
Conservation Commission Minutes - 03/07/2016

Conservation Commission Meeting Minutes
March 7, 2016

Present were members: Margaret Graciano, Mike Dufilho, Tom Seidel, Brian Byrne and Pam Smillie.

Visitors included: Lori Stearns, Rich Patch, Joyce Allan, Linda Comeau, Bea Davis, Bob Davis, Lisa MacAllister, Alicia Hawkes, Mark Ross-Parent, Susan Ross-Parent, Bob Thompson, George Howard, Huntley Allan, and Mary Howe.

Please note, due to all the visitors, I sincerely apologize if I misname or quote an individual incorrectly in these minutes.

Hank Benesh filmed the meeting.

The minutes from February 1, 2016 were unanimously approved.

Conservation Easement for Prospect Farm?

Tom introduced Linda Comeau from USVLT to discuss what a conservation easement would mean for Prospect Farm. He reiterated that this is an educational session to inform us all about what it means to place land in an easement.

Linda is a Jackson resident with a personal interest in land conservation in addition to her experience with the land trust. She informed us that USVLT has two easements on properties currently owned by towns. One is Foss Mountain in Eaton and the other is the Albany Town Forest. Prospect Farm was given to the town by Edith Baker to forever be held by the town of Jackson and used as a town park.

Linda described a conservation easement as a "belt and suspenders" protection plan because in addition to the town's protection, USVLT would act as a third party entity to ensure that the terms on the easement are upheld in perpetuity.

Linda said that they always ask landowners to look far down the road to determine what they would like to do forty/fifty years from now. There are options to amend the easement if something pops up that was not foreseen at the outset.

Margaret asked if the town still owns the land even under easement. She also asked how the terms are determined and if it is on a case by case basis. Linda said yes, the town would still own the land. And the terms are determined by the town at the time it is placed under easement.

Mike asked Linda if she felt Prospect Farm would be a good candidate for a conservation easement. Linda said absolutely. She explained that it's a large parcel of land adjacent to the White Mountain National Forest and that helps to create an even larger tract of uninterrupted undeveloped land. Also, Prospect Farm is an ideal location to protect due to its location at the headwaters of the Wildcat River (a wild and scenic river).

Tom asked for public comments. Bea Davis stated that she thinks that Prospect Farm is fine as it is right now.

Joyce Allan wondered what the scenario might be that the current wording would be insufficient to protect the land. Linda said that in 100 years the parcel could be sold.

Mike stated that that was the reason we began this discussion in the first place.

Brian asked if motor vehicle use would still be allowed. Linda replied that that would be the decision of the town under whatever terms are established. Linda reiterated that the specific regulations would be determined by the town.

Tom said that a few years ago when we had a meeting to outline the rules and regulations that apply to Prospect Farm, it was because a donor had approached JSTF about building some kind of structure up there. JSTF never followed through so it didn't become an issue. But that made us wonder what exactly are the legal boundaries.

Bea Davis wondered why we can't just vote on a warrant to prohibit the construction of structures.

Tom said that that is one approach we can take. Margaret expressed her worry that a warrant can be overturned.

Rich Patch said that he has been hunting at Prospect Farm for years and stated that before anything concrete happens on any front, we have to really consider Edith Baker's original intent.

Tom wondered if the town can choose to ignore the original intent after the gift has been given. Rich also asked if we have anything to lose by entering into an easement with USVLT. Linda said that once a parcel of land is entered into in perpetuity, that is the way the property will be managed going forward.

Rich then asked if the town has legal authority to even enter into an easement with USVLT?

Linda replied that it is still town property.

Tom said that there is more investigation to be done on a legal level to fully understand the language of Edith Baker's deed.

Lisa MacAllister said that she never thought about the fact that the town could sell the land down the road.

Rich asked if it would be fair to say that entering into an easement would provide more protection than strictly the terms of the gift from Edith Baker.

Linda said yes.

George Howard asked if there is a way to represent the will of the town's people after the easement has been put in place? Linda replied that after the initial decision making on the terms the town cannot change its will.

Tom replied that once it is in easement we give up the development rights. Ownership stays with the town but should we make a decision to protect now, that would be the final one.

Linda said USVLT sets aside some money at the time of placing an easement in perpetuity to ensure that there is enough money for future monitoring.

Typically the money comes from the donor at the time of donation. Linda said if we choose to go ahead with this, she feels that we would be able to fundraise for the necessary funds.

Thank you for coming, Linda!

