

**MINUTES OF MEETING
CONWAY CONSERVATION COMMISSION
November 9, 2011**

The Nov. meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Members present were: Paul Pinkham, David Weathers, Carol Lyman, Larry Huemmler, Rob Adair, and Linda Kearney. Also present were Forester, Donald Johnson, and Todd Marshall, owner of property on West Side Road.

1. Approval of Minutes 10/12/11: Notation was made by Mr. Weathers as follows: Pg. 4, 2nd para., 2nd sentence should reflect Stabilize *Swift* River Bridge abutments in Conway; 3rd sentence should reflect ...and will include creating *rip rap*...to the newly dredged channel *on the south side.*, and last sentence should state ...is allowed *with* a permit pursuant to Env. Wt. 503-01. **Motion was made by Mr. Weathers, seconded by Ms. Lyman and carried, that the Minutes of the Oct. 12th meeting be approved as amended.**

2. Public Comment: None.

3. Reports:

a. Don Johnson- Mr. Johnson reported the Brontosaurus machine has finished its work with the extra day allotted and has left the mountain. He said all trails have been cleaned up and he is very pleased with how the job came out.

Mr. Johnson said he was able to get two bids for the work to be done at Pudding Pond – Garland Lumber won the bid for the work as approved by the CCC and is harvesting presently. They started on the east side of the power lines, taking out some of the overstory on about 8 to 10 acres and have now crossed over to the western side, through the Sticks and Stones area, then across to Pudding Pond - they expect to be covering another 10 to 12 acres in that area. Overall he estimates a total about 35 acres to be worked on. He explained this process allows more daylight to get through and leaves room for some more regeneration.

Mr. Johnson said he is doing some thinning close to the condominiums off Artist Falls Road. He stated there is no question that Northface Condominiums do encroach on the eastern edge of their holdings – to his eye, they have pavement and everything else on town property. However, they have been there so long that probably the situation would best be solved with a boundary line adjustment.

Mr. Johnson noted they closed all the little trails coming out of there, have everything to the east done and he feels within a couple of weeks they will probably wrap this up. He reported he has put up several signs advising of a logging operation taking place in the area and advising people to keep away from logging equipment; also some “trail closed” signs; however, “that does not seem to work.”

Mr. Johnson said the next project is an excavator and bulldozer at Whitaker Woods, with the focus on lower Vista Trail, shimming it up with shale.

Ms. Lyman questioned the thinning process, and Mr. Johnson explained they go in and take the hardwood saplings out, when the pine seedlings get to about 20' tall is when they begin the thinning, giving trees that are being left 6' to 8' of growing space. He said we can expect to net \$12,000 to \$15,000 income on this project.

b. Wink Lees – TNC – Not present.

c. Treasurer's Report - Ms. Lyman was requested to provide an end of year report in January.

d. Selectmen's Report – None.

e. Member Roundtable – Mr. Adair said he has not done anything with the beaver situation at the Pudding Pond site as yet – they have built a dam downstream of the bridge, plus another dam that uses the bridge as part of their structure, so now the approach from the North/South Road is under water. He suggested the solution would be to cable the bridge so that it stays put.

As regards Conservation Easements, Mr. Adair said he had wanted to discuss this with the Town Manager; however, he is away on vacation. He did leave a message for Linda Comeau of USVLT.

Mr. Heummler reported he had attended a Saco River Committee meeting on Oct. 27th at Town Hall at which was discussed a boat launch near First Bridge, permitted limited access, and the question of who will pay for it. Suggestion had been made that where the parking lot is now they could have a boat launch, the other side of the street, or on Precinct property. Mr. Weathers noted they have not investigated to see if any other land is available to purchase. Mr. Weathers noted as regards the payment, they did not feel the taxpayers are interested in putting any money into something that would be a commercial venture. He pointed out that it is a situation that occurs for 6 or 7 weeks at peak tourist times. There was question of whether there should be a fee structure; they still have more work to do as regards potential other resources. Mr. Weathers said he is not in favor of using Hussey Field; nothing was decided, there was not much discussion about using the field itself. There was some discussion about having a designated area just for the livery people. The next meeting will be held the first week of December.

f. Todd Marshall – Letter to DES – Mr. Marshall has submitted an application to DES for a Saco River Streambank Erosion Project. He owns a farm on West Side Road where significant erosion is going on on the Saco River and has applied to DES to be able to stabilize the bank. Mr. Marshall is asking whether the CCC would be willing to write a letter to DES in support of the project.

Mr. Weathers explained the DES does not like to see projects from the base of the slope to the top of the banking solid rip rap, they would still rip rap below water level. It was noted it is impacting just under one acre of land; horizontal distance is about 1000 feet. Mr.

Weathers stated the proposed system is brand new so has no experience as to whether it will work. All will be below water level.

Mr. Weathers stated something has to be done and he would have no opposition to saying we reviewed it at our monthly meeting and are in support of it. **Motion was made by Mr. Adair, seconded by Ms. Lyman, that the CCC write a letter supporting Mr. Marshall's project. Motion carried by unanimous vote.** Mr. Weathers will meet with the Planning Dept. secretary to see that the letter gets out. Mr. Marshall said he hopes the work will be done this winter.

4. Other Business: Mr. Weathers reported that Chester Lucy of West Side Road has submitted an "After the Fact" application for a stream bank erosion control project. It was reported that Mr. Lucy had placed rip rap without a permit. The State has issued a cease and desist order and is now allowing him to leave what he had put in there and to improve upon it. Mr. Weathers explained he would put gabion baskets at the top. He will not have to take out what he has put there, but will have to do more work. It was noted that Mr. Lucy loses land yearly as a result of this erosion.

Mr. Weathers reported he has had one notification from the State for a forestry project for the Webster Jones property. Also Damon and Carrie Brooks at 361 Davis Hill were to put in a culvert, but will have to have a permit.

Mr. Pinkham noted that historically when we have a tree fall we have discouraged harvesting; however, he has received a call from someone who wants to know if he could cut a tree that was across a trail in order to open up the trail. It is in Whitaker Woods about 200 yards left of the power line trail.

Mr. Weathers questioned whether we would be opening ourselves up for a liability issue if the person removing the tree should get hurt doing the work. Ms. Kearney noted the forestry allows people to go in and cut stuff up; Mr. Adair said it is possible to get a "dead and down" permit. It was agreed Mr. Pinkham's response to the caller will be "thank you, we cannot give approval, but will go ahead and get the tree removed." Mr. Adair offered to take care of it and will contact the caller.

5. Next Meeting – Mr. Pinkham noted that historically the CCC has not held a December meeting and it was the consensus of those present to cancel the December meeting.

6. Adjourn: **Motion was made by Mr. Weathers, seconded by Ms. Lyman and carried, that the meeting be adjourned at 7:30 p.m.**

Respectfully Submitted,

Gail T. Currier, Recording Secretary