



TOWN OF BOW

Conservation Commission

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Subcommittee November 21, 2022 Unapproved Minutes

75 The first meeting of the Subcommittee of the Bow Conservation Commission was held on Monday,
76 November 21, 2022 at 6:00 PM in Room C of the Municipal Office building at 10 Grandview Road.
77 Commission Chair Sandy Crystall called the meeting to order at 6:02 PM. Kevin McCahan, Subcommittee
78 Coordinator was introduced. Approximately 23 people were in attendance.

79 Ms. Crystall mentioned the handout with the agenda, the draft mission statement and the example Trail Work
80 Request form. Mr. McCahan started circulating a paper for anyone to provide contact information and
81 indicate if they want to be a member of the Subcommittee (or just be informed).

82 **Develop and Review Subcommittee Name and Mission Statement**

83 Mr. McCahan described the mission statement that he drafted, which focuses on two items, 1) What can be
84 done to restore the condition on the town land where the pond was, investigating the available avenues, and
85 2) Creating a more transparent process for work on town land; having a documented approval process.

86 Numerous attendees raised various concerns, including the smell of the drained pond, a stream that had dried
87 up to a trickle and was ponding (Liz Tiedemann, 1 Pine Crest), Mr. Matt Poulin, 20 Hampshire Hills Drive
88 mentioned that he is upgradient of that stream and it is dried up by his house.

89 Ms. Lory Attalla, 6 Rollins Road, and others suggested that review of work that affects private landowners,
90 even if conducted on town-owned land (as was the case here) should be part of an approval process.

91 From comments expressed the mission statement seemed to cover the concerns.

92 Ms. Crystall mentioned that the subcommittee needs to be a smaller group willing to work on an ongoing
93 basis to start with this issue and address the process herein.

94 **Review status of Bow Pioneers bridge on Branch Londonderry Tpke. W.**

95 Ms. Crystall asked if one of the attendees from the Bow Pioneers Snowmobile Club was willing to provide
96 information about the status of the bridge.

97 Mr. Andy Foote, 3 Logging Hill Rd, responded that they have funding to replace the deck of the bridge and
98 are waiting for materials to replace it, likely the weekend after Thanksgiving. Mr. Foote added that they will
99 be redecking it at a 10-foot width rather than the 8-foot width because the groomer needs the 10-foot width
100 for safety. Mark Dube, trail master, noted that they were approved in the Spring to do the work and were
101 given landowner permission. They are planning to increase the width one foot on each side.

102 Mr. Spruce Wheelock, 7 Pine Crest Drive, mentioned that the bridge is likely on his part of the right of way
103 and he has not been notified of any work to be done. Mr. Foote responded that it is not on his property, but
104 they can check it. When asked if the corners were marked, Mr. Wheelock noted that the pin at the corner by
105 the bridge was excavated out by the beaver. Mr. Dube said that they can work it out and show him that the
106 bridge is not on his property.

107 There was some question about about the status of Branch Londonderry Turnpike, whether it was a town-
108 owned right-of-way and its width. Mr. Wheelock stated that he has a letter from the Selectmen from 1981
109 stating that he has ownership to the center of the road. Ms. Crystall noted that other parts of Branch
110 Londonderry Turnpike West are considered a Class 6 road, which means that abutting landowners own to the
111 center of the road. Mr. Poulin noted that it is a 40-year old document and it should be determined if the status
112 of the road has changed. Ms. Crystall indicated that she will check with Public Works on the status of the

113 road. Mr. Dube moted that he was with his predecessors when the bridge was installed, and that they made
114 sure to stay away from Mr. Wheelock’s property. After some discussion it was agreed that Mr. Dube and Mr.
115 Wheelock would work it out.

