

Fremont Conservation Commission
06-15-09 Minutes



Fremont Conservation Commission
Minutes of June 15, 2009
Approved July 20, 2009

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

Chrm. Karcz opened the meeting at 7:05 pm.

MINUTES

Mbr. O'Brien made the motion to accept the minutes of the June 1, 2009 meeting as written. The motion was seconded by Mbr. deBeer with unanimous favorable vote.

GLEN OAKES FOREST & WILDLIFE MANAGEMENT PLAN

At 7:05 pm Forester Charlie Moreno met with the Commission to report on the status of the Glen Oakes Forest & Wildlife Management Plan. Mr. Moreno submitted a draft of a "Conservation Area Forest Type Map" to show where the various forest types are located. Mr. Moreno submitted a draft of the Forest Types and Prescriptions" portion of the report that addressed the forest types he has delineated. These included;

1. Upland Hardwood which is a major forest type and an extensive stand that covers 77.5 +/- acres, much of the easterly property area with a smaller stand at the end of Andreski Drive.
2. Upland Hardwood with Inclusions (regeneration openings) that covers 40.8 +/- acres and is a major forest type in the western property area only.
3. Upland Hardwood, Young (previously clear-cut) which is a minor forest type that covers 2.1 +/- acres in pockets and 2.6 +/- acres south of the power-line.
4. Pine/Upland Hardwoods/Hemlock which is a major forest type found in 5 stands that cover 34.2 +/- acres widespread in the forest area.
5. Hemlock/Hardwood (3-aged) is a minor forest type with only 1 stand found.

The report includes a description, the quality of the timber and the wildlife habitat contribution for each forest type. Mr. Moreno said that the final report will include detailed forest type write-ups (core of forest assessment), including description, species composition, forest structure, silvicultural/ecological objectives and detailed prescriptions for management over the next 30 to 40 years. He added that for the 9 forest types there will be a compilation of wildlife information including landscape level implications within property habitat zones and specific management recommendations.

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Mr. Moreno said that the Wildlife habitat map will be a separate map that will correspond with the Conservation Area Forest Type Map.

Mr. Moreno stated that there are 3 zones of general areas of forestry to harvest in 5 year increments. If there are stands that do not need treatment they are visited the next time around (15 years). He related that he has 5 (of the 9) area compartments completed and is almost finished with the last 4, and when he is finished he will create a summary of all information.

Mr. Moreno reported that there are some chestnut sprouts in the area which is an indication that there were chestnut trees here in the past. He indicated that the American Chestnut Foundation has been very successful in breeding strains of chestnut trees that are resistant to the blight. He suggested that the Conservation Commission consider planting trees resistant to the blight to restore chestnut trees to the area. Even a 10 acre chestnut orchard of resistant trees on private property may enable the restoration of blight resistant chestnut trees to Fremont. He stated that spores that cause the blight remain in the area which is why it is necessary to plant trees which are resistant to the blight.

During additional conversation relative to the Spruce Swamp Island, Mr. Moreno said that he would recommend that this area be a full reserve and there be no cutting. He added that the State wetlands bureau has mandated that there can be no cutting within 100' of a wetland.

Mbr. deBeer asked Mr. Moreno if he had seen any sign of Hemlock Woolly Adelgid, a tiny scale insect that eats the needles and defoliates the tree. Mbr. deBeer said that one of her neighbors thinks they may be on their property. Mr. Moreno said that he did not see any sign of them in Glen Oakes, but it is thought that they will be in this area within 20 years or so.

Trapping and Wildlife:

There was a conversation relative to whether to allow trapping in the Town Forest. Mr. Moreno submitted a draft of a "Conservation Area Trapping Policy" document for potential use in controlling trapping in the Town Forest. He related that real data about the numbers of fur bearing animals in Spruce Swamp may not be easy to derive without a major study and that there is a lack of cost-effective, scientific methodology for determining sustainable trapping levels for various species on a given property less than 1,000 acres. Mr. Moreno noted that a population study is costly and inconclusive. The Members agreed that any trapping would be limited to beavers only. Mr. Moreno noted that a rule of thumb estimate of the local beaver population can be made by determining the number of active lodges. (Generally, 2 adult and 3 to 4 young per lodge.) He reported that there are 2 active beaver lodges on the property in Spruce Swamp and 1 in the southeast property corner below the power-line corridor. He said that he consulted with Pat Tate, Wildlife Biologist with NH Fish & Game and with a respected Trapper who is a long term member of the NH Fur Trappers Association and as a result of these consultations, Mr. Moreno recommended that if trapping is allowed it be on an annual basis and the trapper should remove only the adults. He also recommended that there be only 1 trapper for the area and that the trapper belongs to the NH Fur Trappers Association. He also suggested the

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requirement that the trapper issues an annual report to the Commission. The Members agreed with Mr. Moreno's recommendations and that the trapping regulations should include the following:

- Any trapping on the Glen Oakes Conservation Area requires written landowner permission for the Town of Fremont Board of Selectmen in conjunction with the Fremont Conservation Commission.
- All Trappers must be licensed by the State of New Hampshire and hold a current membership in the NH Fur Trappers Association.
- The Trapper should be a NH resident, preferably local to the Fremont area (to know the designated trapping area)
- Traps must be checked at least once each day.
- Traps must be checked in the early morning hours (4:00 am to 6:30 am). Daily trapping activity must be concluded by 6:30 am.
- All water traps, including Conabear-type, must be submerged (twelve (12") inches or deeper)
- Water-based traps may not be placed in vernal pools.
- Any land-based Conabear-type trap must be set in a tree, at least five (5') feet above ground. The trap must be set five (5') feet above snow level immediately after a snowstorm.
- All land-based traps must be set at least one hundred plus (100+') feet from trails.
- All land-based trapping will be concluded by January 15th.
- The Trapper shall make annual report to the Fremont Conservation Commission by June 1st.
- Town of Fremont Conservation Commission and/or Board of Selectmen reserve the right to suspend trapping on an annual basis or to remove the trapping permit if policies are violated.
- Trapping shall be limited to Beaver only; this policy will be subject to re-evaluation by the Fremont Conservation Commission annually.
- Only one (1) Trapper will be allowed to trap in the Fremont Conservation Area annually.
- Trappers shall apply to the Fremont Conservation Commission by October 1st.

Mr. Moreno will make the necessary changes and additions to the trapping regulations and submit it to the Members.

Mr. Moreno said that he would like to finish the plan and report within the next couple of weeks and agreed to meet again at 7:30 on August 3, 2009. At 8:40 the Members thanked Mr. Moreno and he left the meeting.

MICHAEL SEEKAMP

Map 2 Lot 141

Present: Michael Seekamp, CWS of Seekamp Environmental

At 8:40 pm Mr. Seekamp met with the Commission to discuss the status and intent of use of the property at Map 2 Lot 141 owned by Mark Lagasse/Pentucket Construction and the Dredge and Fill permit application recently filed with NH DES. Mr. Seekamp presented a proposed site plan of the property and related that the applicant proposes to fill a portion of two isolated wetlands that were created when historic gravel operations were not adequately reclaimed. Mrs. Bolduc said that the "B" series wetlands is on the original plan as a protected zone so it is not a creation of over-excavation, but

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was always a protected zone within the operation. Mr. Seekamp said the material that will be used to fill the wetlands will be “clean fill”. The proposal is to mitigate these impacts with a wetland creation,

and possible a vernal pool, as shown on the Proposed Site Plan submitted as within the 100 foot Buffer Zone to a Prime Wetland associated with Red Brook. Mr. Seekamp said that there is an area that may have been considered a vernal pool, but in his opinion, is no longer.

Mr. Seekamp showed the prime wetland, which corresponded to his wetland delineation, the prime wetland buffer and the 150’ to the thread of Red Brook. Mrs. Bolduc questioned the “thread of brook” shown on the plan and suggested that it should be redefined noting that Article IX, C, 2(a) of the Fremont Zoning Regulations identifies the watershed protection area for permanent flowage (Red Brook is named) to be 150’ from the mean annual high. It was noted that Fremont Zoning Article IX says that a Special Exception is necessary for dredging, filling or drainage within the 100 foot watershed protection area of a wetland and within the 150 foot watershed protection area of permanent flowage including Red Brook. Mr. Seekamp was informed that the plan as currently presented would have to go to the Fremont ZBA for zoning compliance.

Chrm. Karcz asked if the applicant is considering porous pavement vs. impervious surface with proper drainage and retention to include removal of contaminants. This prompted a conversation relative to which would be preferable.

In answer to questions by the Members as to the proposed use of the property Mr. Seekamp said that the applicant is proposing to construct a new commercial building with associated clearing and grading, stormwater BMP’s paved parking and access driveway to store construction materials and equipment, and to have a stone crushing operation to include processing materials such as sand, stone and gravel. He said that there would be no manufacturing on the site and no demolition debris brought to the property. He offered that the elevation to put the building back is approximately 6’.

The Dredge and Fill permit application filed with NH DES for a proposal to fill a wetland, and mitigate by creating a new wetland was discussed.

Mr. Seekamp explained that #5 and #8 were not checked on the Dredge and Fill permit application. Mr. Seekamp said the “no” box should have been checked as there are no vernal pools located on the property and “the municipal prime wetland” as no work is being proposed within any jurisdictional area fitting these descriptions.

Relative to #18 on the application- “alteration of terrain” - The alteration of terrain permit does not apply for projects disturbing less than 100,000 square feet. This project falls under this threshold.

