



Town of Warner, New Hampshire
Conservation Commission
Wednesday, June 7, 2023

Minutes
Warner Town Hall 7:00 pm
In Person Meeting
Zoom Access: Meeting ID: 850 5576 0896

Meeting began at 7:05 pm. Zoom option was not available. Without our regular minutes taker, minutes were transcribed from a recording by Nancy Martin.

Warner Conservation Commission (WCC) members present: Alice Chamberlin, Ken Cogswell, Michael Amaral, and Nancy Martin, Chair. Participants were informed that the meeting was being recorded.

Public present: Eric Nelson, Central NH Regional Supervisor within the State Parks in the Division of Natural and Cultural Resources; Tim Blagden, from the State Trail Advisory Committee at the Bureau of Trails; and approximately 15 members from the local mountain biking club. Residents: Sarah Allen, Rebecca Courser

Eric deferred to Tim's familiarity with Warner, mountain biking, and the State Park so Tim could talk about the possibility of putting a mountain biking trail in Rollins State Park on Mt. Kearsarge. Tim spoke: An interdisciplinary group at the State voted not to kill the mountain biking park project in its early stages. The state application process requires a description of the biking trail. Tim's group applied to the New England Mountain biking Association (NEMBA) and was granted \$5000 to flag the desired trail route. Bids have gone out. The business selected will flag the desired route in October 2023 and write up a report with a digital map of where they think a multi-use trail would best serve the public and be least impactful. At that point, the group will fill out the State application and make a request to build a multi-use trail. We are just at the beginning of the process. I have two maps of Rollins State Park, one topographical and the other of wildlife corridors. The blue colors on the wildlife map indicate less sensitive wildlife areas. Areas that are orange or red have greater impact on wildlife. When the potential trail is flagged, the team will stay to the less impactful areas on the west of the access road avoiding Fred Hill's property shown on the map.

Eric Nelson spoke about the various agencies that would be involved in a big project like this: Department of Natural Cultural Resources, Forest and Lands, the Bureau of Trails, Department of Land Management with backgrounds in historic preservation, ecological issues or other issues, data checks like trail location, emergency access, endangered plants, stream crossings or timber harvests that could justify stopping the project. We work with the impacted community to address these concerns.

Alice addressed Eric. We know that Warner's Conservation Commission (WCC) does not have authority over this project, although we have a lot of interest in it. The WCC wants to know what the process with the state and the application is for public input. This is separate from your process and I'd like to know what your process is to engage the community. She cited the addition of new shorter trails in Bear Brook State Park without public outreach. Eric responded that everyone has a right to have input in letters or support one way or the other. The project must pass the witness test, maybe multiple

opportunities for the public to provide input. The idea of our internal meeting is get all our ducks in a row, get it lined up, get support, and then it goes before the State Lands Management Team (SLAM) that brings in Fish and Game and other groups. I appreciate seeing these maps because I think we had a presentation here that, that I think Fish and Game can use in the process they use for how to lay out a trail. A large part of that is based on not fragmenting the landscape. Eric wondered if the WCC had been in consultation with F&G?

The discussion turned to fragmentation the forest. Fragmentation of the forest was defined for the audience as breaking up the connectivity of the forest by adding trails. Trails cause fragmentation of the forest. If trails are cut in the forest they should be designed to cause the least amount of forest fragmentation. The issue of sustainable trails came up. Tim spoke about hiking trails with fall lines that get washed out. The mountain bike community actually is ahead of that game where they build sustainable trails that have inclines less than 10%. National switchback standards use more mileage because they follow the landscapes. They don't get washed out and beat up like a traditional hiking trail.

The question was raised about who is responsible for the maintenance of a new trail like that. Tim answered that it would fall on local volunteer groups. We often have agreements with volunteer organizations like New England Mountain Biking Association (NEMBA) It could be a one, two, or three year volunteer agreement that would take care of maintenance. Central New Hampshire Mountain Biking Association would be the principal entity doing trail maintenance.

