



Town of Warner
Conservation Commission
Wednesday, July 1, 2020
Meeting Minutes

Meeting by Zoom: <https://us02web.zoom.us/j/89123142467>
Meeting ID: 891 2314 2467
Password: 1234

Conservation Commission Members Present: N. Martin, M. Amaral, K. Cogswell, D. Allen, S. von Oettingen, P. Stockwell, A. Chamberlin

Public: K. Milender

Meeting convened at 7:06 pm. Nancy Martin read the disclaimer regarding the Conservation Commission Meeting being held virtually.

Agenda:

1. Local Advisory Committee (LOC) - Ken Milender

Summary of the Warner River LOC: The LOC has been working to comply with the statutory duties per the state designation of the Warner River. Have 5 towns within the ¼ mile wide corridor (on either side) within the designated watershed. The LOC can have up to 4 members from any town within the watershed. Currently have 14 representatives, 3 from Warner, Ken is chair of the committee. Charge is to advise local, state, and federal agencies on permits within the river corridor. Have received applications from all the Department of Environmental Services (DES) permits to review. Review applications to the Planning Board, provide comments to the Planning Board in addition to DES (when applicable). Received grants from the DES to draft the Warner River Corridor Management Plan (WRCMP). Have written a draft that was reviewed and commented on by DES. Have held a few virtual meetings. Once finalized the WRCMP will need to be adopted into each town's Master Plan (via the Planning Board). The LOC only has an advisory role, only provides comments/recommendations on permits, no regulatory role or enforcement over private landowner actions. The LOC has expertise that can assist Town Departments with project reviews or environmental concerns.

Discussion followed on water withdrawal from the Warner River for the I-89 DOT construction project. In response to Mike Amaral's email inquiries, Ken Milender followed up on the water withdrawals to determine that there was no state (DES) restrictions for withdrawing water for construction purposes. Ken spoke with a representative from Weaver Brothers (DOT's contractor) and estimated that during some phases of the construction project, up to 36,000 gallons per day are being withdrawn from the river off Depot Street. Amaral noted that this was occurring during extremely low river flows when NH was in a drought. Mike questioned the impact the decreased water level has on the copper levels that the Municipal Water Department has to address. The suggestion was made that LOC and WCC raise the issue of water withdrawals at future DOT pre-construction meetings. The next DOT project in Warner will be the replacement of the Davisville Bridge in 2023.

2. Approve May and June Minutes - Minutes approved with no edits.
3. Possible Wetlands Violation – Children’s Brook fill on the bank. Landowner observed with a bucket loader depositing soil along the bank. N. Martin has been in communication with the DES and reviewed the recent publication of Best Management Practices for Wetlands. Will provide information to the landowner so that best management practices can be applied for the bank stabilization. It is likely, however, that this activity is a wetlands violation or dredge/fill violation. N. Martin will contact the landowner to arrange for a site visit.
4. BOS Approval- Purchase 1.8-acre parcel in I-89 ROW
Selectboard approved conservation funds (\$3,600) to purchase the 1.8-acre parcel. Securing land and completing the historical and contaminants surveys is about a year off.
5. ARM Funds for Ballard Brook culvert replacement- Update
Funding availability to install a culvert in Ballard Brook to improve connectivity for aquatic life. Currently the culvert is perched and preventing most fish and other aquatics moving up and down the stream. Preliminary submission accepted by DOT, allowing a final grant application to be submitted. Is highly competitive (at least 3 other towns will be submitting grant applications in the watershed as well).
6. Posting Monitoring Reports-Municipal Assoc.- Alice
A. Chamberlin provided recommendations re: posting conservation easement monitoring reports. In summary:
 - Monitoring reports are public records.
 - Monitoring reports are subject to the right to know law and should be available to the public upon request.
 - Some towns put them on their website.
 - It is helpful if the reports are in a consistent format and easily accessed if requested.
 - Should be considerate in reporting on easements on private lands to ensure privacy and provide objective review based on facts and clear observations.
 - Decisions regarding easement violations should be made at public meetings.

Recommendations:

- Provide a consistent reporting format for our easement monitoring reports.
 - Provide information in the WCC town report that easement monitoring reports are available at the land use office.
 - Monitoring reports currently stored in the Town Administrator’s office.
 - Review other forms at next meeting to revise current form (if determined to be necessary)
7. ATVs in the Minks-Update
Reports of illegal ATV use, including ATVs brought in on trailers to the Minks, have been submitted to the police. A committee is being formed by the Warner BOS to address the future

of the Mink Hills, including recreational, environmental, and historical interests. A list of suggested participants is being developed.

8. Outstanding Easement Monitoring Reports: McCauslands. Susi will organize a site visit with Nancy and Ken.
9. Forestry/Wetlands Permits- Ken
Nothing new posted on the One Stop website and no new “Intent to Cut”.
10. Communications – no new communications
11. New Business – S. von Oettingen exchanged emails with Gabe Roxby (SPNHF) regarding harvesting trees during a critical time for bats. M. Amaral also acknowledged that June and July are also critical for neo-tropical migratory birds. S. von Oettingen will organize a Zoom meeting with interested WCC members to discuss tree harvests in mid-summer. It will be an information meeting, may add Sutton WCC members to the invitation.

S. von Oettingen observed severe sedimentation from Collins Road of the stream paralleling Davis Road as a result of the recent rain storms. Occurring at a perched culvert that has erosion on either side. S. von Oettingen will send an email to the BOS with a cc to T. Allen (DPW) alerting the BOS to the sedimentation and road erosion issue, to include photos taken 6/30/20.

12. Executive Session

13. Adjourned at 8:29 pm.