

## Swanzy Open Space Committee

3/11/08 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 5:00 p.m.

**Attendance:** Victoria Barlow, Theresa DiLuzio, Katherine Feist, Jeanne Thieme, Bud Winsor. After speaking briefly with the Committee, Town Planner Sara Carbonneau went home to elevate her broken ankle.

**Guests/members of the public** - none present

### **Status of current land protection projects (project manager)**

Johnson easement (Thieme)

No new activity.

### Pullen

In conversation, DiLuzio has learned that the Pullens are expecting a call from the Monadnock Conservancy (MC). She contacted Dee Robbins (MC), who will ask project manager Ryan Owens to get in touch.

### Dunn (DiLuzio)

Dee Robbins has scheduled a March 13 meeting with Mrs. Dunn and her family to discuss conservation easement possibilities.

### Potential projects

DiLuzio continues to have casual conversations with property owners of other potential projects. She has contacted the property owners of one of these parcels to offer help and information, and has been coordinating her contacts with the MC. Members reviewed and made improvements to a proposed "cold call" letter to send to landowners who live out of town.

### **Liaison reports**

SM -

PB - The CRS working group presented the draft Conservation Residential Subdivision regulations to the March 6 Planning Board meeting, in preparation for an April 3 public hearing.

ConCom -

CIP - no activity

OS Advisory -

### **Status of assignments + projects**

Web page - On February 18 Barlow and Carbonneau compiled materials to create an OSC web page. Carbonneau has since created the site, with links to Buck and Ike's site and their YouTube videos.

Project management worksheet, communications log - DiLuzio continues to develop the project management worksheet.

Protection of 3 town-owned parcels - Carlson and Winsor

Grace Lilly of the Conservation Commission has prepared findings regarding the “Mill K” parcel. Committee members expressed their appreciation of Lilly’s thorough research, and gratitude for her generous contribution to helping resolve questions surrounding these parcels.

What follows is a summary of Lilly’s report. All of the parcels are on Swanzey Tax Map 38.

The Town of Swanzey owns 15.1 acres off Matthews Road (Lot 22 and Lot 23). The Riley estate formerly owned the 7-acre Lot 22; the 8.1-acre Lot 23, an old unreclaimed gravel pit, is known as the Mill K parcel.

Emile Legere owns three adjacent parcels north of the Swanzey land. Riley formerly owned Lot 21, of 1.36 acres, as well as Lot 20, of 2.68 acres. Riley also once owned Lot 20; however, Legere bought this parcel from Laurie and Derek Kearney, who bought it from the Christian Life Fellowship.

(The third Legere lot, referred to his Christian Life Fellowship land, spans the Keene-Swanzey line, with about 4/5 of the 10.6 acres in Keene. In September 2004 Legere signed a conservation easement on the 10.6 acres, and donated the easement to the Town of Swanzey. Swanzey is responsible for enforcing the conservation purposes of the easement, which prohibits clear-cutting, disturbance of the soil surface, and disturbance to water systems. However, the property is subject to a drainage easement held by Winchester Wood Housing Associates.)

In August 2006, Legere entered into a development agreement with the Town of Swanzey. Swanzey grants Legere a flood storage easement on approximately 7 acres of Lot 22 and Lot 23, to store drainage water that would be displaced from Legere’s Keene parcel on Route 101 by roadwork at the intersection of Winchester Street and Route 101. Legere purchases (at \$.50/cubic yard) and extracts up to 50,000 cubic yards of soil from both lots to lower their elevation.

Legere is to construct a gravel driveway into the Lot 22 and Lot 23, and construct a turnaround and gravel parking area on his Lot 20, and convey to the Town of Swanzey the approximately ½ acre of his land that the parking area will cover. He is to convey the rest of his Lot 20 to the Town, but retain the flood storage easement on the rest of the parcel.

He is to construct a 10-foot-wide footpath from the turnaround to the railroad trail, and a 5-foot-wide footpath from the turnaround to the boat launch. The re-located access road, parking area, and path to the boat launch all are to be substantially completed by November 2008 (amended to give another year for the work).

He is allowed to lower his Lot 21 and Lot 20 in the same way, and required to grade, stabilize and seed the disturbed areas on his lots and the Town lots, planting up to 300 hemlock seedlings to re-establish a forest in the disturbed area (completion date 2011).

Swanzey grants the flood storage easement when Legere delivers the deed to the parking area.

**MOTION** by Feist: This development agreement and its resulting work, as well as the flood storage easement itself, have reduced the parcel’s priority for protection with a Town conservation easement. The OSC should revisit consideration of protecting the parcel in four years. Second by DiLuzio. All in favor.