Jackson Falls

Tom explained the problems and difficulties with erosion and trampling at the falls. We have tried to plant seedlings, designate walkways, and consolidate traffic. We intend to continue the plans this summer with the further spreading of wood chips but we would also like to install a kiosk with information. In addition to the kiosk, we are considering the possibility of installing a wooden fence. Tom explained that we are currently using string and that it is only moderately effective at controlling traffic. Our goals are to reduce highly compacted area, promote re-vegetation, and establish four main access points to the falls.

Lisa MacAllister expressed her gratitude for our time dedicated on the board but she explained that she was very taken aback by the wood chips the first time she saw them. She wasn't sure if she should avoid them or walk on them. She is very upset about the current state of things at the falls.

Tom explained that we hired soil scientist Greg Howard to write a management plan for erosion at the falls. The wood chip spreading was Greg's recommendation to build up the soil coverage on the paths and reduce soil compaction. The wood chips are supposed to accelerate the accumulation of organic matter so that we don't have to wait decades for the leaf litter to accumulate.

Bea said she has lived here 55 years and the falls still look the same.

Mary Howe feels that above anything else we should take action to limit the volume of users at the falls. She used to love to swim there but now it is completely overrun.

Tom explained our vision to reduce parking spaces and post signs about a drop-off zone.

Lisa asked where we want to put a fence.

Tom explained that from the handicapped lot to the corner is one steep spot that we had identified. In general we would put them wherever necessary to funnel people onto the designated paths.

Lisa asked if we are required to have handicapped parking. Tom replied that he was unsure of the state laws.

Mike said that people often hear fence and get nervous but it would be an unobtrusive fence. He stated that none of us are soil experts which is why we consulted with Greg Howard. Mike reiterated that we are just following his professional management plan.

Lisa said the wood chip look terrible and wondered if there is anything else we can do? Lori Stearns stated that she is not familiar with Greg Howard and also wondered if there another option besides wood chips?

Brian and Mike both stated that we went with wood chips because it was the more affordable option.

Lori asked if we've tried to enhance the soil and vegetative growth currently there.

Tom said that we have done multiple seedings and are ordering additional seedlings to be planted this spring.

Brian said that we have run into difficulties with cutting where the town continues to mow certain sections so that the view isn't blocked from the road.

Susan Ross-Parent said that she wanted to second the point Tom raised which is that this is not a wild and scenic zone. The Falls are a town beach. If you go to the ocean, fences keep people out of the dune grass. She feels that lots of people in town would support the prospect of posting signs to redirect people off the blueberries.

Lori asked what we have in mind for the fence.

Tom explained that we currently have stakes and twine but that we are thinking of a wooden split rail fence. Pam commented that our hope is that the fence we will be temporary and can be removed once the vegetation has grown up.

Mike stated that this is front country area with front country problems. Not the back country.

Lisa asked what we intend to put on the signs.

Tom gave a run-down of preliminary ideas.

Lower lot parking. "Welcome to the Falls." Stay on the Path. Etc....

Lisa asked that whatever signs we make appear natural. Margaret asked what the public thinks of the current signs we've made. She encouraged people to check them out and let us know what they think.

Lisa reiterated that for her the falls are still wild and natural and she would like the signs to be less man made-ish and more in keeping with the AMC's style.

Huntley Allan has traveled to lots of national parks and thinks that no matter what information we post on the signs, people will still trample and walk wherever they want. He suggested that limited parking limits people and is really the best way to control overuse.

Tom explained a parking proposal that included the extra spots near the corner of Valley Cross Rd.

Pam asked if he would be willing to use the new lot built by Jackson Ski Touring. There was some discussion about the difficulty and length of this walk.

At this point in the meeting, Tom stated that we would move along to our Prospect Farm kiosk discussion and visitors were welcome to leave.

Prospect Farm

Margaret presented an outline for the kiosk/signs at Prospect Farm on which she, Mike, and George Howard collaborated. Everyone reviewed it. Mike and Margaret divided the write-ups for the interpretive signs and made a few changes to the plan.

Doublehead

USFS wants to build a new parking lot and reroute the ski trail from the junction of the ski path and Old Path. They also proposed closing the New Path. Public comment ended on February 12th. Everyone feels sad about closing the New Path.

Other Business

DOT is rebuilding the bridge on Route 16 over the Ellis. There is a meeting on March 24th at 5:00pm in the town office to discuss the bridge's construction.

The deadline to submit your letter to the selectmen to be on the commission is on March 10th.
Submit it now!

Easements

Everyone filled out their SPNHF easement monitoring forms and returned them to Tom.

A motion was made to adjourn the meeting at 7:29pm.

Respectfully submitted,
Margaret Graciano