



FINAL MINUTES ACCEPTED AT October 21, 2009 Meeting
CITY OF LACONIA CON COM
SEPTEMBER 2, 2009
6:00 PM, CITY HALL, ROOM 200A

Present: W. Kalin, M. Schulz, **Co-Chairs;** L. Morin, D. Anson

Guest: D. Williams, A. Fast (UNH Co-Op Extension), P. Tarpey, K. Mitchell

Absent: H. Martin, T. Paddock

Staff: K. Snow, Zoning Technician

I - Call To Order: W. Kalin called the meeting to order at 6 pm.

II - Old Business :

Approval of August 19 Meeting Minutes: The motion to approve the minutes as written was made by L. Morin and seconded by D. Anson. All voted in favor of approval.

Perley Oak –Input on tree condition; Public discussion

Andy Fast, forester with UNH Co-Op Extension: Read into the record a letter he co-wrote with Mary Tebo Davis, and another written by Cheryl Smith, Professor & Plant Health Specialist. Both state the oak is dying, recommends basic maintenance such as pruning, and letting it die a natural death.

D. Anson said that someone recommended fertilizing and that no recommendations were made on that in the letters. A. Fast questioned fertilizing; until the soil is tested and you know that the tree would actually benefit from fertilizing, there is no reason to do it. D. Anson also asked if a ballpark figure for maintenance of the tree could be submitted and A. Fast said he will provide a list of licensed arborists. D. Anson asked for a list of people with experience in treating historical trees.

W. Kalin clarified that maintenance is just basic pruning and treatment of the carpenter ants. A. Fast said also fertilization, if needed. He added that if Perley Pond functions as a vernal pond then fertilization should not be done. D. Anson asked if this was the first time A. Fast had inspected the tree and was told yes.

W. Kalin said the consensus is that some TLC would be beneficial, and to let the tree age gracefully at this point. A. Fast said public safety could be an issue, and suggested consulting

with the City's attorney. Posting the area to let people know there could be an issue is good but that means you could be assuming liability by acknowledging there is a hazard.

L. Morin said that H. Martin had contacted a forester and read an e-mail she got in response. They agreed that the tree is in the last stages of its life. Harvesting the wood would be up to locals, and there are pros and cons on both sides. The more the wood rots, the less chance there is to utilize wood for educational and craft purposes. They suggested contacting other towns for input on how they have handled large trees in their community. Letter below:

“After talking with the lead Forester here he felt that this was something better left for the town and the commission to work through. We won't be there for the 2nd and the only input he felt he could give would be about the health of the tree and the environment it is growing in and that has already been established by the group. He has seen the tree and agrees that it is in its last stages of life and had ideas for ways to optimize the wood. On the point of whether to harvest the tree or not he again said it was up to those who are more involved in the local natural and cultural history of the area where the tree is. There are pros and cons for keeping the tree: (insect/bird food cycle, nesting/animal homes, life cycle of a tree example, etc.) but also knowing that the more the wood rots the less chance you will have to utilize the wood for fundraising, craft, or other purposes and for safety reasons (branches falling on someone enjoying the green space) it may make sense to take it down. It is a green space in a very congested area and he felt that trying to maintain the green open space was very important. He suggested calling other towns or areas that have large trees and seeing how they handled it might help you all feel less like you are out on your own with this.

Sorry we couldn't have been of more help with this.”

Clare C Long, Conservation Education Specialist WMNF
719 Main Street, Laconia, NH 03246
PH#: 603.528.8707 Fax: 603.528.8783 [E-Mail: cclong@fs.fed.us](mailto:cclong@fs.fed.us)

L. Powell, DPW: He is a licensed forester, as well, and manages the hazardous tree program for the city. He is familiar with the tree and doesn't see an immediate need to take it down. When they think of targets they think of what it is a hazard to: pedestrian ways, roads, roofs, property damage. There is plenty of space around this area; he said there were good notes on green space and feels there is no immediate target threat to life or property values here. He mentioned a lack of snags in urban areas and that there are other dead standing trees. This one is still alive, so there is still value in it. Woodpeckers, flickers and raptors like this. He stated we could put up additional signage, possibly stating this is a fading champion, and mention there is still value to trees that are in decline. He said he doesn't see any purpose in fertilizing, as that is usually done for a deficiency.

