

Atkinson Conservation Commission Minutes
Wednesday, July 26, 2023, 7:00 PM
Atkinson Town Hall

Approved September 27, 2023

Members Present:

Paul Wainwright, Chair
Bill Steele, Vice Chair
John Fournier, Secretary
Scott Kukshtel
Monique Chrétien
Jeff Nenart
Charlie Pitts, Alternate
Chris Walker, Alternate
Sandy Cannon, Alternate

Others Present:

See attached

1. Call to Order, and Attendance:

Chair Paul Wainwright called the meeting to order in person at Atkinson Town Hall at 7:00PM on Wednesday, July 26th, 2023. Chair Wainwright took attendance and noted that all members are present except for Member Newman, Alternate Member Pitts will vote in her stead.

2. Review & Approval of Minutes

a. June 29th, 2023 – Regular Meeting

Discussion: Chair Wainwright presented the regular meeting minutes from June 29, 2023 and asked for comments or corrections, Member Chrétien noted one correction on page 3, line 25 the 50th Celebration Team should include Member Nenart rather than Member Fournier.

Member Nenart made a motion to approve the regular meeting minutes from 06/29/2023, as amended above. Vice Chair Steele seconded the motion. Member Kukshtel abstained from the motion. Vote: 6/0/1

3. 2023 Expenditures Report

Chair Wainwright produced the latest 2023 expenditures report and stated that the only new expenditures were to pay the Recording Clerk, and to made some reimbursements to Members. Chair Wainwright continued that the Commission is in good shape with most of the budget still remaining.

4. Accessible Trail on the Slade TF: Project Status and Next Steps - John

Member Fournier stated that they wrote a request for proposals and a scope of work and have published it to seek bidders. Member Fournier continued that Phase one of the trail, which is roughly the first 1,000 feet, should be complete in September or October.

5. Lang Parcel Acquisition Status - Paul

Chair Wainwright stated that the Town is just one month away from acquiring this 15.4-acre parcel at the end of Knightland Road. Chair Wainwright continued that he is presenting this project to the Board of Selectmen at their first meeting in August, and will be seeking their acceptance of the land as Town property upon closing.

6. Public Hearing on Trails Policy - Bill

Chair Wainwright stated that the purpose of the public hearing is to receive input from, and have dialog with, the broader community about a proposed addition to our "Policies and Guidelines for the Use of Conservation Land" document to add the following:

Trail Locations: While the public is encouraged to help maintain existing, blazed trails on our conservation lands, any construction or maintenance of additional trails is prohibited without the explicit authorization of the Conservation Commission. Furthermore, the Conservation Commission has the authority to relocate or permanently close existing trails to protect the Town's natural resources.

This proposed change is to make our local policy document consistent with NH RSA 36-A and RSA 41:11-a, which already empowers us to set and enforce regulations for the use of conservation lands in Atkinson.

Chair Wainwright stated that this change is really about bringing the document up to date with State law rather than claiming additional authority.

Chair Wainwright turned the meeting over to Vice Chair Steele to conduct the Public Hearing.

Vice Chair Steele presented the attached Rules of Procedure for the Public Hearing to ensure all attendees are heard in an orderly fashion to sufficiently voice their issues and concerns.

Member Fournier made a motion to accept the rules as outlined by the Vice Chair. Member Nenart seconded the motion.

Roll-call Vote: Paul Wainwright, Yes; Bill Steele, Yes; John Fournier, Yes; Monique Chrétien, Yes; Scott Kukshel, Yes; Jeff Nenart, Yes; Charlie Pitts, Yes. Vote: 7/0/0, the motion carried.

The Commission went around the table and introduced themselves.

Vice Chair Steele opened the floor to public discussion.

Kevin Arling of Hampstead, NH appeared before the Commission. Mr. Arling stated that he is a third-generation owner of his property and added that these trails have been in existence much longer than the Commission. Mr. Arling continued that he is in agreement with the first part of the proposed addition but he is not in support of the portion about closing trails. Mr. Arling stated that he and his family use these trails often, and, according to the NH Fish & Game, *Wildlife and People Guidelines*, page 28: *occasionally very popular high-use trails that have been open to the public for generations may not make sense to close even if it would be best to do so from a wildlife perspective, integrating such reality checks into your plan creates a trail network that is more sustainable for the long term and supported by the community.* Mr. Arling continued that these trails have been in existence for over 30 years and they only occupy one half of the Stickney Town Forest property leaving the other half wide open. Mr. Arling stated, finally, that he does not support closing down the trails because the statistics show that many residents like the trails the way they currently are.

Member Nenart stated that the Commission is not trying to shut every trail down, they are carefully selecting which trails make sense to close. Member Nenart continued that while he loves the fact that people are enjoying the land via the trails, the Commission's purpose is to preserve the land, not the trails. Member Nenart added that some of the trails are not the best use for this land at this time. Member Nenart stated that the best use of this land is creating habitat for wildlife, and the second-best use is for the enjoyment of the residents.

Mr. Arling stated that a 2-mile trail impacts 200 acres, so with 25-28 acres of land in this case, by the guidelines there would be no trails on the land at all. Mr. Arling continued that he has walked these trails with Chair Wainwright and discussed closing down the areas where ATV's were entering, but other than that, the trails should stay as they are; he is not asking to build any new trails just keep the existing ones.

