

**HOOKSETT CONSERVATION COMMISSION**

**Monday, January 8, 2024**

**4:30pm**

**Hooksett Municipal Building**

**35 Main Street**

**Town Council Chambers**

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

- II. Attendance/Introductions: Cindy Robertson – Chair, Philip Fitanides – Member, Deborah Miville – Member, Alan Stein – Member, John Pieroni – Alternate, Alex Walczyk – Town Council Representative (arrived 4:42pm)**  
**Excused: JoCarol Woodburn – Vice Chair, Sheena Gilbert – Planning Board Representative, Robert Better – Alternate**

**Cindy:** Al is approved by Council to be a full member but waiting to get sworn in by the Town Clerk. He is our fourth member tonight.

**III. Pledge of Allegiance**

**IV. Public Input (None)**

**V. Consent Agenda**

- i. NHDES, Land Resources Management File Number 2022-01488, 58 Hackett Hill Road

***Motion to approve the consent agenda made by Phil Fitanides, seconded by Deb Miville.***

***Motion passed.***

**Cindy:** Phil, this is an example of DES communication with property owner regarding a violation.

**VI. Meeting Minutes Approvals – 12/11/2023**

***Motion to approve the December 11, 2023, minutes made by Phil Fitanides, seconded by Deb Miville. Motion passed.***

**VII. Invoices (None)**

**VIII. Appointments (None)**

**IX. Other Business**

- i. Riverwalk Phase IV Updates
- Grand Opening/Celebration (Continued Discussion)

**Cindy:** I did reach out to Kendall Fioravante from DES, and Naomi Brattlof from SPNHF, about golf carts for the grand opening for those who cannot walk the length of the trail. Since we are

45 not allowed to have motorized vehicles. I did get their response, Kendall said SPNHF  
46 appreciates the advance coordination, and *“provided that this is a one-time use of the trails for*  
47 *the golf cart(s) and no trail modification is needed to accommodate them, this sounds like a*  
48 *reasonable mobility accommodation that ARM supports.”* ARM is where the grant money came  
49 from. Naomi said that she plans to attend, and that *“The easement actually allows the town a*  
50 *reserved right to utilize wheeled vehicles for public health and safety. I would interpret equity of*  
51 *access, particularly at a grand opening, within that category. Further, the easement only*  
52 *actually prohibits the public use of motorized vehicles on the trail. So as the landowner, the*  
53 *town is welcome to use motorized vehicles when deemed necessary or appropriate for property*  
54 *management or emergency or safety access, without prior permission. I would add that the*  
55 *messaging around why you have a golf cart or other motorized vehicle present at the grand*  
56 *opening is important to eliminate confusion with the public.”* We are all set with permission.  
57 John, are you taking the lead to secure that?

58 **John:** Yes. There is a 4, 6, or 8 passenger. The 8 passenger has a wheelchair ramp, but the small  
59 size might be better for maneuvering. \$135, \$235, \$340, respectively. I believe pricing is for the  
60 full event. This is discounted.

61 **Cindy:** Bridgette, please send Jim Sullivan an email to ask if he plans to attend and that we’d  
62 love to have him there, and if he would be able or interested in the golf cart use.

63 **Phil:** I thought there was a golf cart place in Hooksett.

64 **John:** Yes, this one is, off of Cross Road.

65 **Deb:** Are we planning on using this to repeatedly go back and forth, or only one trip?

66 **John:** I believe numerous trips.

67 **Deb:** I don’t know if there is need for the bigger one then.

68 **Cindy:** We were looking at wheelchair accessible though for if Jim Sullivan is interested, or if he  
69 can transfer, I don’t know.

70 **Phil:** What is the insurance for these? We should find out what liability.

71 **Cindy:** It is probably similar for when they rented golf carts for the Vietnam Memorial since  
72 people couldn’t walk up the hill. We can figure that out.

73

74 ii. Trail Maps/Kiosks (Continued Discussion)

75 **Cindy:** Nothing to add for now. Related to this, for the Master Plan update that the Planning  
76 Board is trying to finish by February/March, there is an outdated map that shows Phase IV as a  
77 future portion. We sent that to Dan at Stantec to update. There is also a map of all properties  
78 but Head’s Pond was not there.

79 *Clarification that there is a separate map within the Master Plan that shows Head’s Pond*  
80 *Conservation Areas.*

81

82 iii. Bear-Paw Monitoring Reports for Clay Pond Conservation Area, Pinnacle, and  
83 Quimby Mountain

84 **Cindy:** These are in our packets just to see what they show, we can look at what shows up time  
85 again, like the shooting range so that we can try to address.

86

87 iv. Hunting Policy for Conservation Properties

88 • Follow-up report on Head's Pond

89 **Cindy:** There was a bear baiting request a while back. Fish & Game allows baiting with the  
90 permission of the property owner. The Clay Pond area bumps up Bear-Paw and MWW  
91 property. MWW allows more activities on their property than the Town or Bear-Paw. When Al  
92 and Bob went back to Head's Pond and they saw hunting blinds, game cameras, baiting, we  
93 started talking about having a policy. Some of it was not on our property. Steve Couture, our  
94 Bear-Paw liaison/consultant, offered to draft. But then he mentioned there should be a town  
95 ordinance to make it enforceable. I brought that up to Alex.

96 **Alex:** If the ordinance was put together and brought up to Council, then there would be a public  
97 hearing. It would be a minimum of two meetings, possibly three if there are changes. First  
98 brought to Council, they review, then the public hearing is scheduled. After public hearing, they  
99 can motion to take effect. You can schedule when if not immediately to take effect. Public  
100 hearing is necessary, regardless.

