

**RYE CONSERVATION COMMISSION
MEETING**

**Thursday, May 14, 2020
5:00 – 6:00 p.m. – Rye Town Hall**

Members Present: Chair Suzanne McFarland, Vice-Chair Sally King, Mike Garvan, Jeff Gardner, Jaci Grote, Heather Reed, Susan Shepcaro, Danna Truslow and Karen Oliver

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair McFarland called the meeting to order via Zoom teleconferencing at 5:00 p.m. and led the Pledge of Allegiance.

Statement by Chair McFarland:

As chair of the Conservation Commission, I find that due the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

Utilizing Zoom for this electronic meeting. All members of the Commission have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting by dialing the following phone number: 646-558-8656 with meeting ID: 850-2783-9587 Password: 029467 or participate via Zoom.

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Commission at town.rye.nh.us on the Conservation Commission page and click on agenda for this meeting. If anyone has a problem, please call Kate at 603-964-5523 or email: kdrago@town.rye.nh.us

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Attendance by Roll Call:

- Sally King
- Mike Garvan
- Jaci Grote
- Jeff Gardner
- Susan Shepcaro
- Karen Oliver
- Danna Truslow
- Heather Reed
- Suzanne McFarland

(All members noted that there was no one else present in the room with them for the meeting.)

At 5:06 p.m., Chair McFarland opened the public hearing.

Chair McFarland stated there are people who live in town who were the originators of this piece of land. Mel Low has written on their behalf as one of the people who created this space.

To all interested parties:

As president of Parsons Park Corporation for three years, I want people to know that the goal of our corporation was to conserve the land now known as the Town Forest as open space to be enjoyed by all. The only restriction the founding fathers placed on the deed was that no permanent structure be erected on the property. Our expectation was the Town would be a good steward of the land. To ensure our wishes were respected, we placed the land in conservation to be managed by the Rye Conservation Commission. The Town Forest is a treasure that has been well managed in accordance with our original intent for the property. I was later involved in the engagement of Rockingham County Conservation District to act as the easement holder on the property to add additional protection to the Town Forest.

Mel Low

On behalf of the residents who are still here who started it.

Chair McFarland introduced Charlie Moreno who is a licensed professional forester and principal of Moreno Forest Associates, which has been in business since 1990. Mr. Moreno was hired by RCC to update the Forest Management Plan.

Charlie Moreno, Moreno Forest Associates, presented the updated Forest Management Plan to the group. A copy of the plan is available at the Rye Town Hall. The Town Forest is just over 200-acres and is less than a mile from the Atlantic Ocean. The highest elevation on the property is around 36ft, which has a big effect on the vegetation and growth of the trees. The property includes about 45-acres of the Awcomin' Marsh, one of the largest saltmarshes on the seacoast. Another unique feature about the Town Forest is that it is located in the center of town. This provides great public access and is part of the reason it is so popular with the community. The land itself has a long history, as one of the earliest settled land in New Hampshire. There is an intricate network of stonewalls along the property, which is unique along the seacoast.

Mr. Moreno noted that he has a long history of management with the property. He graduated from the University of New Hampshire in 1980 and began working as a consulting forester. Working with the Town of Rye was one of his earliest projects. In 2001, a conservation easement was granted to the Rockingham County Conservation District. The easement locked any future development out of 176-acres of the Town Forest. The conservation easement required a Forest Management Plan. In 2003, the Conservation Commission reached out to Mr. Moreno and he wrote the first detailed management plan. In 2010, there was a storm that blew down a number of trees in the Forest, especially near the recreation fields. Moreno Forest Associates was asked to salvage the trees and thin out the forest, which resulted in the gravel parking area at the recreation field. At that time, RCCD embarked on very extensive invasive control work around the entrance area to the Forest. The present Forest Management Plan was completed in the fall of 2019. The management plan involved working with the Conservation Commission and began with a walk through the forest to see how things have evolved over the past thirty years. In 1991, Rye was a smaller community and there was hardly any use of the Forest. The use of the Forest has increased tremendously. The trail network has also expanded quite a bit. There are now four miles of trails and woods roads in the Forest, which is substantial on approximately 120-acres of upland forest.

