

**MINUTES OF MEETING
CONWAY CONSERVATION COMMISSION
May 14, 2014**

The May 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, Linda Kearney, David Weathers, Dan Lucy, and Larry Huemmler. Also present were Forester, Don Johnson, Jeff Lougee and Wink Lees of The Nature Conservancy, and Town Manager, Earl Sires.

1. **Approval of Minutes 4/9/14:** Motion was made by Ms. Kearney, seconded by Mr. Weathers, that the Minutes of the April 9th meeting be accepted as circulated. Motion carried with 4 votes in the affirmative and 1 abstention (Huemmler).

2. **Public Comment:** None.

3. **Reports:**

b. Jeff Lougee/Wink Lees – TNC: Mr. Lougee provided photos of information to be inserted into two kiosks, one of which is to be located off Hurricane Mt. Road and one at Pudding Pond. The themes are about Green Hills, featuring its uniqueness, great wildlife habitat, hiking up Black Cap and Peaked Mt. It will be a family friendly place to go. He stated they want to get them up in the spring for the hiking season, and would be changing the map for next year. They will have a section listing guidelines in an attempt to merge with the town's guidelines, but trying not to have too much wording for people to take in. It was noted the kiosks will be on town property, the photos and information will be in encased panel. They have added some information about it being a partnership between TNC, the town and the state. Mr. Lougee asked for comments or if anyone wished to add or change anything, and welcomed feedback. Mr. Adair made note of more trails in the DOT mitigation land which NEMBA is due to provide recommendations on the trail network for, trying to figure out our 5 to 10 year vision for the future, so felt it would be good to encompass as much of that as we can. Mr. Lougee stated what is shown is the official trails, however, there are more now. He said they would like to get these up in June. They need to update the folding maps as well.

Mr. Lees said some of this work was provided through funding from the Recreation Trails Program through an 80/20 match. He suggested copies of what is being presented also could be sent out through pdf to give a better opportunity to look at it prior to comment. Mr. Lougee offered to get some copies sent out in order to give more time for better scrutiny and feedback. Mr. Adair questioned space available for current events and "dynamic information." Mr. Lees noted there is a system with a separate post where they could slide materials in and out.

Grow the Green Hills Project: Mr. Lougee said they are working on fundraising and are about \$150,000 short of the proposed \$1.4 million goal – it is scheduled to close in October. He said there is a survey underway now by H.E. Bergeron, putting together pieces of a

management plan for the property. They will be reaching out to NEMBA regarding existing trails on the property, to touch base on what their thinking is. Mr. Sires questioned whether the per acre price is public record. Mr. Lougee said it is not, but could probably figure it out.

Bioblitz: Mr. Lougee said this consists of two events – a 24 hour event where you go to a specific area where you identify as many species as you can – it is a way to learn something about the land and is a fun activity to get involved in. He said the one in June will have a real science focus to it, noting they are interested in looking at some of the adjacent conservation land as well, i.e. Pudding Pond. The first will focus on Grow the Green Hills, the second will be a public event involving families and kids, built around fun things to do. It will be from sunrise to about 5:00 p.m. with possibly an after-event dinner. He invited CCC members to participate. Mr. Lougee stated they need permission for anything done on town property, for instance, in collecting plants/specimens. Mr. Adair noted there was an email forwarded to all members advising of this; he sees no real problem with collection of specimens. There were no objections raised. The second event would begin about 9:00 or 10:00 a.m. and go until about 3:00 p.m. Mr. Lees suggested sending out a print out on the Bioblitz.

Mr. Lees noted regarding Pudding Pond bog bridges, they are a disaster and he would like to get back out there and dismantle the dams. Mr. Adair reported Conway Scenic Railroad has been dealing with a local beaver trapper; however, there were some differences of opinion within the Commission membership in that it was decided it is not something we wanted to do. He noted CSRR has contracted with Graham Barber to put in beaver boxes. Mr. Weathers suggested TNC might want to wait until the boxes are installed. Mr. Lees said he would like to go to see if there is a temporary way around it.

a. Don Johnson Report – Mr. Johnson gave an update on the Common Lands Plan, with his top three priorities. He noted the update was put together to meet tree farm standards, we are all set there, and it fits in to the 1999 Forest Management Plan. He noted there is an issue with the access into the lower landing in Compartment II where Red Tail Trail goes through the landing; the current access location is actually on Cranmore Road. He said they put a conservation easement on Cranmore land which resulted in a survey; he recommends talking with management at Cranmore and with Upper Saco Valley Land Trust who holds the easement, to see if we can work out something for a deeded right-of-way across Cranmore lands. He felt it would be smart to have Doug Burnell as a facilitator for this. Mr. Johnson said it is a top priority to get that taken care of. Mr. Adair questioned whether it is the access off Hurricane Mt. Road where the bridge was, going across Cranmore Mt. land. Mr. Johnson stated we actually have no legal access into that land; however, he felt Ben Wilcox would probably be amendable to working something out.

