

DEERFIELD CONSERVATION COMMISSION

1967 - FIFTY YEARS AND COUNTING - 2017

Meeting Minutes – November 8, 2021

Attendance: Haley Andreozzi, Josh Freed, Serita Frey, Chloe Gross, Wes Golomb, Erroll Rhodes
Members Absent: Brian Adams, Jo Anne Bradbury (Alternate)
Visitors & Guests: Rob Mathews, Katrina Amaral, Bob Cote, Bruce Adami, Rich Lacourse

PUBLIC HEARING: **Project #39 - Adami/Cote – 24.76 Ac: Mountain Rd/Nottingham Rd:**

Serita Frey opened the meeting at 7:01 PM. The meeting was immediately recessed at which time Chair Frey opened the public hearing, stating that per a discussion with Town Counsel, “We don’t believe it is legally required, but out of an abundance of caution we are holding a public hearing regarding this expenditure from the Conservation Fund.”

The following notice appeared on the Deerfield Town website in accordance with the provisions in RSA 675:7 (as amended), on October 26th, 2021. Additionally, it was posted at the following locations: the U.S. Post Office, Deerfield, NH, at two locations at the George B. White Building, The Forum on line, and Facebook.

*The Deerfield Conservation Commission will hold a public hearing in accordance with RSA 36-A:4, for the purpose of accepting public input about contributing to the transaction costs associated with a conservation easement on **24.76 acres** of land situated on **Mountain Rd., Map 210 Lot 041**, in the Town of Deerfield, in conjunction with the Adami/Cote conservation project, through the Deerfield Conservation Fund. The Town will acquire an executory interest in the easement. The public hearing will be held on **November 8, 2021 at 7:00 PM** at the George B. White Building, 8 Raymond Road, Deerfield, NH.*

Katrina Amaral, Executive Director of Bear-Paw Regional Greenways, explained that Bear-Paw will hold the easement on the property with an Executory Interest being conveyed to the Town of Deerfield. **Conservation funds will be used to cover the transaction costs associated with this project. Deerfield’s contribution will be offset by an anticipated transaction grant of \$7,100 from the Great Bay Resource Protection Program (GBRPP).**

Chair Frey stated that this project was thoroughly discussed by the members at its previous meetings. Haley Andreozzi **considered the parcel to have significant conservation value**, stressing the fact that DCC encourages the donation of easements given its limited resources. Members expressed their gratitude for the donation.

Bob Cote shared that the property is adjacent to the Berglund and Menard conservation easements. Although not huge, it **contributes to Bear-Paw’s ongoing initiative to link parcels from Bear Brook to Pawtuckaway**. The owners have incurred substantial out-of-pocket expenses for legal and survey as well as the considerable value of the development rights to the property.

Rob Mathews communicated his and his wife Barbara’s feelings that this was a great project. DCC also received emails from JoAnne Bradbury, Denise Greig and Erick Berglund who were unable to attend the hearing, but who wished to express their **support for contributing conservation funds to protect the parcel**.

Wanting to be *out in the open*, Mr. Adami informed the members that a draft of the deed was not yet available and that additional *good suggestions* were being incorporated into the easement language. Since **discussions between Bear-Paw and the owners to finalize the language are still ongoing**, DCC will postpone the BOS deed-signing previously scheduled for November 15th.

Motion: After reconvening the regular meeting at 7:08 pm, *Chair Frey moved to approve an expenditure from the Conservation Fund of \$6,410.00 to contribute to the transaction costs for acquisition of a conservation easement on 24.76 acres of land situated on Mountain Rd, Map 210 Lot 041, in the Town of Deerfield, in conjunction with the Adami/Cote conservation project, contingent upon DCC approval of the easement deed language.*

The motion was seconded by Wes Golomb and passed unanimously.

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1967 - FIFTY YEARS AND COUNTING - 2017
Meeting Minutes – **November 8, 2021**

Freese Town Forest - Posting:

Resident Rich Lacourse wished to address the *Safety Zone* signs posted at the entrance of the Freese Town Forest. It was explained that DCC had previously worked with NH Fish and Game to post against discharge of a firearm within 300 ft of the residences. Unfortunately, the manner in which the current signs are displayed gives a confusing impression that there is no hunting beyond the points at which they are posted. After some research, Mr. Lacourse determined that the management plan for Freese states that hunting *is* allowed and called Serita Frey who confirmed his findings. Based on that information, Mr. Lacourse and his son returned to the property, and later, upon returning to their car, found an *expletive laced note on the windshield*, threatening to file a complaint with Fish and Game.

Chair Frey explained that the current signs were placed by Fish and Game some years back to protect the residents living in close proximity to the narrow entrance of Freese, and were not intended to preclude access at that point, or to prohibit hunting further into the property away from the houses. Mr. Lacourse felt that the residents should be responsible for posting their own parcels along the entrance to Freese, and that the existing signs should be repositioned.

