

**MINUTES OF MEETING
CONWAY CONSERVATION COMMISSION
September 10, 2014**

The September meeting of the Conway Conservation Commission convened at 6:30 p.m. at the Whitaker Homesite in North Conway, NH. Members present were: Rob Adair, Chair; Larry Huemmler, Vice Chair; David Weathers, Selectmen's Representative; Karla Allen; and Carol Lyman. Earl Sires, Town Manager; and Don Johnson, Town Forester, were in attendance.

Approval of Minutes 08/13/14: Motion was made by Mr. Huemmler, seconded by Mr. Weathers, that the Minutes of the August 13th meeting be accepted as written. Motion unanimously carried.

Other Business

Silas Hill Eagle Project – Walker's Pond Trails: Silas Hill appeared before the Board. Mr. Hill stated that he has been in the Troop for 6 years and with this project and a few more merit badges he will become an Eagle Scout. Mr. Adair stated that he walked Walker's Pond with Mr. Hill. Mr. Hill reviewed pictures of Walker Pond with the Commission and stated that he wasn't sure where the trail was when he first walked the area.

Mr. Hill stated that his plan is to first work on blazes and general markers of the trails; the second day he'll have a group of adults with chainsaws; on day 3 have a group of older boys cutting brush; and then on the fourth day move in bridges from lumber donated and place them where the bridges have been destroyed or moved.

Mr. Huemmler asked when he will be doing this project. Mr. Hill answered within the next two months. David Weathers asked if Mr. Hill has identified where the photographs were taken so you can have before and after pictures. Mr. Hill answered in the affirmative. **Mr. Weathers moved, seconded by Mr. Huemmler, to approve the project. Motion unanimously carried.**

MWV Trails Association – Rec Path: Larry Garland appeared before the Board. Mr. Garland stated that they would like to develop paths that are used for various kinds of recreation; walking, jogging, biking and they envision them being very family and kid friendly. Mr. Garland stated that the vision is to create a corridor which centers on the mountain division rail line; essentially extending the Fryeburg trail.

Mr. Garland stated there are places where the railroad right-of-way is not conducive to a trail, especially along the North-South Road in the village. Mr. Garland stated that the Safe Routes to School is interested for trails to connect to the schools. Mr. Garland discussed the trail in North Conway Village and stated that the recreational trail could go in two directions, along the Whitaker Lane Trail in Whitaker Woods and roughly following the power lines, but locating a route in the vicinity to get to Kearsarge Road.

Mr. Garland stated that they spoke with Ben Wilcox at Cranmore and they perceive the recreation path a huge asset to their clientele. Mr. Garland stated that they hope to have a route from the Intervale Scenic Vista to the Green Hills Preserve and Pudding Pond. Ms. Allan asked if this trail would be done all at once. Mr. Garland stated that it would have to be in phases; it will take approximately 20 years and be about \$400,000 per mile.

Mr. Garland stated that they have a significant grant opportunity, Map21, where they are offering in the ballpark of \$640,000 plus match; the application deadline date is September 26, 2014. Mr. Garland stated the reason he is here tonight is that the proposed route does depend on the use of trails in Whitaker Woods and we need to know if the CCC supports the idea of a recreational trail and will endorse and give permission to build this trail, a 10-foot wide paved path, on the northern side of the property and/or parallel to the tracks. Mr. Garland stated that they have had discussions with Cort Hanson and he does not see any contrary interest and supports this idea.

Ms. Allen stated that she is all for it. Mr. Weathers asked if it has to be paved. Mr. Garland stated what this would be and how it would be used there are advantages to having it paved; it could be used by baby strollers, people with walkers, and wheelchairs. Mr. Garland stated that a paved surface would be the most attractive path. Mr. Adair stated that he has been a part of this group and he supports the paved path; it opens it to more uses and more people.

Mr. Johnson stated it would be necessary to be able to gain access to the power lines with heavy equipment and to allow for clearing around the power lines by the power company. Mr. Garland stated they would design and engineer areas to be able to gain access where necessary; he thinks there are ways to get equipment in there across the rec path, but might need to be firmed up in areas.

Ms. Lyman asked if it would be groomed in the winter. Mr. Garland stated that they could be, but they are not designing or building this for motorized use, but they are not averse to sharing. Mr. Weathers stated that it would have to have subsurface drainage. Mr. Garland agreed and stated that drainage would be part of the design. Mr. Weathers stated that he is not sure if the Board of Selectmen needs to review this. Mr. Sires stated that he believes since the CCC oversees the property it would be up to this Board; however, he would look into it.

Mr. Garland stated that he needs the endorsement from the CCC to proceed with plans to develop a rec trail that goes through Whitaker Woods and, more specifically, to submit the grant application that has to be submitted by the end of the month. Mr. Garland stated that they are looking for a letter of support. Ms. Lyman asked if this would counteract any of the restrictions on the lot. Mr. Sires stated that it is to be used for recreation, but will review the deed restrictions again. Mr. Burnell stated that the deed allows for motorized vehicles for maintenance, but may not allow for snow machines.