**MOTION** by Feist: The OSC strongly recommends that the Town engage an independent engineer, as well as soils and wetlands scientists, to oversee the Legere project to ensure enforcement of the terms of the development agreement. The independent agents, whose work should be paid for by the developer, should report back to all Boards that were involved in the original decision. Second by Winsor. All in favor.

Committee members asked Barlow to express the second motion in a letter to the Board of Selectmen. Committee members will review the draft by e-mail prior to its finalization.

Town land purchase/easement management – Crowder and Barlow  
With a positive Town vote\*, the Conservation Residential Subdivision workgroup will continue meeting to amend the subdivision regulations to incorporate the new Conservation Residential Subdivision regulations.

**\*Results of March 11 voting**

Amendment No. 6: Are you in favor of Amendment No. 6 as proposed by the Planning Board for the Town Zoning Ordinance to replace the existing Cluster Housing and Cluster Development provisions with a Conservation Residential Subdivision pursuant to RSA 674:21? **YES – 839 NO - 322**

Buck and Ike – Barlow and Thieme

Buck and Ike sent a note and DVDs to thank Commissioner of Agriculture Lorraine Merrill for her article in the NH Department of Agriculture *Weekly Market Bulletin*. The oxen invited Commissioner Merrill to meet with them the next time she is in the area, to film an “Adventure” for the second series.

Old Homestead Association president Lee Dunham and Barlow sent a joint letter to Governor Lynch, inviting him to resurrect the tradition of Governor’s Day at the Saturday night performance of *The Old Homestead*. The invitation, which included the two DVDs and a copy of Commissioner Merrill’s article, also expressed Buck and Ike’s interest in having an “Adventure” with the Governor, prior to the performance. The Governor’s office responded with thanks; the invitation “will be held on file and considered” two to four weeks before the event.

Feist has agreed to serve the team as Safety Commissioner. She will train all volunteers prior to public appearances, and has prepared text for a handout to explain the responsibilities of the job. Training sessions will begin in April, on Monday afternoons. Volunteers are needed.

Crowder’s portrait of the team was selected to be on the cover of the 2007 Swanzey Annual Report, which features images of East Swanzey.

Bruce Barlow has updated the team’s web site.

Wildlife Action Plan maps

Barlow has responded positively to two surveys conducted by UNH Extension regarding our interest in incorporating more WAP data into town planning activities.

Resource Directory – no activity.

**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.

From the “office account,” in February and early March the OSC spent \$535 on printing 3,500 copies of the Perry Farm postcard, \$441.11 on bulk-mailing the postcard, and \$285 on printing 1,000 copies of the new Buck and Ike brochure. 1,000 note cards cost \$530; postage for the easement celebration party cost \$82.

*(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**

Winsor term expired – With great regret, Committee members accepted Winsor’s decision not to renew his position as an “at-large” voting member of the Committee. Winsor offers to instead serve as needed as a member of the OSC Advisory Board.

#### Annual easement celebration – Thieme and Feist

The party is set for April 22 at the KSC Wilson Pond facility. Along with easement donors Blood, Kibler, and Gill, invitees will include owners of 25 acres or more, town officials, and other honored guests, including Sven, Barbara and Steve Gustafson, Stacy Cole, and Virginia Goodwin from the Perry Brook watershed. Committee members reviewed and improved invitation text.

Meg Kupiec has woven baskets for gift giving, which will be filled with Swanzey products. Thieme has arranged for Mill House Florists (Diane Mattson) to create three \$40 vases of spring flowers for the tables. Feist will arrange for paper goods, if not provided by the caterer.

#### Orton Foundation planning grant opportunity – Barlow and Carbonneau

On behalf of the Town, Barlow submitted the grant application, along with nine letters of support, on March 2. The Orton Foundation will select finalists by the end of March.

Monadnock Conservancy – On Friday, March 14, Barlow will attend the first five minutes of the MC Board meeting, to be held in Swanzey. She will express the OSC’s gratitude for the MC’s help in our Committee’s creation and on-going success.

#### Community Church of West Swanzey newsletter mention –

DiLuzio reported that the newsletter quotes the text on the Perry Farm easement postcard, and closes with the following:

“We appreciate the Open Space Committee’s efforts to protect the rural character of the Town, and thank those who choose this way to preserve open space.”

#### **New assignments**

Committee members will continue to plan the April easement celebration.

#### **Minutes of 1/8/08 & 2/12/08 meetings** –

Motion to approve by Winsor, second by DiLuzio. All in favor.

The meeting adjourned at 6:30 p.m.      Next meeting: April 8

Respectfully submitted,  
Victoria Barlow