

Adopted: November 9, 2005 – As written

**MINUTES OF MEETING  
CONWAY CONSERVATION COMMISSION  
October 12, 2005**

A meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Present were: Chair, Paul Pinkham; Carol Lyman, Rob Adair, David Weathers, Phil Haynes, Chuck Broomhall, and Alternates, Connie Briggs and Linda Kearney. Also in attendance were Forester, Don Johnson, and Nature Conservancy Rep., Jeff Lougee.

The Chair appointed Mr. Briggs and Ms. Kearney as full voting members.

**Approval of Minutes:** Review/summary of 9/14/05 Minutes – Whitaker Trail Plan – it was concluded there would be a meeting among the Trail Committee and they would come back to this meeting with a list of tasks to be performed by Don Johnson. Review of the Rules and Regulations proposed by Mr. Sires (intended to address the mining issue) - draft to be reviewed by members during upcoming weeks and finalized at next month's meeting. Treasurer's Report was summarized. Discussion of Wetlands Permit Application - Mr. Weathers reported the letter expressing CCC's position on the Gary Sylvester Dredge & Fill Application was sent to DES. The Minutes also dealt with Sticks & Stones Trail and bog bridges needed at Pudding Pond.

Correction offered by Mr. Weathers to the Minutes for 9/14/05, Pg. 5, 4<sup>th</sup> line: reference to DOT should have read DES.

**Motion was made by Mr. Broomhall, seconded by Mr. Weathers, to approve the Sept. 14<sup>th</sup> Minutes as corrected. Carried by unanimous vote.**

**Public Comment:** None.

**Reports:**

**The Nature Conservancy** - Jeff Lougee reported trail maps for the preserve are being updated. It has been five years since this has been done. For uniformity the brochures are going to be reformatted to a larger, 4-pane fold out. Map size will be slightly smaller, but one entire side of the page will still be a map. Mr. Lougee noted that Larry Garland provided a revised map and has added Red Tail Trail. It has been suggested that he also add Stick & Stones Trail. Mr. Lougee asked that if CCC has any comments or recommendation, they provide them as soon as possible as this will not be changed again for another five years. The time line for getting the brochure done would be within one month. Mr. Adair said he has spoken with Mr. Garland for an estimate of updating Conservation Commission maps.

Mr. Lougee reported that as regards Bear Paw parcels, they will be selling off about 1200 acres, with an easement. The Prospectus is to go out the end of this month, with bids due around Thanksgiving, hopefully to close early Feb.

Mr. Lougee announced TNC has hired Wink Lees as its new land steward.

Mr. Pinkham reported that Mr. Lougee, Mr. Sires and he had met last week to try to figure out how we could get back into maintaining a relationship with TNC where they would provide maps and the trail work they do for us - their present administrative rules are difficult for us to follow in that they require a \$10,000 commitment. Mr. Lougee stated they do a lot of government grants. He explained it became an administrative burden to track small grants, thus they now have a new policy for \$10,000. He said he would like to draft an MOU with commitment of a dollar amount for an as yet undefined time, with a multi-year agreement to commitment of 3 or 4 years. Mr. Sires will research to see how this can be handled at town meeting. Mr. Broomhall questioned whether TNC is keeping busy enough. Mr. Lougee stated out of their office now there is just one very large government grant.

**Forester Report** - Mr. Johnson reported he had asked a gentleman from Chatham who does odd jobs to provide a quote on constructing the two railroad crossings at Whitaker Homesite, with the following result: labor \$1360, materials \$2970, total \$4330 for two 16' wide crossings. The bidder had indicated that the price may be reduced if we can get the materials delivered to the crossing site, which Mr. Johnson felt was doable. Mr. Johnson stated that a certificate of insurance will be provided and he can proceed with the work as soon as he has CCC approval. They would be regular railroad crossings built of pressure treated timbers bolted to the ties.

