



# Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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## MERRIMACK CONSERVATION COMMISSION

SEPTEMBER 20, 2021

### MEETING MINUTES

A meeting of the Merrimack Conservation Commission was held on Monday, September 20, 2021, at 6:30 p.m. in the Merrimack Memorial Conference Room.

Steven Perkins, Chair, presided:

Members of the Commission Present:

Gina Rosati, Secretary

Cynthia Glenn

Gage Perry

Eric Starr

Michael Drouin, Alternate Member

Ellen Kolb, Alternate Member

Members of the Commission Absent:

Michael Boisvert, Vice Chair

Councilor Andy Hunter

Also Participating:

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*Chair Perkins designated Commissioner Kolb to sit in for Councilor Hunter and Commissioner Drouin for Vice Chair Boisvert.*

**PUBLIC COMMENT** - None

**PUBLIC HEARINGS** - None

**APPOINTMENTS** - None

### **STATUTORY/ADVISORY BUSINESS**

1. **Gary and Diane Kudalis (applicants/owners)** - Review for acceptance and consideration of a Site Plan to construct a 6,000 s.f. Equestrian Training Facility and related site improvements. The parcel is located at 102 Joppa Road in the R-2 (Residential), and Aquifer Conservation Districts. Tax Map 6C, Lot 388. Case #PB2021-37

*As the applicant was not represented, the item will be placed on a future agenda.*

## **NEW BUSINESS**

The Student Conservation Association ([SCA](#)) gathers groups of young individuals (5-6), along with facilitators, to perform 11-day conservation projects (referred to as a hitch). Areas they specialize in include land management, trail work, and historic preservation. They are currently reviewing projects for 2022 and 2023. The cost of an 11-day hitch, which includes ten working days and a rest day mid-way through, is \$11,000. Project requests should be made by mid-October.

Suggestions for possible projects could be provided for the October 4<sup>th</sup> Commission meeting. Area projects performed last year include Salmon Brook Trail in the Joyce Park and Wildlife Sanctuary in Nashua; rebuilt retaining wall (steps).

When this was considered last year, one of the obstacles faced was the need for a campsite to be provided. All Commission properties prohibit camping. While performing the project in Nashua, they camped at the Greenfield State Park and commuted from there. Chair Perkins reached out to Camp Sargent and can contact Naticook. With other projects, the group has also utilized Town property located near a stream or river. They have had portable toilets delivered to areas near where they are working (discreet locations). They are also equipped to do back country camping.

A potential project discussed last year was the Bypass Trail. Commissioner Perry was of the belief a discussion occurred last year with Paul Micali, Town Manager, regarding permitting this group, for this purpose, to camp onsite. Chair Perkins was of the impression the response received had been, should the Commission agree to permit the activity, it could. He was uncertain the Commission was unanimously supportive as there was concern that would send the wrong message. He will reach out to Matthew Casparius, Director, Parks and Recreation, to discuss the possibility of utilizing Wasserman Park and will reach out to the middle school concerning restrooms. Commissioner Perry suggested privately owned parcels might be considered.

***SCA will be placed on the next agenda for further discussion/consideration.***

- Sea Corps Volunteers

The United States Naval Sea Cadet Corps ([Sea Cadets](#)) is a maritime based youth program sponsored by the U.S. Navy and supported by the U.S. Coast Guard. Cadets train on naval bases and other military installations in a variety of military disciplines, always choosing adventure, seeking challenges, and stepping outside of their comfort zones to prove to the world that greatness has no age.

Commissioner Drouin noted cadets wear the Navy uniform and receive service ribbons for completing certain tasks. The volunteer ribbon requires completion of 30 hours of community service. He wished to identify a task that could be performed and suggested a possibility to be removal of invasives. Each individual is on their own to earn the volunteer ribbon (personal award). The age group is 10-18 (would perform tasks with the supervision of an instructor).

Commissioner Perry noted some invasives, such as Knotweed, require spraying by a licensed applicator. Asked if a weed cloth could be used after picking to prevent it from re-establishing in an area, he stated an impervious tarp could be used (cannot allow water to permeate through).

