

**MINUTES OF MEETING  
CONWAY CONSERVATION COMMISSION  
December 13, 2006**

A meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Present were: Paul Pinkham, David Weathers, Rob Adair, Phil Haynes, and Alternate, Connie Briggs. Also in attendance was Jeff Lougee of TNC.

The Chair appointed Mr. Briggs as a full voting member.

**Approval of Minutes (11/8/06): Motion by Mr. Adair, second by Mr. Weathers, that the Minutes of the Nov. 8th meeting be approved as written. Carried by unanimous vote.**

**Reports:** Mr. Pinkham noted that Mr. Johnson could not be present and read aloud a report submitted by e-mail: Trail work has been completed in Whitaker Woods/Homesite. Gradual Trail has had fill added and has been graded with three waterbars. Fill has been added to Whitaker Lane and grading done between Gradual Trail and Hell's Kitchen. The low spot on Bancroft Loop behind Whitaker Homesite has been filled and graded. It was too wet to put in the stone ford on lower Wellinghurst.

Mr. Johnson reports he did not cut the 3.5' diameter white pine at the junction of Broomhall and Whitaker Lane, noting the need to discuss this section further. It is his opinion that Gradual Trail should be seeded and mulched next spring, at a cost of about \$1500, and that Whitaker Lane should be O.K. as it is "dead flat." The borrow pit north of the power lines on Whitaker Lane has been closed for now. The bankings have been shaped to a 3/1 slope and everything is stable. It would be possible to take at least as much, or twice, that from this pit in the future. The total cost for the trail work was about \$4,800.

Mr. Johnson reported that the timber sale operation was completed last Tues., all of the wood was hauled by Thurs. In the course of the sale approximately 18 signs and flagging were placed, closing trails while the operation took place, and moving the signs around as needed. Also extra signs were made and placed informing those who might go in there to stay off the log piles in the landing. It was decided not to use the Oak Street landing; for this reason about 5 acres of the timber sale were deleted from the project. Not all timber proceeds are in yet, but they will be in and processed before the end of the year. The road under the power line has had some heavy use. The waterbars are not perfect, but are in usable shape. The steep section should be checked for waterbar construction and seeding in the spring (it is currently frozen).

The scarification has been completed. Almost all areas harvested were treated, some areas were not, due to rockiness, aesthetics, and logistics of dealing with the slash. The total area covered is about 15 acres, the total charge for this will be \$130 per acre or

\$1950, which will be deducted from the timber proceeds. A separate invoice itemizing this will accompany the timber payment.

Citizen Complaint: Mr. Pinkham reported a complaint has been made by Kim Beals to the Town Manager, stating that she is upset by the “incompetence and arrogance” of how “bad it [the trail work] was,” that “it has been destroyed.” Mr. Pinkham received a call from local logger, Roger Garland, whom Ms. Beals had contacted requesting that he review the work and the economics of it. Mr. Garland visited the site and found that it “was done very well.” Ms. Beals may have been upset because there was a plan to use the Oak Street landing; however, Mr. Johnson did not use it. Mr. Pinkham has spoken to her personally. Mr. Johnson will come to the January meeting with a full accounting of all that was done and can defend everything he has done or chosen not to do.

**Nature Conservancy Report:** Mr. Pinkham noted the TNC budget amount is \$3,000, not \$2500 as was Mr. Lougee’s supposition. Mr. Lougee stated his copy says not to exceed \$2500. He will bill the \$3,000. Mr. Lougee gave recap of the MOU, listing the six things they have to do: regular trail maintenance, waterbar cleaning, trail sign project, bog bridges at Pudding Pond, printing trail maps and supplying the kiosks, Black Cap parking lot. He reported progress was made in all of these; Peter Benson worked there over the summer. There was good progress on the first item, work is still in progress on the trail sign project - they did a big sign inventory, will go through and make up more of the signs, but some do not need to be replaced as soon as others.

