

**Fremont Conservation Commission  
07-16-12 Meeting Minutes**



**Fremont Conservation Commission  
Minutes of July 16, 2012  
Approved August 13, 2012**

Present: Chairman Bill Knee, Co- Chairman Janice O'Brien, Member Pat deBeer, Open Space Chairman Dennis Howland and Alt/Recording Secretary Meredith Bolduc.

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

**MINUTES**

Chrm. Knee made the motion to accept the minutes of the June 4, 2012 meeting as written. Motion seconded by Mbr. deBeer with favorable vote except for Mbr. O'Brien who abstained as she was not present at that meeting.

**PSNH GRANT APPLICATION**

Mr. Howland said that Fremont was not chosen last for PSNH grant funding, which is now \$1,500 once per year, and he is willing to apply again this year. He outlined the projects from last year's application. Mr. Howland and the Members discussed some suggested projects to include in this year's application for materials for the following:

- Signage in several areas of the Town Forest.
- Signage in and around the recently acquired Smith property.
- Foot bridges for some of the wet areas of the Town Forest trails.
- Kiosk for the Oak Ridge north parking lot at the end of the maintained part of Tavern Road.

After some conversation the Members agreed to Mr. Howland to submitting an application for the PSNH grant for the projects suggested and discussed.

**FALL FOLIAGE HIKE**

Mr. Howland and the Members agreed to hold the 2012 Fall Foliage Hike in the Glen Oakes Town Forest tentatively on Sunday October 14 beginning at 1:00 pm. Mbr. O'Brien suggested that the Commission try to get David Anderson of SPNHF to lead the hike. Mbr. deBeer suggested that the Commission go through Mike Speltz so as not to offend anyone. Mbr. O'Brien agreed to speak with Mr. Speltz about securing the date for the hike and the Smith property dedication.

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### **SMITH**

The Commission discussed a dedication of the Smith property and agreed to try to combine the dedication with the Fall Foliage Hike. Mbr. O'Brien said she will send the Smith's an invitation to attend the dedication when the date and time have been finalized.

### **SEACOAST UNITED SOCCER CLUB**

Map 6 Lot 020-001

Mrs. Bolduc reported that in late June she spoke with Chris Albert of Jones & Beach who related that he was expecting DES to approve the Wetland Restoration Plan within the next week or two. Mr. Albert said there has been some discussion with Paul Willis of S USC about a sound wall, which Mr. Albert said is very expensive. He said he will meet with Mr. Willis soon and is expecting to file for an amendment to the existing Site Plan after that meeting.

Mbr. O'Brien reported that she has spoken with Eben Lewis of DES who related that the Forest Management Plan submitted to DES by S USC was sent back to them as incomplete because each stump was supposed to be denoted and this was not done. She did not know of a deadline imposed for the resubmission.

Chrm. Knee did an ipad PowerPoint presentation for the Members that was comprised of some information he had gathered as a result of his review of the Forestry Management Plan for S USC and his visit to the property. Chrm. Knee and Mbr. deBeer agreed that they do not think S USC is in violation of the Conservation Restriction Deed. Chrm. Knee pointed out that the purpose of the Conservation Restriction is "to maintain and preserve the Conservation Area in perpetuity as open space" with certain use limitation and rights. Mbr. O'Brien said that while she could see their point and it could be a matter of interpretation, she does not agree with them that the Conservation Restriction Deed has not been violated.

### **GLEN OAKES FOREST AND WILDLIFE MANAGEMENT PLAN**

Mrs. Bolduc reported that on July 11, 2012 she sent another e-mail correspondence to Forester Charlie Moreno requesting that he draft and submit a work proposal for a forestry operation in the Glen Oakes Town Forest prior to tonight's meeting so that it could be distributed to the Commission Members for their review. She said that several messages were waiting for her when she arrived this evening from Mr. Moreno requesting a reminder of the recommendations from the February 13, 2012 meeting. The work proposal has not been received. Mrs. Bolduc will send the information to Mr. Moreno tomorrow.

### **PREP LAND ACQUISITION GRANT**

Mbr. deBeer reported that she has received a July 1, 2012 award letter from the Piscataqua Region Land Protection (PREP) confirming their acceptance of the application and their intent to provide \$4,000 towards eligible expenses of the Smith land acquisition as detailed in the project budget.

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### TREASURERS REPORT

The Members received and reviewed the Conservation Commission Treasurers Reports for March, April, May and June 2012.

### KIMBERLY & KEVIN DAIGNEAULT

29 Rogers Road

Map 6 Lot 3-1

The Commission received from the Planning Board a notice of a June 20, 2012 Public Hearing (continued to July 18) and a comment sheet for Kimberly & Kevin Daigneault who are in the process of Site Plan Review to be allowed to operate a produce and crafts business at their residence at 29 Rogers Road.

The Members reviewed the plan submitted and following some discussion agreed that Chrm. Knee issue a written statement on the comment sheet that the Conservation Commission has no comment at this time except that the parking area should not be allowed to encroach upon the wetland setback.

### CORRESPONDENCE

The Commission received the 2012 application form for volunteers for the NH Coverts Project.

### HOUSE BILLS

Mrs. Bolduc reported that House Bill 514 was signed by the Governor and went into law on June 13, 2012. This bill requires Conservation Commission members get landowner permission prior to entering private property to gather environmental, wetland or wildlife data. This bill also establishes a study commission to look at the broader issue of data collection and distribution by other government and non-government entities.

There were no status changes on proposed House Bills relative to conservation.

HB 1515 – House status -Inexpedient to Legislature which means “may die in committee”. Status date – 2-11-2012.  
Has not gone to Senate.

This bill:

- Changes the tax collection procedures for the current use land use change tax.
- Adds failure to pay property taxes and failure to notify of a qualifying use change to the actions which trigger the land use change tax.
- Requires all municipal land use change tax revenues to be recognized as general fund revenue.

HB 1540 - House status -Inexpedient to Legislature which means “may die in committee”. Status date – 2-15-2012.  
Has not gone to Senate.

This bill:

- Prohibits the State or any of its subdivisions from granting a conservation easement on public land to a nonprofit organization.

HB 1545 - House status -Inexpedient to Legislature which means “may die in committee”. Status date – 2-22-2012.  
Has not gone to Senate

This bill:

- Specifies that conservation commissions do not have the power to convey interests in real property that they receive or acquire.
- Limits conservation commission contracts to manage interests in real property to a term of 5 years.

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HB 1586 - House status -Inexpedient to Legislature which means "may die in committee". Status date – 2-22-2012.

Has not gone to Senate

This Bill provides:

- That the selectmen shall hold 2 public hearings at least 10 but not more than 14 days apart on the proposed acquisition or sale
- Upon the written petition of 50 registered voters presented to the selectmen, prior to the selectmen's vote, according to the provisions of RSA 39:3, the proposed acquisition or sale shall be inserted as an article in the warrant for the town meeting.

At 9:55 pm Mbr. O'Brien made the motion to adjourn.

Motion seconded by Mbr. deBeer with unanimous favorable vote.

The Members agreed to change the August 6, 2012 meeting to August 13.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary