



Town of Merrimack, New Hampshire

Community Development Department

603 424-3531

6 Baboosic Lake Road

Fax 603 424-1408

Town Hall - Lower level - East Wing

www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

MERRIMACK CONSERVATION COMMISSION

SEPTEMBER 16, 2019

MEETING MINUTES

A regular meeting of the Merrimack Conservation Commission was held on Monday, September 16, 2019 at 6:32 p.m. in the Merrimack Memorial Conference Room.

Matt Caron, Chair, presided:

Members of the Commission Present: Steven Perkins, Vice Chair
Gina Rosati, Secretary
Michael Boisvert
Cynthia Glenn
Gage Perry
Michael Swisher, Alternate member
Tim Tenhave, Alternate Member (arrived at 6:36 p.m.)

Members of the Commission Absent: Councilor Peter Albert
Eric Starr, Alternate Member

Also in Attendance:

Chair Caron designated Michael Swisher to sit for Councilor Albert.

PUBLIC COMMENT - None

PUBLIC HEARINGS - None

APPOINTMENTS - None

STATUTORY/ADVISORY BUSINESS - None

NEW BUSINESS

1. Annual Report to Town Council

Chair Caron and Commissioner Rosati will present the Annual Report to the Town Council at its September 26, 2019 meeting.

Commissioners were provided with a copy of the speaking points (attached). Noted were the fund balances: Fund 51 - Special Conservation Fund \$47,787, Fund 53 - Land Use Change Conservation Fund \$795,579, and the Horse Hill Nature Preserve Fund \$571.

Chair Caron spoke of how fortunate the Commission has been to have gained three new/additional members.

Commissioner Perry will request an overview from Jeff Littleton, Moosewood Ecological, so that preliminary results of the review of Grater Woods can be included in the report.

The presentation will include information on the report commissioned from GZA GeoEnvironmental, and the value of the map.

OLD BUSINESS

1. Wildcat Falls Proposed Parking Lot Expansion

Commissioner Rosati communicated, via email, with Kyle Fox, Director, Public Works Department (PWD), earlier in the day regarding the reground material. She has requested a price be sought for the material (entrance of lot) in time for the next meeting.

It was noted, were consideration to be given to any changes to the parking lot, there would be the need for opportunities for public input as well as involvement by the Town Council. Mention of the current situation will be made during the presentation of the Annual Report. Commissioner Tenhave commented he is uncertain people are complaining any longer as the neighbors have not changed. They may have reached a point of frustration where they are not calling.

Commissioner Tenhave stated his preference, if expending funds, that it be to finish Watson Park; the trail, and the bridge, providing an alternative parking location from which users can still reach the falls rather quickly. Chair Caron stated agreement and a desire to see the NHDOT portion of the project completed. He is uncertain of the state of the DOT grant. The ADA portion was cost prohibitive.

Commissioner Tenhave noted there is also an access point at West Chamberlain Drive. He reiterated the desire to utilize funding in other areas, and suggested signage could be placed at Wildcat Falls informing users of alternate parking locations. Prior to erecting signage, there is the need to confirm the alternate parking areas can be utilized, e.g., high school.

2. GZA Geo Environmental (GZA) Aquatic Resource Mitigation (ARM) Fund Research Project Discussion

Chair Caron commented, as long as everything matches up, e.g., colors, numbers, the project is ready to be finalized, and will serve the Commission well for years to come.

3. Chapter 111

Commissioner Tenhave stated the next step in the process to be that of conducting a Public Hearing. The language will have to be drafted and legal notice publicized in accordance with State RSA.

The information to be presented at the Public Hearing will be shared with Town staff. Feedback from all sources will be incorporated into the document to be provided to the Town Council for feedback. From there, with legal guidance, language will be drawn up and prepared for the formal approval process.

Commissioner Tenhave stated some of the wording would be adjusted in advance of the Public Hearing, e.g., most restricted properties will be labeled strictly passive or something similar. The presentation will go through the changes and the breakdown of categories.

He suggested obtaining a map of the Town that highlights the different properties proposed for the ordinance as well as delineating them by the proposed categories. He will look to Town staff to prepare a map to be available for review at the October 9th meeting.

OTHER BUSINESS

1. Discussion on communications or correspondence received concerning regulated Commission activities and any issues concerning Commission managed lands.
2. Sub-Committee Updates

Wildcat Falls

An email received from a member of the Sub-Committee indicated the area around the drainage pond near the parking lot has not been cut, and is about 5-6' high. The question was asked of who is responsible for maintenance. Commissioner Tenhave stated the maintenance of that area is part of the whole drainage system activities the PWD does.

