

Town of Pelham, NH
Pelham Conservation Commission
6 Village Green
Pelham, NH 03076-3723

MEETING OF 03/13/24

Members Present:

Karen Mackay, Al Steward,
Kelvin Webster, Jesse Vaughan (alt)
Ken Stanvick, David Abare

APPROVED 04/10/24

Members Absent:

Kara Kubit (alt), Mike Gendreau,
Paul Gagnon, Scott Bowden (alt)

Al Steward brought the meeting to order at 7:03. Mr. Steward led the Commission in the Pledge of Allegiance.

Mr. Steward explained this was our last meeting of the year. Each year the terms are over for members of approximately one-third of each board. New members come in or current members need to be reappointed. Our board has 7 members and 3 alternates for a total of 10 members. Mr. Steward described some goals he would like to pursue over the next year. He invited other Conservation members to add or expand on the list of goals he has written up. Mr. Steward would like to work on goals described in the 2022 Natural Resources Inventory, the 2023 Conservation Plan and 2024 Master Plan (conservation pages, 59-65). The Master Plan will be presented at a public hearing on March 18, 2024. He encouraged all residents to attend and give input or comments about the Plan.

Other goals mentioned by Mr. Steward, are to develop a set of by-laws for the Commission so our processes can be kept consistent over a long period of time. He would like to continue to search for open space. This has been one of the major accomplishments of the Commission. We will continue to look for opportunities to buy land or buy easements on open land. We currently have nearly 3,000 acres under easement or town conservation land. Mr. Steward would like to work toward 4,000 acres or 25 percent of the land in town to be under conservation.

He would like to have a booth at Old Home Day. There are approximately 15,000 people that attend this event and it gives the Commission the opportunity to educate the public about our mission and our lands. Last year we had volunteers at Old Home Day that ran a demonstration of watersheds and how they work. Mr. Steward would like to research more about possible prime wetlands in town. These wetlands are a special category with significant character. Wetlands in general are important resources that are critical in protecting water resources, wildlife and the general welfare of the town. We want to keep our resources open, productive and available to all residents.

Mr. Steward read a portion of RSA 36-A:2 (attachment A). This law defines what the Conservation Commission is and what it is responsible for and standards of operation. Each year the Commission must write a report for accomplishments for the past year. This report is printed in the town report. Mr. Stanvick wants us to focus on our major goal which is protecting natural resources and watershed resources. He feels we should not be concerned with how our decisions affect businesses in town. That is not our function. We are to be concerned about environmental issues. Other town entities may have to weigh business concerns.

DISCUSSION

Al Steward and Dena Hoffman will led a discussion about the upcoming Pond Conference to be held April, 6, 2024 from 8:30 a.m. to 12:00 p.m. at 6 Village Green
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Mr. Steward invited Dena to describe the conference. Ms. Hoffman is the town environmental compliance officer. She is primarily responsible for implementation of the MS4 (Municipal Separate Storm Sewer Systems) permit program. She has teamed up with Mr. Steward and 6 members (2 Little Island, 2 Long Pond, 2 Gumpas Pond) from three of the great ponds in Pelham to bring the Watershed Conference, Protect Our Ponds: Understanding Watersheds and Cyanobacteria to Pelham. This conference will help to satisfy part of the MS4 goals, by educating the public about ponds and the environment.

The purpose of the conference is to help connect interested parties to improve the environment. The attendees will interact and share resources and ideas. There will be 3 sessions at the conference. The first session will be with Nisa Marks from NH Department of Environmental Services (NHDES). This presentation will be about watersheds. Next will be an interactive session in which participants will be able to mingle around and meet members from NHDES, NH Lakes, Nashua Regional Planning Commission (NRPC), and meet residents from different ponds. The participants will be able to learn what groups in the state can help them and answer questions they may have about environmental issues in their neighborhoods or on their ponds. The third session will be a panel discussion with Nisa Marks of NHDES, Andrea LaMoreaux of NH Lakes, Dr. Jess Trout-Haney from Dartmouth College and maybe others.

Anyone from town or outside of town is welcome to attend. Sign up is required so they know how many people will attend. The event is free and open to all. Long Pond Water Committee will be sponsoring the food. There are not a lot of other costs to the conference. Much of the event will be run by volunteers. Ms. Hoffman is employed by the town and has spent between 10-20 hours working on this project. She can use this work (education of the public) toward satisfying requirement for MS4, which is an unfunded mandate from the federal government.

