agenda.

### **3. Discuss standard methods and policies for discontinuing and closing trails**

- Signage & Posting
- Physical blockage

Chairman Perry noted at the recent HHNP Sub-Committee meeting it was brought up that trails are called discontinued, and there are signs up saying trails are discontinued, but we never specifically inform the public that they are closed. Although we understand discontinued to be closed, users of the trails do not necessarily understand that. In addition, there is the desire to identify physical barriers, e.g., what needs to be done to close trails.

He questioned what can be done to make it blatantly obvious that a trail is closed and should not be walked upon. Vice Chairman Caron commented the best result they have seen at the HHNP was with the planting of pine trees (he refers to as vertical mulch) at the entrance of a trail they wanted to close. It blocked the line of sight. Every couple of years a few additional saplings were planted. Levels of trees grew in, people stopped using that trail, and the new trail became defined. He commented the problem is when people are very familiar with going a certain way, stopping someone's habit can be challenging.

Chairman Perry commented there has been some success with closing trails at Grater Woods by dragging a lot of lumber in that is left foliated. It is difficult to get onto the trail and discourages new growth. It is purposely a mess and makes it difficult to cross, but stops the foot traffic.

Chairman Perry commented at the lower school loop in Grater Woods where it breaks off to the pond, people have taken down that stone wall and are walking down there to stay along the pond. That is a trail that leads to the other side of Brickyard that can be crossed in the winter when frozen.

Mr. Duane commented the same issue exists at Wildcat Falls. At the north end of the North Loop Trail where the bridge is located, they specifically moved the trail to another part of the hill to avoid erosion problems, but people cross the bridge, and see the main trail 30' in front of them. The Sub-Committee is

on the third iteration of users clearing the trail and the Sub-Committee having to fill it back in. He stated they have done as Vice Chairman Caron has done; try to fill it in to break the line of sight.

Vice Chairman Caron remarked when a sign is erected that says discontinued trail it calls attention to the trail, and a sign that indicates a trail is closed seems to be more of an invitation. He stated his opinion blocking the trail is usually the way to go. Commissioner Tenhave stated agreement, signage indicating a discontinued trail seems to serve as an invitation, but if you have a troublesome trail sometimes it is worthwhile to put up a sign that says please stop utilizing the trail. Ms. Huffman stated agreement, discontinued signage is pointless, and there is the desire not to have too many signs. She is of the opinion if a sign were posted that indicated trail closed due to wetland violation or something of that nature it may be more likely to be taken seriously.

Chairman Perry noted if a sign is placed and users of the trails abide by it, over a period of time the area will fill in, and the sign could be removed.

Vice Chairman Caron spoke of the area before Gateway Hill where the new bridge is located. Next to the new bridge wetland signs were erected this year, and have worked. Some plantings were put in as well as a camera. The usage stopped. In that area there were wetland violations occurring. The wetland signs worked. The Commission has wetland signs available. Ms. Huffman remarked the HHNP has some wetland signs in some areas, but has not used them before as a way of closing a trail. It does give a reason for not traversing a trail. Mr. Duane stated they could use a few of the wetland signs at Wildcat Falls as there is a particular trail that needs them. The trail is closed, has been taken off the map, and does go through a pretty messy wetland and a place where there is high erosion.

Chairman Perry suggested moving forward. "Vertical mulch" seems to be the method that works best along with particular signage. Ms. Huffman spoke of Girl Scouts volunteers who installed some plantings to block off a trail. In addition to wetland signage the Commission has signs that indicate "bird nesting" and "mud season". There will be the need to reorder some of the signs (standard Voss signs). The Town has an account, and ordering an additional 50± signs should be fairly easily done.

***The consensus was to utilize "vertical mulch" and a combination of particular signage that can be put up until growth is substantial enough to erase the view of the trail.***

#### OTHER BUSINESS

- Update on Jeff Littleton's work at our Continental Boulevard property

Commissioner Tenhave remarked during his last contact he was aware Mr. Littleton was nearing the point of having a draft and wishing to schedule a meeting with the Commission to discuss it. Chairman Perry suggested that may be part of the next agenda.

- NRPC Trail Mapping update

Vice Chairman Caron stated a GPX file was recently acquired from the NRPC for the Wasserman property. He has indicated to them that he is eagerly awaiting the drafts of Wildcat Falls, the HHNP, and Wasserman.

Commissioner Tenhave stated Sara Siskavich, GIS Manager, NRPC, reached out to the Commission a few weeks ago and suggested getting together in October. He had provided some options, and has not heard back. Vice Chairman Caron stated he made a similar request in his last email communication.

- Update on Land Donations

Commissioner Tenhave stated he has a fully executed donation agreement for the parcel over by Mitchell Woods and Watkins Forest (7 acres). Because of the way the parcel is owned and the Declarations on it, there is a 90-day period for public comment that needs to pass. That 90-day period should be completed in early December. A Public Hearing could be conducted by the Commission at its second meeting in December with the intent of getting on the Town Council's agenda for January for their approval of the donation.

- Update on no-cut buffer area along HHNP and Wasserman Heights.

Chairman Perry stated the issue is being managed by the Town. It is not known if it has been resolved. Commissioner Tenhave will provide Chairman Perry with a copy of the last correspondence he had with Jillian Harris, Planning & Zoning Administrator, Community Development Department.

- Update on encroachment into Wasserman Conversation Area

Commissioner Tenhave remarked the last he knew the resident had until October 1<sup>st</sup> to initiate their plans. He is not aware of whether or not that was done. Commissioner Rosati noted the property owner has posted photos on Facebook. Commissioner Tenhave stated his belief what the Commission is looking to understand is whether the work has been done to the Town's satisfaction. He volunteered to follow up with Ms. Harris.

- Update on Anheuser Busch Volunteer Opportunity

Chairman Perry stated he has sent a few emails out, and has not received a response. Commissioner Boisvert was going to reach out as well.

- Website update

Commissioner Tenhave stated the last he knew Wendy Wetherbee, Wetherbee Creative, was working it, but she has not yet provided him with notification she is ready to make a presentation. When asked, he stated he has questioned whether there will be a single common gallery for photos.

- Update on Grater Road bypass road design & construction.

Chairman Perry stated the section of South Grater Road is under water. It is well above the existing water line, but is still wet. That section of road has been discontinued. The Town has agreed to assist with preliminary design on that road. He and Commissioner Tenhave were onsite with Deputy Director Tuomala the prior Saturday, and chose a seemingly good line to bypass the wet area. A lot of the surveying was done on the lower sections of the road, which will provide a good idea of the slopes at the takeoff point on one side and into the hill a little up the first grade. They would like to keep the momentum going if a member of the Commission has time that could be dedicated to this.

Commissioner Tenhave stated marking stakes have been embedded and there are ribbons onsite. It is hoped they will remain onsite undisturbed noting they will be cleaned when they have completed their work. What they are looking to do is get an idea of all of the elevations, slope lines, and curvatures so that when they lay the road they will know where water will run, and the right path to take. In order to do that you have to take samples all around to get an idea of what the elevations look like relative to the starting point. Chairman Perry noted a request for volunteers will be made at the Grater Woods Sub-Committee meeting the following evening.

- Sub-Committee updates

Commissioner Glenn brought forward the recommendation for Sharon Hickey, current Alternate member, to fill the remainder of the term vacated by Amanda Yonkin (term to expire 7-31-17) on the HHNP Sub-Committee. If approved by the Commission, the Sub-Committee would have an open Alternate position (term to expire 7-31-17).

Commissioner Tenhave suggested the Commission should identify the protocol to be followed in such instances, e.g., advertise the opening. He remarked he does not believe there has been any interest expressed, and the Commission, to date, has not followed a particular protocol. As a result he would not want to hold up the recommendation of the Sub-Committee. Commissioner Glenn noted the resignation was announced at the Commission's September 12<sup>th</sup> meeting.

**MOTION BY COMMISSIONER GLENN TO APPOINT SHARON HICKEY AS A FULL MEMBER OF THE HORSE HILL NATURE PRESERVE SUB-COMMITTEE FOR THE REMAINDER OF THE TERM VACATED BY AMANDA YONKIN. TERM TO EXPIRE JULY 31, 2017.**

**MOTION SECONDED BY VICE CHAIRMAN CARON**

**MOTION CARRIED**

**6-0-0**

Commissioner Glenn commented on previous discussion around signage such as walkers yielding to horses, bikers yielding to walkers, etc. A sign was identified, and the Sub-Committee wishes to move forward with a purchase. Ms. Huffman stated the discussion has been around erecting signage in the first section of the trail reminding users to yield properly. Chairman Perry commented the sign proposed would work on all properties and could perhaps be placed at kiosk locations at trail entrances.

Commissioner Glenn asked and was informed there is a form to be completed when requesting funds for such expenditures. Once the form is submitted the item can be placed on a formal agenda for action by the Commission. Making requests in such a manner provides the desired transparency. The cost is approx. \$22/each, and the request is for 7 signs; at the location of the three main entrances and the area of the long straightaway (few intersections; likely Post #2 and perhaps Post #3). Ms. Huffman suggested the Sub-Committee start with three and see how useful they are.

