



*Town of Weare
Conservation Commission*

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Conservation Commission
Andy Fulton, Chairman
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Tom Carr, Secretary
Stephen Najjar
John Ciampi
Patricia Myers
George Malette
Paul Kosciuszek, Alternate

**CONSERVATION COMMISSION
MINUTES
OCTOBER 10, 2007
(Approved as amended 11/14/07)**

PRESENT: Andy Fulton, Chairman; Andrea Alderman, Vice Chairman; George Malette; Steve Najjar; John Ciampi; Pat Myers

GUESTS: Don Duval; Patricia Delzell; Jeremy G. Turner; Tim Ferwerda; Art Siciliano; Glenn Morrell; Robin Morrell; Scott Hogan, Attorney; Biron Bedard, Attorney.

I. CALL TO ORDER:

Vice Chairman Andrea Alderman called this meeting to order at 6:00 PM at the Weare Town Office Building. Chairman Andrew Fulton will not be participating in the first order of business because the firm he works for has submitted a bid.

II. BID PROPOSAL OPENINGS:

NATURAL RESOURCE INVENTORY (NRI) PROPOSAL OPENINGS: The Commission received four (4) proposals for the Natural Resource Inventory (NRI). The Commission compared all the proposals to see which one best met the requirements.

K & I Associates - \$13,600

TFM - \$20,600

Aries Engineering - \$20,000

Steve Najjar made a motion to award the NRI project to K & I Associates based on responsiveness to bid and cost of proposal; John Ciampi seconded the motion, all in favor.

Chairman Andrew Fulton retained his position as chair for the rest of the meeting.

III. PLANNING BOARD:

HIGH ROCK DEVELOPMENT CLUSTER DEVELOPMENT & LETTER FROM GLENN & ROBIN MORRELL & PATRICIA DELZELL – RE: HIGH ROCK EASEMENT: The

letter has to do with the conditions that are being proposed on the open space. Scott Hogan, attorney for the applicant was present and gave the WCC a brief overview from the beginning to now. Attorney Hogan stated that his client submitted a design for a conventional subdivision but after the WCC looked at it a cluster development was recommended to the Planning Board and that was the decision. Attorney Hogan stated that the applicant would have preferred the conventional design but a re-design was done and submitted for a cluster. Basically their position has always been that whatever the WCC desires would be what they would go with. One of the issues that came up is the piece of property between Daniels Road and the lake, there is the dam, which Daniels

Lake Development Corp. has expressed their interest in having continued rights to access, operate and maintain the dam and that is something they are willing to accommodate. One issue that has come up with how much public access will be allowed to the lake. It was all agreed that unfettered access is not something that should be allowed. The next discussion was the private road that is going to remain once the subdivision is done. Attorney Hogan suggested forming an association to take care of the road. Attorney Hogan stated that what the WCC is to be looking at is the subdivision including the open space land; the conservation piece between the road and the lake and the deed restrictions the WCC will be looking for on the open space. They are looking to hopefully get these issues ironed out between now and October 25th and have an actual working document for the Planning Board review. Biron Bedard stated that he is the author of the letter from the Morrell's and Ms. Delzell. Historically one matter they would like to emphasize to the WCC is that they believe that they, being Daniels Lake Development Corp., have jurisdiction over is respect to the area along the shore front. There are parts of this parcel that run along there that is supposed to be open space. Daniels Lake Development Corp. is extremely concerned about any public access or any access to the lake through that land. The lake is already burden quite heavily and if you increase the usage through this open space it would probably put the lake in a crisis position, given the stresses that it already has. From that stand point, they would like to at least see a restriction going back about 200 feet off the water front prohibiting public access. A couple of things that are raised in the Morrell's letter he would like to bring up and concur with them. The first is not to allow any launching of watercraft and prohibit beaches and swimming along the areas. Second, his clients have traditionally maintained the dam for the lake and one of the things that need to be carved out is a right to allow them to continue the maintenance necessary to keep the dam in compliance. The last concern is that to the extent public access is allowed to the open space, his clients are very concerned over the impact this would have on the unimproved portion of Daniels Road. Mr. Morrell went over his letter with the board. Attorney Hogan stated that he and Attorney Bedard briefly put their heads together and they feel they can come to an agreement to take the portion by the dam off the table. Chairman Fulton stated that at this time no decision will be made until a corrected deed is received, which it looks like it will be addressed at the November meeting.