Mr. Johnson advised that he would probably not be able to do all the work proposed on the list after paying for the railroad crossings, but could take care of the gate, some of the gravel, etc. He noted it could easily run to \$4,000 to \$5,000 to do all that we wanted. Mr. Pinkham stated we have \$500 budgeted for the gate; we will also have TNC money budgeted that will not be spent (\$3,000). Mr. Adair questioned whether the money for the crossings should actually come out of the CCC budget. Mr. Weathers pointed out it is part of the trail system and to utilize it we would have to have the crossings – it is not allocated anywhere else in the budget for 2005. Mr. Adair said he was not sure the railroad crossings have to be a priority right now versus spending the money on the trail. It was Mr. Haynes' opinion that it has to be done, that if someone got hurt and we did not have an adequate way to cross, there could be a problem. He questioned whether possibly the railroad should be a little more cooperative. Mr. Broomhall commented that \$5,000 was budgeted for trail work for the 2005 year and that maybe the crossings should go in the 2006 budget. Mr. Johnson noted the cost of the crossings built in 1995 was \$1700 for one so, with inflation, a \$600 increase is not out of line. Mr. Haynes questioned cost to accomplish those items on the list the Committee put together. Mr. Johnson felt he could do it for about \$5,000, including trail closure, shimming up trails, some gravel, cutting trees, stumping. Mr. Haynes recommended putting the trail crossing off and spending the budgeted amount to get the work done that Mr. Johnson had agreed to.

Mr. Johnson pointed out there is the \$3,000 which was earmarked for TNC; if CCC wanted to add that, he could still get a lot done and still have the crossings. Mr. Johnson

was asked if he could get other bids. He agreed he probably could, but also felt Mr. DeGulis' estimate to be fair.

Mr. Pinkham noted \$1,000 was also included for a plan for Whitaker Woods, and \$5,000 to implement it, thus we essentially have \$8,000 available to spend – the TNC money and the trail rebuilding account for Whitaker. Mr. Johnson said in checking the invoices we were at \$5437 for what he has invoices for. For consulting and management to date he is at \$1750 of the \$2140 allocated. He explained he has been working putting twenty years of paperwork in order, timber sales will be in order by lot when he is done. The maps are as organized as he can get them. Consulting time for these meetings and other meetings necessary might run over a little, but he can easily stop at some point and will still be close to having all his clerical work in order. Mr. Pinkham noted we have spent \$5400 to date which exceeded our budget a little, for instance, work at Common Lands on Hurricane Mt. Road was budgeted at \$1200, we spent \$2750; however, we were under budget on the stabilization, and Lucy Traverse and the Shedd Woods work, but realistically we have about another \$4,000 allocated for work at Whitaker Woods. It was Mr. Broomhall's opinion that since we budgeted \$5,000 for Whitaker Woods Trail we should spend it for that. Mr. Weathers questioned plans for the TNC \$3,000. Mr. Pinkham stated we would have to take another look at the remainder of items to be done, we still have the \$3,000 and another \$4500 left in the regular forest management budget that is unspent.

It was suggested that Mr. Johnson put an agreement together with Mr. Sires and proceed. Mr. Johnson said he has a list of work that should be done and which the trail committee agreed with, but felt any agreement should have a not-to-exceed figure. Mr. Pinkham will do the math and will email a realistic number by the end of the week. Mr. Broomhall is to find out how much money the school wants to do our signs. Mr. Lougee noted that TNC uses AMC for their signs and suggested checking with them. **It was agreed Mr. Pinkham will give Mr. Johnson a not-to-exceed figure and the railroad crossings will wait until 2006.**

Mr. Johnson wished to address Forest Management expenses for next year, explaining that in Whitaker Woods there are some places where they have done work and the hardwood is being incredibly tenacious, and some areas that were already done need one more treatment (touch up). He noted included in mowing is the landing at Whitaker Homesite – it is growing into trees. His proposal is to mow the landing and road on the power line (\$280), Whitaker Homesite (\$140), Pudding Pond (\$180), mowing on Hurricane Mt. (\$560 – it is higher because of rocks, etc. that are there).

Mr. Johnson stated that in anticipation that the railroad crossings were going to be done, he had included road construction (forest access road from the playfield to John Fuller railroad crossing), but since that is now on the back burner the \$5600 can be taken out. Hurricane Mt. C.#I – weeding and thinning regeneration – there are 4 acres that need to be done or irreparable damage will occur to regeneration. He included C.#II – release softwood regeneration, cut #2 (put in for next year). Hubbard-Davis – Mr. Johnson explained when they took the hardwood out of the understory it worked out well, but he

would like to get the number of stems per acre reduced there – it is way too thick. Consulting: Mr. Johnson said this was left at \$1500, the same as last year. He noted that some prices have gone up on cost per acre, some on clear cutting, based on fuel costs and what he has to pay his men to do the work. He said part of the paperwork involves updating accomplishments (two year's worth) and proposals for five years down the road. He felt it is not worth putting in the access road if we do not put the railroad crossings in, but if CCC wants, we can put the railroad crossings in and postpone the access road.

