FINAL

CONSERVTION COMMISSION
REGULAR MEETING MINUTES
Remote Via Microsoft Teams
LebanonNH.gov/Live
February 10, 2022
6:30 PM

MEMBERS PRESENT:	**Sarah Riley (Chair), Bruce James (Vice Chair), Erling Heistad, Ernst Oidtmann, Donald Lacey, Barbara Hirai (Alt.), Chris Johnson, Susan Almy**
MEMBERS ABSENT:	**Megan Smith (Alt.), Darla Bruno (Alt.)**
STAFF PRESENT:	**Mark Goodwin (GIS Coordinator)**

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1. CALL TO ORDER – Chair Riley called the meeting to order at 6:36 PM

2. APPROVAL OF MINUTES: January 13, 2022

Amendments:

- Page 2, line 24: Change Mr. Lacey to Mr. James
- Page 4, line 10: Change "send" to "sent"
- Page 5, line 6: Change "are" to "is"
- Page 3, line 12: Strike the word "intersection"
- Page 3, line 36: To read, "…bordering Signal Hill and one-acre bordering the Alana Cole Conservation Area."
- Page 4, line 8: to acknowledge that Mr. Lacey is also involved in this process.
- Page 4, line 24: To read, "…Taking Action for Wildlife Cohort"
- Page 4, line 29: Strike "and it is" and To read, "....and reviewed some key points from UVLT baseline reports. The property is to be managed…"
- Page 4, line 31: Strike "a nod to," and replace with, "with the highest emphasis on the protection of…"
- Page 4, line 32: Change "easement," to "baseline report"
- Page 4, line 36: To read, "Historical Society. The baseline report goes on to state that following the inventory of resources…"
- Page 5, line 1: Strike "to the buffers," replace with "as needed"
- Page 5, lines 10-11: Strike "while there is a trail along the southern boundary," replace with "while the Club actively uses the southern boundary trail, they do not use the bypass road and have never ridden on Ticknor Road."
- Page 5, line 35: Change "councilman" to "Conservation Commissioner"

***Ms. Almy MOVED* to approve the January 13, 2022 minutes, as amended.**
Seconded by Mr. Lacey.

**** The Vote on the MOTION was approved (7-0-0).***

3. PERMIT REVIEW

A. None

4. STUDY ITEMS

A. Review of Chapter 52 – Conservation Land Regulations

Chair Riley explained that this is a chance for the Commission to review this Chapter and make proposed changes. Changes to wording would go to the City Council for a public meeting.
Ms. Almy mentioned concern regarding 52-2 and 52-4. These sections deal with outdoor recreation and that belongs to Rec & Parks. She suggested the wording include passive outdoor recreation. Mr. Lacey stated that this section seems to give the Commission some say in properties that are not necessarily conservation lands. Mr. Goodwin stated that this could allow the Commission to have a say in adverse impacts on certain properties. Mr. Heistad stated that the Commission has always had recreation as a use on its properties, along with education. Chair Riley suggested that this item be placed on a list for further consideration.

Ms. Almy stated that there is currently a bill in legislature that will forbid towns/cities from removing guns from any place within them. This would make 52-7 D/E difficult to enforce. This legislation could also conflict with 52-10. Chair Riley stated that the Commission will need to be kept apprised on this item.

Ms. Hirai asked if e-bikes are included in 52-4 – Motorized Vehicles. Mr. Goodwin stated that he does not believe this type of bike is currently included. Mr. Johnson stated that inclusion of these bikes is a large debate in many forums lately. Chair Riley stated that the Upper Valley Mountain Bike Association allows e-mountain bikes in the Landmark land trails, thus people may also be using these on the City portion of these lands.

Chair Riley explained, regarding 52-5 D, that she was recently approached with a question about hunting/bow hunting in the Star Hill Conservation Area. It is sometimes unclear on the kiosks as to if hunting is allowed or not. Mr. Lacey noted that signs can be posted along a land creating a Hunter Safety Zone. Mr. Goodwin explained that if public funds are used to purchase a property, hunting cannot be restricted on it. Hunting is allowed on all conservation properties, except for what the State regulates – to not discharge a firearm within 300’ of a home. This may also apply to bow hunting. Chair Riley stated that there may also be State regulations regarding hunting near trails. Mr. Goodwin explained that Fish & Game is the enforcement entity. Chair Riley suggested that signage on kiosks be updated, in order to remove any confusion.

Chair Riley noted difficulty finding the Camping Policy, as mentioned in 52-6 A(2). Mr. Goodwin explained that the policy document is kept separate from the code because it could be changed each year. Mr. Goodwin stated that the Camping Policy is hyperlinked to under the Boston Lot, as that is the only place it is permitted. Mr. Heistad asked about reviewing other potential areas in the City to allow camping on.

