

TOWN OF AMHERST
Conservation Commission

April 22, 2020

APPROVED

In attendance via Zoom: Rob Clemens – Chair, Jared Hardner – Vice Chair, Bill Widmer – Treasurer (alternate), John Harvey, Vick Bennison, Frank Montesanto, Peter Lyon – BOS Ex-Officio, Mike Cohen (Alternate), and Bill Stoughton (Alternate).

Staff present: Dean Shankle – Town Administrator; and Kristan Patenaude – minute taker.

Public present via Zoom: Ken Clinton, Meridian Land Services, LLC.

Chairman Rob Clemens called the online meeting to order at 7:02 pm.

ADMINISTRATIVE:

1. Chair Comments

Rob Clemens announced that today is the 50th anniversary of Earth Day. He also congratulated Bill Stoughton on his nomination to the Planning Board as a representative from the ACC.

2. Minutes (4/8)

John Harvey moved to approve the meeting minutes of April 8, 2020, as amended [to remove lines 114-117; and to change all references to “Greater Woods/Road” to “Grater Woods/Road.”] Vick Bennison seconded.

Roll call vote: Rob Clemens – aye; John Harvey – aye; Jared Hardner – abstained; Vick Bennison – aye; Frank Montesanto – abstained. 3-0-2; motion carried.

Mike Cohen sat for Lee Gilman.

Rich Hart entered the meeting.

3. Buck Meadow Update

Rob Clemens explained that the ACC and Recreation Department are looking into a proposal with Meridian Land Services for a more intensive evaluation of the parking and access to the Buck Meadow property. The suggestion is that the ACC will pay for 2/3 of this evaluation, and the Rec Department will pay for 1/3 of it.

In response to a question from Frank Montesanto, Ken Clinton of Meridian Land Services, stated that the recreational uses on the property will be more intensive than those of the ACC. He suggested that, because of this, the evaluation costs might be better split up as 2/3 by the Recreation Department and 1/3 by the ACC.

In response to a question from Mike Cohen, Ken Clinton explained that the current parking area at the golf course is oval shaped, gravel, and dysfunctional. Meridian Land Services plans to evaluate the absolute minimum improvements that need to be made in order to begin dual use of the access and parking lot areas by the ACC and Rec Department. The company will then look at adding additional functionality with small improvements. Finally, the company will review what the maximum usage of the property will be and what will truly be needed to utilize that.

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Rob Clemens stated that the property needs to have a safe and usable access point off Route 101A. He believes small improvements to this are necessary regardless of the amount of usage the property will get during the soccer/sport season. He explained that the ACC is also sensitive to the Board of Selectmen concerns regarding a secondary access point off Stearns Road. Both the ACC and Rec Department have an interest in this secondary access point for questions regarding parking capacity, access to the property, and another point of egress.

Ken Clinton suggested as a consideration that the groups could approach the Buck Meadow condominiums to ask for access to an alternate emergency access point through their property, out to Veterans Road. This is currently the only access point for the condominiums. For an immediate solution, the groups could use that as a secondary egress point, and the condominiums could use the Buck Meadow property as an egress point. He believes that an access point off Stearns Road will eventually be needed.

Jared Hardner explained that, in terms of splitting the cost, the ACC currently has the funds to front the higher end of the cost sharing split, while the Rec Department does not. Also, the Rec Department will be picking up the long term costs of managing the Buck Meadow property, making its cost burden much larger than the ACCs.

Rob Clemens moved for Meridian Land Services to undertake the work, as described, with the Recreation Department and ACC, as a way to get access concepts on paper and evaluate options. Jared Hardner seconded.

Discussion:

In response to a question from Mike Cohen, Ken Clinton stated that the estimate for this evaluation is not to exceed \$2,400.

