

**HOOKSETT CONSERVATION COMMISSION**

**Monday, December 11, 2023**

**4:30pm**

**Hooksett Municipal Building**

**35 Main Street**

**Town Council Chambers**

**I. Open Meeting 4:30pm**

- II. Attendance/Introductions: Cindy Robertson – Chair, JoCarol Woodburn – Vice-Chair, Deborah Miville – Member (arrived at 4:33), Phillip Fitanides – Member, Robert Better – Alternate, John Pieroni – Alternate, Alan Stein – Alternate, Sheena Gilbert – Planning Board Representative**  
**Excused: Alex Walczyk – Town Council Representative**

**Cindy:** Al Stein is going to be our fourth member for the time-being. Once Deb arrives, she will step up.

**III. Pledge of Allegiance**

**IV. Public Input**

**David Ross, 56 Sherwood Drive:** There is an issue getting bad on Depot Street, I have been watching for about a year. The parking lots above and below, near SNHU, there is not much drainage and water just dumps over the hill. It goes across the parking lot and backs up and goes right over Depot Street. I have a video I will try to get to you. Even after this small rainstorm, water was running across the street, washing everything into the water. There's a great delta that's been created of silt, tires, etc. After the storm a few weeks ago it was dredged out with machines. I think it should have been a Dredge and Fill. Tracks are visible on the ground, vegetation was mashed down, I'm sure within the buffer. They keep adding more sand and gravel. The wetland is very special, wildlife of all sorts. It's the only one like it. It has suffered from the erosion upstream from Martins Ferry bridge, covers the river bed and kills everything. I'm sure the Sewer Department knows about it, they aren't dealing with the issue. Washout is significant. There are two gutters on either side of the road, the eastern side of North River Road with untreated water. High velocity, right into the river, just above the bridge. On the other side of Depot Road, it comes down like a raging river. Around the pump station, right into the river. It is getting bad, fast. And the parking lots do not have drainage system, which I thought was a requirement. Lot 19, when you pull up, on your left, there's a large divot that turns into a pond when it rains. It is eroding under the parking lot. I know they are tax exempt, but shouldn't be code exempt. The trailer is also still there and has not moved. It's been tagged a number of times. I wonder what's in there. Possibly material they do not know what to do with. It needs to be escalated and addressed.

**Cindy:** Has this gone to Town Council and/or Code Enforcement?

**David:** I did with Town Council but have not heard anything. There are tires, a lot of hole ties there, I brought it up to the Fire Department too. Nothing's happened. I have not talked to Code Enforcement about Depot Street.

45 **Cindy:** Technically this is public input. It goes above us, we are an advisory board. Code  
46 Enforcement has the power.

47 **Sheena:** Town Engineer and Code Enforcement would be who you talk to.

48 **David:** Maybe you can advise Code Enforcement.

49 **Cindy:** You have the details to bring to Code Enforcement.

50 **David:** I wanted to bring it here first. It involves water quality. It is not new either. I'm going to  
51 bring it up to Town Council. Another issue is how to keep people within their site plan  
52 approvals. The Apple Theater/Cinematic is a mess, the detention pond is full of trash, it seems  
53 like a private dump. They're filling the wetland. It's been going on a long time. Nothing has  
54 happened and it has been going on a while, and it ongoing.

55 **Cindy:** Will you also bring that up to Code Enforcement?

56 **David:** Yes. I have my reasons.

57

58 **V. Consent Agenda (None)**

59

60 **VI. Meeting Minutes Approvals - 10/23/2023, 11/13/2023**

61 **Cindy:** We did not approve these because Phil wanted to supplement. Phil printed the entire  
62 verbatim transcript.

63 **Phil:** Bridgette included the most pertinent pages for the appointment. A correction, page 17  
64 line 748, "swimming upstream by the school." My statement was regarding schools of fish.

65 **Cindy:** Moving forward we need to recognize that minutes capture broadly. Not transcriptions. I  
66 can't verify if this is an actual transcription, I am not going word for word with the video. I will  
67 still refer people to the video if there's a question on what was said.

68 **Phil:** The problem is that the sound and set up for video is hard to understand. You have to play  
69 it over and over again if you miss something.

70 **Cindy:** Going forward we are not transcribing.

71 **Phil:** Minutes need to be accurate and expanded. There's too much going on in meetings.

72 **Sheena:** I disagree. The intention is to capture the essence, not every word. You have  
73 contradicted yourself too, you said you could not hear, but then that you went back to relisten  
74 multiple times. We cannot ask employees to transcribe.