Mr. Moreno stated that some of the major things that were addressed in the plan were improvements to the trail network, invasive control, and wildlife and forest management. Seven maps are included in the front pages of the document;

- 1) Location map;
- 2) Forest map;
- 3) A map of the Forest's physical and natural features;
- 4) Map of recommendations for the property;
- 5) Map of recommendations for the trails;
- 6) Updated trail map; and
- 7) Soils map.

The plan also includes objectives of management, which were created through discussions with the Rye Conservation Commission;

- Managing the trail network;
- Managing or minimizing exotic invasive plants;
- Managing for forest health, resiliency and bio-diversity;
- Managing wildlife habitat;
- Preserving scenic values; and
- Infrastructure upkeep for trails, roads, gates, culverts and property lines.

There is a detailed list scheduling of all the summary recommendations of the plan. The earlier recommendations deal with trail work and invasive control. As it moves along, it involves forestry work which incorporates wildlife management work.

Mr. Moreno noted there is a section that addresses the management of the recreational trails in the Forest. There are four miles of trails and a lot of them are very heavily used. This section is broken down into a few components. One section addresses ways to improve user experience, such as mapping to improve the trail coding and designating names for the trails. This section also addresses ways to improve signage. There are five access points to the Forest that are used. However, there is a sixth access point which could be improved to help people get access from Washington Road. The plan covers ways in which all access points can be improved. The next big part of the trails section is minimizing impacts to

the Forest. There is a lot of flat topography in the Forest. Erosion is not really an issue, but there are a lot of areas where water pools and creates muddy areas or surface stream flow. There is an impact to these areas with people walking and riding bikes through those trails. The use of bog bridges is a way to address these types of impacts. There are other methods that are also talked about in the plan. An important aspect in trying to minimize impacts is to reroute some of the trails around the wet spots and sensitive areas and put them into upland areas that are less impactful. The trail management section also talks about managing trail conflicts. Because of some of the issues that have happened in the past, the Conservation Commission has already started rerouting some of the trails away from property lines, as some abutting property owners have been impacted. Fencing is another area that has been addressed in this section.

Mr. Moreno continued that the second major area the plan addresses is invasive plants. There is a detailed map in the front section that shows the degree of invasiveness throughout the property. A quarter of the Forest's uplands are severely invaded and that is a huge issue. Anything that can be done to not allow that to happen is critical because invasives can sweep through the whole forest. About thirteen percent of the Town Forest is invasive free. Some of the work from the Natural Resources Section was incorporated from the 2003 plan, such as the soils section. This section covers water resources, saltmarsh and freshwater wetlands in the Forest. The plan also has a section on wildlife habitat. There are four general types of habitat; forest, fresh water wetlands, saltmarsh, and field. Parsons Field is part of the Forest, which is about 4-acres. The field is heavily used and also has wildlife along the edges. The Forest Management Plan also details habitat management recommendations. The Forest section has quite a bit of information about the forest structure and age structure. Frequent wind storms have taken down a few trees in the Forest, which can really be seen along Awcomin' Marsh. The area is also prone to big hurricanes which can have a big effect on the Forest. These are all considered natural disturbances. A natural forest has what is known as complex structure, which takes into account the many generations of species and the wide bandwidth of tree ages. The philosophy of the plan is to work in tandem with nature and apply forestry in a way that promotes complex structure in the Forest and also tries to retain diversity in species.

Mr. Moreno introduced Matt Tarr who reviewed the plan and had some great input. Mr. Tarr is a wildlife biologist and is also a professor at U.N.H. He has recently earned his PH. D in wildlife and is a recognized expert in the field. (Mr. Tarr was participating in the public hearing in order to answer any questions.)

