



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 – JUNE 11, 2014 FINAL MEETING MINUTES

Present: Andy Fulton, George Malette, Jeff Jackson, and Wendy Stevens.

Guests: Dave Ward

Meeting called to order at 7:10 pm by Chairman Andy Fulton

I. TRAILS SUBCOMMITTEE

Dave Ward stated he was interested in becoming a member of the Trails Subcommittee. He is very interested in signage, communicating the proper usages, mapping, creating a map of trails for the community, etc. He enjoys using the trails and wants to explore the possibility of cross country skiing. He has worked with the Army Corp in the past with erosion control in the Clough Pond area trails as well as spring cleanups with the Boy Scouts and assorted clubs. He has also worked with Wounded Warriors. He has spoken with Charlie Brown and Mr. Brown wants to see that land used.

Mr. Fulton mentioned the new forest management plan being drafted for the Woods Family Forest and a possible trail management system. A discussion followed regarding developing a plan for creating more awareness about existing trails, creating an inventory of those trails, and developing a plan to create new trails for their permitted uses.

Mr. Ward thought about putting together an idea of "The Weare 20" Challenge", a set of 20 hikes. He thought the Boy Scouts and others would be very interested in the idea. Mr. Fulton brought up the river trail designated in the Brookshire area and a map was reviewed. Mr. Jackson stated Ferrin Pond was popular and well maintained, and Poor Farm is getting some attention now. Mr. Malette asked if there was a trail system in Felch Farm. Mr. Fulton stated he thinks so. Mr. Malette also recalled that the Boy Scouts are given special permission to camp on Felch Farm and thought that could be an area of development. Mr. Malette said as Mr. Jackson stated, look at what is there now, make sure there is proper signage, update the web site, etc. Mr. Ward agreed an overall plan is needed. Mr. Ward mentioned there is a trail at Mt. Williams and Chris Bolton has built a lot of expensive roads and he was not sure of the status of those. Ms. Stevens mentioned Mt. Wallingford. The Mt. William trail was reviewed and noted it abuts the Banks/Schmid parcel which is now town owned. Mr. Jackson stated if the trail was totally town owned it would be easier to manage a trail. Mr. Ward expressed a desire to expand the trail system by getting permission from private owners. Ms. Stevens objected to this idea stating she thought it opened up the town to liability if we were promoting trails on private land. She also reminded the board that the links on the web site refer to PLC and SPNHF in terms of specific trails as they are responsible for trail management. Mr. Jackson stated from his experience, a multi-use trail is not a hiking or mountain biking trail. He gave Poor Farm as an example – it is laid out as a foot path, and is not designed for ATV use. The interesting part of a mountain bike or hiking trail are the technical aspects, pointing out tight turns, difficult passes, etc. He said the labor to build an atv trail is different than the labor to build a foot trail.

Ms. Stevens asked Mr. Fulton if it were appropriate to form the subcommittee this evening. She stated if the subcommittee were established, more recruiting could then be done, and there are three people interested.

Mr. Fulton discussed interesting aspects in trail building and communications, and suggested sharing specific points of interest such as historic info or unique examples in nature. Mr. Malette brought up the special aspects of Chipmunk Falls, and Mr. Fulton added the importance of being sensitive to other users and their sensitivities. He added the value in minimizing impact, legitimizing the experience in terms of the user knowing they have permission to be there.

Mr. Fulton asked for a two paragraph summary on the mission & the goals of the subcommittee, the members, and what size membership is needed and thought the commission should discuss it in July with the intention of formalizing it then. Mr. Fulton stated it would be good to identify a need and then address the need. Mr. Malette suggested language that is similar to the Conservation Commission's wording, "made up of UP TO seven members, and a quorum is simply a majority of the present members". Mr. Jackson asked if a Chair, Vice Chair & Secretary was needed? Mr. Fulton stated yes. Mr. Fulton stated he wanted to check with the Town Administrator & Board of Selectmen in order to make sure that a Trails Subcommittee would be well represented.

Mr. Malette gave Mr. Ward a few other interested potential trail subcommittee members and thought PARC should perhaps be contacted. Mr. Fulton finished that we do have the ability to change our by-laws in the case that the by-laws do not meet the ability to form the subcommittee. Mr. Jackson asked about the frequency of meetings. Mr. Fulton suggested once a month. Ms. Stevens asked about activities outside of the monthly meetings. Mr. Malette stated as long as the Conservation Commission has final decisions on whatever the subcommittee recommends. Mr. Fulton stated decisions and representations of decisions should be kept in the open public venue. Mr. Jackson will contact Mark Nieman and Jeff Poirier.