Chair Riley stated that 52-6 A notes a Park Ranger, and suggested the language be changed to Conservation Ranger.

Ms. Hirai stated, regarding 52-7 B, that she does not believe the Commission is currently updating its signage appropriately for wheeled vehicles. Ms. Almy suggested that there be a posting at Boston Lot, as wheeled vehicles are allowed there. Chair Riley stated that Signal Hill, Boston Lot, and Goodwin Conservation Area have signs allowing non-motorized mountain bikes.

Chair Riley stated that 52-7 D references section 52-5 E – Fishing. She believes this is supposed to reference section 52-5 D instead. Ms. Almy explained that another issue with this section is that there are a number of animals, including red squirrels, that can be hunted at any time of year without a license.

Mr. Lacey pointed out an incongruence between 52-10 and 52-13.

Regarding 52-13, Chair Riley stated that the name of the East Wilder Boat Launch should be changed. Mr. Goodwin stated that he is unclear what the deed names the property as. Chair Riley stated that the Commission previously agreed to change the name of this property to the East Wilder Conservation Area.

Chair Riley noted that the Mill Parcel, Ticknor, and Hardy Hill Brook need to be added under 52-13.

Mr. Oidtmann stated that the East Wilder Boat Launch is still boat launch and it may be confusing to change the name. Chair Riley stated that it will still be used as a boat launch, but that the name does not reflect the rest of the vast shoreline in the area.

Chair Riley suggested that the Commission revisit this item at a future meeting.

B. Review of the Con Com's Rules of Procedure

Chair Riley stated that she would like for 2.1 to be amended to include that the Commission consists of seven people, "one of which is the City Council representative." Under 2.2, she expressed concern over the wording regarding when the Chair can allow an alternate member to vote. Mr. Goodwin stated that this item is regulated by State law. Mr. Oidtmann stated that the handbook for NH Planning Land Use & Recreation does not mention alternates. He noted that there does not seem to be a limit on the number of alternates; he believes this needs to be clarified. Chair Riley stated that, as a Conservation Commission, there would never be more than seven members voting at a time. Ms. Almy suggested that the sentence read, "…may not vote, <u>unless in the absence of any regular member, when the Chair shall appoint an alternate to fill such vacancy</u>." Mr. Oidtmann stated that term limits are missing in Section 2; these should be listed as three years.

Mr. Oidtmann stated that he has a May 8, 2008, copy of the Rules & Procedures.

Ms. Almy noted that the start time for meetings currently is 6:30pm, and this should be amended under 4.2.

The group discussed item 5.2 – Quorum. Mr. Goodwin asked Mr. Oidtmann to send along his copy of the Rules of Procedure.

Mr. Oidtmann suggested adding item 4.6: If a member cannot attend a meeting s/he will notify the Chair in a timely fashion. This could help in terms of making sure a quorum is present. The Commission discussed updating Section 5.3 E(1) to reflect what meetings currently look like. Ms. Almy noted that Open to Public is at the end of the meeting and that the group has previously discussed moving this to be directly after approval of minutes. Chair Riley agreed. Mr. Goodwin noted that the Chair can always take items out of order.

Chair Riley noted that, for Section 7.4, Commissioners can still vote on minutes/motions if they were not at a previous meeting, as long as material has been properly reviewed.

Mr. Oidtmann asked about Section 7.3 and that it states, "a member who is disqualified shall remove himself from the Commission, shall not take part in the public discussion…" Mr. Goodwin stated that, typically, a Commissioner would need to identify that s/he is speaking as a member of the public, instead of not being able to speak at all. The group discussed amending the language to strike, "shall not take part in the public discussion," and add at the end "The disqualified member may express public opinion."

Chair Riley stated that Commission will review an edited revision of this document next month.

C. Con Com Trails Coordinator Position

Mr. James explained that this proposal grew out of a meeting regarding possibly forming a Trails Committee. It became clear that the consensus was that a Trails Coordinator might be a better approach. This person would be the point person to work with the whole Commission or with small groups, as needed. This person would work as a communications liaison between groups interested in the trails. He was approached about filling this position and agreed. He is proposing four broad areas of work for the position: Coordination & Communication, Stewardship, Projects, and Long-term Planning. He stated that a key part of this position will be communicating regularly with Mr. Goodwin, Chair Riley, and the Commission.

In response to a question from Mr. Oidtmann, Chair Riley stated that there needs to be a similar analysis for the Conservation Ranger position so that there can be an understanding of expectation in relationship to this role and the stewardship program. This could be placed on next month's agenda.

