

HOLLIS CONSERVATION COMMISSION

Minutes of Meeting

October 17, 2018

Approved November 7, 2018

Members Present: Tom Dufresne, Thomas Davies, Cathy Hoffman, LeeAnn Wolff, Jonathan Bruneau,
Mark Post
Alternate Members: Joe Connelly, Laura Bianco
BOS Liaison: Peter Band
Staff: Connie Cain
Guests: Priscilla Hamilton, Federal Hill Rd; Sherry Wyskiel, Trails Committee Co-Chair

T. Dufresne called the meeting to order at 7:02 pm.

HENRY HILDRETH CONSERVATION AREA TRAILS

Priscilla Hamilton, a Federal Hill Road resident, wished to speak to the HCC in regards to snowmobile use on the trail that runs through the Henry Hildreth Conservation Area near her home. She stated that, despite many communications with the Trail Committee and the Nor'easters Snowmobile Club (Nor'easters), along with others, none of the items promised by those organizations to address her safety concerns have been put into place, and the continued trail use by snowmobilers is still an issue in the winter months. She is hoping that by coming to the HCC prior to the season, her continuing safety concerns are addressed.

P. Hamilton stated that she is committed to the preservation of open space, and that she has previously worked to preserve not only this property, but also Monson Village and the Hayden Millpond. She gave a brief history on the property and her interactions with the original owners, Henry H. & Hilda C. Hildreth. After Mr. Hildreth's death, she stated that the family was under tremendous pressure to sell the land to developers, but residents in the area formed what became the Hollis Greenway Conservancy, and were able to raise approximately \$60,000 towards the purchase of the property as a conservation area. These funds, along with support from the HCC, the Town and Beaver Brook Association, were used to purchase the property and turn it into the Henry Hildreth Conservation Area. The property contains Horseshoe Pond, Witches Brook, historical sites such as cellar holes and other evidence of past human habitation, and tall pine trees planted by Mr. Hildreth.

P. Hamilton felt that snowmobile use was not appropriate for this section of the trail as it is winding and, in some spots, the sight distance makes it nearly impossible to see other trail users. She has witnessed snowmobile operators driving on the trail at approximately 45 mph on the trail. Based on her research, other communities have been able to designate trails for pedestrian use only, and she would like the HCC to consider recommending that this trail section be designated as pedestrian use only. She further stated that snowmobile operators have been on the trail when conditions are not suitable for the use, due to lack of snow cover or the weather being too warm. In her opinion, this leads to rutting and other conditions which can prevent other winter uses and can cause year round damage.

While P. Hamilton was unsure of the exact time that the Nor'easters began using the trail, it was before the winter of 2013-2014, as she had a near accident with a snowmobile operator on the trail at that time. (Staff note – see minutes of January 8, 2014. CC) She had expressed safety concerns at that time to the HCC, the Trails Committee, and the Nor'easters, with both the Trails Committee and the Nor'easters promising to erect signage restricting the speed on that section of the trail, but she has not seen any evidence that this was done. Last winter, she visited the trailhead parking area at Silver Lake State Park, and found that most of the vehicles parked there were from out of State. Currently the Nor'easters list 521 members, but that number increases in snowier years. She recognizes that the Nor'easters do a lot of work for community, and hold rides to raise funds to assist those in need, but other Hollis groups do the same and don't take over the trails or other parts of Town. She also felt that some of the snowmobile operators lacked respect for the other trail users and the community in general.

S. Wyskiel stated that signs have been put in place annually since this first came up. The signs are placed just prior to the season, and are taken down at the end of the season for use the next season. P. Hamilton reiterated that she has not seen them on the trail; T. Dufresne agreed and noted that he has not seen them either. S. Wyskiel stated they are usually only put at the main entrance and exits, but may include other areas. She will ask that additional signs be placed this year.

T. Davies, while recusing himself from any official vote that may be taken as he was a contributor to the Hollis Greenway Conservancy, stated that he donated funds towards the land purchase to protect the property and the older

growth pine trees planted by Mr. Hildreth. The land and trees were saved due to the Conservancy's efforts, and no consideration was given to snowmobile use on the property because it was not a "thing" at the time. Snowmobile use is allowed on all HCC properties, but he felt that the HCC needs to restrict the trail to pedestrian use only for public safety and conservation preservation. He does not wish to ban snowmobiles from all property, but the HCC has an obligation to protect and preserve the property under its care, and feels that a snowmobile restriction on this trail section is appropriate.

P. Band stated that the snowmobile operators have the privilege to use the trail, but the HCC cannot change those privileges, only the Board of Selectmen can. He felt that any operator disobeying the law should be penalized for it, much the same as you would receive if you cannot operate your motor vehicle in accordance with the law. P. Hamilton stated that the trail is very narrow and winding, and when she was involved in her near-miss accident, the snowmobile operator could not see her until he was almost on top of her due to speed and the topographical features of the trail. To date, she has not seen any law enforcement on the trail. T. Dufresne clarified P. Band's statement as NH State Fish & Game Dept. is the enforcing agency for trails in New Hampshire. One of their officers lives in Town and T. Dufresne felt that he could approach him regarding enforcement. Discussion continued along the same issues as previously mentioned.

