

DEERFIELD CONSERVATION COMMISSION
1967 – FIFTY-SEVEN YEARS AND COUNTING – 2024
Regular Meeting Minutes – February 12, 2024

Attendees: Haley Andreozzi, Davis Brush, Ken Cohen, Serita Frey, Erroll Rhodes
Members Absent: Chloe Gross, Josh Freed
Visitors & Guests: Jeff Littleton, Moosewood Ecological, LLC

Chair Serita Frey convened the meeting at 7:04 pm.

Moosewood Ecological, LLC:

Jeff Littleton (Principal Ecologist & Senior Planner) from Moosewood Ecological, LLC, fielded members' questions during a review of the proposed contract for the Natural Resources Inventory.

Haley Andreozzi commented that she is satisfied with the *Scope of Work* defined in the project and Erroll Rhodes requested edits to aspects of the legal language of the contract. Mr. Littleton voiced no objections to the requested edits and will forward a copy of the revised contract to Serita Frey who will arrange for a review of the revised contract by Town Counsel. After legal approval is received, Chair Frey will sign and submit the contract to Moosewood. The date signed will become the effective date of the agreement.

There was discussion regarding the three *Parcel-based Ecological Assessment Models* referenced in the contract which will be produced based on themes of *water resources, ecological resources, and the working landscape*. Mr. Littleton explained that these assessments will be used to *identify areas of significant ecological significance and conservation value*. Selected landowners will be asked for permission to evaluate their respective parcels. Mr. Littleton further explained that a uniform set of questions used to assess each parcel is prepared which is then used for comparison and subsequent *scoring* of the surveyed parcels. The resulting information can be utilized in the future for quick identification and understanding of the conservation values. The individual parcel data is used to build the larger focus areas (not landowner parcel-specific) and *demonstrate priorities for conservation*. The focus areas could be publicly shared; however, dissemination of parcel-specific data would depend on permission given by the landowner. It was confirmed that Moosewood will be providing *proof of insurance* and that a release of liability is also incorporated into the landowner permission letters.

The contractual cost for the project is \$33,900, 10% of which will be due on acceptance. As requested, Mr. Littleton will provide a schedule of their *regular bill out rates* for services. Invoices for services as completed, itemized by task, will be submitted on a monthly basis. Mr. Rhodes explained the timing constraints surrounding payment of invoices. Given the delay resulting from once-monthly DCC meetings and the Town's payment procedure, it was determined that the DCC Finance Officer, Erroll Rhodes, should be given authority to submit individual monthly invoices for payment without requiring member approval of each invoice. The following motions were made to facilitate contract execution and payment:

Motion:

Haley Andreozzi moved to authorize Serita Frey to execute the Moosewood Ecological LLC contractual agreement for the Natural Resources Inventory, containing revisions agreed to at the February 12, 2024 meeting of the DCC, subject to review and approval by Town Counsel.

Davis Brush seconded the motion.

Vote: The vote was unanimous.

Motion:

Haley Andreozzi moved to authorize the Deerfield Conservation Commission Finance Officer to submit Moosewood Ecological LLC invoices for payment over the life of the contract, up to the full contractual amount stated in the signed contract, without additional approval by the members.

Serita Frey seconded the motion.

Vote: The vote was unanimous.

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Mr. Littleton noted that Moosewood can initiate the project over the summer and that DCC and Moosewood should convene prior to that time. Members should think about any other considerations they may have on the present design of the project for discussion at that time. The project can be *tweaked* as it progresses.

Davis Brush inquired about the resources Moosewood will need. Mr. Littleton encouraged submitting any electronic or paper documents as soon as possible. They can add the information to a build file to develop a solid background and get a head start on the project. Haley Andreozzi reminded Mr. Littleton that the NRI needs to incorporate the newest version of the NH Fish and Game *Wildlife Action Plan*. Ms. Andreozzi also suggested publicly posting a summary of the scope of the project and the anticipated timeline. Chair Frey anticipates wrapping up the legal review and signing of the contract within the next two weeks.