101 **Cindy:** I think it is a good question if we need an ordinance. Similar to dogs off leashes; the  
102 easement prohibits it, and we have the ordinance to prohibit dogs off leash. Hunting is  
103 absolutely allowed. Baiting is allowed with permission. HCC is the giver of that permission, I  
104 believe it should come to us, or it could be Council. Al when you went back was it still there?

105 **Al:** When Bob and I went back, the first shelter was still there but everything else was gone. I  
106 would think people would know that they need permission.

107 **Cindy:** The question is who has the authority to enforce taking it down; DPW?

108 **Phil:** Why can't Bear-Paw enforce it?

109 **Cindy:** They just monitor and report what they see.

110 **Phil:** If we have a conservation ordinance then we could add to it. Drafting a new one is a lot.

111 **Cindy:** Not specifically for this. Maybe we collect data about how many baiting requests, how  
112 many structures we see, etc. We monitor, but it's only 1-2 times per year, some trails are more  
113 often utilized. Maybe we take some time and see how big of an issue it is. I'd like to think on it  
114 and have JoCarol weigh in on it.

115 **John:** Can't we allow baiting as long as they are following Fish & Game policy, do we need an  
116 ordinance?

117 **Cindy:** We can have that policy, but how do we enforce it without an ordinance.

118 **John:** I think either allow it according to DES/Fish & Game policy, or we don't allow it.

119 **Cindy:** To limit baiting, we just wouldn't sign off and deny permission, but is that what we want  
120 to do. The thing is that there are separate issues, that would take care of the baiting, but then  
121 structures are a separate issue, cameras are another. Do we see it frequently enough where we  
122 want to do something.

123 **Phil:** If we create an ordinance it should be very simple.

124 **Cindy:** There's a lot of different ways to move forward.

125 **Alex:** Are we solving a problem or just creating an ordinance though. What it is going to be  
126 around, that will depend on who is going to enforce it. For permanent structures, what the  
127 definition of that is. Tree stand/blinds, I would be shocked if there was a name on it though,  
128 they don't want to get caught. Keeping it simple; if we specify baiting and structures, etc., it  
129 might get too complicated for the desired goal. It's worth discussing, more data, what we're  
130 trying to manage.

131 **Cindy:** We could post notices, and refer to the easement regarding what it says for structures.

132 **Al:** NHACC might have recommendations too.

133 **Cindy:** Yes, I will pose the question on their list-serve.

134 **Al:** Game camera and baiting I think is fine, but for structures, you need permission.

135 **Alex:** Maybe just structures, define structures, get permission.

136 **Cindy:** I do want to know the consensus of granting approval for baiting. I don't know how often that comes up.

138 **Alex:** But, we (HCC) only meet once a month. I would hate to make someone wait once a month for our sign-off.

140 **Cindy:** If we knew that stance though then someone could sign off on HCC's behalf.

141 **Phil:** There are three ordinance books that Hooksett has, Town Ordinances, Other Ordinances, Development Regulations. Maybe someone could research what is existing that discusses conservation.

144 **Cindy:** They're all online to look at. We don't know if we want to cross that hurdle yet.

145 **Al:** There were two structures. I don't think we need an ordinance though it is illegal to put a structure on someone else's property. We would have to contact the Police or DPW to get it removed, I don't know.

148 **Phil:** All Bear-Paw has to do is report back what they find.

149 **Cindy:** They do, it is once or twice a year, not all the time. It is just a discussion to give it more thought though.

151

152 v. 2024 Proposed Priorities

153 **Cindy:** I made this document, since we're finishing the Riverwalk Trail. These are not in any order or priority. We've talked about Quimby Mountain. Some items have associated costs. Just to throw these out here, anything to add. Just as potential "what's next" items. Bear-Paw will be here next month to talk about the last two items under University Heights (forest management and ATV/OHRV issues), and easement placement at M 14 L 34. It is a property we asked the Town to set aside.

159 **Al:** We also talked about signs for the trailheads being updated, possibly a QR code to link to the website.

161 **Cindy:** We did jump over that as an agenda item since JoCarol isn't here, but yes. These are just to think over and determine what to prioritize first as our group.

163

#### 164 **X. Additional business brought up by the Conservation Commission**

165 **Al:** I took a look at a couple of the properties after the big rainstorm after Christmas, there were some trees that came down at Head's Pond, some people helped me move them. There are some sections flooded, small areas. 5 inches in one day is uncommon though. The bench at the end of Head's Pond was underwater and there's no seat left. It should be relocated and we need a new seat bench.

170 **Cindy:** In the past Eagle Scouts have helped with that.

171 **Al:** I can ask to see if they could help. I then went to the Riverwalk Trail. The work they did to help with the washout worked very well. There was one area that had some washout, but otherwise good. The new trail, portion completely underwater, where you go left into a field. I have pictures. New section in good shape. Where it meets with Allenstown, there are some improvements, some areas underwater.

175

176 **Cindy:** I'll send the pictures to Stantec. They're still working on the agricultural bridge, that's  
177 what got delayed, the water is always high there though. It will be interesting because  
178 Wednesday we are supposed to have more rain and wind. Good to hear Phase IV section is  
179 good though. Last, just a heads up that February will be a longer meeting.

180

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

184

185

186 ***Motion to adjourn at 5:14pm made by Phil Fitanides, seconded by Alex Walczyk. Motion***  
187 ***passed.***

188

189

190 Minutes respectfully submitted by Bridgette Grotheer, Community Development.