

Pemigewasset River Local Advisory Committee

March 30, 2021 (7:00 PM)

Zoom Meeting

Meeting ID:

<https://zoom.us/j/86458109511>

Members Present: Bill Bolton (Plymouth), Kathleen DeWolfe (Ashland), Sheryl Howard (Campton), Neil McIver (Plymouth), Carl Lehner (Holderness), Max Stamp (Bristol), Judy Faran (Bridgewater), Russ Brummer (New Hampton), Richard LaFlamme (Bristol), Tyson Morill (Ashland), Lisa Doner (Plymouth), Katri Gurney (Thornton), Myrtle Lewis (Thornton)

Guests: David Jeffers (LRPC), Dave Katz (LRPC Commissioner-New Hampton)

Call to order by B. Bolton at 7:01 PM

- 1) Introductions of members and guests
- 2) Approval of minutes from our February 23, 2021 meeting. Motion to approve: S. Howard.
Seconded: M. Stamp. All members present who attended the February meeting approved.
- 3) Lisa Doner described the Plymouth Conservation Commission's work with Plymouth and the Town of Holderness to create a new public outdoor recreation park: The Pemi Oxbow Recreation Area.
 - a) Initiated by the Conservation Commissions of Rumney and Plymouth
 - b) The ambition of Larry Spencer, who recruited people including Chris Buckley
 - c) L. Spencer and C. Buckley approached and arranged agreements with landowners to either sell land or easements to the towns the have the land be available for public use in perpetuity. Public use is limited to open recreation, including trails, kiosks, small eating areas (picnic tables), but no development will be allowed.
 - d) White Mountain Trails Collective (WMTC) helped with the project by helping the town apply for a federal grant (which was run by the state)
 - i) Project Grant Proposal
 - (1) Holderness would buy and be the owner of the land
 - (a) Providing over \$250,000.00 of the funds
 - (2) Plymouth would be the conservation easement holder of the land
 - (a) Provided \$25,000.00 to buy easements
 - (3) WMTC will provide the remainder of the \$400,000 in the form of labor.
 - (4) Russ asks: Will the state match the \$400,000.00 for total funds of \$800,000?
 - (5) The rest of the money will be provided by the grant (if they get it). L. Doner has not heard yet.
 - e) If the grant is received, the first step will be to start buying the land.
 - f) The stewards of the land will be:
 - i) Plymouth will be the conservation stewards in a partnership with WMTC, DES, Fish and Game, and the Holderness Conservation Commission.
 - g) L. Doner showed the property on Google Earth and described the area to be bought or held in easement. The description included present owners and access (parking areas).
 - i) K. Gurney asked if the Town of Ashland is involved. L. Doner reported that they reached out to Ashland, but there was no response. K. DeWolfe informed members that Ashland initially tried to visit properties on the Ashland side of the project but was denied access by the

country club. Northern Pass and the Whitten Woods Project then became the town's main agenda items. Presently there is no Conservation Commission in Ashland. L. Doner would like to have Ashland involved in the project, and there are still opportunities to continue to connect the project with Ashland in the future.

- ii) Protecting the proposed area would protect an extended length of the Pemi shoreline.
 - iii) The area is essential wood turtle habitat.
 - iv) Buffers (soft edge) would be established around the wetland areas, reducing the size of the hayfields.
 - v) The area would be approximately 301 acres in size.
 - vi) T. Morrill asked if additional access from the North Ashland Road is being considered. L. Doner reported that it is a possibility and has been noted on the proposal.
 - vii) WMTC uses the AmeriCorps program for training volunteers to create trails and public access. New trails will be established to avoid sensitive areas (i.e., wood turtle habitat)
 - viii) A challenge will be to convince bikers and snowmobilers to abandon old trails and use only new trails. The project has connections with the heads of both the mountain biking and snowmobile clubs which will help establish the new trails.
- 4) B. Bolton asked if members have accessed the PRLAC Google Drive? He will continue to populate the site. The documents go back to 2006.
- 5) B. Bolton reported on a discussion regarding recent Mooney-Clark Boat Ramp (MCBR) maintenance authority meeting, to include Central Rivers Power (CRP) representatives, Fish and Game staff person, Town of Bristol representatives and PRLAC
- a) There was a law change that stipulated that the town instead of the state would maintain the property.
 - i) B. Bolton identified this as an unfunded mandate
 - ii) As a result, Nik Coates will not obligate his staff to maintain the Mooney-Clark boat ramp. He is checking with his lawyer, and the group will meet again to discuss further.
 - iii) CRP is willing to help maintain the MCBR.
 - iv) S. Howard asked for an update on the 11 five-gallon pails of hydraulic fluid dumped at the MCBR. B. Bolton reported that there is no new information. T. Morrill requested to be kept in the loop on information regarding the dumping. He is involved with a project at the Dark Hollow "ramp" (a cartop launch) on Old Bristol Road and recently met with New Hampton Police about needles, cigarette butts, and other garbage found on the site. The police will not monitor the site as it is state property.
- 6) Permit Applications:
- a) Shoreland Permit application, 10 Island Drive, Ashland, NH – Bill Evans. Not actionable by PRLAC due to a possible tax map issue. The permit was rejected because it was not within the ¼ mile that is PRLAC's jurisdiction.
 - b) Site # 199408010, Franklin Mini Mart, 221 South Main Street, Franklin. We've received final approval from DES for the owner. Site visit comments are referenced in the report
 - i) Oil or gas was visible in the waste stream and ultimately into the river.
 - ii) DES was not concerned with PRLAC's comments.
 - iii) J. Faran suggested that if we included a proposed solution to the problem, perhaps the DES would be more likely to listen to our recommendations.
 - c) 2021-00319: Shoreland Standard Permit Application: Property owner Pucciarello Family, Remington Road, Thornton. Discussion of omission by DES of site visit staff comments.
 - i) PRLAC gave comments concerning the septic and proximity of the house to the slope going down to the river.