JEREMY TURNER FROM MEADOWSEND TIMBER: Jeremy Turner was asked to attend this meeting by Steven Najjar. The WCC approved Meadowsend Timber as the forester to begin putting together some plans for the Town forest parcels. Mr. Turner explained what they are doing currently in Claremont and what he envisioned he would be doing for Weare.

ELIZABETH F. MAHMOT – OAK HILL ROAD, #411-242: This is a proposed 3 lot subdivision with road frontage on Oak Hill Road. Don Duval, surveyor was present. Mr. Duval explained that all the wetlands were mapped by Peter Schauer of Schauer Environmental Services. The proposal is to have two of the lots share a driveway to stay away from having to do a wetland crossing. The WCC asked Mr. Duval to put a note on

the plan regarding the 25 foot non-disturbance buffer. Chairman Fulton will follow up with a memo to the Planning Board regarding the WCC input.

NWS STORAGE & STEPHEN & DOREEN KENNEY – JOHN CONNOR ROAD & RT. 114, #201-014 & #201-014.2: This is a proposed lot line adjustment between the two parcels. The sizes to be swapped are equal not affecting the lot sizes. There was no one present to discuss this plan, so the WCC didn't look at it.

EARL SANFORD REGARDING PRE-APPLICATION PRESENTATION DANIEL'S LOT 411-191: Earl Sanford from Sanford Surveying was present for Daniels Lake Development Corp. This property abuts the New Boston Town Line off of Twin Bridge Road. There are a lot of wetlands but there are also some uplands. They are looking to at this point, cut out a lot of approximately 6 acres. In creating a driveway to this lot there is a small crossing that would be necessary containing about 480 SF. Mr. Sanford showed the board some photographs of the lot.

PROPOSED CAR WASH SITE: Tim Ferwerda, Meridian Land Services was present to discuss the proposed car wash on Route 114. The WCC looked at it in September but there was no representation so there were a few concerns. The WCC comments were discussed at the Planning Board meeting which is why Mr. Ferwerda is here this evening, so keep the project moving forward. Mr. Ferwerda showed the WCC members the areas that they were concerned with as well as answered any other questions they might have. Chairman Fulton will send WCC's comments to the Planning Board for their next meeting.

ERIK HAGSTROM REVOCABLE TRUST – SUBDIVISION, 422 FLANDERS MEMORIAL ROAD, #404-069: This is a proposed two lot subdivision. One lot has a house and buildings on it. The other lot would become a new vacant lot. Art Siciliano was present. The WCC reviewed this plan and their September 12, 2007 meeting but had some comments that Mr. Siciliano is here to address this evening. Mr. Siciliano went over the WCC's concerns and answered any questions they had. Chairman Fulton will send WCC's comments to the Planning Board for their next meeting. The WCC recommended against traversing the wetland buffer with the proposed septic line.

WETLANDS APPLICATION FOR HIGH ROCK DEVELOPMENT: Pat Myers made a motion to the allow Chairman Fulton to sign the application if the applicant supplies information to the WCC that states that it is complete as is and then it has to wait to be discussed at the next meeting, Steven Najjar seconded the motion, all in favor, except chairman Fulton.

III. MINUTES:

SEPTEMBER 12, 2007 MINUTES: George Malette moved to accept the September 12, 2007 minutes as amended; Andrea Alderman seconded the motion, all in favor.

IV. WETLANDS BUREAU ITEMS:

DES WETLANDS BUREAU #2007-02190 – NHDES DAM BUREAU: The WCC received a copy of a letter to NH DES Dam Bureau acknowledging receipt of the application as well as informing the applicant that the application is administratively complete.

DES WETLANDS BUREAU #2007-0021 – WILLIAM BOISVERT: The WCC received a copy of a letter and wetlands permit to William Boisvert for his application to dredge and fill approximately 4,599 SF off of River Road. Steve Najjar made a motion to see if there was a variance granted to the 25 foot buffer setback and if no variance was granted then send a letter to DES asking the permit to be revoked; Andrea Alderman seconded the motion, all in favor.

