

**Franklin Conservation Commission
Regular Meeting Agenda
February 12, 2018
City Hall basement – 7:30 pm**

Call to Order

- Approval of the January 9, 2018 meeting minutes

Old Business

- Update on Marc Fortin Salisbury Road property
- Aquatic Resource Mitigation Workshop – January 18

New Business

- Update on Mill City Park project by Marty Parichand
- NH Association of Conservation Commission – Legislative Update

Adjournment

FRANKLIN CONSERVATION COMMISSION

Meeting Minutes

January 9, 2018

Present: Glenn Morrill, Nita Tomaszewski, Bob Morin, Roy Gilbreth (via telephone)

Next meeting: February 13, 2017 7:30 pm, City Hall Basement

Meeting called to order by Nita at 7:33 PM

Minutes of the November 14, 2017 meeting were distributed for review. Glenn moved and Roy seconded the motion to approve the meeting minutes. The motion passed.

Election of New Officers: Glenn moved and Roy seconded the motion that the slate of officers be maintained. No discussion. Motion passed.

I Old Business

NH DES Shoreland Impact Permit 2017-03140 for 140 Webster Ave, Franklin. Note of Conditions. This was an informational letter. No action required.

II New Business

The commission heard from property owner Marc Fortin on his proposal to rehabilitate the beaver pond on his Salisbury Road property. He explained that the pond area extends onto the Montgomery Road Forest land and that he would like discuss the possibility of acquiring a piece of the Montgomery Forest land in order expand the rehabilitation project. The commission expressed its support in principal and indicated it would follow up on the property acquisition matter with city officials.

Copy of letter from NH Department of Natural and Cultural Resource, Division of Forest and Lands, regarding removal of trees from city-owned land on River Street. For informational purposes only. No action required.

NH Association of Conservation Commissions – Annual Survey 2018

NH Association of Conservation Commission – Legislative Update

Aquatic Resource Mitigation Workshops announcement. Bob expressed in attending the workshop on Jan 18th at 4pm

Review of guidance on meeting quorums

Review of Land Use and recreation, Open Space, and natural Resource section of the city updated Master Plan. Commission members redrafted this section of the plan at the request of Zoning and Planning Office.

Adjournment

The meeting adjourned at 8:53 PM.

NH Association of Conservation Commissions

Legislative Update January 22, 2018

HB 1585 An ACT requiring conservation commission to keep a natural resource inventory has been assigned to the Resources, Recreation and Development Committee. We are watching this bill closely since it changes RSA 36-A, the conservation commission enabling legislation. NHACC attended the public hearing and provided testimony in support of this bill recognizing the importance of natural resource inventories as a basis for decision making in communities.

HB 1585 - AS INTRODUCED

Explanation: Matter added to current law appears in bold italics.

1 Conservation Commission. Amend RSA 36-A:2 to read as follows:

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 **or a natural resources inventory** 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 **or include such in the natural resources inventory** 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.

2 Effective Date. This act shall take effect 60 days after its passage.

HB 1343 We know that many commissions have concerns over the protection of beavers and plan to support HB 1343 this session. This bill adds provisions for the protection of beavers and beaver dams and requires the executive director of the fish and game department to include advice on beaver control on its public website.

HB 1343 - AS INTRODUCED

This bill adds provisions for the protection of beavers and beaver dams and requires the executive director of the fish and game department to include advice on beaver control on its public website.

Explanation: Matter added to current law appears in bold.
Matter removed from current law appears [in brackets and struckthrough.]

1 Protection of Beaver. Amend RSA 210:9 to read as follows:

210:9 Protection of Beaver.

I. No person shall destroy or disturb or interfere in any manner with the dams or houses of beaver, **except as provided in paragraph II**, without first obtaining a special permit from the executive director.

II. Notwithstanding paragraph I, or any other provision of law or rule of the executive director or the department of environmental services, a landowner, the landowner's agent, or any town [or], municipal, or state official or employee, or their agent, may destroy beaver, remove beaver dams, or install beaver pipes or beaver fences on property under their control to protect property, public highways, or bridges from **actual or potential** damage or submersion. Dam removal **and the installation of beaver pipes or fences** shall be allowed without a permit under RSA 482-A if machinery does not enter the water and filling or dredging in or adjacent to surface water, wetlands, or their banks does not occur. Removal shall be done in a gradual manner that does not allow a sudden release of impounded water so as to cause erosion, siltation, or a safety hazard downstream.

II-a. For purposes of paragraph II, the term "beaver pipes" means no more than 3 temporary structures with the widest dimension no larger than 15 inches that is placed in a beaver dam to allow water passage to maintain a specific water surface elevation, and the term "beaver fences" means posts and fencing installed at culverts in such a manner as to either encourage or discourage beaver damming against the fence.

III. The executive director ~~[may]~~ **shall** require the reporting of beaver taken **and beaver dams removed** pursuant to ~~[paragraph]~~ **paragraphs I and II** by rules made in accordance with RSA 541-A. **The report shall include a summary of actual or potential damage or submersion protection measures taken and a list of non-lethal options considered for each project.**

IV. Skins or unskinned carcasses taken under this section shall be sealed pursuant to RSA 210:8 before such skins or unskinned carcasses are sold or given away.

V. The executive director or his **or her** agents shall provide advice relative to beaver control techniques, **including beaver pipes and beaver fences**, when requested, and **shall post such advice on the fish and game department's public Internet website.**

2 Effective Date. This act shall take effect 60 days after its passage.