

Atkinson Conservation Commission Minutes
Wednesday, July 27, 2022, 7:00 PM
Atkinson Town Hall

Approved August 24, 2022

Members Present:

Paul Wainwright, Chair
Bill Steele, Vice Chair
John Fournier, Secretary
Suzie Newman
Jeff Nenart
Pete McVay

Others Present:

Bob Worden, Selectman Liaison
Sue Killam, Planning Board Chair
Barbara Brown, Planning Board Member

1. Call to Order, and Attendance:

Chair Paul Wainwright called the meeting to order in person at Atkinson Town Hall at 7:00 PM on Wednesday, July 27th, 2022. Chair Wainwright took attendance and all members were present except for Member Kukshtel. No alternates were present.

Chair Wainwright stated that approval of minutes and other routine administrative topics are being postponed until the August meeting because of the expected length of the presentation and discussion about the Land Conservation Plan.

2. Discuss and Approve the Monitoring and Stewardship Policy Document

Chair Wainwright stated that the Commission is working on a land deal which has an LCHP grant associated with it and one of the LCHP requirements is to have a written Land Monitoring and Stewardship Policy in place. Chair Wainwright continued that he feels the Commission does a good job of monitoring and stewarding the Town-owned conservation lands, but a formal policy has not yet been adopted. Chair Wainwright stated that, based on the roundtable discussion at the last meeting, he summarized the points that were made and wrote a two-page draft policy document which he had previously emailed to the Members for comment and discussion. Chair Wainwright asked the Commission for comments. Member Nenart stated that he felt the policy was well-written and concise.

Member McVay handed out copies of the draft Reporting Form for consideration. Member McVay gave a brief overview of this form, that can be used to report the observations that are made during a monitoring visit to a conservation area. Chair Wainwright asked if there were other comments, there were none.

Member Nenart made a motion to approve the Monitoring and Stewardship Policy, as written. Member McVay seconded the motion. Vote: 6/0/0, the motion carried.

A copy of the approved Monitoring and Stewardship Policy is attached to these minutes.

3. Approve Updated Selective Timber Harvest Proposal from Charlie Moreno

Chair Wainwright stated that he received a revised selective timber harvest proposal from Charlie Moreno. Chair Wainwright continued that last fall, the Commission signed a work agreement just for the Stickney Town Forest. However, when Charlie Moreno began to plan the project, he ran into permitting issues that delayed the project and increased the cost, thus making it less advantageous to continue with the work as proposed. Chair Wainwright stated that, by enlarging the size of the harvest, the Commission has a better chance of being "revenue-positive" with the project. Any profit from the timber harvest would be deposited into the Forest Maintenance Fund, to be used for other forest maintenance activities such as invasive plant control. Chair Wainwright continued that the revised proposal includes the Marshall Town Forest and Susan Beckhorn's land which was recently donated to the town.

Member McVay made a motion to approve the professional work agreement from Charlie Moreno, dated 07/26/2022, to increase the selective timber harvest to include the Beckhorn & Marshall Lands. Member Fournier seconded the motion. Vote: 6/0/0, the motion carried.

The signed Work Agreement is attached to these minutes.

4. Presentation and Discussion of the Maps from the Land Conservation Plan

Chair Wainwright projected a presentation regarding the Land Conservation Plan, and stated that he will be judiciously reading his notes to prevent misspeaking. Chair Wainwright continued that this is the second presentation he has given since the beginning of this project; the first presentation focused on the first few sections of the Plan, whereas this presentation will focus on the Conservation Attributes in the Town of Atkinson. Chair Wainwright stated that conservation attributes are things in Town which are worthy of preserving. Chair Wainwright continued that the reason for this plan is "to prepare a comprehensive, data-driven plan for prioritizing Atkinson's dwindling open spaces and natural resources in order to help the Town focus its efforts and leverage its Conservation Fund to protect them."

Chair Wainwright stated that this Land Conservation Plan is made up of the following six sections: Introduction & Goals, Reasons for Conserving Land, Methods for Conserving Land, Conservation Attributes in the Town of Atkinson,

Analysis of Conservation Priorities & Opportunities, and Conclusions & Recommendations. Chair Wainwright continued that the plan also has two appendices: A Brief History of Conservation in Atkinson, and The Current State of Conservation in Atkinson.

