

# Newington Historic District Commission – FINAL Minutes

Monday May 21, 2018

10:00 a.m. working session


OLD TOWN CENTER

Members	<ul style="list-style-type: none"> <li>✓ Ted Connors                      Member (2020)arrived late</li> <li>✓ Christopher Cross                Member (2020)</li> <li>    Elaina D’Orto                    Member (2018)</li> <li>✓ John Lamson                        Member (2018)</li> <li>✓ Edna Mosher                        Member (2021)</li> <li>✓ Lulu Pickering                      Member (2020)</li> <li>    Maxine Mintz Pottier            Member (2020)</li> <li>    NellAnn Hiatt                      Alternate (2020)</li> <li>    Victoria Eversman                Alternate (2020)</li> </ul>
Guests	<ul style="list-style-type: none"> <li>✓ Greg Jordan                         Rockingham County’s Forestry Field Specialist, UNH Cooperative Extension</li> <li>✓ Lee Lamson                         Newington Historical Society</li> <li>✓ Peter Welch                         Langdon Library Trustee</li> </ul>
Greg Jordan	<p>Greg is Rockingham County’s Forestry Field Specialist. He has worked on more than 400 commercial and private forestry projects. A New Hampshire licensed forester (#420), Greg joined UNH Cooperative Extension in 2017. Prior to joining UNH, he spent more than a decade working as a consulting forester in southern New Hampshire and Maine. With lots of on-the-ground forestry and wildlife management experience, he provides landowners, communities and others with advice on managing woodlots and caring for community forests and trees. (603)679-5616      <a href="mailto:greg.jordan@unh.edu">greg.jordan@unh.edu</a></p>
Walkabout	<p>A walk around the Old Town Center with a knowledgeable forester to discuss opportunities and options. New observations for the 2018 Project Plan are in color in the Appendix below, which will be updated as meetings occur.</p>
Attachments	<ul style="list-style-type: none"> <li>• <b>2018 Project Plan for the Old Town Center (as of May 21, 2018):</b> Creation of a Peoples Center, Beautification of the Historic District, and Management of the Town Forest</li> <li>• List of deer resistant plants</li> <li>• RSA on Town Forests</li> <li>• NH Municipal Organization article about town forests</li> </ul>
Links	<p>Directory of Licensed Foresters:    <a href="https://extension.unh.edu/fwt/dir/">https://extension.unh.edu/fwt/dir/</a> Master Gardener Programs: <a href="https://extension.unh.edu/programs/new-hampshire-master-gardeners">https://extension.unh.edu/programs/new-hampshire-master-gardeners</a></p>

	<a href="https://extension.unh.edu/blog/master-gardeners-help-steward-history-strawbery-banke-museum">https://extension.unh.edu/blog/master-gardeners-help-steward-history-strawbery-banke-museum</a>
Not attached	Example RFPs (Requests for Proposals) that other towns have used in their search for a forester. One common way that towns pick a forester is to send out an RFP asking for a resume, example management plan(s), and possibly references. Qualified candidates are then interviewed by the appropriate agency within town and a selection is made.

Lulu Pickering  
HDC Member  
May 21, 2018, finalized June 19, 2018

**APPENDIX – 2018 Project Plan for the Old Town Center (as of May 21, 2018)  
 Creation of a Peoples Center, Beautification of the Historic District, and  
 Management of the Town Forest**

<p><b>Map</b></p> <p>The rectangle outlines the area under discussion.</p> <p>The red ovals show existing asphalt parking areas.</p> <p>The green numbers refer to areas discussed in the text below.</p>	 <p>The map is an aerial photograph of a wooded area with several buildings and parking lots. A large red dashed rectangle outlines the project area. Within this area, 15 green numbers (1-15) are placed to identify specific locations. Red dashed ovals highlight existing asphalt parking areas: one at the top center (near 11), one in the middle left (near 9), one in the middle (near 8), one in the middle right (near 5), one at the bottom left (near 6), and one at the bottom center (near 2). The numbers 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 are scattered throughout the wooded and developed areas.</p>
<p><b>Goal</b></p>	<p>Townsfolk love Fox Point for its park-like environment, scenic views, agriculture, and historic rural ambience. Our goal is to make the old Town Center a more people-friendly place with natural areas for people to sit, hike, and enjoy themselves. The intent is to not only beautify the Old Town Center but to make it more accessible and used by townfolk. At the same time, the intent is also that the Town will maintain the new areas, including any planted trees, bushes, flower gardens, etc. The area under discussion is the town-owned property shown inside the rectangle on the map below (excluding the private property).</p>