Member Pitts stated that the proposal is to keep the perimeter loop but close the trail that cuts through the middle of the conservation land and a few other trails that go to nowhere. Mr. Arling responded that he is here in support of the Stickney parcel which does not have any trails that go to nowhere. Mr. Arling stated that the logging was done on December 13th and the trails were cleaned up and properly maintained within the following three to four weeks. Mr. Arling

submitted a letter from the president of the local chapter of the New England Mountain Bike Association. A copy of this letter is attached to these minutes. The Commission thanked Mr. Arling for his time this evening.

Steven Horaj of Atkinson, NH appeared before the Commission. Mr. Horaj stated that he is an abutter of the Stickney parcel and an avid user of the trails. Mr. Horaj stated that he is in opposition to the proposed trail changes because of the downstream impact. Mr. Horaj continued that his concern is that regardless of trying to meet the RSA, the Town will continually redefine the verbiage or rhetoric behind what is the empowerment of the Conservation Commission. Mr. Horaj stated that by the large attendance of people this evening, there is a concern that there has been a change in how the conservation lands have been maintained over the last year, and the changes that have happened as a result of the Commission's ability to have oversight on these lands. Mr. Horaj continued that he is in full favor of protecting wildlife and even submitted a request for a study to be done prior to selective logging to ensure no protected wildlife was being jeopardized in the process. *[No such request was ever received by the Commission]*

Mr. Horaj stated that this proposed change is a personal concern that the Town is adding more discretionary ability to the Commission when they have made changes to lands that were widely disagreed with by people passionate about the lands. Mr. Horaj continued that this group of passionate people made it a point to go back into the land after the logging to ensure the trails were repaired and maintained. Mr. Horaj stated that the selective logging operations could have been done in a better way, albeit not faster but less invasive. Mr. Horaj continued that the logging could have been done with chainsaws rather than heavy equipment in order to be more protective to the environment. Mr. Horaj stated that because of what has transpired, he and others feel as though they cannot support additional changes and amendments to the governing capacity of the Commission primarily due to not feeling like their voices are being heard.

Mr. Horaj stated that he cannot support this proposed change because of the potential for future proposed changes. Mr. Horaj continued that he feels that if this change is made, the residents will see a continual level of changes to these areas which will work against the people who are so proud to use and care for them. Member Nenart stated that this proposed change is only a change of verbiage and not a change of power. Member Nenart continued that the Commission has had the same amount of discretionary power since its inception. Mr. Horaj stated that the only change he would support would be to remove power from the Commission. Member Nenart reminded Mr. Horaj that the Commission's authority is granted by the State of New Hampshire under the associated RSAs, so any changes to the power of the Commission would need to be escalated to the State level.

Vice Chair Steele quoted the Commission's basic guidelines "don't harm anything – this includes but is not limited to picking flowers, harvesting plants, disturbing stone walls, cutting trees, making new trails." Vice Chair Steele stated

that this wording is already written into the Commission's guidelines, the Commission is just making the verbiage clearer to better align with the RSA. The Commission thanked Mr. Horaj for his time this evening.

Chris Connor of Atkinson, NH appeared before the Commission. Mr. Connor stated his thanks to the Commission for all the amazing work they've done over the years to protect the natural resources in this Town. Mr. Connor stated that he does agree with the first statement in the document but does not agree with the use of the phrase "to protect the Town's natural resources" in the second part of the proposed change. Mr. Connor continued that he doesn't believe this specific language is included in the RSA but if it is, why would the Commission need to clarify this further for the Town? Mr. Connor stated that he also questions the ability of the Commission to be the arbiter of natural resources in Town and believes that this should be left in the hands of the residents. The Commission thanked Mr. Connor for his time this evening.

Member Kukshtel quoted NH RSA 31:111 which talks about the purpose of town and city forests. Member Kukshtel continued that this RSA states that "the main purpose of such city or town forest shall be to encourage the proper management of timber, firewood and other natural resources through planting, timber stand improvement, thinning, harvesting, reforestation, and other multiple use programs consistent with the forest management program, any deed restrictions and any pertinent local ordinances or regulations. Member Kukshtel continued that when he thinks of reforestation, this would include the closure of trails to encourage new growth.

Ted Korza of Windham, NH appeared before the Commission. Mr. Korza gave a brief background of his outdoorsmanship and qualifications to speak this evening. Mr. Korza stated that he is one of the main builders and maintainers of all of the Windham trails. Mr. Korza continued that a single trail is not much impact to wildlife. Mr. Korza stated that he has seen deer and hikers or mountain bikers coexist with little impact to each other. Member Pitts stated that closing down trails would make it easier for people to hunt on these lands. Mr. Korza stated that he doesn't hunt on these particular lands but wanted to make the point that additional trails would not negatively impact wildlife. The Commission thanked Mr. Korza for his time this evening.

Member Kukshtel stated that just because Mr. Korza has seen deer probably speaks to the overpopulation of deer. Member Kukshtel continued that it is important to remember that there is more to wildlife than just deer, everything from the lowly salamander to carnivores like bobcats and birds of prey. Member Kukshtel stated that what the Commission is trying to do is ensure there is a web of wildlife that live in concert with each other. Member Kukshtel continued that one of the reasons for selective logging is to encourage growth of underbrush for small animals to flourish.