Mr. Lougee noted there was some miscommunication in his office about the bog bridges – it does not look like there is a lot of work to be done there. He stated that “Wink” thinks we need to replace about 48 of the sills and 36 planks, at a cost of about \$1,000 for materials, using tamarack and cedar. The money in the budget this year was not quite enough (\$700). They can either budget to get a crew to come in or TNC could lead it but would need to find volunteers, and questioned whether CCC can help find them. He stated there are pieces of the bridges that are in good shape. It is possible to drive most of the way in, so getting the materials in will not be a problem. Cost, if hired outside help, would be about \$2,000 including materials.

Mr. Lougee said TNC has charged the town for one-half the brochures printed, stocking the kiosks through the season.

Repairs to the parking lot – they have received an invoice of about \$2,000 from Frechette Trucking and felt it would be fair to split the cost between TNC and the town. The State did the work, brought in the equipment, graded it, and they were told they would keep an eye on it now. The invoice to the town will be about \$2600 for work done. Mr. Pinkham said he can ask the Board of Selectmen to encumber some dollars for any tardy billings, and Mr. Weathers advised that he should let the Town Manager and Finance Director know what’s taking place. Mr. Pinkham stated we budgeted \$3,000 for TNC, he will encumber \$3,000. He noted we also have the high school sign project and he will encumber that amount of money as well so we can pay delayed billings on that.

Mr. Lougee offered to supply a copy of the bridge inventory to anyone who wants to see it.

Sale of Parcels by TNC – Mr. Lougee reported that 1200 acres was sold to Tin Mountain. There is an easement held by Saco Valley Land Trust. Tin Mt. agreed to a restriction – it can only be sold to a qualified conservation group. Tin Mountain's goals for the property are to use it as an outdoor classroom. They also have an interest, long term, in trying to start a forestry cooperative. The funding came from an anonymous donor.

Mr. Weathers made reference to a statement in previous Minutes whereby TNC was reporting work had been done on the Pudding Pond trail; however, none was done - he was told that was a miscommunication. Mr. Lougee stated they did not go out and do the level of work that was needed to be done. Mr. Adair stated a number of bog bridges like that have been done. Mr. Pinkham felt we need to address that in the spring and need another agreement with the TNC to budget another \$3,000.

**Treasurer's Report:** None.

**Selectmen's Report:** Mr. Weathers reported that last week the Selectmen voted 5-0 that they would like to see the CCC make every effort to maintain the existing trail system that is within the Schiavi property for snowmobiles - meaning to keep it the way it is. Mr. Pinkham noted some of it runs through the wetlands and the concern is motorized vehicles going through the water.

Mr. Weathers said the Selectmen, in reviewing warrant articles, discussed the MWV Ski Touring annual agreement. There were changes made with regard to the position that use of Whitaker Woods is free. It was his contention that it is not, as an I.D. card is required at a cost of \$5; therefore, the Selectmen removed the word "free" in two places in the agreement – the concept remains the same. Mr. Weathers read aloud the appropriate paragraph, which, in summary, states that all Conway residents shall be allowed to attain season membership I.D. cards subject to administrative fees. Membership will provide access to MWV ski trail networks. It was Mr. Weathers' contention that all Conway residents should be able to use Whitaker Woods as they are already paying for it. It was noted there is a \$15 first time fee and a \$5 annual renewal fee which encompasses all the trails. Mr. Adair said the use of the trails is free, but there is an administrative fee to obtain the pass. A season pass for out of town people is \$100 per family. Some of the money goes into the grooming of the trails.

**Wetlands Permits** - Mr. Weathers reported the State is requesting more information from Paul Whitaker for his application for a single culvert on Stark Road, after the fact.

**2006-2007 Budget:** Mr. Pinkham said the Conservation Commission budget was approved on December 5<sup>th</sup>. A reduction was asked for.

**Signs:** Mr. Haynes noted this was passed on to Gemini Signs for the initial work and the school was to have done the finish work; however, there have been setbacks and they are not done. Another \$500 has been built into the next budget.

