



**CONSERVATION COMMISSION  
MEETING**

Thursday, September 15, 2016 6:00 PM  
City Hall, Council Chambers, Claremont, NH

**MINUTES  
Approved 10/20/2016**

Mrs. Harlow called the meeting to order at 6:03 PM.

**I. Roll Call**

**Present:** Eileen Skowronski, Steve Wood, Gary Dickerman, Dianne Harlow, Scott Magnuson

**Absent:** Kim Gogan, Nick Koloski

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

**a. August 18, 2016**

**Motion:** To accept the minutes of August 18<sup>th</sup> as written.

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

**Vote:** Mrs. Harlow abstained; all others voted in favor

**III. Finance Report**

**a. August 2016**

The Commission reviewed the August 2016 financial statement. No action was taken.

**IV. Public Comment**

- a. Jeff LaBrie, resident of Curtis Street, said he owns property on Edgewood Street that abuts the rail trail. He wants to cut down a large oak tree that is on his property and wants permission for the contractor to use the rail trail to fell, cut up, and remove the tree. Mrs. Harlow asked City Solicitor, Jane Taylor, to comment.

Ms. Taylor recommended that Mr. LaBrie first work up a plan of how the removal would take place and then advised him to see City Planner, Mike McCrory. Safety was the primary concern.

**V. Old Business**

**a. Pollinator Garden Discussion – Mark Brislin**

Mr. Brislin said this idea had been brought forward by a community member. This member, the Conservation Commission, *Forest Savers* and he had taken a trip to the Park to discuss the idea further. *Forest Savers* was there to explain the idea of the pollinator garden and how they clear out and rototill some sections with his heavy machinery. They talked about the section at the top of Moody Park in the area done by the Forest Management Plan. There is a nice grove of poplar trees there now, some of which are 7-8 feet tall. He said he learned that they grow 3-4 feet each year and that within 7 - 10 years the view of Mt. Ascutney will be gone. *Forest Savers* were proposing to grind up everything there with their machinery and put down a cover crop for the first year. The following spring or summer they would come back and plant flowers to make a pollinator garden. He said the project makes sense if the goal is to protect the view of Mt. Ascutney. The first phase of the project would cost about \$2800. The second phase would cost about \$2000. Mr. Brislin said he

had discussed the idea with the Parks and Recreation Board. He has not heard anything else from the community member on it. The timing did not work out for the project to go forward this year.

Mr. Brislin said some concern was raised about drainage issues on a bike trail that passes very near to the proposed garden site, but it didn't appear that drainage would cause any problems. He said if saving the view is important to people, then they have to look at ways to do that. He said he didn't know what the yearly maintenance would be on the garden. He said he would be looking to a volunteer group to take on the yearly maintenance tasks as he doesn't have the staff to do it. Mr. Dickerman suggested maybe an offshoot of the Friends' group could take it on. If people are passionate about the project, they should bring it to the Parks and Rec Commission or the Conservation Commission to discuss it further. At present, he doesn't have anything in his budget for this.

Mr. Wood suggested trying a smaller version of the garden as a trial to see what it will look like. It would give interested volunteers some experience. He suggested using some of the lawn area that is adjacent to the strip of land that's proposed to be converted. It would be an opportunity to determine if a garden will work there in those soils and how much work will be involved in maintaining it. The garden could be created with volunteers and a small rototiller instead of the heavy equipment. Mr. Dickerman said it might be a good opportunity to see how well the Friends group might work. Ms. Skowronski suggested using raised beds as they would eliminate the need for rototilling and are easier to maintain. *Gardener's Supply* in Vermont sells all of the necessary supplies.

Mr. Dickerman repeated that the Friends group is the key – neither Parks & Rec nor the Commission have the money for this project. Mrs. Harlow suggested that they get the Friends group started over the winter and then see what interest there might be in the various projects and perhaps do some fund-raising in the spring. Mr. Brislin said he would work with the different groups to work out the list of projects and a timeline of when they should be done. Ms. Skowronski suggested contacting the Wentworth group. Mr. Brislin said he has been in touch with a similar “friends” group in Rutland. He said the primary concern he and the department/commission have is oversight to ensure activities that are undertaken are appropriate. He said the biggest challenge will be getting the word out.

**b. Friends of Moody Park – Mark Brislin**

Mark Brislin said the Parks & Rec Commission, the Parks & Rec Advisory Board and the Conservation Commission in February held an open forum at the Community Center and threw out the idea of a Friends group. Some members of the public attended – some members of the bike club and Cycle Depot, who use Moody Park a lot. That was the last conversation held about this topic. It came up again during the Master Plan work session when they started talking about Moody Park. He acknowledged there is a lot of opportunity with this idea. There is a lot of work to be done at the Park – trail work, invasives species. The idea from the Master Plan group was to have it as an extension of the Parks & Recreation Commission, a sub-group. A work plan needs to be created – what work needs to be done and when it needs to be done coupled with a list of volunteers willing to do each of the tasks. He felt this would be a good starting point. The Commissioners agreed.