75 **Phil:** The transcript is different than the video. Words are edited, omitted or not transcribed.

76 **Sheena:** Exactly, that's the point. They are not going to be perfectly accurate.

77 **Cindy:** We can add a note at the end guiding people to the video. I agree with Sheena.

78 **JoCarol:** We can always edit if something was left out. That is always the case.

79

80 ***Motion to approve the October 23, 2023 minutes, with edits, made by JoCarol Woodburn,***  
81 ***seconded by Sheena Gilbert. Motion passed. Deb Miville abstained.***

82

83 ***Motion to approve the November 13, 2023, minutes made by Deb Miville, seconded by***  
84 ***Sheena Gilbert. Motion passed.***

85

86 ***Motion to approve the non-public November 13, 2023, minutes made by Sheena Gilbert,***  
87 ***seconded by Al Stein. Motion passed.***

88

89 **VII. Invoices**

90 i. Bear-Paw Regional Greenways, Invoice # 10257, Services from August 2022  
91 through October 2023, \$4,725.00

92 **Cindy:** This is for the work they do for us, and consulting from Steve Couture. This is for part of  
93 last year and then this year, they realized they had not billed us. We're going to do every 6  
94 months moving forward.

95 **JoCarol:** They've had staff turnover as well.

96 **Motion to approve invoice from Bear-Paw Regional Greenways, Invoice # 10257, Services**  
97 **from August 2022 through October 2023, in the amount of \$4,725.00 made by Sheena Gilbert,**  
98 **seconded by JoCarol Woodburn. Motion passed.**  
99

100 ii. Stantec, Invoice # 2163883, Phase IV Construction Services, \$633.75  
101 **Motion to approve invoice from Stantec, Invoice # 2163883, Phase IV Construction Services, in**  
102 **the amount of \$633.75 made by Deb Miville, seconded by JoCarol Woodburn. Motion passed.**  
103

104 iii. John E. Neville Excavating - Merrimack Riverfront Trail System Phase IV Payment  
105 Request #5, \$55,240.00

106 **Sheena:** This is still within our budget?

107 **Cindy:** It is.

108 **Motion to approve invoice for John E. Neville Excavating - Merrimack Riverfront Trail System,**  
109 **Phase IV Payment Request #5, in the amount of \$55,240.00 made by Sheena Gilbert,**  
110 **seconded by JoCarol Woodburn. Motion passed.**  
111

112 iv. Reimbursement to Sheena Gilbert, \$29.97 total  
113 • Invoice INV05110321, \$9.99, Moultrie Service 09/14/23-10/13/23  
114 • Invoice INV05414723, \$9.99, Moultrie Service 10/14/23-11/13/23  
115 • Invoice INV05751186, \$9.99, Moultrie Service 11/14/23-12/13/23

116 **Sheena:** We do have to decide what we want to do moving forward. Also, are we cementing  
117 the poles for the gate?

118 **Cindy:** Al did offer to do that, but in the spring. I think leave camera up until we get the poles  
119 cemented at least.

120 **Sheena:** I think we can stop it and then restart if we wanted. Activity is quiet with the winter  
121 season.

122 **Deb:** With snowmobiles though too?

123 **Cindy:** The snowmobilers actually have a corridor through Manchester Water Works property.  
124 They might but probably not.

125 **Sheena:** I am fine with either, just to see what is happening.

126 **Al:** I think we should keep it and authorize it for a full year.

127 **Motion to extend approval of service payments until July 2024, made by Deb Miville,**  
128 **seconded JoCarol Woodburn. Motion passed.**  
129

130 **Motion to approve reimbursement to Sheena Gilbert in the total amount of \$29.97 made by**  
131 **JoCarol Woodburn, seconded by Deb Miville. Motion passed.**  
132

