



**Fremont Conservation Commission  
Minutes of  
December 2, 2013**

Present: Chairman Bill Knee, Member Pat deBeer, Alt/Recording Secretary Meredith Bolduc.  
Also present: Fred LeClair and Scott LeClair  
Alt. Miner joined the meeting at 7:30 pm.

Chrm. Knee opened the meeting at 7:15 pm.

On March 15, 2010 Chrm. Karcz designated Alternate Leanne Miner to fill the vacancy on the Conservation Commission until such time as the Selectmen have appointed someone to fill that vacancy (allowed by NH RSA 673:12, III). That appointment remains in effect.

Chrm. Knee appointed Alternate Bolduc as a voting member for tonight's meeting in Mbr. O'Brien's place.

**MINUTES**

Mbr. deBeer made the motion to approve the minutes of the November 4, 2013 meeting as written.  
Chrm. Knee seconded the motion with unanimous favorable vote.

**LAND ACCESS THROUGH TOWN FOREST**

Chrm. Knee stated that Fred LeClair has filed an intent to cut with the Town for the Ladd property that abuts the Town Forest. (Map 4 Lot 087). He is seeking access through the Town Forest for logging of the Ladd property.

The Commission received copies of;

- A November 21, 2013 letter from the Selectmen to Catherine Ladd with the signed intent, but stating that they are not granting permission to access her land through the protected Town Forest.
- A November 27, 2013 letter from Town Administrator Heidi Carlson to Fred LeClair advising:
  1. That the Forest Society is willing to grant temporary permission, with some conditions.
  2. Requesting him to notify the Town as to when the Forest Society was going to visit the site (Mr. LeClair indicated that he was working with them to organize a visit) so the Commission can attend.

3. Advising Mr. LeClair that per RSA 231:40-42 he may need to present a written petition to the Selectmen for this right of way access to be granted.

Chrm. Knee read the following e-mail messages into the minutes.

- November 18, 2013: Heidi Carlson to Tom Howe of SPNHF for interpretation of the access situation because SPNHF is the Town Forest easement holder. And a return message that he had forwarded the message to Lauren Kras who is the Easement Steward.
- November 22, 2013: Heidi Carlson to Chrm. Knee stating that SPNHF is going to revisit the easement and the Selectmen want to hear from the Commission. There was a question about the intent of the restriction of wheeled vehicles in the Town Forest Ordinance and if it was for recreational wheeled vehicles.
- November 25, 2013: Chrm. Knee to Heidi Carlson relating his personal opinion about allowing access through the Town Forest to the Ladd property for logging.
- November 27, 2013: Lauren Kras to Heidi Carlson relating that the Forest Society is willing to grant temporary permission, as required by section 2.H. of the Conservation Easement, for the logger to cross the Town's property. The logger would need to comply with the following for any activities on the easement property:
  - The language in the Easement including but not limited to sections 2.A, 2.C., 2.D, 2.F, 2.G, and 2.I;
  - The activities need to be supervised/approved of by a licensed forester to ensure that the activities are consistent with the easement;
  - The logger follows BMP's and the guidelines established in Good Forestry in the Granite State;
  - Activities are completed and the access way is closed within 30 (or 45) days.

There was a discussion relative to the intent to prohibit wheeled vehicles in the Town Forest when the ordinance was created in 2007. Mbr. deBeer said she believes the intent of prohibiting wheeled vehicles was to prohibit OHRV's and ATV's although it was also to discourage access by cars and pickup trucks as well. She does not think the intent was to keep people from working on the trails. An excerpt from the February 15, 2007 Selectmen's minutes said that the work "wheeled" will be removed. This in response to a suggestion to "prohibit the use of something such as a bulldozer, for example."

Chrm. Knee said he believes at some point the Commission voted to not give permission for access across the Town property to the Ladd property for logging. Mbr. deBeer said she did not remember a vote and would like to see the minutes that reflect a vote.

There was a discussion relative to SPNHF's willingness to allow up to 45 days to access the Ladd property and Mr. LeClair stated that they will be able to finish logging on the Ladd property in less than 45 days. He said they are using an existing logging trail for access and there will be no new road cut. He noted that the Ladd property is 18 acres total and because of wetland only 12 acres are operable. As for work near the prime wetland, the LeClairs said they are closely monitored by NH DES.

In answer to questions about the area logged in the Town Forest Scott LeClair said 75 acres were marked, but only about 50 acres are being logged.