Chair Wainwright stated that a few examples of conservation attributes are wetland protections such as upland buffers, wildlife habitat protection and connectivity, preservation of groundwater quality, and opportunities for walking trails & education. Chair Wainwright continued that the best way to catalog conservation attributes is using maps, which will be a large focus during this evening's meeting.

Chair Wainwright stated that the conservation attributes section of this plan contains fourteen maps produced by Rob Pruyn at the Rockingham Planning Commission. Chair Wainwright continued that these maps are based on available GIS data, and they give a good high-level picture of available attributes in Town. Chair Wainwright stated that these maps must also be verified by on-the-ground studies, and should not be used as surveys or looked at with a microscope because they are sometimes incomplete or out of date.

Chair Wainwright displayed *Map 1 – Land Use 2015*, which is the same map that was in the 2015 Master Plan update. Chair Wainwright noted the legend of the map, which shows the different colors that denote different land uses (e.g., active agricultural, farmsteads, forested, industrial/commercial, mixed urban, open wetlands, other/idle, playing fields/recreation, railroad, residential, transportation, utilities, and water). Chair Wainwright continued that, in 2015, the most common use of land was forestry at 2,936 acres; the second most common land use was residential at 2,633 acres; the third most common land use was open wetlands at 381 acres; the fourth most common land use was active agriculture at 266 acres.

Chair Wainwright next displayed *Map 2 – Topography*, which was produced based on elevation contour data derived from a 2011 coastal New Hampshire LIDAR study. Chair Wainwright continued that this map shows the topographical landscape of the Town, and explained how to read the map.

Chair Wainwright then displayed *Map 3 – Soils (NRCS, 1994)*, which is a map made with data derived from a broad-based inventory of underlying soils which was published by the U.S. Department of Agriculture in 1994, and is not likely to have changed much since it was created. Chair Wainwright stated that the legend lists five different types of underlying soils found in Town, each with their own characteristics. Chair Wainwright continued that these soils were deposited during the ice age by glacier activity, which explains the very straight, well-defined, delineation of each of the soil types.

Chair Wainwright displayed *Map 4 – Agricultural Soils*, which looks at surface soils as opposed to the underlying soils shown in Map 3. Chair Wainwright stated that there are three categories of agricultural soils found in Town, and this map

shows which lands are suitable for farming or otherwise of local or statewide importance.

Chair Wainwright displayed *Map 5 – Surface Waters, Watersheds, FEMA Flood Hazard Areas*. Chair Wainwright stated that surface waters include ponds, streams and intermittent streams. Watersheds are the locations where precipitation in the area flows to, and FEMA flood hazard areas are areas determined by FEMA to be likely to flood.

Chair Wainwright displayed *Map 6 – Groundwater, Aquifers (USGS 1992)*, which shows potential contamination sources, wetland protection areas, and public water wells in Town. Chair Wainwright stated that there are also two areas of Town which have Stratified-Drift aquifers, one on the eastern side of town under Bryant Woods, and the other on the western side at the tail end of Westside Road. Chair Wainwright continued that a Stratified-Drift aquifer is an underground area of sand & gravel instead of bedrock, where water can accumulate and be withdrawn relatively easily. Chair Wainwright stated that the public water supply data and potential contamination site data was obtained from New Hampshire Department of Environmental Services, and was last updated in 2017 and 2019, respectively. Chair Wainwright continued that the Stratified-Drift aquifer data came from the Complex Systems Research Center at the University of New Hampshire.

Chair Wainwright then displayed *Map 7 – Wetlands*, which gives an overview of wetland areas in Town, and identifies wetlands as hydric soils and prime wetlands. Chair Wainwright reminded the Commission that the prime wetlands were delineated in a Prime Wetland Study done in 2002, and have been approved by the Town for special protections through zoning and through State regulations which are administered by NH DES. Chair Wainwright continued that this Land Conservation Plan defines wetlands by soil type, namely poorly-drained and very-poorly-drained soils, in order to be consistent with the way Atkinson's zoning ordinances define wetlands. Chair Wainwright stated that soils data behind this map was based on field work conducted by the United States Department of Agriculture Natural Resource Conservation Service, which was completed in 1985, and it is generally believed that soil types do not change much over time. However, as with all the maps in this Plan, current conditions must always be verified by field studies when drawing a site plan for development.

