



**TOWN OF BRENTWOOD
SELECTBOARD
TOWN OFFICE: 1 DALTON ROAD
AGENDA FOR 10/10/2023 @ 6:00 PM**

- I. Convene
- II. Review and sign payroll and accounts payable register
- III. Review and approve the Consent Agenda: Subject to Change
 - a. Public Minutes 10/03/2023
 - b. Recreation Manifest
 - c. Treasurer's Report
 - d. Building Permits
- IV. Public Comment
- V. Discussion/Action Items
 - a. Bob Stephens, Conservation Commission and Jeremy Lougee, SELT
 - i. Conservation Easement and next steps
 - b. Review 2024 Budget proposals
 - i. Executive Office
 - ii. Legal
 - iii. Welfare
 - iv. Waste Collection and Disposal
- VI. Regular Business
 - a. Committee Updates
- VII. Any other matter that may legally come before the Board
- VIII. Non-Public Session:
May be called at any time in accordance with Chapter 91A:3II, a, b, c, d, e, i
- IX. Adjourn

Fuller (Brentwood) Project Evaluation

Landowner: Norma Fuller Irrev. Trust

Address: 247 Pickpocket Rd

Tax map & Lot #: 5940-1003 8/10/2018

Acres: ~28.0

Boundary perimeter: 6,255 feet

Land use information:

9.5	Forest	0.1	Lake/Pond
	Scrub-shrub		Open wetland
	Field		Scrub-shrub wetland
10.4	Hay Field	6.6	Forested wetland
	Pasture		Cleared Utility Row
	Cultivated	0.4	Other (clearing/storage?)

Length of road frontage, road name and Type:

- 600 feet frontage on Middle Rd (Class V, maintained)
- 200 feet frontage on Pickpocket Rd (Class V, maintained)

Conservation Land:

- Abuts 23 acres Shipley I CE held by Town of Brentwood (SELT holds EI) and 27 acres Shipley II CE held by SELT
- 195 feet east lies 23 acres Louisburg Circle Open Space "Set Aside" Open Space Areas of Developments held by Town of Brentwood which is part of a roughly 645 acres block of conservation lands
- 1,330 feet west lies 80 acres Town of Brentwood CE held by SELT which is part of a roughly 1,350 acres block of conservation lands

Soils:

- 0.9 acres (3%) is Prime farmland
- 8.9 acres (33%) is Farmland of statewide importance
- 17.3 acres (64%) is Farmland of local importance

Water Resources:

- ~2,090 feet of an intermittent tributary to Dudley Brook running through the property. The property lies within the Little River catchment area and the Exeter River Threatened Watershed
- 6.7 acres of NWI wetlands on the property
- 1.1 acres of a 25 acres Prime wetland on the Property
- 0.5 acres are in 100-year Floodplain. 15.3 acres are within < 2000 sq ft/day High Transmissivity Aquifer
- 7.3 acres are within DES High Priority Water Supply Lands
- 7.3 acres is within LOUISBURG CIRCLE WHPA.

Wildlife Action Plan & NHB:

- 12.2 acres (45%) is Highest Ranked Habitat in New Hampshire
- 7.0 acres (26%) is Highest Ranked Habitat in Biological Region
- 5.8 acres (21%) is ranked as supporting landscape by the Wildlife Action Plan.
- Within 1 mile of the Property, NH Natural Heritage Bureau has listed;
 - 1 occurrences of state Threatened reptiles
 - 1 occurrences of state Endangered plants
 - 1 occurrences of plant communities

NH Coastal Conservation Plan:

- 21.8 acres are in a Resilient and Connected Network (Priority Areas)
- 12.8 acres are in a Priority Agricultural Resources area
- 16.2 acres of property lies within a 106.4 acre Unfragmented Forest block
- 21.3 acres are designated for Pollutant Attenuation in NH Coastal Plan
- 13.8 acres are designated for Flood Storage in NH Coastal Plan.