<p><b>Parking</b></p>	<ul style="list-style-type: none"> <li>• The map shows that there is already a significant amount of asphalt-covered land (red ovals) by the Church, Library, Old Town Hall, and Town Garage. The HDC favors keeping the existing green spaces and not expanding existing parking lots or adding more lots.</li> </ul> <p><i>April 17 HDC meeting:</i></p> <ul style="list-style-type: none"> <li>○ Library Trustees would like to extend the paved parking lot by the library in 2019.</li> <li>○ Library Director monitors the parking area by her office and says it often fills up. She does not monitor the Meetinghouse lot.</li> <li>○ Library Trustee Peter Welch does not favor signage to let patrons, who don't mind walking, know they can use the Meetinghouse lot.</li> <li>○ The HDC requests that the totality of this plan first be developed before a decision is made on parking.</li> </ul> <ul style="list-style-type: none"> <li>• The most intense parking in the old town center occurs in the fall when recreational soccer is active. A hundred or more people come to the games and practices and park in the parking areas or along Nimble Hill Road by the Old Town Hall, Old Parsonage, Old Stone School, and Library. The HDC favors widening the shoulder(s) along the road using gravel so cars can more easily park on a level surface. When events are not occurring, the wider shoulders will make it safer for pedestrians, dogs, kids, etc.</li> </ul> <p><i>April 17 HDC meeting:</i></p> <ul style="list-style-type: none"> <li>○ Chris Cross discussed alternatives to gravel that involve concrete with holes for grass to grow and fill in, for leveling the road shoulders for more parking. Peter Welch was concerned about maintenance, and Ted Connors about maintenance and cost.</li> </ul> <ul style="list-style-type: none"> <li>• If more non-roadside parking is needed, the HDC favors adding more gravel to the circular driveway that surrounds the Old Stone School and leveling it, so cars can park around it.</li> </ul> <p><i>April 17 HDC meeting:</i></p> <ul style="list-style-type: none"> <li>○ Chris Cross discussed adding several small micro-lots around the whole area that could each accommodate only a couple of vehicles. Ted Connors was concerned about cost and maintenance.</li> </ul>
<p><b>Lighting</b></p>	<ul style="list-style-type: none"> <li>• A “Main Street” concept is intriguing for the section of Nimble Hill Road in the Historic District (e.g., the Old Parade). The roadway could be lined with historic lights to add ambience and light the way for evening events.</li> <li>• The lighting should be consistent across the various parking lots and roadway to provide the same “look and feel” no matter where you are.</li> </ul> <p><i>April 17 HDC meeting:</i></p>

	<ul style="list-style-type: none"> <li>○ The Library proposal to add two additional lights on their walkway was approved, the new lights are to match the existing ones.</li> </ul>
<p><b>Landscape planting to add color</b></p>	<ul style="list-style-type: none"> <li>● <b>Old Town Hall (Map area #1)</b> <ul style="list-style-type: none"> <li><i>UNH Forester May 21, 2018</i></li> <li>○ <i>The David Watson maple tree looks very healthy.</i></li> <li>○ <i>Tall aspens behind the building are fragile in wind storms.</i></li> <li>○ <i>Other trees to consider planting here and elsewhere in the old center, include trees from the “settlers” period, including red maple, shagbark hickory, pignut hickory, liberty elm (needs water), American chestnut, European beech, and horse chestnut (not historic but a lovely tree). Settlers often planted “nutteries” to harvest a variety of nuts. Wildlife would enjoy the nuts today. Plan on \$200-\$400 a tree from nurseries, which includes transplanting costs.</i></li> <li>○ <i>The UNH Cooperative Extension has a Master Gardeners program, where folks volunteer to help on outreach programs with communities for free. These folks could help us with landscaping needs for plants, shrubs, the rain garden, etc.</i></li> </ul> </li> <li><b>May 15 HDC walkabout:</b> <ul style="list-style-type: none"> <li>○ Area in front of the Old Town Hall has some small plants and wooden containers. Who to contact to discuss? What is their goal?</li> <li>○ Lilac by the Old Parsonage looks beautiful in bloom. Similar plantings could be added to the Old Town Hall lawn.</li> <li>○ What happened to the stone in memory of Jack Mazeau? Ask Linda.</li> </ul> </li> </ul>
<p><b>Access to Water</b></p>	<ul style="list-style-type: none"> <li><i>UNH Forester May 21, 2018</i></li> <li>○ <i>After saplings get stabilized, certain species can grow very well in gravelly soil. In the first few years after transplanting, however, they need to be watered.</i></li> <li><b>May 15 HDC walkabout:</b> <ul style="list-style-type: none"> <li>○ The library lawn is beautiful due to its recent planting, good maintenance, and watering system.</li> <li>○ The soccer field in the summer and fall can be very dusty and dry. The grass dies for lack of water. Can the water system in the cemetery be extended? Or water from the Old Town Hall be extended?</li> <li>○ New plants, shrubs, or trees will do better if watered and cared for.</li> <li>○ Edna Mosher has been advised that the grass should be dug out many feet from around the tree trunks and the area mulched deeply, but not burying the trunk.</li> <li>○ Chris Cross thinks water may not be needed if the trees are properly mulched and fed (manure).</li> </ul> </li> </ul>

