

**MINUTES OF MEETING
CONWAY CONSERVATION COMMISSION
October 10, 2012**

The October meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Members present were: Rob Adair, Carol Lyman, Linda Kearney, Karla Allen, and Larry Huemmler. Forester, Don Johnson, was also present, as well as representatives of The Nature Conservancy, Dwayne Hyde, Jan McClure and Wink Lees.

1. Approval of Minutes 8/8/12 Notation was made by Mr. Adair that on Pg. 2, 3rd para., last sentence should read: “Mr. Adair questioned whether the DOT has a drainage *easement* in there....,” and Ms. Allen noted that on Pg. 3 near the end of the 1st para., it should have read “...SPNHF, which does not allow for having *your* forester.” **Motion was made by Ms. Kearney, seconded by Mr. Huemmler, that the Minutes of the Aug. 8th meeting be accepted as amended. Motion carried by unanimous vote.**

The Chair then welcomed the representatives from TNC. Mr. Hyde, Director of Conservation Programs for TNC in NH, announced an exciting opportunity has arisen for a proposed addition to the Green Hills Preserve. He provided a map and requested input from the CCC, questioning the potential of town funding for assistance in the project. Proposal is to acquire 1300 acres on the south side of Green Hills; the bulk of the acreage is 1014 acres owned by Sut and Margaret Marshall, the other parcels in play are a portion of a piece Sut owns with Glenn Saunders. They are also working on the former Dahl piece of 100 acres that was left to the Audubon Society, and are in the early stages of working on the Redstone piece which is also about 100 acres. These would be outright acquisitions. He noted Green Hills Preserve is about 4200 acres connecting onto the Pudding Pond piece the town owns and the mitigation tract that is currently owned by the State. On the east side is a piece owned by Tin Mt.

Mr. Hyde pointed out the recreational opportunities that this piece offers, noting Mason Brook Trail comes through the property – there are miles of snowmobile trails, a lot of mountain bike trails as well. Conservation benefits: the headwaters of Mason Brook (a brook trout stream) flowing into the Saco, also the property has a good dense hemlock grove and pitch pine growth at the top. He noted Fish & Game does not have any known deer yards in there so TNC has informed them. The property is relatively dry, with a small swamp area. He said other benefits are scenic use, a back drop for the community, it is quite visible from Sherman’s Farm.

Mr. Hyde stated they have a “handshake agreement” with the Marshall’s, and will be working on a purchase and sales agreement soon, and have a verbal commitment with Audubon Society. As regards the Marshall & Saunders parcel, the Redstone commercial zone is a concern. It is pretty wet and steep in places. Mr. Saunders would like to keep the commercial portion of the property in private hands. He said a lot of the trails that are used are in that area of the property - mountain bike trails, running trails – there is a fair amount of community benefit from a recreational aspect.

Ms. Allen questioned why acquire the Audubon property? Mr. Hyde stated it was left to Audubon unrestricted with the intent of selling it for the proceeds to benefit Audubon Society. TNC has been discussing providing an opportunity for trail head on this side of Green Hills – it has multiple rights of way into it. TNC is talking about creating a trail head and kiosk on town land for access from the south side of Green Hills.

Mr. Hyde expressed an interest in hearing from the CCC as to whether the town has any interest in owning a part of this land. He said the total budget for the project, including the purchase prices, appraisal work, surveying, title work and stewardship endowment, is \$1.6 million. Ms. Allen questioned whether the landowners are taking any responsibility. Mr. Hyde stated for the Audubon piece it is a pretty significant donation, with the Marshall's piece it is a small percentage. He suggested if the town were willing to contribute \$350,000 toward the project, it would show strong commitment. Mr. Hyde stated this is an outright fee acquisition. It was noted that Wink Lees and Jeff Lougee would be in charge of management. TNC will be managing it similarly to how they manage Green Hills Preserve, geared mostly toward recreation. He stated all pieces are in Current Use, TNC pays taxes on their properties at Current Use rate.

Mr. Adair questioned whether there are any restrictions on the piece. Mr. Hyde said the biggest concern on the trail network is erosion; secondly, wildlife impact. Mr. Lees said there has been some ATV and dirt bike use there and the terrain is not well suited for that; motorized use would be restricted to the existing snowmobile corridors. He said they have a current agreement with the snowmobile club for using the Mason Brook Trail.

Mr. Johnson questioned whether TNC owns other parcels in partnership with others. Mr. Hyde said no, it is an open question - this would not be joint ownership. Mr. Adair said if going to make a sizeable donation, a lot of people would probably prefer we own a portion. Mr. Johnson questioned if the town did own a portion, would the same restrictions apply? Mr. Hyde said they would just want to make sure that the land stayed in conservation with basic deed restrictions – they do not get into the forest management aspects.

Mr. Adair reported he and Earl Sires met with DOT last week to discuss a number of mitigation parcels, noting the State has to keep them in the event 20 or 25 years from now there is a bypass; however, the State has no way of managing these properties. They discussed having an agreement for the CCC to manage the lands with the possibility of doing forestry on them, but the State would retain ownership. Mr. Hyde questioned whether members would like a site walk, if so to contact Mr. Lees. Ms. McClure noted the bridge into the site has been damaged and could not be driven over.