Jennifer Mills of Hampstead, NH appeared before the Commission. Ms. Mills shared her background in wildlife and stated that she has been an animal

veterinary technician for over twenty years. Ms. Mills stated that the recently-logged lands in Town, in her opinion, did not need to be logged. Ms. Mills continued that, in her opinion, the logging wiped out the animals' habitat and food. Ms. Mills stated that she used to see scarlet tanagers and owls in those woods and now, no owls can be heard. Ms. Mills continued that she doesn't think these trails are affecting the wildlife, the wildlife was all there before it was logged. The Commission thanked Ms. Mills for her time this evening.

Vice Chair Steele stated that the Commission understands, better than anybody, that for the first few years after a selective cut, the land looks terrible for the first couple of years. Vice Chair Steele stated that the Commission recently held an event where residents could come see what a Town forest looked like seven years after a selective cut, which was well-received when people saw the regrowth.

James Foley of Atkinson, NH appeared before the Commission. Mr. Foley stated that he lives on Chase Island Road and he has personally seen that parcel of land harvested three times. Mr. Foley continued that after each harvest he has seen the mountain bikers out there fixing the trails. Mr. Foley stated that this third, most recent, harvest had the most trees removed out of the three harvests he has seen. Mr. Foley continued that the side effect of this is that he actually has a better view of the wildlife in the forest. Mr. Foley stated that there should have been a better explanation of which trails are being proposed to close because he is unfamiliar, however he does not agree with closing down any trails. Mr. Foley reiterated that he sees plenty of wildlife in this area and he wishes the trails would stay the way they are. The Commission thanked Mr. Foley for his time this evening.

Vice Chair Steele stated that the selective logging was done in accordance with the Town forester's recommendations. Vice Chair Steele continued that the forester is fully educated and certified to make decisions on how to manage forests. Vice Chair Steele added that the Town has used the same forester for the last 30 years and he follows a written long-term plan.

Chris Duerr of Atkinson, NH appeared before the Commission. Ms. Duerr stated that conservation land is generously donated by Atkinson residents. Ms. Duerr continued that people who give land, truly love Atkinson, and want the best thing done. Ms. Duerr stated her thanks to the Commission for all that they do. Ms. Duerr continued that what the Town needs to do is follow the RSAs that protect the ecosystem of land and animals. The Commission thanked Ms. Duerr for her time this evening.

Joshua Satrape of Atkinson, NH appeared before the Commission. Mr. Satrape shared his background as an avid outdoorsman. Mr. Satrape stated that he thinks it makes sense to take a look at the current trails and see if they make sense. Mr. Satrape continued that he can think of two occasions when he was pushed out of hunting spots when new trails were created. Mr. Satrape stated that since it is illegal to hunt within a certain distance of a trail, more trails mean

less room to hunt. The Commission thanked Mr. Satrape for his time this evening.

Brian Hall of Hampstead, NH appeared before the Commission. Mr. Hall stated that trails that go to nowhere may be appealing to some and he happens to live near a dead-end trail on Hampstead conservation land. Mr. Hall stated that it's important to remember why everyone is here tonight; because there is some reason they love the woods whether its hiking, biking, or hunting, etc. Mr. Hall continued that if residents aren't allowed to enjoy the woods the way they want to, the magic will be gone and future generations will lose the connection with the woods. Mr. Hall stated that the concern here is that decisions were made regarding Town forests and residents didn't have a voice in the matter. The Commission thanked Mr. Hall for his time this evening.

John Ottow of Atkinson, NH appeared before the Commission. Mr. Ottow stated that he just came from another Town meeting where they discussed the value of people getting involved in Town government. Mr. Ottow continued by thanking the Commission for the work that they do. Mr. Ottow stated that an earlier speaker made mention of how the people should make decisions rather than the Commission, but he sees the Commission as representatives for the people. Mr. Ottow continued that the trails are a gift and the Town should look at them that way. Mr. Ottow stated that he supports the Commission and supports the change in policies that the Commission is proposing this evening. The Commission thanked Mr. Ottow for his time this evening.

Sandy Fuhs of Atkinson, NH appeared before the Commission. Ms. Fuhs stated that she uses the trails every day to walk her dogs and she has found it easy to coexist with the mountain bikers. Ms. Fuhs continued that because of the logging the trails need to be redone to make sure they are laid out in a logical way. Ms. Fuhs stated that there is a terrible blight coming through that is impacting Hemlock trees in a real way, so logging for forest health makes a lot of sense. Ms. Fuhs continued that she is very thankful to the Commission for making sure the forests remain healthy for residents to be able to use it to their content. The Commission thanked Ms. Fuhs for her time this evening.

Vice Chair Steele stated that the Commission is well aware that the trails need better signage and markings and they are working towards making it safer for residents. Vice Chair Steele asked if anyone else wished to speak, no one came forward.

Member Nenart made a motion to close the public hearing. Alternate Pitts seconded the motion.

Roll-call Vote: Paul Wainwright, Yes; Bill Steele, Yes; John Fournier, Yes; Monique Chrétien, Yes; Scott Kukshel, Yes; Jeff Nenart, Yes; Charlie Pitts, Yes. Vote: 7/0/0, the motion carries.

Vice Chair Steele stated that the public is welcome to stay for the remainder of the meeting at which time the Commission will discuss what they heard during the hearing and decide how they want to move forward with this policy change.