DES WETLANDS BUREAU #2007-02213 – HIGH ROCK DEVELOPMENT: The WCC received a copy of a letter to High Rock Development acknowledging receipt of the application as well as informing the applicant that the application is administratively incomplete.

DES WETLANDS BUREAU #2007-02190 – NHDES DAM BUREAU: The WCC received a copy of a letter to NH DES Dam Bureau acknowledging receipt of the application as well as informing the applicant that the application is administratively incomplete.

DES WETLANDS BUREAU #2007-02179 – PSNH: The WCC received a copy of a letter to PSNH acknowledging receipt of the application as well as informing the applicant that the application is administratively complete.

V. OTHER ITEMS:

OCTOBER 2007 CALENDAR OF OTHER BOARDS/COMMISSION MEETINGS: This is the schedule for the conference room for October 2007. The calendar shows the schedule of all the meetings that are held in the conference room by various boards/commissions for the month of September.

COPY OF CHECK FROM PSNH: This is a copy of a check from PSNH for \$100 for the Open Space Committee.

WATERSHED TO WILDLIFE – NRI REQUEST FOR PROPOSAL TURNDOWN: This is a letter to the WCC thanking them for the invite to bid on the Natural Resources Inventory, but they don't feel comfortable conducting this inventory.

UNH COOPERATIVE EXTENSION – LANDSCAPING AT THE WATER'S EDGE: This is a course called "An Ecological Approach to Landscaping Shoreland Property" if anyone is interested in attending.

CONSERVATION COMMISSION BUDGET PRINTOUT: Tina Pelletier, Finance Clerk provides the departments and commissions a monthly printout to see where everyone is on their budget. As of October 3, 2007 there is 66.16% remaining in the budget.

PSNH ACTIVITIES IN FERRIN POND AREA: Chairman Fulton stated that with PSNH upgrading the lines has created some problems. PSNH dropped stone into a perennial stream to make their lives easier but unfortunately has invited other types of activities. The latest problem was the installation of stone into a wet area and there is some question as whether there might have been a violation or not. Ian McSweeney, Director of the Russell Foundation is interested in hearing and seeing the areas being talked about. Chairman Fulton stated he will contact Chuck Young at Ambient Engineering for PSNH.

BROWN CE: This project is moving forward in hopes of getting closure by year end.

OLIPHANT RE: AUTHORIZING CLOSING COSTS FROM CONSERVATION FUND: Steve Najjar moved to authorize up to \$300 for the additional closing costs for PWA for the purchase of the Oliphant property; George Malette seconded the motion, all in favor.

NHACC MEETING UPCOMING – INTEREST AND REGISTRATION: Chairman Fulton, John Ciampi and Pat Myers were all interested in attending this meeting, which is on Saturday, November 3rd.

CLOSING ON HALL LAND PURCHASE: Chairman Fulton stated that we have finally closed on the 10 acres of land on Chipmunk Falls.

2008 PROPOSED BUDGET: The WCC wanted to hold off right now on this item.

UPPER CRANEY HILL ROAD EROSION/WETLANDS DEGRADATION ISSUE: Chairman Fulton stated that he wondered if the WCC should send a letter to the property owner regarding the water bars and erosion in hopes of keeping it from happening this spring.

SIGNS DIRECTING PEOPLE TO THE EASEMENT CONSERVATION AREA: Steve Najjar shared with the WCC the signs that are being proposed to direct people to this area.

PERMIT TO TRAP CORRESPONDENCE FROM GLENN DUBOIS: Glenn Dubois had permission to trap on Town land and he gave the WCC written correspondence on what he trapped.

RAY BANKS – OPEN SPACE LAND: John Ciampi stated that we need to walk the 100 acres that Ray Banks has on East Road. Mr. Banks leaves for Florida in November and if the WCC doesn't get to meet with him they will have to wait until he comes back in the

spring. Steve Najjar stated that they can discuss if the interest is still there at the Open Space Committee.

VI. ADJOURNMENT:

As there was no further business to come before the board, George Malette moved to adjourn at 11:34 PM, John Ciampi seconded the motion, all in favor.

Respectfully submitted,

Naomi L. Bolton

Transcribed from tapes