

**Fremont Conservation Commission
08-31-09 Minutes**



**Fremont Conservation Commission
Minutes of August 31, 2009**

Approved September 14, 2009

Present: Chairman John (Jack) Karcz, Members Janice O'Brien, Pat deBeer and Recording Secretary Meredith Bolduc.

Chrm. Karcz opened the meeting at 7:00 pm.

MINUTES

Mbr. deBeer made the motion to accept the minutes of the July 27, 2009 meeting as written. The motion was seconded by Chrm. Karcz with unanimous favorable vote except for Mbr. O'Brien who abstained as she was not present at that meeting.

Mbr. deBeer made the motion to accept the minutes of the July 27, 2009 non-public meeting as written. The motion was seconded by Chrm. Karcz with unanimous favorable vote except for Mbr. O'Brien who abstained as she was not present at that meeting.

Mbr. deBeer made the motion to accept the minutes of the July 20, 2009 meeting as written. The motion was seconded by Chrm. Karcz with unanimous favorable vote.

Mbr. deBeer made the motion to accept the minutes of the March 2, 2009 non-public meeting as written. The motion was seconded by Chrm. Karcz with unanimous favorable vote.

Chrm. Karcz said that there had been some conversation relative to having Meredith Bolduc appointed as an alternate to the Conservation Commission to afford a better chance for a quorum when some of the regular members cannot attend. The Members agreed and Mbr. O'Brien made the motion to recommend to the Selectmen that Mrs. Bolduc be appointed as an alternate to the Conservation Commission. Motion seconded by Mbr. deBeer with unanimous favorable vote.

WETLAND AND WATERSHED PROTECTION ZONING ORDINANCE AMENDMENT

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Mark West of West Environmental, Inc. was schedule to meet with the Members to review the draft of the Wetland and Watershed Protection Ordinance amendment and offer his rationale behind some of the changes. Mrs. Bolduc said that he contacted her this afternoon to say that he was unable to attend, but requested that the Members list their issues and concerns relative to the draft and send the list to him. He was receptive to having a joint meeting with the Planning Board on September 23, 2009. The

Members agreed they would like to try to have Mr. West meet with the Conservation Commission prior to that date. Mr. West will be contacted.

Questions for Mr. West included:

- Under G-1; were golf courses to be excluded?
- Is the intent that the structural setback includes the vegetative buffer or is the intent that the buffer would be in addition to the structural setback?
- Should the State of NH delineation requirements be included?
- Is there a buffer and/or setback suggested for a wetland less than 3,000 square feet?
- The State buffer for prime wetlands is 100'; the table for the buffer setback here shows 75'
- There is no direction for the asterisk beside "limited-cut" in the buffers table.

The Planning Board is scheduled to review the draft at their September 2, 2009 meeting and possibly invite the Members of the Conservation Commission and Zoning Board of Adjustment to a later joint meeting to review the amendment.

Mbr. O'Brien made the motion to fund Mr. West's fee for meeting with the Conservation Commission from the "Projects" line of the current budget.

Mbr. deBeer seconded the motion with unanimous favorable vote.

NATURAL RESOURCE PUBLICATION

Dave Kellam, Project Coordinator for PREP was scheduled to meet with the Conservation Commission relative to the Natural Resource publication, but he could not keep the appointment due to a scheduling conflict. He will meet instead with Chrm. Karcz and Member deBeer to move ahead with the project.

TUCK WOODS CONSERVATION EASEMENTS

The Commission received and reviewed a copy of a July 13, 2009 correspondence from Karla McManus of NH DES Wetlands Bureau to the Town of Fremont relative to the monitoring of easements in which the Town is the easement holder to ensure that there is no breach of the Conservation Easement protections placed on the property. This correspondence specifically speaks to the wetlands permit #2002-637 for a 19.65 acre Conservation Easement for Map 4 Lots 94, 94-48, and 94-47 (Tuck Drive). The Commission also received a map of the subject easements, a sample monitoring report and a July 27, 2009 return correspondence from Town Administrator Heidi Carlson relating that the Town did see to the recording of these detailed easements and that the Conservation Commission monitors all Conservation Easements.

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The Members agreed to ask Dennis Howland if he would be willing to walk the easement property for monitoring purposes.