A WCC member asked, And enforcement of the boundaries? How do you keep people from making bootleg trails? That's a problem. How do you keep people from creating new trails if you're only talking about one trail? Tim's response: That was 10 years or so ago. When people were told they couldn't build trails in national forests, they did it anyway. Now there is cooperation between the biking groups and the conservation groups. Question from the WCC: What will happen to the Lincoln Trail? It's not a mountain biking trail now.

What is proposed is a one mile multi-use trail for the primary purpose of mountain biking. If it's a trail that others can use, that runners, hikers, or others would find just as much enjoyment as someone riding a bike, then I think the project would be more successful. Tim clarified about what the project really is, just one trail. That's all we think is necessary to see what happens.

One audience member from Conway described his experience living near a road that was turned into a mountain biking trail. Hikers also use the trail. The bikers are on the road with the cars but they can also ride up the trail and come down the road. More parking would be needed at the toll booth but parking at the top might already be adequate.

Other state parks with mountain biking trails: Bear Brook, Moose Brook, Pisgah Park.

Mike Amaral, (WCC): I'd just like to make one comment on the map. That's probably based on the State's Wildlife Action Plan mapping, which is good. It's the best tool we have, but almost certainly it's based on aerial photography, forest type, known presence of wetlands and streams. It does not include any site-specific inventory for plants, wildlife, rare lichens, anything like that. So if you do flag a trail, I recommended that you have a representative from natural heritage walk the trail and make an inventory. That's the only way you're gonna really find out if there's something unique there that needs to be avoided. Other than that, I just have the most general concern about people in wild places and

recreation. It can sometimes feel like more people everywhere doing everything. And what ends up being diminished is wild places and sensitive wildlife that needs space and distance from humans.

Nancy asked Tim to retrace the proposed trail on his map. She spoke about designing a trail using the heat maps available from NH Fish and Game in their publication, *Trails for People and Wildlife*. The impact of the proposed trail on wildlife will be significantly less if the trail is near the road, since wildlife stays away from the road. The road isn't plowed in the winter. Can we anticipate fat bikes on the road/trail? Tim responded that they might use the packed down snowmobile trail on the road. They won't use the single track trail. The design professionals will be paid to design the trail. Tim retraced the proposed trail, avoiding Fred Hill's property, and indicated possible emergency access points near the road. He spoke about economic benefits of bring mountain bikers to Warner for a single track experience. Tim reminded WCC that the professionals' work will not be available until November.

The discussion was opened to the audience:

Bob Bowers, owner of Kearsarge Gore Farm, 500 acres of year round working farm on the west side of the toll road. They already experience 3-5 bikers and back packers per day while they are moving livestock on the Gore Road. Activity from mountain bikers and hikers accessing the Lincoln Trail from a Class VI road in Sutton have caused profound and mostly negative changes. Social media has attracted many more people to the mountainside. He could support the project if there's an agreement that the Lincoln Trail is only a hiking trail, that the Gore Road is restricted from mountain bikes to the farm and to the hiking that comes down to it, period. Otherwise, the repercussions are profound and negative for us. The road will wash out, be abandoned, pushed out and used up. So if there's some quid pro quo available to me or to the farm or the people on the Gore Road, we might support this project. I think that overall what starts out as a single track will end up becoming a bigger and bigger event. People will start advertising, then it becomes an event and then becomes an impact.

Xavier Hill in the audience suggested making an access point from midway on the road to the mountain biking trail. Bikers would have access to the more difficult upper trail. Road access from the same point to the less difficult lower trail would provide a route for the less skilled bikers and would discourage bandit trails.

Delphine Hill, no relation to Fred Hill, said that she has been impressed by how young kids on mountain bikes have learned to be active outdoors, to respect the natural environment, to care for the woods and the land. They pass that message on to others.

Alice Chamberlin asked Eric Nelson about the criteria for reviewing the approval of a "successful" trail. What do you mean by "successful" trail? And what about oversight and trail maintenance? How does the State look at the application from inception and over the lifetime of the trail? Eric answered, "By successful, I mean sustainable." The State doesn't have the staff to maintain the trails so we rely on volunteers. We sign agreements with the clubs, in this case NEMBA. We've got trail certified groomers all over the state to take care of erosion, to chainsaw fallen trees. As far as the process goes, the application comes before the DCR land management team. So we consider if the land was purchased or gifted to us and if there were limitations on how the land can be used. Each situation is different. Then we go through every environmental check you can think of. DES might review it since we stay away from water. Then it goes to the state land management team and Fish and Game. Stream crossings definitely make it more complicated. This is not a slam dunk by any stretch. It is frustrating that there isn't something specific to talk about right now, It's a process that takes time. The community could say "NO" and then our director could say "We're going to table this. Or the community could say "We want this" but there's often resistance from Fish & Game or some other group.

