

CONSERVATION COMMISSION
Boscawen Municipal Complex
June 20, 2023
Final Minutes

Present: Jeff Abbe, Acting Chair, Aurel Mihai, Norman LaPierre, Mark Kaplan, and Charlie Niebling, Town Forester

Alternate Members Present: Henry Carrier, Lyman Cousens, and Betsey McNaughten

Absent: Matt Burdick, and Alan Hardy

Staff Present: Kearsten O'Brien, Deputy Director, Planning & Community Development, Kara Gallagher, Assistant, Planning and Community Development, and Rose Fife, Recording Secretary

Consent Agenda:

- Open by Chair at 6:30 pm
- Roll call by Kearsten O'Brien
- Accountant's Report
- Review 5/16/23 Minutes

A **motion** to approve the Consent Agenda was made by Mr. LaPierre, seconded by Mr. Mihai and passed by a unanimous vote. Ms. McNaughten abstained.

Acting Chair Abbe appointed Mr. Cousens as a voting member.

Old Business:

• Barnard Lot – Forester Niebling, Mr. Abbe and Mr. Mihai walked the second block of the Barnard lot, which is proposed for a forest management project on June 5, 2023. They will narrow the scope of the harvest plan for that block. Forester Niebling went back today and marked approximately 30,000 feet in the front portion of the lot closest to the road. It contains a mix of oak, pine, some firewood, and some pulp. He met with Adam Mock, of Adam Mock & Son Logging this afternoon and walked both blocks. Adam Mock is interested in operating in that sale. He will take some time to speak with several of the pine mills in the area to get a sense of the value of the pine. He will then iron out pricing and create a draft contract that he will bring back to the Commission to approve. They are confident they are looking at a good cone crop this year. They plan on logging the parcel late September to early October. Mr. Mock thinks it will take about 3 weeks to harvest. He will have 2 landings, one on each block. They will work it out with the abutter to be able to use the truck road as an access. Mr. Mock will evaluate the market conditions, draft the contract with the proposed pricing, and bring it back to the Commission for approval. He will then file the Intent To Cut. He doesn't believe there are any water crossings so there is no need for wetland permits.

The access road is a 2-mile road off Corn Hill Road owned by Horizon Holdings. Horizon Holdings is allowing them to enter their gate. Mr. Kaplan asked how long Mr. Mock would take to cut. Forester Niebling estimated 3 weeks. Mr. Kaplan asked how disruptive it would be for people hiking there. Forester Niebling answered that there are no trails in that area. It is on the far end of the Barnard lot.

Forester Niebling noted that the Commission had selected Adam Mock & Son Logging in 2018 on the Weir Town Forest patch cuts and he did a nice job. He also wanted to update the Commission on what he found for an inventory out there. He flagged an access for a skid trail as well.

Mr. Mihai wanted the commission to discuss Horizon Holdings' access road which passes through the northwest corner of the Barnard Lot. Forester Niebling noted that Horizon Holdings upgraded their access road through town

land, and through the corner of the Barnard lot, and to his knowledge no consent or permission was sought. It would probably be good to have a written reciprocal right of way agreement. It should be memorialized with a full understanding of rights and responsibilities on both parties' parts. Forester Niebling will draft something for the Commission if they would like. It may make sense to have the town lawyer look at it. Ms. McNaughten also has a template for such an agreement, and she will email it to Forester Niebling. Mr. Abbe asked if Adam Mock & Son Logging would go in there in October. Forester Niebling will have him go in mid to late September before the late fall mud season.

Acting Chair Abbe discussed the picnic table at the Farmstead being severely rotted. He would like to replace it and possibly get two picnic tables and would like input from the Commission. He would like one for Walker Pond. He located a flatter spot ¼ mile from the boat launch. Belletetes have 6-8 foot tables for \$199, all pressure treated. He'd like a smaller table than the 10 foot one that is there now. Mr. Mihai did not believe there was a place to put a picnic table at Walker Pond. At the Five River's Meeting they discussed coming up with a plan and how to move forward with it. Possibly find a consultant to help them with coming up with a plan. A picnic area is something they definitely want. Acting Chair Abbe believes funds for the tables should come out of Forest Fund. A **motion** to approve the purchase of 2 tables was made by Mr. Cousens, seconded by Mr. Mihai and passed by a unanimous vote.