Chair Wainwright gave kudos to Kevin Arling who has stayed in good touch with him over the last year; Chair Wainwright conveyed his hope for help from the mountain bike community with trail maintenance in the future as they have done in the past.

All but one of the visitors left the meeting.

Jason Robart approached the Commission and stated that, in his opinion, he and Brent [Ebner] have done 100% of the trail maintenance in this area. Mr. Robart continued that there were downed trees that the residents expected the Commission to address and nothing ever happened. Vice Chair Steele responded that there are many trails in Town and the Commission relies on the trail users to report such issues so that they can be resolved; the Commission does not monitor every trail at all times. Vice Chair Steele continued that just recently a trail runner reported some downed trees and two Commission Members were out there that evening with chainsaws. Mr. Robart stated that if any trail maintenance needs to be done, the Commission just needs to ask because he is always out on the trails; Vice Chair Steele stated his appreciation for his efforts.

Chair Wainwright made clear that just because someone built a trail on someone else's land, that does not make it "their" trail. Mr. Robart agreed, and stated that he does not like it when people say things like this; the trails are for everyone to use. Mr. Robart continued that even in the winter time when hikers make the trails difficult to traverse for his mountain bike, he understands the trails are for everyone. Mr. Robart asked if there was any way to work with the mountain bikers because a lot of the proposed trail closures are the good mountain biking trails. Alternate Pitts produced a map and showed which trails are proposed to be removed; the Commission discussed the various proposed changes.

Chair Wainwright stated that, from his perspective, the Commission has not experienced much cooperation from the mountain biking community up until this point. Mr. Robart stated that it is difficult for the mountain bikers to know their role in trail maintenance other than what they discuss amongst themselves. Vice Chair Steele stated that when the Commission sees maintenance done to a trail that the Commission agrees should be there, we are very appreciative. Mr. Robart stated that he just does not want to experience what the town of Plaistow experienced last year when the State and the South East Land Trust had to get involved and then trails needed to be rebuilt. Member Chretien stated that she called the town of Plaistow to understand what was going on with these trails and their response was that they were closing some of the mountain bike trails because the wildlife was being negatively affected. Mr. Robart stated that what he heard is that the song birds were being affected but he is unsure how. Chair

Wainwright stated that the Commission would need to move along from this conversation and thanked Mr. Robart for his time this evening.

The discussion returned to the proposal to amend the Policies and Guidelines document. The Commission discussed where the proposed changed verbiage would go in the final document. Member Nenart stated that he thinks the verbiage is straightforward and gets the point across. Member Kukshtel stated that the first part of the wording basically states “don’t make new trails” which is fine, but it was the second part which some attendees took issue with. Member Kukshtel continued that the second part grants the Commission the ability to relocate or permanently close trails. Member Kukshtel posed the idea of adding a qualifying statement which adds “with consultation from interested parties” or something similar. The Commission discussed evaluating trails before closing them, and Chair Wainwright remarked that this is what the Commission is in the process of doing.

Chair Wainwright read from two pieces of correspondence he received concerning our empowerment to locate trails on conservation land.

The first was from Bill Gegas, the Administrator of the Land and Water Conservation Fund for all of New Hampshire. Chair Wainwright had asked what authority the Commission has when it comes to adding or removing trails on land that was funded, in part, by LWCF. Chair Wainwright read the following:

Reasonable use limitations: project sponsors (the Commission) may impose reasonable limits on the type and extent of use of areas and facilities acquired and/or developed with Land and Water Conservation Fund assistance. Limitations may be imposed on the numbers of persons using an area or facility, and the type of users, such as hunters only or hikers only. Despite however long members of the public have used the trails for biking, there is no precedent that such use is entitled or guaranteed. If the Town decides to allow bikes, limit bikes, or restrict bikes, it can do so”

The Commission agreed that while it is not in anyone’s best interest to restrict bicycle use, it does speak to the fact that the Commission is empowered to manage the land.

Chair Wainwright stated that the second piece of correspondence is from Sumner Kalman, the Town Attorney. Chair Wainwright read the following:

Under no circumstances do I see a right to build trails or make any physical changes to the property by other people. This would be a land damage cause of action. The Conservation Commission can create rules, policies, and reasonable restrictions.

The Commission discussed which trails will need to be marked. Chair Wainwright suggested that before making any changes, the Commission may want to have a conversation with Kevin Arling to say, here are the plans, we heard your

concerns but ultimately, it is the Commission who may these decisions for the best of the land.

Member Chretien suggested elaborating on what is meant by natural resources to ensure there is no confusion. The Commission discussed this but ultimately decided to remove this reference altogether.

Vice Chair Steele made a motion to amend the passage to read “While the public is encouraged to help maintain existing blazed trails on our conservation lands, any construction or maintenance of additional trails is prohibited without the explicit authorization of the Conservation Commission. Furthermore, the Conservation Commission has the authority to relocate or permanently close existing trails. Member Kukshtel seconded the motion.

Roll-call Vote: Paul Wainwright, Yes; Bill Steele, Yes; John Fournier, Yes; Monique Chrétien, Yes; Scott Kukshtel, No; Jeff Nenart, No; Charlie Pitts, No. Vote: 4/3/0, the motion carried.

