



**Town of
BROOKLINE, NEW HAMPSHIRE**

Conservation Commission

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**Minutes
Conservation Commission
Tuesday, October 13, 2015
7:00pm**

Present: Francis (Buddy) Dougherty, Chairman
Jay Chrystal, Vice-Chairman (left at 7:45 pm)
Brendan Denehy, Selectboard Representative
Jordan Bailey, Member
Tom Roger, Member
Drew Kellner, Alternate, (Voting for Jay after 7:45pm)

Absent: Eric DiVirgilio, Alternate.

Minutes

Jay made a motion to approve the minutes of September 8th, 2015 both public and non-public as written. Drew seconded. Vote yes 5-0.

Clover Hill Update – Access road at the end of Sawtelle Road

Tom recused himself from this discussion. **Buddy** said at the end of Sawtelle Road there is a hammer head and the access road to town property that will give access to Hobart Fessenden Woods. **Brendan** said at the last Planning Board meeting this access road was shown on the plan for Clover Hill Subdivision. **Buddy** said at some point they may want to install a gate. Maybe they could ask if there are any off site improvement money that could be used to create the parking area in this location. **Jay** said they would need to come up with a cost for this parking area project. **Buddy** said maybe they could ask Randy Haight with Meridian Land Services to engineer a plan for the parking area.

Target Shooting on Town Property

Buddy said he has had a few people ask him about the policy the BCC created at the last meeting in regards to target shooting on town property. He spoke with Fish and Game they said the Board can ban target shooting from town property. **Jay** said they can't say you can't shoot a gun in town but they can regulate target shooting on town property. RSA 36 allows the BCC to determine what can or cannot happen on town property. **Jordan** said they should be able to get signs for town property. **Brendan** said just to be clear you they are not allowing target shooting but hunting is allowed on town property. Everywhere except the Palmer Preserve and Talbot Taylor Preserve. **Jay** said they may want to post that on Facebook, Cable and the Website.

Ghost Train

Buddy said the race is only weeks away. He is trying to get light towers for the aid stations at Tevya. He will be at Tevya to start setting up on Friday at about 10:00am. Any volunteers are welcome. **Jordan** said there is an online volunteer list at sign up genius website. No one has signed up to help with parking as of yet. **Drew** volunteered to help with parking. **Buddy** said entrance at the camp will be key parking area for runners. **Buddy** said they have received a letter from Bernice Dolber that states they cannot use the rail road bed that goes through her property. This means the runners will need to run Route 13 from North Mason Road to Scabbard Mill Brook Road. This is very dangerous and if they can't run the rail road bed the whole way through maybe they should reconsider the future of this event being held at all. **Buddy** said the Spaghetti dinner will be held at the church on Friday night. Steve Latour will be the guest speaker that night.

Beaver Box on Stickney Brook

Tom said he went 3 or 4 weeks after it was installed to check on the condition of this beaver box. It was tilted but seemed to be running just fine and solid where it stood. The beavers have packed it in pretty good.

Access Trail Oak Hill Road to Rail Road Bed

Buddy would like to ask Randy Haight from meridian Land Services to engineer a plan for this trail that needs to be built from Oak Hill Road to the rail road bed. **Tom** said it is pretty wet in this area. The trail will need to go around those areas. **Jordan** asked if they had off site improvement money to create this trail. **Buddy** said yes there is.

Rail Road Bed Mowing (North Brookline)

Buddy said he had finished the mowing with his tractor last weekend. There are a few areas that they will need to add some gravel in some areas where there is erosion. There will also be some tree work going on this winter by the Nor'Easters Snowmobile Club. **Jordan** said at some point they should add some historical signs in this area. **Buddy** said he would like the guy who trims the brush on town roads to go down with his tractor and cut the brush back on the rail road bed. It is growing out of control in this area.

Easement Language for Rail Road Project

Drew said they do not have the easement language as of yet. This language will need to be ADA compliant. The BCC will be the driver of the easement language. **Buddy** asked if this will remain a non-motorized trail. **Drew** said yes the Nissitissit River Land Trust and Beaver Brook Association have discussed this trail as remaining a non-motorized trail. **Buddy** asked if this could remain a snowmobile approved trail. **Buddy** commended Drew for all his work he has put into this project.

Milfoil Update

Buddy said Aquatic Controls were out at Melendy Pond to see how well the treatment worked. **Jordan** said she has been playing phone tag with Amy Smagula with DES. **Buddy** said he would like her to attend a BCC meeting so they can discuss a treatment plan.