Mr. Johnson commented there used to be a nice vista on Hurricane Mt. Road and recommends reopening that, noting it is a really nice vista from which you can see the mountain and the ledges. He suggested it might require getting some release from the State.

Mr. Johnson reported in going over Compartment III, looking at all the wood that is falling down, there is no decent regeneration. He thinks it would be a good idea to go back up,

spend some time and investigate putting together a potential harvest on the eastern slopes from Black Cap down, 60 to 80 acres - access would be out to the east. He said he has the name of a person regarding special use permit.

Mr. Johnson recommends developing a plan for mining minerals, noting he has pictures. He said there are mining pits all over the area. He stated if a person fell into one it would mean big trouble, it is getting to be dangerous. He acknowledged it is difficult to get a handle on it as they could be there at any time. Mr. Weathers said even if we put signs up there, how do you enforce it? Mr. Johnson suggested we could set a trail camera up to see who it is. Mr. Sires suggested maybe a sign stating "You are being photographed." Mr. Adair stated someone has been digging in there since the 1950s, he does not know the answer as to how to enforce it.

Mr. Johnson suggested members take an opportunity to read the Management Plan, stating the #1 priority is access to the first landing.

Appraisal of the Marshall West Side Road Property: Mr. Johnson said it was "way over sampled" and the results are quite accurate. He provided recommended harvest plan. He said he is comfortable with the estimate we came up with even though it was more than the other one; however, he would not recommend using the 60% removal approach if we are planning to use the timber to pay for the land. He noted there is a tremendous amount of deer out in there, all over – there could be 200 acres that has been in use historically – they are using the low hemlock to a great extent. He reported also there was a horrendous logging job done off property (not the Marshall property) and diesel cans and a burned skidder had been left there.

Mr. Weathers questioned Mr. Johnson's statement that he did not think we would be able to gain a second access because of moisture. Mr. Johnson stated there are two terrible crossings – almost a virtual wooded swamp, a lot of standing water. He said there is a good chance of access through the Ingalls lot. Mr. Weathers questioned if it is that inaccessible, then why is the value of the timber equal on the northern end as on the south? Mr. Johnson stated the price given for timber is an average price of all of it together.

Mr. Adair said the Marshall's magic number seems to be \$850,000; we have \$714,000 in the bank we could spend, so we are in a situation where the net revenue is a little less than \$150,000. He said he is not sure we are comfortable in spending that much from the land acquisition fund. Mr. Weathers said \$600,000 to \$610,000 is what he would be comfortable with spending.

Mr. Weathers said if you are going to generate the \$150,000, you would have to cut everything. He reiterated that he would not recommend spending beyond \$600,000 to \$610,000, and even with that, if the Marshalls agree to hold the two lots, we are still not generating enough revenue to cover \$850,000. Mr. Adair said we talked to the Marshalls about the two family lots plus the 176 acres. Ms. Kearney suggested it may be news to them that we really can't afford what they want. Mr. Adair noted to divide it up that way does not work very well because of the other siblings owning the two southern lots.

Motion was made by Mr. Weathers that Mr. Adair approach the Marshall families and say that we could pay their price per acre for the three southern lots and see what their reaction would be. Mr. Sires said to offer \$2,000 an acre, which would be for 293 acres, it would be about \$586,000.

Mr. Weathers said as regards accessibility and use, where we cannot gain another access he would prefer to see us own the three southern lots. Ms. Kearney stated we are not going to cut all the timber down. Mr. Weathers said he would withdraw his motion until they could come up with an agreement on the three lots. Ms. Kearney questioned, with the three lots, would the trails be held up since we would not own the other two lots? Mr. Lucy questioned what Mr. Weathers feels comfortable with leaving in the account. Mr. Weathers said he would like to see between \$110,000 and \$113,000 left there. He questioned whether this is the time to say it is either that or we cannot do it. He said if they say it has to be all five lots, we would not be able to do it. Mr. Lucy pointed out it is almost double the size of Whitaker Woods for those three lots. Mr. Weathers said he was under the impression the family wants to get rid of the Ingalls lot.

