

**MINUTES OF MEETING
CONWAY CONSERVATION COMMISSION
April 9, 2014**

The April 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, Karla Allen, and Alternate, Paul Pinkham. Also present was Forester, Don Johnson.

Mr. Pinkham was appointed a full voting member.

1. Approval of Minutes 2/12/14: Motion was made by Mr. Weathers, seconded by Mr. Pinkham, that the Minutes of the Feb. 12th meeting be accepted as circulated. Motion carried with 4 votes in the affirmative and 1 abstention (Allen).

2. Public Comment: None.

3. Reports:

Pudding Pond Beaver Dam - Mr. Adair reported he had received a call from Graham Barber who does the trapping for the Conway Scenic Railroad, who wants to hire him to put beaver boxes under the dam at Pudding Pond. Mr. Adair asked permission to authorize the installation of the beaver boxes. Mr. Weathers said he had no objections, if they work, noting the boxes only control the water level, not the beaver population. He questioned what Mr. Barber will establish for an elevation, noting sometimes they tend to go lower than desired and we might not want them as low as he deems necessary. Mr. Adair will review that with Mr. Barber and will call him to let him know we would like him to proceed with the work, which Conway Scenic Railroad will pay for.

Don Johnson Report – Mr. Johnson said he has prepared a work agreement for the budget and the Town Manager has signed it and sent it back without any changes.

Mr. Johnson has started work on the Common Lands Forest Management in Hurricane Mt./Black Cap, has taken photos and is gathering thoughts as to what might be done, is working now on the write up. He said there are a lot of things to do, some surprises, some housekeeping type of work that needs to be done. Upon question of number of copies needed, Mr. Adair advised one hard copy for the town would be sufficient and others could be electronic copies. Mr. Johnson explained he read the original 1999 plan first which is pretty much “on the mark” for a lot of things - this plan pretty much dovetails that plan so both plans are really needed - they deal with the changes that have taken place since 1999, “and there are many.” He said a lot has to do with access, noting it is surprising how many people use it, for instance, someone goes in daily with a dog and sled, and there are even some bicyclists. He will have an update of the Pudding Pond Management plan as well – part of the reason for this is the 10-year update to keep up with American Tree Farm status – this will qualify for this.

Marshall West Side Property - Mr. Adair met with Sut and Margaret Marshall and Jack Wadsworth who has done an Opinion of Value of the five lots being considered for acquisition by CCC. Mr. Wadsworth offered some options, one of which is for the CCC to create a town forest. Mr. Adair said it sounds like the “magic number” is \$850,000 for all five parcels: \$575,000 for the property (from the town) and \$275,000 for the timber over a 2-year period. It was reported the CCC has \$700,000 available for this, with \$15,000 in matching funds from LCHIP. Mr. Adair questioned Mr. Wadsworth as to whether he can get \$275,000 of timber off the property, and if it would look nice afterward. Mr. Wadsworth felt it would be well spaced out and look good. Mr. Adair said there has been suggestion that we offer more than the \$575,000 and try to limit the logging.

Mr. Johnson said he has been in this situation recently where part of the balance of paying for a parcel has come from the timber resource. He said you have to decide what the CCC wants for a forest in there: big trees or a park-like appearance. He questioned what the basis is for the value of the timber, noting it does not say what methods were used to cruise the timber, the confidence, the accuracy, i.e. are we 90% confident that that is correct? Mr. Johnson said he would prefer his own crews. Ms. Allen said she agrees; it sounds as if they would be the ones running it. She did not like the way it was laid out, noting they are basically contracting loggers. She said since it would become a town property she does not feel good about that. She said she would rather see it with stumps and bid out, and then you would know what you are getting.

Mr. Adair referred to cruise information from one they did last fall – they had something to base it on – he is not totally comfortable with going for it and not having any control over the logging aspect. Mr. Johnson said you would want to have someone representing you cruise it, and cruise it to certain standards. He questioned whether all those acres are accessible for commercial harvesting. He said we would like it to be harvested in sustainable fashion - habitat protected (deer yards) and then say \$100,000 might be a lot more realistic. He stated in his career he has never cut \$275,000 worth of timber off a lot that size.

Ms. Allen felt it would be prudent to see what standard Rich cruised to. She said she does not think she wants Wadsworth doing it – would prefer it in-house. She offered to call Rich and find out what he used. She stated she will go out and walk it. It was noted the Keith report in 2013 for five lots estimated timber value at \$348,000. Mr. Johnson noted \$461,000 value by Wadsworth. Ms. Allen said having not seen the timber, 50% can be pretty high. Mr. Weathers questioned the 60% estimate.

Mr. Weathers questioned whether it is critical to the sale that the timber contractor is through them [Wadsworth] or whether we can buy it at \$575,000 with the understanding we would have our forester cut it over a 2-year period. He would like Mr. Johnson to look at it for his opinion. Mr. Weathers said if it was critical that they have Mr. Wadsworth do it, that they work in conjunction with Don Johnson - it is his hope we could hire a forester we want and still have our goal met. He is not in favor of spending more than \$575,000 for it. Mr. Weathers stated he has stayed out of the negotiations because Sut Marshall is a friend of his and he does not want the appearance of a conflict of interest.