These ponds are not all open to the public. Mr. Stanvick wanted to know if public money is being spent on these ponds and trying to clean them up shouldn't there be public access and if there is not are we simply cleaning ponds to increase the value of the lakeside resident's properties. Ms. Hoffman disagreed. Her job is to work toward environmental compliance and MS4. Any work that furthers the cleaning of ponds is a positive for the overall environment. Mr. Steward said this idea started last year when the members from Long Pond came to get a recommendation for a permit from DES for an ultrasonic device to treat cyanobacteria in the

pond. We helped them get the permit from DES. This prompted Mr. Steward to reach out to Ms. Hoffman to see if they could spread the success from Long Pond to other ponds in town. This conference also helps the Commission to fulfill its mandate of working with other organizations with similar concerns and to help with environmental issues. The law governing the town Conservation Commission does not specify public lands and waters. Our focus is on all lands and waters of the town.

Little Island Pond will be starting a watershed study in the near future. Cobbett’s Pond in Windham just completed a similar study that cost approximately \$750,000.00 over 15 years. Most of the money was from grants from NHDES. NRPC has helped write grant requests from DES. They have been successful in getting funds for these type of studies. Mr. Stanvick requested we add the flyer to the minutes (attachment B).

Public Input:
None.

WALK IN ITEMS:

Mr. Steward is exploring the possibility of using a town owned property to make a picnic area along Beaver Brook. The land is approximately 3 acres in size, with 300 feet along the brook. It is located just south of the industrial park on Mammoth Road. Mr. Steward asked the Selectmen to consider allowing the improvement of this property for a picnic area for the residents of Pelham.

Mr. Steward reviewed the Shoreland Protection Act (Shoreland) with the members. The Shoreland is a NH law that governs what is allowed and not within the shoreland of waterbodies including fourth order streams. The designation of stream order is as follows. A first order stream is small and often starts from a spring. A second order stream is formed when two first order streams meet. A third order stream forms when 2 second order streams meet. A fourth order stream forms when 2 third order streams meet. Beaver Brook is a fourth order stream.

The first zone, called the waterfront buffer, is from the edge of water to 50 feet inland. This area of land is meant to protect the water. Only certain trees can be cut, a certain amount of tree area must remain within this area. The method is to create grid squares 25 feet along the shore, to 50 feet back from the shore. A 100 foot shoreline would have 4 grids, each 25 feet by 50 feet. Within this area each tree is given a value (point). Large trees are worth more points than small trees. Twenty-five points must be kept within each grid square.

Table from Environmental Fact Sheet, NHDES Vegetation Management for Water Quality

Diameter of tree at 4.5 feet high	Point score
1-3 inches	1
>3 to 6 inches	5
>6 to 12 inches	10
>12 inches	15

The second zone is the woodland buffer zone and is from 50-150 feet from shore. Twenty-five percent of the area must be managed as natural woodland. Trees, shrubs and ground covers should be allowed to grow. Any excavation, fill or construction within 250 feet of the shore must have a permit. These considerations will be looked at for the picnic area.

Mr. Steward has moved forward with the highway department to request a curb cut on Mammoth Road. He has walked the property with one of the Selectmen who is a professional landscaper. She is putting together a representation plan. Mr. Steward will go before the Planning Board to see what they think before he moves further with the idea.

Mr. Steward is also working on a proposed Shoreline Septic Ordinance. He is working with 3 pond associations. One of the major problems they have is the ponds going from clean water to a pond full of weeds and cyanobacteria. This has led to the shutting down of the town beach and summer camp. Phosphorus and nitrogen are sources of the growth as well as septic, fertilizers and soaps that get into the ground water and the ponds.

He has met with Planning and the town administrator to discuss and review the proposed septic ordinance. The ordinance would propose that within 250 feet of the 4 great ponds in Pelham that each lot have a state approved septic system. The septic systems would not leach into the water bodies. This would reduce contaminants in the water.

These sources of nutrients cause problems in the waterbodies such as increased weed growth and reduced quality of the waterbody for recreation. The idea of a septic ordinance has not moved forward yet. He would like members to read through this proposed ordinance and would like to adopt something like this. Mr. Steward thinks this is a reasonable step to take considering the Shoreland Protection Act is a 250 foot buffer. New Castle has just established rules about fertilizer use. They took state standards and expanded them for the town. NH laws recommends low release fertilizers on property within certain distance from lakes.

