



**CONSERVATION COMMISSION
WORK SESSION**

Tuesday March 7, 2017 6:00 PM
Visitor Center, 14 North Street, Claremont, NH

**MINUTES
Approved 4/6/2017**

I. Roll Call

Present: Dianne Harlow, Steve Wood, Gary Dickerman, Scott Magnuson, Eileen Skowronski (arrived late)

Absent: Nicholas Koloski, Kim Gogan

II. Review of Minutes of Preceding Meeting(s)

a. February 16, 2017

Motion: To accept the minutes of the February 16th meeting

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

Vote: Mr. Magnuson abstained; all others voted in favor

III. Discussion with Planning & Development Director, Nancy Merrill

Ms. Merrill attended the meeting to address some questions that had been raised by the Commission at their previous meeting on February 16th.

Financial

At present the Commission has \$46,518 in a trust account and \$17,515 in a checking account. These funds originate from the Land Use Change Tax (LUCT) and are allocated to the Commission by City Council. Up to \$5,000 is allocated annually. The amount varies from year to year. Between 2009 and 2011, the Commission did not receive any funds as no properties were taken out of current use.

Conservation Commissions are enabled by State statute to apply for grants and accept donations.

36-A:4 Powers. –

I. Said commission may receive gifts of money, personal property, real property, and water rights, either within or outside the boundaries of the municipality, by gift, grant, bequest, or devise, subject to the approval of the local governing body, such gifts to be managed and controlled by the commission for the purposes of this section. Said commission may acquire in the name of the city or town, subject to the approval of the local governing body, by purchase, the fee in such land or water rights within the boundaries of the municipality, or any lesser interest, development right, easement, covenant, or other contractual right including conveyances with conditions, limitations, or reversions, as may be necessary to acquire, maintain, improve, protect, or limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within

their city or town, and shall manage and control the same, but the city or town or commission shall not have the right to condemn property for these purposes.

The Commission does not need Council permission to apply for grants, but it does need Council's approval to accept donations.

Conservation Commissions around the State are funded in a variety of ways. Lebanon, for example, gets 100% of the LUCT, which it has used to buy a lot of land that was under development pressure.

The Planning & Development Department provides staffing assistance to the Commission. Parks & Rec and DPW provide additional assistance as well. The Planning and Development Department will assist with completing and submitting grant applications for any projects the Commission identifies. It will also keep an eye out for grant opportunities.

Conservation funds may be spent in accordance with the enabling statutes:

36-A:4-a Optional Powers. –

I. The legislative body of a city or town may vote at an annual meeting to authorize the conservation commission to:

(a) Expend funds for the purchase of interests in land outside the boundaries of the municipality, subject to the approval of the local governing body; and

(b) Expend funds for contributions to "qualified organizations," as defined in section 170(b)(3) of the Internal Revenue Code of 1986, for the purchase of property interests or facilitating transactions relative thereto to be held by the qualified organization, when such purchase carries out the purposes of this chapter. Because such contributions further the protection of the state's natural resources, they are hereby declared to be a public purpose.

Purchases made by the Commission belong to the City.

Stevens Brook

Stevens Brook is the only easement owned by the Conservation Commission. Its survey, monumentation and signage are incomplete. Ms. Merrill has sent a letter to the engineering firm (Horizons), the developer, and the DES to try to resolve the issue. The Conservation Commission is required to walk the easement land once a year under the terms of the easement, but there is much more that the Commission can do with the land – it can develop a trail system, provide educational material about the easement biology/botany, create an informational kiosk and more.

The Commission could take on completion of the survey, monumentation and signage using its own funds or through an appropriate grant.

Rail Trail

The idea of a Rail Trail Master Plan was suggested by Ms. Merrill in 2013 as a means of proactively addressing the issues at the time. As part of the Plan, a public forum was held facilitated by Nate Miller, Transportation Planner for the Regional Planning Commission. Input from the Forum was collected and placed on the map entitled "Potential

Improvements”, which subsequently became known as the Rail Trail Master Plan. Forward motion on the Plan came to a halt while the City awaited resolution of the waiver application to allow use of the trail by motorized vehicles. Ms. Merrill urged the Commission to not ignore the improvements and connections proposed in the Plan while the use issue is being resolved by others. She urged the Commission to visualize what it would like to see for the trail, and work to create that vision.

Work on the trail between Pleasant and Chestnut Streets is being completed by the City under a DOT TAP grant. Parking, pedestrian crossings, and the wayfinding kiosk are all being completed by the grant. This portion of the trail will be re-surfaced with a custom-trail material like that used on the Northern Rail Trail between Lebanon and North Andover. This will be a good opportunity for the Commission to see if it likes the material enough to use it on other parts of the trail.

The connection from the trail to Monadnock Park would provide a nice educational opportunity, as there is a large bog there.

Ms. Merrill recommended that the Commission put the use issue aside for now and move forward with the other items and projects suggested by the public forum.

Other

The Conservation Commission is not expected to do everything on its own – the Commission can certainly solicit and call on volunteers to assist in all of the Commission’s undertakings. At times, DPW or Parks and Rec may be able to assist. It will vary with the projects.

Ms. Merrill commented on the northeast quadrant of the City and what a remarkable piece of land it is. She said the new Land Use chapter of the Master Plan puts focus on protecting that area. She said the City hasn’t had to buy a lot of land (for protection) because it already owns much of it. However, there need to be plans developed for each of them.

(Ms. Skowronski arrived at this point.)

Mr. Dickerman asked about the CDA- and City-owned land that abuts both the Haynes’ and Moody Park lands. Ms. Merrill said they are zoned industrial with no intention of changing that, but she would see to it that any development plans included conditions to accommodate conservation uses.

Ms. Merrill said the City needs an inventory of open space lands. The NRI couldn’t go onto private lands, so it only inventoried City-owned lands.

Ms. Merrill suggested the Commission take on a Phase 2 NRI to get a more detail on the City’s wetlands. It would be expensive, probably \$20,000 - \$40,000, but it could be partially funded by grant funds. Mr. Wood suggested a more intense inventory of the northeast quadrant.

Ms. Merrill said she gets Federal grant updates every Friday, but State grants are a bit more challenging to find. The NHACC and Lionel Chute might also be good sources of grant information. Private foundations are also a good source of funds.

Projects must define what the results will be used for, the end product, when applying for funding. What would the Commission like to do in the northeast quadrant? "Get rogue ATVs out!" Much logging has caused a loss of habitat as well.

In summary, Council turned the rail trail over to the Conservation Commission for resolution and oversight. Parks and Rec would like to collaborate with the Commission in future planning and development of the trail. Ms. Merrill recommended surveying the trail from the bridge to VIP, where the trail is getting moved. She recommended letting Jane Taylor handle the easement with Maurice's. If the Conservation Commission no longer wants to oversee the trail, then it should give it to someone else.

Ms. Merrill said she would give parties about a week to respond on resolution of the Stevens brook unfinished tasks. She said there is development pressure on the lower lot.

The Commission thanked Ms. Merrill for her time and information

IV. Prioritize goals & objectives of:

- a. **Master Plan *Natural Resources* chapter**
- b. **Stevens Brook Conservation Easement**
- c. **Conservation Plan**
- d. **Rail Trail Master Plan**

The Commission worked through the tasks on the Rail Trail Master Plan. See attachment for results.

Motion: To get the RFP process started for a survey from the bridge to VIP.

Made by: Mr. Dickerman **Second:** Mrs. Harlow

Vote: Unanimous in favor

V. Adjournment

Motion: To adjourn the meeting

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

Vote: Unanimous in favor

Respectfully submitted,

de Forest Bearse

RAIL TRAIL MASTER PLAN	Imm	Mid	LT	Ongoing	Cost	Funding Source/Comments
Conduct survey to establish ROW boundaries at Trailhead				✓		DOT Grant
Formalize trailhead parking area				✓		DOT Grant
Resolve ROW encroachment (<i>Pleasant Street</i>)				✓		DOT Grant
Install information/wayfinding kiosk				✓		DOT Grant
Develop pedestrian access to/from Bond Street						Evaluate first
Install crosswalk and warning signage at Broad Street crossing				✓		DOT Grant
Install warning signage at ATV & snowmobile crossing at South Street						Done
Conduct survey to establish trail boundaries between Chestnut Street and Pleasant Street				✓		DOT Grant
Install crosswalk and warning signage at Chestnut Street crossing				✓		DOT Grant
Develop trail connection to Monadhock Park		✓				
Improve drainage from Pleasant Street to east of Chestnut Street				✓		
Rehabilitate bridge over Sugar River			✓			
Conduct survey to establish trail boundaries between bridge and VIP	✓					Conservation Commission Funds
Evaluate safety of formal crossing at Market Basket plaza						Done
Remove rail ties by Burger Kind and Market Basket				✓		These are buried, not removed. CC needs to schedule & arrange for \$
Separate sidewalk and trail with guardrail (Washington St)			✓			
Mitigate safety issues relating to ATV's crossing between queued cars at Home Depot						?
Resolve legality of motorized trail uses				✓		
Collect speed data						Use issue
Conduct origin/destination survey						Use issue
Conduct economic impact study						Use issue
Improve on-trail signage (i.e. speed limit)						Use issue

	IMM	MT	LT	Ongoing	Cost	Funding Source/Comments
<i>Develop Use Vision</i>	✓					<i>Collaborate with Parks & Rec; have RPC facilitate document/ public hearing</i>
<i>Develop wetland educational walk through wetland at Monadhock Park</i>		✓				
<i>Develop implementation plan</i>		✓				
<i>Create maintenance plan</i>	✓					
<i>Assess for educational opportunities</i>		✓				