This tree is far past its prime, and nothing can be done to revive it, but it still provides value. Mo Gouin, who owns a local plumbing business, said his brother is head of the horticultural department at the University of MD. He looked at the tree. He mentioned cloning of the tree as a possibility. We could make contact. Powell said he was unsure if that was an offer of services but it is an option to look into. He was asked if the tree still bear acorns and said they usually stop at around 200 years old.

L. Morin let L. Powell know this was discussed as there are young oak trees growing in this area that they think are off springs of this tree. Maybe it is possible to positively identify these as off springs.

Brian Phelps, of Meredith Center Road, said he tried to contact his professors at UNH, both are retired. He walked around the tree and found 2 seedlings, both white oaks, on the outside perimeter. That area needs pruned to let in light. One is about 5 ft tall and it is leaning towards the pond; it is starving for light.

Armand Bolduc, City Council member, said it was determined at the Council meeting that signs should be put up, and one was put out today. Even if the area is roped off, the signage protects the city, if someone goes under the ropes. He had a large elm and spent about \$3000.00 in 6 months, and it still died. He doesn't feel that type of thing works. Mother nature put it there, and mother nature will remove it. He feels we should leave it alone. The City doesn't have money to spend on fertilizing.

He said he is unsure of how to get truck in to prune the tree and wouldn't want to climb it to do pruning. He has trees on the farm about the same size as the oak, which are showing signs of deterioration but will still live for a long time. He said his opinion is to leave it alone and let Mother Nature take care of it. He does agree with clearing the area around the seedlings.

W. Kalin asked about taking care of the carpenter ants and said he had one done at his house, and that it made a remarkable difference in his tree. A. Bolduc said they could do this to the Perley Oak.

L. Morin asked A. Fast about treatment for the ants as this is near a water source and A. Fast said that is certainly a consideration with the tree being next to water source. He said he doesn't have a lot of urban experience and would defer to someone who does.

J. Polidoro, Pleasant Street, thanked the Con Com for consulting UNH on this. He said he minored in botany. Bringing in A. Fast was a good idea. He feels the tree could live another 20 years. Leaves are still viable at this point. He felt a lot of questions were answered this evening and most of the recommendations seem to be to let it alone at this point.

M. Bierniarz, Holman Street, brought in a photo that she took of the tree about 3 weeks ago to show to the public and the board. This showed there are still leaves on the tree. She said she is an artist and photographer.

Lisa Morin asked for her contact information, as one idea was to use the tree for educational information. Possibly they could do something on photographing nature.

D. Anson asked if anyone who had walked the area saw any acorns on the ground or on the tree and was told no.

Richard Perley said if the tree has stopped producing acorns, then maybe the seedlings that were found aren't off springs of this tree. L. Morin asked if they produce acorns every year and L. Powell said you get good acorn crops every 6-10 years but if stressed they can put out a "stress" crop.

Sumner Dole said he was the state forester from 1975 – 2007, and he looked at the Perley Oak for many years. He went by the other day, and said it is definitely declining at a more rapid rate; it is shutting down. You can't be sure when it might not leaf out again; there is a tremendous mass of wood trying to support the leaves.

He has been reading the papers so he knows what is going on. He said there is nothing to be done to improve the health and vigor of the tree. Feeding it isn't going to help and could actually hasten the demise of the tree. He said to let it die peacefully. He knows there are people who are trying to nominate another tree as a champion.

There are issues related to liability; as the tree dies, it shuts down; tissue, branches, and limbs fall off. Then liability comes into play. A dead or dying tree becomes a hazard over time, and the risk increases over time. He asked how much risk the City is ready to assume. People sue for falling on sidewalks, so what if they are sitting under the tree and a branch falls; this is something to look at and think about.

He said to think about the site. This is a beautiful site and the tree is an icon. This is a large stick of wood and you need to think about what to do with the carcass when you decide to take it down. It will maintain its woody character for a few years, but you could lose the opportunity to use it for something else. Tree cookies could be used in schools, or items could be made out of it. He mentioned Truro Trees in Nova Scotia.