S. Wyskiel noted that the Trails Committee, Nor'easters and enforcement agencies cannot always catch the snowmobile operators who choose to ignore the laws. This has been, and always will be an issue. There are just some people who don't think the rules apply to them. She disagrees with P. Hamilton's statement that snowmobile operators are driving their snowmobiles in excess of 45 mph on that trail section, there is no way that they can go that fast. She also noted that she herself has closed the trails when conditions are not acceptable; she walks the trails every day year-round and is very sensitive to this section of the trail. Signs have been posted every year, but she cannot say that everyone reads the signs. P. Hamilton asked if 4-wheeled motorized vehicles are prohibited from trails year-round; S. Wyskiel stated that except for Trail maintenance vehicles, yes, but they cannot control everyone using the trails.

T. Dufresne motioned that the HCC will purchase 10 mph speed limit signs to be installed on the section of the trail under discussion. These signs will remain onsite year round. If the sign placement does not work, and safety and speeding issues continue, then the HCC will recommend that the trail section be closed to snowmobiles.

J. Connelly felt that closing the trail should be Step 2, and that it should be considered if the sign placement, as Step 1, did not address the issues. J. Bruneau asked if there was an alternate trail route that could be utilized or if Federal Hill Road itself could be used to bypass that section of the trail; S. Wyskiel stated that it is a through-route and there is not another alternate.

J. Connelly asked if the Nor'easters were in the area at the time of the property purchase; no.

T. Davies noted that there used to be boulders at the trail entrance to the Conservation Area which have since been removed.

L. Bianco felt that, based on the information provided, the property had been originally intended to be conservation area, not a trail for snowmobile use. The original contributors to the Conservancy were not snowmobile users, and she felt that the original reason for the purchase of the property should indicate a credible intent of use. As it is Town-owned property, would it be possible for the residents to request, via a petition warrant article, that discontinuing the snowmobile use on the trail be voted on at 2019 Town Meeting? Discussion commenced over requirements for such an article, P. Band recommended that L. Bianco contact Chrissy Hererra at Town Hall for particulars and deadlines.

L. Wolff felt that the motion made was a reasonable proposal to try to resolve the issues.

T. Dufresne revised his previous motion to read that the HCC will purchase 10 mph speed limit signs to be installed on the section of the trail under discussion, which is thought to be from Federal Hill Rd to the tall stone wall. These signs will remain onsite year round. The HCC will also monitor the trail section over the 2018-2019 Winter season to determine if any further action is needed; seconded by M. Post. All those in favor, none opposed, T. Davies abstaining. The motion carried 7-0-1, and was passed.

S. Wyskiel stated that the Trails Committee can purchase the signs instead of the HCC, she will order and place the signs. T. Dufresne asked her to inform the HCC when the signs are installed, so that the HCC can view and note locations. L. Wolff asked P. Hamilton to would create a list of actionable items, and when complete, submit to the HCC.

(S. Wyskiel and P. Hamilton left the meeting at 7:55 pm.)

120
121 **BOARD & COMMITTEE UPDATES**
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123 *Board of Selectmen – Peter Band*

124 No updates regarding HCC items. M. Post stated that he was thankful that the BOS had accepted the recommendation
125 made by the AG-HCC Workgroup on the 2-year Stefanowicz Farm Agricultural Lease. He asked P. Band to confirm that
126 the Recreation Commission had stated they will not be bringing a field recommendation for Stefanowicz Farm for
127 2019 Town Warrant; P. Band confirmed the statement. M. Post asked if this meant that the BOS will make recommend
128 uses for the property for the next 2 years; P. Band replied hopefully not.
129

130 *Planning Board – Cathy Hoffman*

131 C. Hoffman stated that the Planning Board had met on October 16, 2018, and that due to the amount of items and
132 length of the meeting, she was only going to discuss the items that may have some interest or concern to the HCC.

- 133 1.) Conceptual Plan, proposed Senior Housing, 30 units. Prieto & Seely, Silver Lake Rd, Flea Market sites, 046-
134 006 and other properties. C. Hoffman noted that there were some issues with the conceptual plan, including
135 that the site is split by Silver Lake Road. The major item of concern to the HCC is the proximity to Witches
136 Brook. T. Dufresne noted that the brook is one of the major locations for brook trout in the State, and is
137 environmentally sensitive for that reason.
138 2.) Site Plan for Ground Mount Solar System, Kellner Family Revocable Trust, 161 Hayden Rd, MBLU 035-001.
139 This was approved for a stationary system utilizing panels.
140 3.) Site Plan for Ground Mount Solar System. Summerside Farm LLC, 12+12A Bell Ln, MBLU 009-002.
141 The application is for a ground mounted system, approximately 600 feet from Dow Road. Dow Road residents
142 and other abutters have expressed concerns with visibility of the system, and feel that better screening is
143 needed.
144 4.) The draft of the Master Plan section for “Housing and Population” was reviewed. NRPC has been working with
145 the Planning Board to complete the update.

