



TOWN OF BOW

Conservation Commission

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Bow Conservation Commission

July 18, 2022

Approved Minutes

The regular meeting of the Bow Conservation Commission was held on Monday, July 18, 2022, at 7:00 PM in Room C of the Municipal Office building at 10 Grandview Road. Chair Sandy Crystall called the meeting to order at 7:05 pm

Members present: Sandy Crystall, Bob Ball and Alexander Grene. Dik Dagavarian and Tina Blanks were excused.

Items for consideration

1. **Eversource Energy - Application # 406-22** - Wetland Protection Conditional Use Permit for 8,182 sq. ft of wetland impact and 31,211 sq. ft. of wetland buffer for replacement of utility poles along the H137 Transmission line (multiple easements by River Rd., Garvin's Falls Rd. Route 3-A, Ferry Rd, and Lincoln Dr.).

Ms. Jessica Hunt with Stantec, representing Eversource, distributed paper copies of the plans and described the project, which parallels the H 145 line, which was the subject of a previous CUP and site walk. She described the work on the structures, wetland and buffer impacts, and use of timber matting for temporary wetland crossings and existing accesses. Ms. Ashley Friend, with Eversource, mentioned that the single timber monopoles will be replaced with steel monopoles, which may be 5-10 feet higher to meet current codes/codes. Ms. Crystall noted the functions and values evaluation received and how the project meets the CUP criteria.

Mr. Ball made a motion that the CC supports the Wetland CUP and recommends approval. Mr. Grene duly seconded; motion passed, 3-0.

2. **Eversource Energy - Application #407-22** - Wetland Protection Conditional Use Permit for 139,006 sq. ft of wetland impact and 213,129 sq. ft. of wetland buffer for replacement of utility poles along the C196 and Q171 Transmission lines (multiple easements and parcels).

Ms. Crystall explained that the site walk scheduled for the earlier in the evening was cancelled due to the rain storm.

Ms. Lindsey White with GZA, representing Eversource, and Ashley Friend, David Creer and Claire Schenck of Eversource were present.

Ms. White distributed paper copies of the plans and described the Eversource proposed project -- to replace poles along the two transmission lines, which run parallel to each other. Eversource is looking to replace 33 existing structures, 19 along C196 and 14 along the Q171 line. Utilizing existing access roads as much as possible and where access has to cross wetlands, timber matting is used and removed once project is completed. There are several road crossings, including some new areas. They have submitted an Alteration of Terrain Permit application for upland access for grading. They will be submitting a Wetlands Statutory Permit By Notification (SPN) for this work with timber matting. These are two-pole H-frame structures that will be replaced with similar structures. Ms. White asked if there were any questions.

Mr. Ball noted on page 5, the access from Bow Bog Road looks very wet. Ms. White responded that wetlands were originally delineated in 2016; they have wetland scientists do wetland confirmation, but do not hang flags at that point. Flags are hung before construction starts, which is anticipated in October, so new flags have not been hung yet. Mr. Ball noted that the access is all cattails. It seems like there are other alternatives on the north side, which may be longer but have less impact on wetlands. Ms. Friend mentioned that they can do some field recon and check it out with an engineer and team members. It looks like there is more vegetation there and may be steeper. Ms. Friend added that the construction work will sometimes use a bridge-matting technique that protects the wetland and allows for passage by animals. Ms. Friend said that they can look at it and can let us know.

Mr. Ball also noticed that a section on page 3 that he walked to structure 47, where Eversource is crossing the existing wetland with existing road, there was a wetland impact previously that looks like it was never restored, the vegetation (grasses) is not there. Ms. Crystall noted that the functions and values evaluation noted ATV impacts but Mr. Ball mentioned that the tracks were larger vehicles. Mr. Ball asked if the impact had been made during the mowing, the wetland was impacted. Mr. Ball asked what procedures are in place to ensure such areas are revegetated properly?

Ms. White stated that she was not able to speak to the mowing and vegetation maintenance work in the right of way (ROW), it is a newer area, she has not been personally been out to for proposed work although she has been out to H53 several times.