116 **BOS “Town of Bow Trail Work Request” Form and process**

117 Ms. Crystall described the background to the creation of the form and use for trail work done by Bow Open
118 Spaces and why it wasn't universally used. Mr. McCahan described that since the goal is to put a process in
119 place, the form collects basic information on the request, scope, location, references BMPs, certifications,
120 and approvals. It would need to be edited to indicate abutting landowners (notification to abutters), impacts
121 to other properties, where it would be used (and where it doesn't need to be used). The form should be used
122 for new trails, relocating and upgrading trails and bridges, cutting trees, grading. Mr. McCahan has seen
123 these forms completed and included in Select Board packets. Any work to be done would be added to the
124 Select Board agenda for review and approval. The information would be public. Several attendees
125 commented that they felt it was a comprehensive form and would provide a paper trail for the town.
126 Suggestions made included adding space on the form to provide photographs.

127 Mr. Dube mentioned that Bow Pioneers doesn't need to follow the form, they have a different form they use
128 for landowner permission. Ms. Crystall responded that their form may be fine for trails on private land, but
129 the trail work form would be used for work on town land.

130 Ms. Courtney Beach, 4 Pine Crest Dr, asked about notification to abutters – directly or only include the form
131 in the Select Board meeting minutes. Mr. McCahan described that in the past two instances with the bridge
132 and the beaver deceiver, notification had been provided to abutters two weeks in advance of it coming before
133 the Select Board. It was apparent that there was a lack of clarity and different understandings among the
134 Select Board members. Adding a scope of work to the form would informative so the Select Board would
135 know what they are agreeing to.

136 Ms. Crystall asked that if anyone has any specific suggestions, email them to the Conservation Commission
137 email address and they can be reviewed and incorporated.

138 Mr. Dube commented that they do not plan to change the trails or bridges on town land and school forest.
139 Ms. Crystall noted her observation that some work done by the snowmobile club that may have needed a
140 wetland permit. When Mr. Dube asked for an example, she mentioned Bow Bog Brook just west of I-93.
141 Mr. Dube responded that it wasn't done by the Bow Pioneers.

142 Mr. McCahan suggested that maybe the work should be done by the town rather than the club; if the beaver
143 dam need to be removed, maybe the town should do it, instead of the club.

144 Mr. Dube described the other beaver dam issues that they have had. He noted that all the others were able to
145 be addressed with the beaver deceivers. In some cases the beaver dams blew out and made a mess; they lost
146 a bridge, that was moved downstream 20 feet.

147 Ms. Crystall mentioned that the Select Board asked about recommendations for criteria to consider in the
148 removal of beaver dams. Different notification procedures may be followed if the removal affects property
149 owners’ loss of a beaver pond versus a drinking water well that was compromised.

150 Mr. Dave Eskeland, 5 Pepin Drive, had a question and identified himself as a retired conservation officer
151 with Fish and Game. He asked Mr. Dube about the beaver pipes and why they were not working and
152 questioned the club's adversarial attitude toward the area landowners. The beaver pipes require constant
153 maintenance and it appeared that they were not being maintained. Mr. Dube responded by describing the 30-
154 foot beaver pipes and how the beavers plugged the pipes and their maintenance couldn’t keep up.

155 Ms. Crystall suggested moving forward with the trail work request -- make some improvements that consider
156 winter use trails and all-season trails and present it to the select board and work toward a process that will
157 prevent what happened from happening again.

158 Ms. Lisa Franklin, 3 Pine Crest Dr., agreed with the approach to move forward and asked about the scope of
159 the subcommittee dedicated to a single task, has an end, is it an ongoing subcommittee? For several attendees
160 the focus is, how to get the pond back?

161 Ms. Beach asked how can the form help guide the work and describing a scope of work, and suggested that

162 perhaps it would support a tiered system for work to be done, with the lowest impact work to be done by
163 volunteers, and other work (like beaver dam) to be done by a specialist? Ms. Crystall suggested that perhaps
164 the scope of the subcommittee could be reviewing proposed trail work forms.

165 Ms. Crystall mentioned that while it wasn't an item on the agenda, clearly people are interested in getting the
166 pond back. Several suggestions were made and questions posed about methods to get the pond back. Ms.
167 Crystall offered that it is not likely that a state wetlands permit could be obtained to impound water; the best
168 way to get the pond back is to have beaver return.

169 There was discussion about how to have the pond and protect the bridge. Mr. Tim Ives, 6 Bow Bog Rd. made
170 a suggestion that putting in a box culvert would prevent the bridge from moving downstream if there was any
171 beaver blockage. Ms. Crystall encouraged interested individuals to research what has been done elsewhere
172 for and what may be a possibility.

173 Mr. Dube described the beaver activity and how they buried the beaver pipes that were 30 feet out and four
174 feet deep. He mentioned that they couldn't keep up with it any longer. Mr. Dube mentioned that they have
175 worked with an engineer who has helped them. Ms. Crystall asked if the bridge could be elevated more; Mr.
176 Dube said yes, it could be elevated but the beaver could raise their dam.

177 Mr. Bill Lemear, 6 Rollins Rd, asked if a permit was needed to drain the pond. Ms. Crystall mentioned that
178 no permit is needed to remove a beaver dam.

179 Several people mentioned the NHDES letter dated November 9, 2022 that stated there was no violation
180 observed. Ms. Crystall said that the Conservation Commission had not received the letter although it was
181 copied on it. One of the attendees provided a copy of the letter to Ms. Crystall.

182 Mr. Wheelock shared that in 2004 when the bridge was put in, he had indicated that they should be prepared
183 for the beavers to return. The beaver deceivers that were installed later did not allow sufficient depth for the
184 beavers to store their food. He surmised that the first beaver "George" left for that reason. He also supported
185 earlier statements about the abutters being notified before the bridge was put in and when the beaver pipes
186 were installed. The neighbors' message to the snowmobile club then was "do not drain the pond," hence the
187 reason they are upset with the recent draining of the pond. Perhaps if the pond is drained the bridge should be
188 removed or maybe they should work together.

189 Ms. Kelly Ladd, 6 Pepin Dr., asked about the potential to reroute the trail through Mr. Foote's land. Mr.
190 Dube responded that it has been looked at in the past. The area is prime wetland and they would not be able
191 to get the permitting. She made the point that the right-of-way/ road is the town's – it is everyone's and not
192 just the snowmobile club's.

193 A question was posed about whether the pond was deeded by the owner and did the original owner specify
194 that he wanted a pond forever. Ms. Crystall responded that she did not know if the pond was specifically
195 deeded, when the land was. She described the cyclical nature of beaver ponds – sometime they have water,
196 but if the dam gives out, it can have no water. The cyclical nature is apparent from aerial imagery over the
197 course of several years.

198 Some attendees expressed interest in having the pond and allow the snowmobiles to co-exist. Would
199 creating the pond require an association? Ms. Crystall mentioned that most of the pond is on town land and
200 displayed a map.

201 Mr. Eskeland asked Mr. Dube about whether it would be helpful to have people assisting with maintenance.
202 Mr. Dube responded that it is the same few people doing the work and the snowmobile club is still holding
203 down 85 miles of trails through multiple towns. Mr. Eskeland commended them on their work and asked
204 would it help if they had more people. Mr. Dube responded that it would. Ms. Sara McCahan, Pine Crest
205 Drive, asked if the club ever thought about coming to abutters to share that they are having a difficult time.

