



Town of Weare

Conservation Commission

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Conservation Commission

Andrew Fulton, Chairman
Stephen Najjar, Vice Chair
Jeff Jackson
Lisa Grolljahn
William Bolton

CONSERVATION COMMISSION – June 10, 2015 draft MINUTES

Meeting called to order at 7:09 PM by Chairman Fulton.

Members present: Andy Fulton, Steve Najjar, Jeff Jackson, Lisa Grolljahn, and Bill Bolton

Guests: Bruce Fillmore, Craig Francisco, Dave Ward, and Brian Hotz

1. Brian Hotz of the Society for the Protection of New Hampshire Forests spoke about a conservation easement on the Banks property recently purchased for town use including conservation and non-conservation areas (20 of 110 acres). The easement exclusion area will need to be designated. Mr. Hotz suggested there would be maximum flexibility early in the easement process, and that expanding the easement exclusion area after the fact should not be any easy exercise. Some basic restrictions on the easement exclusion area might also be considered such as limiting further subdivision or sale, limiting to town usage, etc. Mr. Hotz is awaiting feedback from the town regarding surveying and easement language. Mr. Najjar expressed concern for the condition of the road into the property. Mr. Hotz will try to contact surveyor Mike Dahlberg regarding existing plans for the project. The Emma Sawyer Trust has pledged \$5,000 to cover requisite surveying costs. Mr. Najjar suggested the CC contact the Board of Selectmen to inquire about the anticipated easement exclusion area layout. He mentioned that a 2-acre log landing area should be designated and that access for forestry needs to be considered. Furthermore, a pre-survey recon/group walk might be necessary and informative, and Jeremy Turner should be called on as a resource too. Mr. Hotz indicated that we should look at easement language regarding non-commercial uses and ATVs. Mr. Hotz requested that the CC aid the repayment of a \$5,000 Russell Foundation loan on the town's purchase of the property. The Emma Sawyer Trust has pledged to fund the loan repayment but cannot make payment to a non-town entity. They can transfer the monies to the Conservation Fund and the CC can then make the payment. Mr. Najjar **motioned** and Ms. Grolljahn seconded the motion to approve acceptance of \$5,000 from the Emma Sawyer Trust Fund into the Conservation Fund, and subsequently to reimburse the Russell Farm and Forest Foundation \$5,000 from the Conservation Fund for repayment of their loan on the land purchase. All voted in favor and the **motion passed**.

Mr. Najjar mentioned that we still have a loose end on the project in regards to the mowing of the hay field that extends onto the town property. He suggested that we ask the BOS whether they have made any arrangements to govern the continued use of field now that the property is owned by the town. Mr. Bolton observed that there might be more than one entity interested in haying the field. Ms. Grolljahn said that Mark Anderson is currently using the field. Mr. Najjar wants to see use of the field for hay crops balanced with wildlife management, particularly bird nesting habitat. He mentioned that mowing from the inside out might be more ecologically sensitive than mowing from the outside in. Mr. Bolton stated that we don't want to enact restrictions that make haying the field too expensive or place too much of a burden on farmers. Ms. Grolljahn mentioned that there is benefit of having locally sourced hay. Mr. Fulton is to ask Naomi (Town Administrator Bolton) about the current arrangements regarding the field. Mr. Najjar suggested that what we really need is a management plan for the field and that we might want to involve Jeremy (Town Forester) for his expertise in land management issues.

2. Dave Ward of the Trails Subcommittee presented a proposal from Comprehensive Trail Services to evaluate the trails at the Eastman Conservation Area Town Forest and to recommend improvements.

The \$500 quote would include approximately 6 hours on site and a brief report of findings. Services would be provided at approximately \$50 per hour and would include grant considerations (RTP). Mr. Bolton **motioned** and Ms. Grolljahn seconded the motion to approve the \$500 Comprehensive Trail Services proposal provided references, work product examples, and credentials are presented. Discussion included a mention that Mr. DeSantis of Comprehensive Trail Services is on the NH Trails Bureau. Mr. Najjar expressed a couple of concerns and a desire for town forester Turner to be involved. Jeff Jackson was interested in seeing a work sample. Mr. Najjar and Mr. Fulton commented that they would like to see a formal quote for services, providing more detail on what exactly the services provided and work product generated will be. Mr. Bolton commented that he didn't want to see the Trails Subcommittee's wings clipped. Mr. Jackson expressed the desire to see trail concerns better integrated with forestry work. Mr. Fulton called the vote; Misters Bolton and Jackson and Ms. Grolljahn voted in favor of the motion and Misters Fulton and Najjar against. The **motion passed**.