Mr. Hyde said the next step is in the process as regards a funding commitment from the town, and he would like to know how that process works. Mr. Adair said we have a number of different funds – about \$550,000 in a land acquisition account and another \$100,000 in the LCHIP account. Mr. Hyde stated they did apply to LCHIP in the last round. Mr. Adair stated it would be a really good acquisition and he would like to see it happen. Mr. Hyde reported they have had the property appraised, no report yet; they got a value report which

came in slightly above the value agreed upon. The Marshall's have stated that anything above the value would be considered a donation. He said, ideally, he would like to finish before March for the commitment from the town.

Mr. Lees reported the TNC had a busy summer. They had a student conservation trail group working on Black Cap Trail, have been putting in rock steps and water bars. He noted that as of recently they counted 3500 visitors having signed the book for Black Cap Trail, but assume there are many who do not sign in and it could be double that.

2. Public Comment: None.

3. Reports: Don Johnson presented a proposed forestry budget for next year, noting Whitaker Woods is flat funded so to have something in there, the same with the mowing. He said he walked in there the other day and, between the Lucy Traverse and Vista Trail, we have done a lot of harvesting, but it needs a little touch up – there are some areas that do not need to be treated, and some that do. In Shedd Woods it is time to re-release some of the hardwood crop trees and the understory. He stated it is a gorgeous pine stand – where the vista is all the pine trees could someday come down into the opening – it probably should be done on a very limited basis further releasing the young hardwoods that are coming along. He felt the investment in the understory is worthwhile.

Common Lands – Component II – Mr. Johnson reported we have a nice access point that now is non functioning and he would like to put work in to make it a stone ford so to get equipment up in there – we would need to take an excavator, cut the banking down, remove the largest boulders, which would require a simple notification. Mr. Adair felt they would have to cut quite a bit off those banks. Mr. Johnson explained the process - they would recess boulders in so they cannot be rolled. He said it would take a full day with an excavator to do it right.

Mr. Johnson stated he went up Black Cap over the weekend and down Red Tail Trail and noticed the Pin Cherry is coming in again. He suggested brush sawing it again, noting it needs to be done almost yearly.

Mr. Johnson said last year they took off the table the forest management plan on the East Conway Common lot; however, because of the tree farm status we are supposed to have a forest management plan. He proposes a forest management plan with inventory and GIS map.

Mr. Adair questioned putting off the white pine release in Whitaker Woods to save some money. Ms. Lyman stated “it is a pretty good budget,” and questioned why not do it all. Mr. Adair will meet with Earl Sires and Dave Weathers and see if we have to trim it.

Ms. Allen said she feels Priority #5 [Common Lands Compartment II – at the lowest landing where the bridge crosses the east fork of Kearsarge Brook, construct a stone ford for emergency and forest management purposes] and Priority #8 [East Conway – prepare a

forest management plan with inventory and GIS map] are the two biggest ones to do. Mr. Johnson stated the lower Wellinghurst Trail needs mowing badly; a lot of bikes have been using Hell's Kitchen Trail and it is wearing, and there is a tree down on Bancroft Loop. He noted also reconstruction of the Vista Trail was never seeded and he would like to see it seeded – it has some erosion – we have some funds to do it. He would also like to look at the East Conway Common Land, but reminded the members that this is all just suggestions and recommendations.

Treasurer's Report: None – Finance Director on vacation.

Selectmen's Report: Mr. Weathers was not present.

Land Acquisition, Regarding Mitigation Lands – Mr. Adair reported there is one access in Albany on Pequawket Pond – a peninsula that sticks out in Pequawket Pond and remnants of a bridge in Albany. The State owns the Pequawket Peninsula land. It is a piece they think they could turn over to us to manage. Also there is a 60 acre piece owned by Steve Morrell south of Rt. 113 and is part of the bypass corridor. They would make it conservation land, but we would not own the land. There has been discussion with Earl Sires about doing timber management, but we do not want to spend money on land we do not own.

Mr. Adair noted TNC people have discussed the Marshall land in Redstone; however, the Marshall's also own land near the Cross Farm on West Side Road – five parcels totaling almost 400 acres adjacent to the Hussey and Kennett easements. He has discussed it with Sut to get a feel for his plans on that property: He would like to see it go to conservation lands; however, he is not in a position where he could donate it. Mr. Adair noted they are properties that the land trust is interested in and he would like to see them become town conservation lands.

Ms. Allen said she would feel more comfortable with doing forest land management with Conway, would rather see it go here than with the land in the TNC proposal made tonight. Mr. Adair noted in the Redstone Properties, their biggest interest is the higher stuff, some of the lower land might lend itself pretty well to forestry practices. Ms. Allen pointed out the town gets a large percentage of revenue from timber tax. She said she has an issue with the fact that with the TNC proposal it is not going to be managed and she would rather see us buy it and retain it because the CCC does a much better job of managing. Mr. Adair said if we were to acquire the West Side Road property, we would put together a plan. Ms. Allen suggested having Don Johnson do a harvest operation in there. Mr. Adair said he has heard some sentiment that people would not be in favor of a big acquisition with TNC if we do not have ownership of it. It was noted we have \$650,000, if we include LCHIP money – the West Side Road property is 400 acres.

Adjourn: There being no further business, **Motion was made by Ms. Kearney, seconded by Ms. Lyman and carried, that the meeting be adjourned at 8:00 p.m.**

Respectfully Submitted,
Gail T. Currier, Recording Secretary