**Selective  
Tree  
cutting**

- Once tall pines are removed, it should be possible to see which of the remaining hardwood trees should be saved for branching out and growing. Oaks and maple will add beautiful fall color and help create a park-like environment.
- Selective pine tree cutting should be done around the Old Parsonage and Old Stone School.

- **Map area #2 front of Old Stone School (OSS)**

*UNH Forester May 21, 2018*

- 4 big pines and the maple on the left should be removed. The pines add nothing to the area and have several weaknesses that can result in breaks. Tall pines by buildings are not a good idea. The maple to the left is not in good shape. The oak to the right can be trimmed to remove dead branches and improve its status.
- Two or more trees could be planted to add appeal by growing and filling out the landscape over time.

*May 15 HDC walkabout:*

- OSS Deed has many restrictions, selectmen want to see if some of them can be removed.

- **Map area #5 Old Parsonage**

*UNH Forester May 21, 2018*

- Getting circulating air around the north side of the Old Parsonage will help with the moisture/mold problem. The wind should blow through here. The four pines and one leaning ash behind the building should be removed.
- The hardwood trees behind and beside the Old Parsonage are ash. They are susceptible to the ash borer, which could become a problem in the future. Specimen trees to be saved can be treated with a \$200-\$500 injection every 3-5 years. Ash borer traps can be set out in a detection survey to determine if any of the insects are in the area. The pheromone in these traps should not attract numerous insects to the area.

- **Map area #4 New Road Woods and Old Town Forest**

*UNH Forester May 21, 2018*

- A beautiful Town forest that needs a Forest Improvement Plan to improve tree/forest health; wildlife habitat; open space; trails; and diversity of tree species, age, and height.
- Town Forests have always been managed with selective timber harvests to provide a healthier forest, fuel, building material, and income for a town.
- A plan can involve selecting trees to save, removing the understory of saplings and brush, grading open areas, removing at risk trees, identifying unique trees to flourish (i.e., giant white oaks with a wide crown spread), opening up the woods

for people and wildlife, harvesting trees for lumber or pulp, woodscaping areas of interest, removing invasive species (autumn olive, bittersweet vines, barberry) and making the area healthier and more interesting.

- A Forester generally works with a handful of preferred tree service companies to execute the forestry plan.
- Greg sees a “profitable forest” where a tree service company could get enough income from a timber harvest that there would be no cost to the town or perhaps a small profit for executing a forestry plan.
- NH has RSA laws (**attached**) about Town Forests and associated Forest Funds, money from timber harvests go into the fund (**attached**) for managing the forest.
- Greg can provide a list of consulting foresters that could work with us. He can also help once a plan is developed by providing walks through the woods to educate folks on the plan and what it will accomplish (i.e., to prep public opinion).

***May 15 HDC walkabout:***

- New Road is a nice path through the woods that is getting crowded out with deadwood and debris. Wonderful hardwood trees exist along the road and into the woods behind the Old Stone School. Good natural growth of hardwood trees are scattered here and there. A multi-year project, but the dead wood, debris, and low branches should be removed around select hardwood trees that are marked for keeping and growing. Trails through the woods would be wonderful.

• **Map area #6 front of Town Garage**

***May 15 HDC walkabout:***

- Nice grass from the construction phase; lovely hardwoods already exist in the copse on the lawn but need to be thinned so the remaining trees can thrive.

• **Map area #7 between the Library and Old Town Hall**

***UNH Forester May 21, 2018***

- This area is different than the forest setting behind the Old Stone School and Old Parsonage. It is more of a landscape setting.
- The trees are relatively young and mostly the same age and height.
- Many of the hardwoods in this area are American beech. There is a black oak, lots of white pines, and others. Select hardwood should be saved, cleared around, and allowed to expand.
- Some of the older, more mature pines could stay part of the landscape, perhaps in thickets of pine, so large areas are not cleared and opened up, and so the pines that remain can protect one another from heavy winds.
- Where the other pines are removed, any of the trees mentioned in the Tree Planting section could be added to improve the diversity of the landscape and provide younger trees for replacing the older ones as they die off.
- Planting a few cedars would provide winter color and they only grow to 20-30 feet for height diversity.

