



**CONSERVATION COMMISSION  
MEETING**

Thursday, February 15, 2018 6:00 PM  
City Hall, Council Chambers, Claremont, NH

**MINUTES  
Approved 3/15/2018**

Mr. Dickerman called the meeting to order at 6:00 PM and asked for a roll call.

**I. Roll Call**

**Present:** Gary Dickerman, Steve Wood, Scott Magnuson, Eileen Skowronski, Kim Gogan, Cortney Nichols

**Absent:**

**Others:**

Ryan McNutt, City Manager

Charlene Lovett, Mayor

Mark Brislin, Director Parks & Recreation Department

Jim Feleen

Don Clarke

Mr. Dickerman asked to change the order of items on the agenda to accommodate the guests. Also, Ms. Gogan and Ms. Skowronski were going to have to leave the meeting early.

Mayor Lovett

Mayor Lovett thanked each of the commissioners for their time and service to the community.

City Council wants to improve the communication between the Council and the City's various boards and commissions. They feel they are losing an opportunity to maximize all of the work being done. To that end, each board/committee/commission will be receiving a letter from the Council that will request that, on a periodic basis (to be determined by each board/commission etc.), each board/commission etc. communicate to the Council what its priorities are for the year, what it has accomplished, where it is in those priorities. She said she would really like sooner rather than later if the Commission could communicate its priorities, because the Council is working on its overall goals and objectives for 2018. She said she would like to incorporate the Commission's input into that.

Mayor Lovett said she is also requesting that each commission review sections of the Municode that pertain to them. She said in reviewing RSA 36-A, it (the Municode) needs to be updated because it is not reflective of the state statutes. The ordinance does not reflect all of the Commission's powers. She said she thought it is very important that that be looked at.

Mayor Lovett said she had reviewed the Commission's web page and a document that Mr. Dickerman had sent to her about the Commission's accomplishments in 2017 and said she didn't understand what the Commission had been doing and the role that the Commission had been playing in the community. "I think its important that we somehow figure out a way in our communication to better communicate that and either at the City Council level or to the community what role you do play; what you've accomplished; where you are going; and what's coming down from the State apparently is a more local comprehensive approach to water management and conservation. So, I ask that you would consider in your priorities for 2018 to look at water management conservation as a priority. Because that is going to be very, very important as we move forward."

Mayor Lovett said, "The Council is focused this term on improving the coordination between these bodies and any input that you may have on what you see from your perspective as being the priorities for 2018, we'd like to see that as well." She thanked the Commission.

Don Clarke, (Past) President Sullivan County Sportsmen

Mr. Clarke updated the Commission on the Wild Goose Boat Launch project. He said he may be calling on the Commissioners to provide support for legislation being drafted relative to the boat launch.

Mayor Lovett said they are going to "exec" that bill on Tuesday and that it's going to be very important because the prime sponsor of the bill, Representative Hanson, said that what he's hearing from the committee is they're receiving a lot more feedback from the public of those who are against Wild Goose and not so many from those who are for Wild Goose. "When they exec the bill, they are going to react based on that. Despite the fact that by law we're supposed to have a public access to Lake Sunapee and we don't. Be that as it may, they will react to public input." She said she and Mr. Clarke are happy to assist the Commission in communicating with the committee. She said form letters are not a good idea. She said she could put some talking points together and the Commission could craft something that is individual. The more individuals that reach out to the committee, the better. She asked that they get it out by Sunday at the latest. She said she would provide contact information to the Commissioners through Mr. Dickerman.

B. Rail Trail oversight

The Commission had invited Mark Brislin, Director of the Parks and Recreation Department, to respond to the Commission's desire to give up oversight of the rail trail. Mr. Brislin asked for a summary of where the Commission stands on the matter.

Mr. Dickerman said the Commission was impressed by the enthusiasm and vision for the trail as expressed by the Parks & Rec Commission at a joint meeting they held several months ago. He said the Commission agreed with Mr. Feleen's characterization of the trail as a "long, narrow park". The Commission sees the trail as more of a recreational resource than a natural resource and feels it would be better in the hands of the Parks and Recreation Department.

Mr. Brislin said they do value the trail and feel it has a lot of potential as a recreational asset. The Master Plan states that people want more walking trails and paths in Claremont. However, he is concerned about resources that the actual Parks & Rec Department has as far as staffing. He has a maintenance crew of one full-time and one part-time year-round person. 16 to 20 weeks out of each year they are doing work for the school sports (field preparation and such). He did not see any likely budget increase to help with other things.

Mr. Brislin said the Parks and Rec board is an advisory board. He said he didn't know the difference between the Commission's authority and that of the Parks & Rec board.

Mr. Brislin said he felt more discussion was needed and that he didn't want the Commission to expect "great things" by turning it over "just because we're Parks and Rec".

Mr. Dickerman said the Commission understands the funding issues and said the Commission is in the same situation. He said the Conservation Commission is an advisory board as well. Mr. Dickerman said, "Mr. Feleen's argument over the years I think has been based on, or some of it has been based on, the fact that there are grants available. I know we tossed around the idea of a 'Friends of ...' oversight group as well. That idea we tried or we opened up the conversation for a 'Friends of Moody Park' at one point and it came back to your department having the final say on those decisions, so I found this to fall into that category as well."