133 **VIII. Appointments:**

134 i. Katie Weiss, Bedford Design Consultants – 10 Eastpoint Drive Project Discussion  
135 **Katie Weiss, Bedford Design Consultants:** We are hopefully going to be doing some filling of  
136 wetlands and we need recommendations to both NHDES and to the Town of Hooksett ZBA. I  
137 want to go over the past of the project. It is located at end of Eastpoint Drive in the Industrial  
138 Zone; in the 1980s the road was supposed to wrap around and come back to the Bypass, but  
139 that was not built. They put in a gravel road and some small crossings, small pipes. There are  
140 two wetland areas. Nothing was built, and lots reconsolidated. They did strip the land, take  
141 away the loam. My company came in 2006 for a large freezer warehouse, at the time it was  
142 going to fill 74,000 square feet of wetlands, approved by the Town and NHDES. The project was  
143 not built, permits expired. Now our new client wants to put in a manufacturing facility. Now, on  
144 the overview sheet, there are three new pockets of wetlands. There are some wetlands we will  
145 not be touching, and then we are filling some of the new wetlands. As part of reflagging there  
146 are two vernal pools. We are not going near the one to the North. There is another to the East,  
147 close to the pond area, we are also not disturbing that. We met with DES, I have included  
148 minutes from an online meeting and then the site walk we had with them. Tom Sokoloski is the  
149 wetland scientist, and then we had people from Fish & Game, DES, and Army Corps. We are  
150 going to be phasing this project. First phase is 60,000 SF building with parking, loading docks,  
151 drainage. Second phase is another 60,000 SF with parking and loading. Then third phase, 96,000  
152 SF. I color-coded the wetlands. Those in blue are the same from 2006. In green are new  
153 wetlands since 2006. Total is approximately 35,000 SF, less than half of what we were originally  
154 approved for. In 2006 the original property owners had an in-lieu payment of \$214,000 which  
155 came directly to the Town and went toward purchasing the Clay Pond property. We worked  
156 backwards and calculated that this money would equate to a little more than what we are  
157 proposing today, so we are hoping to not have to do another in-lieu fee. We do have some NHB  
158 hits, Blanding's turtle and cottontail. We have not completed a habitat study, DES hasn't asked  
159 for one yet. So, we are looking for the recommendations, we are hopefully submitting to ZBA  
160 next week for their January meeting, and then recommendation to DES.

161 **Cindy:** With regard to mitigation payment, you don't have a response yet from DES?

162 **Katie:** We will not have a full answer until we formally apply to DES.

163 **JoCarol:** When was the NHB done? How far away were the hits?

164 **Katie:** Within the last three months. I don't know exactly how far away the hits are but none  
165 were on the site.

166 **Sheena:** When you came to Planning Board, I think a few miles North? I want to say over 5  
167 miles. I have seen rabbits in the area. Also, their policy is to stop if they see one of these  
168 animals and relocate the animal.

169 **Katie:** I'm not sure what they have to do but the animals are put on the plan set in color, that is  
170 a rule.

171 **Phil:** There's a lot of vague descriptions. On these minutes, it is very vague. Is there a glossary?  
172 For the buffer, what is it made out of? Do you have reports?

173 **Katie:** This is a summary. The buffer is existing vegetation, it is non disturbance. There are no  
174 reports, these minutes are from a meeting over Zoom. We are not that far, this is preliminary  
175 and we have not formally submitted to DES yet.

176 **Phil:** Will you have a copy of the Army Corps Fish & Game review?

177 **Katie:** Once we submit to DES. The word “crossing” was crossed out because it was a typo. We  
178 are still in the design process, it is approximate as about 35,000 SF.

179 **Phil:** Is there an AOT report?

180 **Katie:** Again, this is a brief overview. We’ll have more details as we move along. The package  
181 we send to DES will also be sent to you.

182 **Phil:** A glossary as well.

183 **Sheena:** I just had one additional question. To the south, is that a retention pond? Is that  
184 currently existing.

185 **Katie:** No. There will be an underground area.

186 **Sheena:** Apologies I am conflating two different projects, there’s another project nearby.

187 **Katie:** We are going to be asking for a waiver for the 100-year flood requirements for the  
188 freeboard to have the AOT standards.

189 **Sheena:** We are changing the language in our flood ordinance as an FYI, to save yourself  
190 trouble.

191 **Phil:** Is there sewer?

192 **Katie:** No, it will be septic. It is approved by the Town and DES.

193 **Cindy:** So from us, you are looking for no concern/no comments?

194 **Katie:** Correct, something to provide to ZBA. We are asking for a Special Exception, I believe, for  
195 work in the non-disturbance buffer. And for DES we’ll be looking for a recommendation too.

196 **Sheena:** And regarding the escrow?

197 **Cindy:** We’ll wait to see what DES says. Is everyone ok?

198 *Board consensus that there were no concerns/comments.*

199

200 ii. Cindy Herbert - Head’s Pond Memorial Bench – **Tentative**

201 *Discussed that she can reach back out in the future if still interested in pursuing.*

202

## 203 **IX. Other Business**

204 i. Riverwalk Phase IV Updates

205 • Grand Opening/Celebration (Continued Discussion)

206 **Cindy:** We were supposed to bring invitees. I did send out to Dave Hess and Steve Couture.

207 **JoCarol:** I requested with Maggie Hassan’s office, I gave them Cindy’s number.