- ii) B. Bolton inquired to DES why our comments were not addressed. DES did not respond. If we don't have a statute for the DES to refer to, they are not going to respond to our recommendations
- iii) Kathleen suggested that the Town of Thornton create an ordinance to prevent projects like this.
- iv) Myrtle asked what other town ordinances Thornton could draw from. K. DeWolfe reported that Ashland has a steep slope ordinance and a river overlay of 250 ft. D. Jeffers reported that Holderness has similar ordinances.
- v) S. Howard reported that Campton also needs such ordinances. There has been an influx of people buying property in the town due to COVID. There is potentially an equally large amount of development of these properties in the near future, and the town has no infrastructure to regulate.
- vi) D. Katz reported that FEMA flood maps would be a good resource to show the people who are building on the site. S. Howard added that the FEMA maps are out of date, and there are more accurate maps available.
- vii) L. Doner asked if towns could adopt language that would empower PRLAC to sign off on any permits regarding a river overlay district before the planning board approves. We act as advisors to the state, not to the towns.
- viii) D. Katz added that in New Hampton, they have site plan review regulations. Any changes to the regulations do not have to be presented to the voters, only to the planning board. A willing planning board could empower PRLAC using regulations. D. Jeffers will check with the principal planner.
- ix) Members discussed that DES requires a sign-off from the Conservation Commission and whether DES is upholding this statutory rule. It seems that it depends upon the DES permit reviewer.
- x) M. Stamp suggested that we double-check the rules of the Shore Land Protection Act. He questions where the normal high-water mark has been located at the project site.
- d) 2021-00531: **EXPEDITED Wetlands Permit:** Mike Ahern Owner; Daniel Webster Highway, Plymouth. A 455-foot long eroding bank on the Pemigewasset River will be stabilized using trees and boulders to deflect flows away from the stream bank.
 - i) Members discussed whether this project should be considered a major project.
 - ii) N. McIver questions whether this project will have an impact on properties downstream.
 - iii) L. Doner reported that peak water on the Pemi would occur on Friday. That would be a good time for the site visit.
 - iv) B. Bolton will coordinate the visit on Friday at 2 PM.
 - v) D. Jeffers suggested that if a quorum is present at the site, then notes must be taken and posted.
 - vi) T. Morrill suggests that members research the use of this form of bank stabilization in other parts of the state.
- 7) Update on HB 271 regarding PFAS
 - a) B. Bolton reported HB 271 passed in the House and is waited to be voted on in the Senate. The bill expands the statute to include PFAS. It did not change the allowable levels in drinking water and groundwater.
- 8) Suspect petroleum leak into Baker River tributary
 - a) B. Bolton reported on the leak.
 - b) No sign of petroleum products was found when the water was sampled by DES.
 - c) L. Doner added that it could have been normal organic material.
 - d) B. Bolton thought it was unique because of the quick response.

- 9) Provide 2019 PRLAC letter of support for Bristol's Pemi Path project as they seek grant money
 - a) B. Bolon reported that we provided a letter of support for Bristol's Pemi Path Project.
 - i) They are seeking grant money, and we are providing support.
- 10) Pursuant to "PRLAC Bylaws 092617" we will have elections for the offices of Chair, Vice-Chair, and Secretary
 - a) Elections are in April. Looking for volunteers and/or nominations.
 - b) LRPC serves as the role of Treasurer.
 - c) B. Bolton will be the chair for one more year. J. Faran would be willing to be Vice-Chair.
- 11) Other items...
 - a) M. Stamp has contacted VRAP about getting equipment for water testing. Several members are willing to participate.
 - b) T. Morrill reported that Ben Nugent is working with PSU to apply for a federal grant to continue ongoing research in the Beebe River watershed. They are looking at larger scale infrastructure and fish passing monitoring projects.
 - i) Continue genetic research of brook trout
 - ii) Replace an under-road culver with a bridge
 - iii) They were assessing stream crossings. The committee discussed how towns could find the information on stream crossings as a result of assessment. D. Jeffers would be happy to demonstrate how to use the website regarding stream crossings at a future meeting. He would point out the applications of the tool.
 - iv) T. Morrill will write a letter of support from the Squam Lake Association.
 - v) Motion for B. Bolton to prepare a letter of support for the project by S. Howard, seconded by J. Faran. All members approved.
 - c) D. Jeffers checked in with members regarding membership renewal. All we need is the BOS approval.

9:11 – Motion Adjourned S. Howard, L. Doner seconds. All approved.