Vice Chair Steele stated that he is in favor of involving the public when making decisions around trails but it should not be a pre-requisite every single time. Vice Chair Steele continued that there are certain changes, primarily the larger changes, that should certainly have a public hearing but definitely not for all changes; the Commission agreed.

Chair Wainwright made a motion to adopt the amendment into the Commission’s bylaws. Vice Chair Steele seconded.

Roll-call Vote: Paul Wainwright, Yes; Bill Steele, Yes; John Fournier, Yes; Monique Chrétien, Yes; Scott Kukshtel, Yes; Jeff Nenart, Yes; Charlie Pitts, Yes. Vote: 7/0/0, the motion carried.

7. Short Reports & Discussions

a. Marshall Trails Work Plans – Bill, Charlie, etc.

Member Pitts stated that perhaps he’d be able to start this project on an upcoming weekend day. Member Canon stated that she’d be able to help during the week but not weekends. Chair Wainwright stated that maybe the best next step is to ensure there is a consistent marking method for the trails that need to be closed. Vice Chair Steele stated that if someone can mark which trails need to be closed, he can cover them with brush.

b. 50th Celebration Team Report – Monique & Jeff

Member Chrétien stated that this group will be meeting this week to discuss the events for the 50th Celebration event. Member Fournier stated that he is looking into transplanting small Elm trees. Member Fournier continued that he has access to about 30 Elm trees; the Commission agreed that one or two trees would be sufficient.

c. NHACC Board of Directors Report – Paul

Chair Wainwright stated that the photography contest is off to a very slow start and he encouraged, particularly teens, to submit their photographs as they stand a great chance to win in their age group.

d. Turtle News? – Monique

Member Chrétien stated that there is no new turtle news. The Commission discussed removing the turtle crossing signs or just covering them. Member Cannon suggested covering the signs with a fabric bag with a drawstring and added that she would try to make a suitable prototype.

e. Troop 9 News? – Bill

Vice Chair Steele stated that there is no Troop 9 news at this time.

f. Trail Maps: Current Inventory and Re-Printing Needs – Hannah

Chair Wainwright stated that Hannah has been doing rounds around the first of the month and each location is well-stocked.

g. T-Shirts

Member Chrétien shared some samples of t-shirts for the Commission's consideration, and there was discussion.

h. Other Business

Chair Wainwright stated that he has starting working with Ken Grant as an offshoot of the Master Plan Committee. Chair Wainwright continued that Mr. Grant wants to do some surface water sampling, and he found an NH DES program that would support this activity.

The Commission discussed the shirts to be made. Chair Wainwright stated that they should work on the artwork to be printed as well. Member

Chrétien stated that she would work on getting a price quote once the artwork is complete.

Chair Wainwright stated that he is already receiving requests to submit the 2023 easement monitoring report on Williams #4. Chair Wainwright stated that as Members go out into the woods, keep in mind that these reports need to be documented.

8. Next Meetings: August 23 & September 27, 2023

9. Hold the Date: NH ACC Annual Conference will be Saturday, November 4, 2023

10. Adjournment

Member Fournier made a motion to adjourn the meeting. Member Nenart seconded the motion. Vote: 7/0/0

The meeting adjourned at 8:54PM.

Respectfully Submitted,

Zachary Gilberti, Recording Clerk

Attachments:

- Guest Attendance List
- Treasurer's Report
- Rules of Procedure for the Public Hearing
- Letter from the Chapter President of the NEMBA
- Updated copy of the *Policies and Guidelines for the Use of Conservation Land*

Town of Atkinson Conservation Commission

Meeting Attendance Record

Date: JULY 25, 2023

Others attending:	
ROB WARDEN	
Name	Town of Residence
Kevin Arling	Hampstead
Ted & Karen Korza	Windham
Matt Stanley	Sandown
James Mills	Hampstead
Karen Korza	Windham
Tammy Benjamin	E. Kingston
HANDREY FIGUEIREDO	DERBY
Robert Bell	E. Kingston
M-Ly Chupet	Danville
LIONEL CHAPMAN	HURSDON
Shannon + Scott	Danville
Brian Hull	Hampstead
Cameron Green	Hampstead
Chris Conroy	Atkinson
Stephen Horaj	Atkinson
Michael Rego	Atkinson
JAMES GLEY	Atkinson
Emer Mezzetti	Atkinson
John Ottow	Atkinson
Jill Ottow	Atkinson
Chris Duen	Atkinson
Denise Legault	Atkinson