	<ul style="list-style-type: none"> <li>○ Planting red maple would add color diversity, younger trees, and diversity in age and height.</li> </ul> <p><b>May 15 HDC walkabout:</b></p> <ul style="list-style-type: none"> <li>○ Existing stonewall can be built out.</li> <li>○ Some fantastic hardwood trees are in this area that can be selected for growth by removing the nearby pines and smaller trees.</li> <li>○ Clear out fallen debris, low hanging trees limbs, and designate trails.</li> <li>○ Phased plan of cutting is suggested. Talk to the UNH forester.</li> </ul> <ul style="list-style-type: none"> <li>● <b>Map area #9 behind the library</b></li> </ul> <p><i>UNH Forester May 21, 2018</i></p> <ul style="list-style-type: none"> <li>○ The hardwood trees leaning towards the cemetery are in good condition. If thinned out to create space, the trees may still be tilted but they will bush out.</li> <li>○ One white oak is very healthy. It could become a very long-lasting tree.</li> <li>○ The maple is healthy invasive Norway maple.</li> </ul> <p><b>May 15 HDC walkabout:</b></p> <ul style="list-style-type: none"> <li>○ Some hardwood trees exist along the cemetery/library boundary that could be selected for growth by removing the nearby pines and smaller trees.</li> </ul> <ul style="list-style-type: none"> <li>● <b>Map area #3 between the Town Garage and Old Town Hall</b></li> </ul> <p><b>May 15 HDC walkabout:</b></p> <ul style="list-style-type: none"> <li>○ Not a first priority for spending money but should be included in the overall plan.</li> <li>○ Existing stonewall can be built out.</li> <li>○ The area could be restored for (1) trails by removing dead wood, branches, and thinning trees; (2) for recreational purposes if parts are cleared – volleyball court? badminton court? A water feature for the summer recreational program? (3) no one in town has expressed any interest in a dog park.</li> </ul> <p><b>April 17 HDC meeting:</b></p> <ul style="list-style-type: none"> <li>○ A forester from UNH Cooperative Extension can give suggestions about selective tree cutting.</li> <li>○ Phased cutting is an option, so some trees have a chance to bush out and grow before others are selected for removal.</li> <li>○ Need winter color, so maybe do not create solely a hardwood park.</li> </ul>
<p><b>Tree planting</b></p>	<ul style="list-style-type: none"> <li>● <b>Boundary with Pease/Arboretum Drive</b> is a problem.</li> </ul> <p>Trees do need to be thinned so the remaining ones can bush out. At the same time, a visual buffer needs to exist to block the Pease Airport District from the Old Town</p>



Center. Suggestions on quick growing hedges, arboretum trees, rhododendrons, lilacs, etc. are needed to see which will survive the deer and become effective screens.

*UNH Forester May 21, 2018*

- Greg provided a list of deer-resistant trees (**attached**) that could be used. Cedar, for example, does not grow tall and retains green color and needles in winter to act as a pretty visual barrier.
- Keeping some of the understory to grow over the years will provide diversity, a screen, and trees of different ages and diversity.

- **Map area #12** – the line of trees by the cemetery fence could be extended past the church, library, and old town hall to add beauty and shade in the summer.

*April 17 HDC meeting:*

- A forester from UNH Cooperative Extension can give suggestions.
- Need winter color, so maybe do not create solely a hardwood park.
- Watering is an issue. The line of maples near the cemetery fence have not done especially well in the gravel soil, with some already dying.

- **Old Parsonage – Old Stone School flowering trees (Map #15)**

*UNH Forester May 21, 2018*

- *The firs do not add much to the area, which could be opened up as a continuous space between these two buildings for town events or people gatherings.*
- *Historically appropriate flowering trees could be planted, including apple trees, lilacs, and other flowering shrubs (consult Strawberry Banke).*
- *Trees from the “settlers” period, including red maple, liberty elm (needs water), and European beech.*
- *Settlers often planted “nutteries” to harvest a variety of nuts. Wildlife would enjoy the nuts today. Nut trees include shagbark hickory, pignut hickory, American chestnut, and horse chestnut (not historic but a lovely tree).*

*May 15 HDC walkabout:*

- The grass lawn extends behind some fir trees, which are dense and block the back area.
- Consider removing some? all? of the firs and planting with trees that are colorful in spring, yield fruit for deer, and are pleasant to sit under. Perhaps Newington heritage apple trees, peach trees? What else did oldtimers used to ship by rail to the Boston markets? Every old farm used to have an orchard, lilacs, etc. You can still see the blooms in unexpected places on the wildlife refuge.
- Area probably not suitable for a community garden, because there is little loam and lots of gravel.