It is frustrating that there isn't something specific route to talk about right now. Once the group sites the trail, then we can have more detailed descriptions about it. It's the responsibility of the designers to avoid the sensitive areas. Is the NH Natural Heritage Inventory part of the review process within your state agency? Yeah, they would do a site specific survey. We got the highest level HB data check done at this point. The results came back, that it was OK to go ahead. I'm sure they didn't survey everything out there since there's just too much land to look at., but they've been out there for timber harvests on the other side of the road. They used the same map as I did for the concept presentation. Rebecca Courser asked, "In response to Sarah Allen's question about the process, I heard about your agency and then it goes to another bigger committee. At what point does it come back to Warner? I guess I'm not clear. Does it come back to Warner? Eric: So yeah, at some point it would definitely. Obviously this is a concern for the town. I guaranteed it would. There would be a public outreach at some point or there would be a meeting set up like this.

Kevin Lee, mountain biking coach from Kearsarge Regional High School, asked Eric for clarification about trail maintenance. He asked if the State also maintains hiking trails. Eric's response: No. The Highlighters' (?) Club does maintenance on Kearsarge. We've got dozens of volunteer groups all over the state who do maintenance on the Cardigan to Kearsarge Greenway.

Nancy asked if there were other questions from the audience then asked if there is a botanist/biologist on the consultant group that will lay out the trail? Tim answered that he doesn't know what their specific skills are. They come as a team and are aware of environmental regulations.

Alice: Okay. I'm still not clear what the next step is from the point of view of the State, but what I would appreciate is if we find a vehicle to make the process public so that people are aware of this. I'm not sure how that works based on what you said tonight. Tim responded: You're aware of this because I reached out to Nancy. I will continue to reach out because this is something that might impact the town if it were ever built. I don't want to be driven out of town. In fact I aspire to do what you have done. You have an adult child living in town. My adult child and her husband drive through Warner sometimes borrowing one of our mountain bikes and continue on to Vermont. I'm pissed. Alice: But I'm still unclear how the state engages with the public on this. Tim: Well this is so early, it's not even fair. There's so many moving parts that you wouldn't get an answer from anyone. Cause no one really knows until it all gets scripted. We don't even know where the trail will go you know. When that information comes about I...

Rebecca: So in other words, the trail has to be marked because you made this statement about, if the community says no, but there's absolutely no process where I see a community can say no, to be honest, with what you've described to the community. Where would the community say no?

Eric: Well, we get this all the time. From letters and from phone calls. You're calls to me, That's the community. That's generally how it comes. It's just so early in the process. I mean you hear it on the news all the time, right. You hear some project at Hampton Beach or whatever. That's how bigger more vocal projects, pop up on the news. This probably couldn't make the news. But who knows? I'm not sure to be honest, what reports are sent out publicly, but it's a state agency. You can acquire that information if you want it, I'm sure.

Rebecca: Right. And I don't mean to say "Just say no, but yeah. Say yes or no. I'm just trying to understand the process of the state. Okay. Thank you.

Nancy asked if Tim's group would provide the blank form they will be using so the conservation commission can see it. Tim replied: Until there's a trail we don't have the ability to fill out the form. I'm trying to give you something now, but I can't give you what you want because we haven't engineered it yet. Okay. Nancy: But the way I look at this as a project is, what is next.

Tim: Next is gathering enough data to fill out the form and then turn it in, and then that's the next opportunity to kill it. So that's what I'm trying to work toward and I'm just aware that you've got concerns. I'm aware that the fire department and rescue would have concerns. I'm aware that the neighborhood would have concerns. It's just very, very early. So nobody's late to the dance. Let's all understand better what it might be and see if we can all get comfortable with it.