206 Mr. Dube described wood, including dimensional lumber and cut logs placed on the dam (about 5 or 6 years
207 ago) and attributed it to people placing the material there to make it bigger. He stated that he has photos of
208 this. Ms. Crystall asked if they are photos of people placing the wood there and they are not. She stated that
209 it is likely that beaver who placed the wood there. Mr. Dube described that the pond was overflowing the
210 banks and undermining the bridge, before they put in the beaver pipes

211 Mr. Crystall addressed how to move forward---. asked people to review the Trail Work request for and email
212 suggestions to the Conservation Commission email address. She asked if someone wants to take the lead on
213 doing research about the box culvert idea. Tim Ives asked if Ms. Crystall was going to look into NHDES
214 permitting for box culverts as described. Ms. Crystall responded in the negative, not until we have
215 demonstrated locations where it has been used for beaver dams. Ms. Crystall described the authority that the
216 state has over all wetlands and surface waters and the delineation of wetlands by certified wetland scientists,
217 and mentioned the US Army Corps of Engineers involvement in wetlands permitting as well. A question
218 was asked if the agencies can help us. Ms. Crystall responded that they don't design projects for people.

219 A comment was made about the Bureau of Trails and allowing activities by snowmobile clubs. Ms. Crystall
220 noted the NHDES Trails Notification and Trails BMP manual provide guidance about what is allowed.

221 A question was asked how to brainstorm options if many being suggested are likely not real options. Mr.
222 McCahan noted that we don't know what the state will or won't approve. The permitting process could be
223 expensive and lengthy. Someone mentioned creating a separate committee so they don't have to be told what
224 can't work. Others acknowledged Ms. Crystall's expertise in this area. Ms. Crystall noted that there may be
225 options that have been used elsewhere to address this situation and may be considered.

226 Mr. Dube shared that he has a design that he believes would work. He mentioned his past work with
227 railroads. He mentioned a solution used in Maine – a gate to manage the water level. Ms. Crystall noted that
228 in the example described, there is an existing bridge structure, unlike the current situation.

229 Mr. Dube noted that each beaver situation is a different set of problems. Mr. Eskeland asked if Mr. Dube was
230 convinced that maintained beaver pipes won't work. Mr. Eskeland noted that maintenance is the key for
231 beaver pipes and the gate idea described. Mr. Dube shared that at this location the beaver pipes got so buried
232 with mud and did not work. Mr. Eskeland noted that he has seen maintained beaver pipes work for many
233 years. Ms. Attalla noted that a number of residents in the area are willing to help keep it cleaned out. Mr.
234 Dube expressed appreciation for the offer.

235 Mr. Dube described the location of the beaver lodge, which was not in the middle of the pond but underneath
236 in the bank under a tree stump, along the trail. Mr. Dube mentioned that they have had some engineering
237 expertise provided to the snowmobile club. they have used several versions of beaver deceivers – most have
238 worked, but at this site it didn't. There was some discussion about the bridge being moved three or four
239 times before Mr. Dube as involved with the club.

240 Ms. Crystall asked who is going to take responsibility for organizing the information or be the lead for any
241 identified options. Mark Dube provided his contact information.

242 Discussion about the next meeting in four weeks, although there was some concern expressed about waiting
243 four weeks and can they meet in two weeks. Ms. Crystall noted that it is up to the people pulling together
244 the information. Mr. Dube mentioned that he needs time to consult with their engineer. It is a difficult time
245 for the Bow Pioneers as they have a lot to do to get ready before the snow comes and we're heading into the
246 holidays. The next meeting was set for Monday, December 19, 2022 at 6:00 PM.

247 Concern was expressed about nothing will be done anytime soon. Others responded that not until summer as
248 there won't be the water to do it. Ms. Crystall responded that whatever ideas are considered, other than
249 allowing the beaver to return, will require a wetlands permit, if what is suggested is permissible. The best
250 way to get back the pond is to make the area attractive to beaver and address how the bridge and beaver can
251 coexist.

252 Ms. Crystall mentioned that herein someone will need to take minutes. She would cover them for this
253 meeting based on a recording.

254 Before closing, Ms. Crystall mentioned sending research and information to the conservation commission
255 email so we can develop the agenda for the next meeting based off of the information provided, including the
256 Trail work request.

257 Adjourned 7:45 pm.

258 Respectfully submitted,

259 Sandra Crystall, Commission Chair