Also noted was the number of yellowjackets or wasps near where the dirt road splits to the left just past the pond.

The property is currently out of maps.

Grater Woods

Chair Caron noted a meeting conducted the prior week during which there was discussion of vandalism in the area behind the Middle School (overlook to beaver meadow). Someone got on the deck and kicked out all of the slats on the railing all the way around.

Commissioner Perry spoke of coming across four children stomping around on the top of the Outdoor Classroom trying to break the roof. He reached out to Shannon Barnes, Merrimack School Board, to see if there is video that could be released to the Commission. The children left via the school loop.

Commissioner Boisvert spoke of having come across individuals on dirt bikes sneaking around the gate on Beebe Lane.

Horse Hill Nature Preserve

Commissioner Tenhave spoke of an inquiry received from an individual looking to learn more about the Preserve. Commissioner Rosati noted she provided information on the meeting scheduled for this evening, a link to the Town's website that identifies the Bylaws, etc. As the individual expressed interest in the

history of the property, she also provided information on the NH Registry of Deeds, and reached out to a member of the Historical Society who provided a direct email address that could be shared.

Commissioner Tenhave noted the history section in the Master Plan, which is available on the website.

Old Kings Highway is an historic highway that cuts through the Preserve. The western portion of the property was owned by the Lastowka family for a number of years. He could reach out to John Lastowka to see if he could share some of the history of that portion of the property.

Researching the Spalding family would be informative. Noted was the plaque erected by the Scout/Spalding Foundation a few years ago.

At one time the Watanic Bowmen's Club owned part of the HHNP as well.

Commissioner Glenn stated the next meeting to be scheduled for September 30th at 6:30 p.m. in the Merrimack Memorial Conference Room.

Fields Farm

Commissioner Tenhave commented he is waiting for the common land to be turned over. At that point, the Commission will have all of the acreage to deal with. Discussed was the motorized use taking place. Commissioner Tenhave remarked, with regard to the common parcel that will be turned over to the Commission, he has been told by the LLC that they will wrap up cleaning up their last piece at the corner of Tomasian Drive and Amherst Road this fall. The target date is the end of October. The road, etc. must be approved by the Town for the project to be complete. At that point, the property can change hands. The Commission will be involved in the Deed language, when the time comes.

Asked if he believes the lay down area will be left as is, Commissioner Tenhave responded he has asked that all of the rocks that have been stored there remain. Piles of loam that were pushed aside will be spread so that the area can return to its natural state.

Chair Caron commented on the back area, which is pretty wet at the moment. Commissioner Tenhave noted the need to be mindful of an existing wetland in the area. He suggested the Deed language be strict enough to avoid vehicles in the area, although it will need to be open enough for the Town to be able to retrieve the rocks to be used on other properties. The intent has always been for the area to be walking trail(s), not a parking area.

PRESENTATION OF THE MINUTES

Merrimack Conservation Commission. [August 19, 2019](#)

The following amendments were offered:

Page 2, Line 5; insert "Reinforced Concrete Pipe" before "RCP" and place parentheses around "RCP"

Page 3, Line 14; replace "Drudge" with "Dredge"

Page 4, Line 29; replace the period with a comma following "there"

Page 4, Line 44; insert "as" following "well"

MOTION BY COMMISSIONER ROSATI TO ACCEPT, AS AMENDED

MOTION SECONDED BY CHAIR CARON

MOTION CARRIED

6-0-1

Commissioner Boisvert Abstained

PUBLIC COMMENT - None

COMMISSIONER COMMENTS

Commissioner Tenhave stated the Nashua Regional Planning Commission (NRPC) meets on Wednesday, September 18, 2019. The Commission was provided a link to the Pelham Story Map for their properties. That was a concept the NRPC presented to the Commission during the mapping process. The Commission had determined not to go in that direction. The Pelham map came out well.

Commissioner Perry reminded the viewing audience to be mindful of bird feeders given the time of year and the presence of bears.

ADJOURNMENT

MOTION BY COMMISSIONER GLENN TO ADJOURN

MOTION SECONDED BY COMMISSIONER PERRY

MOTION CARRIED

7-0-0

The September 16, 2019 meeting of the Merrimack Conservation Commission was adjourned at 7:38 p.m.

