



**Fremont Conservation Commission
Minutes of
August 18, 2014**

Present: Chairman Bill Knee, Co-Chairman Janice O'Brien, Member Pat deBeer, Dennis Howland, 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. deBeer said it should be clear in the June 11, 2014 minutes that the Garrison land is being purchased by the South East Land Trust.

Chrm. Knee made the motion to approve the minutes of the June 2 and June 11, 2014 meetings with clarification in the June 11, 2014 minutes that it is the South East Land Trust that is purchasing the Garrison property. Mbr. deBeer seconded the motion with unanimous favorable vote.

Jack Karcz joined the meeting at 7:05 pm.

TOWN FOREST TRAILS

The Commission received a correspondence via e-mail from Mr. Howland reporting the following relative to the Trails in the Glen Oakes Town Forest.

- The "Parking" sign at end of Link Trail and small homemade arrow sign on Homestead are back in the ground.
- He has raked out the Homestead trail where logging crossed it in a few places which makes the trail easier to follow. He intends to work on the rest of the trails and to add a few paint blazes where needed.
- The new kiosk is locked and Meredith has an extra key.
- He will post the hunting dates once again.

There was a conversation relative to metal blazes vs. paint blazes. Mr. Howland suggested that the Commission consider metal blazes, noting that when installed properly they should be good for at least 5 to 10 years depending upon how fast the tree grows. He added that there is not much more work to install metal than a painted blaze, and is lower maintenance. Mr. Howland showed some metal samples that he got from Voss Signs for the Members to see. He said they are .30 each and estimated that there is a need for 200 – 300 if they just want to replace what is there today.

Chrm. Knee made the motion to authorize Mr. Howland to place an order with Voss Signs for 500 metal blazes (of two colors) and nails and shipping not to exceed 200.00 to be paid from the Residual Fund.

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

There was a conversation relative to putting an article in the Fremont Newsletter to promote awareness of the Town Forests. The Members agreed with the idea and Mr. Howland said he could come up with something for a number of issues. He will contact Heidi for dates and space.

FALL FOLIAGE HIKE

The members reviewed a notice draft that Mr. Howland submitted for the Fall Foliage Hike including a suggestion to hold it on October 18.

The hike will include two parts.

- Part 1: The new Cooperage Trail connecting the back of the Spaulding Road housing development with Beede Hill Road.
- Part 2: The hikers will relocate to the Glen Oakes Town Forest at the end of Andreski Drive (Arriving there about 2:30)

The Members agreed to schedule the Hike for 1:30 pm on Saturday October 18, 2014. Mr. Howland said he will put a notice in the September and October issues of the Fremont Newsletter.

SOUTH EAST LAND TRUST – GARRISON PROPERTY

Map 4 Lot 98

Present: David Viale, Land Protection & Stewardship Specialist with Southeast Land Trust of NH.

Mr. Viale met with the Commission to discuss an application by the Southeast Land Trust of NH for a land protection grant offered by The Piscataqua Region Estuaries Partnership (PREP) and Great Bay Resource Protection Partnership (GBRPP) for a Conservation Easement Purchase and Fee Simple Transfer of the Donna Garrison property located at Map 04, Lot 98, off Calef Rd (Rte. 125), abuts Glen Oakes Town Forest & Kelliher Memorial Forest (Spruce Swamp). This parcel is 32.18 acres of forested upland and wetland. (30 acres in Fremont and 2 acres in Brentwood). This property butts Kelliher Memorial Forest (SELTNH FO, 129 acres) and also abuts Glen Oakes Town Forest on 2 sides (388 acres, Fremont FO, SPNHF CE).