Trail Discussion

Tom said there are some hanging limbs that need to be cut on the Hobart Fessenden trail. Some he can drag off the trail but he has marked some trees that will need limbs cut. He will email Kevin Majeski (Brookline IceBreakers) to see if they want to be involved with some of the trail clean up.

Tom said the trail from Sargent Road to Cider Mill trail Head will need some signage, he has run into a lot of people using the trail that are not from town. A lot of Nashua residents using the trail. They also will

need signs that state trail names, distance of the trail, trail rating and maybe photos. The Sargent Road trail is a nightmare. It's very muddy and the bridge has broken boards, it a real danger.

Jordan said NIMBA has trail grants that they could look into applying for.

Buddy asked Drew to vote for Jay now that he has left the meeting. **Drew** agreed.

Kinder Morgan Request to Discuss their Wetlands Plan

Buddy said they relieved a letter from Kinder Morgan that states:

"While minimized to the extent practicable, impact to wetlands and streams may be unavoidable. Such impacts will require compensatory mitigation to comply with the applicable state and federal rules and regulations. In accordance with New Hampshire Department of Environmental Services ("NHDES") rules for compensatory mitigation (NH Env-Wt 800), Tennessee's final compensatory mitigation plan may include various measures such as land preservation, relevant environmental projects, payments to the State's Aquatic Recourses Mitigation Fund ("ARM fund") and other acceptable mitigation options. Tennessee's strong preference is to maximize the compensatory mitigation benefits to the Town of Brookline, and Tennessee would like to meet with you to discuss in person the possible projects that are a high priority to you for potential inclusion in Tennessee's Project compensatory mitigation plan. In accordance with NH Env-Wt 800, these local projects could include:

- . Preservation of upland buffer – preservation of areas of land contiguous to an aquatic resource that contribute to the resource functions and values. These lands could be preserved by either purchase of a conservation easement or transfer of fee simple ownership to a government entity or nonprofit organization acceptable to NHDES.
- Wetland restoration by reestablishment of a filled, dredged, or drained wetland to restore lost functions.
- Wetland creation by transformation of upland t wetland in appropriate locations.
- Stream restoration or improvement, for example, by replacement pf an undersized culvert to provide better hydraulic capacity for high flows and/or aquatic habitat or passage under roads.

We would be very interested to meet with Town representatives at a time which would be convenient to discuss potential local mitigation opportunities, and with your assistance, include projects with direct benefit to the Town of Brookline. In order to conduct an evaluation of potential opportunities that may be included with the Project application, we kindly request that you respond by September 24, 2015 with a date that would work for the Town of Brookline. In the interim, if you should have any additional questions, please do not hesitate to contact me.

Sincerely,

Allen Fore, Vice President, Public Affairs."

Buddy said Tad Putney (Town Administrator) has sent Kinder Morgan an email stating the Conservation Commission did not meet until October 3rd and they would reply immediately after the meeting night.

Jordan said unless they have an approved project she doesn't think they should meet with them. **Tom** said you don't want to give the appearance of letting them in. **Drew** said we should respond by stating that the Commission is declining the invitation to discuss the potential mitigation opportunities. The Commission thinks this sort of discussion is far too premature. If this project is approved and any mitigation requirements are set forth upon the applicant with regard to impacts that may occur within the Town of Brookline, we ask that these funds from the mitigation stay within the Town for local projects. If such a day comes the Commission may then engage in discussions about priorities for protection in the Town of Brookline.

The Board agreed with Drew's statement. **Brendan** said they should copy to the Selectboard.

Non-Public

Drew made a motion to go into non-public session under RSA 91 A: 3 (e) for legal purposes and immediately adjourn. Brendan seconded. Roll call vote Drew said yes, Brendan said yes, Buddy said yes, and Jordan said yes.

Brendan made a motion to come out of non-public session and seal the minutes. Tom seconded. Roll call vote Drew said yes, Brendan said yes, Buddy said yes, and Jordan said yes.

Brendan made a motion to adjourn the meeting at 8:55 pm. Tom seconded. Vote yes 5-0.

Francis (Buddy) Dougherty, Chairman, _____

Jay Chrystal, Vice-Chairman, _____

Brendan Denehy, Selectboard Rep., _____

Jordan Bailey, Member, _____

Tom Rogers, Member, _____

Drew Kellner, Alternate, _____

Minutes submitted by Kristen Austin.

Next meeting will be held on November 10, 2015