



# TOWN OF BOW

## Conservation Commission

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### **Bow Conservation Commission**

**May 16, 2022**

### **Approved Minutes**

The regular meeting of the Bow Conservation Commission was held on Monday, May 16, 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 7:08 PM.

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

Ms. Crystall apologized for the delay in the meeting, and explained that this was the first meeting without the town staff person who would open the building and provide technical support. She noted that the site walk (for Item 2) had been cancelled for earlier this evening due to a noticing error.

#### **Items for consideration**

**1. Wetland CUP #402-22 proposed subdivision- Parcel 13-4-82 - Sawmill Loop re: Macauley OS-RD #502-22** - No new information was submitted.

**2. Wetland CUP #404-22 Buffer impact for swimming pool - 10 Saltmarsh Circle**

Alden Beauchemin, Keyland Enterprises introduced himself as representing homeowners Callie Barrett and Stephen McAulay. Mr. Beauchemin handed out full-size copies of the proposed plan. Photos distributed were also in the posted packet.

Mr. Beauchemin explained that the subject property has an existing home that was built more than 20 years ago. The buffer requirement had just been put in place at the time the house was built. He noted that the buffer consists of lawn and described the proposed pool with cabana and fence.

Ms. Crystall asked about the pool being salt water or freshwater. Mr. McAulay indicated that they had not decided yet, but they have a salt water hot tub. He asked if there were concerns. Ms. Crystall noted that the plan does not show the buffer line on the plan, which needs to be added. The buffer from very poorly drained soil is 75 feet and buffer from poorly drained soil is 50 feet. Mr. Beauchemin note that the pool is entirely within the buffer.

Ms. Crystall noted that both freshwater and salt water pools can create problems and noted a publication from the NH Department of Environmental Services (NHDES), The Sampler. Ms. Crystall explained the issues with salt water, which likely would get discharged to ground water and there are already other sources of chlorides contributing to the groundwater, including winter treatment of roads and the brine from water softeners. Some areas in town have had high levels of chloride in their drinking water. Ms. Crystall provided a paper copy of The Sampler to Mr. Beauchemin and noted that she will make available an email that she received from NHDES when she made an inquiry about pools and potential water quality concerns. Ms. Crystall asked about noting on the plan, if dechlorinated water is discharged, the location where it would be discharged.

Mr. Ball mentioned that the NHB DataCheck information was not included in the wetland CUP application materials. Mr. Beauchemin mentioned that the requirement was not on the application. Ms. Crystall mentioned that it is in the Zoning Ordinance, if not specifically mentioned on the form. Ms. Crystall noted that the requirement for NHB DataCheck information is in Article 12.04 Standards of Review in the Zoning ordinance.

Mr. Ball asked if the proposed project poses only wetland buffer impacts and no wetland impacts, as the plans did not show the buffer line. Mr. Ball asked about the slope of the lot. According to Mr. Beauchemin it is flat. Mr. Beauchemin drew on the presented plan to show the approximate location of the 50-foot buffer line to illustrate the location of proposed work in the buffer.

Ms. Crystall asked if anyone in the audience has any questions or comments. Mr. O'Donovan, chair of the Drinking Water Protection Committee asked if the 50- or 75-foot buffer was shown and how much of the remaining area for the project would be outside the 75-foot buffer? Mr. Beauchemin noted that some, but very little.

Ms. Crystall noted that it appears that some of the information needed to make a decision is incomplete. Mr. Ball asked about the timing, as it will be before the Planning Board on Thursday. Mr. Beauchemin noted that the buffer is already lawn -- and not impacting the wetland by locating the pool where proposed. Mr. Beauchemin suggested some infiltration stone around the pool could be added to address potential runoff.

*Mr. Ball made a motion that the commission not approve it because information is outstanding, including a site walk, plan for water discharge from the pool, buffer outlined on the plan, Natural Heritage Bureau DataCheck report. Mr. Grene duly seconded and motion passed, 4-0-1, with Ms. Crystall abstaining.*

Mr. Beauchemin voiced concern that the site walk and application be reviewed and approved so the family can have the pool installed this summer. Ms. Crystall directed Mr. Beauchemin to Bryan Westover or Matt Taylor in the planning office regarding a rescheduled site walk.