Ms. White explained the restoration requirements. She mentioned for structure replacement projects, they need to submit a stormwater pollution prevention plan (SWPPP) as part of NPDES compliance, and required restoration is 85% for structure replacement projects. They also conduct restoration monitoring to confirm stabilization. Ms. Friend stated that stabilization would be 85% vegetative cover or gravel, so there are no sedimentation issues. they monitor weekly and every 1/4-inch rain event until areas have reached stabilization for structure replacement projects. Ms. White stated that they cannot speak to what is out there -- if it is from vegetation work or ATVs, but as far as this project is concerned they do their due diligence. If there is exposed soil now, they will go back.

Ms. Friend stated that if in the future there are locations that you want to ----, they are more than happy to have their consultant go out and flag the wetlands ahead of the site visit. They need 3-4 days notice to do so.

Mr. Ball followed up by asking sked about mowing -- do they mat when they conduct the mowing? Ms. White responded that in certain wetlands they will. The vegetation maintenance equipment is under the 4 psi tire pressure limit, so they are not supposed to create rutting. If there is a substrate that they know will result in ruts, they will mat proactively before doing that work. They submit SPNs to the state for this work as well. One SPN submitted was submitted in March for the vegetative work this year. Mr. Ball asked about how the maintenance crews know where the wetlands and buffers are when they mow it? He has seen a lot of vegetation being cut in the wetlands, including shrubs like winterberry. Ms. White introduced Tyler Nicoletti, with Project Services ---he handles the vegetation maintenance work.

Mr. Nicoletti stated that what Mr. Ball is referring to is the NH07 projects, TRP - Transmission Right of Way Reliability Program, which ran the length of the A253 line, which is co-located with the two lines being discussed. They mow for incompatible species a 25-foot width on the lines for a height of 15 feet up to 25 feet at maturity. Any work in the wetland should be done by hand and anything outside the wetland is done by machine, using tracked equipment. an excavator with a mowing head, and then they will come in and do hazard tree removal. Mr. Ball again asked how they know where the wetland is, Mr. Nicoletti said it should be marked.

Ms. White mentioned that the work has already occurred in the corridor, so by this past week, the flags would have potentially been cut if it as right on the boundary.

Mr. Nicoletti mentioned that if there is a spot that the Commission wants to have reviewed, he can take it back to the team and review that location. Mr. Ball mentioned that the corridor has high ecological value for the town. Mr. Nicoletti mentioned that they try to leave compatible species -- those that are less than 15 feet at maturity, and mentioned that it is difficult in some locations where the vegetation is intertwined. Ms. Crystall asked what species are incompatible -- likely trees? Mr. Nicoletti responded -- yes, mostly maple, birch and poplar are being removed.

Mr. Ball asked if Fish and Game is involved in the review of the plans. Ms. White responded that they are involved in the SPN review with the state. The vegetation maintenance side of the operations has a data share agreement with Fish and Game, so they have set BMPs for species for the active and inactive seasons, which is coordinated on an annual basis. GZA helps run that process with Eversource and Fish and Game on a yearly basis. Mr. Nicoletti stated that this co-located section is maintained every three years -- maintenance was just finished in June.

Mr. Ball mentioned the roads that are being built for access, which opens up opportunities for vehicles like ATVs to drive in and cross these wetlands that were matted. He asked about the potential to gate these, getting permission from the owners. Ms. Friend responded that they work with the property owners -- they usually only have an easement. Ms. Friend mentioned that Claire Schenck is from Project Services. She sends out notices and works individually with each property owner through the life of the project until restoration is done, and addresses any concerns that come up. Ms. White acknowledged that it is an unfortunate consequence to creating these access areas. Ms. Schenck mentioned that they have not spoken with anyone about gating. When asked, Mr. Ball suggested the one on Bow Bog Road and mentioned that the right of way crosses town-owned property. Ms. Crystall noted that Nottingcook Forest was in the area. Ms. White mentioned that they are happy to work with the town. Ms. Crystall noted that they entire ROW is open, so where does one put a gate? Ms. Friend noted that putting a gate where the access road starts will deter big vehicles from using the access road. If they need to close off the ROW, they usually add big boulders.

