



Town of Weare Conservation Commission

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Conservation Commission

Andrew Fulton, Chairman
Stephen Najjar, Vice Chair
William Bolton
Sherry Burdick
Lori Davis
Michael Camacho

Lisa Purington-Grolljahn,
Alternate

CONSERVATION COMMISSION – DECEMBER 12, 2018 DRAFT MINUTES

Meeting called to order at 7:06 PM by Chairman Fulton

Members present: Andy Fulton, Steve Najjar, Michael Camacho, Sherry Burdick, Lori Davis

Guests: Jeremy Turner and Jim Ferrante of MTL

I. DISCUSSION

A. Jeremy Turner Presentation

Jeremy Turner of Meadowsend Timberlands Limited updated the Commission of Meadowsend's work for the town. The completion of Felch Farm was laid out and put to public bid. Hardwicks was awarded the forestry work to be completed by October 2019. Work is to start late spring/ early summer of 2019. There is improvement needed on the existing skidder trail to access the site. Benji performed repair/release work on beaver dams and is in contact with Hardwicks. Mr. Turner met with UNH Wildlife Biologist, Matt Tarr, to evaluate natural features and to maximize biodiversity and quality of Felch Farm. Peasly Meadow wetland complexity kept in mind for habitat cutting. The county forester was part of the discussion and planning scheduled work for Felch Farm. Mr. Turner suggested a possible workshop for the public if there was interest. Mr. Turner stated a large maple, two points shy of the county's largest, was found on the land surrounded by a stand of other large trees.

Mr. Turner stated Ferrin Pond work looks good and has stabilized. The road work is text book. Mr. Fulton asked Mr. Turner to contact the local Conservation Officer to give an update of the work. Regarding gate work: Mr. Fulton asked Mr. Turner to get three quotes for work activity, such as gates, moving forward.

Mr. Najjar indicated that the Poor Farm gate pin is missing. The gate is needed for the area to control dumping and to preserve the area as a cultural resource. Without the gate it is too inviting for misbehavior and the gate serves as a good deterrent. Mr. Turner indicated he will look into getting a new pin and changing the lock combination.

Eastman Field Pollination Project: peak summer had good blossom. Mr. Turner indicated the area is due for a mow, and will research the best time to perform the work. Ms. Burdick stated wildflower planting lasts roughly five years. Mr. Turner stated the invasive control work for Eastman Field area has been under budget. Access to the site with heavy machinery may prove difficult. It was suggested that access to the site may be easier from an abutting property. The southern abutter had work done to their property, and Mr. Turner will inquire as to their willingness to allow access through their property.

Housekeeping: Wolf Creek and Toby Hill have been registered as Tree Farms. Bartlett Woods has been renewed as a Tree Farm (every 5 years). Felch Farm and Eastman Forest Management Plans are due to expire. A plan is required every 10 years. It was suggested that a bare bones update occur as opposed to a complex update. Mr. Najjar indicated that moving beyond 2019 a request for proposal may be needed to update Forest Management Plans. A working group meeting with the Board of Selectman is scheduled for January 9th, and further clarification will come from the meeting.

Collins Ledge: Requested for proposal to manage the process. Mr. Turner was asked to contact the land owner for blaze and signage permission and to file the agreement with the Registry of Deeds.

Mr. Turner stated the inventory for Boundary Signs is out, and that the Commission needs to order more. A discussion commenced regarding marker sign size, color, material, language, quantity and price. Three sets of signs were decided upon. Mr. Najjar suggested an Eastern White Pine with a King Broadhead Arrow. Mr. Turner stated he will bring in examples to the Commission.

FSA to manage Collins. Mr. Turner will send out the required notice for requests for proposals to get land surveyed. Mr. Fulton asked Mr. Turner to get three requests for proposals for the boundary survey. Mr. Najjar **Motioned** that Mr. Turner manage the request for proposal for a NH Licensed Surveyor to survey Collins Ledge, not to exceed 2,500 dollars from the Conservation Fund. Ms. Burdick seconded. All approved 4-0.

Mr. Najjar **Motioned** the authorization of up to 2,500 dollars from the Town Forest Account for meetings and other forestry related services to be billed by MTL at the contractual hourly rate and to be encumbered from the 2018 contractual forestry services allowance. Ms. Davis seconded. All approved 4-0.

