

**Town of Boscawen, NH
CONSERVATION COMMISSION
Boscawen Municipal Complex**

**Meeting Minutes - Draft
Tuesday, May 17, 2016 @ 7:30 PM**

Commissioners Present: Tom Gilmore, Chair, Jeffrey Abbe, Norman LaPierre and Lyman Cousens

Others Present: Rose Fife, Recording Secretary, Alan Hardy. Planning & Community Development Director, Ken Stern, Five Rivers Conservation Trust, Dan Fife, Franklin NH, and Alexandria Hudek.

Chair called the meeting to order at 7:05 pm.

Regular Business

Roll call done by Chair. Chair Gilmore recognized and welcomed visitors in the audience.

Minutes:

Review & Acceptance of Minutes from April 19, 2016. Chair asked that Minutes be sent out to Board members to review as they did not receive them ahead of time. A motion will be entertained at the next meeting in June.

New Business

• **Dan Fife, Merrimack County Farm, Wetlands Permit Application**

Mr. Fife said he presented an application last year for a DES for land at the County Farm. He thought he was working with Deb Hinds to sign off on his paperwork. He was told that the paperwork was sent back to him but he never received it. He went back to the NRCS a couple of a weeks ago and obtained another application. He came back in to give it to Kellee and she found his application from last year. She asked him to come to this meeting. Alan Hardy explained that the form he has is a DES form, not a Town of Boscawen form. Alan Hardy said that he had the form. He said that the way it was left at that point in time, Deb Hinds was supposed to get together with Dan Fife to help him along in the process. Tom Gilmore said the form needed to be filled out and it needs to be reviewed by the Wetland Board at the State of NH, but the town needs to approve it first. Dan Fife asked Alan Hardy what needed to be filled out. Alan Hardy said that the Wetland Board will tell him what isn't filled out and what is deficient. Once he has that information he can correct the information and when they say it is complete he can bring it back to the Conservation Commission. Tom Gilmore said that what he was proposing is amenable to the Board but he needs the paperwork corrected. Tom also asked if the property was on the west side of Route 3. Dan Fife said that was correct. He also said that the Wetlands Board needs Boscawen to sign off and Boscawen needs the Wetland Board to sign off. Alan Hardy asked Dan Fife to give him a call and he will get them a contact with Wetlands. He will also will scan Dan's application and send it down to DES and see what else is needed. Then when they say it is okay the town will get it signed. Tom Gilmore asked if they could expedite it for Dan such that the Chairman could sign off if the Wetland Board is okay with it. He'd like to be able to have Alan Hardy review it with him and then they can sign off for the Commission if all is okay with it.

A motion to allow Alan Hardy to review Dan Fife's Wetland Application with Tom Gilmore and if all is okay with it sign off on it was made by Lyman Cousens, seconded by Norman LaPierre and passed by a unanimous vote.

- **Meet with Alexandria Hudek as a potential Commissioner**

Alex Hudek introduced herself. She is an Army working on Loudon Road in Concord. She's been working with Penacook Rescue and she's been living in Boscaawen a year or so now. She'd like to help out. Tom Gilmore explained that they have a Town Forest and two conservation farms that they walk each year. Mostly they function as a consultant to the Planning Board. Tom Gilmore said that the Commission would welcome her as part of the Commission. Alan Hardy said that they need a motion to recommend her to the selectmen as a voting member. A motion to recommend Alex Hudek to the Selectmen as a voting member of the commission was made by Tom Gilmore, seconded by Norman LaPierre and passed by a unanimous vote.