Mr. Ball noted that in Dunbarton gates have been installed. Mr. Grene asked if any of the access roads are new or are they existing and being upgraded. Mr. Ball mentioned that the one on Bow Bog is new. Ms. White responded that the wetland is right off the road. Mr. Grene raised a question about the requirements in the DES wetlands rules, Env-Wt 521.06. Ms. White responded that the Wetlands Bureau has jurisdiction over the wetlands but not the upland, where the access roads are being improved/ constructed. The impacts in the wetlands are only temporary. Mr. Grene asked about the use of timber matting. Ms. White mentioned that the mats are placed when the work is underway and then they are removed when the work is done. Ms. Friend mentioned that the contractors have a finite amount of timber mats. The five months of anticipated work means two or three days in an area, starting in September; the majority of work completed by December. Restoration likely in March /April. Mr. Grene noted that the town ordinance mentions having all the permits in place. Ms. Crystall mentioned that the town wants to ensure that they have applied for the appropriate permits and they cannot do the work until they have all the permits.

Ms. White made a request regarding the access off Bow Bog Road to the north that the Commission identified, once they do the field review and make the determination to use that crossing instead, would the Commission be okay with email correspondence rather than coming before the Commission again. Commission members indicated that would be okay.

Ms. Friend noted that they are more than happy to work with landowners who are experiencing trespassing on their property, but will not be sending out a letter to landowners asking them if they want a gate. All landowners are notified of the construction project and points of contact are

provided. Mr. Creer stated that he tends to work with the municipalities, when they are requesting access through town land, it's not uncommon for the DPW director to ask about a gate. When they reach out to DPW and town admin, they will discuss if they want a gate. Some individuals would prefer to add rocks.

Ms. Crystall mentioned that the Conservation Commission and Bow Open Spaces are responsible for the Nottingcook property, so we would like to be asked, to help in minimize the potential for ATVs. Ms. White asked what the street name is for the location by Nottingcook. It appeared to be Abbey Road toward structure 43.

Mr. Ball made a motion that the CC recommends approval of the Wetland CUP to the Planning Board with the following conditions:

- 1. Eversource conduct a review of the Bow Bog access and communicate to us that there is no other option.*
- 2. Eversource notify the Commission when restoration of the work areas has been completed.*
- 3. Contact owners regarding interest in blocking access, including the town land and gates at Nottingcook.*

Mr. Grene duly seconded; motion passed, 3-0.

Ms. Friend offered to do a raincheck on the site walk, even if it is after the Planning Board meeting on Thursday. Ms. Crystall mentioned that after looking at the Bow Bog location, that may good. Mr. Creer gave his contact information to Ms. Crystall and requested the specific location of the gate, so that we are all talking about the same spot.

3. Potential timber harvest on Morgan Lot

A site walk was held with Ron Klemarczyk to review the Morgan Lot town forest for a potential timber harvest was held Wednesday at 5:30 pm.

Mr. Grene mentioned that it seemed that Mr. Klemarczyk had a good grasp on what needed to be done and how it could be done responsibly..

Mr. Ball questioned about removal of the hemlocks. Since the value of the timber is low right now, what is the value of removing the large hemlocks? Mr. Ball recognizes the value of the trees even if woolly adelgid is a threat. Mr. Ball acknowledged that he was unclear about how much hemlock would be removed. Ms. Crystall suggested that the removal of some of the hemlock was to allow other species to come in, since hemlocks tend to create forests with no herbaceous vegetation. (52:03). She mentioned that Mr. Klemarczyk will put his estimated timber out to bid and we can see what comes in. Ms. Crystall mentioned that for the last timber harvest, there was only one bid submitted, as the proposed harvest was considered very small. Mr. Ball asked, when he replies, will Mr. Klemarczyk note how much of each species is proposed for harvest? Ms. Crystall noted that Mr. Klemarczyk will calculate the proposed harvest size and type of wood removed.

Ms. Crystall noted that the timber management plan needs to be updated and she would like to see the forest carbon aspect considered.

Mr. Grene made a motion to approve going forward with the potential timber harvest. Mr. Ball duly seconded; motion passed, 3-0.

4. Moose plate grant/ other grants/ Culvert discussion on Branch Londonderry Tpk -- class 6 road

Ms. Crystall noted that she put this topic on the agenda but had not reviewed the grant information. She has been following up on the Class 6 question, after Mr. Ball highlighted that at least one culvert on a Class 6 road is in poor shape, especially for fish and aquatic organism passage. Per the

NH municipal association, if the road is declared an Emergency Lane, the town can spend money on it for safety and welfare purposes. She also contacted DES to ask if they were aware of any Class 6 culvert replacements or issues. This led her to contact Mr. Klemarczyk, who is on the Conservation Commission in Hopkinton. Apparently in Hopkinton, there had been an issue with a beaver dam/ flooding and culvert replacement there. She has sent an email to the Town Manager, asking about any Class 6 roads that have been declared emergency lanes.