Since Freese Town Forest was purchased in part with *Land & Community Heritage Investment Program* (LCHIP) funds, hunting cannot be prohibited (LCHIP gives an affirmative right to public access but *facilitating* public access is not required). Concerned residents eventually spoke with Fish and Game authorities who posted the *Safety Zone* at the entrance. It also appears that someone has taken it upon themselves to attach a *Safety Zone* sign directly to the *Freese Town Forest* sign located at the entrance to the forest. Josh Freed suggested contacting the abutters to inform them that they can post their own property. Haley Andreozzi suggested that an explanatory sign be posted at the entry or in a kiosk.

Easements and Land Protection:

Project #29: Geraldine Mathews - ~20 Ac. – Map 414 Lot 007 – Cole Rd.

Erroll Rhodes accompanied Frank Mitchell on a site visit to the parcel which is *well situated next to the Lindsay-Flanders Conservation Area*. Nichols Brook goes through part of the property on the north side of the stream. Although not an easy task, **construction of a bridge and bringing the Lindsay-Flanders trails to the bridge** at that point would be a consideration.

It was suggested that the house lot should be defined. Mr. Mathews explained that there was no intention to subdivide the house from the easement. Serita Frey recommended that the Mathews connect with Katrina Amaral on the subject. Bear-Paw will discuss the project at its November Land Protection meeting. **DCC cannot act until Bear-Paw and the owners work out the details of the project and determine the transaction costs.**

Volunteer and Potential Scout Opportunities: Serita Frey will follow up with Scoutmaster Kevin Webber on an offer for the scouts to perform volunteer trail work.

Stewardship/Easement Monitoring:

Lindsay-Flanders Conservation Area: Erroll Rhodes, Josh Freed and volunteer Frank Mitchell once again visited the area and found no new violations. **There was no activity on the recently-placed game cameras.**

Merrill easement (Kay Williams CE): During routine monitoring of the property by Erroll Rhodes and Frank Mitchell it was reported that **areas of the easement have been fenced and stumps have been dumped in the woods**, but no actual violations were noted. There was evidence of some low-level cutting with forestry rubble having been dumped in low-lying areas. The stumps were discarded in close proximity (approximately 100 feet) to a wetland. The boundaries of the parcels are not well maintained and it was **suggested that the lot be surveyed.**

An 8-foot fence with a locked a gate clearly discourages public access but is likely intended to prevent tree theft, and deer damage to the Christmas tree stock. Serita Frey explained that the fencing is new and that **public access is not required on this easement**. This is one of the earliest easements and it has been challenging to interpret what is allowed based on the deed language. Chair Frey will review the CE document.

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Great Brook Corridor – LCIP Parcels: Monitoring has been completed for three of the six *Land Conservation Investment Program* (LCIP) parcels that comprise the Great Brook Corridor. Reports are pending.

Approval of Minutes:

Motion: *Serita Frey moved to approve the minutes of the October meeting. The motion was seconded by Josh Freed. The minutes were approved unanimously as written.*

Finance:

Haley Andreozzi reported that the **balance at the end of October was \$276,883.88 reflecting interest of \$23.51.** Third Quarter Land Use Change Tax was \$0. To date, the 50% share of **Land Use Change Tax allocated to the conservation fund in 2021 is approximately \$20,000** which falls short of what the fund had previously been receiving. The second 50% goes to the Town's general fund. It was **suggested that DCC place a warrant article on the 2022 ballot to increase the allocation to 100%** (which it had previously been, until it was reduced to 50% through a subsequent warrant article). An informational campaign to stimulate support will be needed and multiple attempts at passage may be required in view of the Town's budgetary constraints. Serita Frey will check with John Harrington regarding protocol and deadlines.

DCC has received the **\$50,000 reimbursement for prior expenditures from the Conservation Fund** related to the Marston project.

It was once again **suggested that DCC explore additional investment options for the deposits contained in the conservation fund.** Serita Frey will review the new conservation guidebook for information on both alternative investments as well as the recommended language for a warrant article to increase the percentage of Land Use Change Tax being allocated to the conservation fund.

Public Outreach:

Facebook: The public hearing for the Adami/Cote project was posted on the Facebook page. Resident Chris Carr posted that the **turtle signs had been "closed"**. It was suggested that DCC can post the proposed warrant article to get the word out.

Zoom Meeting Access: The Town has been exploring options for making meetings more accessible; however, an improved system being pursued by the Town is still lacking. Both Haley Andreozzi and Serita Frey reached out to John Harrington expressing their views. Resident Suzanne Steele, in a letter to John Harrington, suggested that the Town consult with Tim Griffin who provides communications assistance for the Deerfield Community Church. **There appears to be public support for Zoom and improved meeting access.**

NHACC 2021 Annual Survey – Serita Frey has completed the annual survey.

A motion by Serita Frey to **adjourn at 7:59 pm** was seconded by Haley Andreozzi and unanimously approved.

The next regular meeting is scheduled for Monday, December 13, 2021

(Please check the website townofdeerfieldnh.com for scheduling changes)

These minutes were prepared and submitted by Judy Marshall. Revisions, if any, will be contained in the minutes of the next meeting and posted to the Town website, after approval by the Deerfield Conservation Commission