Mr. Viale explained that the landowner is looking to sell the property and is interested in conserving it through the Natural Resources Conservation Services (NRCS). The proposal is to purchase the fee

simple ownership of the property for the appraised fair market value. The Southeast Land Trust SELT would become the new owner, easement would be owned by the Natural Resources Conservation Services (NRCS), and the (SELT) would manage the easement on the property. While an appraisal has not yet been conducted, we estimate the value to be in the \$32,000 range (\$1,000/acre) as the property is backland without any apparent legal access. The final purchase price will be based on an appraisal. To date \$17,000 has been secured and a \$15,000 grant will be submitted to the Department of Environmental Services Aquatic Resource Mitigation (DES ARM) program on August 18th. Assuming the ARM grant is successful, there is an approximate \$19,000 budget gap (see attached budget for detail).

Mbr. O'Brien asked Mr. Viale if the SELT is asking Fremont to be financial partners, but without interest. Chrm. Knee said we must have some kind of interest. Mbr. O'Brien asked if the Town of Fremont were to put up 20% of the cost would the SELT agree to allowing the Town to have 20% interest as joint ownership. She said the Commission is interested in having the property preserved, but the people of Fremont would object if the Town did not have an interest in the property. Mr. Viale said the Fremont Conservation Commission is being asked to consider an expenditure of \$19,000 to aid in the conservation of the parcel. This represents 38% of the total project costs, matching \$1.6 dollars to every \$1 dollar of Town funding.

Mr. Viale submitted the SELT project summary sheet for the Garrison project that included a property description as well as key conservation values including forest resources, water resources, wildlife habitat and natural areas, and Community Landscapes/Resources. The summary also included the budget sheet for this project which showed a total of \$50,692 which was comprised of:

- Appraisal & Legal - \$5,064
- Closing - \$507
- Expensed - \$6,725
- Stewardship - \$6,216

Revenue Sources Budgeted Notes

Government

PREP (Federal) - \$ 2,500 *Awarded*

ARM (Federal) - \$15,000 *Requested Amount Awarded*

WRE (Federal) - \$14,400 *Amount contingent on survey*

Town of Fremont - \$18,792 *Requested Amount*

Mr. Viale said the points for this property include:

1. Know the purchase price.
2. Come to agreement with the landowner and get an appraisal.
3. Decide if the Town is interested and has capacity to acquire the property.
4. Subdivide off the piece in Brentwood and have the Town purchase all of the land in Fremont, subject to the conservation easement.

Mr. Viale stated that the Town does not have the option of easement holder because SELT has filled that. Options for the Town are landowner, or a written reverter clause that if the SELT ever wants to opt out, the Town can fill in as easement holder.

It was agreed that Fremont could have no jurisdiction over the 2 acres in Brentwood. Mr. Viale suggested a subdivision. He said that this is one deed and one conservation easement if the owner goes with NRCS.

Mbr. deBeer said another idea is for the Town to buy the property. Mr. Viale said if the SELT deal fails the Town could put in a bid on the property. He said if that was the only way SELT may go for it, but it would be subject to the easement held by NRCS. Mr. Viale said the owner is not yet in a contractual agreement with SELT. He will know more by the September 22, 2014 SELT meeting. There was a conversation relative to the monitoring of the easement which Mr. Viale said would be no cost to the Town. He will send the restrictions of the easement.

Mr. Viale asked if the Commission can provide matching funds for the appraisal. Chrm. Knee said he did not think that would be a problem, but was not 100% sure. Mr. Viale suggested a motion could be contingent on approval of legal Counsel.

It was noted that the Town defeated an article in each of the Town Warrants of 2009, 2010 and 2011 to adopt the provisions of NH RSA 36-A: 4-a, I (b) to authorize the Conservation Commission to expend funds for contributions to qualified organizations for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the Town will retain no interest in the property.

Mrs. Bolduc contacted the legal team at the Local Government Center who advised that;

- 1. If the conservation commission wants to purchase a conservation easement or other interest in the land in the name of the town, it may do so, subject to approval of the selectmen—and, again, probably only as to property that is within the town, unless the town meeting has adopted 36-A: 4-a, I (a), allowing it to buy interests in land outside the town. What it cannot do is contribute that money to a private organization to buy the property or a lesser interest that will be owned by the private organization.*
- 2. “Legal Interest” - If the conservation commission wanted to, it could purchase a conservation easement on the property (or at least on the part of it that is in Fremont—purchasing an interest in property outside the town boundaries requires town adoption of 36-A:4-a, I(a)).*

Mbr. O’Brien made the motion to expend up to \$2,500 for appraisal of the Garrison property to be taken from the Current Use Fund.

