

**Town of Amherst
Conservation Commission Meeting
Wednesday December 14, 2016**

Attendance: J. Harvey, R. Clemens Vice-Chair, D. D'Angelo- Chair, L. Gilman, R. Hart, W. Robertson, P. Lyon- Selectman Ex-Officio, J. Hardner- Alt, B. Beckley- Alt and Frank Montesanto- Alt

The Chair called the meeting to order at 7:05pm and stated Jared will vote for Vick Bennison.

Administrative Reports

Chair comments

None

Minutes

Wednesday November 9

R. Clemens moved and J. Harvey seconded to approve the minutes of November 9th as submitted.

All in favor with Wes abstaining.

Topics

- Betty Arnold Forest- Abutter Concerns

Jeff Chappell-15 Austin Rd

He was told it would be a one-year cut, but it was two years. He was told it was a conservation cut to promote wildlife. The abutters have dealt with trucks, noise, and now a parking lot is going in and there is trash left behind. He is a woodsman and is in favor of the conservation cut. In fact, he saw an improvement in wildlife numbers after the first year.

Bicycles were allowed on those trails this year and the increase of humans in the animal environment has a negative impact. The NEMBA has cut trails in there. He wondered how this project went from being a conservation cut to a recreation area. There has been a lack of communication by this board. No one spoke to the (2) abutters about putting the parking lot in. Solutions he proposed:

- keep mountain biking out of there during mating season
 - gate the trail and lock it from sun- down to sun- up
 - put the trails under responsible management that keeps people out during mating season
 - put trash cans in
 - cessation of any further trails by NEMBA until plans can be discussed with the neighbors
- He knows the gate locking and trash removal would require staffing and hopes that can be accommodated.

The trails should be used, but not to the detriment of the animals that live there.

John Harvey- 7 Austin Rd

He was not notified when the work originally began. He assumed it was being done for the wildlife- not for the money gained by logging the land. Then he was told a trail was going in with a 2-3 car pull-off. Then a parking lot was put in. A billboard sized kiosk was built which is too large for the small number of papers it houses. It is becoming a regular trail-head.

When discussions of allowing biking on the trails occurred, people were invited to give input. The people who spoke were a bike shop owner and a bike builder. This was a conflict of interest.

People that visit the trails do not park on the gravel parking area. They park on the embankments.

He knows this is not his land, but the whole thing has been handled poorly and the project has gone over the top. Now bike trails are going in and there are markers on the trees.

He wondered 1. Who is regulating the bike trails going in? 2. Why are bikes allowed on some trails in town and not others?

Daryl said biking was already allowed on trails such as Bicentennial and Hazeltine.

Wes clarified that two bike trails went in. One starts at the parking area and goes to the Bicentennial trail and is marked in orange. The other starts at the parking area and goes to the Lordon trail and is marked in white. They connect to other trails to form a loop. He also clarified that the subcommittee with those people on it was formed to discuss OHRV, not to discuss allowing bikes on trails.

John said he put notices in all neighboring mailboxes so he's not sure why the abutters didn't get theirs.

Wes explained that he and John spoke in the spring to discuss where to put mixed-use trails and this area was identified. John spoke to the abutters and Wes now sees that the full project was not explained to the abutters. It was never going to be just a conservation cut. He takes ownership of not keeping the abutters in the loop.

Rob said it is standard for the ACC to do cuts for forest management. They put in trails whenever possible following the cuts. It sounds like if the bikes weren't in there, the abutters wouldn't have much issue with the project. This whole process is new and the ACC is learning from this project and this feedback. They haven't yet put out any trash cans because there is no money to pay for removal. They haven't ever put gates up, but all ACC trails are closed after dark.

Jared said they have to develop management plans and could figure out how to directly involve abutters into the management plans. Rich mentioned the trail steward program which invites citizens and neighbors to help maintain the trails and they would be welcome to join.

Abutter John Harvey asked if the parking lot could be better established with logs to keep people on it. Yes, this is possible and since the parking area hasn't been completed, the ACC can influence how it is finished.

