

Fremont Conservation Commission
05-07-12 Meeting Minutes



Fremont Conservation Commission
Minutes of May 7, 2012
Approved June 4, 2012

Present: Co-Chairman Janice O'Brien, Member Pat deBeer, Alt. Leanne Miner and Alt/Recording Secretary Meredith Bolduc.

Co-Chrm. O'Brien opened the meeting at 7:05 pm. She noted that Chrm. Knee will be late and she appointed Mrs. Bolduc to be a voting Member of the Conservation Commission for tonight's meeting taking Chrm. Knee's place until he arrives.

MINUTES

Mbr. deBeer made the motion to accept the minutes of the March 5 and April 2, 2012 meetings as written.

Motion seconded by Co-Chrm. O'Brien with favorable vote except for Alt. Miner who abstained as she was not present at those meetings.

SEACOAST UNITED SOCCER CLUB

Map 6 Lot 020-001

Co-Chrm. O'Brien said she understands some of the SUSC abutters of are going to meet with Mr. Willis about their concerns. Mrs. Bolduc said that she understands that the Selectmen have decided to present the abutters concerns during a public hearing with the Planning Board for an amendment to the existing Site Plan Review.

Mrs. Bolduc said she contacted Dan Cyr, forester for the SUSC, and requested a copy of the Forest Management Plan that DES required of them. Mr. Cyr said he had submitted the plan to Jones & Beach a couple of weeks ago and that it was his understanding that they would forward a copy to the Town. Mrs. Bolduc said she called Chris Albert of Jones & Beach and is waiting for him to send the plan.

POINT OF ORDER

Chrm. Knee joined the meeting at 7:15 pm and Mrs. Bolduc stepped down as a voting Member.

TOWN FOREST

GLEN OAKES FOREST AND WILDLIFE MANAGEMENT PLAN

Mrs. Bolduc reported that the Commission has not received a draft work proposal from Forester Charlie Moreno. She will contact him again and request to receive the proposal for the Commission to

Fremont Conservation Commission 05-07-12 Meeting Minutes

review at their next meeting.

SMITH LAND ACQUISITION

Map 4 Lots 086, 088 and 089

The closing took place on April 2, 2012.

The Commission received the following:

- Copies of the April 3, 2012 correspondences from Town Administrator Heidi Carlson to Mike Speltz (SPNHF) and Dorothy Taylor (LCHIP) enclosing their copies of the Conservation Easement Baseline Documentation Report for the Smith land.
- A copy of an April 10, 2012 correspondence from Town Administrator Heidi Carlson to Attorney Locke enclosing the remittance of the Town's check for Richard Smith for \$3,400 as a refund of his ½ share of the survey costs.
- A May 1, 2012 thank you correspondence from Jane Difley and a very nice appreciation plaque from SPNHF signed by Jane Difley and Mike Speltz.

Co-Chrm. O'Brien made the motion to authorize the payment of \$4,080.50 from the Current Use account to Devine, Millimet & Branch for legal services and costs rendered in for the bond counsel fee in connection with the Smith property acquisition.

There was some discussion relative to what the services rendered by Devine, Millimet & Branch entailed. There was also discussion relative to possible additional spending out of the Current Use account relative to the Smith property acquisition and how much would be left in the account.

Mbr. deBeer seconded the motion with unanimous favorable vote.

LAND ETHIC

The Fremont Conservation Commission hosted a free screening of Green Fire for the community on Friday April 20, 2012 at the Fremont Safety Complex here in Fremont. The showing was a great success with approximately 30 people in attendance to see the first full-length, high-definition documentary film ever made about legendary conservationist Aldo Leopold and his environmental legacy!

Chrm. Knee made the motion to authorize reimbursement to Co-Chrm. O'Brien of \$20.80 from the residual account for refreshments and postage relative to the Green Fire showing.

Motion seconded by Alt. Miner with unanimous favorable vote.

SOUTHEAST LAND TRUST GRANT

Mrs. Bolduc submitted a recent newspaper article stating that about 265 acres of wetlands near the Dudley Brook (4,500 feet of Dudley Brook shoreline) and Exeter River (about 3,000 feet of the Exeter River shoreline) will be restored and preserved thanks to a \$1.20 million federal grant announced last Wednesday. The article said the money will go to the Southeast Land Trust of NH and it will be used to restore wetlands damaged by activities like farming and motor vehicle use.