TRAILS

Chrm. Karcz reported that he walked the Woodland Trail and the new extension of the trail that Mr. Howland is making and he was able to follow the markers. Chrm. Karcz said that it is a long trail, narrow in spots. He suggested the Conservation Commission walk the trail as a group and the

Members agreed to meet at the entrance of Glen Oakes 4:00 pm on Wednesday September 9, 2009 to walk the new proposed trail.

There was a conversation relative to the deterioration of the sign at the kiosk. The sun has faded the letters and maps, the edges of the cork have curled and it needs to be redone using more protective materials. It was noted that the trail signs need to be redone also.

C. L. MAGNUSSON

Map 2 Lot 070

Chrm. Karcz reported that Conrad Magnusson came in to meet with the Commission on August 3, 2009 relative to his offer to sell his property on Red Brook Road (Map 2 Lot 070) to the Town. This was just a general discussion as there was no meeting. Mr. Karcz reported that the Open Space Committee has evaluated the property and it scored only 35 points on their scale so there was no interest in purchasing the property. This was prior to the designation of a prime wetland that is on the property. Mr. Magnusson requested that it be re-evaluated by the Open Space Committee. The Members agreed to ask the Open Space Committee at their meeting tomorrow evening if they want to reconsider Mr. Magnusson's property.

OPEN SPACE/CONSERVATION EASEMENTS

Mbr. O'Brien voiced frustration with the inaction of moving ahead with securing property that has been identified as land the Conservation Commission feels need to be conserved. She suggested requesting Mike Speltz of SPNHF or Phil Auger of University of New Hampshire Cooperative Extension or someone from the Rockingham County Conservation District to take an active roll and guidance to help with conversation with landowners of those properties. The Members agreed that Mbr. O'Brien contact them to see if they could help.

PRIME WETLAND

The Commission has received the shape files for the Fremont prime wetlands from Gile Beye, per request of Mark West. These data are the only unique data on the map. They were derived from the field work done by Mark West. Mbr. de Beer burned them to CD. Also attached was an adobe file of the map that Mark brought to the conservation commission. It was plotted out on 24 x 26.

It was noted that another time it should be stipulated that a report should be formatted so that all of the information is in one place and easily accessible.

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TREASURERS REPORT/ ACCOUNT BALANCES

The Commission received and reviewed the account balance sheets for the dates ending August 5, 2009. The balances in all accounts reflected interest earned for that time period.

LAMPREY RIVER PROTECTION NOMINATION

The Commission received an August 14, 2009 correspondence from James Hadley, Chairman of the Lamprey River Nomination Committee requesting that the Fremont Conservation Commission support the Lamprey River Nomination Committee, in partnership with the Lamprey River Watershed Association (LRWA) and the Lamprey River Advisory Committee, in the Committee's submittal to the

National Park Service Rivers, Trails, and Conservation Assistance Program for Technical Assistance with the New Hampshire Department of Environmental Services application to nominate the Lamprey River, including the Lamprey River Extension, for designation to the New Hampshire Rivers Management and Protection Program.

Mbr. O'Brien made the motion to support the nomination of the Lamprey River for designation to the New Hampshire Rivers Management and Protection Program as stated above.

Motion seconded by Mbr. deBeer with unanimous favorable vote.

VERNAL POOL STUDY

Mbr. deBeer said that Mark West did recommend doing a study of vernal pools in Fremont. There was a conversation about how to approach such a study and how to use the information gathered. The Members agreed that when Mr. West comes in to meet with the Commission about the Wetland Ordinance, they would ask him about doing a vernal pool study and possibly begin it on the Town Forest property of Glen Oakes and Oak Ridge.

CONSERVATION EASEMENT

There was previously a question relative to whether a Conservation Easement could be placed on a property that is zoned as Corporate Commercial. Mrs. Bolduc reported that she spoke with Brenda Lind of SPNHF who advised that an easement can be put on a commercial property, but it would prohibit the property to be used as it is zoned.

CAPITAL IMPROVEMENTS PLAN

The Commission received the CIP form from the Planning Board. It was agreed to resubmit the form as it was last submitted because nothing has changed.

INCOMING CORRESPONDENCE

1. Notice of the Fall Annual LGC Municipal Law Series at various locations.

Mbr. O'Brien made the motion to adjourn at 9:35 pm.

Motion seconded by Mbr. deBeer with unanimous favorable vote.

Meredith Bolduc, Land Use AA/Recording Secretary