Wes mentioned some ways to stay connected to what's going on with the trails: the website- though it is still being worked on; get on the conservation mailing list that goes out to the trail stewards; join the Amherst trails Facebook group to be informed of trail work days.

Jared clarified that NEMBA is a volunteer group that assists people building trails by giving advice and sharing tools. When you see groups out there working on the trails, it's not an outside group, it is mostly Amherst residents. Though the trucks and tools have the biking logos, they are just assisting.

Finance Report- John

John reported the balances, deposits and withdrawals that have occurred in the accounts since the last report. He will be working with Lee to put together legal contracts for mowing and for Lindabury.

Planning Board Update- Rich

- There was a request for 66 detached single family, age- restricted housing units on Rte. 122 south of 101A. No decisions were made.
- Discussion of warrant articles. Three zoning amendments will be on the warrant. They regard elderly housing and accessory apartments and changing some wording for consistency.

Topics

- Bragdon Farms Metal Detection

Will Ludt, Herritage Commission Chair spoke.

A request was submitted to the ACC for metal detection at the north field on the west side of 101.

Will made a presentation to the commission. He did some research to find out if this should or should

not be allowed. There are federal and state statutes that prohibit it unless posted, but that doesn't

apply here. The authority lies with the towns for town- owned land. No one was sure if it requires vote

at town meeting or just Town Administrator approval.

Findings of a certain value should belong to the Town. Heritage items such as arrowheads or old coins

should be identified, documented and turned over to the town. Digging areas should be returned to

their original state. Amherst has no policies, ordinances or guidelines in place for this.

The commission discussed allowing this one family to continue as long as anything of heritage value is turned over to the Heritage Commission.

Rob suggested they give a list of objects found to the town on an ongoing basis.

R. Clemens moved the ACC approve the request to this individual to conduct his metal detection on Bragdon field with the request that he report his findings to the Heritage Commission.

L. Gilman seconded.

Discussion

Bruce said any policies about this discussed or created should go through the Heritage Commission.

Vote: All in favor

- Lindabury Orchard- Working Group Recommendation

The Commission discussed the relationship between FOTO and the ACC and the responsibilities of each.

The Commission is supposed to decide tonight what to do with each remaining working group recommendation. (Recommendations 2-6)

The Conservation Commission discussed the Working Group recommendations and made edits when agreed upon.

The Conservation Commission discussed if FOTO should be a subcommittee of the ACC, or its own town-sponsored group.

After discussing recommendations 2-6, the Conservation Commission decided to table recommendations 4, 5 and 6.

D. D'Angelo moved to approve recommendations 2 and 3 as amended. J. Harvey seconded.

Discussion

Lee expressed concerns with the ACC overseeing mowing in conjunction with DPW and/or the Rec Dept.

He wants the contact from FOTO to go directly to the DPW. There is also no description of standard of care for the trees which concerns him.

Vote: 4 in favor, 2 opposed, 1 abstention therefore the motion passes.

Bruce left the meeting at this time.

- 2017 Budget

John presented his budget report to the BOS and they had concerns about some of the increases. He has made some edits and explained those to the Commission.

143 **Management Areas**

144 Meadows/ Forests/ Invasives- Lee

145 Hemlock Harvest (JER)

- 146 - The culvert is in. Stones were brought in. The road is built out to the landing. We might be able
147 to open the part that's closed in about a month.
- 148 - Meadows: on hold with the orchard. He will get back to clearing it this winter. The Commission
149 discussed some trees that are in the orchard and Lee expressed that they are becoming an issue.
150 Lee talked to Mark and Mark would like to have a 10-year contract with the ACC to grade, seed,
151 mow and deal with poison ivy for a lower rate than he currently gives, though he does not want
152 to deal with those two trees. John and Lee will write up a contract for Mark and the Commission
153 will figure out if the job needs to go out to bid or not.

154

155 Infrastructure- Frank

156 Nathaniel Drive Stairs-

157 Daryl said the stairs are on an easement and the property owner wants a sign saying 'pedestrians only'.
158 Daryl will check back with the owner.