- **Ken Stern, Five Rivers Conservation Trust (re: Keegan Property)**

Tom Gilmore gave him an overview of what the Commission needed. Ken Stern introduced himself. He has lived in Canterbury since 1981. He has been doing land conservation work since the mid 1980's. Five River's Conservation Trust is 28 years old. They have conserved over 60 properties and 4,000 acres over those 28 years. They are a non-profit organization and are supported by members. He has 40 volunteers, a Board and 4 committees. A Land Trust is an independent organization that conserves land and there are 2 ways to conserve land. It can either be owned by the Town or by the Land Trust or a conservation easement where the land is privately owned but the development rights are held by the town or land trust. Benefits: they are responsible for monitoring the land and going out there every year and if something's not right they have it fixed. The towns find it helpful for them to do this. They have raised money when they do a project and they put money in a special account. There are national standards how Land Trusts work. Basic things like having a boundary survey, a title report, a lawyer review the deeds, having things recorded, reports being written, etc. Lyman Cousens asked if they had other properties in Boscaawen. He said no. They did their first farm in Northfield last year. Most of their properties are in Concord, Hopkinton, Gilmanton and some in Dunbarton, Henniker, Hillsboro, Pembroke, Salisbury, and Gilmanton. Norman LaPierre asked if they strictly do work in Merrimack County. Mr. Stern said that they work in 16 town's right around here. There are other Land Trusts around such as the Forest Society. Five River's is a smaller version of that. They have tried to conserve farms over the past five years and have been pretty successful. Tom Gilmore said John Keegan came in to speak to the town less than a year ago and he has an interest to put a property in conservation. They reached out to Mr. Stern to find out how much money they need to put in for the easement. They are not sure if they can do it on their own. They have 2 other properties that they have easements on. Tom Gilmore said that they do have some funds that can be spent to do some of this work. Tom Gilmore asked if the town took it on how much would they need for funds from the town. Ken went through the potential cost. They only need an appraisal if they are buying the easement. If it's donated they don't need it. Tom Gilmore said that they would like to give the property owner an income tax write off so they'd like to do an appraisal. Ken said that if the land owner wants that income tax write off then they need to do the appraisal. If the town does it, the town gets the tax write off. There is a 'limited use appraisal' that is a less expensive appraisal. If you need an appraisal for the IRS that is a major project. If this is for the town, then the limited use appraisal would be the way to go. A survey is needed of the property. The Keegan's plan looks like an old plan. Ken Stern said this is 90 acres more or less so it would be a significant effort. Easement drafting is done by himself and a volunteer but they hire a lawyer to be sure it is all done correctly. The other cost is for easement stewardship. That is \$7,500.00. If the lawyer cost is added in it will cost about \$12,000 total. The

title work falls into the category of legal work. If there is a clean title, then it isn't a big deal but if it's a problem it can be costly. Tom Gilmore asked Ken Stern if he's had other town's trying to make a decision whether they control it or if his group would do it and if he has a recommendation for them. Ken Stern said that if the town only has 2 easements, that's manageable. But if there are more it could be a problem. This is a perpetual commitment and the land trust commits to look after this property forever. Towns are going more and more to a land trust for that reason.

Alan Hardy asked if the \$7500 is one time cost. Ken Stern said it was. Alan Hardy asked if the cost occurred by the town is one time? Ken Stern said it was. Other costs would be the Survey, Stewardship and legal costs. Tom Gilmore explained that they were looking for information before they approached John Keegan. Ken Stern said a limited appraisal is around \$1,000, which seems to be the way to go to find out what the property was worth. Ken Stern said he walked the property with Mr. Keegan. He said his impression was that Mr. Keegan wanted to conserve the property. If the town could help with the transaction costs, it's his opinion that that would go a very long way with Mr. Keegan. Tom Gilmore said that they need to figure out if they can handle taking on a 3rd property. Lyman Cousens asked if LCHIP had any money now. Ken Stern said they missed the grant turn around so it'll be another year but there is some money there. LCHIP means 'Land and Community Heritage Investment Program'. It is a state program where they will make a grant towards conserving property. They don't pay for any of the transaction costs though.

Tom Gilmore said that they have funds to acquire land or acquire easements. Alan Hardy said that they receive 100% of land use change tax. Alan Hardy went on to say that that account has \$190,000 that they can use to pay for those transaction costs. What it does require is consulting with the Board of Selectmen.

Alan Hardy asked Ken Stern about the Survey. Can the town just go get the survey done or does the Land Trust do it. Ken Stern said that the land owner usually does that. You have to organization the whole project by who is doing what when. His company is around and is here to stay so if they are needed just give him a call. Ken Stern also suggested that if you have a land owner who is conservation minded and willing to work with you and not in a hurry, maybe you can do that with a grant, etc.

Jeff Abbe asked if there was a minimum or maximum acreage for his properties. Ken Stern said there is no hard and fast number but 10 acres or less would be hard to justify. The upper limit he has is hundreds of acres. He's willing to come back any time.