Other Conservation Priorities:

- 5.3 acres ranks Above Average for Climate Resilience, 14.4 acres ranks Slightly Above Average, and 5.1 acres ranks Average, (TNC/Open Space Institute)
- SELT Strategic Plan Category: Farmland for the Future & Drinking Water Lands

Fuller CE Project Timeline:

- Oct/Nov 2023 – Discuss details/next steps with Cons Com. If moving forward:
 - P&S Agreement between Fuller and SELT
 - Public hearing to commit funds (what is the process with bond/Selectboard?)
- Q1 2024 – Letter of Agreement signed between Town and SELT
 - Begin title review and Phase 1 Environmental Site Assessment
 - Apply for GBRPP transactional grant
- Q2 – Survey RFP and execution
 - Circulate draft CE for initial review
 - Resolve any title/phase 1 issues
- Q3 – Finalize CE language (legal reviews)
 - Resolve any encroachment/boundary issues revealed by survey
 - Begin baseline documentation work (once survey is complete)
- Q4 – Prepare for closing
 - Finalize BDR
 - HUD, NH DRA forms, etc
 - Finalize budget
 - Schedule closing

Conservation Easement Terms:

1. Agriculture, Agritourism and Forestry
 - a. Definitions of each
 - b. Requirements for BMPs and Ag/Forestry Plans
2. No subdivision
3. No structures, except for ag, forestry, conservation, habitat management, noncommercial outdoor educational/recreational (“allowed uses”), all as not detrimental to Purposes of CE
 - a. 2% impervious surface limitation
 - b. Structures larger than 250 sqft requires Grantee approval
4. No disturbance of soils, topography, or wetlands except for allowed uses, provided it doesn’t harm T&E species, not detrimental to Purposes of CE, and must get all necessary permits
5. No outdoor advertising except for allowed uses
6. No mining, excavation or removal of soil materials except for allowed uses, using BMP’s, not detrimental to Purposes of CE, within Grantee-approved extractive zones (<2%)
7. No dumping, burning or burial of hazardous material
8. No easements or rights-of-way to third parties without Grantee approval
9. No motorized vehicles except for allowed uses
10. Property cannot be used to satisfy density requirements (for zoning ordinance) for future development
11. Reserved rights for:
 - a. Commercial Outdoor Education/Recreation
 - b. Renewable energy to support allowed uses
 - c. Septic for ag/agritourism as may be required by fed, state or local laws or regs
12. Option to Purchase at Agricultural Value (attached to CE and perpetual in nature)
 - a. Requires landowner to sell land to farmer (ensures land produces food for community)
 - b. If landowner cannot find farmer, SELT can purchase, then sell to farmer at ag value



Fuller Conservation Easement Estimated Budget (9/13/2023)

EXPENSES

<u>Transaction Costs</u>	<u>Town/SELT</u>	<u>Notes</u>
Acquisition Costs		
Easement Purchase Price	\$280,000	CE FMV
Easement Bargain Sale	\$75,000	Pending P&S Agreement
Due Diligence Costs		
Legal	\$7,000	
Attorney Fees	\$5,000	Estimate
Title insurance policy	\$1,000	Estimate
Title examination	\$1,000	Estimate
Survey	\$15,000	Estimate
Hazardous Waste Assess.	\$2,000	Estimate
Appraisal(s)	\$4,200	
Initial Appraisal	\$4,200	MMC Appraisal Services
Second Appraisal	\$0	Not needed
Closing Costs		
Recording fees	\$500	Estimate
Miscellaneous	\$0	
Real estate transfer tax	\$0	Exempt if Town holds interest
Project Management Expenses		
SELT Project Management	\$20,000	Estimated 335 hours
Travel	\$250	Flat fee
Printing & Postage	\$250	Flat fee
Contingency	\$7,500	<i>Unexpected costs (~1.5%)</i>
Subtotal, Transaction Costs	\$411,700	
Stewardship Costs		
	<u>Town/SELT</u>	<u>Notes</u>
Easement Stewardship Fund	\$25,000	Min. contribution for Conservation Stewardship Fund
Legal Defense Fund	\$1,800	Flat rate contribution for legal defense of CEs
Subtotal, Stewardship Costs	\$26,800	
TOTAL EXPENSES	\$438,500	<i>total Transaction Costs + Long Term Stewardship Costs</i>

REVENUES

<u>Revenue Sources</u>	<u>Town/SELT</u>	<u>Notes</u>
Government		
Town Conservation Fund	\$250,000	Via Conservation Bond
Private Fundraising		
GBRPP	\$15,000	Appraisal & Transactional Grants
Private gifts	\$98,500	Private fundraising via SELT
Landowner Bargain Sale-CE	\$75,000	Pending P&S Agreement
TOTAL REVENUES	\$438,500	



