



WARNER RIVER LOCAL ADVISORY COMMITTEE

<https://www.wrlac.com/>

MINUTES - Approved at an in-person meeting on July 27, 2022

Wednesday, 26 January 2022

7:00 p.m.

(on Zoom)

Appointed WRLAC Representatives present in **bold** (term ends):

George Embley, Webster (2024)

Dan Moran, Webster (09-03-2022)

Marlene Freyler, Bradford (08-16-2024)

J. Michael Norris, Hopkinton (11-26-2024)

Patti Furness, Bradford (2024)

Laura Russell, Warner (11-26-2024)

Mike Howley, Bradford (2024)

Peter Savickas, Sutton (08-19-2022)

Andy Jeffrey, Sutton (07-29-2022)

Christopher Spannweitz, Warner (11-26-2024)

Ken Milender, Warner (11-26-2024)

Invited Guest: Mr. Mark Beauchesne (NH Fish & Game).

Note: Although enough members were present on zoom for a quorum, current NH law only allows a quorum to consist of those who are present in person. Thus, this meeting did not have a quorum.

Meeting began 7:05.

New Business

1. Mr. Mark Beauchesne, the [Landowner Relations Coordinator](#) for NH Fish & Game, reviewed the landowner relations program. His extremely informative presentation highlighted F&G's [Operation Land Share](#), which provides guidance and assistance to landowners about NH's land access traditions and regulations. The program provides [many different kinds of signs](#), free of charge, to help landowners manage public access to their land to help maintain the tradition of friendly relations between landowners and recreationists. More FAQs about land access for recreation can be found in F&G's [Land Use Issues Explained](#). Committee members were then able to ask Mr. Beauchesne questions related to common law land use and land access from both a landowner's perspective and a recreationist's perspective. Mr. Beauchesne emphasized that there is always the goal of maintaining the unique balance in NH of landowner rights and the recognition that the tradition of access had generally promoted a strong respect for the land among NH residents. Some information that the Committee learned follows below.

- a. If someone enters your land uninvited, a landowner may ask the person to leave, even if the property is not posted. If the person refuses to leave, the landowner should contact law enforcement.
- b. If a landowner is concerned about access on just a portion of the land, a landowner can post a particular area, such as a river bank.
- c. While NH's land access tradition allows anyone to access private land, the state strongly encourages the best practice and common courtesy of contacting the landowner first.
 - i. One way to find out who owns a parcel of land is to access tax maps. This can be done, laboriously, through town websites, as with the [town of Warner's tax map website](#).
- d. Snowmobiles and off-trail vehicles are restricted to designated trails only. Violations should be communicated to Mr. Beauchesne. However, different towns have different regulations on how Class V and VI roads are classified.
- e. Activities in the river (swimming, boating, etc) - [The Landowner Liability Law \(RSA 508:14\) and Duty of Care Law \(RSA 212:34\)](#) protect landowners from liability when someone gets hurt on their property.
- f. Rivers are not "owned." Ownership begins at the typical highwater mark.
- g. Mr. Beauchesne noted that NH F&G and WLRAC can work together, as NH has done with Trout Unlimited, to help landowners and recreationists recognizes that they are both stewards of an important tradition in NH that benefits all when all understand best practices and regulations. He noted that an organization like WRLAC can be a positive influencer in educating neighbors about access and land use. He suggested considering our work as a "neighbors to neighbors" approach.
 - i. Make a "cool decal" that people want.
 - ii. Get articles in local news and information outlets.
- h. Boating - Along the river, a landowner's property ends at the highwater mark. NH law does not recognize private ownership of rivers, including the land under the river. Thus, boaters, swimmers, and anglers are permitted to use the river along and through private property.
 - i. If a recreationist has questions about river use, they should contact Mr. Beauchesne to learn about their rights in more detail.
- i. Beaver dams - Because dismantling a beaver dam can have unintended consequences downstream, questions about this come under [NH Dam Bureau's](#) jurisdiction.
 - i. [RSAs about beaver dam removal](#)
 - ii. [Beaver problems](#)
- j. Current Use - Mr. Beauchesne discussed the different forms of [current use programs in NH](#) that can be beneficial to landowners, including a [recreational tax reduction](#).
 - i. It is possible for a landowner to post land for specific activities, as long as the landowner does not violate the terms of any current use they are enrolled in.
 - 1. Abuse of current use regulations are enforced by towns.)
- k. Docks and rafts in bodies of water of more than 10 acres as well as rivers and tidal waters come under the [Department of Safety and Marine Patrol](#).
- I. Contact information for Mark Beauchesne**
 - i. (603) 271-6355
 - ii. Mark.T.Beauchesne@wildlife.nh.gov