<p><b>Stones</b></p>	<ul style="list-style-type: none"> <li>• The West and South sides of the rectangle in the map surrounding the Old Town Center should be marked, preferably with a stonewall that adds an historic feature. Old stones still exist in a wall behind the library (<b>Map area #9</b>).</li> <li>• Alternatively, a granite post and chain fence already exists in the south part of the cemetery and something similar could be used. <ul style="list-style-type: none"> <li><i>May 15 HDC walkabout:</i> <ul style="list-style-type: none"> <li>○ The large rocks by the Old Town Hall keep vehicles off the grassy area. More rocks should be added so cars do not pull right up to the right wall of the Old Town Hall to park on the grass there.</li> </ul> </li> </ul> </li> <li>• <b>Map Area #5</b> Small stockpile of stones exists behind the Old Parsonage. These stones originally came from the Celestica site on Pease. <ul style="list-style-type: none"> <li><i>UNH Forester May 21, 2018</i> <ul style="list-style-type: none"> <li>○ Occasionally, Greg hears of a developer who has stones available from an old stonewall and will let us know if he hears something in the future.</li> </ul> </li> <li><i>May 15 HDC walkabout:</i> <ul style="list-style-type: none"> <li>○ <b>Map area #5</b> has a double stone wall that is quite wide. It looks great. Some of the rocks can be reused elsewhere, because the stonewall does not have to be so wide. Extending the stonewall that was built by the Old Parsonage in other areas along the road would be great.</li> <li>○ Chris Cross has been seeding and mowing to encourage more grass to grow.</li> </ul> </li> </ul> </li> </ul>
<p><b>Visual Features</b></p>	<ul style="list-style-type: none"> <li>• Currently, the bright summer sun and nowhere to sit limit outside activities. Visual features need to be added and people spaces designed with seating to encourage spending time outside.</li> <li>• The intent is to beautify the Old Town Center to make it more accessible and people friendly. At the same time, though, the intent is also that the Town will maintain the new areas, including any planted trees, bushes, flower gardens, etc.</li> <li>• <b>F1 – Library rain garden and horse drinking fountain (Map #14)</b> <ul style="list-style-type: none"> <li><i>April 17 HDC meeting:</i> <ul style="list-style-type: none"> <li>○ No one is really overseeing the garden and the plants have not flourished. Lillian Wilson has been weeding it (Thank you!). As is, the garden does not add much functionally or aesthetically to the area.</li> <li>○ Recommend new plantings (not cattails) that can tolerate wet. Perhaps birches as in historic photos? Pussy willows? A seating arrangement with stones?</li> <li>○ Patty Borkland has been maintaining the flowers in the fountain but someone else needs to volunteer (<i>May 15 HDC walkabout</i>).</li> </ul> </li> </ul> </li> </ul>

- **F2 – Library patio (Map #10)**

*April 17 HDC meeting:*

- Picnic table(s) are put on the patio each summer.
- Bright sun is an issue; how to shade?

- **F3 – Veterans monument area (Map #8)**

*UNH Forester May 21, 2018*

- The hardwood tree behind the monument area is an invasive Norway maple.
- The arborvitae are overgrown and can be removed/replaced.
- This visual feature could be improved with a flagstone patio with drainage, a surrounding rock wall of some sort, and spots to sit on the rocks or other seating.

*May 15 HDC walkabout:*

- Paul Pelletier made some cradles. Len Thomas and ?? helped to install them under the canon wheels.

- **F4 – Meetinghouse lawn (Map #11)**

*May 15 HDC walkabout:*

- Needs more than the stone for mounting a horse. The stone could be surrounded by crushed rock, flowering shrubs, greenery to enhance its appeal.
- Lawn needs a “wagon hill” type feature to climb on or for photos.

*April 17 HDC meeting:*

- For weddings or events, there is no outside feature or conveniences for enjoying the area or for photo opportunities.

- **F5 – Horsesheds (Map #13)**

*May 15 HDC walkabout:*

- Horsesheds are a very unique historical feature. Perhaps clear out some and provide seating, hanging historic artifacts, signage to encourage people to enjoy being inside them.
- A beautiful stonewall already exists across from the horsesheds that should be more prominently featured – especially for photos and events.
- The trees in this corner could be removed and the ground leveled so a tent could be erected for those wishing to hold events in this area – weddings, funeral receptions, music events, plays.