- Proposed Easement Boundary (~28 acres)
- Proposed Excluded Area (~3 acres)
- Wetlands
- Intermittent Stream
- Town boundary



1:3,400



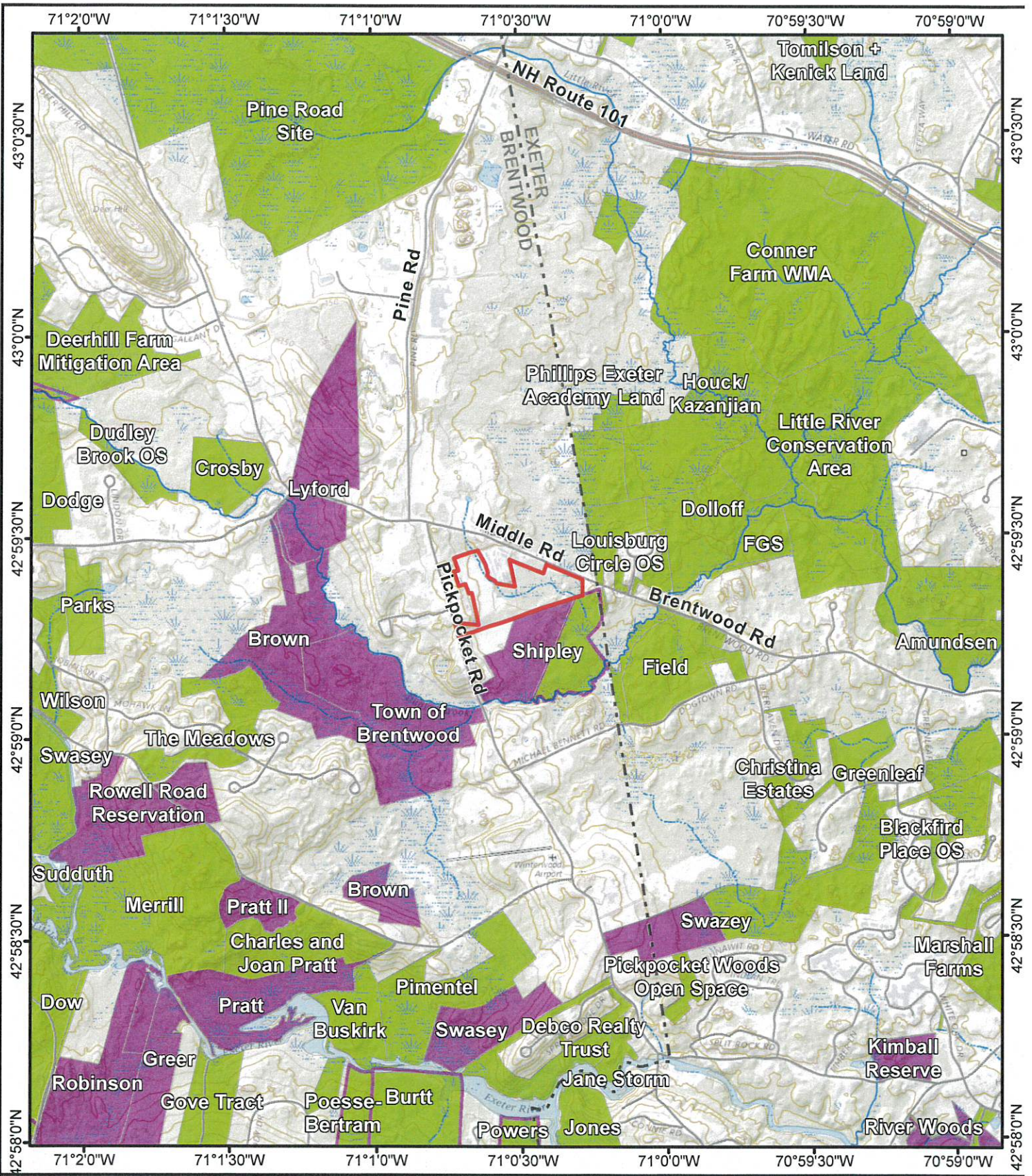
**Fuller Property
Aerial Map
Brentwood, NH**

Map prepared by
Southeast Land Trust of NH
October, 2022



Boundary and feature locations are approximate.

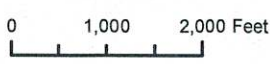
SELT



- Project Boundary
- SELT Conservation Land
- SELT EI
- Conservation & Public Land
- Town boundary

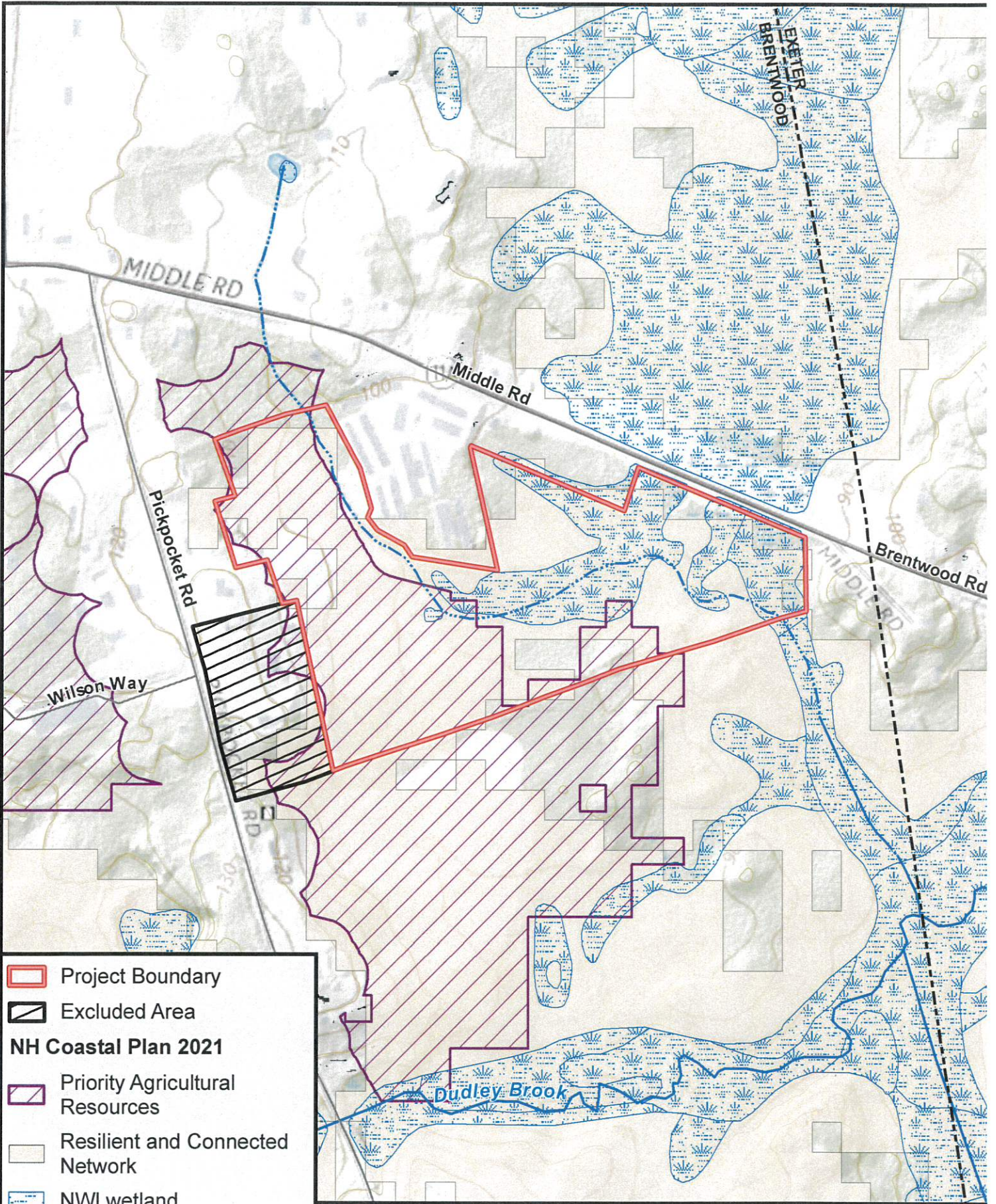


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Fuller Project & Nearby Conservation Lands Brentwood, NH