Rob Clemens amended his previous motion; to accept Meridian Land Service's proposal to evaluate the access, parking, and usage for both the Recreation Department and ACC at the Buck Meadow property, not to exceed \$2,400, with 1/3 of the cost coming from Recreation Department funds, and 2/3 of the cost coming the Conservation Fund. Jared Hardner seconded.

Roll call vote: Rob Clemens – aye; John Harvey – aye; Vick Bennison – aye; Jared Hardner – aye; Frank Montesanto – aye; and Mike Cohen; aye. Motion carried unanimously.

In response to a question from Ken Clinton, Rob Clemens stated that the ACC will be in contact with him in early May to begin this evaluation process.

Jared Hardner explained that he walked the property with John Harvey and Rob Clemens. A rough layout of the trail around the perimeter of the property was examined. There could also be a short trail loop out to the pond and back that will give an option for access to those on the lower playing fields, and also a shorter, flatter walk for those interested.

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In response to a question from Mike Cohen, Jared Hardner stated that the trail is approximately 1 mile long in total. The trail will extend past various habitat types and give access to the condominium owners, if they so choose. This will be further discussed with the advisory group.

Rob Clemens explained that the group has also discussed an access trail over to Parkhurst Place.

The group discussed some areas on the property that could hold pollinator gardens. Mike Cohen suggested educational signage in these areas to describe what the gardens are and why they are important.

In response to a question from Bill Stoughton, John Harvey stated that there haven't yet been turtles observed in the ponds on the property yet, but that there are primary shallow wetland habitats for turtles nearby. NH Fish & Game will be going back to the property to make more observations soon.

Rob Clemens stated that there was an article about the acquisition in the Citizen and Union Leader newspapers. Vick Bennison also shared these articles on Facebook, where there seemed to be a lot of support and positive responses.

Rob Clemens explained that the advisory group will have an initial meeting tomorrow. This group includes himself, Craig Fraley (Recreation Department Director), 3-4 members of the Buck Meadow condominiums, Danielle Pray (the largest land owners on the Stearns Road side of the property), Paul Spiess (Chair of the Parkhurst condo board), and Selectman Reed Panasiti. The group will discuss the proposed trails, the property usage, and where different interests and concerns lie.

Rob Clemens explained that the property's parking lot is currently still closed and that the Police Department continues to monitor it. The property will remain closed until guidelines that are consistent with Recreation Department guidelines are available.

**Jared Hardner moved to allow Frank Montesanto to enter documents into the Dropbox. John Harvey seconded.
Motion carried unanimously.**

4. Trails Update

a. Closures, conditions, and use

Rob Clemens explained that the ACC previously agreed to close the parking lots for Grater Woods, Betty Arnold, Haseltine, and the roadsides around them. The DPW temporarily put out 'No Parking' signs and taped off the areas. There was some pushback from the community, but most seemed supportive and stayed in compliance. He explained that he made the decision on Monday to continue these lot closures through the end of the month. The trails are not closed, only access to the parking areas.

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John Harvey stated that the ACC should note at the closures that this is due to Governor's orders. The ACC should also note on Facebook that all trails are open.

Bill Widmer stated that he had sent around an email to the group explaining that normal usage of the parking lots does not seem to be enough vectors to spread COVID-19. He didn't, however, realize that there were things like bike gatherings and tailgating going on in some of the lots. He believes these issues could be policed, instead of closing the lots all together.

Jared Hardner stated that there is anecdotal evidence showing that there are larger than normal numbers of people out on Amherst's trails right now. This makes sense, as many of the surrounding towns have closed their trails, causing a flood of people to the places that are still open. He explained that this seems to be a temporary situation. There is also the issue of wet trails, and a heavier load of people possibly causing additional damage in these areas. If the trails were dry, the additional people might be okay, but the wet trails can't handle hundreds of additional people on them.

Jared Hardner stated that permanent 'No Parking' signs are needed along the road at the Grater Woods and Austin Road parking lots. The neighbors have complained about this issue for years. All of the trails in these areas will remain open and accessible.