Ms. Allan moved, seconded by Mr. Adair, to write a letter of support with a paved surface. Mr. Weathers stated that he would be abstaining until he reviewed this with the Board of Selectmen as he is their representative. **Motion carried with Ms. Allen and Mr. Huemmler voting in the affirmative, Ms. Lyman voting in the negative and Mr. Adair and Mr. Weathers abstaining from voting (2-1-2).**

Reports:

Jeff Lougee/Mark Zankel/Wink Lees- TNC: Mark Zankel and Jeff Lougee appeared before the Board. Wink Lees was in attendance. Mr. Zankel stated he wanted to give the Commission an update on where we are at with fundraising, what we are learning about the property and how we think we are going to manage it. Mr. Zankel stated that they have had support with LCHIP matching funds and they hope to close on the properties at the end of October. Mr. Zankel stated that the cost of the whole project is \$1.4 million; and we have raised \$1.3 million.

Mr. Zankel stated that the property will be under an easement with the Fish and Game Department which will remove developmental rights. Mr. Zankel stated that they hope to keep it the way it is other than reclaim some old roads, brook trout restoration and open area restoration, which are important areas for birds. Mr. Zankel stated as far as forest management goes, we need to regenerate conifers in the deer yard areas and we will consider some timber harvesting for habitat, but not for revenue.

Mr. Zankel asked if the Board would support part of the last \$100,000 needed from the LCHIP funds that the Town has set aside. Mr. Zankel stated whatever the Commission could offer would be meaningful. There was a lengthy discussion with concern over not harvesting the timber to pay for the remaining \$100,000; the Commission felt active management to create habitat was appropriate where the Nature Conservancy only harvests timber when it improves habitat.

Mr. Sires stated in 1988 the Town set aside \$15,000 to specifically match LCHIP funds. Mr. Sires stated that this is an important piece to the Green Hill Preserves. Mr. Adair stated that he would definitely support this; it is an ideal opportunity and would like to the Commission support it. There was no motion.

North Conway Public Library: Mr. Adair stated that the North Conway Public Library would like to hold their Bike for Books in Whitaker Woods on September 27, 2014. Mr. Sires stated that they apologized for the late submission of the Special Event permit as there is someone new overseeing this and did not know about the permitting process. **Ms. Lyman moved, seconded by Mr. Weathers, to support the application for the North Conway Public Library Bike for Books. Motion unanimously carried.**

Marshall – West Side Road: Doug Burnell and William Abbott of the Upper Saco Valley Land Trust were in attendance. Mr. Adair stated that there was a public hearing held and there was no opposition to it. Mr. Adair stated that he distributed a letter from the Marshalls that they would like to start timber harvesting on October 1 and they would like the Town to sign an easement with Upper Saco Valley Land Trust. Mr. Adair stated that the Hussey's are amicable to the access. Mr. Sires asked about the well rights. Mr. Burnell stated they were willing to relinquish that right.

Mr. Adair stated that there needs to be a confirmation vote for the \$625,000 cash plus the \$225,000 in timber revenue; this is based on the outcome of the public hearing. Mr. Adair asked if the Board was still in agreement. Mr. Abbott stated that it is the Marshall family's wish to have the land be part of the Upper Saco Valley Land Trust. Mr. Weathers stated when there is an easement on the land you lose about 90% of the value; why would the Town agree to that. Mr. Abbott stated that the idea of a conservation easement is that it is not forgotten; and by involving the land trust it is one more safety measure.

Mr. Sires stated that this is an unusual arrangement. Mr. Sires stated since it is being sold to the Conservation and intent is for conservation land is this sort of restriction necessary. Mr. Weathers stated that he doesn't see a scenario where the Town would be forced into selling a property to offset the operating budget. Mr. Burnell asked what the problem with sharing the conservation is. Mr. Weathers asked why it is different with this parcel of land over all the other land the Town owns; we have been managing these properties so why do we have to partner with another organization. Mr. Abbott stated that this provides another level of protection. The Commission preferred to see deed restrictions rather than sign an agreement with the Upper Saco Valley Land Trust.

Ms. Allen moved, seconded by Mr. Huemmler, to confirm the vote for the \$625,000 cash plus the \$225,000 in timber cut within two years' time pending review of the purchase and sale agreement with the deed restrictions. Motion carried with Mr. Adair abstaining from voting.

Proposed Whitaker herbicide application: Ms. Allen moved, seconded by Mr. Weathers, to not allow the spraying of herbicide in Whitaker Woods. Motion unanimously carried.

Next Meeting: The next meeting will be October 8, 2014.

Adjourn: There being no further business; **the meeting adjourned at 8:23 p.m.**

**Respectfully Submitted,
Holly L. Meserve
Acting Recording Secretary**