Ms. Taylor distributed to the Commission a packet of information about “Friends of...” type of groups. She strongly recommended that the group be set up as a 501(C)(3) non-profit organization. She said to be sure and set it up so it can accept donations and that it has a good accountant on board. She cited the group *Friends of Wentworth Recreation* as a good example of an active group with a similar mission.

Mr. Dickerman said the Commission met after the public forum and discussed who would direct the Friends group. He said it was his recollection that the consensus was that anything that needed to be done would need approval of the Parks & Rec Department, and therefore Parks would assume that role. Mr. Brislin agreed.

**c. Rail Trail Monumentation – Jane Taylor**

Ms. Taylor said the Commissioner focused on three key issues: if they are going to allow motorized vehicles, it's clearly only going to be on the Washington Street side of the bridge and beyond. If you develop an alternative access point on this side of the bridge, they might be willing to consider that.

Ms. Taylor suggested the Commission speak with Project Manager, Kurt Beek, who is administering the TAP grant for work on the Chestnut Street crossing, sidewalks on East Street, etc. as there will be survey work as part of the grant project. She said that fixing the location of the trail on the ground is very important for any future work on the trail. The grant may pick up a portion of the expense for the survey and the Conservation Commission would benefit from it. The Commission could pick the survey up from there to the gate. Surveying the remainder of the trail may also be something the Commission could spend the LUCT (Land Use Change Tax) money on. The Commission can also accept donations for the expense.

Mr. Dickerman asked for clarification – since the Commission has some type of oversight over the trail, the expectation is that if a survey is to be done, the Conservation Commission will have to pay for it. Ms. Taylor said she believed that is the expectation because it is not a budgeted item. She said it may be appropriate to get it from a Parks and Recreation budget or the Commission could ask City Council to raise and appropriate a specific amount to pay for it as an unbudgeted item. The risk there, however, is that someone may ask why Conservation funds aren't being used to pay for it. Mr. Dickerman said that if the Commission is an advisory body with little say, and yet they are being asked to “open their purse strings” when it is deemed necessary (by others). Ms. Taylor acknowledged that the Commission is advisory, but that it does have the authority to “deal with land issues involving conservation”. Mr. Dickerman said the thought that the Commission will pay for this should be “tempered” a bit. He suggested looking at the site plans of businesses that have recently located on Washington Street for possible survey data.

Ms. Taylor said the gentleman from the Trail Bureau had emailed her all of the maps in digital form that may be of interest to a surveyor. She said that the boundaries of the trail may not match the boundaries of the private properties abutting it. The boundaries of the trail are the boundaries of the railroad right-of-way. And further, the width of the right-of-way is not consistent. Also there were private contractual agreements that pre-date the State owning it which manifest in interesting ways. Railroad law does not allow for adverse possession or any special easements because someone is occupying an area. There is a slight shift in the right-of-way where *Runnings* now is to accommodate their entrance. These anomalies need to be documented and the exact location of the trail determined throughout its course before any future actions can be taken with any certainty.

Ms. Taylor recommended that the Commission meet with the City Manager and the Finance Director to discuss the Commission's concerns and explore the options for paying for it.

Mr. Wood said in his experience, it is the landowner who is responsible for knowing where their property boundaries are. The Commission does not own the trail. Ms. Taylor said she understood the Commission's point, but pointed out that the statutes charge the Commission with oversight and direction of trails. She agreed that the City owns the rail trail, but is short on funds. Mrs. Harlow wondered if RTP funds would pay for the survey. Ms. Taylor said she didn't know.

Mrs. Harlow said the Commission should explore alternative funding sources, that the Commission should not have to carry the bill. However, they must determine the cost of the project first. Ms. Taylor suggested that the Commission put out an RFP. An RFP doesn't commit the Commission to actually doing the work (depending on how it is worded). The Commissioners agreed that this should be their first step.

Ms. Taylor said that once the boundaries have been determined, the idea of separating uses (motorized vs all other) can begin.

Mrs. Harlow said she would look into the RTP funding, and then the Commission can talk about an RFP.

## **VI. New Business**

### **a. Ashley Ferry Landing Clean-up**

Robert VonBalzer said he came to the meeting as a "friend of the river". He said he has been on the river for almost 25 years – started counting every ten times down the river the number of times he spotted a bald eagle - it has increased from 8 to 20. He said the river is getting cleaner – there are more beaver in the river, more people on the river. There are a lot of complaints about how much trash is around the Claremont site (Ashley's Landing). He said he has a close friend that works in the CT River Watershed Council - Ron Rhoads – the CT River water steward, with whom he has been working in the last five years on the "Source to Sea River Clean-Ups". He (Mr. VonBalzer) works at Hypertherm and the employees there do a lot of community service, a lot of it on the river. He was given the name "Glascamp" (couldn't remember first name) – Mr. VonBalzer wrote letters and emails to him – he said if Mr. VonBalzer could "police the area" a couple of times a week, he would put a trash barrel there. Since then he has spoken to Mr. Brislin and Mrs. Harlow and thus he came to the meeting to speak about some of the things he could do. He said Mr. Glascamp knew of another volunteer in New Hampshire doing the same thing. (Unfortunately) it had "generated more trash from the citizens that lived around there."

Mr. VonBalzer has a truck and gas, the Watershed Council said he could get any amount of trash bags he needs – now all he needs is a place to put them (the trash bags). He can police the ramp, the area around it and the river in that area, but he needs a place to put the trash. Mr. Dickerman asked for clarification – did Mr. VonBalzer want a place to take the trash to that he collects? Mr. VonBalzer said no. He said he came to the Commission offering his help to get rid of the trash so that all of the people on the river can see the river getting cleaner. He said he wanted to see the area around the Claremont landing getting cleaner. There are a lot of trips that come down from Great River Outfitters – they come down and pick the people up from Claremont and they see what the Claremont landing is like.

Mr. Dickerman then said, "So we're talking about more than you going down on a weekly basis and collecting the litter around there. You are talking about others that are taking refuse out of the river, and needing a place to take it." Mr. VonBalzer said, "Well in this particular case, Friday and Saturday, is the Source to Sea clean-up, so we're going to have...five years ago we picked up 56 tires out of Sumner Falls, the following years was 97 I believe... there are still 2 or 3 more tires left there and a barrel which I met with the EPA up there because it had a little bit of a slick coming from it...I guess it's not that bad so we can pick it up, but our concentration now is on the west side of Hart Island...we picked up 82 tires last year out of the west side of Hart Island...we got about half of them...we want to finish that this year...and we are working our way towards Claremont and down below and whatever...you know s\*\*t flows downhill (I know I'm not supposed to say that here) but...so it's getting cleaner...it will keep getting cleaner and hopefully before I'm finished there'll be enough friends of the river to make sure it stays cleaner for the people that I care about, which is our descendants."

Mr. Dickerman asked if the Commission needed to get in touch with DPW. Mr. VonBalzer said he could take the trash from the river up to the “town dumps”. He said the Commission could give a dump sticker to the Watershed Council – a nonprofit – so no one would be using the sticker to dump his personal trash.

Mrs. Harlow said, “So it’s an event this weekend that you need help with?” Mr. VonBalzer replied, “Yes. If we could leave the trash at “the thing” and somebody could come and pick that up, that would be fine. That would be great. But what I’m offering for myself is every week to go down there, at least once or twice, and pick the trash up around the landing and on the river around the landing...and just have a place to dump the trash.” He said he couldn’t afford to pay to dispose of the trash himself, personally.

Mr. Dickerman said for the weekend event, maybe they could leave whatever they take out, but it would have to be coordinated with DPW. Mrs. Harlow said to check with Vic St. Pierre or Scott Sweet. Ms. Skowronski asked if the Watershed Council could provide funding. Mr. Dickerman said Mr. VonBalzer wasn’t looking for funding, but rather to partner with the City to get rid of the trash. Ms. Skowronski asked what of trash? Mr. VonBlazer said whatever he picks up from on, around or in the water near the landing. He said he would separate recyclables and metals if desired and will check with Mr. Rhoads about disposal of hazardous materials. The Commission again directed Mr. VonBalzer to DPW to work out the details.

## VII. **Communications**

### a. **NHACC Annual Meeting and Conference**

Everyone had received a copy of the flier.

### b. **Judy Wells’ wall**

Mrs. Harlow said she had received an email regarding Judy Wells’ wall. She no longer has a wall as it has collapsed. (Pictures were distributed.) Ms. Wells called Mrs. Harlow and said she had the list of things the City recommended that she do before she fixed the wall. She said the contractor is now ready to do the work, so Mrs. Harlow directed Ms. Wells to talk to Planning and do whatever she needed to do for the permit and see where it goes from here.

Mrs. Harlow referred the Commission to a sheet regarding “motorized use on nonmotorized trails”. She said they were the instructions to the City when applying for the waiver. It references exceptions in 23 U.S.C§217(h)(1) -(4): “an ATV, utility vehicle, or construction vehicle used for sidewalk or trail maintenance may be permitted while engaging in sidewalk or trail maintenance work.” Mrs. Harlow said her interpretation is that a construction or maintenance vehicle can go on the trail to clean up what needs to be cleaned up. That is why she invited Ms. Taylor to attend this meeting. Mr. Dickerman said that if the phrase, “while engaging in sidewalk or trail maintenance work” could be broadened, it would be fine. Ms. Skowronski commented that it looked like the wall is within the boundaries of the trail. Mr. Dickerman said it is on the right-of-way, but that doesn’t put it on the trail. Mr. Wood said he believed trail maintenance would include using a chipper to clean up downed trees and branches, or taking away hazard trees or thinning trees. These are clearing part of “trail maintenance”. Mrs. Harlow said hopefully the Planning Department will give Ms. Wells (and Mr. LaBrie) directions in what they need to do.

## VIII. **Other Business**

Mr. Dickerman asked if anyone had followed up with DPW about blockage of the drainage culvert behind the Marion Philips apartments. Mrs. Harlow said she hadn’t, but that she would talk to Scott Sweet about it.

IX. **Adjournment**

**Motion:** To adjourn the meeting.

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

**Vote:** Unanimous in favor.

The meeting adjourned at 7:32 PM.

**Respectfully submitted,**

*de Forest Bearse*