Chrm. Karcz said that the Commission received a correspondence from Mr. Seekamp dated June 9, 2009 that was as a result of the June 2, 2009 letter from the Conservation Commission to Frank Richardson of NH DES and listed the following response:

1. With regard to number 5 on the standard dredge and fill application, after careful inspection of the area on May 8, 2009, it is SEC’s opinion that there are no vernal pools located on the subject property. Therefore the “no” box should have been checked.

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2. With regard to number 8 on the standard dredge and fill application, the items "vernal pool", "perennial stream or river" and "municipally designated prime wetland" are not checked as no work is being proposed within any jurisdictional area fitting these descriptions.
3. For number 18 on the standard dredge and fill application, the alteration of terrain permit does not apply for projects disturbing less than 100,000 square feet. We believe that this project falls under this threshold. We will bring the final square foot tally of alteration to the Conservation Commission Committee meeting on Monday June 15th.
4. Fremont Zoning Article IX C.2.b.: a small portion of grading and parking lot falls within the outer 25' of the 150' watershed protection area of the brook, however the majority of the proposed work is located outside of this.
5. Fremont Zoning Article IX C.2.c.: no work is proposed within the 100' watershed protection area of the wetland.
6. The compensatory mitigation area is proposed in a location that will enhance the existing wetland system as well as enhancing the wildlife habitat values. This area, due to the desire to enhance the existing wetland system and wildlife habitat, is located within the 100' buffer to prime wetland as well as the watershed protection area.
7. The subject property falls within the Fremont Aquifer Protection District, however it meets the minimum lot size requirements.
8. The limit of Flood Plain, as well as the estimated actual flood plain with the estimated volume of filled and created flood storage is shown on the plan titled "Proposed Site Plan" prepared by GA Consultants, Inc. and dated August 14, 2008 with a final revision date of April 28, 2009. As shown on the plan, the created flood storage will result in an increase of 100 cubic yards of total flood storage area.

Mr. Seekamp said that there was a court order for the previous owner to reclaim the site and that was never done. He feels that the area "C" wetlands have occurred through over-excavation.

Mr. Seekamp suggested that the Members walk the property with him and it was decided to wait to do a site visit with the Planning Board and possibly with the DES.

At 9:15 pm the Members thanked Mr. Seekamp and he left the meeting.

TRAILS

On June 15, 2009 Mr. Howland submitted a report on the progress on the Woodland Trail Extension via e-mail as follows:

- Five arrows on stakes are in place. (One a double arrow) There are two more arrows which could be installed if needed.
- A small sign with the word WOODLAND and an arrow have been installed, temporarily perhaps, at the northern entrance to the extension, where the Woodland Trail leaves the old Purple Trail. This can be taken down if and when we get something larger or more permanent.
- Tree blazes have been painted, all getting a second coat. (more can be added if required)
- He raked a section of the trail to remove debris.

Remaining tasks:

- The "entrance" to the southerly end of the Woodland Trail, where it meets the Barred Owl Trail, needs to be "opened up" a little. This point could also use some sort of signage. He could rout up a "Woodland Trail" sign.

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Mr. Howland is continuing to explore the southwest corner for possible routings and wants to explore the southern border to see if a path can be found over to the Porcupine Den trail which would remain in the tree line.

The tent previously reported is still there (GPS puts it at N42 58.782 W71 05.643, about 200 feet inside of Glen Oaks). There is a large fire pit and empty beer cans. The Members agreed to report this to the Police Chief as it violates the Town Ordinance.

ERLAC

Mbr. deBeer reported that on June 27, 2009 ERLAC is conducting a kayak tour beginning at Gilman Park in Exeter.

Mbr. Sturdivant reported that her appointment to ERLAC has expired and due to personal commitments she will not be able to reinstate the appointment at this time.

NATURAL RESOURCE PUBLICATION

The Members discussed the Natural Resource Publication. Mbr. de Beer encouraged the Members to finish their topics for the publication so there will be time for page layout.

INCOMING CORRESPONDENCE

Received: A comment sheet from the ZBA for Eleanor S. Emery for Map 3 Lot 017, 182 Main Street who is seeking a Special Exception from Fremont Zoning Article IV-A to allow her property use to include an In-Law Apartment. The Members agreed to issue no comment as there are no wetlands issues.

PRIME WETLAND

Mbr. deBeer said that she has looked at the information Mark West submitted at the conclusion of the Prime Wetland Study. She said that missing items include a copy of the prime wetlands map and GIS files that go along with the wetlands. It was agreed to contact Mr. West to request those items.

Mbr. O'Brien made the motion to adjourn at 9:40 pm.

Motion seconded by Mbr. Sturdivant with unanimous favorable vote.

Meredith Bolduc

Land Use AA/Recording Secretary