Town of Atkinson Conservation Commission 2023 Expenditure Tracking										
Account Number	Description	TM Approved 2023 Budget		What	Amount	Date Prepared	Date Submitted	Amount Submitted	YTD Total	YTD Unspent
				Rounding				\$ -		
				Minutes - June 28, 2023	4	\$86.00	6/16/2023	6/16/2023	\$86.00	
				Minutes - May 24, 2023	5.5	\$118.25	6/16/2023	6/16/2023	\$118.25	
				Minutes - April 26, 2923	4	\$86.00	5/11/2023	5/11/2023	\$86.00	
				Minutes - March 29, 2023	4	\$86.00	4/10/2023	4/10/2023	\$86.00	
				Minutes - March 9, 2023 (Public Hearing)	2.0	\$38.00	3/27/2023	3/27/2023	\$38.00	
				Minutes - February 22, 2023	4.0	\$76.00	3/23/2023	3/23/2023	\$76.00	
				Minutes - January 26, 2023	5.0	\$95.00	2/20/2023	2/20/2023	\$95.00	\$ 585.25
				Budget Adjustment - removed			00/00/2020		\$ -	
40.46111.110.00	RECORDING CLERK	\$ 1,200.00		Budget Adjustment - removed				\$ -	\$ -	\$ 614.75
				Rounding				\$ -		
				Minutes - June 28, 2023		\$5.33	6/16/2023	6/16/2023	\$5.33	
				Minutes - May 24, 2023		\$7.33	6/16/2023	6/16/2023	\$7.33	
				Minutes - April 26, 2923		\$5.33	5/11/2023	5/11/2023	\$5.33	
				Minutes - March 29, 2023		\$5.33	4/10/2023	4/10/2023	\$5.33	
				Minutes - March 9, 2023 (Public Hearing)		\$2.36	3/27/2023	3/27/2023	\$2.36	
				Minutes - February 22, 2023		\$4.71	3/23/2023	3/23/2023	\$4.71	
				Minutes - January 26, 2023		\$5.89	2/20/2023	2/20/2023	\$5.89	\$ 36.29
				Budget Adjustment - removed			12/17/2019		\$ -	
40.46111.220.00	FICA .062	\$ 75.00		Budget Adjustment - removed				\$ -	\$ -	\$ 38.71
				Rounding				\$ -		
				Minutes - June 28, 2023		\$1.25	6/16/2023	6/16/2023	\$1.25	
				Minutes - May 24, 2023		\$1.71	6/16/2023	6/16/2023	\$1.71	
				Minutes - April 26, 2923		\$1.25	5/11/2023	5/11/2023	\$1.25	
				Minutes - March 29, 2023		\$1.25	4/10/2023	4/10/2023	\$1.25	
				Minutes - March 9, 2023 (Public Hearing)		\$0.55	3/27/2023	3/27/2023	\$0.55	
				Minutes - February 22, 2023		\$1.10	3/23/2023	3/23/2023	\$1.10	
				Minutes - January 26, 2023		\$1.38	2/20/2023	2/20/2023	\$1.38	\$ 8.49
				Budget Adjustment - removed			12/17/2019		\$ -	
40.46111.225.00	Medicare .0145	\$ 20.00		Budget Adjustment - removed				\$ -	\$ -	\$ 11.51
				Northeast Conservation Services - Lang Mgmt Plan	\$1,500.00	5/1/2023	5/1/2023	\$1,500.00	\$ 1,500.00	
				Budget Adjustment - added			12/16/2019		\$ -	
40.46111.390.00	OTHER PROF SERVICES	\$ 2,548.00		Budget Adjustment - added				\$ -	\$ -	\$ 1,048.00
				Staples (John Reimb) - Slade engineering drawings	\$51.99	6/30/2023	6/30/2023	\$51.99		
				Hampstead Print & Copy - Brochures & Posters	\$121.14	6/12/2023	6/12/2023	\$121.14		
				Hampstead Print & Copy - Trail maps - Sawyer	\$145.29	5/31/2023	5/31/2023	\$145.29		
				Hampstead Print & Copy - Brochures	\$74.51	5/19/2023	5/19/2023	\$74.51		
				Hampstead Print & Copy - Trail maps	\$159.84	5/19/2023	5/19/2023	\$159.84	\$ 552.77	
				Budget Adjustment - Added			12/17/2019		\$ -	
40.46111.550.00	PRINTING AND BINDING	\$ 1,000.00		Budget Adjustment - added				\$ -	\$ -	\$ 447.23
				Budget Adjustment - removed			12/16/2019		\$ -	
40.46111.560.00	DUES/SUBS/MEMBERSHIPS	\$ 500.00		Budget Adjustment - removed				\$ -	\$ -	\$ 500.00
				Budget Adjustment - removed			12/16/2019		\$ -	
40.46111.620.00	OFFICE SUPPLIES	\$ 1.00		Budget Adjustment - added				\$ -	\$ -	\$ 1.00
				Budget Adjustment - Added			12/17/2019		\$ -	
40.46111.625.00	POSTAGE	\$ 1.00		Budget Adjustment - added				\$ -	\$ -	\$ 1.00
	Jim Lavoie			Seed spreader - selective harvesting recovery - PW	\$41.25	6/30/2023	6/30/2023	\$41.25		
				Raised stamp embosser - Bow Hunting permits - PW	\$56.90	6/30/2023	6/30/2023	\$56.90	\$ 98.15	
				Budget Adjustment - removed			12/15/2019		\$ -	
40.46111.650.00	CARE OF GROUNDS	\$ 2,500.00		Budget Adjustment - removed				\$ -	\$ -	\$ 2,401.85
				Budget Adjustment - removed			12/15/2019		\$ -	
40.46111.740.00	NEW EQUIPMENT	\$ 300.00		Budget Adjustment - removed				\$ -	\$ -	\$ 300.00
	2022 rate per mile: 0.625			Budget Adjustment - removed			12/15/2019		\$ -	
40.46111.820.00	MILEAGE	\$ 39.00		Budget Adjustment - removed				\$ -	\$ -	\$ 39.00
				Budget Adjustment - removed			12/15/2019		\$ -	
40.46111.840.00	SPECIAL PROGRAMS	\$ 1,000.00		Budget Adjustment - removed				\$ -	\$ -	\$ 1,000.00
				NHACC - 3 Conservation Handbooks	\$60.00	4/11/2023	4/11/2023	\$60.00	\$ 60.00	
				Budget Adjustment - Added			12/17/2019		\$ -	
40.46111.850.00	EDUCATION & CONFERENCES	\$ 250.00		Budget Adjustment - added				\$ -	\$ -	\$ 190.00
				Compliance Signs - "Trail Closed" - 12 - metal - PW	\$171.60	6/30/2023	6/30/2023	\$171.60		
				HP&C - "Trail Relocated" signs	\$270.00	6/23/2023	6/23/2023	\$270.00		
				Reimburse Monique for sign bolts	\$8.00	5/3/2023	5/3/2023	\$8.00	\$ 449.60	
				Budget Adjustment			12/17/2019		\$ -	
40.46111.875.00	SIGNS	\$ 500.00		Budget Adjustment - added				\$ -	\$ -	\$ 50.40
	TOTALS	\$ 9,934.00						\$ 3,290.54	\$ 6,643.46	