Mr. Stanvick appreciates the work Mr. Steward has done. Mr. Steward is attending these meetings as the Conservation Chairman. He is clear to state that fact at the meeting. He is looking into seeing if the Selectmen are interested in some of the proposals. He would like to know if they have any interest in the picnic area before he puts a lot of time into the project. If they are interested, then he would come to Conservation and get our input. Mr. Stanvick asked Mr. Steward to read some information Mr. Gagnon sent us related to brush and trees that have fallen into Beaver Brook. Many animals and plants rely on these pieces of debris to shade the brook and provide structure and habitat to the life in the brook. If the brook is too clean, the water temperature can increase and cause problems for the plants and animals that require a cool setting. Mr. Steward said he would also like to consult with NH Fish and Wildlife and DES prior to making changes in the brook.

Another concern was people getting hurt and blaming the town for the use of the brook. These needs must be balanced. We cannot be so restrictive that residents can't do anything because they might get hurt.

Mr. Webster has enjoyed getting involved in this group. He wants to be involved for a long time in the mission of the Commission to protect natural resources in Pelham.

Mr. Vaughan asked if there was any town ordinances regulation septic systems. Mr. Steward said there was, but he was not sure the exact rules. Last year, there was an attempt to get a watershed ordinance to regulate runoff into ponds. It did not get off the ground. Mr. Steward brought up a case where a developer was calculating septic loading from land mass on a parcel. NHDES ruled in favor of the land developer over the town.

Ms. Mackay said she loved the idea of a septic ordinance, but there are also home owners who cannot afford a new system for \$20,000 or \$30,000. She wanted to know if we were going to help them get grants. The town wants to upgrade the water in the ponds, but are we going to tell people who can't afford this they have to sell a property they have had for 50 year. There is a delicate balance. We do not want to force people out of their homes because they can't afford to fix their septic systems. Mr. Steward said the process would be multiyear, up to 5 years. They would ask for a certificate of compliance within 12 months. If residents did not have that they would have 2 years to come up with a plan, then 3 years to implement the plan. This will be expensive, but also is important to do. We need to move forward with this with sensitivity.

MINUTES:

Minutes were not voted on because only 2 members present were also at the last meeting. We will vote next month.

ADJOURNMENT:

Motion: (Abare/Webster) to adjourn.

Vote: 6-0-0 in favor.

Adjourned at 7:54 p.m.

Respectfully submitted,
Karen Mackay,
Recording Secretary

Attachment A

36-A:2 Conservation Commission. –

A city or town which accepts the provisions of this chapter may establish a conservation commission, hereinafter called the commission, for the proper utilization and protection of the natural resources and for the protection of watershed resources of said city or town.

Such commission shall conduct researches into its local land and water areas and shall seek to coordinate the activities of unofficial bodies organized for similar purposes, and may advertise, prepare, print and distribute books, maps, charts, plans and pamphlets which in its judgment it deems necessary for its work.

It shall keep an index of all open space and natural, aesthetic or ecological areas within the city or town, as the case may be, with the plan of obtaining information pertinent to proper utilization of such areas, including lands owned by the state or lands owned by a town or city.

It shall keep an index of all marshlands, swamps and all other wet lands in a like manner, and may recommend to the city council or selectmen or to the department of natural and cultural resources a program for the protection, development or better utilization of all such areas.

It shall keep accurate records of its meetings and actions and shall file an annual report which shall be printed in the annual town or municipal report.

The commission may appoint such clerks and other employees or subcommittees as it may from time to time require.

Source. 1963, 168:1. 1973, 550:1, eff. Sept. 3, 1973. 2017, 156:14, I, eff. July 1, 2017.

Attachment B

THE TOWN OF PELHAM PRESENTS:

PROTECT OUR
PONDS:
UNDERSTANDING
WATERSHEDS AND
CYANOBACTERIA

Saturday April 6, 2024

Come learn more about watersheds and cyanobacteria at this educational conference featuring experts from Dartmouth College, NH Department of Environmental Services, NH Lakes, and more

8:30am - 12pm

6 Village Green
Pelham, NH 03076

Register for this free event at
<http://tinyurl.com/mrv4auhp>
or scan the QR code to the right

For questions, please contact
Dena Hoffman at
dhoffman@pelhamweb.com