Nancy: So with that said, I'm about to close the conversation unless there's one more pressing comment, hearing none. Thank you for your input. Thank you all for coming. You're invited to stay for the rest of the meeting.

Nancy: Next on the agenda, approval of May 3rd meeting minutes. Comments?

Mike: The minutes are very detailed. Ken agreed.

Nancy gave an update on CNHRPC progress on the Natural Resource Inventory. The new subcommittee with Mike, Alice, Ken and Nancy will have a Zoom meeting with CNHRPC at 8:30 am on July 5 to describe the work being done. The Auctionable Properties portion of the project will be a focus so the subcommittee can comment and ask questions. CNHRPC hope's to have the auctionable properties identified and mapped by August. Nancy said that at the last Select Board meeting Christine Frost made it clear that they are not auctioning any properties at this time.

Nancy gave an update on the Collins donated property. The town lawyer put in a number of restrictions into the land transfer documentation, the same restrictions he usually adds. The draft transfer document went to the Chandler Reservation Board which said that none of the Chandler Reservation land under their jurisdiction has any restrictions like those described in the draft legal documents. The Town Administrator told the lawyer to remove all the restrictions. The draft legal document is now with Ms. Collins and her lawyer. A WCC member asked "What do you mean by all the restrictions?" Nancy replied that the Town Administrator said that our lawyer included restrictions in the draft agreement for the donated property. The Chandler Board then claimed the language was too limiting. They don't have those kinds of limitations on the town land under their management.

Alice: We ran into this with the groundwater ordinance. When it went to the attorney, he sent it back with a lot of new things and the planning board said, "No Way" which was interesting. Nancy commented, "Well, that makes me feel better then. So we're in the same position as we were months ago. It's in her hands now, and I'm optimistic. I was hoping it would be done in time for Juneteenth, but I don't think it's gonna be.

Nancy gave an update on the resurrection of the Warner Ski Tow at the Chandler Reservation. I told you that the grant that the group (steering committee) wanted to apply for to help fund the project is so involved and requires controls on the project that the Chandler Board couldn't accept. So the steering committee has decided not to apply this year for ARPA funds from the State. Instead the committee agreed to proceed with the idea that maybe we can do this in a phased operation. Our next step is to meet with the two people from the Department of Safety (who've already been out to the hill) and with the ski hill engineer from Sutton. Together we will take a walk so they can tell us in detail what we need to do to move forward. Then we can begin to develop a budget. So our walk at the hill next is scheduled before July 4th.

Mike asked "Why is this a Conservation Commission Project? Nancy responded, "It's not a Conservation Commission project. It's one I've been involved with personally. It's on town land managed by the Chandler Reservation. It involves wildlife and the environment.

Mike: But it sounds like a recreational project that Parks and Recreation should be involved with.

No. This was an idea from a couple of people in town who that wanted to resurrect the ski hill

Mike: I think it's an interesting idea and I'm not against it. I just don't think it should be a conservation project.

Nancy: Yeah. Okay. It's like the Mink Hills Recreation Study Committee. That's not an official conservation project, but I've been involved with it for five years because it involves the environment. Like the Mink Hill project, I put the ski hill on the agenda so the WCC will know what's going in town related to the environment. The ski hill group has set a date for the public meeting with the Select Board. I hope you all will attend.

Nancy gave an update on the Mink Hills Recreational Study Committee, where she represents the WCC. We have developed a 20 page report that's full of maps, recommendations about the environment, recreation, wildlife, roads and trails. The maps will be posted. The report is gonna be posted online, I would say probably before next Monday. So keep your eyes out for the Mink Hills Recreation Study Report. Your feedback will be important because of your background knowledge. There are a series of issues and recommendations in the report that you may want to speak to at the hearing on Thursday, June 29th, at 7:00 seven o'clock in town hall. Is the hearing a prelude to a vote? We had that discussion. It's not a hearing. It's a public meeting for the purpose of taking public input. It'll be good to look at the report on the website before the meeting. It should be available to you within the next several days.