TOWN OF ATKINSON CONSERVATION COMMISSION
19 Academy Avenue
Atkinson, New Hampshire 03811

Wednesday, July 26, 2023, 7:00 PM
Atkinson Town Hall

Public Hearing Rules of Procedure

1. One speaker at a time – come to the table.
2. Introduce yourself – Name and the town you live in
3. Be concise – 3 to 5 minutes. No repeat speakers until everyone has had a chance to speak.
4. No personal attacks, and no argumentative discussions. State your own personal views only. Questions of clarification will be answered the best we can.
5. Stick to the point: Trail Policy
6. Be polite.

New England Mountain Bike Association
Southern NH Chapter President's Office
28 April Dr, Nashua, NH 03060
(978) 807-9322
cgaudet@nemba.org
Website: <https://nemba.org>



7/26/2023

Paul Wainwright
Chair, Town of Atkinson Conservation Commission

Dear Paul Wainwright,

Hello, my name is Christopher Gaudet, and I am the Southern NH Chapter President of the New England Mountain Bike Association (NEMBA). While I'm unable to attend the Wednesday July 26, 2023, Public Hearing on the proposed addition of section 8 (as shown below) to your "Policies and Guidelines for the Use of Conservation Land", I wanted to ensure that a written comment on behalf of our chapter was entered as a part of the discussion.

8. Trail Locations: While the public is encouraged to help maintain existing, blazed trails on our conservation lands, any construction or maintenance of additional trails is prohibited without the explicit authorization of the Conservation Commission. Furthermore, the Conservation Commission has the authority to relocate or permanently close existing trails to protect the Town's natural resources.

While I don't disagree with what you're trying to do with the proposed section 8, I strongly feel that it is lacking in context and in checks and balances. Why do I say that? Let me explain. In reviewing all that was available to me online regarding the proposed trail closures in Atkinson per the draft minutes of the June 29th meeting, while you are stating the reason for the proposed trail closures is because they are too close together and the closures are needed for the restoration of wildlife habitat, nowhere did I see any information or specifics on what the current wildlife impact is. Furthermore, no species were identified as being harmed nor was there any discussion or documentation on what species might flourish in the absence of the trails you are proposing get closed. I'm questioning what the goals here are and whether the action (trail closures) would achieve the goals. The reason I say that is because depending on the goals, it might be best to leave the trails. I want to make sure that the public is being informed about all the data backing the decisions being made. As a public government entity, it is important that you're transparent about the actions you're taking and why. The why, including supporting data is extremely important. So, in summary, to add section 8 just to make the proposed trail closures according to your "Policies and Guidelines" does not seem right especially when these trails have been there for numerous years, were/are present on town maps, have been cared for by a very enthusiastic group of local mountain bikers and have been enjoyed by many for a long time.

In working with lots of land managers, given the nature of the organization I represent, one thing we've heard a lot of lately is that land management groups did not realize how much of a free, volunteer workforce came along with a community of mountain bikers. There are many parcels that have pointed out while there are many different user groups that use the trails, it's always the mountain bikers that show up for trail days or care for the trails (most times without even being asked). The mountain biking community is a great, sometimes untapped, resource when it comes to keeping your land kept up. I urge you to embrace that community and work with them, not against them.

Mountain biking and just general multi-use of trails has exploded over the past few years. I feel that if there was one good thing that came out of the Covid-19 pandemic, it was that people have rediscovered their love for the outdoors. With that has come an increased burden to have adequate resources for those that wish to recreate outdoors. That means we all need sustainable trails to recreate on. We should exhaust all other possibilities before we are looking at trail closures because with trail closures comes contention in the community and undue stress on another trail system when the current trail system has been well established and enjoyed for many, many years.

I appreciate you allowing me to provide written comment and appreciate you taking the time to review it. If there is anything you'd like to discuss further with me, please feel free to reach out to me. My contact info is included on this letter.

Warm regards,

A handwritten signature in black ink that reads "Christopher R. Gaudet". The script is cursive and fluid.

