



# *Town of Weare*

## *Conservation Commission*

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### Conservation Commission

Andrew Fulton, Chairman  
Stephen Najjar, Vice Chair  
Wendy Stevens, Secretary  
George Malette, Member  
Jeff Jackson, Member  
Chris Tuck, Member  
Lisa Purington-Grolljahn,  
Member

## **CONSERVATION COMMISSION – FEBRUARY 12, 2014**

### **FINAL MEETING MINUTES**

Meeting called to order at 7:15 pm by Chairman Andy Fulton

Present: Andy Fulton, George Malette, Steve Najjar, Wendy Stevens and Chris Tuck

Guests: None

#### **I. OTHER BUSINESS**

The December minutes were reviewed. Mr. Najjar made a motion to accept the minutes. Mrs. Tuck seconded the motion. 4-0-1, the minutes were reviewed and approved.

The January minutes were reviewed. Mr. Fulton stated first page, #1 last sentence, eliminate space in motion, and eliminate the e in second line in paragraph 2, impact. The third page, #8, the last sentence instead of Fulton, it should say Mr. Najjar will make the arrangements. #11 Forestry Service Agreements, middle of paragraph, The Conservation Commission agreed for...insert "...for town owned parcels that are not town forest." Mr. Najjar moved to approve the January minutes. Mr. Malette seconded. The vote was unanimous.

Mr. Malette requested that the annual report be modified to remove comments regarding the Chipmunk Falls parcel. Mr. Malette pointed out that the structure can be seen as a liability and perhaps the structure should not be mentioned. Mr. Najjar asked about Mr. Redmond having the time to go out there and knock down the structure. Mr. Fulton stated it might be possible. The commission agreed that the camp was a historical note and Mr. Fulton was comfortable with it being a part of the record.

#### **II. PLANNING BOARD ITEMS**

Mr. Fulton opened a discussion on a subdivision, Tax Map 412/168 innovative Land Solutions and 109/16 Daniel Scolardi Trust, Colby Road and South Stark Hwy. The map was reviewed. Several wetlands were noted and Mrs. Tuck noted seeing Blue Heron in that area. Mr. Najjar asked if they had enough wetlands to force an open space development. Mr. Malette stated the planning board can make final decisions whether plans should be a standard subdivision or an open space subdivision. Mr. Malette pointed out the plot was almost 77 acres. Mr. Najjar pointed out the lots were large enough so they could stay in current use. He continued it would be better if Mr. Siciliano was here to talk in person. Lot 1 was a lot of concern due to the large amount of wetlands. Mrs. Stevens asked what could we do about Lot 1 as it appears over half of it is wetlands. Mr. Najjar stated he would like to pass our concerns in writing to the planning board. Mr. Najjar noted there is no wetlands stamp on the map. Mr. Malette wanted to know if there was an existing driveway or will they be seeking a variance and updating the driveway in the buffer. Mr. Malette said it may not meet a driveway standard and therefore would need to be upgraded. Mr. Fulton noted that this subdivision abuts the Brookshire conservation parcel. Mr. Najjar stated that we are looking at ecology and habitat and maybe planning board will look at other aspects.. Mr. Fulton said it would be nice to keep everything near 114 and avoid the wetland altogether. Mrs. Tuck agreed. Mr. Najjar asked what if somebody buys Lot 3 and decides they don't like the shared driveway, and goes and fills it in and inserts a driveway into the wetland. Would anything stop them? Mr. Malette said they would have to come back to the Planning Board to split the two driveways, especially if they wanted to develop the land more. Mr. Najjar expressed a desire to communicate that Mr. Siciliano was not present to discuss the meeting. Mr. Malette said we could postpone this from going to the Planning Board so that we can meet with Mr. Siciliano in order to

develop our comments to deliver to the Planning Board. The area was reviewed on Google Earth. Mrs. Tuck noted the brook running through the property. In reviewing the area, Mr. Fulton will research if there is conservation property associated with Hoit Mill, not Brookshire as he recalled a parcel may have escaped our notice. Mr. Najjar pinpointed Map 412 Lot 185.19, 51.24 acres associated with Hoit Mill. Plan #31952, a common open space with no access dated March 1<sup>st</sup>, 2002 and called Hoit Mill Conservation Area. Mr. Fulton could not locate a deed and thought perhaps one has not been recorded.

Mr. Malette summarized that we will send a message to the Planning Board that we would like Mr. Siciliano to come before us and to please wait for our comment before proceeding. Mr. Fulton will send a note to this effect.