- 159 - Frank updated his to-do list in the dropbox
- 160 - Frank got out the rest of the treacherous metal
- 161 - The kiosk roofing went up
- 162 - A Bicentennial bridge was replaced.
- 163 - There are two other areas on Bicentennial that need bridges put in.
- 164 - He gave some thoughts about the interactive app. He thought the trail stewards could add a
165 picture or drop a pin so it is easier for the ACC to find the issues they note. They could update
166 bridge aging, trail erosion, additional blazes needed and kiosk information updates as needed.

167

168 Trails Committee

- 169 - The committee hasn't met since the last board meeting
- 170 - John will ask the Milford Conservation Commission for permission to adapt their trail manual to
171 Amherst
- 172 - They are a committee of six and there is another person interested in serving so they would like
173 to have seven members. The commission had no issue with that.

174

175 Management Planning

176 ACC and five other Conservation Commissions in NH split the costs to integrate a map layer into
177 MapGeo that depicts wildlife habitat and conservation priorities from the State of NH Wildlife Action
178 Plan. J. Harvey displayed the new map layer. This will assist ACC with land management and acquisition
179 planning. R. Hart requested a MapGeo tutorial for interested ACC members.

180

181 **Non-Public Session, RSA 91-A:3, II (b)**

182 **Pursuant to NH RSA 91-A:3, II (b), D. D'Angelo moved, seconded by R. Clemens, to enter non-public**
183 **session at 10:28pm for the purpose of discussing land acquisition.**

184 Roll Call Vote: Hart=yes, Gilman=yes, Clemens=yes, D'Angelo=yes, Robertson=yes, Harvey=yes, Hardner=yes

185

186

187 The Conservation Commission reentered public session at 11:40pm.

188 **W. Robertson moved, seconded by R. Clemens, to seal the minutes of the non-public session for 30**
189 **days. All in favor**

191 Round Table

192 Rob discussed the hydrology study. He wondered if it should be a warrant article from the ACC for the
193 Town to vote money to be allocated to the study (the amount would be predetermined by the ACC). The
194 timetable is extremely tight to do it. It would go before the BOS and the Ways and Means committee no
195 later than January 6th. The project would be overseen by the ACC.

196 The Conservation Commission discussed the scope of work: a professional water resource assessment
197 for the Town. It would look at defining the quantity and quality of water used by the residents of the
198 Town of Amherst. It would entail hiring a consultant to assemble the existing information and to
199 complement that work with field studies to fill in the gaps so we would have a tool moving forward for
200 planning and protection purposes.

201 Rob wanted to find out from the Conservation Commission if they are on board with the concept of this
202 project and how urgent it is. If so, the Conservation Commission will need to figure out the details and
203 timing of the project and define the cost.

204 John stated that it is an urgent problem. We have to understand what water we have and what the
205 quality is. Then data needs to be gathered to convince the authority to protect it.

206 Peter asked Rob what information this project will give us that we don't already have. Rob replied it will
207 give updated, professional information that will be more in depth than some of the volunteer efforts
208 have been with regard to the quantity of water available in the aquifers and the quality of the water.
209 This will aid the town boards in their decision-making processes. John added that it should be science-
210 based.

211
212 The amount of money Rob proposed is \$50,000. If the warrant were to pass this spring, the money
213 would become available in July. The question is if there is enough time to inform the Town of the issue
214 by February 1st for them to vote it through.

215
216 The Conservation Commission reviewed language for the warrant article that Rob drafted. The
217 Conservation Commission decided to move forward and attempt to get the project on the ballot for this
218 spring. Rob will draft language to bring to the group for approval on December 28th.

219
220 Rich- all PSNH displays have been set aside at the Peabody Mill maintenance closet along with the tent
221 Lee- There was a \$200 expenditure to pick up the concrete in the meadow. Jack paid out of pocket for
222 Scott to do the work. FOTO should pay that.

223 Frank read a note from Bruce- converse woods trail map was posted.

224

225 **R. Clemens moved to adjourn at 12:02am. J. Harvey seconded. All in favor**

226

227 Respectfully submitted,

228 Jessica Marchant