Mr. Fulton noted that a funding source was not designated in Mr. Bolton's motion and discussed the funding options available. Ms. Grolljahn **motioned** and Mr. Bolton seconded the motion to designate monies from the CC Unrestricted Grant Account (Ciampi fund) to cover the \$500 proposal fee. Misters Jackson and Bolton and Ms. Grolljahn voted in favor and Misters Najjar and Fulton against. The **motion passed**.

3. Mr. Najjar inquired about the CC bylaws and what they say about subcommittee membership. He expressed concern that folks were being appointed to the Trails Subcommittee without input of the CC, contrary to CC bylaws. Bylaws express that subcommittee members are appointed by the chair of the CC. Mr. Fulton is to ask Town Administrator Bolton about how the BOS approaches Trails Subcommittee membership and to request support of the CC's role and bylaws.
4. Planning Board Chair Craig Francisco and PB member Bruce Fillmore were present to discuss subdivision boundary monumenting and implications for open space/conservation subdivisions. The Brookshire subdivision was brought up since several of the neighbors of the conservation open space had cleared, built upon, or otherwise treated town property as their own. Mr. Francisco stated that he had been involved with the subdivision through his private work and that the boundary monuments had been set at Brookshire. It seems that some may have been removed during development of the subdivision or during road construction. Mr. Francisco explained to the CC the process undertaken by the PB regarding development bonding, road construction, and building permitting. Mr. Francisco stated that the bond is released when the road goes in. Boundary monuments should be set when the road is complete and before lot deeds are conveyed, but they may not be. Mr. Najjar asked the PB members how we can fix the loss of survey monuments issue. He asked whether we can force the developer to set monuments before conveying deeds. Mr. Francisco stated that it is very costly to set rebar bounds before road construction and therefore, such is typically not done before conveyance from subdivision designer to builder. Mr. Francisco stated that is easier to change subdivision regulations than zoning regs.

Mr. Najjar **motioned** and Ms. Grolljahn seconded the motion to urge the PB to remove the town as a potential cluster subdivision open space subdivision easement holder. Mr. Najjar stated that the town suffers when we are tasked with trying to monitor and maintain a very poorly-conceived irregular-boundaried open space. Misters Najjar and Fulton and Ms. Grolljahn voted in favor and Misters Bolton and Jackson abstained. The **motion passed**.

Continuing the discussion about Brookshire, Mr. Francisco suggested that maybe we can handle the proper monumenting issue in the subdivision regs, with a stipulation that boundaries will be blazed and monumented prior to the subdivision plan being recorded. Mr. Bolton asked how one can blaze a field; to which discussion included the notion of posts with signage every 50 feet or so. Mr. Francisco asked whether we could use lot line adjustments to remedy the current boundary issues at Brookshire. Mr.

Najjar suggested that we would have to look at the deed language but that it is unlikely an option. Mr. Fulton is to pose the question to attorney Laura Spector for a legal opinion on the matter.

5. Mr. Najjar brought up a proposal from forester Turner to harvest a remote 25-acre unit of the Eastman Conservation Area Town Forest while harvesting an adjacent piece of privately held timberland. The unit has been evaluated and harvest will be in accordance with the ECATF forest management plan. Mr. Najjar **motioned** and Mr. Jackson seconded the motion to approve the Forestry Services Agreement with MTL for the harvest with either Mr. Fulton or Mr. Najjar to sign. All voted in favor and the **motion passed**.

Mr. Bolton **motioned** and Ms. Grolljahn seconded, all voted in favor, and meeting adjourned at 9:29 PM.

Respectfully submitted,

Andrew Fulton (WCC Chair)