Mr. James stated he may try to make contact with every steward and walk the trails with them in order to capture concerns. He will keep an ongoing log of his actions and communications.

Ms. Almy asked about the relationship between the Trails Coordinator and the Trail Stewardship Coordinator. Ms. Hirai noted that she is not the volunteer steward's coordinator, but she has been working to develop outreach through the webpage and to recruit stewards. She does not want trail work to overshadow the conservation work.

Mr. James stated that he wants to be cognizant of on and off-trail items and to balance those two areas. He stated that he will update the Commission on his actions in this role monthly.

There was discussion regarding monitor reports and the separate forms that can be used by this role. Mr. Goodwin stated that there are monitor reports and incident reports. Chair Riley stated that the SeeClickFix app through the City can be used to report issues in the City, such as downed trees, etc.

5. COMMITTEE REPORTS

A. Reports from other committees:

--Conservation Lands Monitors (Various Members)

Mr. Heistad stated that there is a pine tree that has fallen and needs to be moved at the top of Signal Hill.

Chair Riley stated that the first Wild About Lebanon event, led by Mr. Heistad and Kim Rylander, has occurred. The second, led by Mr. Oidtmann will occur on February 19, 2022 at Farnum Hill. She is hoping that there will be one more event while there's still snow on the ground at Two Rivers Conservation Area.

The group had discussion about the dog policy for the Wild About Lebanon walks. There was consensus that dogs not be allowed on Wild About Lebanon walks. The Commission considered reviewing its general dog policy on trails in the future.

***Mr. Lacey MOVED* to add to the advertising of Wild About Lebanon that dogs please be left at home, except for certified service dogs.**
Seconded by Mr. Heistad.
**** The Vote on the MOTION was approved (7-0-0).***

Ms. Hirai stated that she and Chair Riley reviewed a couple of conservation properties (Ticknor, Goodwin, Two Rivers Conservation Area, and Star Hill) for any homeless camps. There were no people found, but cards for resources were left in the empty tents.

--Lebanon Biodiversity Group (D. Lacey)

Mr. Lacey stated that he is working on the invasives at Baker's Crossing. He could use some help dealing with some of the buckthorn on the property. Bluebird boxes will likely be put out during the spring months.

--Workshops & Educational Opportunities (Various Members)

Chair Riley stated that on February 17th the Upper Valley Land Trust is having a lunch-and-learn regarding emerald ash borer via Zoom. The annual meeting for the Upper Valley Conservation Commission will likely occur in March. She and Mr. Lacey attended the New Hampshire Association of Resource Scientist's annual meeting, which presented examples of the use of ARM funds for certain projects. There seems to be a need for partners in a successful ARM project. The Commission should start thinking about who to partner with on certain projects. Chair Riley stated that the Tree Board met earlier this month with a visioning exercise.

6. OTHER BUSINESS

Chair Riley stated that the group should have received FYIs that will be attached to agendas. Mr. Goodwin stated that there have been a few inquiries regarding the Pike Industries application and local mitigation. Staff is looking into if this is still open.

Ms. Hirai stated that different Zoom programs for outreach are being considered as part of Taking Action for Wildlife. They are also looking into Big Night and vernal pool workshops as well. Chair Riley stated that the vernal pool workshop will likely take place on either April 23rd or April 30th.

7. FUTURE AGENDA ITEMS

Chair Riley asked that there be a shovel-ready project list or properties for developers to consider for mitigation presented to the Commission at its next meeting. Mr. Goodwin stated that this would be the Open Space Prioritization List. Chair Riley stated that this may be completed in closed session. She asked if there are a couple of Commissioners to review this list prior to the next meeting.

Mr. Lacey MOVED to extend the meeting for 10 minutes.
Seconded by Mr. Johnson.
**** The Vote on the MOTION was approved (7-0-0).***

Ms. Hirai asked if the Conservation Commission was interested in considering a land acknowledge statement at the beginning of each meeting. Mr. Johnson noted that he has heard a lot about pushback on land acknowledgements from local Native American peoples. This should be a future conversation.

Mr. Goodwin suggested that the Commission can have open discussions about general properties, but specific properties should be discussed in closed session.

Chair Riley suggested that the Ranger position be discussed as part of a next agenda. She asked about a small group to complete an analysis of this position. Mr. Goodwin stated that there is a fine line between operations and human resource activities.

8. OPEN TO THE PUBLIC

9. ADJOURNMENT:

The meeting was adjourned at 9:08 PM.

Respectfully submitted,
Kristan Patenaude
Recording Secretary