



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## APPROVED Minutes of the November 19, 2014 Conservation Commission Meeting

**MEMBERS PRESENT:** Bob Brown (Chairman), Mike Gelcius, Mark Vernon, Laura Alexander, Terry Dancy, Dan Allen, Ruth White, Andy Deegan (arrived at 9:05am)

**MEMBERS ABSENT:**

**OTHERS:** Pierre Bedard (Surveyor), Dave Burnham (Associate of Pierre Bedard), Will Davis (Horizons Engineering), Jeremy Bonin (Bonin Architecture)

Chair Brown opened the meeting at 8:30am.

### Minutes of October 17, 2014

**IT WAS MOVED (Laura Alexander) AND SECONDED (Ruth White) to approve the minutes of October 17, 2014, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.**

### Rick Anderson

Chair Brown said Mr. Anderson was hoping to make it to that day's meeting but found himself in the midst of packing up the moving truck. He acknowledged the work Mr. Anderson had done for the Conservation Commission over the years and noted that he was willing to help with the transition for a period of time. Mr. Anderson was wished the best of luck in his new location.

### Ms. St. John – Applications

*Pierre Bedard, Pierre Bedard Associates, representing Elizabeth Kent of 101 Lamson Lane*

Mr. Bedard said they are proposing to replace an existing structure that is partially in the waterfront buffer. They are requesting four variances having to do with shoreland disturbance within the 50' buffer. Mrs. Kent sent letters to all the abutters explaining what she was planning to do and received two letters back which were both in support of her plans. The footprint of the new structure will be exactly the same as the old.

The applicant applied and received a permit by notification to do this work. Ms. St. John said this case would be heard at the Zoning Board of Adjustment meeting the following evening.

Mr. Bedard said the Kent's are eager to get started on the work. He said the cottage was pretty old but the septic system had been replaced recently.

No one on the Conservation Commission saw any problems with the application.

*Will Davis, Horizon Engineering, and Jeremy Bonin, Bonin Architecture, representing 293 Lamson Lane*

Mr. Davis said they were present at the meeting to conceptually present the project and will need a wetlands permit to continue. Mr. Davis showed a map of the property showing the surrounding attributes. Their clients would like to replace the house and make further revisions to the area by removing the dropped manhole and culvert and replacing it with an "open channel" to mimic the stream and match the natural conditions. They plan to keep the house within the footprint of the 60' setback and move the garage to another location. The project would also involve a septic system for which they have done some test pits.

Mr. Davis would like to apply for a minimum expedited permit and they have met with DES, who supports the project. DES is in favor of the environmental approach the project is supporting. They were looking for feedback from the Conservation Commission at this time.

Mr. Davis provided photographs to the Conservation Commission of the current conditions. Mr. Dancy recalled some past issues with the discharge coming from the culvert and he was in favor of the changes they were suggesting. Ms. St. John said the stream is not identified on the Town's streams and wetlands map. After this work is done, it will still not appear on the map. Mr. Dancy said it was an intermittent stream.

Mr. Davis said he wasn't prepared to talk about the plan details but they were looking to see if it was possible to work within the buffer zone. Mr. Bonin said the plans for the house haven't been designed yet; they are just in the early stages of planning.

Mr. Davis would return to the Conservation Commission in December. The Commission was asked to sign the plan to get their 30-day review as opposed to the 75-day review. Mr. Davis would get the materials to the Conservation Commission by December 5<sup>th</sup> so they would have time to review it by their next meeting on December 17<sup>th</sup>.

#### *Zoning Amendments*

Ms. St. John noted the Planning Board was starting to look at possible zoning amendments. If the Conservation Commission wanted to participate in discussions regarding streams and wetlands, she asked them to contact her. There was some discussion of a past effort by the Conservation Commission to look at streams that were not on the map to see if they should be. It was noted that most of the streams turned out to be intermittent and not classified as a stream. Mr. Vernon suggested making use of the intern that coming summer to work on stream mapping.

Andy Deegan joined the meeting at 9:05am.

#### Easement Monitoring on Town Lands

Mr. Vernon wondered who would read the reports that were being generated and asked what he should do with them. Mr. Deegan said they shouldn't be monitoring their own (the Town's) easements. Under Ausbon-Sargent's practices, they do not monitor their own easements. Mr. Vernon noted that this is a town-owned property that holds an easement. Mr. Deegan said generally easements are not monitored by those who own them. It was noted that a copy of the report goes to the Conservation Commission files and a copy can go to the owner of the property.

#### Acquisitions

Mr. Deegan had no updates on acquisitions. He noted that the property on Newport Road is still in need of cleaning by the owner. Some progress has been made but not a lot.

#### Trail Maps

*Phillips:* Mr. Allen said he would tend to these maps and Ms. White has donated her GPS so he can get the coordinates. Chair Brown said this area needs to be mowed. If they decide to use a private mower, they will need proof of insurance. Mr. Lee said that his department could mow the field once the bush-hog is repaired.

#### Low Plain/Forestry Plan

There were no updates on this.

#### Beaver Problems – Kidder/Cleveland/Clough, Low Plain

Chair Brown reported that a man named Skip Lyle was contacted about the beaver issues. He is an expert in the field of beaver deterrents and responded immediately to the Town's call for a consultation. Mr. Lyle lives in southern Vermont and came to look at the dams with Mr. Gelcius, Chair Brown and Dave Kidder. Mr. Kidder had no problems with them taking the next step to eliminate the beaver dams on his property. It would cost \$2,500 to put in a "castor master" floater device. The area has been monitored and things look good so far. There was some question about who should pay for this. They have to be careful about spending taxpayer dollars to improve private property. In this instance, they are improving the Town's trails and helping to eliminate flooding in nearby homes due to the beaver dams.

Chair Brown said they have been struggling to keep the pipe under water at low plain. Trails have been flooded where they have put boardwalks. Mr. Lyle looked at this area as well and was concerned with the well-being of the beavers. He wanted to get things done quickly so they could adjust to their new food source before winter came. They were able to reduce the dam about 3 feet. Mr. Gelcius updated the commission that they are currently at about a foot below the dam and water is flowing through the new pipe at a good rate. The cage that was put in is quite large so should last a long time. The pipe is plastic so should last a long time as well. He thought Mr. Lyle did a great job.

Chair Brown noted that the cage put in by Mr. Lyle was 5' x 9' by 2.5' tall. His work is guaranteed for life and he is willing to provide consultation at no extra charge as needed (by phone). When Mr. Lyle is in the area, he will usually stop by to check on the jobs he has worked on. Chair Brown felt the Town was getting a good amount of service for the money paid. The Commission was in agreement that this was a good use of funds.

#### Trail Worker Volunteer List

Chair Brown said they have about five people who are very responsive to requests for help. There are several people on their list, however, who do not respond or help at all. Perhaps they need to speak with these people and/or add some new people to the list. It was noted that Jim Gundy and Jeff Troxell have done a lot of work for the Conservation Commission.

#### Clark Lookout

Chair Brown said the access to Clark Lookout was recently barricaded by the property owner. At one point, the signs disappeared and they were optimistic thinking he took them down. Apparently someone else took them down and he put them back up again. People have called Chair Brown asking why it is closed, and he has had a call from the trail monitor asking if they could go on the trail.

Mr. Deegan said the Ausbon-Sargent board decided they needed to send a letter to the parties detailing what needs to be done, a timeframe for completing it, and the repercussions if the things were not done. The letter would be sent that day and the time limit was the following Tuesday. If the signs are not taken down by that time, Ausbon-Sargent would have to use the enforcement powers they have been given by the easement.

Ms. Hallquist said the Town hasn't heard back from Mr. Howard except for a letter he sent back to her saying he has been in touch with Ausbon-Sargent. If he would prefer working with Ausbon-Sargent rather than the Town (who also holds an easement), that is fine. She hoped the case wouldn't go to court.

Chair Brown wondered if this issue would impact the ability of the trail monitor to get on the site. Mr. Deegan said things should be fine after Tuesday. Ms. Hallquist warned against sending anyone to the area while the no-trespassing signs were posted.

#### Mary Haddad Trust

Ms. Hallquist noted that Mary Haddad left more than \$700,000 to the Town. The Conservation Commission, Recreation Commission and the Selectmen need to get together to decide how the money should be spent. The protocol for spending needs to be approved by the Trustees of the Trust Funds and spelled out so there is no uncertainty. It is meant for open space or maintenance of trails. Ms. Hallquist explained that if the majority of the Conservation Commission requests a certain amount of money and the request is sent to the trustees, they could get the money. Town Meeting is not required to use this money but a public hearing would be necessary if they decided to purchase property. If they can't come to an agreement on how the money would be spent, they could go to the AG's office and file for side prety to determine how the money would be used. Mary Haddad wanted the money used for open space and trails.

Ms. Hallquist said she has spoken with the chair of the Trustees, Malcom Wain, who would prefer that the trustees not have a say in what appropriate uses of the money are.

Chair Brown felt the purpose seemed to be specific with regards to trails, open lands, etc. It wasn't meant for a baseball field or a soccer field. Ms. Hallquist said the money was intended to benefit the citizens of New London. The question could be raised if property outside of New London could benefit New London residents. She said she would also be presenting this to the Recreation Commission. Mr. Deegan felt this would be a good opportunity for the two commissions to work together.

Ms. Hallquist said there is a bandstand fund that has given the Town a problem for years because it isn't clear how the money is supposed to be spent. They would like to spell out the protocol for this fund so it doesn't become a problem as well. She thought they should accept the money sooner than later and would like the Conservation Commission to think of some problems that might come up having to do with this money so they could try to avoid them.

Ms. Hallquist said the only time they would need approval by the Selectmen is if they wanted to purchase land. Otherwise, they do not need the approval of the Selectmen or the Recreation Commission. The Conservation Commission would simply make a request to the Trustees and as long as it fit the requirements of the trust, they would get the money. Mr. Deegan thought both groups could work together to use the funds. He thought property purchased by the Conservation Commission or projects they work on will be open for recreational use and for the public. They could prioritize projects and work together to decide what could be done.

Ms. Hallquist explained that Mr. Wain would like to impose a threshold of the amount of interest used per year from the fund. Chair Brown said the problem with doing that is that if they had an opportunity to purchase some land, they wouldn't be able to get the money they need. Ms. Hallquist said this threshold wasn't implied by Mary Haddad, so it wasn't something that had to be included. It was thought that getting two of the three groups (Conservation, Recreation, Selectmen) to agree on a project would give the go-ahead to do the project. Then, the trustees wouldn't have to decide if it was an appropriate use of funds or not. Ms. White thought that even though they had the right to use the money as they wished, it seemed to be a better idea to get the approval of the other boards (or at least one) before moving forward. Chair Brown said he didn't like the idea of having to get approval from the other boards to use the money.

#### Trail System

Mr. Vernon proposed allowing mountain biking on the Norman Trail and the main trail at Low Plain. He could get some relatively inexpensive signs to put up to invite and deter people from using the trails in this way. It was noted that some portions of Low Plain should be labeled as "no mountain biking." It was thought that some boardwalks should be put in before they allow mountain biking in some areas due to wet conditions.

Ms. White thought they should give this a try and see how it goes. Mr. Allen noted that some mountain bikers tend to cut corners and go off and create new trails. He thought they should try to limit this. Mr. Vernon said there is a community of bikers who want to use some of the trails to get from "point a" to "point b" and are not looking for a challenging ride. Mr. Gelcius said if the bikers are looking for a challenge, they shouldn't use Low Plain because it is a flat, wide, trail. Mr. Deegan noted that there are some mountain bikers who ride the rail trail, which is flat and packed down. There are different kinds of bikers who like different things. It was agreed that further discussion on this subject will be continued in the December meeting.

#### *Hospital/Lyon Brook Trail*

Mr. Vernon said the hospital is on board with the idea of connecting an "unofficial" trail with the Lyon Brook Trail. They would have a hiking event on December 4<sup>th</sup> to walk the trail. Ms. White said she would give the information to the Intertown Record to promote the event.

