



Town of Amherst, NH

Conservation Commission

FINAL Minutes

Barbara Landry Meeting Room

Wednesday, March 13, 2019

Conservation Commission members in attendance were: Chairman Rob Clemens, Frank Montesanto (Alternate member voting for Jared Hardner), Vick Bennison, Bill Widmer, Rich Hart, Bill Stoughton (Alternate member voting for John Harvey), Michael Cohen, and Peter Lyon.

I. Call to Order

Chairman Clemens called the meeting to order at 6:59 PM.

II. Chair Comments

Chairman Clemens stated that he would look into each Commissioner's term to see if any renewals will need to be made. He also congratulated Mr. Lyon for his re-election to the Board of Selectmen.

Wes Robertson entered the meeting.

Lee Gilman entered the meeting.

III. Minutes (from 2/13)

A MOTION was made by Mr. Bennison and SECONDED by Mr. Montesanto to accept the meeting minutes from February 13, 2019 as amended.

Voting: all aye; motion carried unanimously.

IV. Treasurer's Report

Chairman Clemens read Mr. Harvey's report into the record.

A MOTION was made by Mr. Robertson and SECONDED by Mr. Gilman to accept the Treasurer's Report as presented.

Voting: all aye; motion carried unanimously.

36 **V. Planning and Permits**

37 Mr. Hart stated that the proposed warehouse off of 101A will need a traffic study and other
38 studies. It was tabled until the Planning Board meeting next month.

39
40 Mr. Hart explained that a proposal for an increased parking lot at LaBelle Winery was
41 approved by the Planning Board. This new proposal takes into account the ACC's concerns
42 regarding the nearby wetlands.

43
44 Chairman Clemens stated that he's been made aware of a new shoreline permit by DES
45 and also a wetlands permit for the proposed development on Route 122.

46
47 **VI. HB 442 – Coyote Hunting Season Limitations**

48 Ms. Joan O'Brien, of 9 The Flume, as a volunteer of the Humane Society presented to the
49 Board a proposal for their support on HB 442. The bill aims to close the hunting season on
50 coyotes during the period when their pups are being raised, approximately April 1 –
51 August 31. Both males and females help to raise the pups, with males helping to teach their
52 young how to hunt. Currently it is legal to hunt coyotes year-round, night hunt them, and
53 trap them for 5 months of the year. The bill is being voted on 3/20/19.

54
55 In response to a question from Mr. Robertson, Chairman Clemens stated that the Wildlife
56 Division of Fish & Game proposed this idea last year, but Fish & Game found there was
57 not sufficient evidence and overruled the Division.

58
59 Chairman Clemens explained that coyotes are the only predator in the state with a year-
60 round hunting season.

61
62 In response to a question from Mr. Cohen, Chairman Clemens stated that he believes,
63 through anecdotal information, that the coyote population in Amherst is plentiful.

64
65 Mr. Robertson stated that Fish & Game is the regulatory body for hunting seasons, and if
66 they do not support this bill then he does not believe the Commission should be contrary to
67 that.

68 Mr. Stoughton agreed that the protection of coyotes through this bill could negatively
69 impact other species. More data is needed. This seems to be more of a social-issue bill and
70 he doesn't believe the ACC should endorse it without more data.

71
72 Chairman Clemens stated that there could be a question as to the health and structure of a
73 pack when dealing with "bad behavior" from teen coyotes who are not properly taught to
74 hunt by adults.

75
76 The Commission agreed to not take any further action in regard to HB 442 at this time.

77
78 **VII. Taylor/Bower Easement**

79 Town Administrator Dean Shankle explained that he sat down with the town's attorney to
80 discuss an easement on these 90+ acres.

Mr. Lyon stated that the main issue stems from using public funds to acquire an easement with very limited public access. However, there is also the understanding that this easement would do a lot to protect town land and resources.

Town Administrator Shankle stated that the only public access on this easement would be along the southern end, with a small trail that users would not be allowed to stray from. This is a policy issue and, going along with that, there is an administrative concern as to how to enforce that.

Chairman Clemens stated that he and Mr. Hardner have reviewed this land on the ecological ranking town maps and it is one of the highest ranked properties in town. He believes the proposal can stand on the conservation values that will be preserved through an easement. There will be a small trail connector from Joe English out to Mack Hill, but the access to it will be restricted. The types of access there will also be restricted, and no hunting will be allowed on the property.

The Commission discussed whose responsibility it will be to post for restricted hunting and then to enforce such restrictions.

Mr. Robertson stated that it is not without precedent for the Commission to acquire an easement without public access. There are good reasons to pursue this easement, as the ACC's mission is to protect town land and this meets the criteria for that. This land will fill in a gap of interconnected properties around it. The area is critical for habitat and associated wildlife and that must be the primary consideration.