• Jones Easement Walk update • Proposal from Peter I. Nault, President, McManus & Nault Appraisal Company, Inc.

Alan Hardy said to let him know who is going to do the walk and schedule it. There is a form in the book. Tom Gilmore said that they need a copy of the deed restrictions. Tom Gilmore asked Lyman Cousens if he'd like to do a walk on the Jones property. Norman LaPierre said he's walked the property quite a few times. Tom Gilmore suggested one day next month? Norman LaPierre agreed. Jeff Abbe stated that he is gone the first week of June. Tom Gilmore suggested the middle to the end of the month. Norm LaPierre said that it's not a big walk. Tom Gilmore asked how many acres. Norm LaPierre said 30+ acres but it is mostly field land. They received a proposal from Peter Nault and Alan Hardy said it was a straight appraisal. When he talked to Ken Stern he recommended him for appraisals for Conservation Easements.

• Tom Gilmore appointment to UMRLA

Tom Gilmore received an email from Michele telling him he received his appointment. Lyman Cousens asked who the town's representatives were. Tom Gilmore said that he is the only one right now that has been appointed by the selectmen. He hasn't been to a meeting yet though. Lyman Cousens asked if they had to be appointed to be on the commission. Tom Gilmore said that he believes so. Alan Hardy said that the town can have up to 4 members. Tom Gilmore said that he believes his first meeting is June 16th.

Other Business

Alan said he got an email from Jack Shields. He's been involved in the cleanup of Hanna Dustin Island. He's also a member of Contoocook and North Branch Advisory Committee. They are extended an invitation to have someone be a representative on their Board. The southern border of Boscawen is the Contoocook River. Norm LaPierre said the dam is in Boscawen. Alan Hardy said half of it was. Tom Gilmore said Hannah Dustin is owned by Boscawen. Alan Hardy said the North side of the tracks are owned by Boscawen. Hannah's statue belongs to the State. Alan Hardy said that the shore land protects the trees but in the history of the island it had no trees.

Tom Gilmore asked Lyman Cousens if he wanted to be a full member or alternate member. Lyman Cousens said a full member. Norm LaPierre said he went and got sworn in as a full member. Alan Hardy said everyone will be full members and they will look for alternates. Alan Hardy said a full Board is 5 members.

Account Report:

The Town Forest account has \$. 8,597.93

The Conservation Commission Land Use Fund . \$190,941.41

Tom Gilmore said that they need to contact two loggers to look at the Town Forest. Alan Hardy said the two were Hopkinton Forestry and Adam Mock. Alan Hardy asked if the commission would like them to come to the next meeting. Alan Hardy would like to meet them up at the forest and let them walk around. He said neither logger has been on that property yet. Tom Gilmore asked if they needed a forester. Norm LaPierre said the town used to have a forester. Alan Hardy said they had talked about having a forester. Ron Clemarzik had been their forester for a long time but there was conflict between him and commission members. Alan Hardy asked who they wanted to have as the forester. Tom Gilmore asked if they should go through the forest. Alan Hardy said getting the wrong forester is the same as getting the wrong logger. A forester should be involved long term.

Bitter sweet eradication in the spring is on schedule. They will do a 20x20 grid on the property and it won't be done until July. Norm LaPierre said it needed to be done before the berries get out. Jeff Abbe said he volunteered to go to the farmstead area and cut the 20x20 grid in mid-June. Alan Hardy will check with "Cole" to see if he wants to brush hog for them. Norm LaPierre felt it would be better to do it twice a year. Alan Hardy said they have only spent \$219 out of their operating budget so they have money left – around \$1654. Jeff Abbe asked if the town had made any progress on the Town Forest map. Alan Hard will send an email out to Avatar.

Jeff Abbe asked the guest if he had interest in conservation commission work. (The guest was an Eagle Scout.) Tom Gilmore explained to the guest that the commission tries to do things by consensus. They are a volunteer organizations and they are all here for the same thing.

Lyman Cousens asked what his project was and invited him to next week's ZBA meeting. Alan Hardy said the ZBA meeting would be a good meeting to go to.

A **motion** to adjourn the meeting at 8:30 pm was made by Lyman Cousens, seconded by Norman LaPierre and passed by a unanimous vote.

Next Meeting June 21, 2016 @ 7:00pm

Respectfully submitted by Rose Fife