

DEERFIELD CONSERVATION COMMISSION
1967 - FIFTY YEARS AND COUNTING - 2017
Meeting Minutes – **February 14, 2022**

Attendance: Haley Andreozzi, Josh Freed, Serita Frey, Chloe Gross, Erroll Rhodes
Members Absent: Brian Adams, Wes Golomb, Jo Anne Bradbury (Alternate)
Visitors & Guests: None

Serita Frey opened the meeting at 7:05 PM.

Easements and Land Protection:

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

Bear-Paw has been working with the Mathews family to conserve the 20-acre parcel and has decided to take on the project. **The landowners are donating the value of the development rights on the parcel which has a 2021 assessed valuation of \$142,478.** Bear-Paw has also received a commitment from the New Hampshire Charitable Foundation to fund staffing costs. **DCC has received a formal request from Bear-Paw to provide \$18,015 to cover the remaining transaction costs.** Haley Andreozzi noted that the donation of the easement and the parcel's proximity to the Lindsay-Flanders, is in line with what the Commission is trying to promote.

Bear-Paw's funding request high-lights the conservation of *undeveloped road frontage along Cole Road*, the parcel's location within the "green infrastructure" defined in the Deerfield Open Space Plan, its classification based on the Wildlife Action Plan as falling within the "Highest Ranked Habitats" statewide, and its enrollment in a program *for delayed mowing to benefit grassland birds and other wildlife*, as attributes that merit the parcel's conservation. The easement will define an *excluded area surrounding the home on the property*. The cost of a survey is included in the transaction costs. **DCC members informally agreed to contribute to the acquisition of the conservation easement** and will officially vote on the expenditure in conjunction with a Public Hearing to be conducted at a later date. The contribution is contingent upon the Town being granted an executory interest in the easement.

Project #39: Adami/Cote – 24.76 Ac. – Map 210 Lot 041 – Mountain Rd/Nottingham Rd:

A public hearing was conducted in November 2021 to accept public input. **A vote to approve expending \$6,410.00 from the Conservation Fund to contribute to the transaction costs for acquisition was unanimously approved by the members.** Bear-Paw recently reported that the landowners are still reviewing the easement deed language. Deerfield BOS will be required to sign the easement deed, which grants the Town of Deerfield an executory interest in the property, allowing the contribution to be made toward the project.

Briggs – Chatter Brook Farm – 19 Ac. –Route 43

Bear-Paw reported that they met with the Briggs family at the property in early November and spoke with them about easements and conserving the land. There has been no response from the family to date and Bear-Paw reports having seen a GoFundMe page posted.

Bear-Paw Smith Property – 107 Ac. – Mountain Rd

Bear-Paw reports they now own the 107-acre parcel on Mountain Road donated by Susan and John Smith and are working on a stewardship plan for the property. Bear-Paw is continuing its fundraising efforts to offset project costs.

Administrative and Regulatory:

New Hampshire Association of Conservation Commissions (NHACC) in its latest bulletin, expressed its concern for **HB 307** which, if signed by the Governor, would not allow a municipality to prohibit shooting on town properties. NHACC has written to the Governor's office in opposition to the bill. By example, it could limit DCC efforts to control target shooting on Lindsay-Flanders should it be signed by the Governor.

Other bills under consideration are **SB322, SB344 and HB1014** related to remote meetings, quorum requirements and virtual meetings under the right-to-know law.

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Stewardship/Easement Monitoring:

Annual monitoring reports for the properties comprising the Great Brook Corridor; Marston (Pendleton) 128 Ac, Pendleton 56 Ac, Bear-Paw/Burbank 92 Ac and 14 Ac, will be forwarded to LCIP. Monitoring of the Curry 342 Ac easement is delinquent and will need to be addressed in the future. Volunteers have also completed reports for Deerfield's Town Forests, plus eleven additional conserved parcels. Performing a survey on the Merrill/Kay Williams easement was again suggested.

Freese Town Forest - Posting:

DCC will be exploring ways to address the confusion surrounding the *Safety Zone* signs posted at the entrance of the Freese Town Forest. It was suggested that the signs currently posted at the entrance be taken down (it is believed that the original Fish & Game signs were placed farther in). Josh Freed and Erroll Rhodes volunteered to inspect the site when weather permits. Serita Frey will inform Mr. Lacourse (who brought the issue to DCC's attention in November 2021) that DCC will be addressing the matter in the spring.

Volunteer and Potential Scout Opportunities: Serita Frey followed up with Scoutmaster Kevin Webber on an offer for the scouts to perform volunteer trail work, and a number of projects previously suggested by DCC. There has been no response to date.

Approval of Minutes:

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

*****Notice of Correction***** *The clerk was subsequently notified that the November minutes failed to recognize that Josh Freed had been among those who participated in the monitoring of the Merrill/Kay Williams easement.*

Finance:

Haley Andreozzi reported the following **ending balances:** **November** \$326,907.87 (includes \$50,000 Marston LCHIP reimbursement and interest of \$23.99), **December** \$326,935.63 (includes interest of \$27.76) and **January** \$326,963.40 (includes interest of \$27.77). LUCT deposits in 2021 totaled \$19,950. Based on the 1/31/2022 BOS minutes, DCC should be receiving an additional \$21,995 representing 50% of gross LUCT receipts approved for collection through that date. Erroll Rhodes reported that an additional amount was announced at the 2/14/2022 BOS meeting as well.

Proposed Warrant Articles for 2023:

Members are in favor of introducing a **warrant article in 2023 that would increase the percentage of Land Use Change Tax directed to the Conservation Fund.** The current allocation is 50% of the amount collected by the Town. The wording for the article would be as follows:

- *To see if the town will vote to deposit___ [percentage and/or amount] of the revenues collected pursuant to RSA 79-A (the land use change tax) in the conservation fund in accordance with RSA36-A:5 III as authorized by RSA79-A:25 II.*

Members also wish to receive approval from the Town to **contribute toward the costs of acquiring a conservation easement without the need for the Town to hold and Executory Interest in the property** as is currently required.

Prescribed wording (see RSA 36-A:4-a Optional Powers) for this article is:

- *“Shall the town vote to adopt the provisions of RSA 36-A:4-a, I(b) to authorize the conservation commission to expend funds for contributions to “qualified organizations” for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the town will retain no interest in the property?”*

John Harrington will be consulted to determine the specific process; whether the Selectboard can insert the warrants, or if one or both need to be petitioned warrant articles.

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DCS Warrant Article:

A question was raised as to DCC's involvement in the previously-established (2014) DCS *Facility Paving Plan Expendable Trust Fund*, if discontinued as a result of the passage of the 2022 warrant article expanding and renovating the school. Serita Frey commented that DCC's role had been in an advisory capacity only.

Regulated Wetlands:

Josh Freed and Erroll Rhodes will meet to evaluate a possible wetland setback violation on a Nottingham Rd. property. A formal complaint can be filed with the DES if it is determined that a wet, gravel area (reported to be within 30 feet of a stream/spring) is encroaching in a wetland setback (*see minutes of ZBA 11/6/2021 site visit*).

It was suggested that DCC have a representative on the committee that will be updating the *Deerfield Master Plan*.

Permits/Applications/Potential Violations:

(Use DES Complaint Form for notifying DES of potential violations - emailed to members 7/28)

DES Notification - Reported Alleged Violation: DES Land Resources Management - File # 2017-00468

43 Baker Ave – Map 202 Lot 018 – Peter and Lise Mahoney – 50 Blakes Hill Rd, Deerfield

Failure to maintain minimum standards within the woodland buffer (In Accordance with RSA 483-B)

(Case has been added to DES inspection List)

CLOSED FILE: DES Notification - *No Violation Observed Within RSA 483-B Jurisdiction:* DES Land Resources Management - File # 2017-00468 **43 Baker Ave** – Map 202 Lot 018 – Peter and Lise Mahoney – 50 Blakes Hill Rd, Deerfield

Forestry Statutory Permit-by-Notification (RSA 482-A): NHDES File #2021-03838

Map 406 Lot 011 – Peter Mahoney – **50 Blakes Hill Rd, Deerfield**

DES Notice of Past Violation: DES Land Resources Management - File # 2021-03719

Notification to: Town of Deerfield (See also DCC **Review #2021-01**)

Thurston Pond Dam – Thurston Pond Rd - Map 413 Lot 97 (On land of George Thompson)

Removal of beaver dam and disturbance of vegetation resulting in impacts to spillway

Forestry Statutory Permit-by-Notification (RSA 482-A): NHDES File #2021-03730

State of NH DNCR – Map 413 Lot 059 – **Bear Brook - South & Middle Roads**

Forestry Statutory Permit-by-Notification (RSA 482-A): NHDES File #2021-03736

J. Brian Judd – **96A Mt. Delight Rd.** – Map 410 Lot 025

Forestry Statutory Permit-by-Notification (RSA 482-A): NHDES File #2021-03841

Eversource Energy – **Deerfield ROW** – Location unspecified

Announcements/Correspondence/Reminders:

Bear-Paw Survey – Serita Frey will review and submit the survey.

A motion by Serita Frey to **adjourn at 8:20 pm** was seconded by Erroll Rhodes and unanimously approved.

The next regular meeting is scheduled for Monday, March 14, 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