Approval of Minutes:

Motion:

Serita Frey moved to approve the minutes of the **January 8th** regular meeting.

Haley Andreozzi seconded the motion.

Discussion:

After a brief discussion, it was determined that no amendments would be made.

Vote:

The vote to approve was unanimous.

Finance Report:

STATEMENT balances in the conservation fund:

January Ending Balance	\$ 406,635.93	Includes Interest of \$900.82 – Earned in Dec. & Posted in Jan. Net of payment of \$17,465 to Bear-Paw for the Cassier conservation easement project transaction costs.
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LUCT – 2023 YTD	\$ 65,500
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Finance Officer Erroll Rhodes reviewed the financial activity presented on his revised, monthly *Conservation Fund Report*.

Outreach – 2024 LUCT Warrant Article:

Members discussed how to address the **2024 BOS Warrant Article #12**. As originally proposed by the BOS, the article asked voters to reduce the percentage of the Land Use Change Tax deposited into the Town Conservation Fund from 100% (*the percentage voters committed to the fund just last year*) back to 50%. The LUCT is essentially **the Town Conservation Fund's only source of revenue**. At the February 3rd deliberative session, the BOS article was amended and placed on the March 12th ballot to read as follows:

*To see if the Town will vote to deposit **95%** of the revenues collected pursuant to RSA 79-A (the land use change tax) into the Town's Conservation Fund in accordance with RSA 36-A:5, III as authorized by RSA 79-A:25, II.*

Information provided to voters prior to the March 12th voting day will explain that

Voting **NO on Article #12 will maintain the current
LUCT Percentage of 100% going into the Conservation Fund.**

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Talking Points from January:

The reason most folks have for moving to Deerfield is an appreciation of nature and open space, although their specific uses of that open space may vary (trail hiking, hunting, biking, snowmobiling, orienteering). Or perhaps to just enjoy the benefits of Deerfield's rural character and clean water. Land conservation also supports Town and School recreational programs, and groups like the Boy Scouts.

It is important to point out WHO is paying the LUCT; that it is NOT the residents who are paying. It needs to be understood that LUCT is paid by land developers who are profiting from the development and the resultant shrinking of Deerfield's open space.

This is a chance for the Town to reaffirm their vote of 2023 to place 100% of the LUCT into the Conservation Fund; to rebuff the BOS warrant article and confirm that voters knew what they were supporting last year.

It was also noted that the State of NH wisely recognized the need to preserve *Open Space* when it enacted **RSA 79-A on July 1, 1973**. It therefore stands to reason that the penalty for *removal* of open space land from current use, the Land Use Change Tax, should be plowed back into *preservation and conservation* by depositing the revenue into the Town's Conservation Fund. **The rationale was not ambiguous, as worded in the RSA.**

RSA 79-A Current Use Taxation 79-A:1 Declaration of Public Interest. It is hereby declared to be in the public interest to encourage the preservation of open space, thus providing a healthful and attractive outdoor environment for work and recreation of the state's citizens, maintaining the character of the state's landscape, and conserving the land, water, forest, agricultural and wildlife resources. **It is further declared to be in the public interest to prevent the loss of open space** due to property taxation at values incompatible with open space usage. **Open space land imposes few if any costs on local government and is therefore an economic benefit to its citizens.** The means for encouraging preservation of open space authorized by this chapter is the assessment of land value for property taxation on the basis of current use. It is the intent of this chapter to encourage but not to require management practices on open space lands under current use assessment.

Educational information will be **posted on both the DCC and the Town Facebook pages** advising voters that voting **NO on Article #12** will defend maintaining conservation funding at 100%.

Announcements/Correspondence/Reminders:

"Taking Action for Wildlife" Webinar Series – For Dates and Registration:
<https://www.takingactionforwildlife.org/resources/2024-wildlife-webinar-series>

Ken Cohen will research the protocol for representation on other boards and commissions.

The meeting adjourned at **8:30 pm.**

The next regular meeting is scheduled for 7 PM on Monday, March 11, 2024

(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