Submitted by Dawn MacMillan

Draft MCC 2019 Annual Report (9/7/2019)

The Merrimack Conservation Commission (MCC) was established in 1967 per the Town Charter and operates in accordance with State Law, RSA 36-A. The MCC is a volunteer organization responsible for the proper utilization and protection of the natural and watershed resources in Town including: our streams, rivers, forests, wetlands, wildlife habitats, open space and our drinking water resources. The MCC reviews all projects that are proposed in the Aquifer Conservation District and the Wellhead Protection Areas. The MCC also reviews Dredge and Fill permits for the NH Department of Environmental Services (NHDES).

The MCC has been given the stewardship responsibility for over 1,600 acres of Commission and Town owned open space including: Horse Hill Nature Preserve (HHNP), Wasserman Conservation Area (WCA), Wildcat Falls Conservation Area (WFCA), Fields Farm, Mitchell Woods, Gilmore Hill Memorial Forest (GHMF), the Grater Woods Forest (GW), and the Sklar Waterfront.

The MCC currently has three Sub-Committees to help with the management of the HHNP, WFCA, and GW. Each is very active and is continually improving the outdoor experience at each property.

The MCC has welcomed three new members. Steven Perkins joined the MCC in 2018 and was elected Vice Chair in 2019. Michael Swisher and Eric Starr both joined the MCC in 2019 as alternate members. During 2019, the MCC accomplished the following:

- Enjoyed the benefits of working with private citizens and the Scouts (Boys and Girls). We are currently working with an Eagle Scout candidate who is approved to build a kiosk at the entrance of Sklar Waterfront.
- The completion of new trails and bridges in GW and HHNP, as well as re-routing old trails allowing for better maintenance and sustainability. The MCC continued to improve the trails, trail markers, and signage on our major properties.
- Reviewed several construction projects in relation to potential impacts to wetlands, town aquifers, storm water management, invasive species control and conservation management.
- Coordinated with Fidelity Investments volunteers to clean up Wasserman Conservation Area on World Environmental Day, as well as coordinated with Merrimack Department of Public Works, Anheuser Busch, The Flying Eagles and other volunteers to remove trash from the Sklar Waterfront and adjoining town land.
- In cooperation with Currier Orchards, we held our 19th Annual Seedling Give-Away for the residents of Merrimack. We purchased 425 plants and had only 19 remaining.
- Coordinated with the Town of Merrimack and the Merrimack Public Library to research and review MCC's properties under the Town of Merrimack's Chapter 111 Code.
- Coordinated with GZA GeoEnvironmental to conduct a mitigation study to identify and prioritize parcels to allow the MCC to optimize Aquatic Resource Mitigation (ARM) grant cycles.
- Participated in the Wasserman Winter Carnival, sharing our maps and visual aids showing beaver activity at HHNP.

- Sponsored a Winter Wildlife Ecological Walk and a Vernal Pool Hike at Grater Woods, led by Jeff Littleton from Moosewood Ecological.
- Continued to improve and add to our website: www.merrimackoutdoors.org

The MCC receives funding in the Town budget for its business-related activities, but its primary operating budget is fueled from the Land-Use Change Tax Assessments. The MCC manages three funds for the benefit of the Town. The Horse Hill Nature Preserve fund has received donations in the past year, and the other accounts received small interest payments. At the end of the 2018/19 fiscal year (June 30, 2018), the balances in these funds were as follows:

- | | | |
|--|----|--------|
| - 51 – Special Conservation Fund | \$ | update |
| - 53 – Land-Use Change Conservation Fund | \$ | update |
| - Horse Hill Nature Preserve Fund | \$ | update |
| - | | |

The MCC continues to work on land maintenance, volunteer training, education events and promotion of the properties.

The MCC is always looking for new members and volunteers to support the properties in Merrimack. If you would like to be involved, please email the MCC at merrimackoutdoors@merrimacknh.gov.

The MCC very much appreciates the significant support we receive from the Staff of the Community Development Department.

Submitted by,

Matthew Caron – Chairperson

Board Members

- | | | |
|--------------------|-----------------------------|-----------|
| - Matthew Caron | Chairperson | (6/30/21) |
| - Steven Perkins | Vice-Chair | (6/30/21) |
| - Gage Perry | Full Member | (6/30/22) |
| - Michael Boisvert | Full Member | (6/30/20) |
| - Cynthia Glenn | Full Member | (6/30/20) |
| - Gina Rosati | Secretary | (6/30/22) |
| - Tim Tenhave | Alternate Member | (6/30/21) |
| - Michael Swisher | Alternate Member | (6/30/20) |
| - Eric Starr | Alternate Member | (6/30/22) |
| - Peter Albert | Town Council Representative | |