### **3. Trail review and approval - Walker Forest - Bow Open Spaces**

Ms. Crystall mentioned that the map is in the packet, as she was not able to project the map for everyone to view. No Bow Open Spaces representative was present. Ms. Crystall noted that the Trail Work Request form had been developed for a trail approval process. She noted that she had not been out to the trail. She described that this is part of a rogue trail (created by someone without authorization). The original trail looped over much of the parcel and thus would have a great effect on wildlife. The trail serves as a connector to other trails.

*Mr. Dagavarian moved approval of the trail location, duly seconded by Ms. Blanks, and motion passed 5-0.*

### **4. Clinton Street Open Space - inquiry**

Ms. Crystall described that Mr. Justin Stephens had emailed the Commission about a parcel (lot 2-4-8) that he is interested in purchasing. Mr. Stephens introduced himself. He lives in Hopkinton and is looking to purchase a piece of land in Bow that is landlocked.

Mr. Stephens mentioned there is a question about ownership of the area that appears to provide access to the parcel off Clinton Street. Ms. Crystall passed around the information received from Mr. Stephens. He explained that adjacent to the southern tip of the parcel, is the 0.6 acre-conservation parcel that the town owns (lot 2-4-9). The parcel he is interested in is 20 acres and he was thinking that maybe the some of the 20 acres adjacent to Spofford Brook could be donated to

the town in exchange for a permanent access on town land. Mr. Stephens described that there is an existing logging road access off Clinton St. from when it was logged by the current landowner a number of years ago.

Mr. Stephens described the information and figures on the two-page document he provided. He has not had a wetland delineation conducted on either property yet. Mr. Stephens wanted to see if the Commission is open to this proposal, and if so, take the next step to speak with the Select Board and get an access agreement to have a delineation completed on the parcel he is interested in buying and the small town-owned parcel. He is not yet under contract to buy the land at this time but has been in negotiations with the landowner.

Ms. Crystall noted some initial thoughts; the town-owned land is 0.6 ac and adjacent to the road, and questioned, is it wetland or not and would it make the parcel more useable or would there be wetland impacts for access anyway? There seem to be other complicating things here. Mr. Stephens noted that the 50-foot strip is all wetlands per a delineation done in 2005. he acknowledged that a DOT driveway permit would be required since Clinton Street is a state road. Ms. Crystall asked about others' thoughts. Mr. Ball asked about the Select Board acceptance of donated land. Mr. Stephens noted that on the South side of Clinton Street there is conservation land. Ms. Crystall noted that the donation of a wetland doesn't get us much, we would usually want donation of a buffer, like for the state mitigation program would be 100 feet. The buffer is the area that has the potential to be developed and protects the quality of the wetland. Mr. Dagavarian noted that he is familiar with the parcel and agrees that the access area shown on the map is very wet.

*Mr. Dagavarian made a motion to support providing permission for a wetland delineation on the town parcel. Mr. Grene duly seconded and motion passed unanimously, 5-0.*

#### **5. Ron Klemarczyk, timber harvest / trail rehab**

Ms. Crystall noted that she thought that Ron Klemarczyk (town forester) was going to attend the meeting, but he was not present.

Harry Hadaway, president of Bow Open Space arrived at about 7:50 pm. Ms. Crystall mentioned to him that the Commission had approved the proposed trail on the Walker property.

Ms. Crystall mentioned the "Morgan lot" that Ron Klemarczyk had indicated was up for logging. and indicated to Mr. Klemarczyk that the Commission would do a site walk of the Morgan lot before any decisions were made.

Mr. Ball mentioned that the Commission had discussed going to speak with the Mr. Klemarczyk about forest sequestration, the carbon impact of forestry activities, etc. Ms. Crystall noted that on the agenda was a link to the Northeast Forest Carbon webinar series aimed at foresters but anyone can attend. The Commission's timber cruise/forest management plan is more than 10 years old and needs to be updated.