Ms. Allen questioned whether Sut wants to sell it all this year, that perhaps they would sell off a couple of lots at a time in stages. Mr. Adair said he does not believe so. He explained Sut and Margaret own three of the lots, two are owned by Sut, his brother, and his sister. He said Mr. Wadsworth's option is to sell the other three lots first and make sure we come back for the other two; however, the brothers and sister would like to liquidate. Ms. Kearney questioned whether it is the Marshall's goal to sell it to the CCC or max out what they can get, noting if they are really interested in conservation there does not seem to be any leeway. Mr. Adair said he feels, in general, they would like to see the land conserved, but at the same time they made an investment and want to see a return on their investment. He pointed out the highest dollar value would be to sell it to a developer and they really do not want to see it developed. Ms. Allen questioned what if we agree to buy all the parcels over a period of time? Mr. Weathers said he could agree as long as the two southern parcels are the first ones. He noted also he would like to see a second access developed north of the Ingalls property.

Mr. Adair questioned Mr. Johnson as to the cost of a timber cruise. Mr. Johnson estimated about \$4,000. He said on 400 acres it would be between 150 and 200 sample points. Mr. Pinkham said they could use the Hubbard-Davis Cathedral Pines fund which is for work in other forest areas, for other forest management. Mr. Weathers suggested it would be a 2-year cutting operation at the least. Mr. Adair said regarding access, Mr. Wadsworth also brought up establishing an access in the right of way between the Hussey and Kennett properties. Mr. Weathers stated in order to get out there there would have to be frozen ground. Mr. Adair said it would make sense to get a cruise done. Mr. Weathers suggested going back to them and, if they approve, get a forester out there.

Mr. Adair said we have an appraisal of \$525,000 right now. Non profit organizations are limited to buying properties at no more than 110% of appraised value, which is about \$577,000. Towns can spend above and beyond the 110% figure. He questioned whether the CCC should offer \$600, leaving about \$100,000 in the bank, plus payments over a couple of years from revenue from the timber sale. Mr. Weathers questioned whether the \$575,000 is strictly land value. Mr. Adair stated it is sort of an arbitrary value. Mr. Weathers stated if we offer \$600,000, that is over and above what their opinion of value came out with, disregarding the timber. He suggested offering our land value and go back with the cruise. Mr. Adair felt the cruise should be done first.

Mr. Johnson commented some of the land abuts the national forest and questioned whether they are interested. Mr. Adair said the Forest Service was working with the Trust for Public Lands in 2009, but could not come to an agreement on price with the Marshall's. Mr. Johnson questioned whether there is any chance of a partnership with the national forest. Mr. Adair felt that would probably turn into a 15-year project. Mr. Johnson said he will submit a proposal to us. He felt it would be at least 2 to 3 weeks before he could get in there.

DOT Mitigation Lands - Mr. Adair stated last fall NEMBA signed a maintenance agreement and is slowly doing the work on that - someone from AMC is working on that now. He questioned possible trailhead work on Hemlock Lane and said he would like to build a kiosk there. He would like to go after grant money from NEMBA. **Motion made by Mr.**

Pinkham, second by Ms. Kearney, that Mr. Adair proceed with seeking a NEMBA grant as proposed. Motion carried by unanimous vote.

Grow the Green Hills Project – Mr. Adair said The Nature Conservancy is doing well with fundraising. They got an LCHIP grant for \$56,000. He stated we have LCHIP money available and wished to know whether the Commission wishes to contribute to this project. It was the consensus that they do not.

The Nature Conservancy – Mr. Adair reported they are working on new panels for the kiosk at Thompson Road and Black Cap Trail. Jeff Lougee sent panels on pdf files and will try to get a final version so we could review them at next month's meeting.

Rules and Regulations – Mr. Adair questioned whether the Selectmen have adopted them. He questions the wording for panels used on the kiosks, noting the 2008 version of the Regulation states no hunting with shot guns and he would want it to read no firearms in Whitaker Woods. Mr. Weathers suggested that restriction also be included for East Conway Common Lands. Mr. Pinkham suggested those restrictions might be included in the deeds. Mr. Adair will check that.

Selectmen's Report: Mr. Weathers noted there are no new dredge and fill applications from the State. The town received its permit for culvert replacement on Washington Street. They will start that project as soon as bans are lifted on the roads and it will be new all the way to the park. The town will take it over after it is completed. The town will do 15% to 20%, the remainder will be picked up by the State.

Mr. Weathers reported plans for replacement of 5429 sf of public beach (sand) prior to the start of the swimming season.

Mr. Weathers noted the Libby Trust that abuts Conway Lake has received site specific approval, with restrictions - 9764 sf has to be left as a natural buffer around the building.

Mr. Adair referred to the Cranmore Wetlands application, noting they are redoing a swale at the ski area and some drainage.

Next Meeting – May 14, 2014.

Adjourn: There being no further business, **Motion was made by Mr. Weathers, seconded by Mr. Pinkham and carried, that the meeting be adjourned at 7:35 p.m.**

Respectfully submitted,

Gail T. Currier, Recording Secretary