

## Swanzy Open Space Committee

6/10/08 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, Deb Crowder, Theresa DiLuzio, Jeanne Thieme, Dan Zeh; Town Planner Sara Carbonneau.

### **Special guest Selectman Nancy Carlson (5:00 – 5:30)**

Carlson presented an overview of materials regarding open space and land protection presented at the recent Local Government Center's Selectmen's Institute. She noted that while past Institutes have treated this topic lightly, the recent session elevated the status of land protection to its own slot in the curriculum. Federal, state, and town governments all are supporting open space protection.

Towns need to balance land uses, and especially not discourage residential uses. However, Carlson reported that service agencies in our area recognize that Swanzy has done "more than its share" of providing housing for low and moderate-income families.

Studies comparing tax revenue generated to costs of providing services show that residential uses are most expensive, with commercial and industrial uses generating revenue. Open space uses generate little revenue, but cost little in the way of town services.

Statewide, 2001-08 municipal funding for land conservation (appropriations, bonding in general or for specific projects, tax deed acquisitions, fee simple ownership) amounts to \$143,252,980.

Recent bills in Legislature on climate change, recycling, water purity, and agriculture reflect a growing recognition that NH's quality of life is linked to its environment.

Through the Forest Society, NH has issued a million-acre challenge, calling for an additional million acres of conserved open space in NH. The Forest Society challenges each municipality to aim to permanently conserve 25% of its acres. Most open space is in the northern part of the state, but Cheshire County has 63% of its land in Current Use. The statewide average is 51%; Sullivan County has 68% and Coos County has 62%.

Ways to achieve the goal of 25% permanent protection: zoning, like our new Conservation Residential Subdivision regulations; cooperation between Planning Board, Selectmen, OSC, and Conservation Commission to set priorities for open space (for example, require more trees in site plan review; allow smaller lot sizes, encourage re-use of existing buildings as is being done with the Homestead Woolen Mills building, promote Current Use and easements).

Currently in NH, land development is taking place at a rate faster than population growth. Swanzy needs to consider all possibilities for protection, because – at about 4% protection – we're a long way from the 25% recommendation.

Carlson believes that support for open space protection is strong in Swanzy, and notes that the Master Plan formalized the Town's desire to maintain its rural character. She encourages contacting owners of protection priority land in Current Use, to ask whether those landowners might be interested in a conservation easement. The challenge calls for a cooperative approach. Carlson also encourages that OSC to work with the SCC and Planning Board to preserve aquifer protection areas.

Congress has extended the Farm Bill, allowing a deduction of the full appraised value of a conservation easement, up to 50% of adjusted gross income (100% for farmers), with a 15 year carry-forward.

Carbonneau reported that as of July 1, 2008, the State will fund LCHIP with a \$25 surcharge on the recording of any deed, including mortgages.

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

##### Johnson easement (Thieme)

Ryan Owens (MC) visited Johnson at the farm on May 16; Thieme and Barlow also attended.

Owens explained the monitoring process. A MC volunteer will schedule a visit to the farm at least once a year. The volunteer will walk the property with Johnson, noting changes to the land. The easement's excluded area is not monitored. The volunteer is not charged with recommending changes; rather, the role is simply one of recording data.

Owens discussed the MC's policies regarding best management practices for pastures containing streams. Water resources are one of the top reasons the Johnson Farm merits protection, and the MC's easement deeds urge (but do not obligate) compliance with best management practices. Owens provided a copy of NH best management practices. Johnson likely will be asked to prepare a simple management plan, indicating how he uses his pastures and manages manure. Johnson's manure pit was designed and installed according to State guidelines.

Owens and Johnson discussed final terms of the easement. To protect his livestock, Johnson will retain the right to post his land; however, he is willing to allow people to walk on his land so long as their activity is not detrimental to his farming activities. Owens noted that, while Johnson has no obligation to allow hunting, he is responsible for enforcement - as he always has been. Johnson would like to keep the option to subdivide at least one house lot; he and Owens discussed whether it would be possible to include the subdivision as part of the survey of the farm for its conservation easement. Owens will ask surveyor Dick Drew how to make a subdivision possible at the least cost.

Johnson discussed possible plans to construct a shelter for horses on one of his pastures. Owens stated that the easement supports structures and improvements related to the farm operation; the MC appreciates receiving a sketch of the change prior to its construction.

Owens described the role of the Natural Resource Conservation Service (part of USDA, out of Walpole). Its mission is to protect soil for agriculture, and to help farmers achieve that protection. The NRCS has access to the newest technology and ideas, and knowledge of funding sources and grant programs to help improve farms. The NRCS has no enforcement power.