Mr. Kaplan spoke with Betsey Millard regarding invasives. If the town would like to do a project to remove autumn olive, she is open to that.

Forester Niebling asked if Fish and Game habitat grants could be used to restore a field? Ms. McNaughten does not believe so.

Walker Pond: Acting Chair Abbe reported. Litter is almost nonexistent. The loons are back. The level of the pond seems to be okay. Some beaver dam build up. He has not heard back from Bruce Johnson for an update. Mr. Mihai noted that there are a lot more beavers there than there used to be. Mr. Kaplan asked if that is the sort of thing that is threatening the pond? If it's a problem, does Fish and Game have any programs to relocate beavers. Mr. McNaughten answered that they do not. She suggested bringing in a trapper. Carrier noted that WCO's can trap year-round.

New Business:

- Turtle Crossing Signs: Ms. McNaughten emailed Ms. O'Brien and Mr. Hardy about this as she has found turtles being hit near a corner of a road she frequents. The article she submitted was sent to her at Fish and Game. She thought they could get Turtle Crossing Signs. They would be seasonal signage. The turtles being hit on Queen Street, she believed, were being displaced due to construction. Ms. O'Brien noted that Mr. Hardy sent the article to Mr. Hollins at DPW. She will check with Mr. Hollins. Mr. Mihai has seen some at the bridge on Long Street. They can put a sign section on their "Welcome to Boscawen" sign going down that hill on their side of town. Forester Niebling reminded the Commission that is a state road. Ms. O'Brien thought maybe AgCom would allow them to add a turtle sign at the bottom of their 'Welcome to Boscawen' sign. Forester Niebling was okay with that as long as it's not in the right of way. They could talk with Andy Morrill and ask if they could put a sign on his property. Ms. O'Brien thought they could add a sign to the "Welcome to Boscawen" sign. Mr. Kaplan asked if she thought people would see it. Ms. O'Brien answered yes.

They have trucked in a lot of sand on Queen Street, which will attract the turtles for nesting closer to the road. Acting Chair Abbe asked if there were any regulations that would control storm water with silt fencing between construction and the marsh. Ms. O'Brien explained that the Planning Board will ask the Conservation Commission to make recommendations to them for conditions of approval. The lot discussed is pre-existing and doesn't have as many conditions. Ms. O'Brien will talk to Mr. Hollins at DPW regarding a culvert there.

Mr. LaPierre spoke with Scott Hill regarding the snowmobile trail being diverted in the Boscawen Village Town Forest. Can they relocate the trail on Fish and Game property. Ms. McNaughten will ask. She's a proponent for that kind of use. Mr. LaPierre also noted that if you are going for a grant with the Bureau of Trails, you need to get permission.

Ms. O'Brien will bring this discussion regarding Turtles back once they know which location and how many signs. She will talk with Mr. Hollins at DPW and get back to the Commission. Acting Chair thought a simple seasonal sign would work. He also asked which budget would take care of it. Ms. O'Brien answered that the Commission's budget would have to take care of the cost.

- Northern Rail Trail Discussion – Ms. O'Brien noted that there is a letter in their packet from the Friends of the Northern Rail Trail letting the Commission know what they have been up to and requesting a donation. Mr. Kaplan asked if it was in their remit? It's more a recreation rather than Conservation issue. Ms. McNaughten noted that it does bring people to the town. She asked if this letter also went to the Select Board. Ms. O'Brien was not sure. Mr. Kaplan asked if they could redirect to the Select Board. Mr. Mihai suggested the Select Board should decide if they are going to make a donation. It's more economic development. Mr. Cousen asked when the lease runs out for the Rail Riders. Ms. O'Brien answered the lease runs out in 2024.

- NHDES Proposed Changes to the NH Wetlands Rules: Ms. O'Brien noted that Mr. Hardy wanted this item on the agenda, and he is not here this evening. She will move it to next month's agenda.