Chrm. Knee said he visited the logging operation at the Glen Oakes Town Forest property on Saturday with Scott LeClair and they walked down the logging road that leads to the island. He said that marked trees had been removed, the ground was not excessively dug up and the operation was clean and neat. Chrm. Knee stated that there is a very short distance from the Town property to the Ladd property, the logger will use the existing log trail for access and they agree to leave the trail in good condition. The logging operation will take place solely on Ladd property and they will only need to pass through Town property. He added that this is a good time of year to do the logging operation given the frozen ground.

The Members reviewed the Glen Oakes Conservation Easement held by the SPNHF. Chrm. Knee noted that in the past the Commission did not want to set a precedent by allowing access through Town Forest. In this case there will be a logging operation which is continuous to Town property and using already existing access roads. The Members agreed that this would not be a precedent setting event.

Chrm. Knee said that a carefully worded recommendation may be made that would limit the extent of this precedent because the current operation is already so close the Ladd property, the frozen ground conditions are favorable and the entire route from the Town Forest with the exception of about 800 yards has already been opened and used in order to complete the Town's timber removal.

Mbr. deBeer said approval for access through the Town Forest should be taken on a case by case basis. She stressed that she understands that SPNHF does not always disallow access through easement property. Mbr. deBeer said she has never agreed with not allowing access to the Ladd property for logging and she has felt strongly that it was in the Town's interest to "be a good neighbor" in this instance. She added that the advantages of having support from the abutters/public is more important than having a "no access to a land-locked property" policy, especially when access would be over an existing logging road.

Fred LeClair suggested the Town put a gate on the access road at the end of Andreski Drive instead of replacing the boulder that had been there in case of emergency. He reported that there are people walking around in the area and someone is in there with a vehicle.

Based on careful review of the Conservation Easement language and observing the current work and best management practices being used by Mr. LeClair, and temporary permission granted by SPNHF who holds the easement, Alt. Miner made the motion to authorize Chrm. Knee to draft a letter to the Selectmen for Conservation Commission recommendation for approval to allow Fred LeClair & Sons access over the Glen Oakes Town Forest property to the Ladd property (Map 4 Lot 087) for the purpose of logging contingent on the conditions required by SPNHF.

Motion seconded by Mbr. deBeer with unanimous favorable vote.

The LeClairs thanked the Commission and left the meeting at 8:25 pm.

#### TOWN FOREST

The Commission received a recent e-mail message from Dea Bricker of SCC congratulated the Commission on completing a great conservation project and stated that the project will be featured in all the Moose Plate social media outlets.

#### FOREST MANAGEMENT PLAN

The timber harvest in the Town Forest began the week of November 18, 2013 and will finish by the end of this week.

#### SPNHF

The Commission received a November 21, 2013 invoice #4529 from SPNHF relative to the project costs of the Oak Ridge Conservation Easement in the amount of \$15,238.19.

After some conversation relative to cost, Mbr. Knee made the motion/second to approve and authorize payment to SPNHF in the amount of \$15,238.19 relative to the Oak Ridge Conservation Easement to be taken from the Current Use Fund.

Motion seconded by Alt. Miner with unanimous favorable vote.

#### SEACOAST UNITED SOCCER CLUB

Map 6 Lot 020-001

Notice: The Planning Board will host a site visit at the site of at 2:00 pm on Friday December 6, 2013 at the site of Seacoast United Soccer Club on Shirkin Road to view the location of recent various height tree plantings per Planning Board requirement.

#### PSNH

The Commission received a November 5, 2013 correspondence from Sherrie Trefry of GZA, Environmental, Inc. representing PSNH for a thermal uprate project requesting the Commission to review the project. This project was reviewed at the last CC meeting.

#### CONSERVATION EASEMENT MONITORING

The easements include:

<b>3615/702</b>	<b>Conservation Easement Cornerstone Estates/Dakota Realty Trust</b>
	<b>1-35-8, 1-35-9 and p/o 1-35 D-28735</b>
<b>3972/1691</b>	<b>Conservation Easement Tuck Woods</b>
	<b>6-64-21, 6-64-22 and 6-64-23 D-30397</b>
<b>4247/1418</b>	<b>Conservation Easement Tuck Woods</b>
	<b>OS, OS2, OS3 D-31333</b>
<b>4342/1206</b>	<b>Conservation Restriction Deed Not to Further Subdivide Spruce Hill</b>
	<b>Map 6 Lot 50 D-31622</b>
<b>4408/1234</b>	<b>Conservation Restriction Deed Seacoast United Soccer Club</b>
	<b>p/o 20-1 D-31731</b>
<b>4435/1986</b>	<b>Conservation Easement Fremont Pizzeria</b>

<b>4890/1139</b>	<b>p/o Tax Map 3 Lot 120</b>	<b>D-31624</b>
	<b>Conservation Easement Scribner Estates</b>	
	<b>Easement 13</b>	<b>D-31121</b>

## WORKING PLAN

The following is a working plan with some results in *italics*.