Ms. Crystall mentioned that someone (on behalf of a conservation interest) made an inquiry to the real estate agent about the Cullen property (Smokey/Nesbitt/ Robinson Rd). There may be some opportunity, although the timing for any land purchase would be challenging, given that additional grant funds have their own specific cycles.

Mr. Ball mentioned that the culvert on the Branch Londonderry Turnpike had been assessed as shown on the NHDES Aquatic Restoration Mapper. The mapper shows the culvert as partially blocked. Ms. Crystall displayed the information on the large monitor. The culvert is depicted as being overtopped and has a one square mile drainage area. Mr. Ball mentioned that the town owns the land to the south and the grant requires landowner approval.

Ms. Crystall mentioned that a few years ago, Commission members had assembled information on grants, what kinds of projects were eligible, etc. Mr. Ball mentioned that the ARM fund has supported work on the culverts on the Warner River.

5. Robertson Trail

Ms. Crystall described where things are with the wetland application. She is trying to use Ron's plan to meet the requirements of the current rules. He proposes three culverts in the 160 feet of wetland crossing with 2 feet of rock of two sizes. Ms. Crystall distributed information about the quote from Ron Klemarczyk to do the work. She had contacted him again because he had noted that the costs would be less if less time was needed, but had not stated what the estimate was based on (time-wise). The estimate was inside of \$10,000. She noted that the permit fee included (\$25) in the quote would be more and so authorization for the quote would be the \$10,000 plus the cost of the wetland permit. The estimate is based on external support -- no reliance on the DPW, other than the cost of the culverts. A question arose about the cost of the culverts in the quote. Ms. Crystall distributed copies of Mr. Klemarczyk's plan. Three culverts for the wet area and two for the access trail.

Ms. Crystall mentioned that two independent trail consultants who walked the trail section (for one Dik was present), suggested similar approaches -- the larger rock and the culverts. The site has no real channels -- it is dispersed flow through the area.

Ms. Crystall would like to get approval for the quoted amount (close to \$10,000) plus the wetland fee so she can complete the permit and get it submitted.

Mr. Ball made a motion to approve \$10,000 and costs of wetlands permit with final numbers to be reviewed with the final plan.. Mr. Grene duly seconded; motion passed, 3-0.

6. Turtle Signs

The Conservation Commission was contacted by email about wanting to post turtle signs by the Safety Center because the turtles cross the road and get hit. The public works department was not amenable to posting such signs. Ms. Crystall emailed the Fish and Game Department to learn more about their efforts in other municipalities. She had not heard back.

7. Planning Board items:

Reagan Trust subdivision - Ms. Crystall described this proposed subdivision that will be before the Planning Board. No new road will be required, so no Alteration of Terrain permit and no wetlands

permit, nor a Wetland Conditional Use permit. There are some potential archeological features on the parcel, as noted by the Heritage Commission.

8. Other Items

Ms. Crystall mentioned that NHDES issued a Request for More Information (RFMI) to the applicant for the Macauley (Sawmill) subdivision, which included our comments.

Ms. Crystall mentioned that for the NRI Story Map, the Conservation Focus Areas tab doesn't display conservation easements on private land. The Commission may want to consider adding the layer.

Mr. Ball mentioned the next set of samples to be taken on White Brook and asked if they should get phosphorus sample downstream. Ms. Crystall encouraged the taking of the sample, as recent sampling at the downstream location on White Brook has shown increased conductivity and chlorides as compared with upstream locations. Mr. Ball acknowledged that he will plan to take a phosphorus sample.

Ms. Crystall mentioned that the Commission had received a copy of an alleged violation letter from NHDES for a property at the bottom of Logging Hill Road where a timber harvest had been done. When NHDES subsequently inspected the site, they determined that there was no violation. The Commission received a copy of the follow-up letter as well.

9. Minutes

The June 13, 2022 minutes were not reviewed as most members in attendance were not present at this meeting.

Mr. Ball made a motion to approved the July 6, 2022 minutes, duly seconded by Mr. Grene. Motion passed 3-0.

Mr. Grene made a motion to adjourn the meeting, duly seconded by Mr. Ball, motion passed, 3-0.
The meeting was adjourned at 8:46 pm.