



## WARNER RIVER LOCAL ADVISORY COMMITTEE

<https://www.wrlac.com/>

### MINUTES

Wednesday, 26 June 2024

7:00 p.m.

Pillsbury Free Library, Warner, NH

### 2024 Meetings

February 28	August 28
April 24	October 23
June 26	December: TBD

**Appointed WRLAC Representatives** present in **bold** (term ends):

**Mickey Benson**, Warner ( )

**George Embley**, Webster (07-08-2024)

**Marlene Freyler**, Bradford (08-16-2027)

**Rebecca Herman**, Bradford (09-25-2026)

**Bob MacGowan**, Webster (04-19-2027)

**Dan Morrissey**, Hopkinton (02-07-2025)

**Laura Russell**, Warner (04-01-2025)

**Peter Savickas**, Sutton (08-19-2025)

**Christopher Spannweitz**, Warner (11-26-2024)

**Invited Presenter:** Tim Blagden, Friends of the the Concord Lake Sunapee Rail Trail

**Members of the Public:** Barbara Marty, Greg Swick

#### *New Business*

1. Welcome to new representative, Mickey Benson from Warner
2. The Committee agreed jump down the agenda to Other New Business in order to hear from invited guest, Tim Blagden, Friends of the Concord Lake Sunapee Rail Trail. Tim provided an update of CLSRT's recent activities. What follows are his remarks summarized in a document that Tim provided to the committee.
  - a. *Having delivered fleets of bicycles to the Kearsarge Regional School District and the Concord School district, we are involved in an effort to fund a fleet of bikes for the Merrimack Valley School district. We have half of the funds and several good leads for*

*the remaining half. Each of these takes about \$10,000. The bikes are used by PE teachers to teach kindergardeners how to ride bikes. The four elementary schools in the Kearsarge District reach all the public school kids in seven towns. The four elementary schools in the Concord District reach most of the kids in Concord. The five elementary schools in the Merrimack Valley School District reach Penacook, Boscawen, Webster, Salisbury, and Loudon. It is our hope that as all the kids in the 12 towns learn to ride at a young age, their parents will reward their new skill by getting them a bike and find safe places to ride. We hope they find the Concord Lake Sunapee Rail Trail at least once. Getting kids outdoors early in life is something we support. It motivates their parents, then all the better.*

- b. We received permission from the Town of Newbury to develop and maintain the portion of the railroad grade behind Newbury Plaza. It is nice to see municipal support for the rail trail continue to spread.*
- c. We received permission from the City of Concord to improve the surface of the trail along Bog Road in Concord. We anticipate that work will be done this year. They also expanded their license agreement with us, adding two more parcels.*
- d. The Town of Hopkinton may have signed some easements with us on the 24th [of June]. I haven't heard back yet from our Hopkinton Board members.*
- e. Working with the town of Warner, we have hired HEB engineers to manage the Exit 9 project. They have done most of their survey work and drilled three boring holes in preparation for future bridge design. There be a local concerns meeting on July 16 at Warner Town Hall.*
- f. FCLSRT board member Darryl Parker is taking on management of our kiosk content. We have space we can make available on our kiosks at Bagley Field in Warner, by High St in Bradford (next to the Appleseed Restaurant), at the Hopkinton Library, and at 25 Fisherville Rd parking lot in Concord. We hope WRLAC would accept our invitation to post content on these kiosks and on future kiosks that will be constructed over time.*
- g. We spend last Thursday, Friday, and Saturday at Market Days in Concord talking with the public. We handed out at least 300 small flyers with Rail Trail info. People of all ages are interested. Families with strollers are a highly interested demographic. Several people who move about with motorized wheelchairs also said they would try the trail.*
- h. Discussion*
  - i. Funding: In May or early June, some matching funds got approved for the Exit 8 project, although it has not been signed off yet. The next thing that happens in November, when the town of Warner will receive a letter saying you've been awarded a grant.*
  - ii. What's the first part of the process once you get the grant? The process would probably sometime in 2025, and it would be the same process as the Exit 9 grant. Step 1: The town signs an agreement with NH DOT. Step 2: They advertise that they have this project out to the consulting community. They receive bids; they make a selection to interview some of the consultants. They document that process to DOT. DOT will give permission for the town to talk to the consultants. The consultants are talked to one at a time. If you don't come to agreement with your most qualified consultant, you go to the next most qualified consultant. Eventually, you reach an agreement with the consulting firm. You send that information about the process to NH DOT, and they give you permission to proceed and hire that consultant. We are a couple of months past that process on the Exit 9 project.*
  - iii. When would it be possible that construction would begin on Exit 8 or Exit 9? Exit 9 construction might be as early as 2026 or as late as September. Exit 8 would probably be at least a year behind the Exit 9 project. The primary*