Jared Harder noted that he is discouraged by the lack of personal discretion being exhibited by some of those visiting these lots and ignoring the signage. He explained that the Horse Hill trails are closed due to wetness, but the parking lot there is actually owned by the town of Merrimack. The town has not closed the lot and people continue to use the trails, even though they are closed.

In response to a question from Rob Clemens, Peter Lyon stated that the Police Department can only enforce things backed by a law/ordinance/rule, not simply at their discretion. There is no ordinance regarding parking at these areas. The signs will help to discourage people but there is no further enforcement to take at this time. If the ACC closes these lots, the Police may be better able to enforce parking issues under ACC authority.

Mike Cohen stated that these lots seem to have much less usage on weekdays. He also noted that there didn't seem to be any clarity on the closure signs that all of the trails were still accessible.

Lee Gilman entered.

Jared Hardner explained that he would like to let local residents know that the trails are still open, but to discourage out of state visitors from using town trails.

Rob Clemens stated that the next step will be to get at least Grater Road permanently signed with 'No Parking' signs along the road. Peter Lyon agreed that, at least for this area, there seems to be the need for an ordinance. This will need to happen through a public hearing process with the Board of Selectmen.

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Jared Hardner noted that the Haseltine lot does not seem to be an issue, as much as Betty Arnold and Grater Road.

Frank Montesanto agreed that the ACC has a responsibility to keep the parking lots closed for right now and to let residents know that the trails are still open.

Jared Hardner noted that there has been an outpouring of support from the cycling community online. The locals seem to want to protect this resource.

The group discussed the different ways to get the word out about these closures, why they are happening, and to let residents know that the trails are still open.

Rob Clemens stated that he will repost his informational post on Facebook and clarify that the trails are still open to Amherst residents. He will also include information about carry in/out all materials, including used gloves that some people have been using in response to the COVID-19 pandemic while touching items out in public but not necessarily disposing of properly.

Rob Clemens moved to continue the closure of the Grater Woods and Austin Road parking lots, until such time as the state and local guidelines regarding COVID-19 gatherings changes. Vick Bennison seconded.

Roll call vote: Rob Clemens – aye; John Harvey – aye; Frank Montesanto – aye; Rich Hart – aye; Vick Bennison – aye; Jared Hardner – aye; and Lee Gilman – aye. Motion carried unanimously.

Frank Montesanto noted that the sign from the upper Haseltine parking was unfortunately removed by someone.

b. Pulpit Brook bridges

Frank Montesanto explained that, if the group decides to proceed with an elevated walkway in this area, it should wait until the water recedes.

In response to a question from Rob Clemens, Frank Montesanto explained that the issue in this area is due to beavers.

Rob Clemens stated that there is also an issue with the beaver deceiver near Little Baboosic Lake. He sent a message to the person in Vermont who originally put in the beaver deceiver to see if there are any repairs or enhancements that can be made. It may also be worth it eventually to speak with Fish & Game regarding employing a trapper to deal with the beavers.

c. Rocky & Bullwinkle

Jared Hardner explained that there are now four new bridges on the Highland Trail and one new one on the Harding Trail. The Bullwinkle Trail was completed; it is about 0.5 miles long. Next, the Rocky Trail was completed; it is about 0.7 miles long. Both of these new trails provide a loop back to P MEC, so that users do not have to exit onto Brook Road. He also explained that the

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Bobtail Trail has two new reroutes and two new 16' bridges. In Haseltine, the Frodo's Ring Trail has a new reroute, and the Legolas Trail has a new 24' bridge. In the Bicentennial area, the Humpty Dumpty Trail has a new 32' bridge, with lumber donated by NEMBA (New England Mountain Bike Association). There was also draining work and reroutes done in this area. He continued that the private property owner near Caesar's Brook has agreed to a trail agreement that will allow for a dry exit from the trail onto the nearby class 6 road. This will also allow for entry onto six other ACC properties.