Nancy gave an update on the Economic Development Committee where she represents the WCC The childcare facility has opened and had an open house on May 31. It's a wonderful site. There are five toddlers enrolled and more families who want to enroll their kids. There is inadequate staffing so we can't add any more kids until we have more teachers. There's space in a separate room there for infants, but I think we need three more staff to be fully staffed, so that we can fill the space with children. There were probably 20 people at the open house. We met the teachers and the executive director including some little guys running around having a wonderful time.

Mike gave an update on the Agricultural Committee: He did not attend the last meeting. They want to map the town's agricultural lands to give Warner residents an inventory of commercial agricultural farms and operations, including tree farms and hay farms. I think they are in probably in the final stages of language that'll go out on postcards for the town-wide survey. Hay meadows and actively managed forest will be put together in a sort of a GIS format. People can opt in or out of the survey. Participants don't have to identify themselves as an agricultural operation if they don't want to. If you own a piece of land that has a forest management plan, is that considered "agricultural." I think the idea is to make this as inclusive as possible. Its purpose is to look at the importance of agriculture and forestry to the town of Warner. Emergency management wants to know where the farms are. They have livestock and farms have a lot of fuel storage, which fire department would probably like to know about. They also have stores of hay and livestock that may need to be considered if there's ever an emergency at a particular farm. They're gonna need somebody to be able to manage that. Apparently somebody hit a horse in Connor's Mill and the police department had some trouble knowing how to respond to an injured horse. It'd be really helpful to have a list of stables or, or farms in Warner with livestock so we know before we show up that we're gonna have an animal situation that we're gonna have to respond to. Apparently there's interest in compiling this information.

Nancy commented: My suggestion would be to make that clear in the survey postcard when you send them. It's also for people with forest management plans because they may never do anything with it, but they don't necessarily think of themselves as agriculture.

Mike: And so in the last meeting, they may have finalized a link to the survey. The postcard is just to alert people that they can go online and participate in the survey. I'll find out if they made that clarification on forest management plans.

Nancy asked: Any permits Ken? There were three more that Liz Labbee told me on April and May. I'll actually have them on my phone here. One was George Pelletieri's. He's doing some logging up there on around 10 acres. It's in his woodlot I think. I haven't walked back there and I don't even know if he's got an intent posted yet. His big dog barks away all the time so I don't get too close to that. I know that George's permit is one. The other one is Richard and Rebecca's piece of property on Iron Kettle Road, or Red Chimney Road? They have 40 acres. So they're having some acreage cut and that's one that they've actually called DES on an approval permit by notification. Maybe there's some wet areas on that piece. So they've got that approved. DES also approved the plan for the Willoughby Colby house between the river and the road.

Nancy asked: It was approved. And do you know anything else from the Abutter who's very upset about that? She was at a Select Board meeting I watched on Zoom, and she was talking to the board and was very adamant that the Select Board needs to do more to enforce rules. I think all three select people said, "We haven't even got a building permit for that. We don't have anything to go on." It's not a good situation.

Nancy commented on Communications: I've got a couple notices lately so I'm going to read these to see if there's anything that interests you. There's a new easement monitoring training that's put on by Society for the Protection of NH Forests as well as an easement monitoring training by Ausbon Sargent. There's going to be a presentation on the Sunapee old growth forest. There's a bird walk coming up. There's also spaces open on a trip to the Galapagos Islands. Yeah, let's hear about that. Who's putting that on? Audubon? No, not Audubon. Ausbon Sergeant. If you're interested, call ASLPT and find out. The Bradford Bog is doing a presentation on June 10th, on pollinators. There's also the DES municipal echo link that I've been notified about a couple of times. It has all kinds of factoids on it, about water and sewer, environmental things, and anything interesting to municipal people. There's also a New Hampshire Association of Conservation Commissions Photo Contest who with a \$250 prize for any of the foto geeks. This is the SPNHF brochure about conservation easements. If anybody's interested,

Mike: I'd recommend the Ausbon Sargent training.

Nancy asked: Do I hear a motion to adjourn?

Motion made by Alice, seconded by Mike. Motion approved to adjourn at 9:03.

Respectfully transcribed from a recording and submitted by

A handwritten signature in cursive script that reads "Nancy Martin". The signature is written in dark ink on a light-colored background.

Nancy Martin

