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HOLLIS CONSERVATION COMMISSION

Minutes of Meeting
September 21, 2011
Approved October 5, 2011

Present: Tom Dufresne, Susan Durham, Richard Brown, Thomas Davies, Cathy Hoffman, Lynn Quinlan, Frank Cadwell – BOS Ex-Officio, Connie Cain – Staff

Guests: Mary Ann Wesoly, Wright Road

Meeting was called to order at 7:00 pm; T. Dufresne appointed L. Quinlan to vote for the vacant seat. C. Hoffman suggested that a letter should be sent to the Selectmen to request that L. Quinlan be appointed as a Regular member to fill the vacant seat on the Commission. T. Dufresne will send in for the next Selectmen meeting.

RIDEOUT-FLINT BROOK PROPERTIES, BROAD STREET & WRIGHT ROAD

Mary Ann Wesoly wished to speak to the HCC members about the recent Trail reconstruction along the Flint Brook properties abutting her agricultural parcel at 019-030. The HCC owns the properties directly abutting Ms. Wesoly's property to the east and north, and a portion of the trail running along Flint Brook is located on the Wesoly farm land.

Last week, it had been noted that there had been some trail activity on the Flint Brook trail at the Broad Street entrance. Ms. Wesoly had come in to Town Hall last Thursday, Sept. 15th as well, to inform the Selectmen's Office that Amos White of the Trails Committee was in the process of widening the existing trail located on the HCC property. The trail has been widened from a 2 to 4 foot walking trail to a 12 to 15 foot wide trail suitable for snowmobile usage. As part of this activity, he had also widened the portion of the trail that existed on her property without prior notice and without her permission. As part of this activity, Mr. White had destroyed some land formations on her property which kept her fields from being flooded when the brook was at its higher levels during the year, in addition to cutting several trees and other site work. Ms. Wesoly, in speaking to Mr. White in regards to the damage to her property, had been informed that "a resident on Rideout Road" had requested the work be performed. At the time she discovered his trespass, the work had been completed on her property, and she was not able to stop the damage from being done. She further stated that the portion of the trail that extended across her property was very clearly marked on the Trail Committee maps as "Private Property," and that she did not know why Mr. White thought he would be allowed to construct the trail improvements without her permission.

T. Dufresne stated that he had inspected the trail later on the same day, after Town Hall staff informed him of the trail work being conducted. This was done without notice to the HCC and without their permission. Upon discussion, Mr. White admitted the fault was his, and he will do whatever he needs to repair and restore Ms. Wesoly's property. T. Dufresne suggested that Ms. Wesoly meet him at the area of disturbance, along with Sherry Wyskiel and/or Doug Cleveland of the Trail Committee, to discuss the damage to her property and what she would like to have done to restore and repair her property. This would be at Mr. White's or the Trails Committee's expense.

M. Wesoly further stated that since her property is held in the Current Use program, the disturbance could impact the eligibility on this portion of her land. C. Cain confirmed this, and stated that if the area wasn't restored, the potential for the area disturbed to be considered ineligible existed. Should the area be considered "changed in use", the tax implications could be significant, and could include both the Land Use Change Tax and annual property taxes. While C. Cain felt that in this isolated case, as long as the property was restored, Ms. Wesoly's Current Use would not be impacted. C. Cain also cautioned that property owners may not be as forgiving as Ms. Wesoly should the same occur on their property.

C. Hoffman asked if re-routing the trail so that it is fully located on HCC property would be helpful in making sure that Ms. Wesoly's property is not damaged again in the future. M. Wesoly felt that it might be difficult, since the area is surrounded by steep banks. She explained that in the past, the Wesoly Farm had cows and they were restrained from crossing the brook in that area by barbed wire. The cows have been gone for quite some time, but the barbed wire was left in place. The wire had been snipped in the past, replaced, and snipped again, to allow access to the fields which are not part of the trail. The area has been posted against snowmobile and ATV use in the past; the signs disappear shortly after being placed. She does not want those activities on her property, and feels that the trail widening will encourage snowmobile users to trespass onto her fields, which could cause significant damage. She has filed police reports and did so again after this trespass. T. Dufresne felt that since the original trail was only intended to be a walking trail, and the property has multiple deed restrictions against certain uses, the entire trail should be returned to the original condition.

F. Cadwell asked if this was a continuing or an isolated issue with the Trails Committee. HCC members informed him that this issue had been ongoing for several years, and that the Selectmen had been informed last year after

62 “improvements” were discovered on Forestry, Conservation and Cemetery properties; all had been done by Mr. White
63 as a member of the Trails Committee. This same issue had also been addressed when Mr. White had trespassed onto
64 State property north and east of the Silver Lake State Park parking lot. In that case, there were also some wetlands
65 violations discovered, which had to be addressed with DES and the State.
66

67 Ms. Wesoly and HCC members discussed possible remedies and the enforcement of the same. T. Dufresne will arrange
68 for the Trail Committee members to meet with Ms. Wesoly and him, at the site, to discuss restoration of her property
69 and the trail so that it is returned to a walking trail. Ms. Wesoly thanked the HCC for their quick action and help in
70 resolving the issue.
71