**New England Mountain Bike Association (NEMBA) Report:** Mr. Adair provided the NEMBA report, stating that NEMBA completed over 280 man hours of trail work in 2006 on CCC lands: 160 hours on Red Tail Trail (Hurricane Mt. Rd. Common lands) – two trail re-routes and drainage work; 42 hours on TNC Sidehill Trail (Pudding Pond Conservation area) – re-routed section on town land to avoid using Middle Mt. Trail; and 78 hours on Sticks & Stones (Pudding Pond Conservation area) – extension of original loop.

Mr. Adair noted they are planning more work on Red Tail Trail in 2007 as part of ongoing efforts to make the trail as maintenance-free as possible. Two re-routes are being laid out to bypass trail sections where skidder paths are currently in use. These sections drain poorly and are wet for much of the year – the re-routed sections will be less steep and incorporate grade reversals to promote drainage.

Mr. Adair reported he has flagged some of the trails. Our agreement says that the bike organization and CCC will mutually agree on work. He offered to take anyone through who would like to look at the work or discuss future plans.

**Rules and Regulations:** Mr. Adair noted we have discussed standards for mining and prospecting. He found only one thing on the Forestry website which referred to Deer Hill in Chatham, and provided the following 8 point report on safe digging practice which he felt seemed like something reasonable that we could adopt:

- Only non-mechanical and non-motorized hand tools may be used.
- Explosives are prohibited.
- Excavations must not have overhanging banks or vertical walls higher than 4'.
- Excavations deeper than 4' must be terraced or have sides sloped at 45 degrees.
- No digging into solid bedrock.
- Tunneling is not allowed.
- No digging under standing trees.
- No cutting or felling standing trees.

**Use of Fire Arms:** Mr. Pinkham questioned who establishes where someone can and cannot hunt on town property? Mr. Weathers stated if it is not posted, you can hunt anywhere; in Whitaker Woods you cannot have fire arms, but can use bow and arrow.

Mr. Pinkham noted a letter had been received from Upper Saco Valley Land Trust thanking the Commission for its \$10,000 contribution.

Access trails for the wheelchairs – accessibility guide book of National Forest Service will be forwarded to Don Johnson to assist him in his project on Oak Street.

Crown Ridge – Mr. Pinkham noted that about a year ago there was communication from one of the developers of Crown Ridge, an abutter to town land, expressing some interest in giving some land to the town. Mr. Briggs pointed out it is Precinct land not the town's.

Mr. Pinkham said Mr. Sires wants the Commission to resolve the issue and determine if we have an interest in the property or not; someone would have to visit the site with Mr. Sires. Mr. Adair offered to do that. Mr. Briggs said he does not see any reason for us taking it over other than to save the owner from paying taxes. He noted it is a nice piece of land, and he questions why the owner does not just put an easement on it himself.

Liability for Trees in Shedd Woods - Mr. Pinkham reported the owner of Wyatt House has written to the town advising that there are trees in Shedd Woods that are leaning toward his roof. The response was a letter from the Public Works Director that the one tree that fell was cleaned up by the town crew, and as regards those trees that are still leaning, he found no evidence that the trees had been disturbed before the storm, and that they have grown that way. Mr. Pinkham suggests Mr. Weathers advise Mr. DeliAngeli that he needs to be working more closely with the CCC. It was noted that Don Johnson purposely left a buffer between Shedd Woods and the Wyatt House. Mr. Weathers suggested the next time we go in there we should take those trees down.

Mr. Haynes stated at the last meeting there was discussion of proposed fencing at Shedd Woods. He made reference to money coming from the original money that was set aside that we could have access to. He stated it is important that we address it appropriately so that it is aesthetically pleasing and when we do address it he wants it done with some taste – it is promoting the town, we should do something nice - he does not want to see big boulders there. Mr. Weathers told him the trees will be planted this spring and anything on the fencing was deferred for the time being.

**Next Meeting Date:** The next regular meeting will be held on January 10th at 6:30 p.m.

**Motion was made by Mr. Weathers, seconded by Mr. Adair and carried, that the meeting be adjourned at 7:25 p.m.**

Respectfully submitted,

Gail T. Currier, Recording Secretary