



## *Town of Weare Conservation Commission*

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### **Conservation Commission**

Andy Fulton, Chairman  
Stephen Najjar, Vice Chairman  
George Malette  
Michael Dahlberg, Secretary  
Wendy Stevens, Alternate

### **FINAL MINUTES July 13, 2011**

**Members Present:** Andy Fulton, Steve Najjar, Mike Dahlberg, George Malette, Wendy Stevens

**Guests:** Ian McSweeney, The Russell Foundation & Open Space Committee, Robert L. O'Brien, Billy Kunelius, Sean Madigan

**Open Meeting: 7:13 p.m.**

#### **Billy Kunelius- Minimum Impact Wetlands Permit**

Billy Kunelius made a presentation of a proposed dredge and fill permit for a logging operation on Assessors Map 411 Lot 222 for Mr. Robert O'Brien, land owner. Mr. O'Brien is proposing to construct a solar electricity generating project.

Steve Najjar pointed out that Article 28 of the Town of Weare Zoning Ordinance requires a 25 foot non-disturbance buffer to wetlands and that a variance would have to be obtained in order to move forward with a dredge and fill permit. Discussion was had about proper wetlands delineations and that a forestry exemption may not be applicable for a permanent crossing for a commercial development. The CC encouraged Billy Kunelius to explore that further with DES, speak with Chip Meany, the Town of Weare Code Enforcement Officer and make an application for a Variance to the Weare ZBA and come back to the WCC in September.

#### **Sean Madigan-Permission to Trap on Town Property**

Sean Madigan appeared before the WCC seeking permission to trap on Town property. Sean listed five properties that he is interested in trapping (Felch, Eastman, Schaumberg, Poor Farm & Tobey Hill). Sean described what species he is most interested in (beaver & coyote) and his methods etc. Sean stated that he does have his trappers license issued by NH Fish & Game. Sean was asked about releasing animals that may become ensnared in his traps. Sean described how he would release a Bobcat and how he would release domestic dogs etc. George Malette spoke to his desire that Sean restrict his trapping to one property only. Sean indicated that he preferred to trap on Felch Farm Town Forest. Andy spoke of the animal tacking project conducted by John Stark Students on the Eastman Conservation Area and potential interference if Sean traps in the Eastman Conservation Area. George Malette made the motion to allow Sean Madigan to trap the Felch Farm Town Forest for a one year period. Steve Najjar seconded the motion. Andy asked about receiving a report from Sean regarding the animals he has taken during the season. Sean agreed to this request, Andy said a one page report stating his anticipated season, what he was going to trap etc. would suffice. Sean presented a Land Owner "Permit to Trap" that needs to be signed by the Town. Andy told Sean that he would have to go to the Selectmen for their approval and once their approval was obtained he could come back to the CC and then it could be signed. Andy moved the motion to a vote. All voted in favor. Andy told Sean that when we receive the report he will sign the Land Owner Permission form.

## **Meeting Minutes of June 08, 2011**

A brief discussion was had about the minutes. Steve Najjar made the motion to approve the minutes of June 8, 2011. Mike Dahlberg seconded the motion. Andy Mike and Steve voted in favor, George abstained.

## **Planning Board Items**

Hawkes-Wilson Lot line Adjustment and one lot subdivision for Assessors Map 408 Lot 184 and Assessors Map 411 Lot 157. Steve asked about access to the areas of the parcels encumbered by the Conservation Easement. Ian Mc Sweeney asked about the language contained within the Conservation Easement Documents. The documents were retrieved and no specific points of access are described in the document. Mike Dahlberg noted that the 25 foot Wetlands Buffer and proper notation in the notes was missing from the plan. Andy will send an e-mail the Planning Board

Alma Shmid Trust, Lot Line Adjustment. Mike Dahlberg recused himself from the WCC and the proceeded to make a presentation to the WCC about the project. The intent is to adjust lot lines between Assessors Map 203 Lot 93.1 and Assessors Map 408 Lot 123 to create one large lot and keep a remainder lot on East Road. the intent is to eventually convey the back land to the Town of Weare and place a conservation easement on Assessors Map 408 Lot 123. Ian McSweeney of The Russell Foundation stated that there is a signed agreement with the land owner to that effect. Ian stated that a variance was being sought in order to add 7 acres of the existing agricultural field to the back land which would create a non-conforming lot that the existing apartment building sits on. Andy stated that if he was available the night of the ZBA hearing he would appear before the ZBA in support of the project.