2. Meeting minutes - December 1, 2021

- a. With a few typos corrected, an informal roll call was taken. A legal vote will take place when the Committee reconvenes in person.
 - i. Motions: Embley, Norris
 - ii. Approved: Embley, Freyler, Norris, Howley, Furness, Savickas, Moran, Russell, Milender
 - iii. Abstained: Jeffrey, Spannweitz
- 3. Treasurer's Report (Chair). Chair will virtually hand the keys to our treasury to Patty when he makes contact with Dave.
- 4. Annual Town Reports (Chair). Chair has submitted our annual reports for inclusion in all our towns' annual reports.
 - a. Should this report and earlier reports be put on the WRLAC website?
- 5. New permit application this month (Chair/Subcomm report): Proposed 2-Lot Subdivision, Robert Shoemaker, Morse Lane, Warner.
 - a. WRLAC will write a letter to the planning board with the following questions/recommendations
 - i. erosion/sediment controls
 - ii. make the septic plan available
 - iii. have perk tests been done?
 - b. Chris has photos of the culverts that have been flagged. He noted that having the river appear on the site plan would make it easier to understand whether the proposed construction are comes under the Shoreland Act.
 - c. Can we request to see the test results?

Other Business

Warner Power barrels - The site is not known to DES because it is not registered as a hazardous waste generator. Ken will ask for an update from DES. It might also be effective to contact Warner's state reps: [Rep. Wells](#), [Rep. Kennedy](#), [Sen. Whitley](#), as well as Conservation Commission's Nancy Martin, the Warner selectboard, and [Tracie Sales](#) (NH DES Rivers and Lakes Administrator) to see if we can get more satisfactory responses to address the Committee's concerns.

- 6. Public Awareness (Pete and George). Pete and George met with the New London and Newbury ConComms (respectively) in December (progress on Action Item 6.1.1-5). Summary of the discussions.
 - a. Pete introduced WRLAC to the NL Conservation Commission. His presentation seemed to be a catalyst for the commission to air a lot of their concerns and frustrations about questions the commission can't seem to get answers to. (These frustrations were not directed at Pete or WRLAC.)
 - b. George's presentation to Newbury's Conservation Commission generated conversation about how to collaborate on what each organization is learning and doing. Members of the commission at the meeting included Chair Katherine Holmes and John McGee, who is on the LAC for the Piscataqua River, and who is a fisheries biologist for NH F&G and active with TU.
 - c. Potential future actions that were discussed at the Newbury meeting included the following:

- i. **LAC Letters of support for conservation projects** are always welcome. These can be shared with towns in the Warner River watershed as well as Central New Hampshire Regional Planning Commission.
 - ii. Collaborate on Newbury's Old Home Day
 - iii. Set up a "state of the watershed" event with conservation commissions
 - iv. Invite reps from Newbury and NL's conservation commissions to attend or join the WRLAC
 - v. Future collaboration on conservation of Andrew Brook (**e.g., designated river nomination**)
- d. A WRLAC rep might want to attend these towns' conservation commission meetings on an annual basis.
 - e. We can notify conservation commissions in the watershed about the existence and mission of WRLAC. (George)
 - f. We can share our minutes with these organizations, too. (Laura)

Final note: Mike Howley has drafted a map of the Blackwater River Watershed for the New London Conservation Commission as requested through the website contact form by Mark Vernon.

Not discussed

1. Cultural sites for the Hikes and Walks Guidebook (Chair to lead us to our website. We hope he can manage this one.). We could use a few more cultural and historical sites. How do we get these on to a labeled, interactive map (utilizing our existing raw materials as our base - Map #9 in our CMP folio)?
2. Action Items for 2022
3. Mike H.'s dam inventory (PowerPoint). This is the beginning act for Action Item 6.1.1-3!
4. Warner River conditions (river gage, observation well, etc.). This is our continuing "if we have time" introduction to rivers, stream gages, and the data. And part of Action Item 6.1.7-1!!

Meeting ended at approximately 9:00 PM

Respectfully submitted,
 Laura Russell, WRLAC Secretary

Next meeting (via zoom): Wednesday, February 23, 7:00 PM

Attachment: [WRCRMP - Committee Interests](#)