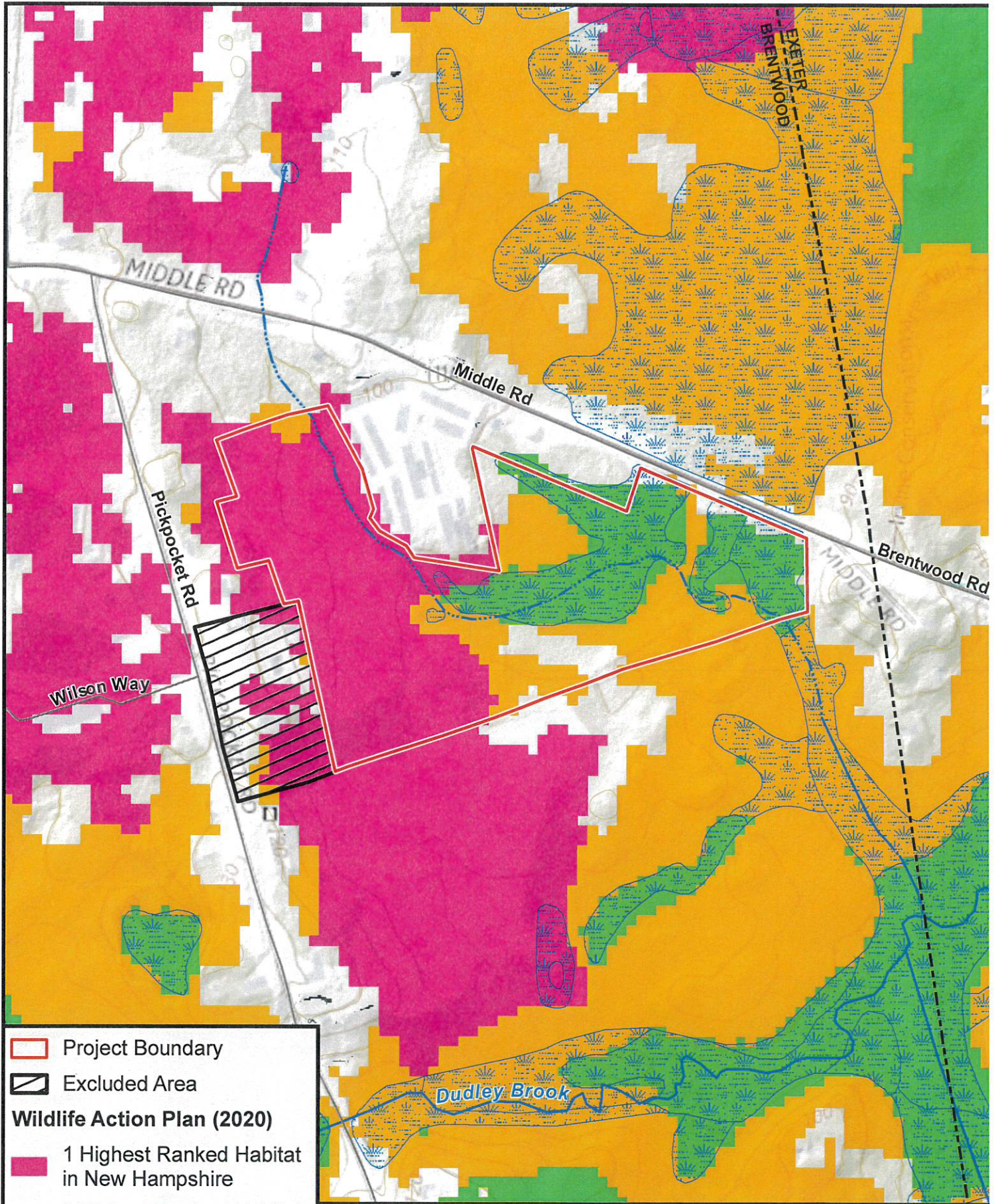
Boundary and feature locations are approximate. Conservation lands from NH GRANIT. USGS topographic base map (published 1970-1998) processed by NH GRANIT; coordinate system is NAD83 UTM Zone 19N meters.



- Project Boundary
- Excluded Area
- NH Coastal Plan 2021**
- Priority Agricultural Resources
- Resilient and Connected Network
- NWI wetland
- Stream
- Intermittent Stream
- Town boundary