On June 11 Owens has scheduled Carl Majewski, UNH-CE County Agriculture Educator, to visit the farm and suggest alternatives. Majewski may know about sources of grant funding.

##### Pullen (DiLuzio)

Ryan Owens has been in touch with the Pullens; the Pullens met Peter Throop (MC) at the easement celebration party, and the MC site walk has taken place. The MC Lands Committee will discuss the project at its June 18 meeting, and the full Board will vote on the project on July 11.

The Pullens would prefer to pay transaction costs themselves, depending on the cost of the survey.

A timber harvest planned for Franklin Mountain has resulted in upgrades to the Class IV portion of Atkinson Hill Road, which runs through the Pullen property.

At its July meeting, the OSC will schedule a Committee site walk and project assessment.

##### Potential projects

Committee members discussed Tax Parcel Map 32 Lot 4, Carlton Road. Zeh presented a map identifying the parcel location, with accompanying photographs of the parcel.

**MOTION** by Thieme: To recommend Town purchase of the parcel, if the Town could purchase the land for \$5,000 or less, and if the Selectmen are willing to handle the bulk of the work of acquisition. Second by Crowder. All in favor.

Committee members asked Barlow to ask the Board of Selectmen for their participation. The body of the letter is as follows:

In late April Greg Curry (Curry Real Estate) contacted Sara Carbonneau to let her know that the owners of Tax Parcel Map 32 Lot 4 (map attached) are interested in selling their 18-20 acre wetland on Carlton Road, just east of the covered bridge. John A. Bakaj inherited the land, and lives in West Virginia.

By Curry's estimation, the Bakaj estate land is not buildable; perhaps its only value might be as off-site floodwater mitigation. The parcel's assessed value is \$61,100, and it is not in Current Use. If the Town is interested in purchase, Curry advises the Town to make an offer.

Harriett Robinson owns the 27.5 acres on the northwesterly corner of the Bridge. The parcel connects with 41 acres of Town-owned land (Map 32, Lot 2-3) for a contiguous wildlife corridor. Options include Town purchase, with the possibility of a future picnic and canoe-launch area. As wildlife habitat, the parcel is rich with a variety of bird, plant, and amphibian species. In the NH Wildlife Action Plan, the South Branch and adjacent lands are identified as having State significance for wildlife habitat.

After discussion at the June 10 meeting, the Open Space Committee took the following action:

**MOTION** by Thieme: To recommend Town purchase of the parcel, if the Town could purchase the land for \$5,000 or less, and if the Selectmen are willing to handle the bulk of the work of acquisition. Second by Crowder. All in favor.

Would the Board be interested in pursuing this opportunity?

Thank you for your consideration.

#### Canyon Springs Estates

OSC members continued last month's discussion, led by DiLuzio, about approaching the owner of the property with encouragement to shelve the permitted cluster subdivision and instead permanently protect more of the parcel.

DiLuzio's proposed options include limited development to a couple of building lots off Talbot Hill Road, and using Farm Bill tax incentives and a bargain easement purchase to finance conservation of the balance of the parcel. She envisions a large, unfragmented forest of high quality wildlife habitat in the heart of Swanzey, to be available to sportsmen, hikers and (in some areas) snowmobilers. She imagines the area becoming an outdoor learning lab for students, and a source of income from sustainable forestry practices. Protecting the land would protect the view from Mt Caesar and from other hillsides and from Old Homestead Highway.

Committee members agreed that the idea is good, but the possibility may have escaped the town now that permits for development are in place. Carbonneau also noted that a corporation holds the land.

#### **Liaison reports**

SM - no report

PB - no report

Conservation Commission (SCC) - no report

CIP - no report

OS Advisory - no report

**Status of assignments + projects**

Web page - Carbonneau has posted a report of Buck and Ike's birthday party.

Project management worksheet, communications log - no activity.

Protection of 3 town-owned parcels - no activity.

Town land purchase/easement management -

Buck and Ike -

Barlow thanked Deb Crowder for the gift of her portrait of the team, as well as a cartoon version signed by members of the Committee.

The May 18 Monadnock Human Society's Walk for Animals gave Committee members an opportunity to talk with the public about Swanzey's interest in open space protection. Thieme expertly drove Buck and Ike during the Walk.

Buck and Ike hosted about 100 guests at their birthday party on May 31. Designed especially for children, this event helped families to feel a loving connection to the town's ambassadors of open space protection. Buck and Ike gave 50 plush oxen to young guests. Feist has agreed to organize the party in 2009, and has prepared a preliminary list of supplies and steps of preparation.

