

## DEERFIELD CONSERVATION COMMISSION

March 12, 2012 - Minutes

### PUBLIC HEARING

*In accordance with RSA 36-A:4, for the purpose of accepting public input about the purchase of the ~178 acre Edythe H. Boisvert property, Dow Road, Map 404 Lot 002, as a Town Forest under conservation easement.*

**Members Present:** Erick Berglund, Serita Frey, Wes Golomb, Kate Hartnett, Dave Linden, Herb McKinney

Serita Frey opened the Public Hearing with a statement of the purpose of the meeting and its proposed format, followed by a disclosure of publication of the hearing notice. The floor was then opened to questions and comments from the 16 visitors who were in attendance. Ms. Frey encouraged those present to express their opinions about the acquisition for the benefit of the Board of Selectmen who were waiting for the outcome of the hearing before giving their approval for the purchase.

Ms. Frey gave a brief history of the parcel (Map 404 Lot 002) located within the proximity of Dow and Swamp roads, and its significance to the Boisvert family. She indicated that the DCC had been approached by the family of Edythe Boisvert a year and a half ago, when they were considering placing the property on the market, explaining their desire to preserve the property in an undeveloped state. A list of the parcel's attributes include its high conservation value, consisting of large, unfragmented areas of mixed forest with steep slopes contiguous to the Nottingham Mountain conservation area, its contribution to the protection of surface water, having a tributary of Pease Brook running through it, and its proximity to the Merrimac watershed; all of these factors resulting in prime wildlife habitat. **Frank Mitchell** felt that the Dow family burial plot, on the old home site, was of historical significance as well. Dow Road, now discontinued, and having reverted to the abutters, would provide access to the area which is in close proximity to other town-owned land including the Wells Town Forest, the Cory Wildlife Management Area and the Olsen-Villnave easement.

Ms. Frey explained that the purchase price of \$150,000 would come entirely from the Conservation Fund. This figure was determined to be within the range of both a comparative cost analysis and a summary appraisal. **Robert Matthews** inquired whether this would be an actual "purchase". Serita explained that the property, with the approval of the Board of Selectmen, would be purchased on behalf of the Town and added to the list of current town-owned properties. Kate Hartnett clarified that this would be a three step process, beginning with the purchase, followed by the property's designation as a Town Forest, and finally its placement under conservation easement. Erick Berglund noted that the previous Warrant to place the town's forests under the protection of conservation easements was overwhelmingly approved by the voters in 2011. **Al Jaeger** noted that the need to protect water and wildlife areas increase with population and that creating greenways by linking parcels of undevelopable land reduces *genetic isolation* (mutation due to inbreeding) among the species that inhabit these areas, by allowing them to move freely over a larger habitat.

**Harriet Cady** asked for an explanation of the term "summary appraisal". Erick Berglund responded that it is a summary of a report of features of various comparable properties, intending to arrive at a price for comparison purposes. Though not as detailed, or costly, as a full appraisal, it is still quite comprehensive. Ms. Cady also inquired if there were plans for timber cutting and if so, who would be in charge of the harvest. Serita Frey answered that the parcel would be included in the current Forest Management Plan for the existing town forests, with oversight by the town's Forestry Commission in conjunction with the DCC. **Deb Boisvert** questioned the three-step process, inquiring what was conferred with the purchase and if there were restrictions to its use. Serita Frey replied that the land would become town-owned but that it was clear the family wanted it to be preserved. Due to the special circumstances of the family, time is of the essence, requiring the DCC to move in stages, achieving Town Forest designation at a later date, which would offer a certain level of protection. The final step would be to place the property under a conservation easement in order to obtain the greatest level of protection.

**Harriet Cady** asked what portion of the total town acreage was comprised of conserved, town-owned, protected (not taxed) land. Kate Hartnett referred to the Deerfield Open Space Plan-2010 for the requested data,

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Page #76, which indicates the total acreage of Deerfield to be 33,375.5 Acres, “...of which approximately 6085.9 acres, or 18% of the municipality, are currently protected or conserved. Of these, 3044 are conserved by the town with the remaining lands conserved by state or federal government.” Ms. Hartnett also recommended a review of map #4 which highlights the town’s “Green Infrastructure”; 38% in 2009. The Open Space Plan can be viewed on the town website. **Dick Boisvert** felt that linking smaller parcels was a good idea for reducing forest fragmentation and important for preservation. **Frank Mitchell** cited the property’s strategic location, proximity to Nottingham Mountain and adjacent properties as the reason he feels the acquisition is a good use of conservation funds.

Serita Frey explained that the source of funding for the Conservation Fund was the *Land Use Change Tax*, of which 50% is placed into the fund. She further explained that the DCC’s authority to acquire conservation property is derived from RSA 36-A:4 and RSA 36-A:5. Sources of additional, outside funding, such as the LCHIP grant which partially offset the Freese Town Forest acquisition, will be explored; however grant money is scarce given the current economy. Erick Berglund responded to a question by **Robert Matthews** regarding the impact the purchase would have on the Conservation Fund, noting that the current balance of approximately \$400,000 will cover the \$150,000 cost of the property plus legal fees and expenses. It is also estimated that a survey, to be done in the future, will be in the \$10,000 to \$20,000 range. Serita Frey added that Land Use Change Tax revenue is down, and that meeting the costs associated with the Town Forest Protection project, the placement of easements on conservation properties and consideration of other acquisitions, will require very careful spending on the part of the DCC. Kate Hartnett commented that it was the existence of the Conservation Fund that has allowed us to act with expedience.

**Robert Graves** echoed the sentiments of other visitors in his support for contiguous, un-fragmented acreage. Serita Frey responded to his mention of potential revenue from timber sales, explaining that the Forestry Commission’s timber maintenance fund has traditionally been used for trail-related projects and that the Conservation Fund did not profit from those sales, although Erick Berglund noted that the Town could vote to divert timber revenues. The balance in the timber fund is currently at \$1.00.

**Harriet Cady** inquired about limitations and restrictions, and was informed that allowed uses of the property would include recreational pursuits, such as hiking, hunting and fishing, and the harvesting of timber, as with other town-owned properties; Motorized vehicles would be prohibited. **Deb Boisvert** commented on the careful planning and use of funds. **Tom Foulks**, **Robert Matthews** and **Skip Kelly** all voiced their support of the purchase and **Steve Nogueira** added that, given the growth seen in many small towns, this was a decent price to pay for the preservation of Deerfield. Finally, **Al Jaeger** presented a letter from Edythe Boisvert dated 1990, after having walked the property with her and the Boisvert children, indicating that their interest in preserving the property goes back many years. The visitors were informed that Serita Frey is included on the agenda for the March 26<sup>th</sup> meeting of the Select Board where she will present a synopsis of the public opinion expressed at the hearing, and request their approval of the acquisition.

Ms. Frey then closed the meeting to further comment from the public and asked the members for input. Dave Linden presented a motion to *Move forward with the purchase of the Edythe H. Boisvert property, Map 404 Lot 002, on Dow Road, with the intent of future designation as a Town Forest under Conservation Easement.* The motion was seconded by Wes Golomb and was passed by unanimous vote of Berglund, Frey, Golomb, Hartnett, Linden and McKinney.

The hearing closed at 7:30 PM.

*The draft minutes were prepared and submitted by Judy Marshall. Final revisions will be contained in the minutes of the next regular meeting, pending approval by the Deerfield Conservation Commission.*