



**Fremont Conservation Commission  
Minutes of  
April 7, 2014**

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

Chrm. Knee opened the meeting at 7:00 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.

**MINUTES**

Mbr. O'Brien made the motion to approve the minutes of the March 3, 2014 meeting as written. Mbr. Knee seconded the motion with unanimous favorable vote except for Mbr. deBeer.

**MARK & LAURIE PITKIN**  
9 Squire Road, Map 5 Lot 039

The Commission received a notice and a comment sheet from the ZBA for an April 22, 2014 Public Hearing for Mark & Laurie Pitkin relative to their application for a Special Exception from Article IX Section H of the Fremont Zoning Ordinance to be allowed to dig a 26,000 square foot pond on their property closer than 100' to a wetland. The Commission also received a March 18, 2014 letter of intention from Mr. Pitkin.

The Commission viewed the plan prepared by James M. Lavelle, LLS and dated January 14, 2014. It was stamped by Certified Wetland Scientist Timothy Ferwerda and shows the location of wetlands, prime wetlands, the proposed 25,500 sf pond, and the proposed gravel access for construction. The plan also shows the locations of the existing dwelling, sheds, septic well, and driveway. Notes on the plan are relative to purpose "to show a proposed pond with access driveway", wetland delineation, prime wetlands location, reference plans and note 5 stated that the site is not in a designated flood zone per the May 2005 F.I.R.M./F.E.M.A. map 331015C0215E. The following statement is on the plan.

- *Landscaping & Stormwater Control: All construction on the site shall be conducted in a manner consistent with the recommendations provided in the "New Hampshire Storm Water*

*Manual – Volume 3 – Erosion and Sediment Control During Construction” as published by the NHDES December 2008 and “New Hampshire Storm Water Manual – Volume 1 – Storm Water and Antidegradation” as published by NHDES December 2008.*

The Commission also reviewed a copy of an April 4, 2014 letter of report from the Rockingham County Conservation District CCSS, CWS Michael Cuomo. This report is required by zoning Article IX Section H. In his letter Mr. Cuomo stated that he believes this project can be *“constructed as to minimize the detrimental impact of such uses upon the wetland and watershed protection areas” (zoning IX.H.2) if done in compliance with the erosion control conditions set forth on the plan.* In addition, Mr. Cuomo’s letter stated the following:

1. The wetland delineation by Tim Ferwerda, CWA #39 meets professional standards.
2. The plan states:  
“All construction on the site shall be conducted in a manner consistent with the recommendations provided in the “New Hampshire Storm Water Manual – Volume 3 – Erosion and Sediment Control During Construction” as published by the NHDES December 2008 and “New Hampshire Storm Water Manual – Volume 1 – Storm Water and Antidegradation” as published by NHDES December 2008.
3. The applicant should state for the record what is to be done with the excavated soil. The Board should be satisfied that it will not be placed in wetlands or the Watershed Protection District without a permit.
4. The plan gives no information about the depth to which the pond is to be dug or the amount of material proposed to be removed. The Board should determine whether this activity is subject to Fremont’s Excavation and Reclamation Regulations.

Point of order: Forester Charlie Moreno joined the meeting at 7:30 pm.

During the discussion it was noted that the request is to dig a pond as close as 10’ from wetlands which is 90% of the wetland buffer. As a result of the discussion the Members agreed to the following:

- The Commission is questioning how the project can be “constructed as to minimize the detrimental impact of such uses of the wetland..” per the RCCD letter.
- The Commission feels that there is need for further information regarding how the plan meets the productive use of the land and the effect of increased evaporation rate on the hydrology of the wetlands water table. Specifically the Commission is concerned that the construction of a pond and overflow will increase evaporation and have detrimental impact on the surrounding groundwater table and wetland hydrology.
- The Commission also questions how a pond fits the criteria of “essential productive use of the land” as per Zoning Article IX Section H.
- The Commission also shares RCCD’s concerns that there are no depth specifications information in the plan.
- Chrm. Knee will draft a letter summarizing the Commission’s concerns for distribution to the Planning Board and ZBA within the 30 days required by the Ordinance.

- The Members agreed to not issue a referral at this time as required by zoning Article IX Section H.

#### TOWN FOREST

At 7:50 pm Mr. Moreno met with the Board and discussed an estimate and possible timeline to amend the current Wildlife and Forest Management Plan to include the Smith property and the recent Glen Oakes timber harvest.

Mr. Moreno outlined two ways to do the project.

1. Create a separate plan for the Smith property = The cost would be approximately \$2000, would not include inventory, and could be completed by the end of the Summer (2014).
2. Incorporate Smith into the current Plan. = The cost would be approximately \$5,000 including inventory and could be completed by late Fall (2014). Mr. Moreno agreed that the plan would include the recent timber harvest as well as any wildlife findings and the results of the 2011 Biothon.

After some discussion the Members agreed to go with the #2 option. Mbr. O'Brien made the motion to have Mr. Moreno update and amend the current Glen Oakes Wildlife and Forest Management Plan to include the Smith property, the recent Glen Oakes timber harvest, and the results of the 2011 Biothon. Motion seconded by Alt. Miner with unanimous favorable vote.

Mr. Moreno will send a detailed contract agreement for the next meeting.

Mr. Moreno discussed the Glen Oakes timber harvest rotation. He said he will know more after he has done his fieldwork for the amended Plan. The Conservation Commission and Mr. Moreno entered into an understanding to pursue a second timber harvest in 2015 based on the findings of the updated Wildlife and Forest Management.

The Board thanked Mr. Moreno for his time and he left the meeting at 8:25 pm.

Gate:

Chrm. Knee said he has not spoken with the Fire and Police Departments to see what kind of lock they would prefer on a gated access to Glen Oakes or if they had any other suggestions. He said he will do that before the next meeting.

#### TREASURERS REPORT

The Commission received the CC -Treasurers Report as of February 14, 2014.

#### EXPENDITURE REPORT

The Commission received the CC January 1 – March 31, 2014 Expenditure Report.

## TRAILS

The Commission received an e-mail correspondence from Dennis Howland to Mbr. deBeer relative to the conditions of some of the forest trails due to slash from the recent logging operation as well as the end of winter debris.

## CORRESPONDENCE

There was no incoming correspondence.

## CONSERVATION EASEMENT MONITORING

Google spreadsheets of the Town held Conservation Easements -----

The easements include:

<b>3615/702</b>	<b>Conservation Easement Cornerstone Estates/Dakota Realty Trust 1-35-8, 1-35-9 and p/o 1-35</b>	<b>D-28735</b>
<b>3972/1691</b>	<b>Conservation Easement Tuck Woods 6-64-21, 6-64-22 and 6-64-23</b>	<b>D-30397</b>
<b>4247/1418</b>	<b>Conservation Easement Tuck Woods OS, OS2, OS3</b>	<b>D-31333</b>
<b>4342/1206</b>	<b>Conservation Restriction Deed Not to Further Subdivide Spruce Hill Map 6 Lot 50</b>	<b>D-31622</b>
<b>4408/1234</b>	<b>Conservation Restriction Deed Seacoast United Soccer Club p/o 20-1</b>	<b>D-31731</b>
<b>4435/1986</b>	<b>Conservation Easement Fremont Pizzeria p/o Tax Map 3 Lot 120</b>	<b>D-31624</b>
<b>4890/1139</b>	<b>Conservation Easement Scribner Estates Easement 13</b>	<b>D-31121</b>

## WORKING PLAN

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

- Set up a monitoring scheduled 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.

Approved May 5, 3014

- 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 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

At 9:00 pm Mbr. O’Brien made the motion to adjourn.

Motion seconded by Chrm. Knee with unanimous favorable vote.

Next scheduled meeting: May 5, 2014.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary

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 -