

Lyndeborough Conservation Commission Meeting, February 12, 2015

Members in attendance: Sharon Akers, Mike Hastey, Kurt Berna, Theresa Berna, Mike Decubellis

Others: Jesse Salisbury (Heritage Committee/SVLT/Press), Ian McSweeney of the Russell Foundation, Heidi and Barry Kemmerer, abutters of the Woodmont Orchard property

Minutes taken by: Theresa Berna

Misc.

- Three conservation commission donations were made to PLC, SPNHF and NHACC. Received a letter from the PLC thanking us for our \$25 donation
- \$68.30 was the cost for the ad for the Woodmont public hearing.
- Jessie stated that the Souhegan Valley Land Trust (SVLT) is looking at combining with the PLC. This merger is just in the discussion phase. The SVLT holds some easements. One of the functions of the SVLT is to act as a holding company for property or funding, typically until Town meetings take place.

Cemetery Rd - Forestry Activity by the Town to Prepare for Future Cemetery Expansion

- Mike D walked the property behind the cemetery where the town will be doing forestry work in order to prepare for cemetery expansion. Of note was a wetland on the left side towards the Furnace Brook side located behind the shed sandwiched between two trees. The wetland meanders back left where it appears to seep through the ground rather than run off in a stream. Mike called Ginny Christon of the Cemetery Commission and she assured Mike that they are going to cut mainly to the right and back and they were going to stay away from that area. Ginny mentioned that they were going to keep some trees to provide a visual break at the existing cemetery walls. The purpose of the cut is to clear out an area for Kent start improving with fill as it becomes available. Ginny ensured that a forester is being used and would stay away from the wetland. If they go into the lot via the dam access road too soon they may be impacting a wet area, but if go in a little further down the access road it would provide for dry access with less soil disturbance. Mike did not note any other issues that he would be concerned with.

7:30 Public Hearing - Conservation Expenditure towards the Woodmont Orchard Easement

The Conservation Commission must hold a public hearing in accordance with RSA 675:7 (Notice Requirements for Public Hearing).

- This public hearing is to discuss the commission's wish to provide funding for conservation easement on the property known as the Woodmont Orchard. The hearing was legally posted for tonight at 7:30.
- The easement value has been appraised at \$560,000. The property owner will provide a 25% reduction thereby providing a short sale of the easement for a total payout of \$420,000.
- Of the \$420,000 needed to pay the landowner an NRCS Farm and Ranchland grant is being submitted which will provide 50% of the needed funds. Ian McSweeney of the Russell

Foundation is spearheading all grant requests on behalf of the project and the Town and will seek other grants once NRCS commitment has been received.

- The conservation commission is pledging \$30,000 towards the project and will hold an executory interest in the easement along with the NRCS.
- The \$30k commitment is highly leveraged and represents 7.14% of the total easement value.
- After the 210k NRCS contribution and the \$30k conservation commission pledge another 180k will need to be raised by other grants and fundraising activity.
- The project is anticipated to take 1.5 years to complete.
- Owner requests that we refer to the land as the Woodmont Orchards Farm and not land owners name during fundraising.
- We need to find a non-profit to accept the funds so that the donations to the fund can be a charitable donation. The Russell Foundation is qualified to serve as the receiver of funds but would prefer to serve in that capacity only for the larger grants towards this project.
- The SVLT is a 501C3 so they could possibly accept the funds for us. We need to explore that avenue. Jessie Salisbury, who is in attendance at this meeting and is a director of the SVLT will request that they act as an agent for tax deductible contributions towards the project.
- Ian states that right now we should not be engaging the media or the public and that could begin in a couple of months once an NRCS commitment is received.
- Selectmen approval is needed to expend from the conservation fund and hold an interest in municipal property. A selectman meeting is on February 18th. Ian is more than likely attend. Ian will confirm with Sharon so that Sharon can get them a slot.
- Selectmen approval is also needed for the conservation commission to accept donations from the public if SVLT is unable to do so. We will seek approval of the Selectmen at the meeting.
- Public access - Where the town is providing funding the commission requested that it be allowed by the landowner. Ian clarified that public access is a requirement to receive the NRCS grant so it will be included.
- Commission also requested that a no cut buffer be added to the easement in order to protect Purgatory Brook. This property has significant frontage along the brook and it would benefit the existing trail that passes through if it were to remain undisturbed.
- Federal is 50% of total easement value and the appraisal will be redone within 90 days of closing and that is the amount that federal will pay so the numbers may vary in the end.
- NRCS grant rules are that owners may not sell for less than 75% of the appraised value and the remaining 25% cannot be from any other federal funds or the owner, but can come from anywhere else.
- There are also additional project costs i.e. survey, legal, baseline, title work etc. that all needs to be done. Russell Foundation anticipates providing funding for this if it cannot be obtained through other grants.
- Jessie mentioned that 'Miracle Spring' which is on this property was bottled and sold in the 1880's. Jesse will provide a document on the farm.
- Sharon motioned that we contribute \$30,000 towards the funding of the property. Seconded, voted, and passed unanimously.
- Mike D motioned that Ian McSweeney generate the required NRCS grant application and move forward with the process. Seconded by Kurt Berna. The vote passed unanimously.

- Motion that we try to funnel the funding through SVLT to provide donors ability to record charitable donations. Seconded by Sharon Akers, voted and passed with no opposition.
- Motion to move forward in anticipation for the town to hold the easement and managed by the LCC. Seconded by Theresa Berna, voted and passed unanimously.

Other Business

- Motion to accept the minutes. Seconded by Sharon Akers, voted, and no oppose.