

DEERFIELD CONSERVATION COMMISSION

Meeting Minutes – November 18, 2013

Members Present: Erick Berglund, Deb Campelia, Serita Frey, Wes Golomb, Kate Hartnett, Herb McKinney

Members Absent: Dave Linden

Chair, Serita Frey opened the meeting at 7:00 PM and introduced **guests Steve Stephenson, Wendy Lannon, Jessica Belair-Graves, Robert Graves and Peter Lion**. The Graves' are the current owners of the 89 acre property at 139 Mt. Delight Road, Map 411 Lot 46 whose former owner had approached the DCC regarding the possible sale of a conservation easement to the Town. In January of 2013 Mr. Graves approached the DCC regarding a possible sale of the development rights. As was reported in the minutes of the January 16, 2013 meeting, the Graves' *... in keeping with their own and Ms. Holloway's wishes to conserve the property, and given the economics of the new owners' long term goal to "farm" the land and tap approximately 200 trees, hoped to be able to fund future conservation activities with the proceeds of a potential easement sale. The property, much of which is early successional browse, abuts the Freese Town Forest and has abundant wildlife, despite the fact that approximately 40 acres was devastated by the tornado. Of note, are its proximity to the Lamprey headwaters and the diversity of its wildlife habitat.* The request was put on hold pending the acquisition of a survey by Mr. Graves, and due to the fact that the DCC was in the process of completing the purchase of the Edythe Boisvert property at that time

Since that meeting, the Graves have reclaimed three acres but have found the terrain to be less suited to farming than they had hoped, and wish to acquire land that might have greater soil potential. To the west, **the property abuts a subdivision on Browns Mill Road off Mt. Delight Road**. Power has been pulled to the end of the road and site work has begun on a lot abutting the Graves property. In addition, **Mr. Graves has learned from a conversation with a developer that there has been an increased interest in the subdivision with only two of the nine lots remaining unsold, underlining the future development potential of the Graves' property which could support an additional 15 to 20 lots**. The Graves, however, have indicated they would prefer to accomplish their goals while still being able to conserve the land through collaboration with the DCC. Mr. Stephenson, Ms. Lannon and Mr. Lion spoke to the assets of the parcel and in support of having it conserved.

Serita Frey explained the various options available including the donation of an easement with the donor retaining ownership of and the right to live on the property; the sale of the development rights to the property; and the **Graves' proposed outright sale of approximately 77 of their 89 acres abutting Freese. The Graves would retain the remaining house lot along with the excess acreage and the additional 200 feet of frontage on Mt. Delight Road**. Chair Frey outlined the process which would begin with a site visit followed by a summary appraisal if there was sufficient interest in moving ahead with the project. The approximate \$1000 to \$1500 cost of the appraisal would be shared equally by the DCC and the grantor, and reimbursed to the grantor upon a purchase. The property would then be surveyed as one of the final steps. Ms. Frey remarked that the DCC operates slowly in these matters, having limited funds for a direct purchase. Alternatively, grant money could be sought or a warrant for a purchase by the Town could be put to a vote of the residents. Dan Kern (who is familiar with the property) has assisted in acquiring funding for past projects including the Freese Town Forest which received an LCHIP (*Land and Community Heritage Investment Program*) grant <http://www.lchip.org/>. Ms. Lannon asked what attributes would be of interest to the DCC. **Kate Hartnett stressed the importance of where a parcel lies within the Deerfield Open Space Plan** http://townofdeerfieldnh.com/Pages/DeerfieldNH_BComm/Conservation/plan, along with vegetative wetlands, steep slopes and wildlife habitats.

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Peter Lion commented that there would be no point in pursuing the project if a developer would offer more than the Town or the DCC could offer. **Mr. Graves noted that no offer had been made as yet and Serita Frey advised that a summary appraisal would take development value into consideration.** Mr. Lion pointed out that if it was clear that the funds could not be raised, then the project would be a moot point. Ms. Frey countered that if the asking price proved to be greater than the funds available in the conservation fund that alternative sources of funding would need to be sought. Mr. Graves acknowledged that the Town could not match the offer of a developer, and that it would be a moral dilemma for them if presented with a proposal.