Co-Chrm. O'Brien reported that the Southeast Land Trust is talking with the Kelleher family about

Fremont Conservation Commission
05-07-12 Meeting Minutes

action that would result in a conservation easement covering all of the 117-acre property west of RT

125 except for approximately 4 acres around the house. She said the Southeast Land Trust is also in conversation with Phillips Exeter about conservation easements on their property.

JEFF & PATRICIA BALLANTYNE

26 Tibbetts Road

Map 7 Lot 004

The Commission received from the ZBA a notice of an April 24, 2012 Public Hearing and a comment sheet for Jeff and Patricia Ballantyne who are seeking a Special Exception from the terms of Article III Section 1-C (Expansion of Non-conforming Structure); and Variances from the terms of Article IV Section 5 (Maximum Building Lot Coverage), and Article IX Section F-4 (Watershed Protection Area) as set forth in the Town of Fremont Zoning Ordinance to allow a 44 sq. ft. addition on their existing non-conforming structure (home) located within a watershed protection area at 26 Tibbetts Road.

The Members reviewed the plan submitted. Following some discussion Chrm. Knee issued written statement on the comment sheet that the Conservation Commission has no comment at this time.

SCOTT SUPRENANT

459 Whittier Drive

Map 3 Lot 169-003

The Commission received from the Planning Board a comment sheet and a notice of a May 16, 2012 Public Hearing for Site Plan Review for Scott Suprenant who proposes to operate a wholesale auto dealers business, license only, from his residential property at 459 Whittier Drive.

There was a review of the plan submitted. Adverse affect on the water quality if vehicles purchased by the Wholesale Auto Business are ever allowed to be stored on the site either short or long term was a concern of the Commission as it was found that according to the 2007 Flood Zone Map most of the property is located in a Flood Zone. Mrs. Bolduc noted that the Site Plan application states "for license only". The Members agreed to recommend that the Planning Board require as a condition of approval that the plan is not transferable with the property and that the site is monitored annually for compliance to the conditions of the Site Plan.

It was agreed that Chrm. Knee issue a written statement on the comment sheet listing the Commission's concerns and recommendations.

ABDALLAH CONSTRUCTION

107 Copp Drive

Map 2 Lot 181

The Commission received from the Planning Board a comment sheet and a notice of a May 2, 2012 Public Hearing for Site Plan Review for Abdallah Construction for construction of a 4-unit multi-family building at 107 Copp Drive.

Fremont Conservation Commission 05-07-12 Meeting Minutes

The Members reviewed the plan submitted and there was some discussion relative to the wetland being contiguous with Red Brook (prime wetland #47) and preserving the water quality in the wetland is top priority. It was suggested that the Conservation Commission could request the Planning Board to require as a conditions of approval; 1) that the final site plan include a note stating that the wetland setback be left undisturbed as a green buffer for Prime Wetland 47; and 2) That the plan include a note stating that the wetland setback be left undisturbed.

It was agreed that Chrm. Knee issue a written statement on the comment sheet listing the Commission's concerns and recommendations.

BUDGET BALANCE SHEET

The Members received and reviewed the Conservation Commission budget balance sheet of March 31, 2012.

MEETING SCHEDULE

The July meeting schedule was discussed and it was agreed that due to several summer vacation schedules the meeting of July 2, 2012 will be rescheduled to July 16, 2012.

SUSTAINABILITY

Alt. Miner reported that she recently attended a networking event on sustainability where she learned that the EPA and other government agencies are all moving toward sustainability that will work for industry. There was a brief discussion on sustainability.

CORRESPONDENCE

The Commission received the notice of the June 1, 2012 "Flood Zones of the Lamprey River" workshop to be held from 8:00 am to 1:00 pm at the Raymond Baptist Church Function Hall.

HOUSE BILLS

There was no update on Bills relative to conservation that have been proposed.

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:

Fremont Conservation Commission 05-07-12 Meeting Minutes

- 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.

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.

TUCK WOODS CONSERVATION EASEMENT

Mrs. Bolduc reported that Dennis Howland has done the annual monitoring report on the Tuck Wood Conservation Area easement and will send a copy of it to the Land Use Office.

At 9:30 pm Alt. Miner made the motion to adjourn.

Motion seconded by Mbr. O' Brien with unanimous favorable vote.

The next regular meeting is June 4, 2012.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary