

**MINUTES OF MEETING  
CONWAY CONSERVATION COMMISSION  
November 9, 2005**

A meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Present were: Chair, Paul Pinkham; Carol Lyman, Rob Adair, Dan Lucy, David Weathers, Chuck Broomhall, and Alternate Linda Kearney. Also in attendance were Forester, Don Johnson; Nature Conservancy Rep., Jeff Lougee; Conway Public Works Director, Paul DegliAngeli; and Paul Kirsch of White Mt. Milers.

The Chair appointed Ms. Kearney as a full voting member.

**Approval of Minutes: Motion was made by Mr. Adair, seconded by Mr. Weathers, that the Minutes of the October 12<sup>th</sup> meeting be approved as submitted. Carried by unanimous vote.**

**Public Comment:** None.

**Reports:**

**Paul DegliAngeli – Whitaker Woods Events** – Mr. DegliAngeli stated the MWV Ski Touring Association, a private/public partnership with the school district, the town, Eastern Slope Ski Club, and property owners, would like to do a fundraising derby-style race on Feb. 4, 2006 modeled after that which Stowe, VT has been doing for many years. Participants will ride to the top of Cranmore, race down, cross into Whitaker Woods, and finish in the field here. It is a 10k limited registration event taking about ½ hour, with the first race starting at 10:00 a.m., and would be entirely over by 12:00 noon. Mr. Weathers questioned limiting the number. Mr. DegliAngeli explained it is their first time doing it.

Mr. DegliAngeli stated it is an advertised event requiring registration. They are seeking commercial sponsors as it is a fundraiser. Mr. Broomhall noted that it is sanctioned by NENSA and for a small fee they get insurance coverage through them which was also a requirement of Cranmore. The website for the event, northconwayderby.com, is scheduled to be up and running a week from Friday; they will be on the NENSA website by Tues. of next week, and it is already on the MWV Nordic Club website. It is a citizens' race, open to all age groups, with categories of ages up to 8<sup>th</sup> grade, grades 9-12, ages 19-29, and blocks of every ten years after that.

Mr. Pinkham explained the town requires the permit, not the CCC, that the goal of CCC is that the people using the trail understand what that entails and who will be responsible for the trails – it is a matter of managing the use, not prohibiting the use. CCC does not issue any permits. Mr. DegliAngeli agreed to follow the process through the town office. Mr. Weathers advised that must be completed 90 days prior to the event. There was question of who is marking which trails will be used and how they will be patrolled. Mr. DegliAngeli said they have appointed a Chief of Course; it is being mapped out on Friday

by Doug Armstrong and Jason Pettingill. A map will be on site and they will have people there along the course. The purpose of the fundraiser is that the groomer needs to be replaced. Mr. DegliAngeli reported the Association has been able to make regular operating expenses over the last couple of years, but there is not enough extra for a Capital Reserve Fund.

Mr. Adair questioned whether they would cross Kearsarge Brook. Mr. DegliAngeli said they will, but will put a temporary bridge there – a series of culverts and timbers, and as the snow comes will pile pallets on top of that. He said a more permanent solution did not seem appropriate with the bypass coming in.

Paul Kirsch stated the Mt. Milers have been doing the Fun Run in Whitaker Woods every Tuesday from May through Oct. Since participation was down this past year they were trying to generate interest by taking the middle of the Fun Run series and calling it a race series, charging \$10 to join (this past year it was free for students), which covers the cost of the insurance policy and newsletter; however, for next summer they do not want to require a membership charge. He said they had a total of 160 people enrolled, the largest one-time gathering was 81 people.

Mr. Weathers questioned parking and was told it is at the Whitaker Homesite and at the school. The races start at 5:30 p.m, ending about 6:30. Mr. DegliAngeli said when the Bancroft Property Committee was formed and they laid out the use for the barn, the ball fields, and the parking area, the area for parking was much larger. He has checked with John Eastman as to whether we need more parking here (it has been laid out so that it could be expanded). He said that question is still there and can be added to the capital improvements list. He noted when there are school meets the teams come in buses; it could be part of those permits to add a requirement for an officer and have the buses unload and park over on Pine Street. Mr. Broomhall said they allow one vehicle per school and the overflow is sent across the highway to the River Road parking lot. Mr. DegliAngeli said it makes sense to park the buses on Pine Street.

Mr. Pinkham said his sense of this is a matter of a policy for use of Whitaker Woods, cautioning that scheduling events without permitting from the town is a mistake. He noted that some on the Commission view the regular weekly long term use of Whitaker for an event as somewhat inhibiting casual use of the place by others - the frequency of use on a regular basis, week after week, is an area to be considered. He suggested that the Milers give an early “heads up” when they are ready with their plans. Mr. Kirsch said he might start the process in January. Mr. DegliAngeli said as concerns constant use, the high school trains there daily; however, Mr. Lucy pointed out that training is not considered an event. Mr. Pinkham questioned the blocking off of trails by some groups for these events. Mr. Broomhall stated the Fun Runs have not been a problem for the hour or so that it takes. Mr. Kirsch stated they did not have any blocking off, there were route markers. Mr. Pinkham said he has heard it expressed by some that markers, flags, etc., are considered litter. Mr. DegliAngeli suggested having groups using the facility provide a surety bond, then having the CCC go through and inspect, and if the event has

been policed well, then return the bond. Mr. Weathers explained our concern was erosion from use. Mr. Adair stated he saw no problems.

**Kearsarge Road Gate** – It was the consensus there is no need for boulders there. Upon question of whose trailer is parked there, it was stated that it belongs to the owner of the property on which it sits.

**Forester's Report** - Mr. Johnson reported the gate has been fixed on the Kearsarge Road entrance to Whitaker Woods; the construction for the trail work has been completed. They have widened Armstrong Alley, developed a little gravel pit (fill that they took out of the power lines, which worked out well). When they were done they took the stumps, put them into the gravel pit - all are hidden and it has been regraded. Schuss Trail from Lucy Traverse to the bottom of the hill has been closed, they put in water bars and a tree across at the bottom. They opened up another pit on the power lines near the landing on the north side at the west end, hauled in one load to Wellinghurst then found it was too wet; however, they were able to brush it out and make it wider which will help. Mr. Johnson suggested if the CCC wants to do something there it would be best done during the middle of the summer; he is not sure how to proceed with that. Also he did some TSI while waiting for the truck to return.

Mr. Johnson reported they closed the Quarry Trail from the quarry down, loaded up a truck load of white pine and oak logs from the project, which he assumes would be worth about \$300 to \$400. They pulled out some rocks on the Fuller Trail, smoothed it out, making it more groomable. They took out two trees on the "S" curve that were infringing, and pulled the stumps, smoothed that so it is not so hazardous any more. Mr. Johnson said he has been looking for ideas for the 5k, hoping to give some assistance. They fixed the gate at Pudding Pond which had the same issue as that at Whitaker Woods, cut the post down, straightened it up, redrilled it. He stated he had to cut the chain and does not have a key, and suggested that someone should go unlock and relock it.

**Budget Status:** Mr. Johnson reported the cost thus far is about \$6700 (the budget was about \$7500) plus the revenue of \$300 to \$400 from the logs. He suggested that in the spring it would be nice to get some seed on the newly done section of Armstrong Alley. He said the Vista needs to be mowed; Lucy Traverse is fine and thick with clover. Ms. Lyman questioned why the Quarry Trail was closed. Mr. Pinkham stated we are trying to reduce the number, and the steep section was deteriorating. It was noted that people can still get to the top of the quarry off Wellinghurst.

Mr. Johnson has organized the files. All information is in order by date, billing, work agreements, etc. Timber sale files include bid forms and payments, all timber sale communications in order by lot and chronologically as well. Mr. Johnson noted the file of Accomplishments needs to be updated covering what has been done, revenues created, acres covered. A copy will be provided for each member. He reported he was asked to submit the Town of Conway's name for outstanding Tree Farm of the Year for the State of NH, which he has done.

He noted the first Forest Management Plan was done in 1988 and should be redone in the next couple of years. Mr. Pinkham requested that a copy of the Management Plan and the Accomplishments be provided to have on file at the town hall.

As regards items remaining to be done, Mr. Johnson said there may be an onset of another white pine seed year in Whitaker Woods and that should be looked at, noting that many things he has done have had positive effects, but are not going to last forever – i.e. he would like to see the whole overstory removed at the end of the Schuss Trail where it joins Lucy Traverse.

Mr. Pinkham said this brings us up to within about \$1500 of spending our budget for the year.

**The Nature Conservancy – Jeff Lougee:** Mr. Lougee reported they are working on revision of the map for the Preserve, to have ready for next spring. Things are moving forward with the Bear Paw sale; deadline for proposals is Dec. 13<sup>th</sup> with a closing in Feb. The parking lot at Black Cap has a large rut going down the middle of it and needs some attention. He said he has been working with an Eagle Scout from Durham on trying to get new trail signs up for the Preserve - they probably will transition over to wooden, routed, stained signs with green lettering.

MOU – Mr. Lougee said he would like to hear back from the town as to whether a multi-year agreement is feasible. Mr. Pinkham said Town Counsel has to tell us whether we have the ability to enter into a multi-year agreement, then bring it to the Town Meeting. Ms. Lyman questioned whether he could attend the Budget Committee meeting when we get to review of the CCC budget.

**Treasurer's Report – Carol Lyman:** Current Use account - \$277,848, \$50,000 has been added in penalties, \$5,000 in interest. Land Acquisition account - \$15,232 - \$2,000 in interest this year. Conservation PDIP account - \$7800 after withdrawal for expenses. Hubbard-Davis account - \$14,600. It was explained the intent of this account is to manage Hubbard-Davis land, but it could be used to acquire additional property. Mr. Pinkham noted that when asked about our conservation acquisition money we have been conserving those funds because we might need that money for the Schiavi property. He suggested we need to establish something like the Upper Saco Valley Trust to help acquire easements, need to develop a document in the event something becomes available. Mr. Weathers reported the Schiavi appraisal is done and now has to be verified that it was done properly. He noted that supposedly there is a CDRC meeting this month. Mr. Pinkham suggested it should be on the agenda along with the Shedd Woods property, his concern there being that if the State took down white pines and turned them into saw logs, they owe us some money. Comment was made that the State has “made a mess of Shedd Woods.”

**Budget 2006:** Mr. Pinkham noted we are at \$14,600 out of our \$16,280 budget. Ms. Lyman noted the signs would still come out of that. Mr. Pinkham pointed out we also got a grant of \$1050.

Mr. Pinkham reported he submitted a budget proposal to the Town Manager for \$29,950 for 2006. Mr. Sires would like the CCC to come back with an amount similar to that of the 2004 budget (\$20,926). Mr. Pinkham said he feels it would be unwise to present to the Selectmen and expect a reasonable hearing on a doubling of the budget (last year's \$16,280 vs. this year's proposed of \$29,950).

Discussion of budget items: Forest and Wetlands Management detail - \$24,050 total. Messrs. Johnson and Pinkham went through the proposed work program and prioritized in order 1 to 13. (It was noted that the \$5,000 for the railroad crossing is included in all.) Mr. Weathers noted we have a responsibility for the scenic overlook near the Elks Club and that a property owner has reported to him that the cutting that has been done in the last few years to keep the brush out is not sufficient, there should be more cutting below to get a view of both the river and the mountains. Mr. Pinkham stated we have never budgeted for that, we have simply called the Public Works Director asking to have the town crew go in and do some clearing.

Ms. Kearney questioned whether people really know what the CCC does and lands it is responsible for, that it is unclear and we may need something a little more self-explanatory of what is there. There was question if we budget some money to do some work, how we know when to do that – if we budget, for instance, \$3,000 and it is not a good year for accomplishing what we had planned, what do we do about that? It was felt this is an example of why we need a carry-over in the budget. It was pointed out that we have 1600 acres managed by the CCC on a budget of \$16,000.

It was Mr. Weathers' opinion that if something has to be cut it should be the re-establishment of the boundary lines. Mr. Pinkham said he needs to know if the Commission is generally in agreement with Mr. Johnson's prioritization, also we need to try to come back with a number comparable to what Mr. Sires wants. It was agreed the budget to be submitted should be \$24,750 which removes \$2,000 for Whitaker Woods Trail rebuilding/relocation implementation, zeros out re-establishing 2800' of property lines, and adds in \$1500 to stabilize Armstrong Alley.

**Wetlands Report:** Mr. Weathers said application has been submitted by Mt. Valley Mall Redevelopment for a standard dredge and fill permit for the new lane they will add at the traffic light by Wal-Mart, requiring filling of 2600 sf of wetlands.

Mr. Weathers reported CCC had a letter from Greg Power, Soil Scientist for H.E. Bergeron, dealing with the former Potter junkyard which had been filled in at the rear of the property by the previous owner. The EPA did a site inspection on Oct. 5<sup>th</sup> and is requesting that the CCC identify sites that might be more beneficial for what the landowner had proposed. EPA has said they could go ahead with the construction of their building in the front, but cannot do work out back without some other mitigation

plan. Mr. Weathers suggested re-establishing the drainage way at the rear; they wanted something that would be more of a benefit to more acreage or more people. It was Mr. Weathers' contention that they are holding the new owner liable for a previous owner's blunder. Mr. Sires has advised EPA that CCC would be happy to review, but would not be doing the work for a private landowner.

**Next Meeting Date:** The next meeting will be held on December 14, 2005.

**Motion was made by Ms. Kearney, seconded by Mr. Pinkham and carried, that the meeting be adjourned at 8:35 p.m.**

Respectfully submitted,

Gail Currier, Recording Secretary