II. OTHER BUSINESS

The May 14th minutes were reviewed. Mr. Jackson stated p13, last line, he did not share a photo. P12, Mr. Jackson has a comment that he did talk to Allied Auto and he could not get the car out of there with a flatbed and a winch. Planning Board Items very end of III A, third from last para ... "Mr. Fulton stated should be 75 feet away from any private water supply or wells...", the idea was that snow storage areas or snow storage areas and to strike that sentence. Two sentences after that, edit "Chairman Fulton replied that the guidance is in place primarily because of chemicals and salt." VIII change "readopt" to "renew" discussions with the innovative cluster subdivisions. XII, "be a nice picnic spot for a half day visit" (Chipmunk Falls). Mr. Malette said p2 item I, four paragraphs up from other business, "he clarified that the Planning Board's checklist requires", instead "input from the conservation commission before the checklist is complete" and remove the word "certain items to be shared with". PB items 3, third page, second paragraph down, remove line "Mr. Malette stated the building was built in the wetland buffer." "Mr. Malette noted the wetland stamp." Changed to "noted there was no wetland stamp." VIII, "Mr. Malette added it is difficult to find the land" – add for development. Next line, at the end, the conservation commission gets to choose the land – add "for conservation". Couple more lines down, mention of the master plan, transfer of dev rights "but rather they are going to work on updating the Master Plan (add one or two chapters of the Master Plan).

Mr. Malette made a motion to approve the minutes as amended. Mr. Jackson seconded. The vote was unanimous.

III. PLANNING BOARD ITEMS

Mr. Malette stated we had discussed the 114/Colby Rd. and considered the possibility of it being clustered. He stated the Planning Board chair had looked at it and the cluster zoning language could be used in this instance. Mr. Malette's take on it is if the houses are down near the roads, the center of the land could be the conservation area. Mr. Fulton stated that would be ideal. Mr. Fulton wasn't sure if that was feasible and Mr. Najjar added by email that it is not required that the town own the land.

Craig Francisco brought up the issue of a cluster development and he interpreted that site as something that fell within the purview of that language. Ms. Stevens recalled that Chairman Francisco had said the development could remain designed as it is due to 27.3.6 #4 which allows for a cluster as

long as there is frontage on an existing road. The new proposed design map was reviewed. The Duck Pond and Brookshire clusters were discussed, Ms. Stevens asked what went wrong there and how could we prevent that from happening? Mr. Fulton and Mr. Malette explained that the clusters ended up travelling far and wide and there was not real designation between the designated areas. Mr. Malette said it is important to do a cluster that is fitting to the parcel, and in some cases when there is a river, it makes it difficult to protect the natural resource. Ms. Stevens asked wasn't that the purpose of a cluster, to protect the inner portions where the wetlands are, in fact, preventing houses from being built further into the wetlands which are located in the interior of the subdivision? A discussion ensued about the subdivision as a whole. Ms. Stevens mentioned that all of the boards involved had asked what if the location of the proposed houses changes once the lots are sold, and until the test pits are done, it is not definite where the houses are going. Mr. Malette responded that the viability of the landscape itself dictates where the houses can go by logic. Ms. Stevens asked if forcing a cluster greatly reduces the value of the lots? Mr. Fulton stated that it probably does. Ms. Stevens asked if it abuts Brookshire and Hoit Mill? Mr. Fulton responded just Hoit Mill. A discussion followed regarding potential house locations, views, driveway lengths, etc. Ms. Stevens suggested letting it go. Mr. Jackson and Mr. Fulton agreed.

Mr. Fulton asked for comment for the Planning Board regarding the Conditional Use Permit for the driveways for the William Boisvert property Map 109/Lots 4 & 5. It was agreed to send a comment that the Conservation Commission had no objection to the permit.

IV. **MOODY POND MARKETPLACE**

Mr. Malette stated that he read the five comments from the Conservation Commission's minutes to the Planning Board regarding Moody Pond. Mr. Malette added that we just had another business with wetlands come through and we required them to move back out of the buffer. In this case, the farm stand, the materials storage, and some of the parking are partway in the buffer. Mr. Jackson asked wasn't it grandfathered? Mr. Malette responded that the applicants stated that the gravel pre-existed before the buffer limitations were in the zoning. Mr. Malette added they needed 17 spaces, and they had 15 showing and wanted a waiver for two. Chairman Francisco had required them to add in the two parking spaces near the building. He also stated that there was an agreement to keep snow storage out of the wetland buffer. He added that it was stated that the lot was going to remain gravel, and not be paved/asphalt so salt will not be an issue.