- Set up a monitoring schedule for the Town owned Conservation Easements. (As the holder of an easement, the Town is obligated to monitor each easement once per year.)  
Compile a list of land with conservation easements. *This is done.*
  - Get copies of each easement.
  - Generate a checklist for each easement.
- Prospective Oak Ridge Easement: *This is done.*
- Review the obligations for grants already awarded including.
  1. Land & Water Conservation Fund (set up for the acquisition of Oak Ridge)
  2. Moose Plate, Recreational Trails Program, PREP Transaction Grant
  3. Smith property: Davis, Fields Pond, Cricket and Wharton, Moose Plate and LCHIP, PREP.
- Glen Oakes Forest & Wildlife Management Plan - Review for updates.
- Oak Ridge Management Plan - Review for updates.  
Mbr. de Beer said this is in the NRI of the Master Plan.
- Natural Resource Inventory – Review for recommendations for updates of information and maps.
- Earth Day event (s) for the current year.
- Biothon – discuss a possible event for the current year.
- Reorganization of the Conservation Commission.
- Budget for the following year.
- Compiled a list of all of the grants that have been awarded to the Town and create a checklist of the requirements of each grant that can be reviewed annually. Any future grant can be added to the compilation.

## EVENTS

Previous event suggestions included:

- Birds & bats
- Edible plants
- Wildlife cover
- Sustainable agriculture
- A butterfly garden
- School program that would involve growing plants.
- A presentation on sustainable agriculture.
- Community garden

#### CORRESPONDENCE:

The Commission received:

- Correspondence from Julie LaBranche of RPC and Chris Keeley of UNH Cooperative Extension and an application for the 2013 – 2014 Assistance Program for a one year project that protects people, infrastructure and natural resources from impact of climate change. (made possible by a grant from the NH Coastal Program.) No action.
- Notice from Eric Masterson relative to scheduling a bird watching event. Mrs. Bolduc will find out cost and timing for this event.

#### SIGN

Mbr. deBeer showed a draft replacement acknowledgement sign for the Glen Oakes kiosk and an estimate of \$79.95 from Voss Signs. She suggested that at least 2 would be needed. After some discussion it was agreed that one would be enough and Mbr. deBeer said the Mr. Howland would be willing to order the sign.

Alt. Miner made the motion to authorize \$79.95 for the purchase of one funding supporters sign to be posted at the Glen Oakes kiosk as required by the grantors.

Motion seconded by Mbr. deBeer with unanimous favorable vote.

#### MISCELANNEOUS

Chrm. Knee outlined items to be considered by the next meeting.

1. Glen Oakes Access: As a commission we need to have made a decision of what to do about the access to Glen Oakes by the Kiosk when the logging operation is finished.
  - a. ask LeClair to put the boulder back.
  - b. put a log across the entrance.
  - c. purchase and install a gate. If the choice is a gate the members would need to decide on what kind.

Alt. Miner offered to look into the gate and report back to the Commission at their next meeting.

2. Mr. LeClair said he had never seen a Town or State Forest closed for a timber operation and he felt that the wrong message was sent by closing the area. He said that one individual was upset when he saw the “closed” sign. This prompted a conversation relative to safety, liability and signage.
3. There are 2 spider cracks on face of the Glen Oakes kiosk. There was a conversation about the need to find out about setting up a separate fund for maintaining the Town Forest. There was a conversation relative to what types of maintenance the money should be used for.

At 9:35 pm Chrm. Knee made the motion to adjourn.

Motion seconded by Alt. Miner with unanimous favorable vote.

Next scheduled meeting: January 6, 2014.

CC action item timeline.

January – Review obligations for grants already awarded.

February – Review Forest Management & Wildlife Plans: Oak Ridge & Glen Oakes.

March – Commission reorganization; events to be sponsored through the next year.

April –

May –

June-

July –

August – Budget review and approval for upcoming year

September – October: monitoring Town owned Conservation easements & reporting on same.

November – Review the NRI

December -