***The consensus of the Commission was that type of signage could be used at all parcels; would not have to be specific to the HHNP.***

Commissioner Glenn noted there is the option of a Smart Shield laminate that would protect the signs against fading and graffiti (\$12/sign). It was suggested an alternative would be for the signs to be sprayed with Clear Coat.

Commissioner Glenn informed the Commission the Sub-Committee elected a Vice Chairman at its last meeting. The original request had been for two Vice Chairmen. As the Charter calls for a single Vice Chairman, that is the direction that was taken. Roland Roberge took his name out of the running to provide the opportunity to others. Peter Mikolajczuk was elected as Vice Chairman.

Chairman Perry noted the HHNP Sub-Committee was made aware of the amount of use the area along the edges of the parking lot receives, the desire for picnic tables, etc. He has put the area back on the list for the PWD, and it will continue to be mowed.

Commissioner Tenhave stated the Wildcat Falls Sub-Committee has been working with the Michael LoVerme Memorial Foundation to create the two benches previously discussed. They were trying to match the design and material of existing benches, but had difficulty locating the material that was used for the seating in the back. They requested the ability to utilize a brown color. Commissioner Tenhave stated he took the liberty of telling them to move forward.

The Grater Woods Sub-Committee meets next on October 18<sup>th</sup> at 6:30 p.m. at Town Hall.

- Brookside Drive

Commissioner Tenhave remarked, at the last meeting, the Commission agreed to purchase signs to try and stop the dumping that has been occurring. There has been quite a bit of dumping (lawn clippings) at 18 Brookside Drive that had gone unnoticed, and is getting quite close to the brook. He suggested if this is seen to continue early next year, it is likely a more formal stance will have to be taken, and the Town asked to contact those who may be taking part in that activity. He has documented it with photos.

The Town intends to do some cleanup of 10 Brookside Drive, particularly around the storm drain area, which is not the Commission's parcel, but is an easement on the neighbor's parcel.

- Grater Woods

Commissioner Rosati commented a resident of Merry Meeting posted on Facebook that gun shots were heard going off in the target shooting area at Grater Woods. It was noted anyone having such an experience should be contacting the Police Department.

- Beaver

Chairman Perry spoke of having received a letter regarding a beaver problem off of West Chamberlain. He has spoken to the author of the letter and the resident who provided the initial email regarding the problem. There was some miscommunication between the two of them regarding trapping. As of this time, it does not appear that any trapping has occurred. They were under the impression they did not own that property. Their property goes all the way down to the Souhegan River. He stated his belief the Town has an easement going behind that parcel along the water. He provided them each with pamphlets. The residents were pleased with being contacted.

#### PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. . . . . September 12, 2013

*The following amendments were offered:*

Page 1, Line 44; replace "DNR" with "DR"  
Page 1, Line 55; add "6'" before "curbing" and delete "(6" off the ground)"  
Page 2, Line 17; replace "ADP" with "Abdee"  
Page 4, Line 57; add "mapping" after "decision on"  
Page 5, Line 6; replace "interested" with "interesting"  
Page 5, Line 32; replace "owned" with "owner"  
Page 6, Line 53; delete "in" after "there is"  
Page 7, Line 48; replace "GLENN" with "CARON"

**MOTION BY COMMISSIONER TENHAVE TO ACCEPT AS AMENDED  
MOTION SECONDED BY VICE CHAIRMAN CARON  
MOTION CARRIED**

**6-0-0**

Merrimack Conservation Commission. . . . . October 3, 2013

*The following amendments were offered:*

Page 2, Line 3; replace "Council" with "counsel"  
Page 2, Line 14; replace "gate" with "be gated"  
Page 3, Line 25; the sentence should read: "The bridge will have to clear span the water and will ultimately be 50-55' long."

**MOTION BY VICE CHAIRMAN CARON TO ACCEPT AS AMENDED  
MOTION SECONDED BY COMMISSIONER TENHAVE  
MOTION CARRIED**

**5-0-1**

*Commissioner Tenhave Abstained*

#### PUBLIC COMMENT

Paul Labrie, 30 Beebe Lane

Thanked the Commission for the ability to get married at Grater Woods, and commented it was fantastic.

COMMISSIONER COMMENTS - None

#### ADJOURNMENT

**MOTION BY COUNCILOR MAHON TO ADJOURN  
MOTION SECONDED BY COMMISSIONER GLENN  
MOTION CARRIED  
6-0-0**

*The October 17, 2016 meeting of the Merrimack Conservation Commission was adjourned at 10:00 p.m.  
Submitted by Dawn MacMillan*



