

# Candia Conservation Commission

## **APPROVED**

Meeting Minutes- 17 January 2006

Present: Chairman Ed Fowler, Co-chair E. Kruse, and members T. Giffen, J. Miele, R. Weeks, D. Lewis, J. Lindsey, E. Davidson, R. Snow, and guest David Morin.

The regular monthly meeting was called to order at 7:03pm by Chairman Ed Fowler. The minutes from the previous meeting were approved as presented with the exception of deleting E. Davidson from the list of members that were present, delete "20-30" in the seventh paragraph and replace it with "less", changing the spelling of "Charley" to "Charlie" in the fourth paragraph, and changing the spelling of "MacLeod" in the ninth paragraph.

J. Lindsey reported for the Planning Board. On 2-1-06, Ron Severino will come in for a final meeting for the major subdivision with the addition of three more lots on North Road. 400 feet was taken off the end of the road as the two lots at the end were purchased together. E. Fowler will contact Mr. Severino to discuss placing an easement on some of that land. Also on 2-1-06, Wayne Theodore will be in for a lot line adjustment on his newly purchased land on Baker Road.

Guest Dave Morin spoke to the commission regarding Gary York, using abutting town owned land, to park three open trailers and other landscaping materials. When Mr. Morin questioned Mr. York about his concern he was told that he has been given permission to park his trailers there. Mr. Morin also stated that he had spoken to other neighbors and they said that Mr. York has used that land for as long as he has lived there. The parcel of land, Map 412 Lot 4, was found to be under the management of the conservation commission. Therefore, J. Lindsey made a motion to send a letter to Mr. York requesting that he remove the trailers off of the town land that is under the management of the conservation commission, seconded by J. Miele. A discussion then took place regarding opening the land up for public use. E. Kruse asked why the land couldn't be opened up for the people in that area to use. R. Snow replied that it would need to be open to the town and suggested that the commission develop a plan for the use of that land. E. Kruse then suggested that until a plan is devised, that the people on the street be able to use that parcel to store personal items. Mr. York is using the public property for personal use, so other residents should be able to do the same. D. Lewis showed concern about other parcels of town owned land, like the town forest for example. E. Kruse replied that there is a management plan for that parcel. R. Snow then commented that he did not want to see the conservation commission being used as a tool to get in between town residents that are having a disagreement, regardless of who is right or wrong. He continued by saying that we should ask Mr. York what his intent is on the use of the land. T. Giffen agreed and stated that letters should also be sent to all the abutters for their input on what

they would like to see happen to the land. In the meantime, as supervisors of the property, the commission has the right to make a decision of the use of the property until there is a formal plan in place. E. Fowler offered to go discuss this issue with Mr. York letting him know that it is unfair for one resident to be able to use the land at the end of Hemlock Drive, and not others, whether or not they are an officer of the town. T. Giffen stated that to avoid the appearance of impropriety and of favoritism, especially as an officer of the town, it would behoove one to behave at all times in a manner above and beyond any question because we really hate being put in a position of taking sides. Mr. Morin stated that he did not try to get anyone in the middle of this as he has fished around for who owns this land for over a year. He said that he had a truck that he is restoring and is unregistered and would like to be able to store it on the land. J. Lindsey asked if there were any ordinances that were being violated. E. Fowler stated that he did not know of any. T. Giffen asked if everyone was aware of what adverse possession was. He stated that the law indicates that if somebody has had use of a piece of land for 20 years then it would revert to their ownership. D. Lewis stated that he has been using the property for 3-4 years. R. Snow then amended the motion and stated instead of a written communication to Mr. York, the commission will authorize the chair, E. Fowler, to communicate with Mr. York in conformance with our wishes. Seconded by T. Giffen, all in favor, motion carried.

E. Fowler reviewed the correspondence received since the last meeting with the commission.

R. Snow reviewed the current budget with the commission. D. Lewis made a motion to reimburse J. Lindsey \$18.50 for the stamps purchased for the open space mailing. Seconded by T. Giffen, all in favor, motion carried.

E. Kruse reported that the Bear Paw annual meeting is scheduled for February 11, 2006 with guest speaker Ian MacLeod. A walk will take place after lunch on the Fernald 2000 acre property in Nottingham. Pre-registration is required.

E. Fowler reported that the North Road Forest Management Project is underway and that he would walk the property to check on the progress.

J. Lindsey reported that the Open Space Committee was preparing a flier to be included with the town report at town meeting. The flier focuses on the warrant articles and the purchase of the Girard property.

R. Snow reported that there is an upcoming meeting of the Lamprey River Water Shed Association in Raymond. He suggested that the commission host a meeting for the whole organization to attend as a lot of information is available.

A lengthy discussion took place regarding whether or not to continue with the warrant article dealing with the easement for the Girard Property at this year's town meeting. D. Lewis stated that it would be important to keep the town residents informed as more money is being asked for this year. T. Giffen agreed but added that putting an easement on the property was an action that the commission legally was required to

take. He suggested that we get the town's involvement through a series of public forums and discussing a management plan. D. Lewis stated that that would need to be done anyway as we have had people who own ATVs inquire about the use of the land. R. Snow said that it would be important to hold public hearings to get residents' input on what they want included in the easement. R Snow then made a **motion** to replace the existing proposed warrant article #1 to read that we request that the town give the conservation commission management responsibilities for the Girard property and include the property in the town forests so that it will be eligible for funding under the fund that was established at the 2005 town meeting. **Seconded by T. Giffen, all in favor, motion carried.**

E. Fowler mentioned that an email was received from Dijit Taylor stating that the NHEP had funds available to communities through a grant. This could be available to help fund a management plan for the Girard property. E. Fowler stated that he would look further into this.

The meeting adjourned at 9:06pm. The next regular monthly meeting will be on Tuesday, **February 21, 2006** commencing at 7:00pm in the Town Office Building, 74 High Street, Candia.

Respectfully Submitted By:  
Dawn Anne Higgins-Currie  
Conservation Commission Secretary