

**Hanover Conservation Commission
Minutes, May 13 2009**

Members present: Michael Mayor, Douglas McIlroy (scribe), Anne Morris, Judith Reeve
Staff present: Vicki Smith

Reeve called the meeting to order at 5:00 PM.

Girl Brook restoration

Frank Roberts of Dartmouth, Lindsay O'Reilly of Gove Environmental, and Russ Rohloff of Pathways Consulting presented the College's applications to replace a culvert at the old golf-course maintenance buildings and to restore a severely eroded watercourse that runs from there down to Girl Brook. These three persons plus Gary Springs of Certified Erosion Control had guided Reeve and McIlroy on a site visit May 12.

Roberts said that a 2005 application for culvert replacement had been approved by the ZBA, but an accompanying application for work in the watercourse had been withdrawn, as progressive erosion rendered both obsolete. The new plans take into account recommendations from the state wetlands bureau, which has visited the site but has not yet issued permits. The culvert affords equipment access to the golf course. Grade control structures will be placed upstream to reduce flow velocity. Mayor asked how the ends of the deep culvert fill will be retained to prevent recurrence of the complete washout. Rohloff said that the culvert would be 28 feet long to allow for 2-to-1 grading without a headwall. The culvert is sized not to overflow in a 100-year storm; and a stone-lined plunge hole should prevent further down-cutting at the exit.

The grade control structures, which will be built upstream and downstream from the culvert and in a side ravine just below the maintenance area, will be novel to Hanover. O'Reilly explained the structures are check dams surfaced with polymer fabric "socks" up to 18 inches in diameter and filled with compost. The socks encase a stabilizing core of stone intermixed with soil to support plants. The structures will be vegetated with material planted directly in the socks, typically as live stakes that pin the structure down while roots take hold. The plant material is chosen appropriately for the expected moisture and sun at the various levels.

Smith expressed concern that the water would circumvent the structures, as has occurred with stream-stabilization measures on other projects. Noting a discrepancy in scales on sheets 5 and 6, McIlroy asked how deeply the socks would be embedded in the banks. O'Reilly said that will be three to five feet. The structures will be arranged as widening stepped weirs so that even 100 year storms should not overflow and attack the bank. The banks themselves will be graded back from their current near-vertical configuration.

Roberts said that a major problem with this watercourse is heavy storm-flow contributions from the driving range and from Lyme Road. He said a careful look at these sources may lead to a future project. McIlroy encouraged him to collaborate with Peter Kulbacki on this, since the town road is a significant contributor.

Morris asked how the project relates to the restoration program that Mickey Marcus of New England Environmental has drawn up for Girl Brook. Roberts said there is well-established contact and cited

collaboration with Marcus on efforts like stabilization at the high bridge downstream. Smith says that Dartmouth's work counts as a matching contribution on the Mitigation and Enhancement grant from the NH charitable foundation that supported Marcus's work.

Continuing downstream, Roberts pointed out that a failed clay pipe that used to carry the watercourse across a fairway will not be replaced. Instead the watercourse will meander on the surface through a planting of bushes. This area will no longer be mowed, except for a single culvert for crossing the watercourse. Further downstream, where erosion is less pronounced, it is expected that a reconstructed channel should be stable enough to carry the flow whose intensity has been mitigated by the upstream improvements.

A second, smaller watercourse to the south will also be improved, by replacement of a long fairway drain which will discharge into a small floodplain behind the sewer line and thence into Girl Brook East. This part of the project is comparatively straight forward, as erosion is not yet severe.

Roberts said that O'Reilly will be on site regularly to oversee construction, and that the state will require a one-year follow-up to see that the improvements and plantings are established and working.

Smith and others said that a lot is riding on this project. Its success could have a marked influence on the how drainage projects are approached in Hanover; but its failure could be a major setback to embracing innovation. McIlroy again encouraged the stated intent to study how to mitigate the inputs that caused the problem. Smith was instructed to write a note to DPW urging their support in this.

The commission voted unanimously to support these applications to the ZBA.

Goose Pond

Dave Barney, president, and Wayne Casey, vice president of the Goose Pond Association appeared to ask renewed support for the Lake Host program for the prevention of aquatic invasives in the pond, by inspecting boats and educating their owners. Reeve recused herself and Morris took over the chair temporarily. The visitors were asked whether they wished to wait a month since the committee now lacked a quorum; they chose to continue. Smith said their request for \$1000 exceeded the capacity of the commission's budget. She informed them that \$500 had already been firmly budgeted, with the intent to contribute an extra \$250 if possible. The higher number is now assured. Some other funds may become available if not otherwise spent. Mayor thought the lake host program should rank high among competing needs for funds. McIlroy thought the trails committee would need only \$50 of \$194 remaining in its budget.

For the commission's information, Barney said that no infestation had become established in any lake in the Lake Host program. Though the program officially runs from Memorial Day to Labor Day, it has been extended to Columbus Day at Goose Pond. It is manned partly by volunteers and partly by paid summer workers every weekend, and intermittently during the week. Participants like Casey, who live near the boat launch, often run over to it if a boat appears when the post is not manned. In 2008 a total of 658 boats, including 454 power boats were inspected.

Policy on vegetation management

This agenda item was postponed in order to assure maximum participation in the following discussion.

Dana Preserve

McIlroy said that the town's half interest in the Dana Pasture lot had been given by Ernest Dana, not Davina Dana as he had stated in his memorandum recommending that the ban on hunting in the Dana Preserve be lifted.