The team's young understudies, Star and Bright, took part in Brattleboro's Strolling of the Heifers on June 7. Kelly Gordon and Hannah Stanley carried the banner, depicting the Rural Character logo, with the words "The Next Generation" underneath. Dana Mannion was spotter for the team, and Jeanne Thieme was safety coordinator, as well as trucker. Evan Barlow designed the banner. Eschewing the imported plastic flowers used by many to decorate their heifers, Tiffany Mannion took the parade's theme of renewable energy to heart. She cut pine, hemlock and boxwood boughs from the Swanzey woods, and wove them into a beautiful evergreen swag to decorate the team's yoke. Despite their resplendence, Star and Bright bellowed for the duration of the parade.

Buck and Ike will be at the Cheshire Fair Thursday, July 31. Who is available to help staff the event?

Wildlife Action Plan maps (Zeh)

Zeh presented crisp, detailed versions of the WAP ranked habitat map with an overlay of Swanzey's tax parcels. He also presented a map depicting the Quabbin to Mount Cardigan corridor, with core conservation and support lands, to illustrate NH's contributions to the corridor.

Zeh gave Committee members a mini-workshop on using data layers to create co-occurrence mapping. He cautioned members to remember that the WAP maps represent State versions of ranked wildlife habitat. To accurately represent local priorities, each town needs to create its own

co-occurrence mapping, using its own list of criteria. The WAP should simplify, rather than transform or alter, the local decision-making process.

For reference, Zeh gave members CDs with all download-able pdf files.

Along with Keene, Alstead, and Gilsum, Swanzey has been selected to participate in UNH Cooperative Extension's Wildlife Action Plan Assistance Program. The goal of the program is to help towns create a work program to implement the Plan, to protect biodiversity by protecting important habitat.

On June 4 OSC members Zeh, DiLuzio, Thieme, Barlow and Carbonneau met with Frank Mitchell and Amanda Stone (UNH-CE) to discuss the scope and approach of the program. With OSC approval, Barlow has forwarded the following to Mitchell and Stone:

**Proposed scope:**

1. What does the WAP tell us about Swanzey? (verbal description of most important findings -- in a short paragraph, that we can all remember; perhaps a list of noteworthy attributes)
2. How does the WAP information fit with what we already know? (support of existing OS Plan maps, or new info that we should add?)
3. How can the information contained in the WAP support the mission and goals of the OSC? (specific ways the WAP data can strengthen our work)
4. How can the OSC incorporate WAP information into its work program? (changes/modifications to the current year's and future years' plans)
5. Based on the WAP, what recommendations for revising regulations can the OSC make to the appropriate Town entities?

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**Proposed approach:**

- \* Community outreach is a top priority, in part because other actions will take place, if we help to find consensus in the community:
  - Broader community outreach, including opportunities for landowners to learn ways to manage property for wildlife habitat protection
  - Planning and planning-based regulations to support habitat protection, and land conservation
- \* Find creative ways to incorporate this information into the work we're already doing -- as opposed to creating new events focused on the WAP
- \* Generally speaking, try to reach new groups of people with this information, rather than "preaching to the saved"
- \* Be very careful with the level of WAP data we present on maps, to avoid creating impressions of parcel-specific features that may cause unwarranted and distracting/divisive controversy.

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.

\$2,421.09 (37%) 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

*(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**

Community Conservation Partnership On June 3, Carbonneau and Barlow met with Peter Throop (MC) and Tim Garceau (SWRPC) to recap Swanzey's open space protection pilot planning project.

#### Other business as may be required

Committee members discussed strategies for interesting landowners in conservation easements. Members considered whether a more aggressive approach now may be in order – "knocking on doors" to actively solicit easements. DiLuzio noted that, as yet, the Committee only has 230 protected acres to show for its work.

Carbonneau reminded members of constraints: future funding and willingness to spend Town money may be affected by the next property tax bill (reflecting large increases due to County jail construction) and by the weakening economy. Additionally, OSC and staff time is limited. She recommended looking for long-range strategies for funding purchase or protection of larger parcels, including leveraging the money the Town now has. Bonding may become more of a possibility in the future.

#### **Minutes of 5/13/08 meeting**

The Carlton Road parcel and adjacent Town-owned land both were incorrectly identified as Tax Parcel Map 33. The correct Map number is 32.

MOTION to approve, as corrected, by Crowder, second by Thieme. All in favor.

The meeting adjourned at 6:55 p.m. Next meeting: July 8

Respectfully submitted,  
Victoria Barlow