W. Kalin said we had already determined it will not become firewood.

L. Morin said that September 16th meeting would be a public input session, with us gathering all information, and the Con Com making a recommendation.

Russ Thibeault apologized for being late and wanted to add his information to the Perley Oak discussion.

He said he understands that the consensus is for leaving it alone for now. He passed around a card for his art show held back in 2005 on just the pond. He went there 3 times a week, sometimes 4 times a day, taking photos and doing watercolors. From an artist's standpoint this is a special area. It is the exact right distance to take pictures from side to side. The tree catches everyone's eye but the pond is beautiful, as well. The site is balanced. He said he feels the tree looks better now than it did in 2005 when he did his show. He has more branches down in his driveway. If there is anything he can do to help extend the life of the tree, he will do it. He feels we should leave the area alone.

He told the members to stop your car and look around the area. W. Kalin said there has been a lot of cooperation with the schools, such as helping in cleaning. We want the students to understand the values of these sites now and have an investment in it in the future. R. Thibeault said this is a great laboratory for people. He said he has a slide show which he put together on the pond. He was asked if he can attend the next meeting and do a presentation, which is about 15 minutes.

Lisa Morin thanked all of the specialists for coming in to speak this evening.

A. New Business :

Paugus Bay Sampling – Pat Tarpey, with North Country Resource and Development: The LRPC received a grant for sites being sampled. She submitted a list. The near shore sites are new, never done before, and the deep lakes sites hadn't been done in about 10 years. Some of the tributaries were last year. They are doing these on a bi-weekly basis and are looking for

correlations between near shore and deep lake. They have two more samplings and will be done by the end of September.

ConCom is providing the funding for the tributaries. Phosphorus is being done through the grant. W. Kalin asked if she had seen a difference in Black Brook and she said this is preliminary data, and she doesn't have it all yet. She said she thinks phosphorus will be high along with milfoil. Pickerel Cove has lots of milfoil so there should be lots of phosphorus. Langley Brook has high phosphorus.

The sampling is being done because of the grant that LRPC got, in cooperation with LRWA. There are a number of partners involved. The purpose is to get baseline data so in the future we will have pre and post water quality data. W. Kalin asked if there will be a report and P. Tarpey said yes. Con Com will get a copy sent direct to them. She will go over the lake data and summarize it with UNH. W. Kalin asked if she knows when we should expect the report and she said possibly in January from DES, UNH is usually a bit slower, but she will be working more with the UNH data. She was asked if there is a report from 2008 and replied no report as sampling was just beginning. There are results so she has some data, which they will compare with this year's results.

Con Com also needs to think about the monitoring, which needs to continue so can compare and see if there are improvements. This will involve volunteers and money. She said she hopes ConCom will keep some money in their budget for this but also need to push for public to get volunteers to assist. They are working on an "Adopt Winni" campaign where a business will sponsor a site, and do the funding. We need to get volunteers with boats to do deep lake.

D. Anson asked if we could get an estimate for next year's costs. L. Morin asked if the volunteers would need training and, if so, would there be a charge. P. Tarpey said the tributary training is free, and the equipment is free if requested early enough; so are supplies. Charges are for lab analysis and field parameters. Lab fees are for phosphorus, and nitrates. Lake sites are done under the UNH program, and she is using a high figure of \$500.00 for a site for a season; she feels that is a bit high. She has some equipment which she got from a grant, which can be dedicated, we just need volunteers with boats to go sample. L. Morin suggested we budget some money for outreach as well. D. Anson said we need Tarpey's numbers to do the budget.

M. Schulz asked if we can get a summary to go over the course of a season. P. Tarpey said she can do budget. She will also provide bullets for presentations. D. Williams asked for an estimate on numbers of volunteers needed. M. Schulz asked if some could be done from canoes or kayaks and was told yes on the shallow sites.

