



Canterbury Conservation Commission
Canterbury, NH 03224

Minutes of the Meeting

January 10, 2011

Present: Galen Beale, Jen Keenan, Bob and Linda Fife, Kelly Short, Tom Osmer, Fred Ficken, Jim Bassett

Absent: Dan Sperduto, Teresa Wyman

Guests: Gail Deary, Bob Steenson, Ken Stern

1. GOLDSTAR - Bob Steenson

Bob Steenson reported that the Goldstar Sod Farm was faltering. They have not paid property taxes in two years and currently owe the town over \$110,000. Soon, that amount will double. The owners, the Blackstones, visited the Selectmen in December to report that their business prospects are grim. This is a result of the changed economy and the fact they are tightly tied to the housing market. The Selectman looked at default provisions in the Lease, which are very stiff, and they are currently discussing options with the Leasee. The Blackstones suggested they may keep their Concord land for sod, and are considering running a landscape supply business in Canterbury. They are currently discussing trading their buildings to the town in lieu of rent. The irrigation equipment is also under discussion. Bob did not see any benefit in the Town accepting these buildings.

Sod farming is undoubtedly the highest use of this extensive acreage, but the prospects for this industry are dark. Originally the Lease was to pay the Town \$80,000. 00 a year, but no one could have predicted the current Economy. The result of their non payment has created a large debt for the Town.

Bob Steenson asked the Conservation Commission to pay the interest on the loan and the Town would pay on the principle amount. The interest amounts to \$28,000. The Town will pay approximately \$48,000 on the principle.

Bob Steenson reported that there would be almost \$30,000 deposited in the Commission's Change of Use Tax Fund this year, an amount the Conservation Commission was unaware of and were glad to hear of its existence.

The Commission members provided some information and asked Bob Steenson a number of questions. Ken Stern said that the Forest Society was the primary easement holder in this deal and other big

players were the US Department of Agriculture and LCHIP. It was his understanding that as long as the land remains in agriculture, even if it lay fallow, they will not get involved in the Lease arrangements. The standard is that nothing is done to prevent future agricultural use. It would be possible to even have a forest grow up on the property.

Jen pointed out that for the past several years the Conservation Commission has not received any requested monies from the Town for our Reserve Fund, and the prospect of getting any in the future is not bright. Jen felt that the Commission was already helping keep the budget low by these sacrifices.

Both Jen asked that the Townspeople who have an interest in gardening be contacted as this land could provide a way for townspeople to grow their own food. Kelly suggested that commercial local organic food growers be contacted as well.

Ken said that this situation is a tragedy, but he was hesitant about using the Land Use Change Tax to pay this debt as the Blackstones were already \$200,000.00 in arrears and there did not seem to be a solution in sight. The \$28,000.00 would be just a drop in the bucket. He felt that there were many good conservation projects that could be realized with this money by spreading it out carefully which would further our mission.

Bob Steenson asked what was the long term vision of the Commission.

The Commission calculated that there were approximately 618 acres in this parcel and currently approximately 318 acres were being used for agriculture.

Tom Osmer felt it was entirely appropriate to use LUCT to pay for debt. He felt that if we can't protect the property we own, why set aside money to buy more land. While Tom was not in Canterbury when this purchase was made, he felt it should have been represented as not only a wonderful opportunity to preserve the State's vanishing farmlands, but also as an investment not completely free from risk. However, we need to deal with this current situation.

A discussion followed about the value of the buildings as assets to sell or for a new lessee. Foreclosing on the buildings would take six years Bob said. The irrigation system is critical to an operation such as the sod farm, and should be carefully considered before it is removed. Members felt that some of the irrigation pipes ran over property we did not own, and that this should be clarified. Water is being pumped from two places in the river.

An effort was made to decide which records were necessary for everyone involved to review. Kelly suggested that Jen Hopkins who has done so much to create this lease would be willing to help the Selectmen.