Motion seconded by Mbr. deBeer with unanimous favorable vote.

Mrs. Bolduc will make an appointment with the Selectmen for September 11, 2014 to discuss the land acquisition of the Garrison property.

Mr. Viale said he will gather the necessary additional information and will meet with the Commission again at their September 8, 2014 meeting to update them on the status of the project. He left the meeting at 9:15 pm.

There was a little more conversation relative to the benefits of the Garrison land and easement acquisitions. Mr. Karcz and Mr. Howland left the meeting at 9:20 pm.

MICHAEL HEATON

Map 1 Lot 018

The Commission received a copy of a July 15, 2014 Dredge & Fill application submitted to the NH DES by BAG Land Consultants for Michael Heaton for Map 1 Lot 18 in Fremont, NH and Map 10 Lot 14 in Chester, NH. This application is for permission to construct a 5' wide x 1103' long wooden conservation walkway that will be constructed in frozen winter conditions. It will be constructed greater than 24' above the wetland soil surface and will be supported by 6" diameter posts. According to the narrative submitted the total proposed wetland impact is 50 square feet, the impacts will be 30.2 sf (154 posts) in Chester and 18.8 sf (96 posts) in Fremont, is setback 300' from the Exeter River and located about a mile upstream of the designated river starting point on Rt 102 in Chester.

The purpose of the construction is so the land owner can create areas to better view and study the Exeter River wildlife environments. The work will all be done in the winter.

This application was filed as a "Standard Review" and does not require the Conservation Commission's signature.

On July 29, 2014 Mrs. Bolduc spoke via phone to Frank Richardson of NH DES about the reviewing timeframe for the Dredge & Fill application which is dated July 15, 2014 and he said that the Conservation Commission has 75 days (or until October 1, 2014) to respond if they should want to intervene in the application.

After careful review of the Wetlands Permit Application filed with NH DES by owner Michael Heaton relative to the construction of a 5' wide x 1103' long wooden conservation walkway that will be constructed in frozen winter conditions, it was the collective opinion of the Conservation Commission that they have no concerns or objections to permitting the proposed work for the project. Mrs. Bolduc will forward that decision to NH DES.

BUDGET

Town Planner Heidi Carlson has advised that the 2015 budget proposals are due by August 11, 2014.

The Members discussed the 2015 Conservation Commission Budget. They agreed that all lines remain the same as 2014 except for the Conservation Projects line (#950). It was noted that the

Fremont Conservation Commission – 08-18-14 Meeting Minutes
 Approved September 8, 2014

\$600 in the line for 2014 was to help offset the cost of updating and amending the Glen Oakes Wildlife and Forest Management Plan which will be finished and paid for by December 1, 2014. After discussing line #950 the Members agreed to request \$800 for 2015 to help offset the creation of a Wildlife and Forest Management Plan for the Oak Ridge Town Forest. The rationale for the line increase is that it will cost more to create a new plan than it did to amend the existing one. The rationale for the plan is to establish a baseline for responsible forest management, to help the Conservation Commission develop strategy for preparing conservation goals for the Master Plan, to enhance our ability to attract grants and to demonstrate to prospective grantors that we responsibly manage our forests and their grant money.

Mbr. O'Brien made the motion to submit the following Conservation Commission budget request of \$1,723 for 2015.