72 (Ms. Wesoly left at 7:20 pm.)
73

74 **BOARD & COMMITTEE REPORTS**

75 *PLANNING BOARD – Cathy Hoffman*

76 The Planning Board held their meeting on September 20, 2011. Several cases were addressed, as follows:

- 77 1.) Cell Tower Site Plan – James Seager property, Howe Lane, 032-045-005
78 The Planning Board gave direction to the Cell company planners regarding the cell tower and placement. The
79 Planning Board would like to see the tower itself as a “fire watch tower”, similar to that on Birch Hill. It was also
80 felt that using a tree-type cell tower would not suit the area. They also felt that it would be logical to place the
81 tower in the woods, which would be less offensive to abutters and not impact the public view as much.
82
- 83 2.) 3 lot Minor Subdivision – Third Edition LLC property, Proctor Hill & Rocky Pond Roads, 017-014
84 Discussion of grade on the lot at the end of the shared driveway. Due to steep grades and access to the building
85 box without a waiver, this item was tabled, pending further review.
- 86 3.) Montessori School – Sky Orchard Realty Trust property, 9 + 11 South Merrimack Road, 036-032
87 Site plan was approved. Access to the Duncklee Pond property will be allowed to Town representatives only;
88 public access will have to be re-routed from another location, for student/staff safety.
- 89 4.) 5 lot Traditional Subdivision – Rais-Prol LLC, 136 Worcester Road, 002-008
90 Subdivision approved. The property is the former Donald Chandler home. Wetland buffer areas are to be
91 posted as determined appropriate.
92

93 *BOARD OF SELECTMEN – Cathy Hoffman/Frank Cadwell*

94 The Board of Selectmen’s last meeting was held on September 12, 2011. F. Cadwell felt nothing of interest to the HCC. C.
95 Hoffman informed the HCC that the BOS had given approval for the purchase of a memorial plaque to be placed in Town
96 Hall, in remembrance of those volunteers who pass on, with Lynne Simonfy and Van Eresian being the first two names
97 listed.
98

99 Per T. Davies, no Land Study Protection Committee update, as the meeting was postponed.

100
101 T. Davies has met with Deb Padykula, the new Finance Officer, in regards to the monthly Treasurer’s report, and those
102 reports should start being issued in the near future again.
103

104 **TAYLOR PROPERTY UPDATE**

105 A draft warranty deed was sent from Atty. Quinn’s office for review by T. Dufresne and Peter Baker; both felt the deed
106 language was not acceptable. Atty. Quinn has been asked to create a new warranty deed. Until the deed language is
107 deemed acceptable and other items have been addressed, a public hearing cannot be held. The HCC will need to provide
108 a minimum 14 day public notice prior to the hearing, as per RSA 43:2. Based on the statute, the earliest date would be
109 the October 19th meeting.
110

111 **OLD HOME DAYS WRAP-UP**

112 The event went well; about the same number of people stopping by the booth as in years past. 1.5 pages of sign-ups for
113 the Roadside Clean-ups and other HCC activities were obtained, and T. Davies spoke to several of the Community
114 Organizations regarding their involvement in the event. T. Davies felt that a letter still should go out to those
115 organizations, informing them of the date and asking for their participation. R. Brown felt that the booth location was
116 not the best. When the dance floor nearby opened for the afternoon, it got very noisy and possibly prohibited the public
117 from visiting the booth. Members understood the OHD Committee reasoning for the placement – near the DPW and
118 Energy Committee booths, but will ask for the old location, near the Trails Committee and similar organizations, in the
119 future.
120

121 T. Davies also felt that the HCC should take the initiative and place recycling containers at public places, such as the
122 Lawrence Barn and other areas in town, with the HCC and the HBHS Green Group taking responsibility to empty and

123 recycle the materials. Discussion of types of containers and possible site locations occurred; to be continued at the next
124 meeting.

125

126 **FALL ROADSIDE CLEAN-UP**

127 October 22, 2011 will be the date; location is still anticipated to be the HBHS front parking lot. Discussion of signs and
128 placement; did members want to use the old signs that are stuck in the ground or just the new sandwich board type
129 signs? Members felt best to use the new signs solely this time, and see if the older signs should still be utilized in the
130 future. Signs will go up 7-10 days before the event with the locations to be decided at the next meeting. C. Cain will
131 update the Channel 12 Power Point slide and create the poster for the sandwich board signs. Further discussion will
132 occur at the October meetings.

133

134 **MINUTES**

135 T. Dufresne motioned to accept the minutes of the September 7, 2011 meeting as written; seconded by S. Durham. All
136 members in favor, none opposed. Motion passed, and the minutes were approved.

137

138 **ADJOURNMENT**

139 T. Dufresne motioned to adjourn the meeting; seconded by C. Hoffman. All members in favor; none opposed. Motion
140 passed, and the meeting was adjourned at 7:50 pm.

141

142 Respectfully submitted,

143

144 Connie Cain

145 Staff