Jared Hardner suggested that the ACC consider: the fate of the Highland Trail exit onto Brook Road, the design of You Are Here maps for Joe English, the updating of the maps in Bicentennial South, building the exit from Caesar's Brook and seeking approval for the new Wilkins easement, and updating the UNH online trail app "TrailFinder."

d. Mobility assistance

Bill Stoughton explained that there is at least one trail on the Buck Meadow property that could be made accessible, including to personal mobility devices. He reviewed the requirements for these types of trails, including: being a minimum of 36" wide, being on a firm and stable surface, and having a maximum slope of 1:20, or steeper is okay with periodic resting areas along the way.

Jared Hardner stated that the Buck Meadow trail has an advantage to be this sort of trail because it contains no bridges or structures. There is also no limit as to how wide the trail can be. The issue may be the requirement of a firm and stable surface, as parts of this area are wet and spongy.

John Harvey stated that there are four greens and tee boxes to remove in order to get the necessary slope.

Bill Stoughton explained that the trail could be listed as closed/not accessible if it is wet and spongy. He reviewed the Town of Mason's policy on personal mobility device use.

Town Administrator Shankle noted that there is a state office, NH Governor's Commission on Disability, which gives advice on these types of matters.

Rob Clemens stated that Buck Meadow appears to be an ideal place for this type of trail. He suggested that the group reach out for guidance in order to move forward. He also suggested that the short loop trail out to the pond could possibly be made compliant.

John Harvey noted that the Purtell trails are nominally open at this time. There is still some work to be done, and thus the trails are not being announced as open to the public yet. He explained that the trail needs a name. The Trail Standards mention not breaching stone walls, so as to try to leave the wall as originally found.

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Bill Stoughton noted that these trails are also on an easement and thus if any stone walls are going to be destroyed or modified, the ACC would first need permission of the land owner.

5. Other Business

Rob Clemens explained that the Planning Board will likely try to focus on new possible ordinances, now that the IIHO has been removed. The ACC should begin to think about what changes it might like to see in regard to any of these possible changes. He, Rich Hart, and Bill Stoughton will discuss this topic further.

Rob Clemens explained that Eric Bazil has submitted another request to the Board of Selectmen, regarding the encroachment on his property on Simeon Wilson Road.

Rob Clemens stated that he received a letter from DES regarding a notice of deficiency for a property owner on Route 101. The property owner apparently moved too much material and possibly filled in part of a wetland without the proper permits. The land owner must now get the proper engineering and permitting in place.

Rob Clemens explained that the NH Big Tree program identified the largest pitch pine in Hillsborough County as one in Meadowview Cemetery. He will provide the certificate to the DPW, as they manage the property.

John Harvey explained that a Facebook survey created by Kristan Patenaude for those interested in more information from the ACC has gathered the names of people in town who are also interested in possible volunteer opportunities. He asked the group to review a letter that could be sent to these people in the hopes of gathering volunteers to help with some of the ACC's work.

Rich Hart stated that there should be a decision made regarding the town's annual 4th of July celebrations soon. He suggested the ACC think about having their own float in the parade, if it happens, this year.

Mike Cohen thanked Kristan Patenaude for her work educating the public around Earth Day through Facebook.

Lee Gilman stated that there is an Intent to Cut filed for a property on Aglipay Drive.

Rob Clemens explained that he and Rich Hart are members of the Souhegan River Advisory Committee. Last week there was an Intent to Cut granted for a strip of trees abutting the Souhegan River. The Town of Milford approved the request, but the owner essentially ended up clearcutting along with edge of the river. This violated some of the best management practices and thus the group will be filing with the state. He recommended the ACC continue to look closely at all Intent To Cut requests they receive.

Jared Hardner moved to adjourn the meeting at 9:30pm. Vick Bennison seconded. Motion carried unanimously.

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311 Respectfully submitted,

312 Kristan Patenaude

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314 Minutes approved: June 10, 2020