Smith raised the issue of education: how to prevent unfortunate encounters between walkers and

hunters. Reeve thought that walkers hereabouts are familiar enough with hunting to know when to avoid hunted areas and how to dress in hunting season.

Tom Linell in the audience reminded the commission that the Select Board banned hunting because it believed that was Ernest Dana's wish when he gave the land. Hunting is not mentioned in the deed, though. McIlroy's memo reported that the Dana family and neighbors who knew Ernest Dana believe that it would have been out of character for Ernest Dana to ban hunting, since he had always welcomed hunters on the land. Morris thought that the idea of hunting could have been so thoroughly associated with that land in Mr. Dana's mind that he felt no need to address the issue in the deed.

The sole testimony heard by the Select Board about Mr. Dana's wishes was a report of an informal statement by former town manager Cliff Vermilya four years before. Smith suggested that Vermilya might be contacted for more information about the origin of his assertion. She will try to do so. She also recommended getting a lawyer's opinion about the legal strength of the evidence about Mr. Dana's wishes.

At this point Mayor left the meeting. Without a quorum, no decisions could be taken.

The Robes brothers have proposed to subdivide the "Huntington" lot on Pasture Road into two fully owned parcels instead of one jointly owned parcel. Smith had pointed out to the Robeses that the deed to the town forbids subdivision. She also told them of the commission's potential interest in buying out the Robeses' share, but has received no reaction. Smith received legal advice from Jae Whitelaw, who found the case "interesting" because one deed carries restrictions that the other does not. Whitelaw affirmed that the subdivision restriction prevents the town from voluntarily agreeing to partition the parcel. Although Whitelaw says more research would be required to consider other options, commission members felt this simple confirmation of Smith's original communication to the Robeses could be relayed to them.

Linell pointed out another deed provision that the town has not carried out on the Huntington lot: installing a sign that identifies it as the Ernest and Mildred Dana Preserve.

Water company land

For lack of quorum the commission could not construct a formal response to Julia Griffin's invitation for wide input on the stewardship of water-company land. McIlroy said that a primary objective of the proposed land-holding company must be protection of the watershed resource. Morris said that careful attention should be paid to the progress of negotiations to assure that all parties and the public are fully educated about its conservation value of the land.

Committee reports

Morris said the Open Space Committee did not meet during the month because there were no developments in any open-space case.

McIlroy said the Trails Committee will nail down which of several possible volunteer projects at Moose Mountain and Rinker tract may be done on or near Trails Day, June 6. He asked Linell to describe the potential for a small parking lot at the Dana Preserve. Linell said there is a reasonably flat site with decent site lines on Old Dana Road. It would need clearing. Smith said DPW is ready to build it if the commission provides plans and obtains any necessary wetlands permits. McIlroy agreed that the Trails Committee would prepare the necessary information.

Morris called attention to a communication from Ledyard Bank offering volunteer work, particularly on a company work day, October 17. McIlroy said the Trails Committee could make suggestions. Morris suggested erosion repair on Pipers Lane. McIlroy said that had been discussed with Peter Kulbacki and could be a possibility depending on whether fill delivered by DPW would be spread by

DPW or by volunteers. There is also the eternal task of invasive-plant removal.

Reeve asked Linell about the Upper Valley Loop Trail. He said little had transpired at the steering committee meeting. Smith said that there were few opportunities to build more of a pedestrian network in the proposed loop area. McIlroy remarked on the desirability of connections from Ledyard Bridge to the River Trail and from South Esker to Lebanon.

Other business

Smith said Ledyard Bank proposes to plant a tree for every account that goes paperless. She told them that street trees, which must be sizable when planted, would break the bank, but seedlings from the state nursery could be very useful and that shrubs would be equally welcome. McIlroy concurred, but asked that seedlings come with volunteers to plant them.

Smith announced a garden-club workday June 6 to remove invasive plants, mainly Japanese honeysuckle, from Highway 38. Notices are being sent to abutters.

Smith said Dartmouth wishes to improve the path of the Appalachian Trail alongside Chase Field. They have discussed it with Matt Stevens of the ATC. The path would be elevated in a wet area and surfaced with pea gravel. Reeve recommended a hardpack surface. Smith will pass the recommendation along; perhaps the two terms mean the same thing. Smith has also told Dartmouth that buckthorn along the route should be removed as part of the project.

McIlroy noted that the ZBA decision in case 15036-22009-15 (Lawless property) dismissed the commission's recommendation to limit mowing in a wetland buffer so as to help treat runoff. The ZBA reasoned that they could not support such a limitation because the source of the runoff was not in their jurisdiction. While McIlroy did not dispute the dismissal, he was concerned that the given reason set a precedent that undermines the rationale for wetland buffers. Reeve recalled that removal of vegetation is permitted under the ordinance. McIlroy agreed, but said that must be interpreted in context of other provisions of the ordinance. He agreed to provide detailed citations at the next meeting.

Reeve recounted a meeting with Molly Donovan of the Hanover Conservation Council and Judy Macnab of the Lebanon Conservation Commission about protecting land in the Route 120 corridor. The Council is prepared to act as a lead agency; but it was agreed that little detail could be filled in until Rick van de Poll's studies for Lebanon and Hanover are completed later this year.

Morris asked that the commission acknowledge the outstanding service of Bill Baschnagel as Select Board representative. All members concurred. Reeve will write a letter on behalf of the commission.