Discussion of Exotic Aquatic Plants & Associated Removal Techniques: W. Kalin said that 2,4-D was suggested. Dave Lawton said this is part of a grant process they applied for. They are trying to apply for the grant thru state, as milfoil is bad in Langley Cove. There are two questions they need answered by the City. Does the Town make a financial commitment and do we support control of exotic plants.

W. Kalin said we do not allocate funds for this and D. Lawton said they have done funding themselves in the past, and are trying to apply for a grant. They need the Con Com's input on this. D. Williams asked if the city would keep it up and put it in an action plan and was told

yes. Basically they are just asking for a letter of support to attach to the grant form which is due to the state by September 15th.

Dean Anson said there are 2 questions to be answered; the method being used is only one. D. Lawton said they used 2,4-D the last two times, and it works well but the plants come back in about 2 years. Langley Cove is 7 acres of water. Diver method can't be used as it is too large. D. Anson said it has already been done twice and that P. Tarpey just said there is lots of phosphorus here so treating the milfoil is not treating the problem. We need to find out where the phosphorus is coming from and need to stop that from entering. D. Lawton said the milfoil is now migrating towards the open water; he said this is devaluating property values in the area.

Dean Anson said the 3-19 grant is focusing on the water problem in this lake. Everyone will lose money on property values. He said to add to the grant that we will look for the source of the phosphorus. He said it is just as important to find the source.

D. Lawton said this was done in 2004 and again in 2006. It takes care of the problem for about 2 years. They must file for the grant and permits before December to have it applied in the spring. D. Anson asked why the chemical is applied in the spring and was told that is DES procedure. Lawton said he thinks it is done in June, just before Bike Week, as the plants are just emerging and not too big. D. Williams asked if this is a concern for the water supply and was told it dissipates before getting that far. It has been done before and W. Kalin said there are low levels, so it doesn't affect the water supply. It keeps it locally. D. Lawton said they do samples before and after and are submitted to DES.

D. Anson said to add to our information that we have been doing water sampling. D. Lawton said he would like a letter from Con Com addressing the 2 questions on the form.

Question 1 is if the City supports the application, and question 2 is the financial commitment. Con Com is paying for the water sampling and lab tests so that is financial commitment. D. Williams asked about the blanket method and was told it doesn't always work, and there is lots of maintenance as it has to be removed every year and cleaned. It will lift around boat propellers. M. Schulz said that is better in a smaller area. Lawton said the roll of mesh is around \$700.00 for about a 50-100 ft roll and has to be installed by a diver. He said it is not cost effective.

Motion: D. Anson moved to write a letter in support of Christmas Island Resort Condominium for the application of 2,4-D to control milfoil and other exotic aquatic plants in this area. L. Morin seconded and all voted in favor.

D. Anson said he will write the letter and e-mail a copy to W. Kalin for proofing. Kalin will send the final to K. Snow, who will contact D. Lawton on this.

IV. **Liaison & Sub-Committee Reports :**

Planning Board Liaison – K. Mitchell: Tobias Paddock will be the new liaison to the Con Com as of this evening's meeting. He was appointed at the Planning Board meeting last night.

Permit Sub-committee – W. Kalin, M. Schulz: M. Schulz said she signed a permit this week

V. **Other Business:**

Dean Anson asked on the status of Langley Cove and K. Mitchell said it was denied some time ago. The applicant must start the process over.

D. Anson mentioned the 3-19 grant. There is a meeting at Prescott Farm, October 19, on what is being done, as part of outreach. He said the more people we can get involved, the better. Next year the 3-19 grant will include Moultonboro, Tuftonboro and Center Harbor.

D. Williams asked about a possible stream clean up, something within walking distance of the High School. She mentioned Jewitt Brook. She was told this is something the City was studying for a possible grant and that she should speak to Luke Powell. The City is working on sedimentation. D. Williams said she will take a look at Jewitt Brook and see if there is an area they can take on. She asked about the ROW, as they will be walking in people's back yards. It was suggested she speak with S. Creighton to find out what that figure is.

L. Morin said she had e-mailed the Con Com members DRED's updated information about the parks.

VI. **Adjournment:** Marnie Schulz made the motion to adjourn with the second by L. Morin. All voted in favor and the meeting adjourned at 7:45 pm.