208 **Cindy:** If you think of it, please send to JoCarol.

209 **JoCarol:** Cindy, you are contacting Girl Scouts, and Sheena for Boy Scouts.

210 **Sheena:** Our own Town Council still too.

211 **JoCarol:** Date is set for May 16<sup>th</sup>, 4pm. Should we have a rain date?

212 **Cindy:** Rain or shine.

213 **Sheena:** As many of our town representatives, board and committee members, as we can.

214 **Bob:** There was a list of people back when we had the moving wall.

215 **JoCarol:** Do you know who would have that list? We’ll reach out to state representatives.

216 **Sheena:** Maybe Jim Sullivan since it was the Bicentennial Committee, I could ask him.

217 **Al:** Also service organizations, Lions Club, Kiwanis, library, garden club, to invite.

218 **Cindy:** Maybe at the library on the marquee.

219 **Phil:** I have a question on payments.

220 **Cindy:** We shouldn’t go backwards, they were all approved.

221 **Phil:** The John E. Neville Excavating invoice, the back page is signed except for the engineer  
222 signature.

223 **Cindy:** We leave this to Dan Tatem, our consulting engineer, he will take care of it if needed.  
224

225 ii. Trail Maps/Kiosks (Continued Discussion)

226 **JoCarol:** We have \$350 approved for the maps and kiosk, but we didn't include a flyer for the  
227 Grand Opening in that approval. Maybe a save the date and then another one later.

228 **Deb:** I think it's too early to send one now.

229 **Sheena:** Agreed. Maybe within 90 days?

230 **JoCarol:** So 90 days and then 30 days. Create one flyer, and then send it again.

231 **Cindy:** We have a printing line item we should be able to take that out of.

232 ***Motion to approve up to \$75 for the printing of flyers for the Riverwalk Trail Grand Opening,***  
233 ***made by Sheena Gilbert, seconded by Deb Miville. Motion passed.***  
234

235 iii. Clay Pond Conservation Area (Continued Discussion)

236 **Al:** I think maybe just leave this on the agenda since things will be coming up regarding the  
237 property.

238 **Cindy:** There were some materials about the gates, I just wanted the information out there  
239 about the gates on a class VI road. It's legal. Also the Town owns one of the parcels of the two  
240 that could get copies of the keys. We were also talking about a gate on the other end but not  
241 yet, one step at a time. There were also monitoring reports from Bear-Paw that were emailed  
242 out. We can discuss in January more.

243 **Al:** If you follow the green road, the gate where it says "2" is what we're dealing with. I think  
244 the others are proposed gates. The one that has "3" I think would a possible gate location, the  
245 other road isn't much action but I'd have to look.

246 **Cindy:** Yes, it was the number "3" that we were thinking of. I'm not familiar with it though.

247 **Sheena:** It's a rough road.

248 **Phil:** On Mark Dunn's report, it says any class IV, V, or VI highway may be discontinued and  
249 made subject to gates and bars by vote, and shall not have status of publicly approved street. Is  
250 that for everything in the Town of Hooksett?

251 **Cindy:** The Town does not do anything on someone else's private property. The Town makes  
252 the decision to discontinue the road, on Town property and Town roads.

253 **Phil:** Thames Road is a private road with gates and bars and turns into a logging road. How do I  
254 find out how it became gates and bars?

255 **Cindy:** If it's a private road they don't have to go through anyone.

256 **Phil:** How would I find that? Gates and bars should be able to be opened.

257 **Cindy:** Not on private property. If it's private property, privately owned, they can do what they  
258 want.

259 **Sheena:** I know people out there who want to block their private property. They own the  
260 property and the road is private and not maintained at all by the Town. If they do something as  
261 the private property owners, such as moving large boulders, maybe we wouldn't need to do a  
262 gate.

263 **Al:** And we would only be able to do a gate on Town/Conservation property  
264

265 iv. 2024 Schedule

266 **Cindy:** October and November fall on holidays.

267 *Clarification that Planning Board meets on January 8<sup>th</sup>, October 7<sup>th</sup>, November 4<sup>th</sup> at 6pm.*

268 **Al:** I think move the meeting up a week rather than push them back a week for the two  
269 holidays.

270 *Board consensus that October 7<sup>th</sup> and November 4<sup>th</sup> should be the dates. Calendar will be*  
271 *posted on website.*

272

273 v. Electronic Packets

274 **Sheena:** I think we should get these electronically. I know we don't mail them for Conservation,  
275 we just switched for Planning Board.

276 **Deb:** Don't we already get them electronic?