Bob Steenson and the Commission agreed that there should be a small Committee established to deal with Gold Star. The members should come from the Selectmen, Conservation Commission and the Agricultural Commission. Bob agreed but could not see this happening until after Town Meeting. Galen asked that the CCC and the Agricultural Committee hold a joint meeting on this issue.

Tom Osmer suggested that this is a business decision and we should look at our options which might be:

- Decide whether sod production is a viable product
- Keep current lessees there with a viable plan
- Have no one there
- Try to sub-divide the Lease with other farmers
- Look into grant money

Bob Steenson said that the Town Administrator will be the collection point for all information at this time.

Ken offered to take a walk about of the property for anyone who wishes to join him. Roger will be the collecting place for all information. Canterburyadministrator@myfairpoint.net.

The Commission agreed that we had a compelling interest in using our money to help work out this situation. However, it was felt by all that there needs to be substantial progress on solving the Gold Star Lease problem by next year if we were to do this again.

Bob Steenson left at 8:10 .

The discussion of Gold Star Sod Farm and the Commission's finances continued. Kelly reported that she had received notice that the CCC may receive \$13,000 from the Forest Society as part of the Mucho Ido Banks [formerly the Upper Merrimack Oxbow Project, or for Landfill site] final settlement. Last year we discussed with the Society's Mike Speltz that while we gave as much money as we could to this project, if in the end there was any left over money, we would like some back. After the many agencies involved in this project settled their figures, this \$13,000 came back to Canterbury.

Kelly tried to construct the Commission's available monies factoring in Bob Steenson's announcement of the Change of Use Tax monies. A discussion followed among the Commission members about how to address this request for \$28,000.00

Motion by Kelly: That the Canterbury Conservation Commission contribute \$28,000.00 from the Land Use Change Tax Fund towards the interest due on the Gold Star debt in the 2011 budget, contingent on those funds being available from the LUCT fund during the fiscal year 2011.

The Motion was seconded by Jim and six voted in favor of the motion, one against.

2. Adoption of the October 11, 2010 Minutes.
On a motion from Jim and seconded by Kelly the October minutes were accepted with corrections.
3. Adoption of the December, 13, 2010 Minutes. On a motion from Jen, seconded by Fred all voted to adopt the December Minutes.
4. Smart Trails Seminar

Bob Fife attended the Smart Trails seminar given by Doug Weisman, from Ontario, Canada. Much of the seminar focused on the landowner's Liability . Bob Fife used Kimball Pond as a good example. Since the

large rocks have been removed, it is possible to drive right to the Pond's edge. It would be beneficial to have a sign there warning of deep water. Bob Fife said that in court a judge will look for documentation that the landowner warned of a hazard. If a landowner creates a hazard [picnic table, etc] they are liable. Jen remarked that we have lots of water exposure and should clear this up. Both the Municipal Association and the Fish and Game may have information on the topic.

Jim , Kelly and Ken thought that the New Hampshire law said that if a landowner allows access to their property without charging, they are not liable. Jim will relook at this law.

Jen thanked Bob Fife for attending this seminar and bringing this issue to the forefront.

5. Brush Burning

Galen thanked Ken Stern for his efforts to burn the brush piles behind Kimball Pond. Ken, Clinton Pitts and Galen were able to burn one pile, but were unsuccessful in keeping the brush piles at the foot of Hildreth Field burning.

6. Newsletter

Unfortunately the announcement of sledding on Hildreth Field for this Saturday did not get into the Newsletter. But the commission thought they would sled there anyway, all are welcome to join us.

7. Stewardship Meeting

Tom announce that there will be a meeting of the Stewardship Committee at 7:00 on January 24th at the Library.

8. Alternate

On a motion from Fred, seconded by Galen the Commission members joyfully accepted Ken Stern as an Alternate Member.

9. In other business the Commission will ask for a report on the Milfoil eradication on Rocky Pond as we have been funding part this project.

On a Motion from Jim, seconded by Kelly the meeting was adjourned at 9:20.

Respectfully submitted,

Galen Beale, Acting Secretary