

## Swanzy Open Space Committee

9/9/08 meeting minutes

*Minutes are not final until reviewed and approved by the Open Space Committee. Review and approval of minutes generally takes place at the next regularly scheduled meeting of the Committee.*

The meeting convened at 5:05 p.m.

**Attendance:** Victoria Barlow, Deb Crowder, Jeanne Thieme, Dan Zeh. Town Planner Sara Carbonneau also was present. Jim Phippard, Brickstone Masons, was present during discussion of the Moore Nanotechnology compensatory wetlands mitigation proposal, which occupied 75 minutes of the meeting.

### **GUESTS/MEMBERS OF THE PUBLIC**

Dick Fraser, Troy Hill Holdings representative, has asked to re-schedule his appointment.

### **STATUS OF CURRENT LAND PROTECTION PROJECTS (project manager)**

#### Johnson easement (Thieme)

On August 27, Thieme and Barlow met in Keene with Ryan Owens (Monadnock Conservancy) to discuss next steps with the easement. After long deliberation, Owens has concluded that the MC can postpone addressing potential contamination by livestock of the seasonal stream that crosses one of the pastures until after execution of the easement. Future options include helping Johnson develop alternative management practices over time, and/or including language in the easement that requires alternative management practices of future landowners. Owens hopes the easement can be finalized by year's end.

Johnson's attorney has advised him that the proposed bargain easement purchase dollar amount is inappropriately low. The Moore Nanotechnology compensatory wetlands mitigation proposal includes a \$50,000 contribution (\$10,000 to be funded by Moore Nanotechnology; \$40,000 to be funded by 234 Old Homestead Realty, LLC) to the Monadnock Conservancy's purchase of the Johnson easement. See **NEW BUSINESS**.

Pullen (DiLuzio) - On Saturday, August 16, the OSC conducted a site walk at the property. OSC members will assess and rank the 150-acre project at the October meeting. MC staff expects the terms of the easement to follow the Conservancy's standard easement language. The Pullens will reserve the following rights:

1. To withdraw a three-acre building lot, located across the street from the existing house
2. To replace an existing septic system that is located in the easement area
3. To post against use of motor vehicles on the easement lands
4. To post against hunting during certain times of the year in the easement area surrounding the house

Pedestrian access will be permitted on the easement property. The easement terms are subject to change as the easement draft is completed. However, the MC is obligated to ensure that the easement will meet public benefit standards.

The Pullens have requested funding not to exceed \$10,000 to cover the cost of the property survey and other transaction-related costs including title review, deed preparation, environmental assessment, recording fees and Monadnock Conservancy staff time. The Pullen family will pay for all transaction costs in excess of \$10,000 and also will make a donation to the Monadnock Conservancy's easement stewardship endowment.

**MOTION** by Crowder to recommend Town participation in the easement, with an amount not to exceed \$10,000, and to ask the SCC to cover the cost from the Conservation Fund. Second by Thieme. All in favor.

Richards/Brown

Cynthia Brown welcomes OSC members to hike the parcel on Christian Hill Road proposed for protection. Members set September 24 at 3:00 for conducting a site visit.

Tax Parcel Map 32 Lot 4, Carlton Road.

At their July 9, 2008 business meeting, Selectmen agreed that the Town generally does not seek out purchases of land; furthermore, the fair market value of the parcel may be difficult to determine. Selectmen suggested that the owner might deed the parcel over to the Town, with the Town assuming all expenses of the transfer. The owner would benefit by being released from ownership and property taxes, at no cost. The Board suggested that the Open Space Committee contact Realtor Greg Curry to discuss this option.

Committee members concurred with this approach, and asked Barlow to contact Curry. Barlow still has not contacted Curry.

Troy Hill holdings on Hale Hill Road, Old Richmond Road

At the October meeting, OSC members plan to review the location of the Troy Hill holdings, and discuss priorities to explore with Dick Fraser.

**LIAISON REPORTS** - deferred until October meeting

SM -

PB -

Conservation Commission (SCC) -

Capital Improvements Program Committee (CIP) -

OS Advisory -

**STATUS OF ASSIGNMENTS + PROJECTS**

Web page - report deferred.

Project management worksheet, communications log - no activity.

Protection of 3 town-owned parcels - no activity.

Town land purchase/easement management - The subdivision update workgroup continues to meet regularly, and is compiling its first draft of the amended regulations.

Buck and Ike - In recognition of their service, the team received medallions at the MC annual meeting on August 23. Thieme, Crowder, and Barlow staffed the team; Steve Stowell, who transported the oxen, gave up his morning by donating use of his trailer as a hitching post. Dana Mannion was teamster. Tiffany Mannion and Michael Day helped Dana supervise the team so that OSC members could the Annual Meeting, and welcomed many interested drive-by visitors.

MRHS Principal Pickering has invited Buck and Ike to attend Homecoming festivities on September 27. The high school's Homecoming budget will cover trucking expenses.

Wildlife Action Plan (WAP) maps (Zeh)

The work group met on August 27, and discussed correlations between critical habitats identified in the *Plan for the Protection of Open Space* and the WAP. The group also talked about ways to structure Town data on maps to make the data more accessible, and considered what data the Town may be lacking. The next meeting is set for September 16 at 3:00 p.m. at Town Hall.

Resource Directory - no activity.

#### OLD BUSINESS

Monadnock Conservancy Philip Faulkner Award Given to the OSC at the MC's August 23 annual meeting, the award recognizes community service, thoughtful blending of land use planning, conservation, and well-conceived community development, as well as a strong commitment to including many voices and points of view to successfully achieve this balance. Previous recipients are the Town of Temple (2005) and Chesterfield Conservation Commission (2006).