*federal grant was a congestion mitigation and air quality grant, that money has a longer spend timeline than the matching funds, which were AARPA money. But you can't short-circuit the LPA process.*

3. The meeting minutes for April 24, 2024, and the suggested amendments to those minutes, were approved unanimously.
4. Treasurer's Report and update on tax status, also funding discussion from ELLAC
  - a. The WRLAC account has \$2,310.63. We have been getting a monthly \$5.00 service charge inactivity fee. To avoid this, Pete will make a withdrawal and immediate deposit to prevent this fee from occurring again. The Committee voted unanimously to have Pete do this. *[Secretary's note: On June 28, Pete reported to the Chair and Secretary that any withdrawal would have to have two signatures. So, for expediency's sake, Pete deposited \$1.00 of his own in order to address this dormancy issue. Pete was also able to get four months of dormancy charges reversed, so \$20.00 was redeposited into the WRLAC account. Pete will receive notices about the charge in the future.]*
  - b. Tax status: As an LAC, we are entitled to state-provided legal service. In addition, this Committee is able to receive donations that would be tax-deductible for the donor. Please refer to the [information provided by Christopher Aslin, NH DOJ](#).
  - c. Chair Dan mentioned that he received a letter from the [Exeter-Swampscott LAC \(Facebook\)](#) asking other LACs about what they do for funding. Exeter-Swampscott asks each of the 12 towns in their corridor for dues of \$200.00 a year per town to support the committee's work, including reviewing DES permit applications and other activities related to water quality protection. Nine of the 12 towns typically pay their dues. Not all towns can pay the the total amount; some pay part of the amount. They send an annual report with an invoice. They also have a contract with the Rockingham Planning Commission for \$2,000.00 per year for administrative and technical support related to their meetings and review of permit applications. Dan would like to reply with information about how our LAC has gotten our funds (two donors) and what our LAC does with the funds.
    - i. Discussion: The money in our account comes from donations. While Pete did apply for a grant, we did not qualify for that particular grant, partly because the grantor wanted more clarity about how we would use funds. It's possible that local conservation commissions would be willing to grant us some funds, but we do have to be able to justify why. Previous Chair Ken provided this committee with a lot of pro bono professional expertise, and in the future, the committee may need to hire outside expertise in the future. Dan will respond to the Exeter-Swampscott LAC that we are relatively new, and we don't have many expenses at this time.
5. New permit applications
  - a. No new permits
  - b. Intents-to-cut
    - i. Annis Loop: Dan contacted the state and had a forester look at the area. The forester didn't see any problems.
    - ii. Breezy Hill Rd: Dan has a note from Ann Eldridge, chair of the Bradford Conservation Commission, about a new intent-to-cut of 25 acres with an anticipated start date of June 2024. We should bring this intent -to-cut to the attention of the state. Dan will draft a letter to DES and the Department of Natural and Cultural Resources expressing WRLAC's concerns. He'll copy the relevant conservation commissions.
    - iii. It's good that towns are remembering to include the WRLAC in their

communications.