**Fuller
Coastal Plan**
1:5,000

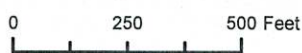
0 250 500 Feet

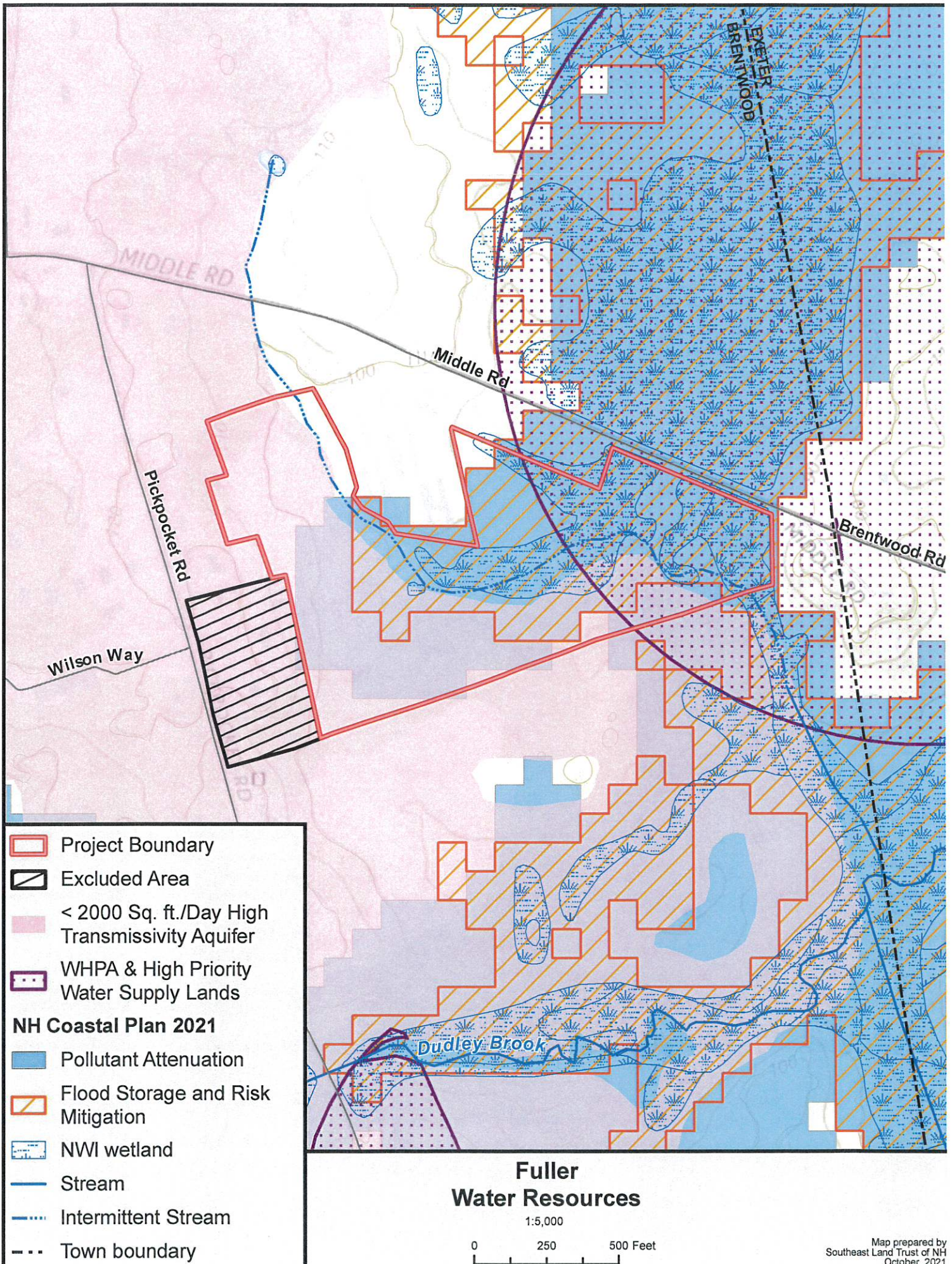


- Project Boundary
- Excluded Area
- Wildlife Action Plan (2020)**
- 1 Highest Ranked Habitat in New Hampshire
- 2 Highest Ranked Habitat in Biological Region
- 3 Supporting Landscapes
- Town boundary

**Fuller
Wildlife Action Plan**

1:5,000

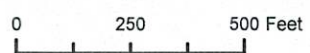




- Project Boundary
- Excluded Area
- < 2000 Sq. ft./Day High Transmissivity Aquifer
- WHPA & High Priority Water Supply Lands
- NH Coastal Plan 2021**
- Pollutant Attenuation
- Flood Storage and Risk Mitigation
- NWI wetland
- Stream
- Intermittent Stream
- Town boundary

**Fuller
Water Resources**

1:5,000





**Farmland soils
Fuller Project
Brentwood, NH**



Map prepared by
Southeast Land Trust of NH
October, 2021

SELT

Boundary and feature locations are approximate.