Motion was made by Mr. Weathers, seconded by Mr. Huemmler, to make an offer to the Marshalls for \$2,000 per acre for the three southern lots, a total of 292 acres.

Motion carried by unanimous vote. Mr. Adair noted that would be about \$584,000. Mr. Weathers questioned whether it might be wise to say at the same time that we do not have the money for all five lots. Mr. Lucy stated in a perfect world, if we had them all it would be great; however, we can't currently do that. Mr. Huemmler suggested maybe asking for right of first refusal on the other two lots.

Mr. Adair, noting the access issue is a question, questioned whether there is a chance that they could come through the National Forest for access. Mr. Johnson said you would know better than I the possibility of access through National Forest. Mr. Weathers pointed out we would be looking at years to get that decision. Mr. Adair said he will contact the Marshalls to see if we can make some headway, noting Sut had told him H.E.B. is working on the access to the Ingalls property, which is in contention – the tax map shows two lots overlapping with the notation “in contention” - there are conflicting deeds, not something that the town is involved in. Doug Burnell is working for the Marshalls and talking with the Husseys to get that resolved.

Selectmen's Report: Mr. Weathers noted property referred to as lot 262 on Rt. 16 across from Banners Restaurant and abuts Eastern Slope Campground, has been issued a cease and desist order from the State for improper drainage, no permit, etc. They will have to do erosion/sediment control.

Mr. Weathers reported approval has been granted for a permit for Mt. Cranmore regarding an alteration of terrain/expansion of the base area.

Mr. Weathers noted PSNH has received a permit from DES to relocate a seasonal drainageway, 440 lineal feet. As a result they have to do mitigation and put money into an

aquatic fund. Because they are impacting 440 ft., they have to create 18,245 sf in mitigation. It is Lot 252/42 across from McDonald Motors in Redstone.

Whitaker Woods Event Permits:

White Mt. Milers Fun Runs (9 Tuesdays starting June 10th) Mr. Weathers questioned whether they use all the parking. Mr. Adair said they mostly park at the school. **Motion made by Ms. Kearney, second by Mr. Weathers, to approve an event permit for White Mt. Milers Fun Runs starting June 10th. Motion carried by unanimous vote.**

Red Jersey Cyclery Summer Race Series (6 Thursdays starting June 26th). Mr. Adair said there was one complaint last year that they were leaving ropes tied to trees and if that happens this year he will advise them they must take them down. It was reported the average number of people involved is less than 30 (mostly kids), the duration is less than two hours. Mr. Weathers suggested telling them they have to stay out of the wet areas. **Motion by Mr. Huemmler, second by Ms. Kearney, to approve event permits for the Red Jersey Cyclery Summer Race Series beginning June 26th. Motion carried by unanimous vote.**

Walk for the Animals and Bark in the Park annual fundraiser – June 20, 2014. **Motion by Ms. Kearney, second by Mr. Huemmler, to approve an event permit for Walk for the Animals and Bark in the Park annual fundraiser on 9/20/14. Motion carried by unanimous vote.**

American Cancer Society Breast Cancer Walk – 10/19/14. **Motion by Ms. Kearney, second by Mr. Weathers, to approve an event permit for the American Cancer Society Breast Cancer Walk on Oct. 19, 2014. Motion carried by unanimous vote.**

Dog Trails – Mr. Adair said he has emailed Cort Hansen regarding this, but has not yet had a reply. It was agreed to table this.

Member Roundtable: Ms. Kearney said regarding dogs, there are no refuse bags in the bag dispensers at the edge of Whitaker Field. Mr. Adair noted this is the responsibility of the Recreation Dept.

Mr. Adair announced the local NEMBA group is having a trail maintenance day Sunday, May 18th on Red Tail Trail.

Next Meeting – June 11, 2014.

Adjourn: There being no further business, Motion was made by Mr. Weathers, seconded by Ms. Kearney and carried, that the meeting be adjourned at 7:45 p.m.

Respectfully submitted,

Gail T. Currier, Recording Secretary