Tracy Degnan, Rockingham County Conservation District Project Manager, noted that RCCD has held the easement on the Town Forest since 2001. As part of the requirements for the easement, RCCD does an annual monitoring of the Town Forest which is reported back to the Rye Conservation Commission. The monitoring looks at potential encroachments from abutting properties and invasive plants. The conservation easement goes into detail about the development in the seacoast and tries to protect the current open space for the benefit of current and future residents of town. Another component of the easement talks about the need for a forestry management plan, which needs to be updated every ten years. Once the plan is completed, the Rye Conservation Commission has to certify that the plan meets the intent of the easement and is complying in terms from environmental regulations. The plan is then provided to RCCD and the board has to vote on the plan. She noted that the county forester has been given a copy of the plan and the easement for his review. The county forester has enthusiastically recommended Mr. Moreno's updated plan to the Conservation Commission. The plan was brought to the

RCCD Board and they voted to accept the Forest Management Plan. She commented it is a very thorough plan that can be used by the Town for many years.

Chair McFarland opened to the public for comments or questions.

Shawn Joyce, 270 Washington Road, asked Mr. Marino if he has been asked by other town's conservation commissions to use 500-yards of fencing, or any type of fencing, to control unleashed dogs. He noted that he has looked through some of Mr. Moreno's plans for other forests he has worked on with even more acreage. Those towns require dogs to be on leashes in the forest to make sure waste is picked up to protect watershed, as well as to protect wildlife and mitigate other issues. He noted there is no mention of the use of leashed zones in the plan. He asked if Mr. Moreno would recommend the use of leash zones over fencing. He also asked why there is no mention of the importance of wildlife conservation habitat protection to reserved areas in the 2019 plan.

Note: Mr. Moreno was not on the meeting for Mr. Joyce's questions due to an interruption in his connection. He rejoined the meeting at 5:46 p.m. Chair McFarland noted that the questions from Mr. Joyce can be addressed later in the meeting or answered after the meeting, as the meeting is being taped and all comments are being held on file for later review.

Steven Borne, 431 Wallis Road, stated the notice for the meeting wasn't posted until yesterday morning around 11:00 a.m. He suggested that a better job be done in communicating that information to the public. He stated that the action plan in the management plan is excellent. He would love to see the person who did that give the master plan people some lessons in how to do that. The maps in the plan are excellent. The Town still has the old maps on the Town's website. He suggested taking the trail maps out of this document and posting them on the Town's website. He would like to see a plan for cutting and harvesting the trees in the forestry section. Plan NH talked about a loop trail and there was no mention of that in the plan and how that can be done in the future. He noted that it is great there is a plan, but there needs to be discussions on how these projects can be funded in order to move them forward.

Chair McFarland noted that the meeting was noticed fifteen days ahead of time by the staff at Town Hall.

Keriann Roman, 33 Locke Road, Selectman, asked about the Wildlife Action Plan on page 41. She noted that this insinuates some sort of action should be taken. She asked if there is a wildlife action plan for this area. She also asked what the Tier I ranked habitat means.

Mr. Moreno explained the Wildlife Action Plan is a New Hampshire Action Plan that was created by a group of wildlife biologists from the State. The plan takes the entire State and makes tiers for the quality of wildlife habitat throughout the State; for example, Awcomin' Marsh has a Tier I habitat.

Scott Marion, 71 Washington Road, thanked the Conservation Commission for the work and he appreciates the quality of this plan. He hears the concerns about dogs; however, he is in the forest every day and does not buy it. He thinks that temporary fences need to be put up because certain abutters are baiting dogs. The temporary leash zones have worked well. He reiterated that he is in the forest every single day and does not see the issues with dogs that people are talking about. He summarized that he thinks this is a great plan and looks forward to seeing it implemented.

Susan Ross, 333 West Road, stated that she walks the Town Forest every day and follows the leash laws carefully. She noted that in the Town of Wolfeboro the townspeople get together twice a year and attack the invasive species. It becomes a great educational opportunity because people learn how to recognize and deal with invasive species at their own properties throughout the town. This in turn will help the town forest with invasive species because the birds move the seeds.

Member Reed read some of the comments from participants posted in the chat room.