<p><b>Trails and markers</b></p>	<ul style="list-style-type: none"> <li>• Currently, the Old Town Hall and soccer field provide recreational activities in the old town center.</li> <li>• Distinct trails could be laid out in various areas with educational trail markers.</li> </ul>
<p><b>Building Use</b></p>	<p><i>April 17 HDC meeting:</i></p> <ul style="list-style-type: none"> <li>○ As part of this plan, better use of some of the buildings should be considered.</li> <li>○ If townspeople cannot access certain buildings most of the time, what is the point of having museums like the Old Town Hall or Old Parsonage. Preserving history for the future is great but people should also be able to enjoy the resources today.</li> </ul>

# DEER- RESISTANT NATIVE PLANTS

## Living with Deer

Damage to landscape plants tends to increase along with the growing population of white-tailed deer in rural and suburban areas of New England. When you choose plants less favored by deer, you can often reduce some of the impact of browsing. However, no plant will resist deer feeding under all conditions. *A hungry deer will almost any plant.*

## Protect New Trees and Shrubs

In late winter and early spring deer prefer to feed on young trees and shrubs. Protect newly planted trees and shrubs with sturdy, wire mesh barriers. Where deer browsing is heavy, leave barriers in place until plants are well established and can tolerate browsing.

## TREES Less Favored By Deer

Alder, Common, *Alnus serrulata*  
Ash, Green, *Fraxinus pennsylvanica*  
Bayberry, Northern, *Morella pensylvanica*  
Beech, American *Fagus grandifolia*  
Catalpa Northern *Catalpa speciosa*  
Hemlock, Eastern, *Tsuga canadensis*  
Holly, American, *Ilex opaca*  
Honey Locust *Gleditsia triacanthos*  
Hop Hornbeam *Ostrya virginiana*  
Maple, Silver, *Acer saccharinum*  
Maple, Striped, *Acer pensylvanicum*  
Pine, White, *Pinus strobus*  
Pine, Pitch *Pinus rigida*  
Pine, Red *Pinus resinosa*  
Spruce, White *Picea glauca*  
Sycamore, American, *Platanus occidentalis*  
Sweetgum *Liquidambar styraciflua*  
Tupelo, *Nyssa sylvatica*  
Hawthorn, Washington, *Crataegus phaenopyrum*

## SHRUBS Less Favored By Deer

Barberry, Red *Mahonia haematocarpa*  
Bayberry *Myrica spp.*  
Beautybush *Kolkwilzia amabilis*  
Buckeye, Bottlebrush *Aesculus parviflora*  
Holly, American *Ilex opaca*  
Holly, Inkberry *Ilex glabra*  
Laurel, Mountain *Kalmia latifolia*  
Laurel, Sheep *Kalmia angustifolia*  
Leucothoe, Drooping *Leucothoe fontanesiana*  
Rhododendron *Rhododendron L.*  
Sweet fern *Comptonia peregrina*

## HERBACEOUS PLANTS

### **Native Annuals and Perennials:**

Bearberry *Arctostaphylos uva-ursi*  
Eastern purple coneflower *Echinacea pupurea*  
Larkspur *Delphinium xdiversicolor*  
Common Milkweed *Asclepias syriaca*  
Pennsylvania Sedge *Carex pensylvanica*  
Jack in the Pulpit *Arisaema triphyllum*  
Cinnamon Fern *Osmunda cinnamomea*  
Eastern Hay Scented Fem *Dennstaedtia pzmctilobula*  
Ostrich Fem *Matteuccia struthiopteris*  
Spinulose Woodfem *D,yopteris carthusiana*

**Non-native Annuals and Perennials:** ageratum, marigold, nasturtium, snapdragon, sweet alyssum, bleeding heart, daylily '*Stella de Oro* ', coreopsis '*Moonbeam*', foxglove, lavender, lily of the valley, purple fountain grass

### **Created by the Ipswich, MA Conservation Office. August 2015**

*Adapted from: "Growing Tips 20: Deer Resistant Plants" prepared by UMass Extension; and "Massachusetts Vegetated Buffer Manual", Appendix D: "Deer-Resistant Native Plants" prepared by the Berkshire Regional Planning Commission for MA DEP, 2003.*

*Additional information from "Deer Browse Preferences for Common Indicator Plants in Massachusetts" prepared by Massachusetts Division of Fisheries and Wildlife, edited 8122117.*

## **RSA: Town and City Forests**

**31:110 Establishment.** – The legislative body of any city or town may vote to establish by purchase, lease, grant, tax collector's deed, transfer, bequest or other devise, a city or town forest.