Ms. Gogan said the Commission has been taking care of the trail as a group of volunteers. "We don't even have a staff." She didn't see the trail as a high-maintenance "big-ticket" item.

Mr. Brislin said his crew often responds to needs on the trail when they have time. His department has been involved in the Master Planning process with Nate Miller. He said he worked with the Planning office when they were writing the grant for the project that will be done this fall. His department has been involved with trail along the way and remains very supportive of it.

Mr. Brislin said he didn't know the process of transferring it (if it transfers). Mr. Dickerman said he believed that would be a decision of the City Council. He said the Commission wanted to get Mr. Brislin's response to the idea before approaching the Council.

Mr. Brislin repeated his concern about funding for improvements. Mr. Dickerman said he felt that any improvements would be made through grant funding. He said it boils down to who applies for those grants and does the legwork.

Mr. Dickerman asked if anyone else wanted to weigh in on the matter. Mr. Brislin said he had nothing more to add.

City Manager, Ryan McNutt, said he had only been in Claremont for a year and so he was "not privy to the discussions related to the rail trail beyond" what he had come to understand over the past month or so. He said when this request and the Commission's opinion were explained to him, he said he became a little concerned, much like Mr. Brislin, that this would be precipitous, that it would be handed over to the Parks & Rec department

and become another budgetary responsibility that was not anticipated by the City's administration. Having heard the discussion at this meeting, he said it sounded like it would be a process (rather than a precipitous event). He said that was what he was advocating for. He said the Commission makes some compelling points that should be acknowledged (it's not a natural resource). It is approximately 2.4 miles in the community; it has different active users right now; a desire by some to see it more actively used in the future, which requires planning.

Mr. McNutt said that if the transfer is to be done, that it be done in a "measured way". He said, "We would like time to come up with a plan, identify those grants and apply for them and establish a source of funding so that when we do take it over and there are maintenance requirements, that we have the resources to effectively do that." He said he did not want to see the rail trail, or the City's ability to maintain it, hurt by the transfer.

Mr. Dickerman said the irony of the situation is that the people who had been most responsible for maintaining the trail were the people who were kicked off of it – the ATV Club.

Mr. Feleen said, "The whole East Street project that is ongoing ... is scheduled for ground-breaking this year, this construction season." Once they are done the two sections of the rail trail – from LaValleys to Chestnut Street – will basically be "turn-key operations" in terms of maintenance. There will be a new parking area, trailhead, an informational kiosk and trash receptacles near American Plate Glass that will need daily maintenance. He acknowledged that the Commission has no staff and would have to do these tasks themselves. He said he has talked extensively with Mr. Brislin about this and said it is a "real dilemma". However, it is a tremendous asset to have and this is something that just needs to be figured out.

Mr. McNutt said he had met with the Sullivan County ATV Club. He said they have been seeking a federal waiver that would allow ATVs to return to the rail trail. Their original waiver was denied, because the rules that were written 20 years ago would not allow the government to grant such a waiver. Such a waiver would have been applicable to all communities across the country that have rail trails. Not all rail trails are equal - some are in urban settings, others are very rural. A blanket waiver would create numerous unanticipated problems across the country. Last year Senator Shaheen was able to get some language into a bill that gives the rule-making department, and the managers responsible for issuing those waivers, the discretion to issue waivers based on the contextual factors of the community making the request. He believed the ability to grant these waivers now exists. The Sullivan County ATV Club intends to apply again for the federal waiver on the assumption that it could now be granted. The local decision still rests with the City Council. (The ATV Club has access to funding and a group of dedicated volunteers and would look to support maintaining it. Of course, ATVs on the trail increases maintenance needs.) That being said, it looks like it may be back under local control to continue the discussions. Mr. McNutt said this is another reason to have a measured transition as there may soon be a third party involved.

Mr. Feleen said that the manager is incorrect. He said a staff member for Senator Shaheen inserted some wording in a committee report on a budget bill. That came to the attention of the national rail-to-trail people in Washington and they actually had a meeting with her staff

in Concord a couple of months ago. They explained to her the damage her language would do if it were to continue on with the bill and offer guidance to people seeking waivers. They agreed and agreed to allow the language to not occur. So, it wasn't in a bill; it's not federal law; the waiver process is still the same waiver process that they failed to achieve before.

Mr. Feleen said, "Mr. McNutt took some actions I think precipitously when he first came on board here that really had national implications that he didn't understand. That's all interesting but not relevant to the Claremont Rail Trail. It's whether it has airplanes using it – we all have opinions on use – it doesn't matter. The question is who's going to oversee it, who's going to have jurisdiction over it, and work through whatever process for deciding on what use there might be. The ATV Club – they're good folks and I – Don's here tonight – we used to be friends I think – they do great work and did a lot of maintenance on the rail trail and I applaud them for it, but my own personal view is it's not a compatible use. Again, that's a side issue to what you are facing tonight. It's important to have correct facts."

Mr. Dickerman asked the board's pleasure. He asked if they should take a vote to bring it Council.