Chair Wainwright displayed *Map 8 – Open Space*, and stated that he did quite a bit of work bringing this map up to date. Chair Wainwright stated that this map is now more accurate than what is currently in the GRANIT database, but hopefully the updates will be reflected soon. Chair Wainwright continued that the legend shows many different types of open space protections in Town, including Town-owned conservation land, cluster development open space, and easements on privately-owned land. Chair Wainwright stated that he gathered all the information contained within this map through a search of the Town's tax records as well as a search through the Rockingham County Registry of Deeds.

Chair Wainwright displayed *Map 9 – Wildlife Habitat Features*, which contains data from two separate studies. Chair Wainwright stated that data from a 2014 study of the Merrimack River Watershed was used to determine habitat considerations along with water quality and recreation considerations. Chair Wainwright continued that data from the 2020 Wildlife Action Plan was also used to create this map.

Chair Wainwright displayed *Map 10 – Aerial Photo (USGS/NH DOT 2015)*, which is what *Map 1 – Land Use* was based on, as well as the Impervious Surface map that will be shown in the next slide. Chair Wainwright stated that, since this photograph is outdated, he has also included a current aerial photograph in Appendix B, Map J of the Plan.

Chair Wainwright displayed *Map 11 – Impervious Surfaces (UNH Complex Systems, 2015)*, which shows impervious surfaces in Town such as parking lots, roofs, and streets. Chair Wainwright stated that impervious surfaces are important because they block rainwater from replenishing groundwater resources; for this reason, the Town's subdivision regulations take special care to require storm water retention areas for runoff from impervious surfaces to allow rainwater to replenish the drinking water supply instead of flowing downstream into the ocean.

Chair Wainwright displayed *Map 12 – Unfragmented Blocks*, which are areas that are mostly wooded and have no street crossings that will impede the migration of wildlife. Chair Wainwright stated that the Town's zoning has driven the development of a lot of cul-de-sacs, which is beneficial in this regard. Chair Wainwright continued that such unobstructed swaths of land are an important natural resource, and are one of the priorities when considering future Conservation projects.

Chair Wainwright displayed *Map 13 – Forest Resource Potential*, which takes a look at the land's ability to produce timber and other forest products, and is based on an analysis of soils data. Chair Wainwright stated that there are three different categories of areas listed on this map; one category for soils well-suited for hardwood production (Oak & Maple), one category for soils that can sustain hardwood production although not ideal, and one category for soils which are drier and less fertile, and are well-suited for softwoods – especially white pine.

Finally, Chair Wainwright displayed *Map 14 – Connecting the Coast (TNC, SELT 2019)*, which was part of a study done by The Nature Conservancy and the Southeast Land Trust in 2019. Chair Wainwright stated that this study was based on aerial photographs and other GIS data that predicts the likelihood of wildlife corridors and "prioritized blocks," which are areas in which good wildlife habitat is likely to exist. Chair Wainwright continued that, as with the other maps, the information here needs to be backed up with on-the-ground studies and other due diligence research.

Chair Wainwright stated that these maps are contained within Section 4 of the Plan, and they form the basis for the next section, which is the Analysis of Conservation Priorities & Opportunities. Chair Wainwright continued by acknowledging funding assistance from The New England Grassroots Environmental Fund, and The New Hampshire “Moose Plate” Grant Program.

The Commission took a five-minute recess.

Chair Wainwright stated that, of the fourteen maps presented, he will go through the list and explain why each would be included or excluded from the prioritization process.

Chair Wainwright stated that Map 1 – Land Use will be out of the prioritization process because, although it is useful history, it doesn’t highlight what should be preserved.

Chair Wainwright continued that Map 2 – Topography will be out of the prioritization process because it does not help the Commission differentiate one type of land from another, although it may help the Commission decide where to place trails.

Chair Wainwright stated that Map 3 – Soils will be out of the prioritization process because it does not present anything to differentiate one part of Town from another.

Chair Wainwright continued that Map 4 – Agricultural Soils will be included in the prioritization process because these characteristics might be one of the things considered when protecting a piece of land.

Chair Wainwright stated that Map 5 – Surface Water, Watersheds, & FEMA Flood Hazards will not be included in the prioritization process because, although it does have useful information, this information is also included in other maps.

Chair Wainwright continued that Map 6 – Groundwater & Aquifers will be partially included in the prioritization process because aquifers will certainly affect decision making when protecting land.