Commissioner Rosati suggested inquiring with the sub-committees to identify potential projects. Commissioner Perry spoke of the need for the Gateway Trail in Grater Woods to be cut back (intended to be kept 13' wide). Commissioner Drouin stated his expectation a group of 3-5 cadets (range of ages) along with 3-4 instructors would participate. He would like to arrange for a few occasions throughout the year for projects. Commissioner Perry commented on tasks that are always in need of being performed, e.g., mowing around facilities, walkway down to the beaver dam in Mitchell Woods,

bollards on observation decks near school (have been ripped off), etc. Commissioner Drouin suggested creating a list of projects that he could oversee.

Commissioner Glenn suggested pulling of the Multiflora Rose at the Horse Hill Nature Preserve.

### **OLD BUSINESS**

- MC Shed Supplies - Continued discussion from the 7/12/21 and 8/2/21 meetings.

Commissioner Rosati questioned if the Commission should invest in items such as a lawn mower, gloves for volunteers, etc. Commissioner Perry stated there have been discussions around owning equipment in the past, and the discussion always comes back to who would be trained to use the equipment, responsibility for use and maintenance, etc.

Commissioner Drouin noted the Flying Eagles have brush mowers. Commissioner Perry stated there to be 3 members of the community who have loaned the Commission that type of equipment in the past. Asked who is trained to utilize that equipment, Commissioner Perry noted he and Peter Mikolajczuk have used the equipment. The last time the discussion was had, Town Manager Micali indicated, if the Commission were in need, the Public Works Department (PWD) should be contacted.

Commissioner Rosati noted the PWD mows around the first retention pond at Wildcat Falls. If the department could be called upon to mow in other areas, that should be looked at. She suggested putting together a list of areas the Commission would like to be cut on a rotating basis for submission to the department to see what can be addressed/accommodated. Commissioner Kolb suggested the Commission purchase work gloves that could be provided to volunteers. Chair Perkins agreed, the Commission could approve an expenditure to purchase gloves when a specific need is identified. It is likely they could be purchased through the Finance Department (savings of scale). Commissioner Rosati will look to identify the cost of a bulk purchase.

- Sub-committee Ex-Officio positions

### **MOTION BY CHAIR PERKINS TO APPOINT COMMISSIONER PERRY AS THE EX-OFFICIO MEMBER OF THE GRATER WOODS SUB-COMMITTEE**

**MOTION SECONDED BY COMMISSIONER GLENN**

**MOTION CARRIED**

**7-0-0**

### **MOTION BY COMMISSIONER PERRY TO APPOINT COMMISSIONER ROSATI AS THE EX-OFFICIO MEMBER OF THE WILDCAT FALLS SUB-COMMITTEE**

**MOTION SECONDED BY CHAIR PERKINS**

**MOTION CARRIED**

**7-0-0**

### **MOTION BY CHAIR PERKINS TO APPOINT COMMISSIONER STARR AS THE EX-OFFICIO MEMBER OF THE HORSE HILL NATURE PRESERVE SUB-COMMITTEE**

**MOTION SECONDED BY COMMISSIONER GLENN**

**MOTION CARRIED**

**7-0-0**

### **MOTION BY CHAIR PERKINS TO APPOINT VICE CHAIR BOISVERT AS THE EX-OFFICIO MEMBER OF THE SKLAR WATERFRONT PARK SUB-COMMITTEE**

**MOTION SECONDED BY COMMISSIONER DROUIN**

**MOTION CARRIED**

**7-0-0**

**MOTION BY CHAIR PERKINS TO TAKE FROM THE TABLE, DISCUSSION OF THE INVASIVE KNOTWEED TAKING HOLD ON PROPERTY OFF OF BROOKSIDE DRIVE**

**MOTION SECONDED BY COMMISSIONER KOLB**

**MOTION CARRIED**

**7-0-0**

- Discussion and vote to re-treat the invasive Knotweed that is taking hold again on property off of Brookside Drive. This will require a licensed applicator. This item is a continued discussion from the 8/2/21 meeting.

Commissioner Perry stated he has called Bay State Forestry and left messages but has not heard back. The last time this was addressed was during pollination season, which required providing two weeks' notice and information to beekeepers on the chemical breakdown, etc. of the sprays that would be utilized.

Asked how the concerns of the beekeepers came to light, Commissioner Perry responded the matter was posted on the agenda and was noted by a beekeeper in the area.

