

TOWN OF AMHERST  
Conservation Commission

March 10, 2021

**APPROVED**

1 In attendance via Zoom : Rob Clemens – Chair, Jared Hardner, John Harvey [8:20pm], Peter  
2 Lyon – BOS Ex-Officio, Frank Montesanto, Mike Cohen, Vick Bennison, Lee Gilman, Bill  
3 Widmer (Alternate), and Bill Stoughton (Alternate).  
4 Staff present: Natasha Kypfer – Town Planner, and Kristan Patenaude – Recording Secretary.

5  
6 Chairman Rob Clemens called the online meeting to order at 7:00 pm, with the following  
7 statement. As Chair of the Amherst Conservation Commission, I find that due to the State of  
8 Emergency declared by the Governor as a result of the COVID-19 pandemic and in  
9 accordance with the Governor’s Emergency Order #12 pursuant to Executive Order 2020-04,  
10 as extended by various Executive Orders, this public body is authorized to meet  
11 electronically.

12 Please note that there is no physical location to observe and listen contemporaneously to this  
13 meeting, which was authorized pursuant to the Governor’s Emergency Order.

14 However, in accordance with the Emergency Order, I am confirming that we are:

15 Providing public access to the meeting by telephone, with additional access possibilities by  
16 video or other electronic means:

17 We are utilizing Zoom for this electronic meeting.

18  
19 All members of the Board have the ability to communicate contemporaneously during this  
20 meeting through this platform, and the public has access to contemporaneously listen and, if  
21 necessary, participate in this meeting through dialing the following phone #646-558-8656  
22 and password 868 9919 6923, or by clicking on the following website address:  
23 <https://zoom.us/j/86899196921> that was included in the public notice of this meeting.

24  
25 Providing public notice of the necessary information for accessing the meeting:

26 We previously gave notice to the public of the necessary information for accessing the  
27 meeting, including how to access the meeting using Zoom or telephonically. Instructions  
28 have also been provided on the website of the Planning Board at: [www.amherstnh.gov](http://www.amherstnh.gov).

29  
30 Providing a mechanism for the public to alert the public body during the meeting if there are  
31 problems with access: If anybody has a problem, please call 603-341-5290.

32  
33 Adjourning the meeting if the public is unable to access the meeting:

34 In the event the public is unable to access the meeting, the meeting will be adjourned and  
35 rescheduled.

36  
37 Please note that all votes that are taken during this meeting shall be done by roll call vote.

38  
39 Let’s start the meeting by taking a roll call attendance. When each member states their  
40 presence, please also state whether there is anyone in the room with you during this meeting,  
41 which is required under the Right-to- Know law.

42  
43 **Vick Bennison, Lee Gilman, Jared Hardner, Frank Montesanto, Bill Widmer, Mike**  
44 **Cohen, Bill Stoughton, Rob Clemens, and Peter Lyon – all present and alone.**

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ADMINISTRATIVE:

**1. Chair Comments**

In response to a question from Rob Clemens, Peter Lyon confirmed that renewal appointments for existing Commission members will take place sometime after the Town Vote on June 8, 2021. Rob Clemens noted that members interested in continuing should submit a letter stating such to the Board of Selectmen.

*Bill Stoughton sat for Rich Hart, in his absence.*

*Bill Widmer sat for John Harvey, until he later joined the meeting.*

**2. Minutes**

**Vick Bennison moved to approve the meeting minutes of February 10, 2021, as submitted. Lee Gilman seconded.**

**Roll call vote: Vick Bennison - aye, Lee Gilman - aye, Jared Hardner - abstain, Frank Montesanto - abstain, Bill Widmer - aye, Bill Stoughton - aye, Rob Clemens – aye. 5-0-2; motion carried.**

**3. Treasurer's Report**

Bill Widmer noted that the Commission has approximately \$5,500 left in the budget to spend this year. Mike Cohen noted that some of the funds might be useful for some educational outreach items. Frank Montesanto explained that there may also be some surplus in the Infrastructure budget line, due to unobtainable materials.

Bill Widmer stated that there is also about \$24,000 in LUCT funds currently pending. This will leave the Conservation Fund at approximately \$315,000. Peter Lyon added that there is an additional \$88,000 in LUCT funds that will soon be pending.

**Frank Montesanto moved to accept the Treasurer's Report. Jared Hardner seconded.**

**Roll call vote: Vick Bennison - aye, Lee Gilman - aye, Jared Hardner - aye, Frank Montesanto - aye, Bill Widmer - aye, Bill Stoughton - aye, Rob Clemens – aye; motion carried unanimously.**

**4. Planning & Permitting**

Bill Stoughton stated that the Planning Board had requested third-party peer reviews for the hydrogeological study for the proposed Clearview project, in regard to there being an adequate water supply to support the proposal. This review has been completed and submitted to the Planning Board.

Bill Stoughton noted that an abutter to a large, proposed development in Hollis along Route 122 expressed concern regarding all that Amherst has done to keep the water flowing to Witches'

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Brook cool in temperature. Rob Clemens stated that he would shoot a note to the Hollis Conservation Commission to see if the concern is being taken care of on Hollis' end.

TOPICS

**5. Eagle Scout Project Presentation for the Rte. 122 Canoe Port**

Jack Benner stated that he is proposing a project to improve the canoe port located along Route 122. The current canoe port has weeds along the side and is not easily accessible. He is proposing putting in a staircase with a railing, leading down to the launch. He is considering adding four rollers to the ramp for easy entry for kayaks. He noted that the main challenge with this project is flooding of the Souhegan. He is planning to add galvanized posts to increase the resistance of the launch. He has begun the process of contacting DES for permitting information. He is hoping to begin construction of the launch in July/August.