## **NH-DES Items**

Alma Shmid Trust-Forestry Notification.  
Siciliano Forestry Notification  
Robert & Janet Wilson Shoreland Complaint

All were noted without comment.

## **PLC-Oliphant/Chevy Hill Conservation Easement**

An estimate for blazing and marking certain boundaries within the Chevy Hill Town Forest was received from Jeremy Turner of Meadowsend Timberlands.

A letter was received from the Agricultural Committee regarding their support for the Agricultural Provision in the pending Conservation Easement. Andy Stated that he has not heard from the PLC about funding or the Agricultural Conversion Provision. Mike Dahlberg presented a base map he prepared from existing sources showing approximate boundaries, topography and soils. Andy spoke of historical uses on the property and agricultural properties in general. Ian McSweeney spoke of Forest/Agricultural uses and Conservation Easements. George spoke of his idea about proportionally applying the \$30,000 donation made by the Tiffany's to the PLC in terms of acreage allowed for agricultural conversion. A suggestion was made to look at historical maps to ascertain what lands in the immediate area that may have been used for agriculture. Steve stated that he looked at the 1929 USGS Map and that at the top of the hill it appeared that there was a cleared area, and the 1954 version of the USGS Map does not show the field.

Steve made a motion to not include the Agricultural Provision in the proposed Conservation Easement, Mike seconded the motion. George and Wendy both recalled Henry Tiffany that that though he did not discuss agriculture being in or out of the easement because he merely assumed that it would be included.

Andy, Steve and Mike voted in favor of the motion. George voted no.

Further discussion was had amongst the WCC members and Ian McSweeney regarding future easement language, specifically the agricultural provision and utilizing whatever information (GIS, NRCS, NRI etc.) is available to make an informed decision/determination.

### **Open Space Committee**

Ian McSweeney appeared before the WCC and informed them that the Open Space Committee has been dissolved due to dwindling membership and their inability to obtain a quorum. Ian stated that the Open Space Committee may be reformed in the future.

### **Mountain Road Issues**

Andy informed the WCC of the results of a site walk he, Ian and Wendy made on Mountain Road. It was discovered that there were areas of illicit activity occurring on Town land and it was also observed that illicit activity was occurring on private land that was clearly visible from Mountain Road.

An illegal paint can dump was discovered on Town property and the NH-DES Emergency Response Team was notified and they helped clean up the cans and spilled materials.

Andy noted that there appeared to be erosion occurring around an old stone culvert and that it should be looked at. Steve and Andy spoke about having repairs made. Ian McSweeney volunteered to contact a stone mason to give an estimate for the repair.

Andy noted that a Wetlands Permit for the Mountain Road project has been received. Steve spoke of construction management and Requests for Proposals to construct the crossings as designed by Meridian Land Services.

Andy noted that trees have been cut at the parking area near the trail leading to Ferrin Pond. Andy stated it was nothing major but that it should be cleaned up.

Andy stated that a Fire Pit was discovered under the powerlines on Town Land and that trees had been cut. Steve suggested having the access in that area blocked by the placement of boulders.

Steve suggested placing a sign that states: PLEASE PICK UP YOUR TRASH, NO FIRES, STAY ON ROAD.

*Conservation Commission Minutes*

*July 13, 2011*

*"Final Copy"*

*Page 4 of 4*

**Ferrin Pond & Poor Farm Forest Management Plans**

Steve asked if the WCC would like to consider alternative logging or forestry management practices that would preserve existing historical items within these properties such as old stone foundations and stone walls etc. also not cutting the larger trees along the old roadways.

**David Petriel, Eagle Scout Project**

Andy spoke of receiving a request from David Petriel, Eagle Scout Candidate, about mowing grass/weeds in the area of the proposed Information Kiosk at the Wood Property. Andy stated that he spoke with the Town of Weare Road Agent Tim Redmond about cleaning the existing debris in the area and that Tim had agreed to offer whatever assistance he could.

**Training Session: Forestry Management Techniques**

Andy spoke of receiving a information about a three day training session offered by UNH Cooperative Extension Service on September 21-24. Andy said that funds were available in the WCC Training Budget if anyone was interested in attending.

**Miscellaneous Items**

An e-mail from Steven Flanders was received regarding brush near the Eastman Conservation Area blocking vehicular views and asked that the WCC address the issue.

**Motion to Adjourn**

George Malette made the motion to adjourn at 11:09 p.m. Steve Najjar seconded the motion. Andy, Steve, George and Mike voted in favor.