4610 CONSERVATION COMMISSION		
100 Postage		\$ 75
110 Copies/Office Supplies		\$ 125
115 Photographs		\$ 1
125 Document Purchases		\$ 70
<i>Handbooks and RSA updates</i>		
200 Training & Seminars		\$ 100
<i>Includes workshops available to Commission Members.</i>		
220 Memberships		\$ 400
<i>\$250 = NH Association of CC</i>		
<i>\$ 50 = SPNHF</i>		
<i>\$100 = Lamprey River Watershed Association</i>		
500 Conservation Improvement		\$ 1
 <i>Residual of budget put toward separate conservation fund (for possible future land purchase/preservation)</i>		
800 Exeter River Local Advisory Committee Dues		\$ 150
 <i>Dues; Participation in ERLAC activities, support of committee</i>		
900 Conservation BR Fund	<i>(Budget Residual)</i>	\$ 1
950 Conservation Projects	<i>(Forest Management Plan for Oak Ridge)</i>	<u>\$ 800</u>
		\$ 1723

Motion seconded by Mbr. deBeer with unanimous favorable vote.

This requested budget is an increase of \$200 over the 2014 budget.
 Mrs. Bolduc will make an appointment with the Selectmen if necessary.

TOWN FOREST

Wildlife and Forest Management Plan: Mrs. Bolduc reported she has spoken with Forester Charlie Moreno who said he will start on the plan sometime in September and it should be finished and invoiced by December 1, 2014. He said he will probably meet with the Board at their November meeting to go over the plan.

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

The Commission received a notice and a comment sheet from the Planning Board for an August 20, 2014 Public Hearing for Mark & Laurie Pitkin relative to their application for an Excavation Permit. The applicants propose to excavate approximately eight thousand (8,000) cubic yards of material from his property over a period of approximately one (1) year for the purpose of creating an approximately one half (1/2) acre (or 25,000 sf) pond.

On May 27, 2014 the ZBA approved for Mark & Laurie Pitkin a Special Exception from the terms of Article IX Section H Fremont Zoning Ordinance to allow the creation of the proposed pond as close as twenty (20) feet to the edge of any wetlands on their 9 Squire Road (Map 5 Lot 39-1) property.

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.*

After some discussion the Members agreed to issue the following statement on the comment sheet: *The Conservation Commission has no objection to the excavation of 8,000 cu yds in construction of a ½ acre pond as outlined in plan #001-2014 drawn by Lavelle Association.*

GRANIT – Conservation Easements Updates

Mbr. deBeer has been working with Ernest Dankwah , a GIS intern for the New Hampshire Chapter of The Nature Conservancy, on a project in partnership with the New Hampshire Geographically Referenced Analysis and Information Transfer System (NH GRANIT) to update New Hampshire’s Conservation and Public Lands GIS data layer. She is updating the GRANIT "conservation lands" layer. The project will update NH GRANIT with current conservation land easement information for the Town.

Mbr. deBeer had questioned whether the green areas in Leavitt Estates should be included. She showed a map of what is in Granit at this time. It was agreed that the conservation easements on the United Seacoast Soccer Club (USSC), the Fremont Pizzeria, Scribner Estates, Tuck Woods, and Beede Spaulding should be added.

Mbr. deBeer has been involved with helping the Forest Society update the information relative to the easement(s) for the Town Forest.

CORRESPONDENCE

Received from Eben Lewis, Compliance Specialist with NHDES:

- Copy of a July 8, 2014 letter to Michael St. Laurent of 191 Main Street, Map 3 Lot 152, relative to reported possible wetland violations on his property.
- Copy of a July 9, 2014 letter to Paul Mackey & Jennifer Dumas of 25 Kingman Court, Map 3 Lot 169-59-17, relative to an inspection conducted by DES to determine compliance with wetlands statutes and NH Code of Admin. Rules Env-Wt 10. This correspondence instructed restoration work and monitoring reports to be filed with DES relative to a filled wetland on the property.

CONSERVATION EASEMENT MONITORING

Google spreadsheets of the Town held Conservation Easements:

The easements include:

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

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.

Fremont Conservation Commission – 08-18-14 Meeting Minutes
Approved September 8, 2014

- 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 9:50 Mbr. O'Brien made the motion to adjourn.
Motion seconded by Chrm. Knee with unanimous favorable vote.

The next scheduled meeting is September 8, 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 -