**Budget:** Proposed budget for 2006 = \$32,430. It was noted there are a number of things we did not have time to do last year and did not encumber the money; we may be able to do without, for instance, dues, but the other items that Mr. Johnson is doing are important – we must go in to the Budget Committee with the idea that this is what we need. Ms. Lyman requested that Mr. Johnson provide a narrative as to why we need to do the various items. Mr. Haynes stated it comes down to “what do you want to cut?” Mr. Weathers said he has trouble with the \$5600 for the new road, and felt we should be able to do something for less money rather than a whole new road. He felt the same way about some of the trails that we have out there, and questioned “why end up with more trails?” Mr. Johnson stated it will not save any money to utilize the longer road and will make for logistical problems; the way he would like to do it would be to bring that new road right into a 4-way intersection. He would like to do some more harvesting in that vicinity.

**Motion was made by Mr. Broomhall, seconded by Mr. Weathers, that we take the road out of the budget for next year and put the railroad crossings in the 2006 budget. Motion carried by unanimous vote.**

**Motion was made by Mr. Haynes, seconded by Mr. Broomhall, to include \$500 in the 2006 budget for trail signs for Whitaker Woods. Carried by unanimous vote.**

**Motion was made by Mr. Haynes, seconded by Mr. Weathers, to present \$24,050 as the 2006 budget for Forest and Wetlands Management detail. The motion carried by unanimous vote.**

**Selectmen's Report:** Mr. Weathers had nothing to report on recent applications; however, he pointed out that residents should be more cognizant regarding what they can do next to wetlands. He noted a recent situation within the 100-year floodplain where the landowner was bringing in fill which would impact the wetland - people are under the impression that if they are not working in standing water they do not need a permit, and that is not the case.

Mr. Pinkham questioned disposition of work at the Muddy Moose Restaurant. Mr. Weathers said they are apparently following up on that as the inspector has been here.

**Other Business:**

**Whitaker Trail Plan** – Mr. Adair noted that he and Dan Lucy met with Don Johnson and reviewed what was presented last month. He will go forward with that – no changes. [See Minutes for September 14<sup>th</sup>]

**Easement Funding** – Mr. Pinkham reported that the appraisal is finished on the Schiavi property and is being reviewed for its accuracy. He noted it has been confirmed that we can use CCC land acquisition money to acquire easements.

**Rules & Regulations** – Mr. Pinkham requested that everyone review the draft, add comments, and bring them to the next meeting. It was noted that verification of “hunting” needs to be investigated.

Mr. Pinkham read from a letter from the Society for Protection of NH Forests – they are looking at two properties in Conway (Abenaki and Hubbard-Davis), the deeds to which include language as to the town’s responsibility in management of those lands. Should that responsibility not be met, the SPNH would assume that role. The Society finds management to be well conceived and carried out; however, it was noted that the Abenaki buildings are somewhat problematic and need to be buttoned up. Mr. Weathers stated the family does not want any work to be done on their portion whatsoever. Mr. Pinkham pointed out we can do what we need to do because we are responsible. The heirs have not met the terms of the agreement because they have not visited the area in three years. Mr. Pinkham stated we have to come to some conclusion as to what to do with the property – an assessment of its cultural value is needed.

Mr. Briggs noted people keep driving in all the way to the end of Shedd Woods opening. Mr. Weathers said this has been brought up twice, Don Lyford with DOT was to have looked into it, there has not been another CDRC meeting since then. Mr. Adair suggested putting in a line of boulders and turning that opening into about a 4-car parking lot. It was noted that would require State approval. Mr. Pinkham said they need to replace the trees they took out, but Mr. Weathers stated those trees were within the State’s right of way and their drainage.

The next meeting will be held on November 9, 2005.

**Motion was made by Mr. Haynes, seconded by Mr. Broomhall and carried, that the meeting be adjourned at 8:15 p.m.**

Respectfully submitted,

Gail Currier, Recording Secretary