Chairman Clemens explained that this land will have equestrian trails on it for a business, thus limiting the presence of uncontrolled people, dogs, and guns on it. Public access will be allowed on prescribed routes at prescribed times.

Mr. Lyon expressed concern over future owners on the land, as there are 3 other buildable lots that could be transferred there.

Mr. Montesanto stated that the property does appear to be in a high priority area, but he also wonders about the vulnerability of it. If those 3 lots are developed on in the future, it would restrict horse access in those areas, thus leading to other restrictions. He wonders if the land will be developed whether the ACC purchases it or not.

The Commission discussed possible ways to alter the public access restrictions being proposed on the easement.

Mr. Stoughton suggested that it might be possible to change the restrictions so that once the property is no longer an equestrian locale, the public access will extend.

The Commission discussed how any restrictions will be enforced. The Commission agreed that they would consider pursuing the easement even if public access is restricted on the property.

127 **VIII. Public Education and Outreach Plan**

128 Mr. Cohen stated that work plans make organizations transparent and accountable from the
129 public perspective, bring continuity and consistence amongst members and volunteers,
130 improve the group's effectiveness and efficiency, keeps the group on track to their goals, and
131 are also flexible enough to be changed over time.

132
133 The Commission reviewed the Public Education and Outreach Plan. They discussed a time
134 frame of 24 months to accomplish the goals listed.

135
136 *A MOTION was made by Mr. Stoughton and SECONDED by Mr. Robertson to adopt the*
137 *Public Education and Outreach Plan (1st 2 columns).*
138 *Voting: all aye; motion carried unanimously.*
139
140

141 **IX. Amherst Clean-up Day**

142 Mr. Widmer stated that the date for this year's Town-wide Clean-Day will be May 4, 2019
143 from 8am-12pm. He and Ms. Patenaude will work on an article for the April edition of the
144 Citizen. There will again be 3 sites around town to bring the full trash bags to. More details
145 will follow.

146
147 *A MOTION was made by Mr. Robertson and SECONDED by Mr. Stoughton to approve*
148 *funds for Ms. Patenaude, not to exceed 30 hours' worth of work.*
149 *Voting: all aye; motion carried unanimously.*
150

151 **X. Lindabury Orchard / FOTO Report**

152 Mr. Montesanto reviewed the FOTO Strategic Plan for 2019 with the Commission.

153
154 In response to a question from Chairman Clemens, Mr. Montesanto stated that FOTO would
155 look into alternate organic options if they decide to spray the orchard.

156
157 **XI. Proposed Acquisition – Lot 6-20-2**

158 Chairman Clemens stated that he spoke with the owner of the Grater Woods property who
159 said that he would accept an offer of \$120,000 for the 5.5 acre parcel. This property is within
160 an already conserved area. This acquisition will keep the land from being developed and
161 keep it for conservation purposes.

162
163 In response to a question from Mr. Robertson, Chairman Clemens stated that the property
164 price discussion started at around \$125,000. The appraisal came in between \$115,000-
165 120,000, so this price seems like a logical compromise. The hope is to wrap up the deal by
166 the end of June.

167
168 *A MOTION was made by Mr. Stoughton and SECONDED by Mr. Bennison to proceed*
169 *toward the acquisition of the Grater Lot by allocating \$125,000 from the Conservation Fund,*
170 *work to schedule a public hearing, and further the discussions with the land owner.*
171 *Voting: all aye; motion carried unanimously.*
172

XII. Round Table

Mr. Widmer stated that there is the potential for planting 2 disease-resistant American elm trees near the Green. He will discuss the matter further with Perry Day, of the DPW. There has been a historic precedence of elms on the Green and these would be 2 six-foot donated trees.

Mr. Montesanto stated that tomorrow morning he'll work with 4 high schoolers to put in a bridge at Hammond Brook.

Mr. Robertson explained that he's working with an Eagle Scout to potentially create a trail to connect around a sharp slope on the Highland Trail. The Scout will next be pulling data and will then present that to the ACC.

Mr. Stoughton stated that the monitoring spreadsheet is complete. All of the maps and deeds have been linked on the sheet.

Mr. Bennison and Mr. Cohen agreed to coordinate a trail steward meeting.

Chairman Clemens explained that he would like to submit an application to the UNH Extension's BioBlitz program. This would allow the town to be part of a natural resources scavenger hunt in the fall. The Commission agreed this was a good idea.

Mr. Lyon explained that the Milford Rotary Club is in custody of some money that was donated in memory of an Amherst resident. They would like to donate it to the ACC, to be eligible for an infrastructure/trail/etc. The Commission agreed to further discuss this.

A MOTION was made by Mr. Robertson and SECONDED by Mr. Bennison to adjourn the meeting at 9:50 pm.

Voting: all aye; motion carried unanimously.

*Respectfully submitted,
Kristan Patenaude*