Ms. Crystall indicated that she had learned that Mr. Klemarczyk was involved with a trail project by Stickney Hill Rd. in Concord, for a trail with issues similar to the Robertson Trail. He prepared the plans for the wetland permit and an independent contractor did the work. Ms. Crystall described that she went out to Robertson Trail with the Bow Public Works Director, Mr. Tim Sweeney. He had some thoughts on both challenges staff-wise and options for dealing with the large amounts of rock material for the project. It would be many trips for smaller trucks and a turnaround would be needed for trucks. They also took a look at the gated logging access that was used the last time Knox Forest was logged, but it is too wet to use when not frozen.

### **Turee Pond /VLAP /water sampling**

Mr. Ball indicated that the sampling location at the bridge on White Rock Hill Rd continues to run high on chlorides. The inlet to the fire pond (Town Pond) is extremely high 568 mg/L Chloride, which is above the state chronic level of 230 mg/L. It is likely from a salt source. Ms. Crystall asked about the location of the second high chloride sample above the town/fire pond -- the coordinates are imbedded in the photo. Ms. Crystall mentioned that she will identify who can create in GIS, a site-specific watershed from that point. Mr. Ball mentioned that there is a culvert that crosses the road above the sampling location. Ms. Crystall wasn't sure what drainage is picked up and goes into the culvert. Mr. Ball mentioned that some drainage out of the school parking lot. Ms. Crystall noted that the stream had a disturbed and channelized appearance, like it has large peak flows coming through and eroding it.

Mr. Ball noted that he and Mr. Dagavarian will sample the two locations in Turee Pond on June 28, when the NHDES biologist will be there to take phytoplankton samples. Mr. Ball wondered if it would be before or after the herbicide treatment. He questioned if the pond has been looked at to see if the treatment will be needed. Ms. Crystall noted that NHDES needs to come out and identify the need for any treatment/ action. She didn't think there would be an herbicide treatment and likely not before the June sampling. Mr. Ball noted that the Turee Pond sampling will occur in July as well.

Mr. Ball noted that two additional sampling locations need to be selected -- the Turee Brook outlet from Turee Pond, and on White Brook, where it enters Turee Brook. Mr. Ball mentioned that the easiest access point may be on Branch Londonderry Turnpike West -- the location needs to be decided in June.

### **Hope Lane trail/wetland issue NHDES restoration letter**

Ms. Crystall described that in response to her inquiry to NHDES (following the town manager's inquiry to her), NHDES issued a restoration letter for the restoration of the wetland impacted by the unauthorized mountain bike trail and ramps. NHDES supported Ms. Crystall's assistance in the restoration. Ms. Crystall spoke with the town manager the other day as she had not heard anything and there are scheduled dates for completing the work in late May and early June. David Stack (Town manager) was about to meet with Tim Sweeney (Department of Public Works) shortly after she spoke with him. She will follow-up to identify when it is to be done. It will need to be stabilized and seeded so any sediment doesn't get eroded into the wetland.

### **5. Review of other items**

Ms. Crystall noted the following items:

- NHDES ARM (Aquatic Resource Mitigation) Fund survey (didn't have technology to connect laptop and display). Ms. Crystall described the ARM Fund and how this part of the wetland mitigation program works and makes grants available.
- Ms. Crystall mentioned the Drinking Water and Groundwater Trust Fund Source Water Land Protection Grant Application Workshop coming up and described some of the criteria needed to seek such grant funds -- primarily the presence of a public water supply.
- Northeast Forest Carbon webinar series. The recorded sessions are posted online.
- The NH Association of Natural Resource Scientists (NHANRS) Soil Test Pit Workshop coming up. The Commission is a member and gets the discounted member rates for programs.
- The Culvert Flood Risk Assistance Grant program, which requires that a sufficient amount of engineering is needed. Ms. Crystall forwarded this to the town manager (David Stack), Emergency Management Coordinator (Lee Kimball), and Tim Sweeney. Mr. Ball

mentioned two culverts on Branch Londonderry Turnpike that are inadequate -- aquatic fish passage issue, and another one that is washed out. They would not qualify for this as the criteria include having sufficient engineering done. Ms. Crystall noted that there is money available for culvert replacements and the town needs to be seeking it.

The minutes were reviewed and edits suggested. *Mr. Grene made a motion to approve minutes as amended, duly seconded by Mr. Dagavarian, motion passed, 5-0.*

The meeting adjourned at 8:35 pm.