*Commissioner Perry will reach out to Bay State Forestry to determine if this activity is required to occur during a particular time of year. When additional information is known, the item will be added to an upcoming agenda.*

**MOTION BY COMMISSIONER ROSATI TO REMOVE THE ITEM FROM THE AGENDA**

**MOTION SECONDED BY COMMISSIONER KOLB**

**MOTION CARRIED**

**6-1-0**

*Commissioner Drouin voted in opposition*

**OTHER BUSINESS**

- Sub-Committee Updates

**Horse Hill Nature Preserve**

The Sub-committee met on August 27<sup>th</sup>. They need and are advertising for volunteers to serve on the sub-committee having a current membership of four (includes Commissioner Starr and an alternate (non-resident) member). Commissioner Perry suggested the openings be posted on the Commission's website and a request made for an announcement during Town Council meetings.

Commissioner Starr spoke of uncertainty regarding term expiration dates, and requested the information be provided.

Commissioner Kolb stated a willingness to serve on the sub-committee noting the amount of time she spends on the property.

**MOTION BY COMMISSIONER ROSATI TO APPOINT ELLEN KOLB AS A MEMBER OF THE HORSE HILL NATURE PRESERVE SUB-COMMITTEE WITH A TERM TO EXPIRE JUNE 30, 2022**  
**MOTION SECONDED BY CHAIR PERKINS**

## ON THE QUESTION

Commissioner Perry noted the term expiration date could be identified at a later time understanding the appointee could remain on the sub-committee beyond their time on the Commission. A request will be made for a listing of all sub-committees identifying terms. Commissioner Kolb's term may be amended at a future date.

### **MOTION CARRIED**

#### **6-0-1**

*Commissioner Kolb Abstained*

The sub-committee approved of the suggestion to rent goats to address some invasives, depending on cost. Commissioner Rosati looked into the possibility and learned they will not travel more than 20 miles. Inquiries will be made with residents having goats. A posting will be placed on the positive community forum.

The sub-committee has been looking into unauthorized trail making. Most turn out to be either forgotten trails or deer paths. However, one man-made trail was identified. The individual responsible is known to the sub-committee and has been approached. The question was asked of how to proceed. Chair Perkins stated the information should be provided to the Police Department for enforcement.

The sub-committee is interested in knowing if any Eagle Scouts will be performing projects on the property.

### Sklar Waterfront Park

The Sub-committee will meet on September 26<sup>th</sup> to go over the plan for the fall. There are a number of damaged and dead trees that remain standing. Commissioner Perry noted the PWD has agreed to address potentially dangerous trees. Commissioner Drouin spoke of a tree he would like to be taken down and left where it lands to block off the trail being used by jeeps to access the property. The existing boulders have been moved.

The sub-committee is seeking permission to take down trees that present safety issues. They would look to the PWD for the larger trees and hope to address the smaller ones themselves. Asked about the proximity of the trees to water, Commissioner Drouin remarked there are many that are in excess of 300' and others that are closer. He questioned the need for permitting. Commissioner Perry suggested contacting Lori Sommer, Wetland Mitigation Coordinator, NH Department of Environmental Services.

Commissioner Drouin spoke with the Flying Eagles. Their planes cannot fly out of sight. When they started on the property, trees were not an issue. Their flying space is decreasing. Asked what the original boundary was, he stated uncertainty. There is some language associated with the property that permits the Flying Eagles to remain onsite. A handout was provided depicting the trees the group is looking to remove. The group also wishes to construct a small walking bridge across a stream in the back of the property. The bridge would assist in retrieving planes that may crash in the woods (carrying fuel). Commissioner Perry spoke of the need to review a map to identify exact locations/parcel owners and remarked he did not see why there would be an issue with removal of some of the trees.

Chair Perkins commented on having had a discussion around this issue last year and a request that was made for the trees to be marked so that the Commission could visit the area with the PWD and chart a path forward. He would still like to see that done.

Commissioner Drouin remarked it is clear who owns the trees. On their side of the road it is the Town and on

the water side, it is the Commission. Asked about the number of trees involved, he identified 5 full-grown pine trees and some smaller trees. The Flying Eagles have stated a willingness to hire a professional and pay the cost. ***The matter will be placed on the October 4, 2021 agenda for further discussion.***

Commissioner Perry suggested a boundary could be identified and the group authorized to keep the area within the boundary clear. The group will be asked to provide markings so that the Commission has a clear understanding of the request. The Flying Eagles have also offered to keep the parking area mowed.