#### *Outing Club Trails*

Mr. Vernon said the Outing Club's Executive Board was in favor of connecting trails from their playing fields to the Lyon Brook Trail. They would need to discuss this further with the rest of the board, but it sounded favorable.

*Power Line Trail*

Mr. Lee, (Public Works Director), PSNH and the hospital are all on board with completing this trail. The next step is to come up with a project plan and trail design.

*Dog Waste Bags*

Mr. Vernon thought they should put some dog-waste bag holders up at some trail heads to encourage people to pick up after their dogs. He would speak with Mr. Lee about this.

*Tools & Equipment*

Mr. Vernon said that they have been volunteering their own tools for some of the work being done by the Conservation Commission with the help of the volunteers from the Merrimack County Department of Corrections. Some of his tools have taken a beating and have even been broken. He wondered if the Conservation Commission had ever considered purchasing their own tools for use on trails. It was noted that this had been done in the past. Chair Brown said the Commission bought their own brush cutter so they wouldn't have to keep borrowing from the Highway Department. He didn't see any reason why they couldn't buy some shovels, picks, crowbars, etc. Ms. White said some tools could be bought this year and some next. He invited Mr. Vernon to come up with a list of tools and they would look at it the next meeting.

Ms. White asked about the boards at the Bog. Mr. Vernon said they have been replaced. Ms. White said she would put some signs up to caution people about slippery boards as the weather gets colder.

Ms. White said she would like to submit the information about their latest beaver project to the area papers for publicity about the work they are doing.

Mail/Programs

Mr. Vernon went to a workshop for Conservation Commission-interested people. He reported on some of the sessions he attended. He felt it was a worthwhile experience.

Mr. Vernon said he was on the Winter Carnival Committee and they hoped to have a snowshoe walk on the Kidder/Cleveland/Clough trail at night to watch the fireworks. He would keep them in the loop.

New Ideas

Chair Brown said there is a group made up of primarily New London residents who call themselves the "Wood Ministry." They process wood and take applications from people who need fire wood in an emergency situation. The church decided that processing the wood shouldn't be done at the church and so the ministry approached Chair Brown about the possibility of town land being used to do this work. He talked with Ms. Hallquist about it. Selectman's approval would be necessary and security would be a problem. If they did the work on Conservation property, the Selectmen wouldn't need to approve it. The small clearing just beyond the bar gate at the Clark Pond trail was a location that might work. Chair Brown was interested in the thoughts of the Conservation Commission regarding this idea.

Mr. Allen thought this would detract from the Clark Pond trail. Ms. White didn't think it would set any kind of precedence for other non-profits in the area. It might be good to let them do this but they would have to be clear that the Town wasn't responsible if anything were to happen. She was familiar with the program and has even donated some wood to them. Chair Brown thought they could try it out for a season and if it worked out, they could continue. They would bring in a logging truck (or pick-up trucks), split it, stack it, and allow it to dry. Then they would determine where it goes and how much. Mr. Gelcius said the only negative he saw was the liability and the noise factor. Ms. White thought if they could find a place, the Conservation Commission should support it.

Mr. Vernon asked if they had ever thought of partnering with Pine Hill Ski Club for trail usage. Ms. White said the club uses New London's trails. Chair Brown said they approach the Selectmen each year to ask permission to use the Low Plain trails.

Mr. Gelcius said he has not had an opportunity to get into the Conservation Commission website. He hasn't yet determined if it was something he could manage. He asked that if people want changes made to the site, they need to provide him with very specific details on what to do.

Chair Brown said they currently have two open positions that the Selectmen would appoint replacements for. Three people have expressed interest in joining the Conservation Commission in the past. One of them was Mark Vernon who was now a member. The other two have not expressed much interest in joining since submitting their applications. There were some names discussed of possible new members. Chair Brown would make some contacts and others were encouraged to think about possibilities.

**IT WAS MOVED (Ruth White) AND SECONDED (Mike Gelcius) to adjourn the meeting.  
THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 10:53am.

Respectfully submitted,

Kristy Heath, Recording Secretary  
Town of New London