Ms. Gogan said she would do so. She said it is such a small amount of land in terms of all of the natural resources in Claremont, yet it seems to take up 95% of this Commission's time. She is frustrated because there are so many actual natural resources that this board could be focusing on. Last year the board spent several weekends writing its actual mission and vision and its goals and the public education it wanted to do around natural resources and the butterfly garden and pollinators and Stevens Brook. She felt the trail, while valuable, detracts from the Commission being able to focus on the larger natural resources that she felt had been "brushed under the rug" and not given the time that they deserve.

There was no other discussion. Mr. Dickerman called for a motion to bring this before the City Council – to hand off oversight of the rail trail to the Parks and Rec Department.

**Motion:** To request that Council hand off oversight of the rail trail to the Parks and Recreation department.

**Made by:** Ms. Gogan                      **Second:** Ms. Nichols

**Vote:** Unanimous in favor

The Commission thanked everyone for their participation.

#### Barry Camp Update

An application to camp was received by the Commission at the meeting. It was the third application received thus far. There seemed to be some confusion about where the applications were to be submitted, with some apparently having been faxed to the City Clerk's office.

The Commission needed to decide how many campers it was going to sponsor and then get deposits to the camp. deForest will find out how it works from Dianne Harlow and from the camp.

**Motion:** To sponsor three campers to the Barry Conservation Camp this year

**Made by:** Mr. Wood                      **Second:** Ms. Skowronski  
**Vote:** Unanimous in favor

II. **Review of Minutes of Preceding Meeting(s)**

a. **January 18, 2018**

**Motion:** To approve the minutes of the January 18, 2018 meeting

**Made by:** Ms. Gogan                      **Second:** Mr. Magnuson

**Vote:** Unanimous in favor

III. **Finance Report**

There was no finance report for this month.

IV. **Public Comment**

(See above)

V. **Old Business**

a. **Stevens Brook Conservation Easement**

i. **Permanent Access** – Mr. Dickerman still hasn't been able to reach Todd Osgood. He suggested perhaps writing a letter to start the discussion. Everyone agreed with the idea.

ii. **Vision and budget for trail layout project (per Randy Rupp's request)** – Ms. Gogan was in favor of contributing a minimal amount and having the budget set by the amount SCA is able to raise. Mr. Dickerman suggested waiting until the Commission's overall budget is determined before deciding on an amount. Mr. Wood said it's just that anybody that is familiar with what the Commission's revenue flow is (or is not) is well aware. He said he couldn't imagine any other organization being able to even exist on the kind of what we have for any kind of guaranteed budget. It's not guaranteed – its' totally dependent on the economy and how much land is in current use and how much gets taken out of current use and gets penalized. Barring bake sales, spaghetti suppers...

Ms. Gogan was in favor of seeing how much outside funding SCA could get. Mr. Dickerman was more in favor of "putting some skin in the game" and contributing \$5,000 to show some level of commitment. Ms. Gogan disagreed. It was agreed to have Mr. Dickerman speak with SCA to find out if they are looking for a financial commitment from the Commission.

A 2018 general budget for the Commission will be discussed at the next meeting.

(Ms. Gogan and Ms. Skowronski left the meeting at 7:06 PM.)

b. **Rail Trail Oversight**

i. **Conversation with Parks & Recreation Director, Mark Brislin**

(See above)

- c. **Barry Camp update**
  - i. (See above)

**VI. New Business**

**A. Budget Development** – to be discussed at the next meeting.

**B. Stevens Brook Conservation Easement**

- i. **Expansion?** – Mr. Dickerman said there is some forested land to the north of the easement area, owned by Rose Maley; and another forested parcel to the east of the Osgood land that is owned by Valley Regional Hospital. Both would make great additions to the easement. All agreed that some training is needed in approaching landowners for easements, but that this is a good long-range idea.

**C. Natural Resource Inventory**

- i. **Next step** – Mr. Dickerman will call Jeff Littleton for an idea on the next step to expanding the NRI.

- ii. **Add Flood Plain Forest** -The state-owned land between Route 12 and the Sugar River in West Claremont may be flood plain forest. It was agreed to have Mr. Littleton look at it to see if it should be added to the NRI.

**D. Forest Management Plan**

- i. **Time to update?** – The Plan is approaching the 10-year date and will need updating. The Commission needs to consider what it wants to do for an update and should they use the same firm as before. Mr. Dickerman will consult with Nancy Merrill and discuss at the next meeting.

**E. Sullivan County Conservation District Plant Sale** – The deadline for placing an order is March 4<sup>th</sup>, well before the next Commission meeting.

**VII. Communications**

**VIII. Other Business**

- a. **Setting priorities** – It was agreed to check with the Master Plan to set the year's priorities. The Water Resources section could provide some guidance on what to tackle for water management.

**IX. Future Agenda Items**

**X. Adjournment**

**Motion:** To adjourn the meeting

**Made by:** Mr. Wood **Second:** Mr. Magnuson

**Vote:** Unanimous in favor

The meeting adjourned at 7:21

**Respectfully submitted,**

*deForest Bearse*