In response to a question from Frank Montesanto, Jack Benner stated that the handrail will be wooden. The galvanized posts will be set along the sides of the launch and anchored into the ground.

Frank Montesanto noted that the water level of the river is notoriously low in July/August. He suggested that water levels be recorded in the months leading up to construction of the launch.

The Commission discussed that someone from the group will be needed to help sign-off on the permitting process with DES.

In response to a question from Mike Cohen, Jack Benner estimated that the project will cost approximately \$2,000. He is confident that he will be able to raise funds for the project or fund it himself.

Bill Widmer noted that he is unsure if Boy Scouts are able to fund their own projects.

In response to a question from Mike Cohen, Rob Clemens stated that the proposal should not have a negative impact on parking in this area.

**Vick Bennison moved to support the project as presented thus far. Frank Montesanto seconded.**

**Roll call vote: Vick Bennison - aye, Lee Gilman - aye, Jared Hardner - aye, Frank Montesanto - aye, Bill Widmer - aye, Bill Stoughton - aye, Rob Clemens – aye; motion carried unanimously.**

**6. 2021 Public Education and Outreach Plan**

Mike Cohen presented an educational outreach proposal to the Commission. He asked Commissioners to approach him with any additional projects of note and to help out on projects as they arise.

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The Commission discussed Clean-Up Day and agreed to push the date to mid-May.

*Mike Cohen exited the meeting (7:55pm).*

### **7. Proposed Reconstruction of the Baboosic Lake B&M Flag Stop Station**

Will Ludt presented a project idea to the group for reconstructing the Baboosic Lake flag stop station along the B&M Trail. He noted that he found a drawing of the original flag stop station to model this against. He estimated that the total cost of the project will be approximately \$4,919.48. He noted that there has already been a donation of \$500 to this project.

The Commission discussed whose land this project would sit on and which abutters will need to be contacted.

*John Harvey joined the meeting (8:20pm).*

### **8. Baboosic Lake Access**

Bill Widmer explained that there are two small lots near the end of Washer Cove Road on Baboosic Lake. This area dead ends with a right of way to the Lake. There is approximately 90' of Lake frontage, with a 16' right of way to one side. From the corner of this area to the Lake is approximately 150'. There are significant wetlands nearby. He has spoken with the Town recently regarding the scarcity of fishing locations for Town citizens to use. This area looks to be deep and good for possible bass fishing. He believes that, if the area was conveyed to the Town, a fishing platform could be placed on the shore. This platform could be 15' long, and 4' wide with rails around it. It is possible that this area could also be used to launch kayaks. A survey of the area would be necessary.

Rob Clemens stated that the ACC has an interest in water resources and associated habitat with the Lake, but there is no real public access to the Lake other than the Town Beach. Thus, the ACC has had no real ability to work in the Lake area and has left it up to the State and Lake Association.

Bill Stoughton explained that the ACC needs to separate the conservation value of properties surrounding the Lake and the recreation value of these parcels. The construction of a fishing platform could be a cooperative venture with the Recreation Department. There are several right of ways involved in this proposed project and it will be important to know what the ACC's rights and limitations are in this area.

Peter Lyon noted that he is unsure if access to this area gets the ACC any more of a foothold into the Lake than it already has. He is concerned with the proper access to this area and any proposed parking. He would also caution the possibility of bringing invasives into the Lake from a proposed platform.

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Jared Hardner stated that, if the ACC is really concerned with protecting shorelines along the Lake, it might want to look into one lot across from this area that is 205 acres and has one owner. This large area currently has no type of conservation status.

The Commission agreed to further discuss the possibility of utilizing the small lot near the Lake for fishing/kayak access in the future.

#### **9. Discretionary Easement Update**

Bill Stoughton explained discretionary easements are allowed by RSA 79-C for several purposes, including the preservation of open space land. He compared some of the conservation protection alternates and their comparative costs. He showed the groups parcels identified by NRPC as ones that meet the criteria for a potential discretionary easement. These parcels are vacant, less than 10 acres, within Wildlife Protection Zones, and with corresponding assessment data. Using these criteria, NRPC identified 167 properties in Town, totaling 588 acres. The assessed value of these properties is approximately \$7,705,000. The average assessment per acre for these lands is approximately \$13,104. The annual tax currently collected on these properties is approximately \$219,593. Thus, the potential annual cost in property tax revenue lost, if discretionary easements were granted for these properties, would be between approximately \$54,893 - \$217,548.

Bill Stoughton explained that discretionary easements offer a low initial cost method of protecting vulnerable open space and guarantee public access. However, discretionary easements are also usually a short-term protection method (10-15 years). He explained that discretionary easements have limitations as a standalone conservation tool because of the short-term protection provided and the cost structure that must be carefully chosen. They could also be a bridge to permanent conservation protection at little net cost to the Town.

He recommended that each discretionary easement be examined and looked at for its own benefit to the Town.

#### **10. Other Business**

Bill Widmer explained that Valley Forge elms are being looked at to replace a dying tree on the common, and possible to add to Buck Meadow.

Rob Clemens explained that there has clearly been snowmobiling or ATVing happening on the Scott property. The Commission should first look into posting signs against motor vehicle use.

**Vick Bennison moved to adjourn at 9:38pm. Jared Hardner seconded.**

**Roll call vote: Vick Bennison - aye, Lee Gilman - aye, Jared Hardner - aye, Frank Montesanto - aye, John Harvey - aye, Bill Stoughton - aye, Rob Clemens – aye; motion carried unanimously.**

*Respectfully submitted,*

*Kristan Patenaude*

Minutes approved: April 14, 2021