It was agreed that Serita Frey, Kate Hartnett, Herb McKinney and Deb Campelia would meet with Mr. Graves and possibly Ms. Lannon and Mr. Lion, to **walk the property on Sunday, November 24th at 10:00 AM.** Chair Frey will ask Frank Mitchell to join the group.

Approval of Minutes: A motion by Serita Frey to accept the minutes of the October 21st meeting was seconded by Herb McKinney. There were five votes in favor and one abstention (Kate Hartnett).

Financial Officer's Report: Erick Berglund reported a balance of **\$243,185.37 in the Conservation Fund at the end of October** including interest of \$30.89 and an unidentified deposit of \$750.00. Mr. Berglund moved to pay an invoice from the New Hampshire Association of Conservation Commissions in the amount of \$275.00. The motion passed unanimously after a second by Serita Frey. Chair Frey presented a donation to the Conservation Fund in the amount of \$50.00 received from Erick Berglund in memory of Joseph and Elsie Brown.

Mr. Berglund reported that the **2014 DCC budget in the amount of \$2075** was presented to the Town for approval and that the **appointment of Deb Campelia as a member of the DCC was approved by the BOS for a term to expire in 2016.**

Two warrant articles have been presented to the BOS for placement on the March 2014 ballot. The first warrant was to see if the town would vote to *reimburse the DCC for expenses incurred in the creation of the Town Forest management plans.* Expenditures from a forest maintenance fund require a vote by the legislative body of the town (RSA 31:113). The second warrant article was to *designate the Edythe H. Boisvert Conservation Area a Town Forest and to convey a conservation easement to permanently restrict its use to open space purposes,* as was prepared for the 7 Town Forests on the 2011 ballot. Both articles will be sent to members for review and subsequent approval at the December 9th meeting, after which they will be reviewed by Attorney Raymond.

Town Forest Protection Project: Members reviewed and discussed the easement deed which had been revised to include the edits suggested by Kate Hartnett and Charlie Moreno with the exception of two items in the *Use Limitations* section relating to *Disturbances* and *Mining* which were already covered under *Reserved Rights.* References to *commercial* and *non-commercial* activities were eliminated throughout the document. *Agriculture for the purpose of growing food* and the *use of water resources* were removed from the *Reserved Rights.* *Landings* were included in the *Reserved Rights* section under *Roads* and *gates, culverts and bridges* were added to the list of *allowed structures.* A number of suggestions by the members were worked into the document. **A motion by Wes Golomb to accept the revised easement deed was seconded by Serita Frey.** Kate Hartnett supported the motion but felt the members should first be given the opportunity to review the newly edited version. The motion was amended to *approve the easement deed pending final proofreading.* The motion passed unanimously. Final approval will take place at the December meeting. A draft of the approved document will be reviewed by Attorney Raymond as well as Bear-Paw's attorney. It was stated that

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consideration of additional edits will be confined to substantive changes only. Chair Frey will invite Dan Kern to the December 9th meeting.

Correspondence: The DCC has received the following notifications:

A Complete Forestry Notification – File #2013-02999 following the submission of a “*Wetlands Minimum Impact Forestry Notification*” form for work in Deerfield, **Tax Map 408 Lot 38**, owned by Elizabeth Bartol, 63 Coffeetown Rd.

A 2013 Annual LCIP Monitoring Reminder from Stephen Walker, Stewardship Specialist for the State’s Department of Energy and Planning.

Serita Frey adjourned the meeting at 9:30 PM.

The Next Meeting is Scheduled for Monday, December 9th

The draft minutes were prepared and submitted by Judy Marshall. Final revisions to these minutes will be contained in the minutes of the following meeting, after approval by the Deerfield Conservation Commission