**Source.** 1975, 254:1, eff. Aug. 5, 1975.

**31:111 Purpose.** – 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.

**Source.** 1975, 254:1, eff. Aug. 5, 1975.

### **31:112 Management.** –

I. A city or town forest established under RSA 31:110 shall be managed by a forestry committee consisting of not less than 3 nor more than 5 members. In cities the members shall be appointed by the mayor and aldermen and in towns they shall be appointed by the selectmen. When a forestry committee is first established, terms of the members shall be for one, 2 or 3 years, and so arranged that the terms of approximately 1/3 of the members shall expire each year, and their successors shall be appointed for terms of 3 years each. The committee shall include the city or town tree warden, if there is one. The committee shall choose its chairman, shall serve without compensation and shall make an annual report to the city or town and shall send a copy to the director of the division of forests and lands, department of resources and economic development. Vacancies for the unexpired terms shall be filled in the same manner as the original appointments.

II. If a city or town has adopted RSA 36-A, a city or town forest may be managed by the city or town conservation commission, with the tree warden, if any, as an ex-officio member, as determined by the legislative body.

**Source.** 1975, 254:1, eff. Aug. 5, 1975.

**31:113 Appropriations Authorized.** – For the purposes of establishing or maintaining a city or town forest, a city or town may raise and appropriate such funds as it deems necessary. The proceeds from said forest shall be placed in a special forest maintenance fund and shall be allowed to accumulate from year to year, unless otherwise voted by the legislative body of such city or town.

**Source.** 1975, 254:1, eff. Aug. 5, 1975.

**31:114 Director of Forests and Lands.** – [Repealed 1995, 299:19, I, eff. Ja

# New Hampshire Town And City, Seeing the Forest for the Trees

New Hampshire Town and City, March 2007 By Kimberly A. Hallquist, Esq.

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Towns and cities have several options available to manage, conserve and protect town property in ways that best fit the needs of the municipality. Voters may establish a conservation commission to encourage the conservation of lands within their town by purchasing land or easements to protect a parcel from development and to conserve it for future generations. Voters may also vote to establish a town forest to ensure that particular attention is given to the management of a specific piece of town property. In this way, the town forest can be maintained as a healthy and productive forest.

Q: A large tract of land has been owned by our town for years and has always been known as "Finnegan's Forest." Is it a town forest?

A. It may be a forest (because it has lots and lots of trees), but unless the legislative body has voted to establish it as a town or city forest pursuant to RSA 31:110 (<http://gencourt.state.nh.us/rsa/html/III/31/31-110.htm>), it's a forest owned by the town, but not a town forest in a legal sense. In other words, absent a vote of town meeting establishing the property as a "town forest," the property known to everyone as Finnegan's Forest is no different than the town hall property, highway garage or any other town-owned property.

Q: What's the difference between a town forest and other town property?

A. Management. Generally, the selectmen have the authority to manage all real property owned by the town and to regulate its use. RSA 41:11-a (<http://gencourt.state.nh.us/rsa/html/III/41/41-11-a.htm>). However, the statute specifically exempts certain town property, including a town forest, from the selectmen's authority. Instead, the statute places management of town forests in the hands of either a forestry committee or, if the municipality has a conservation commission, the legislative body (town meeting) may place management of the town forest in the hands of the conservation commission. RSA 31:112 (<http://gencourt.state.nh.us/rsa/html/III/31/31-112.htm>).

Q: Why vote to establish a town forest?

A. The purpose of a town forest is to encourage the proper management of timber, firewood and other natural resources through planning, timber stand improvement, thinning, harvesting, reforestation and other multiple use programs consistent with the forest management program, deed restrictions and any pertinent local ordinances or regulations. RSA 31:111 (<http://gencourt.state.nh.us/rsa/html/III/31/31-111.htm>). With management of the property taken from the selectmen, who have many varied tasks to deal with on behalf of the town, the forestry committee (or conservation commission) can direct concentrated efforts in the management of a valuable town resource.

Q: Is a town forest the same as conservation property?

A. Not in a legal sense, but both serve to encourage proper management of town property. A town forest is established by a vote of the legislative body pursuant to RSA 31:110 (<http://gencourt.state.nh.us/rsa/html/III/31/31-110.htm>) and the purpose of so designating town property as a forest is to enable it to be managed by a special committee dedicated to ensuring its continued viability as a forest. Lands controlled by the conservation commission pursuant to RSA Chapter 36-A (<http://gencourt.state.nh.us/rsa/html/III/36-A/36-A-mrg.htm>) may include forested properties as well as wetlands and fields, for the purpose of conservation and protection of the natural resources of the town. A municipality could have a town forest that is managed by a forestry committee and it could have other town-owned properties that have been acquired by the conservation commission that are managed and controlled by that body.

Q: Who serves on the committee to manage a town forest?