Chair Wainwright stated that Map 7 – Wetlands will obviously be included in the prioritization process.

Chair Wainwright continued that Map 8 – Open Space will be included in the prioritization process because protecting land adjacent to land that is already protected is important for continuity of wildlife habitat and trails.

Chair Wainwright stated that Map 9 – Wildlife Habitat Features will be included in the prioritization process due to its importance for wildlife protection.

Chair Wainwright continued that Map 10 – Aerial Photo will not be included in the prioritization process because it does not add much value.

Chair Wainwright stated that Map 11 – Impervious Surfaces will be partially included in the prioritization process because it also contains surface water data.

Chair Wainwright continued that Map 12 – Unfragmented Blocks will be included in the prioritization process because it shows how lands are connected.

Chair Wainwright stated that Map 13 – Forest Resource Potential will not be included in the prioritization process since it did not significantly delineate one area of Town from another since most parts of Town have good soils for forestry.

Chair Wainwright continued that Map 14 – Wildlife Corridors & Blocks will be included in the prioritization process because of its importance for wildlife protection.

Chair Wainwright stated that there are other important considerations that cannot be mapped such as scenic vistas, vernal pools, historic importance, threatened & endangered plants & animals, and the willingness of landowners to protect their land. Chair Wainwright continued that the following analysis is just one thing to look at when considering a land conservation project.

Chair Wainwright showed a sequence of slides that illustrated how the co-occurrence map was created. This analysis included the following information:

- Map 4 was included to show farmland of state-wide importance.
- Map 6 was included to show lands above a Stratified-Drift aquifer.
- Map 7 was included to show areas within 300 feet of a prime wetland.
- Map 8 was included to show areas within 200 feet of protected land.
- Map 9 was included to show NH Fish & Game Wildlife Action Areas.
- Map 11 was included to show areas within 100 feet of a stream or pond.
- Map 12 was included to show parts of an unfragmented block.
- Map 14 was included to show areas which are part of a The Nature Conservancy wildlife corridor or block.

The slides went on to illustrate how this information could be stored as individual semi-transparent layers in a map file, and how these layers would look with shades of green that get darker the more attribute layers exist for any location on the map. Since it is difficult for the human eye to differentiate the various shades of green, Chair Wainwright proceeded to illustrate how the number of co-occurring attributes could be shown in a rainbow-like color scheme, which is essentially what Map 15 shows.

Chair Wainwright stated that, while working with Theresa Walker of the Rockingham Planning Commission, she suggested having a table in the Plan which looks at various areas of Town and illustrates how the maps can be used to determine what conservation attributes exist at those locations. Chair

Wainwright showed this table, and went on to use the map layers to determine the attributes present in one particular area just to the north of the eastern portion of the Sawmill Swamp Prime Wetland.

Chair Wainwright continued that the Plan does not include any tax map layers. This concluded the presentation. The Commission thanked Chair Wainwright for all of his hard work towards this project thus far. The Commission had a brief discussion around how beneficial these maps will be when the Plan is complete.

Vice Chair Steele stated that he enjoyed the presentation and although he'd seen the maps previously, the way Chair Wainwright added the layers to show the attributes was very helpful to show the story of conservation in Town.

Chair Wainwright stated that he began working with Rob Pruyne on the co-occurrence map, but after a few unsuccessful drafts he made these maps in Photoshop, which proved to be much better for this project. Chair Wainwright stated that these maps will be useful in the future because, when applying for LCHP grants, one question they ask is "are there any local studies that indicate this land is valuable?" Chair Wainwright continued that he realized when applying for a previous grant that there aren't any local studies that show this. Chair Wainwright stated that he started this project by looking at what other Towns had done and found synergies in the approaches of other Plans.

Sue Killam stated that when thinking about the easement she is donating to the Southeast Land Trust, the Judge Marshall Town Forest just upstream from her land is protected, and downstream Mill Stream Crossing has open space protections. Ms. Killam continued that this means Hog Hill Brook will have additional contiguous protection and this is a good example of the success of conservation in Town. The Members had a brief discussion about the merits of the Commission and how our efforts have helped shape the Town along with the help of the Planning and Zoning Boards over the years.

5. Other Business

Member Fournier stated that the Town's new website is now live, including the new Commission website.

Vice Chair Steele brought up the matter of encroachments and sign posting. Chair Wainwright stated that he is working with Town Administrator John Apple and Police Chief Timothy Crowley about the trailers on Boulder Cove Road and appropriate next steps. Chair Wainwright continued that these trailers have been on the property for years and will likely not be removed this season.

Chair Wainwright stated that there is a meeting with Mike Smith tomorrow regarding his desire to park vehicles near the Stickney Land. Chair Wainwright requested that a quorum be present for this meeting so decisions can be made.

Chair Wainwright stated that during the next meeting, he would like to discuss the new Commission website, and asked the Members to look at the site and come to the next meeting with ideas for updates, edits, or additions.

6. **Next Regular Meetings: August 24 and September 28, 2022, at 7:00PM**
7. **Hold the Date: NH ACC Annual Conference will be Saturday, November 5, 2022**
8. **Adjournment**

Member McVay made a motion to adjourn the meeting. Member Nenart seconded the motion. Vote: Approved by Consensus

The meeting adjourned at 8:24PM.

Respectfully Submitted,

Zachary Gilberti, Recording Clerk

Attachments:

- a. Monitoring and Stewardship Policy – Adopted July 27, 2022
- b. Signed work agreement for Marshall Town Forest selective timber harvest

Town of Atkinson Conservation Commission

Monitoring and Stewardship Policy for Fee-Owned Town Conservation Land

Adopted July 27, 2022

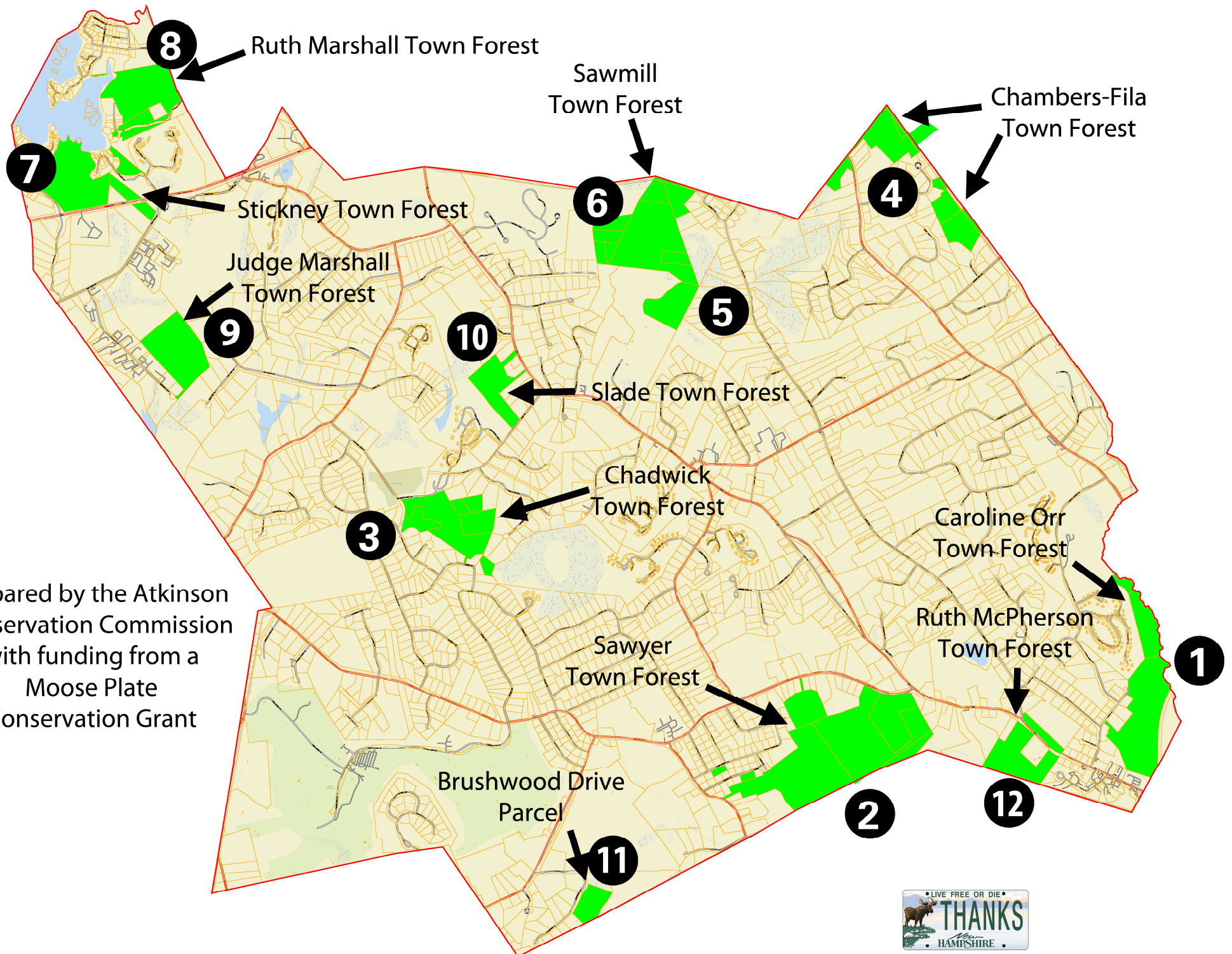
1. The purpose of this Policy is to ensure that the natural resources of the Town's conservation lands are maintained through regular inspections, and that issues affecting the Town's conservation lands are documented and appropriately addressed.
2. The primary goal of stewardship of the Town's conservation lands shall be the protection of environmentally valuable Town-owned open spaces, in order to conserve our natural resources such as drinking water quality, wildlife habitat preservation, watershed protection, and wetland quality.
3. Passive recreation shall be secondary to these goals, and shall be managed in such a way as to minimize the impact of human presence on the above primary goals.
4. On lands for which selective timber harvesting is done, the primary goal of harvesting shall be to improve the health and diversity of the forest and the wildlife it supports.
5. Public access to conservation land shall be in accord with the *Policies and Guidelines for the Use of Conservation Land*, which was adopted by the Commission on July 22, 2020, and which may be amended from time to time.
6. The properties to be monitored are indicated on the attached map entitled *Conservation Lands in the Town of Atkinson*, which may be amended as additional land is acquired for conservation. Currently (2022), there are 12 separate parcels or groups of parcels to be monitored.
7. Commission members, along with other volunteers, should conduct an on-the-ground site visit to each of the 12 properties on an annual basis, and should complete the attached *Volunteer Monitoring Report*, or other suitable form of documentation.
8. When volunteers are conducting a monitoring site visit, they must exhibit due diligence to not trespass on abutting properties, and must always treat abutting property owners, as well as others, with respect. Additional guidelines concerning relations with abutting property owners can be found in the Commission's By-laws, Article IX, which is attached to this Policy for easy reference.
9. During a monitoring site visit, the following is a sample list of things that the volunteers should look for:

- a. The condition of trails and kiosks, if any
 - b. The general condition of the forest, such as re-growth (sapling) health, or evidence of disease
 - c. Any evidence of wildlife activity (both animals and teenagers)
 - d. The extent and variety of invasive plants
 - e. Missing boundary markers – replenish as necessary
 - f. Apparent encroachments vandalism, or other mis-use of the land (see the attached protocol for addressing these)
 - g. Was there any dumping of yard debris or other materials?
 - h. A short narrative of the general condition of the property may be added to the report.
 - i. The report should also include any recommended actions that the Monitoring Team feels should be taken.
 - j. Photographs may also be attached to the report, and these should be accompanied by a Photo Key that shows the location where the photo was taken, the date and time, the subject matter, and why it is significant.
 - k. Other topics may be added to this list, as needed.
10. Monitoring reports should be signed by the Monitoring Team Leader with other attendees noted, and should be maintained by the Town of Atkinson as permanent records.
11. This Monitoring and Stewardship Policy may be amended by a two-thirds majority vote of the Atkinson Conservation Commission.

Attachments:

- A. Map: *Conservation Lands in the Town of Atkinson*, showing the properties on which annual monitoring should be performed.
- B. *Policies and Guidelines for the Use of Conservation Land*
- C. Article IX from the Commission's By-laws that discusses the management of conservation land
- D. *Volunteer Monitoring Report Form*
- E. Response Protocol for Observed Potential Violations

Conservation Lands in the Town of Atkinson



Prepared by the Atkinson
Conservation Commission
with funding from a
Moose Plate
Conservation Grant



Policies and Guidelines for the Use of Conservation Land

Atkinson Conservation Commission

Adopted July 22, 2020

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. **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.
9. **Invasive Plants:** The exception to the "do no harm" rule is cutting or 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. The most common invasive plant in our forests is Oriental Bittersweet, which is pretty easy to spot.
10. **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.
11. **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.
12. **Commercial Activities:** No commercial activities are allowed on conservation land. Examples include professional dog walking and professional photo shoots.
13. **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.
14. **Dumping:** The dumping of brush or leaves (or anything else for that matter) on conservation land is prohibited.
15. **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.