Wetlands Drudge and Fill permit in their packet. Lot 94/23 477 High Street. Ms. McNaughten asked if there was a comparable subdivision to this already in town. Ms. O'Brien thought Keneval Drive. Ms. McNaughten asked if they had open space. Ms. O'Brien explained that Boscawen's land regulations allow for a Homeowner's Association or land held in common ownership. It will be discussed at the Planning Board. Ms. McNaughten asked if there is a conservation easement around that property. Forester Niebling has property in conservation that abuts that property and there is one other person who does as well. Ms. O'Brien noted that they must have 33% open space. That comes out to be 70 to 71 acres. Mr. Cousens asked if it was moving along through the Planning Board. Ms. O'Brien answered it would be on the July 5th Planning Board agenda. Mr. Cousens asked if they had done traffic studies. Ms. O'Brien answered that they have done an impact analysis and a traffic study. They are waiting on a few other items. Mr. Kaplan asked if that property would be coming out of current use. Ms. O'Brien answered it is not as it was a gravel pit. There will be impact fees. Ms. Gallagher noted that there will be 31 lots; 1 is open space and 30 are house lots. Mr. Kaplan asked if there is anything the Conservation Commission should be saying about that. Acting Chair Abbe noted that they will be putting the roadway into the marsh. Ms. McNaught noted they will be adding culverts and they should consult with Fish and Game for what type of culverts need to be put in, just in case there are fish that need to pass through. Mr. Mihai asked what they needed to do. Ms. O'Brien asked if they would like to add to their original recommendation? Ms. McNaughten would like to see what the permit says. Mr. Kaplan has heard that they should suggest a wildlife culvert be utilized. Ms. McNaughten agreed, and it would need to be friendly to the local aquatic wildlife. Ms. O'Brien will put together an email and talk with Kellee Jo Easler about the Commission having concerns about wildlife crossings. Ms. McNaughten suggested they utilized a larger size culvert than recommended, i.e. 500 year flood type. Mr. Cousens asked if they needed to go to the State or to the Planning Board. Ms. O'Brien thought their concerns needed to go back to the State. Mr. Hardy had written a letter and she will discuss these concerns and draft a new letter to go to the Planning Board. The name of the development is Ridge Run Development.

Ms. McNaughten left the meeting at 7:35 pm.

Non-Public:

- none.

Other Business:

- Planning and Community Development Department Updates – Ms. O'Brien discussed a minor 3 lot subdivision coming forward on the corner of Raymond Road and High Street. It will have access off Raymond Road. The existing house will stay. There will be two driveways. Forester Niebling noted it was close to Tannery Brook. Mr. Hollins of DPW has concerns with the line of site. It is a one car bridge. Ms. O'Brien showed the Commission the proposed plan and asked if they had any concerns. Mr. Kaplan asked if they are considering the impact on the brook. Some of this would be addressed through State law. Acting Chair Abbe asked if DES would speak up if there was an issue there. The lots have town water and private septic. It was asked what the minimum road frontage is? Ms. O'Brien answered 125 feet. Ms. O'Brien noted that there are 6 public hearings at the Planning Board meeting on July 5th. This

will or should be heard. If they have concerns, she would like it if they wrote a letter. Forester Niebling is concerned with land disturbance next to a steep slope which is next to a brook. There are no silt fence/mitigating issues to deal with soil erosion. They need to adhere to best practice to contain soil erosion. Ms. O'Brien will draft a letter and send it to the Commission for approval.

Mr. Mihai asked if they would make 2 lots instead of 3. It would help with silt control. Forester Niebling noted that the Planning Board may dismiss it and say the Commission may not have authority as they meet the minimal sizes, and setbacks. But the continuing encroachment on open space and habitat in this community should be put on record. Ms. O'Brien noted that typically The Planning Board does take into consideration Central NH Planning commission and Conservation Commissions suggestion.

They have concerns with land disturbance next to a steep slope, next to Tannery Brook and Storm Water Controls using Best Management Practices. Mr. Kaplan asked if they should be concerned with having 3 lots that intersect a major wildlife corridor.

A **motion** to adjourn at 7:50 pm was made by Mr. LaPierre, seconded by Mr. Kaplan, and passed by a unanimous vote.

Next Meeting: July 18th, 2023 @ 6:30 p.m.

Respectfully Submitted,
Rose Fife, Recording Secretary