A. First, the legislative body decides whether the town forest will be managed by a forestry committee or, if the town has adopted RSA 36-A (<http://gencourt.state.nh.us/rsa/html/III/36-A/36-A-mrg.htm>) establishing a conservation commission, the voters may decide to have the conservation commission manage the town forest. If the town forest is managed by a forestry committee, the committee must have at least three members but no more than five members, who will be appointed by the selectmen and who shall serve without compensation. If there is a town or city tree warden, that person must be appointed to the forestry committee. At the formation of the forestry committee, appointment terms will be for one, two or three years so that terms of one-third of the members will expire each year. Thereafter, appointed terms will be three years each. RSA 31:112 (<http://gencourt.state.nh.us/rsa/html/III/31/31-112.htm>). If the legislative body decides to place management of the town forest in the hands of the conservation commission, it may also vote to include the tree warden, if any, as an



ex-officio member of the conservation commission. The forestry committee shall make an annual report to the town and a copy must be sent to the state Department of Resources and Economic Development.

Q: What does management of the town forest actually mean?

A. The statute isn't specific as to what "management" means. The purpose of the town forest designation is to encourage the proper management of the natural resources of the forest consistent with a forest management program. Therefore, decisions and actions on the part of a forestry committee to further those goals are appropriate. For example, the forestry committee may decide that harvesting the timber is advisable or that plantings of certain species of trees is in order. The committee has the ability, by a majority vote, to engage in these activities, subject to the Municipal Budget Act with regard to budgeted expenditures.

However, the forestry committee does not have authority to manage property that is not included within the town forest as established by a vote of the legislative body. For example, if the road leading to the town forest is outside the boundaries of the established town forest, the forestry committee has no authority to make decisions about the road, even if the road affects the committee's ability to manage the forest. In this case, the forestry committee should work with the selectmen, who have the authority to regulate the use of town roads pursuant to RSA 41:11 (<http://gencourt.state.nh.us/rsa/html/III/41/41-11.htm>), to address issues that concern both boards' management responsibilities.

Q: Is the forestry committee subject to the Right to Know Law?

A. Yes, as a committee of the town, the forestry committee is subject to the provisions of RSA 91-A (<http://gencourt.state.nh.us/rsa/html/VI/91-A/91-A-mrg.htm>). This means that meetings of the committee must be posted at least 24 hours in advance (unless an emergency exists), the meeting must be open to the public and minutes of the proceedings must be made available for public inspection within 144 hours. RSA 91-A:2 (<http://gencourt.state.nh.us/rsa/html/VI/91-A/91-A-2.htm>).

Q: Can the selectmen decide to harvest the timber in the town forest or decide that no hunting will be allowed in the town forest?

A. No. RSA 41:11-a (<http://gencourt.state.nh.us/rsa/html/III/41/41-11-a.htm>) specifically excludes town forests from the selectmen's authority to regulate and manage. Thus, the selectmen have no authority with regard to management of the town forest—that authority is delegated to either a forestry committee or the conservation commission by the legislative body when it establishes the town forest. By voting to establish a town forest, the voters are bypassing selectmen and placing the authority to manage a specific piece of town property with another town committee. However, the selectman can, and should, communicate with the forestry committee about ideas and concerns they may have about the town forest.

Q: Does the forestry committee get a budget to carry out its duties?

A. The legislative body can raise and appropriate the funds it deems necessary to establish or maintain a town forest. RSA 31:113 (<http://gencourt.state.nh.us/rsa/html/III/31/31-113.htm>). Maintenance expenses might include such things as preparing a forestry plan, purchasing and planting trees and other activities related to the maintenance of the town forest. The authority to spend such appropriations lapses at the end of the town's fiscal year as required by RSA 32:7 (<http://gencourt.state.nh.us/rsa/html/III/32/32-7.htm>).

In addition to funds that may be appropriated by the legislative body, any proceeds from the town forest, for example, money received from a timber harvest, must be deposited into a special forest maintenance fund. This fund is allowed to accumulate from year to year and does not lapse, unless the legislative body votes otherwise.

Q: Can the forestry committee use the money in the special forest maintenance fund to purchase land to establish a town forest?

A. No. Unlike the conservation commission, which has the authority to acquire in the name of the town (subject to the approval of the selectmen) interests in real property, there is no similar provision in the town and city forest statute. However, the legislative body could vote to purchase additional land to establish another town forest or to enlarge an existing town forest.

Q: Do the selectmen have any impact at all on the town forest?

A. Yes. First, the selectmen appoint the members to the forestry committee and the conservation commission. Second, the selectmen have a strong role in managing the town's financial affairs and in recommending various appropriations to town meeting via the proposed operating budget and proposed warrant articles. Thus, it is important the selectmen and the committee managing the town forest work together effectively to serve the best interests of the town.