Commissioner Drouin requested the PWD be asked to grade/flatten the road into the site. He questioned if a plow truck could get into the area during the winter months and push the snow along access to the bridge to prohibit crossing the stream, which would help keep out the off-roaders.

### Wildcat Falls

A request was received from the Athletic Director at the High School for permission to perform some trimming. As no concerns were expressed, some trimming was done. A complaint was subsequently received and passed along. The Director has indicated he will follow-up to determine if the area in question was part of the work they did.

A complaint was received that someone had spray painted markings on trees. Commissioner Rosati questioned if it might have been done by the UNH Cooperative Extension as a way of identifying camera locations. Chair Perkins stated he has spoken with the individual in the past and will reach out again.

Cross country will utilize the area and conduct meets (coming down from high school). They are working on their path. Commissioner Rosati informed of the need to contact NH DOT to do any work on the State side.

### **PRESENTATION OF THE MINUTES**

Merrimack Conservation Commission. . . . . [August 16, 2021](#)

*The following amendments were offered:*

Page 1, Line 21; correct spacing

Page 5, Line 8; replace “Perry” with “Perkins”

**MOTION BY COMMISSIONER ROSATI TO ACCEPT, AS AMENDED**

**MOTION SECONDED BY CHAIR PERKINS**

**MOTION CARRIED**

**6-0-1**

*Commissioner Starr Abstained*

### **PUBLIC COMMENT**

Kathie Breen, 7 Proctor Road

A master gardener and currently enrolled in the Natural Resource Steward Class. She was looking to identify where she might provide volunteer hours. Her main interests are pollinators and invasives. Commissioner Rosati spoke of prior attempts to establish a pollinator garden at Wildcat Falls. Ms. Breen stated she is currently volunteering at the Boys & Girls Club in Milford. A few years ago they started an edible garden. They have added a pollinator garden and a native plant garden. She has experience with pollinator gardens.



Commissioner Rosati spoke of easements for corridors that Eversource has going through the Horse Hill Nature Preserve and Wildcat Falls. They expressed interest in having pollinator plants in those locations. They have criteria around height, etc. That may be another avenue for volunteer hours.

Ms. Breen spoke of a program to collect Milkweed seeds and asked if that would be part of this. Commissioner Rosati responded they do not have a drop-off spot in Merrimack. The closest is Goffstown. Ms. Breen stated they are collecting the native Milkweed pods when they turn brown (collecting the seeds) and will disburse them along the highways. The UNH COOP Extension has an office in Goffstown. While attending class last week, she was informed she could transport. They have to be brown and placed in a paper bag. Commissioner Rosati will forward additional information to the Commission.

Commissioner Rosati and Ms. Breen will walk the site at Wildcat Falls. Additional discussion will occur around the possibility of a pollinator garden, e.g., number of volunteers that would be needed, supplies, etc. for such an endeavor.

### **COMMISSIONER COMMENTS**

Commissioner Drouin stated he would be meeting with the County Forester from UNH to gain some insight as to how the Commission can enhance the habitat of its parcels, identify some of the invasives, gain advice on removal of invasives, etc.

Commissioner Perry reminded users of the properties to wear orange while on the trails this time of year.

Communications received include information on the 2021 NH Tree Farm Field Day at the nursery in Boscawen on Saturday October 2<sup>nd</sup>, the newsletter of the NHDES Drinking water and Groundwater Bureau, and a request for input regarding the rail proposal that would connect Nashua to Boston and Manchester. They are looking to learn if there are known issues of invasives along the railroad tracks, etc. Commissioner Kolb stated the proposal and what they are seeking approval for is rail with trail.

### **ADJOURNMENT**

**MOTION BY COMMISSIONER PERRY TO ADJOURN**

**MOTION SECONDED BY COMMISSIONER KOLB**

**MOTION CARRIED**

**7-0-0**

The September 20, 2021, meeting of the Merrimack Conservation Commission was adjourned at 7:54 p.m.

Submitted by Dawn MacMillan