Article IX: Management of Conservation Lands

- 1) All of Atkinson's Conservation Lands have been designated to be "under the supervision and control of the Atkinson Conservation Commission." This designation can be found either in the deed to each parcel, and/or in votes at Town Meeting approving the acquisition of the land or designation of the land as part of the Town Forest (see NH RSA 31:110 thru 114). Therefore, the Commission is responsible for establishing land use regulations for the Town's conservation lands, and may from time to time adopt and publicize a **Land Use Policy**.
- 2) ***Perambulation** - As part of the Commission's responsibility to administer the Town's conservation lands, Commission Members shall periodically walk the land's boundaries, identify and mark monuments placed by surveyors, and place identifying signage at the boundaries of the Town's lands. Because conservation land is open to the public, prior notice to abutters need not be given. Commission Members will exercise due diligence to not trespass on abutting property.*
- 3) For Town Forest lands, the Commission is responsible for hiring a licensed Consulting Forester to prepare Forest Management Plans for the major parcels, and to authorize the execution of forest management plans and procedures to maintain the health of the forest.
- 4) Each time a parcel has been added to the Town Forest at Town Meeting, the Town has voted to place any revenue from periodic selective cuts in a Forest Maintenance Fund pursuant to NH RSA 31:113. The Commission is responsible for developing plans for maintaining the health of the Town Forest, and for recommending expenditures for that purpose from the Forest Maintenance Fund, for approval at Town Meeting.
- 5) The Commission is responsible for monitoring lands for which the Town or a conservation organization (such as the Forest Society) owns a conservation easement, and for alerting the easement holder if possible violations of the terms of the easement are found.



Town of Atkinson Conservation Commission

Volunteer Monitoring Report - Fee-owned properties

Property name and number

Date

Monitoring Team Leader:

Signature:

Others in attendance:

PREPARATION

Yes No

Do you have a copy of
the survey/plan for the property?

<input type="checkbox"/>	<input type="checkbox"/>
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Have you reviewed prior
monitoring reports?

<input type="checkbox"/>	<input type="checkbox"/>
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Have you reviewed the Commission's
Monitoring and Stewardship Policy?

<input type="checkbox"/>	<input type="checkbox"/>
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Have you reviewed the Policies
and Guidelines for the use of
Conservation Land?

<input type="checkbox"/>	<input type="checkbox"/>
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What was the extent of this monitoring site walk?

Eg, walked the trails, walked the boundaries, inspected road frontages, etc.

What was the duration of the site visit(s)?
(total hours spent)

Continued on next page

Stewardship Monitoring Site Visit Report - page 2.

Property name and number: _____

Date: _____

a. Describe the condition of trails, maps, and kiosk (if any)

b. Describe the general condition of the forest

c. Describe evidence of wildlife activity

d. Was there evidence of invasive plants? Please describe

e. What was the condition of boundary markers?

f. Were any apparent encroachments or other violations observed?
(Describe briefly and follow the protocol for violations)

g. Any other remarks or observations?

h. Do you have any recommendations for actions to be taken?

i. Were any photographs taken? Attach, with descriptive text

Adapted from UNH Stewardship Training Guide

Response Protocol for Observed Potential Violations

If you observe a condition or activity that may constitute a potential encroachment or other violation (referred to as an “activity” in this subsection), DO NOT attempt to confront the issue, but instead immediately follow the steps below. If circumstances do not allow you to photograph and document the activity, make mental notes and write up the details as soon as possible.

