

DEERFIELD CONSERVATION COMMISSION
Meeting Minutes – February 11, 2013

Members Present: Erick Berglund, Serita Frey, Kate Hartnett, Herb McKinney

Land Conservation

Project #29: Frank Mitchell of Bear-Paw Regional Greenways introduced an opportunity for the acquisition of an approximately **20 acre parcel in the vicinity of Cole and Candia roads** which includes an area of prime farm soil, a hay field, and woodlands which cross a portion of Nichols Brook. The land abuts the Lindsay-Flanders Conservation area and partially surrounds an agricultural parcel with a barn, owned by a family member of the property owner, who is also in favor of protecting the abutting land. The parcel has received the highest ranking by **New Hampshire Fish and Game's Wildlife Action Plan** and a review of the **Deerfield Open Space Plan places the parcel within Deerfield's "green" infrastructure**. Another consideration is the approximate **900 feet of frontage which raises concerns for the potential of future development**.

A representative of the landowner was present and noted that the owner wishes to **reserve 5 of the 20 acres for the house**; however, Frank Mitchell explained that additional deed restrictions with respect to future subdivision could be placed on the reserved area. The **land itself has not been surveyed** but surveys of surrounding parcels may support the calculated acreage of the property. Frank Mitchell has conveyed information regarding options such as partial donation and potential tax benefits, but encouraged the owners to obtain their own legal and tax advice. Mr. Mitchell also explained that Bear-Paw would be interested in being part of the project and may be able to identify additional funding sources, suggesting the Farm & Ranch Land Protection Program, given the property's excellent soil potential.

Kate Hartnett, Herb McKinney and Erick Berglund will meet with the owner's representative on **Wednesday, February 13th at 3 PM** to walk the property and continue the discussion with the representative at the March meeting. Serita suggested that Dan Kern could provide additional information regarding funding for the project.

Town Forest Protection Project

Easement Deed Review:

Kate Hartnett suggested the members focus on defining the *Purposes, Use Limitations and Reserved Rights* and on the suggestions from Attorney Raymond's memo regarding their incompatibility. It was suggested that a re-write of **Section 6 - Administration**, by Attorney Raymond should be considered in order to clean up the excessive wordiness and make it more understandable. Suggestions included:

- Move **Section 4 - Stewardship Plan** to follow Use Limitations and Reserved Rights
- Clarify the wording to reflect that **the Grantor has full responsibility** for initiating the plan
- Include *natural resource professional* as a qualified preparer of the plan
- Create Appendix B to contain *donor intent* (Frank Mitchell to review)
- Consider **multiple stewardship plans** (possibly one for each property)
- Define *agriculture* so it can be consistent with the conservation and preservation *purposes* stated in the deed (possibly defined in *reserved rights* i.e. Agriculture prohibited, however Community Gardens could be allowed)
- Combine **1.A and 1.B in purposes** (if revisions are consistent with NH RSA 477:45-47)
- Possible deletion/re-wording of 1.E. or **more clearly define open spaces**

It was determined that members would meet for a **special work session on Wednesday February 13th** from 5 to 7 PM to continue the discussion of potential revisions to the draft. Proposed revisions will be presented for further review and/or approval at the next regular meeting on March 11th.

DEERFIELD CONSERVATION COMMISSION
Meeting Minutes – February 11, 2013

Approval of Minutes:

The minutes of the January 14th meeting were unanimously approved as written.

Financial Officer's Report:

The January ending balance in the Conservation Fund was reported to be **\$248,226.26** reflecting interest in the amount of \$31.20, revenue from Land Use Change taxes of \$825.00 and \$4000.00 received from UNH as a grant offsetting a portion of the costs of the McGarry conservation easement. Mr. Berglund will confirm the nature of an additional deposit in the amount of \$482.88.

Correspondence: DCC has received the following:

- A copy of a *Shoreland Impact Permit* issued to *Karlene Wadleigh-35 Baker Ave, Tax Map 202 Lot 10 - DES File # 2012-03162* for installation of a patio, a pervious paver driveway and a temporary access road to facilitate the permitted repair of a retaining wall.
- A *Complete Forestry Notification #22013-00212* issued to the *NH Department of Resources and Economic Development (DRED)* referencing their *Wetlands Minimum Impact Forestry Notification* for work being performed on *Map 418 Lot 52*. Garland Lumber Company was copied on the notification.

Announcements:

The members were reminded of **the two advisory warrant articles** which will appear on the **March 12th ballot**; the first **in support of underground cabling of public utilities** and the second article in **opposition to the Northern Pass Project**.

DCC has been invited to add its endorsement to those of other statewide organizations, in favor of ***“..full and dedicated funding and reauthorization of the Land and Water Conservation Fund (LWCF) in the 113th Congress”***, by signing a letter to U.S. Senator Kelly Ayotte, asking for her support. Although it was not apparent who the author of the letter was, a motion to be included in the request was approved unanimously by the members.

The Next Meeting is Scheduled for Monday, March 11th

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