#### Chapter 482-A:28 Fill and Dredge in Wetlands; Aquatic Resource Compensatory Mitigation

OSC and SCC members held a joint session at 6:00 on Tuesday, August 26 to finalize, by formal vote, a coordinated statement of recommended policy regarding compensatory wetlands mitigation practices for the Town of Swanzey.

#### Budget report

To date, the balance in the Open Space Acquisition Capital Reserve Account is \$92,464.14 [\$40,877.26 (balance from 2005) + \$50,000 (balance from 2006) + \$2,137.68 interest less expenses \$4,925 (paid out in 2006) = \$88,089.14 + \$50,000 (allocated for 2007) less \$33,625 allocation for purchase of Johnson easement and \$12,000 for Perry Farm transaction costs. Projected pending expenses: Johnson transaction costs like will be on the order of \$15,000 ~ \$20,000.

*\$1612.74 (24.5%) remains in the "office account." Major expenses are as follows:*

\$535 printing 3,500 copies of the Perry Farm postcard

\$441.11 bulk-mailing the postcard

\$285 printing 1,000 copies of the new Buck and Ike brochure

\$530 printing 1,000 note cards (which have served as easement celebration invitations

\$590 printing Buck and Ike's appearances postcard

\$785.22 easement celebration party: postage, invitations, facility rental, gift baskets, paper goods, catering, flowers

\$200 trucking Buck and Ike to the Walk for Animals; to the Potash Bowl

\$300 trucking Buck and Ike to the Potash Bowl; to the Cheshire Fair

\$293.80 1,000 Swanzey Rural Character buttons

\$150 trucking Buck and Ike to Chesterfield; Monadnock Conservancy annual meeting

*Upcoming expenses, to be paid out from the office account:*

\$250 to reimburse the hay fund for Buck and Ike's birthday gift plush oxen

*(NB: Please distinguish the Open Space Acquisition Capital Reserve Account - managed by the Selectmen - from the Conservation Fund. The Conservation Fund, which is managed by the Conservation Commission, includes income from the Current Use change tax.)*

#### NEW BUSINESS

##### Moore Nanotechnology compensatory wetlands mitigation

Jim Phippard, Brickstone Masons, presented an overview of the Moore Nanotechnology project, explaining that development on two parcels will have an impact on 1.47 acres of low value wetlands. He supplied an amendment (9/8/08) to a 7/28/08 dredge and fill wetlands application to NH-DES. The application outlines mitigation measures, including on-site storm water treatment designed to replicate and improve detention features of the wet meadow, and re-location of a drainage ditch resulting in creation of approximately 5,800 square feet of wetlands. The application

proposes conservation of a wooded 15.14-acre upland area meant to be the equivalent in functions and values of the mowed, altered meadow habitat. A small pond is located near the center of the upland area, which is 55% uplands and 45% wetlands, according to the applicant's wetlands scientist. The land was timbered approximately 15 years ago. The fourth element of the mitigation proposal is a contribution to the Monadnock Conservancy's bargain purchase of the Johnson easement.

OSC members conducted a site walk of the proposed conservation area on September 6.

Members completed the project assessment. The project received very low rankings for its resource values of natural beauty, active agriculture, and community character, and low rankings for water quality, recreation/access, and habitat diversity and integrity. Members noted that forests have a cooling effect in locations with a preponderance of impervious surfaces, such as industrial parks and other more urbanized areas.

For these and other reasons, the OSC concluded that the natural resources of the parcel are too limited to warrant protection of the parcel as conservation land. A "habitat island" surrounded on all sides by existing and proposed roads and highways, and located in a part of Swanzey that lacks local or regional conservation value, the parcel continues to heal from its former use as a borrow pit.

However, the parcel's location and marginal quality of natural resources strongly recommends it for an alternative use: The parcel has high potential for public recreation. OSC members envision trails for hiking around the pond, and possibly facilities for outdoor public functions. It also could be a convenient location for school groups to visit.

OSC members believe that Industrial Park workers would benefit from the opportunity to take lunchtime walks around the pond, and that this amenity would further enhance marketability of lots in the Park. The OSC recommended that the Board of Selectmen consider favorably a conservation easement that would allow these and other public recreational uses of the 15 acres.

**MOTION** by Thieme to recommend Town support for the Moore Nanotechnology Systems LLC compensatory wetlands mitigation proposal, including the \$50,000 contribution to the Monadnock Conservancy for partial purchase of the Johnson conservation easement, and to recommend to the SCC that the Town participate in the conservation easement on the 15 acres in the Industrial Park, and that the Board of Selectmen begin the 41:14(a) public hearing process. Second by Zeh. All in favor.

#### Submissions to *Swanzey Uncovered*

For the next issue of the Town newsletter, OSC articles will address WAP work and the Faulker award. Barlow distributed drafts for OSC review and comment.

**MINUTES** 8/12/08 regular meeting, 8/15/ site walk, 8/26/08 joint SCC-OSC meeting, 9/6/08 site visit

**MOTION** to approve by Zeh, second by Thieme. All in favor.

#### **ADJOURNMENT**

The meeting adjourned at 6:30 p.m.

#### **NEXT MEETINGS**

Site visit (Richards/Brown): September 24 at 3:00      Next regular meeting: October 14

Respectfully submitted,  
Victoria Reck Barlow, Chair