1. **Make your safety a top priority.** Assess the situation for potential risks of harm. Avoid or carefully retreat from potentially hazardous situations. If and only if your safety is secure, you may proceed to the next step.
2. **Photograph the activity** (if possible) and, if your camera has a time and date stamp feature, confirm that it is accurately set and reflected on the photographs (most phones record this automatically when taking a photo). Avoid photographing people as the main subject of a photograph.
3. **Capture the following information on your monitoring form** (or other suitable medium if form is unavailable), to the extent possible:
 - Write the time and date of your observation.
 - Write the names of all witnesses present at the time of your observation.
 - Identify and mark the location of the activity on your site map. If you do not have a site map, sketch a site map that indicates your best estimate as to the location of the activity on the property, and be sure to sketch any key landscape features that may be useful for identification.
 - Write a clear, detailed and objective description of your observations. Avoid making conclusions or describing the activity as a “violation.” **Your description should include the following** (as applicable):
 - a. description of the person(s) observed conducting the activity;
 - b. types and models of equipment being used to conduct the activity;
 - c. description of any changes in the land or alterations of manmade features;
 - d. documented or recorded statements made by the person(s) observed conducting the activity, whether addressed to you or to someone else;
 - e. documented or recorded statements made by you to the person(s) observed conducting the activity (if possible)— but DO NOT initiate communication with any person(s) either observed conducting the activity or suspected to be responsible for the activity;

- f. written or recorded description of any feelings that you experienced where you felt you were in danger or your safety was at risk; and describe the conditions responsible for that experience (note: this information may serve as legal evidence in the event of litigation (e.g., for an assault) so honesty and the timeliness of your written description is imperative);
- g. list of questions and/or follow-up items that you may have; and
- h. description of any other factors that you deem relevant, including suggestions or general comments.

4. **Communicate the activity** to the Town Administrator for follow-up action.

5. **Make sure your observations are documented.** If circumstances prevented you from sketching and/or writing a clear and detailed description of your observations at the time they occurred, do it as soon as possible after the fact.

Charles Moreno, LPF
Consulting Forester
PO Box 60
Center Strafford, NH 03815

PROFESSIONAL WORK AGREEMENT

July 26, 2022

Landowner:
Town of Atkinson
c/o Atkinson Conservation Commission
21 Academy Avenue
Atkinson, NH 03811

Job: Preparation and Project Management for
Forest Improvement Harvest

Location: 40± accessible acres of the 44± acre Marshall & Beckhorn
Lot parcels off Boulder Cove Road in Atkinson, NH.
Atkinson Tax Map 20, Lot 36 and Map 20, Lot 37-1.

Project Task Description:

- I. **Preparation of Forest Improvement Harvest**
 - a) **Property reconnaissance** to view forest conditions & project logistics.
 - b) **Access logistics:** Landing location.
 - c) **Location and demarcation** (painting) of common **property lines** adjacent to project area.
 - d) **Selection and marking** of trees to harvest for forest health, regeneration, habitat enhancement.
 - e) Preparation of **Wetland Notification permit**. (Maps, NHB Data Check). This is logger's permit, and logger is fully responsible for compliance.
- II. **Administration of Forest Improvement Harvest**
 - a) **Showing** of operation. (Multiple showings and project quote compilation adds 8± hours of time)
 - b) Prepare **bid form**. Review with Conservation Commission (ACC)
 - c) Negotiation and preparation of **logging contract**.
 - d) **Supervision** of harvest operation (7± visits).
 - e) **Communications** with ACC, logger to manage project.
 - f) Cost/revenue **accounting and final review**.

Professional Service Fees: (Estimated cost \$5,560±)

Moreno Forestry personnel @ \$80/hr.

Part I: Projected as 41± hours, with \$200± materials (paint). Projected cost: \$3,480±.


Part II: Projected as 26± hours. Total projected cost: \$2,080±.

Service Quotation and Conditions:

- I. Billing for Harvest Preparation and Administration, Part I and II, to be made at the time of the logging operation, when stumpage payments are received from logger or mill.
- II. Logger stumpage payments will be supervised by Charles Moreno, via an escrow account. Charles Moreno will deduct above quoted fees and submit stumpage balance to the Landowner, with full accounting.
- III. Stumpage revenue received by the Landowner depends on types of forest products, timber volume harvested, and price received for timber.
- IV. The Landowner will reimburse Charles Moreno for professional and administrative time spent on this project if the Landowner cancels or postpones project after professional services have been initiated.
- V. Deviation from above outlined project tasks, or additional requested project tasks, may cause an increase in project cost, if professional hours or materials used exceed those projected above.

Acceptance Signatures:

 7/27/2022
Town of Atkinson, New Hampshire Date

 7/26/2022
Charles Moreno, LPF Date
Consulting Forester, Center Strafford, NH 03815

 7/27/2022
Town of Atkinson, New Hampshire Date