Christopher Gaudet

CHAPTER PRESIDENT

Southern NH NEMBA

Cc: Kevin Arling

Policies and Guidelines for the Use of Conservation Land

Atkinson Conservation Commission

Adopted July 22, 2020

Updated and approved February 22, 2023

Updated and approved July 26, 2023

INTRODUCTION

Pursuant to NH RSA 36-A:4, the Atkinson Conservation Commission is empowered to manage and control the town's conservation lands. In that capacity, these policies and guidelines are set forth to preserve the town's open spaces and natural resources, while at the same time making them accessible and enjoyable to the public. Any exceptions to these Policies and Guidelines must be explicitly approved ahead of time by the Atkinson Conservation Commission.

- 1. Public Use:** As is the custom with conservation areas in other municipalities, all of Atkinson's conservation lands shall be open and available equally to all, free of charge, without limitation to where people live or any other distinguishing characteristic such as race, gender, or ethnicity.
- 2. Respect the Neighbors:** Many of our conservation areas are surrounded by residential properties, and some areas have very narrow roads leading to them. Please be respectful of the neighbors. For example, don't turn around in their driveways or back onto their lawns or gardens. These things are obvious, but unfortunately, they need to be said from time to time. Visiting our conservation lands is a privilege, not a right.
- 3. Parking:** The Commission has made an effort to provide some parking for the publicly-accessible conservation lands in town. However, parking is on a first-come, first-served basis, and we cannot guarantee parking will be available during periods of high demand. Users of our conservation lands are required to follow posted signs and park only where indicated. If parking is not available, we ask visitors to return at another time. Parking on conservation land is only for the use and enjoyment of that land, and overnight parking is prohibited.
- 4. Carry-in, Carry-out:** All of the town's conservation lands are "carry-in, carry-out" locations. No trash cans are provided, and all trash must be taken with you when you leave.
- 5. Dogs:** Dogs are welcomed on the town's conservation lands and do not need to be leashed as long as they are well-behaved and under voice control of the owner. We do not enforce the town's "clean-up" regulations, just don't let your dog poop on the trail. Signs are provided at dog eye level reminding them of this. If you do clean up after your dog, you must take "it" with you (see #4 above).

- 6. Motorized Vehicles:** Motorized vehicles of any sort are strictly prohibited on the town's conservation lands. These include but are not limited to All-Terrain Vehicles, Dirt Bikes, and Snow Mobiles. Exceptions to this policy include law enforcement and other first responders, electric motorized devices for disabled people such as wheelchairs, and Commission-approved trail maintenance activities. Horseback riding is permitted.
- 7. Trails:** The conservation trails are maintained by town volunteers, and visitors are invited to assist by clearing branches or picking up trash. Maps are available on the town's web site and (while supplies lasts) in mailboxes at trail entrances. Interactive trail maps are available for your smartphone via a QR code posted at each entrance. If you choose to use a paper map, you are invited to return it to the mailbox upon completion of your walk. You are permitted to walk off-trail in the woods, but please do so "gently" so as not to harm native plants. Some of our trails are on easements across other people's land, and these are marked with red signs "Respect land owner, stay on the trail." In those cases, do what the sign says.
- 8. Trail Locations:** While the public is encouraged to help maintain existing, blazed trails on our conservation lands, any construction or maintenance of additional trails is prohibited without the explicit authorization of the Conservation Commission. Furthermore, the Conservation Commission has the authority to relocate or permanently close existing trails.
- 9. Don't Take or Harm Anything:** Except for berry picking, mushroom gathering, and invasive plants (see the next item), visitors are asked to "do no harm" and "take no souvenirs." This includes but is not limited to picking flowers, harvesting plants, disturbing stone walls, cutting trees, making new trails, paintball, and so forth. The harming or removal of official signs or trail blazes is strictly prohibited.
- 10. Invasive Plants:** The exception to the "do no harm" rule is uprooting invasive plants. If you are familiar with the state's list of invasive plants and can identify them in the field, you are more than welcome to uproot or cut them. Just don't take them with you since it's illegal to transport invasive plant materials. You may leave uprooted plants on a stone wall or other elevated object where their roots will not reach the ground. The most common invasive plant in our forests is Oriental Bittersweet, which is pretty easy to spot.
- 11. Camping and Fires:** Overnight camping or fires of any sort are not allowed on the town's conservation lands unless a camping permit is first obtained from the Conservation Commission, and/or a fire permit is obtained from the Fire Chief. Such permits are made available on an extremely limited basis, and are given only to non-profit community organizations such as the Boy or Girl Scouts. Fireworks are prohibited on all town conservation land.
- 12. Construction:** Building anything on conservation land is prohibited unless prior consent is obtained from the Commission. Consent will only be given for permanent improvements for the public good, such as a bridge across a stream.

Prohibited activities include but are not limited to shelters, dams, platforms, and signs.

- 13. Commercial Activities:** No commercial activities are allowed on conservation land. Examples include professional dog walking and professional photo shoots.
- 14. Hunting:** Limited in-season hunting is allowed on the town's conservation lands, and specific Commission-approved regulations for hunting are available from the Selectmen's office.
- 15. Dumping:** The dumping of brush or leaves (or anything else for that matter) on conservation land is prohibited.
- 16. Drones:** The use of drones on conservation land is permitted as long as all applicable state and federal laws are followed, and as long as such use is for personal enjoyment and not for commercial purposes.
- 17. Metal Detectors:** The use of metal detectors on all Town conservation lands may be done only with written permission of the Atkinson Conservation Commission. Historical artifacts found on Town land are the property of the Town of Atkinson and should be donated to the Atkinson Historical Society.