Mr. Najjar **Motioned** that up to 999.99 dollars from the Town Conservation Fund be used for three (3) batches of 500 boundary signs. One batch will read Town of Weare Forest. One batch will read Town of Weare Conservation Land. One batch will read Town of Weare Conservation Easement. To be procured from 3.75" X 3.75" Voss signs. The motion authorizes Meadowsend at a contracted hourly rate to perform the related work. Ms. Davis seconded. All approved 4-0.

A discussion was had regarding putting signs up at town forests to present the land to the public. Signs such as those used at state parks were considered. Mr. Turner asked if it was appropriate to put signs on town roads. It was decided that was a good idea. Ms. Davis will call the State Highway Department to inquire about signage off state highways. She may also contact Henniker Shed for more information.

Mr. Turner asked about the Town Forest Trail Plan. Mr. Fulton and Mr. Najjar stated it was on hold for now. The plan is nearly finalized, but at this moment it may not happen. It will be further discussed in the spring.

B. Town Easement Discussion

In regards to Collins Ledge Easement Land. Pins were never set. Town map and lot never divided off land. There are 28-29 corners to contend with the survey. It will be time consuming and difficult. Ms. Davis stated that better communication needs to happen with the Planning Board, Board of Selectmen, and Conservation Commission. She asked who will be responsible for paying attorney fees? Who will enforce the Easement?

C. Minutes

The Chair reviewed prior minutes. Ms. Davis **Motioned** to accept November 14, 2018 minutes. Ms. Burdick seconded. All approved 4-0.

E. NHDES/Wetlands Bureau, etc. Correspondence:

11/20/18- Carol and Paul Anderson – 45 Woodfern Road, Tax Map 107-59 – Shoreland Impact Permit issued for the replacement of three existing retaining walls; removing the existing retaining wall; reconfiguring the existing stairs and grading. The impact is 4,720 SF. The permit was issued with conditions. Noted without comment.

D. Other Items

SPNHF letter reminding the Commission that they are expecting all Easement Monitoring Reports in which the Forest Society holds an Executory interest by January 15, 2019. It can be filed electronically. Noted without comment.

PLC Letter informing the Commission that they have completed the annual monitoring reports on the Breed Brook, Eastman and Chevy Hill Conservation Easement Properties. The letter also thanks Steve Najjar and the Weare Police for resolving issues noted within the Easement Property. Noted without comment.

Conservation Easement – BK 7869, Page 1354 – SHB Properties (Cortland Ave.). Correspondence with the developer has been trying. It was asked how does the Commission have recourse for easement violations? It appears that soil has been dumped and trees have been cut on easement land. The commission agreed that is ground disturbance. In addition, the soil could be contaminated. In 2006 the soil tested above industry thresholds for arsenic contamination. It was noted that agriculture standards are a gray area in the State's rules and regulations. If the soil is moved off site that would pose a problem for the developer. In regards to the possible easement land violations, the Commission finds it difficult to proceed with any kind of action if the land is not surveyed and pins are not set. It was agreed that the Code Enforcement Officer needs to take charge of the situation if the state will not. The role of the Board of Selectmen was discussed, and it was suggested that enforcement needs to be firmer. The Planning Board accepted the easement without boundaries set. The Commission is found in a conundrum of whether it should survey the area or not. The Commission does not believe surveying the property is its responsibility, but a survey needs to happen.

It was noted that Duck Pond is going through similar easement boundary issues (not in regards to soil contamination), and future cluster housing needs more foresight. Mr. Najjar suggested for future easements, language should state the developer need to get PLC or another responsible party to take the easement.

Mr. Najjar **Motioned** to forward the standard Commission warrant articles to the Board of Selectmen for the 2019 Town Warrant. Ms. Davis seconded. All approve 4-0.

Ms. Burdick suggested asking the town lawyer, Laura, if the town has any accountability for soil contamination. It was suggested a draft letter for soil contamination at Cortland be submitted to the developer and to the Planning Board.

II. NEXT MEETING

Joint meeting between the Board of Selectmen and the Conservation Commission to occur on January 9, 2019.

III. ADJOURNMENT

Ms. Davis **Motioned** to adjourn at 10:10 PM. Ms. Burdick seconded and passed collectively with a 4-0 vote.

Respectfully submitted,

Andrew Fulton for Michael Camacho