- Project Boundary
- Excluded Area
- All areas are prime farmland
- Farmland of statewide importance
- Farmland of local importance
- Wetland
- Intermittent Stream



1:2,700



Account Number	Account Name	This Year Budget	This Year Actual	Next Year Requested	Next Year Approved
-----	-----	-3	-4	-5	-7
EXECUTIVE OFFICE					

Executive Office					

01-4130-01-130	EXC - SELECTMEN	16400	10577	16400	_____
01-4130-01-225	EXC - FICA/MEDICARE	1253	809	1253	_____
01-4130-01-250	EXC - DRUG/ALCOHOL TESTING	500	160	500	_____
01-4130-01-251	EXC - PRE EMP PHYSICALS	2000	267	2000	_____
01-4130-01-252	EXC - RECRUITMENT EXPENSES	750	23	750	_____
01-4130-01-253	EXC - ANNUAL MEDICAL EXAMS	2000	304	2000	_____
01-4130-01-299	EXC - LOSAP	1	_____	1	_____
01-4130-01-551	EXC - ADVERTISING/NOTICES	900	212	900	_____
01-4130-01-562	EXC - CONSORTIUM	200	200	200	_____
01-4130-01-570	EXC - BOOKS & PUBLICATIONS	1	_____	1	_____
01-4130-01-689	EXC - FLORAL TRIBUTES	1000	507	1000	_____
01-4130-01-999	EXC - CONTINGENCIES	_____	_____	_____	_____
** TOTAL** Executive Office		25005	13059	25005	_____

Account Number		Account Name		This Year Budget	This Year Actual	Next Year Requested	Next Year Approved
-----	---	-----			-3	-4	-5
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Legal							

01-4153-12-310	L/G	-	ENGINEERING & SURVEYING	engineering and driveway permit fees	3625	3212	3625
01-4153-12-320	L/G	-	TOWN ATTORNEY	town counsel	33500	20885	33500
				locate town boundaries, required every			
01-4153-12-322	L/G	-	PERAMBULATIONS	7 years per RSA	1		1
01-4153-12-999	L/G	-	PAYMENTS TO IRS		1		1
			TOTAL Legal		37127	24097	37127
			TOTAL LEGAL		37127	24097	

WELFARE

Welfare			Account Name	This Year Budget	This Year Actual	Next Year Requested	Next Year Approved
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01-4442-35-110	W/F	-	SALARIES	welfare director salary 675*4	2700	2025	2700
01-4442-35-225	W/F	-	FICA/MEDICARE	payroll taxes for salary	205	155	205
01-4442-35-240	W/F	-	PROFESSIONAL TRAINING	training registration fees	1		1
01-4442-35-562	W/F	-	DUES	membership dues	1		1
01-4442-35-685	W/F	-	DIRECT ASSISTANCE	direct assistance to residents	4500	1550	4500
TOTAL Welfare					7407	3730	7407
TOTAL WELFARE					7407	3730	

WASTE COLLECTION

Recycling

Account Name				
01-4323-28-393	W/C	-	RECYCLING PICKUP	recycling collection
01-4323-28-606	W/C	-	RECY SUPPLIES/BINS	50 bins @ \$6.50 = 325

TOTAL Recycling

Waste Disposal

01-4323-29-394	W/C	-	RUBBISH COLLECTION	curbside collection
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TOTAL Waste Disposal

**

TOTAL** WASTE COLLECTION

WASTE DISPOSAL

Waste Disposal

01-4324-29-396	W/D	-	LANDFILL FEES	disposal tonnage 12,800 average monthly cost
01-4324-29-562	W/D	-	DISPOSAL DUES	

TOTAL Waste Disposal

Total Collection and Disposal

This Year Budget	This Year Actual	Next Year Requested	Next Year Approved	
	-3	-4	-5	-7
67400	45154	70137	_____	_____
325 (20		325	_____	_____
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67725	45134	70462	_____	_____
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252750	168567	261371	_____	_____
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252750	168567	261371	_____	_____
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320475	213701	_____	_____	_____
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143087	108634	153600	_____	_____
4890	4512	4890	_____	_____
-----	-----	-----	-----	-----
147977	113147	158490	_____	_____
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468452		490323	_____	_____