146 Along with these items, 5 site walks were arranged for Saturday, November 10, 2018, with the first being the Solar
147 System for Summerside Farm. C. Cain will speak with the Planning Office and get a list of locations and times for those
148 members interested.
149

150 *Treasurer’s Report – Thomas Davies*

151 As of September 30, 2018, the HCC account balance was \$526,850.4-, with the last digit cut off on the report.
152 Accounting for the \$10,000 stewardship reserve, this leaves \$516,850.4- available as cash.
153

154 **NEW & CONTINUING BUSINESS**
155

156 *Land Use Change Tax Split – Tom Dufresne*

157 As discussed at the October 3, 2018 meeting, T. Dufresne requested that the Board of Selectmen consider increasing
158 the Land Use Change Tax split between the HCC and the Town from 50% to 75%. The Selectmen agree, and requested
159 that the HCC draft a warrant article for 2019, and submit. Any change to the LUCT distribution must be by majority
160 vote at Town Meeting.
161

162 *HCC Expenditures – Tom Dufresne*

163 T. Dufresne received the annual membership dues invoice from the NH Association of Conservation Commissions in
164 the amount of \$500.00 for 2019.
165

166 *L. Wolff motioned to expend \$500.00 for the dues as invoiced; seconded by T. Dufresne. All members in favor,*
167 *none opposed, and the motion carried 8-0-0.*
168

169 T. Dufresne has received the invoice from Chris Kane, Conservation Biologist, for the annual property monitoring in
170 the amount of \$1400.00. The properties required to have annual monitoring are the HBHS Conservation Easement,
171 the Gardner property, the Glover Lot, and the Rideout properties.
172

173 *T. Dufresne motioned to expend \$1400.00 for the fees as invoiced; seconded by L. Wolff. All members in favor,*
174 *none opposed, and the motion carried 8-0-0.*
175

176 C. Cain will pass both items on to the Finance Office for payment.

177 **NON-PUBLIC SESSION**
 178 *T. Dufresne motioned to enter into Non-Public session to discuss potential land acquisition under RSA 91-A:3, II*
 179 *(c); seconded by M. Post. T. Dufresne polled the members, all those present voted to enter into Non-Public session*
 180 *by a vote of 8-0-0. The HCC entered into Non-Public Session at 8:19 pm.*
 181
 182 **RETURN TO PUBLIC SESSION**
 183 *T. Dufresne motioned to conclude the Non-Public session and to keep the minutes sealed until voted by the HCC*
 184 *to release, seconded by L. Wolff. T. Dufresne polled the members, all members voted to conclude the Non-Public*
 185 *session and keep the minutes sealed by a vote of 8-0-0. The HCC concluded Non-Public Session at approximately*
 186 *8:25 pm.*
 187
 188 **NEW & CONTINUING BUSINESS – continued**
 189
 190 M. Post informed members that among one of the bidders on the Stefanowicz Farm 2-year agricultural lease was Adam
 191 & Kelly Colby, the owners of an abutting property, and they had submitted a bid to manage 20 of the 90 acres abutting
 192 their property. As the bid was for a non-agricultural use, the Workgroup did not consider it to be an agricultural bid,
 193 but felt it was a very interesting proposal. M. Post asked if it would be possible to have the Colby's attend the next HCC
 194 meeting to discuss the proposal. T. Dufresne agreed, and tentatively scheduled for the December 5th meeting,
 195 dependent on other items upcoming. This will be confirmed or rescheduled at the November 7, 2018 meeting.
 196
 197 **HOLIDAY SCHEDULE**
 198 *T. Dufresne motioned that the November 21, 2018 meeting be cancelled, as the date is the Wednesday before*
 199 *Thanksgiving; seconded by L. Wolff. All members in favor, none opposed, and the motion carried 8-0-0. C. Cain*
 200 *will inform Town Hall staff.*
 201
 202 **MINUTES**
 203 *T. Dufresne motioned to accept the public minutes of the October 3, 2018 meeting as written; seconded by M.*
 204 *Post. All members in favor, none opposed, and the minutes were approved by a vote of 8-0-0.*
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 206 *T. Dufresne motioned to accept the non-public minutes of the October 3, 2018 meeting as revised; seconded by J.*
 207 *Connelly. All members in favor, none opposed, and the minutes were approved by a vote of 8-0-0.*
 208
 209 **ADJOURNMENT**
 210 T. Davies made a motion to adjourn the meeting; seconded by T. Dufresne. All members in favor, none opposed, and
 211 the meeting was adjourned at 8:40 pm.
 212
 213 Respectfully submitted,
 214
 215 Connie Cain
 216 Staff