6. WRLAC membership updates
  - a. The Committee expressed its thanks and appreciation to Mike Howley for sharing his insights, expertise, and observant nature, all in the service of stewarding the Warner River.
  - b. The Committee expressed its thanks and appreciation to George Embley for sharing his knowledge of riverine habitats and for keeping WRLAC connected to the work of Trout Unlimited and the Warner River Watershed Project.
  - c. The Committee expressed its thanks and appreciation to Marlene for renewing her membership with WRLAC.
  - d. Mickey emailed his nomination form to Tracie a few months back. Mickey contacted the selectboard to have his "audience" with them to be approved, but he has not heard back from them. Laura encouraged Mickey to keep trying!
  - e. The Committee welcomed Greg Swick who is a resident of Sunapee, a member of Sunapee's planning board, and a board member of the Basil Woods chapter of Trout Unlimited. The Committee noted that having a member of TU join the WRLAC's meetings and participate in its activities has been very valuable. The Committee voted to name Greg as a technical advisor. *[Secretary's note: The bylaws state that non-voting "associate members" may be join the committee by a majority vote of the committee. However, an associate membership "is open to the residents of all towns within the Warner River Watershed...". See Article 3, Section F of the bylaws.]*
    - i. Article 3, Section F: *Associate members or representatives may be appointed to the Committee at any time by majority vote of the Committee. Associate members shall be non-voting members of the Committee, but may engage in all remaining regular activities of the Committee. Associate membership is open to the residents of all towns within the Warner River watershed and New Hampshire students studying, working, and/or volunteering in the Warner River watershed.*
  - f. Upcoming renewal dates for each member and the nominee form can be found in this document [WRLAC Reps Directory](#)

Other New Business (Chair and full comm.)

7. Stream monitoring workshop update
  - a. Barbara Marty, Warner, who is heading up the stream monitoring project, reported that for the streams monitored so far (French, Ballard, Willow, Bartlett, and Silver), the water quality has been good. *[Secretary's note: Recent results are posted on the [WRLAC website](#).]*
  - b. Several members of this committee have been volunteering for this project! Others who are interested, should contact Greg.
  - c. George talked with Ben Nugent (NH F&G) about upcoming work in the watershed. Ben reported that the town of Warner is planning to complete at least one replacement culvert this year (Ballard Brook). He's planning in early July to temperature surveys 5-6 sites in the watershed and then he'll do an electrofishing.
8. Instream Flow Study update
  - a. A draft of the [Cold River's instream flow water management plan](#) is now available, and there have been public hearings. It may be a helpful resource as Warner's plan as it is developed in 2025.
9. Tom Pond Association annual meeting: The Association has been concerned with run-off from logging projects. Dan will attend their meeting in July to share information about this WRLAC.

10. VRAP update from Rebecca on mapping and data summary: There are 14 sampling sites in the Warner River watershed. The 2023 data indicate that the water quality is good. There are some samples of low pH; this is probably a result of flooding.
11. Contact with member Town officials – Chair asked Committee members to stay in touch with their town's local officials such as conservation commissions, planning boards, etc., to let them know that WRLAC exists and would like to be part of conversations regarding the river corridor.

*Continuing Business.*

1. Continuing permit applications
  - a. Breezy Hill Road AoT Application (Bradford). Application was revised and resubmitted to DES (10/12/2023). Applicant responded to DES's and our concerns by performing field testing that indicated the soils are too impermeable to allow for stormwater infiltration, which resulted in them revising their design to better treat and remove sediment in sedimentation basins before it would be released to the river.
  - b. 107 Tom Pond Lane. DES has issued a request for more information for a request for a shoreland permit to allow the homeowners to rebuild stairs, a patio, and repair an eroding slope.
  - c. 60 Blaisdell Lake Road, Bradford. A complaint was lodged for possible violations of wetlands rules (potential filling wetlands w/o the required permit(s)) at a residential property. DES's letter is dated 24 October (DES File 2023-02826). No additional info to date.

Other Business

- [Warner Village Water District](#) – Rebecca has offered to contact Ray Martin to line up a tour of the water treatment system.
- WRLAC website – The data for the stream monitoring project has been added to the [website](#)

Meeting was adjourned at approximately 8:45 PM.

**NEXT MEETING: Wednesday, August 26, at 7:00 PM.**

Respectfully submitted,  
Laura Russell, WRLAC Secretary