V. **LOT LINE ADJUSTMENT**

South Weare Mobile Home Cooperative

A map was reviewed regarding Tax Map 412/194 regarding a 10 foot lot line adjustment to expand the road frontage from 40 to 50 feet. There was some confusion on who the owner was as one of Mr. Siciliano's unrelated plan showed this parcel as owned by the Town of Weare and on this new lot line adjustment drawing it shows the same parcel as being owned by William Boisvert. The tax bill, deed and plan were reviewed. Mr. Fulton noted that it is a non-conforming lot. Mr. Malette pointed out if the lot has been there since before ordinances, it is conforming. He added when they left the forty feet there originally, they left it there for a reason. Ms. Stevens thought there wasn't really any issue with a lot line adjustment. Mr. Fulton stated we are an abutter, and getting 50 feet and building a road, we could have another condo complex in there. Mr. Jackson asked if you could have two zones in the same parcel? Mr. Fulton responded yes. Mr. Fulton will forward comments as far as ownership of the parcel to the Planning Board before the item is reviewed at tomorrow night's Planning Board meeting.

VI. Wetlands Bureau correspondence was noted without comment.

VII. **Woods Family Forest Management Plan**

Chairman Fulton presented the board with the Woods Family Forest Management Plan by Jeremy Turner. Chairman Fulton added that the schedule appeared to have a harvest planned for 2015. Ms. Stevens asked for more time to review the management plan. Mr. Jackson also asked for more time to review the plan. Ms. Stevens asked a question about the number of harvests in the next one or two years, and was surprised that there are four harvests scheduled and possibly a fifth now at Woods, and where did our concerns lie with impact on wildlife? She asked to hear more information from

Mr. Turner. She acknowledged that she understands the Town Forester decides how/when and monitors price of lumber and manages his decisions accordingly, however going from one or two harvests every one or two years, to five harvests in a two year period is a significant change. Mr. Fulton stated that he did think the decision should not just be up to one person. He added that he did not see the harvest activity as negatively affecting our goals. He did think we were on a very active timber cycle. Mr. Jackson recalled the forester did state he bases his harvesting decisions based on the price of lumber, as he had asked him this in the past. Mr. Malette asked when is the next quarterly report? Mr. Fulton stated he was due for a quarterly report. Mr. Jackson suggested inviting him in for an update. Ms. Stevens stated she would like more communication, that she was surprised by Chevy Hill and now by Woods.

VIII. Chairman Fulton brought up the Brookshire boundary info and noted almost 20 missing pins.

IX. A book *The History and Economics of the New Hampshire Dairy Industry* was shared without comment.

X. MTL Invoices were reviewed and will be submitted.

XI. A SPNHF newsletter was circulated.

XII. **EASTMAN MONITOR REPORT**

Mark, a monitor for PLC sent an email regarding motorized vehicles accessing Eastman from the end of Pine Hill Rd. He is recommending that we do something up there to further discourage access. Mr. Fulton stated we could block the area with boulders and we could ask for assistance from Mr. Redmond. The commission agreed that would be a good approach to block vehicles from accessing the parcel.

XIII. Ms. Stevens brought up that CWES second grade created an 1888 interactive map with videos.

XIV. Chairman Fulton opened a discussion regarding transfer of development rights and cluster developments. He asked Mr. Malette if he felt inviting Chairman Francisco to our meetings (possible for a work session) was ideal, or was it more ideal for the Conservation Commission to attend Planning Board meetings? He suggested that we work something out here, develop specific language either for warrant articles or zoning ordinances, and present it to the Planning Board. He thought that would be more effective than opening up a work session discussion.

XV. Chairman Fulton stated he signed off on Owen's papers for the Eagle Scout Project regarding Poor Farm trail work and potential kiosk upgrade. He added there may be benches and not kiosks, or that it might be more trails and less objects, and that we will continue the communication. Mr. Jackson asked when was he starting? Mr. Fulton said he will be starting early summer.

XVI. **EASTMAN PARKING AREA**

Mr. Malette brought up the parking at Eastman. He added we need to bring the issue before the Board of Selectmen to get approval for gravel for Mr. Redmond. Chairman Fulton stated he wanted to bring it before the full commission, and given abutter concerns, we need to be very explicit in our decision and will be looking for a motion in July, and holding a public hearing regarding the changes. Mr. Malette said he wanted to give Mr. Redmond plenty of notice since so many people ask things of him in the summer. Chairman Fulton agreed.

Chairman Fulton asked if we should invite the Right of Way owner to Eastman to meeting next month regarding a parking lot? Mr. Malette stated he may not come, but he would like to see that as an agenda item on next month's meeting.

XVII. Mr. Malette asked about the Wolf Creek property. Mr. Malette stated that Pat Myers, Wendy Stevens and himself had walked Ilsley Farm's parcel several years ago and he thought the forested portion may be of interest. Chairman Fulton welcomed the suggestion and recommended we all think about Town

Forest opportunities for 2014.

XVIII. Mr. Jackson motioned to adjourn the meeting at 10:14pm. Mr. Malette seconded. The meeting was adjourned.

Respectfully submitted,

Wendy J. Stevens