- III. The NH DES/Wetlands Bureau items were reviewed. They were noted without comment. Mr. Malette asked if we should review forestry Notifications to see what kind of acreage we were talking about and Mr. Fulton replied they do not specify.
  - IV. Mr. Fulton discussed the NH Assoc. of Natural Resource Scientists, and it is \$20 to become a member. He noted they do put out some good resources for commissioners. Mrs. Tuck said she thinks that is not a high cost. Mr. Fulton agreed that it would be beneficial to work with these biologists, wetland scientists, soil scientists, and there are field trips, etc. Mrs. Tuck said she supports that. Mrs. Tuck made a motion to join the NH Assoc. of Natural Resource Scientists, expending the \$20 from the commission budget. Mr. Malette seconded. The vote was unanimous. Mr. Fulton will complete the application and forward to Tina Connor.
  - V. Mr. Fulton discussed an invoice from Meadowsend for Brookshire boundary work of \$1,530. He will forward the invoice to Tina Connor.
  - VI. Mr. Fulton did receive another letter from Laboe Associates regarding the Irene Colburn Trust gift. He will scan and send it to counsel for review. Mr. Najjar summarized that the question of can we do anything with Roberta Townes' request, the answer was essentially no. Counsel did suggest that the Board of Selectmen might have the power to waive the current use assessment which is something the landowner could ask the Selectmen. Right now we need to line up the actual closing. He didn't know whether we needed Title Pro for title insurance. Mr. Najjar made a motion to authorize up to \$1,500 for legal expenses and title insurance and to cover closing costs (either through Mitchell & Bates or Title Pro) from the Conservation Fund associated with the Colburn Trust gift. Mr. Malette seconded. Mr. Najjar amended his motion to authorize up to \$2,000. Mr. Malette seconded the motion. Mr. Malette asked about the conservation fund balance, Mr. Fulton the balance was sufficient. Mrs. Stevens reviewed the total acreage. The vote was unanimous with Mrs. Stevens recusing herself.
- Mr. Fulton discussed the request and what sort of response should we give. It was simply explained that based on town counsel's advice, it is not possible to grant Ms. Townes' request.
- VII. The drinking water newsletter was introduced by Mr. Fulton.
  - VIII. Owen Payeur has inquired about a potential Eagle Scout project. He expressed interest in the Poor Farm parcel. It was noted that it does not have a kiosk or trail guide. Mr. Fulton will see what kind of ideas he might come up with. Mr. Malette pointed out that the Board of Selectmen would like to see signs on all parcels.
  - IX. Mr. Fulton stated he has responded to the inquiry about cross country skiing grooming at Eastman. Mr. Malette asked about a parking area at the Eastman location, he would like to go ahead to the Board of Selectman and have a base placed, and follow up with the highway department to have them plow it. Mr. Fulton said we need to think about neighbors, and potentially having traffic or disruptions. Mr. Fulton stated in keeping with the strategic plan, it is a significant undertaking and he is not sure whether the town would do it for us. Mr. Najjar stated we do not want to turn that into an asphalt parking lot, and can definitely use timber funds to maintain it. Mr. Fulton stated Mr. Redmond has reached out a few

times, he is a good partner and we can have a conversation about our needs.

- X. Mr. Fulton stated the warrant articles went ahead unchanged, and no issues arised at the Deliberative Session. Mr. Fulton did note that Mr. Doscher spoke in favor of the Article regarding the gate at Ferrin Pond.
- XI. Mr. Najjar stated Mr. Delane Brown was going to try and make the meeting tonight but had a last minute change of plans. We will work towards a legal write-up regarding the understanding about the gate.
- XII. Mrs. Stevens gave an update on the Banks/Schmid project and that SPNHF is working on the details of the transaction with Mrs. Bolton. Mr. Najjar expressed concern that Mr. Hotz has gone forward with an easement with the BOS and Mrs. Stevens clarified that it was merely permission to go ahead with an easement. Mr. Najjar asked who was creating the Platt and Mrs. Stevens stated that Mr. Dahlberg was working on laying out the ballfields and likely was responsible for the plat. Mrs. Stevens will contact Mr. Hotz and ensure we have control over the easement. Mr. Najjar asked about the agricultural fields that were there and he asked if there was an agricultural lease. Mrs. Stevens stated the current hay farmer has already invested funds, time and soil amendments for this coming season. She recommended contacting George Hamilton of the UNH Cooperative Extension to generate a farm management plan. The current lease understanding with Mr. Anderson was discussed and the commission discussed developing a more formal lease agreement. Mrs. Stevens will contact Mr. Hamilton regarding developing a farm management plan. Mr. Najjar stated he wanted to make sure and not miss a year of treating if there are invasive species on the property. He also discussed concern for rare bird breeding season. Mr. Najjar stated whoever is in there farming now, is putting money in, and is getting money out and we need time the process so it is not unfair to the current hay person. Mrs. Stevens stated that from what she understands, the hayfield is very pristine and the soils are very valuable as producing high quality horse hay. All members agreed a long term farm management plan should be the next step. Mrs. Stevens looks forward to contacting Mr. Hamilton.
- XIII. The Eastman Current Conditions report was reviewed. Mr. Najjar made a motion that we forward the document to the Board of Selectmen for their signatures. Mr. Malette seconded. Mr. Fulton stated the Brentwood campaign reached out to the public, which is a typo (page 4 under History). He stated it should be Friends of Pine Hill Forest. Mr. Fulton also did not see mention of the bond that the town passed, which doesn't have to be stated. Mr. Fulton suggested editing Paragraph 3, the Hydro-ecological paragraph as the parcel doesn't all entirely lie in the Piscataquog Watershed, that some areas drain off into the Contoocook River. He suggested an edit: "with a small portion at the divide going into the Contoocook Watershed." Mr. Najjar amended the motion to recommend forwarding this to the Board of Selectman after PLC corrects two mis-statements on page 4, the first being to replace Brentwood with Friends of Pine Hill forest and the second would be to address that a portion of the property is actually in the Contoocook Watershed. Mrs. Stevens seconded. The vote was unanimous.
- XIV. Mr. Malette motioned to adjourn the meeting at 9:29pm. Mrs. Tuck seconded. The meeting was adjourned.

A true record,

*Wendy J. Stevens*