- 1) *"Other than fences, there is no mention of other methods of dog control which is our number one issue."*
- 2) *"Why is there no mention of leash zones?"*
- 3) *"What does it mean to blaze the boundaries?"*

Chair McFarland noted that RCC has another meeting waiting to start directly after this public hearing, so this meeting will need to end. She also noted that the meeting is being recorded and there is a file of the chat so the Commission will be able to go through all this information. She thanked everyone for participating in the meeting. The Commission is very excited about the updated Forest Management Plan. She also noted that an invasive plan has been submitted by RCCD, which is a three-phase plan. The Commission has voted to begin Phase I. There will be activity in the Town Forest with regard to invasives this year. She thanked Charlie Moreno, Tracy Degnan and Matt Tarr for taking the time to attend the public hearing. She is very impressed how many people have read the Town Forest Management Plan. It has been three years of a lot of hard work. The Rye Conservation Commission and RCCD feels it is a good plan. Chair McFarland noted that Sean Joyce's questions will be answered, as Charlie Moreno and RCC have the ability to go back through this video again to capture those questions.

The public hearing was closed at 6:02 p.m.

ADJOURNMENT

Motion by Suzanne McFarland to adjourn at 6:02 p.m. Seconded by Danna Truslow.

Roll Call: Danna Truslow – Aye; Karen Oliver – Aye; Susan Shepcaro – Aye; Jaci Grote – Aye; Mike Garvan – Aye; Jeff Gardner – Aye; Heather Reed – Aye; Sally King – Aye; Suzanne McFarland – Aye

Motion passed.

Respectfully Submitted,
Dyana F. Ledger

00:07:52 Steven Borne: FYI - you can stay muted, then press the space bar to speak

00:28:04 Julie Struble: can see video, but can't hear? Suggestions?

00:29:06 Karen Stewart: Julie, did you get a prompt to activate computer audio? Otherwise I'd start over.

00:29:45 Susan Ross: you may have better luck on a computer if you are on a phone

00:30:16 Julie Struble: no, I didn't on the audio - I'll try again. On chrome book, Susan.

00:30:28 Heather: Julie- are you all set now?

00:31:01 Julie Struble: afraid not. will leave and try entering one more time

00:31:03 Susan Ross: is the chrome book muted?

00:32:51 Susan Ross: In another town the townspeople get together for invasive mediation twice a year. A good outing

00:48:59 Susan Ross: I have a question

00:50:10 Susan Ross: for the commission not charlie

00:51:20 Susan Ross: I agree - great documents.

00:51:29 iPad: Other than fences there is no mention of methods of dog control which is our number one issue. why is there no mention of leash zones.

00:52:56 Shawn Joyce: The RCC shaped the plan so Charlie did not comment on them in the plan

00:54:30 Kate Drago: The actual notice was published in the Portsmouth Herald on 5/1. It's also under the legal notices section on the Town Website. That's also been posted since the beginning on May. It was just the agenda that was posted yesterday.

00:54:39 Scott Marion: Charlie should shut off his video--it will help his connection

00:54:57 Keri Roman: Thank you Kate!

00:54:57 j.maher: I second Shawn's comments regarding priority toward Wildlife management. Have noticed fewer species over the last 15 years as an abutter.

00:57:15 margarethanna: I agree with Scott - I am out there every day.

00:57:23 Julie Struble: support Scott's argument. I am in forest every day as well

00:57:43 Karen Stewart: Thanks Scott Marion. I need to agree — I'm an abutter who walks in the town forest every day. I typically have the forest to myself and have not witnessed any people or dogs being a problem. Thank you all — especially RCC for stewarding this incredible asset.

00:58:03 j.maher: what does it mean to blaze the boundaries?

00:59:00 margarethanna: I am also an abutter and walk through the trails 2-3 times a day. I have not encountered or seen any problems with dogs or people.

01:00:03 LocalUser's iPad: I walk forest twice a day, for last three years. Never had a issue with dogs. Charlie could you address if walking on roots is an issue..

01:01:22 iPad: there was no answer to Shawn Joyce's questions.

01:01:29 Brian: Support for dedicated trail with proper signage to facilitate young athletes from RJH to Rec.

01:01:59 Shawn Joyce: Yes, they do not want to address them.

01:02:25 Shawn Joyce: This was a sham

01:02:38 Susan Ross: not a malicious issue a time issue

01:03:07 Scott Marion: Thanks everyone! Nice work!