277 **Sheena:** But, I think we should only get it electronically. It is so much paper. I don't need a  
278 physical packet if I have it electronically.

279 **JoCarol:** I would at least want meeting minutes printed to get notes.

280 **Sheena:** I think maybe just try to trim the materials a little bit.

281 **Cindy:** I do like paper.

282 **Sheena:** Individually we can let Bridgette know.

283

284 vi. Hunting Policy for Conservation Properties

285 **Cindy:** Last, Bob sent this to me.

286 **Bob:** We went to the cul de sac by the library, a trail we hadn't taken before. I found these  
287 items in the images. Looks like deer baiting. There is a permanent structure out there. A band-  
288 stand type structure with a tent. I believe this is conservation land. I do not know why it was  
289 there.

290 **Cindy:** Fish and Game allows baiting. We had one request for bear baiting, I am not sure what  
291 resulted with the request, I thought it went to Town Council. Construction of wooden blinds,  
292 permanent structures, and game cameras. Hunting is fine, but I think we have authorization for  
293 the baiting. Nothing permanent should be allowed and I believe that is in the easements. Even  
294 the game camera bothers me. The blinds can be tagged maybe, set up and put down the same  
295 day. There were no requests recently. I think we need a written policy for the Town regarding  
296 baiting, blinds, maybe game cameras. A formal policy.

297 **John:** Are we required to allow hunting?

298 **Cindy:** Not required but we allow it. We could forbid it on Conservation properties, but not land  
299 held in easement.

300 **Al:** What is this structure? A bob house?

301 **Bob:** There is a foundation and dome tent. The other structure is all metal. There was a  
302 propane tank under it.

303 **Al:** It looks like a bob house, it should be removed.

304 **Cindy:** We've had this come up before. I think DPW removed it last time. We should have the  
305 identification too. If you want a tree stand for a day that's fine.

306 **Bob:** There was a guy that had just come off the trail as well with a motorized vehicle.

307 **Cindy:** That is not allowed, no motorized vehicles.

308 **Bob:** When we went by the beaver dam, another vehicle was going by too.

309 **Cindy:** It is hard to regulate. We don't have enforcement.

310 **Bob:** Can I tell the person?

311 **Cindy:** If you feel comfortable, don't put yourself in danger. Steve Couture offered to draft a  
312 policy for us.

313 **Sheena:** We are updating a lot of rules, procedures, and documents in Town right now. This  
314 would be a good opportunity to review. Al, you just went to the NHACC meeting as well. It  
315 could go on the future budget as well.

316 **Al:** Steve should draft something if he is volunteering. If there is still a structure, PD or DPW  
317 needs to be contacted. Also we need a representative from the hunting community if we are  
318 looking to move forward a policy.

319 **Cindy:** It is up to us though. We should have a conversation with Council.

320 **Sheena:** Without a policy in place, do we need to contact the person who put these structures  
321 up?

322 **Cindy:** As a courtesy we should.

323 **Sheena:** If there's a game camera we can get a serial number off it too. Pop-ups are expensive.

324 **Bob:** There was a conservation medallion right nearby.

325 **Cindy:** We have to be careful and make sure it is our property.

326 **Bob:** I will look into that.

327 **John:** The roundabout, the one where they are thinking of putting in parking places? I think all  
328 of that land is conservation land.

329 **Cindy:** We should doublecheck though.

330 **Bob:** There should be maps, GPS.

331 **Cindy:** The survey has not been recorded yet. We are going to have it filed soon without the  
332 resolution. There was a dispute with the school.

333 **Al:** I can go out there too to get the GPS location. We can look at the medallions too. Bob and I  
334 will go out there.

335

336 ***Motion to have Steve Couture/Bear-Paw draft a policy made by Deb Miville, seconded by***  
337 ***Sheena Gilbert. Motion passed.***

338

339 **X. Additional business brought up by the Conservation Commission**

340 *Al provided an overview of an email received by Alex Vogt discussing a bicycle lane on the I-93*  
341 *bridge.*

342 **Phil:** I'd be against a bicycle lane there, it would cause accidents and hazards.

343 **Cindy:** The contact information is in our materials to reach out. We don't have input.

344

345 **XI. Non-Public Session** NH RSA 91-A:3, II (d) Consideration of the acquisition, sale or lease  
346 of a real or personal property which, if discussed in public, would likely benefit a party  
347 or parties who interests are adverse to those of the general community.

348

349 ***Motion to adjourn at 6:03pm made by Sheena Gilbert, seconded by Bob Better. Motion***  
350 ***passed.***

351

352 Minutes respectfully submitted by Bridgette Grotheer, Community Development.