

Conservation Commission Meeting Minutes January 10, 2024

Members present: Becky Dunham (Chair), Bob Stephens (Vice Chair), Andy Laroche, Brian Silva, Lise McNaughton, Andy Artimovich (Selectboard Rep), Doug Cowie (alternate), Michelle Siudut (alternate)

Absent: Matt Lapinski (Secretary)

Dunham called the meeting to order at 6:30 pm. Motion by Laroche, seconded by Silva, to allow Siudut and Cowie to vote, as needed; approved unanimously.

Minutes Review

The December 13 2023 minutes were reviewed. One change was discussed to reword item d under Old Business to say "The Commission had also requested follow-up with the NH Dam Bureau regarding their opinion on the application to remove the dam." Motion by Cowie, seconded by Laroche, to accept the minutes as amended; approved unanimously.

McNaughton arrived at 6:45, so Siudut rescinded herself as a voting member.

Bills and Reimbursements

The invoice for \$200 in dues to Exeter-Squamscott Local River Advisory Committee (ERSLAC) has been paid. Received 2023 annual report from ERSLAC. Stephens suggested we request copies of the minutes be sent to us after each meeting.

Correspondence and Legal Notices

224-006.000, 224.006.001 proposed subdivision. Owners want to divide the parcel into 2 building lots. A variance was granted by the Zoning Board and approved by the Planning Board.

209.068.000. Lambert & Sons/Haffners went to ZBA to renew variances that had expired.

224.100.000 Granese-Brentwood LLC went before the Planning Board to request their hours be amended to 7am-7pm. The current business activities are in non-compliance. There will be a cease and desist to stop all work, and removal of all materials, which will probably take up to 90 days to go into effect.

300.001.002 for tax map 208.024.000 Original owner had 2 parcels; the front was zoned commercial, the lot behind was residential. Owners went before the Planning Board to have it rezoned as all commercial. There was a citizens petition/warrant by abutters, who complained they were not notified. The Planning Board approved the warrant for the properties to revert to the previous zoning (front commercial, rear residential).

Bruce Scamman from Emanuel Engineering appeared before ZBA on behalf of RE Prescott regarding the property formerly known as The Castles, where they would like to build a warehouse and offices. ZBA voted to allow that to move forward.

Old Business

Town Boundaries. Artimovich said *Fremont* is done. McNaughton said *Epping* borders are done and a report has been sent to the Town Administrator. Stephens has not completed *Exeter*. Lipinski was not present to report on the status of *Kingston*.

Alternate positions. Three candidates applied for 2 vacant alternate positions. On December 17, the SB did not approve ConCom's recommendations to appoint Jim Hajjar and Patrick Marcoux as alternates. All three candidates were then asked to appear at the SB meeting on Jan 2. Hajjar and Marcoux attended, Wofchuck did not. Some Commission members expressed concern about the SB process, actions and comments about the candidates on January 2. Dunham asked that since the notice to the candidates to appear stated they would be interviewed, the vote be postponed until Wofchuck appeared. Wofchuck is expected to attend the Jan 30 SB meeting.

Pickpocket Dam Removal. Artimovich reported that Robert Span attended the SB meeting last night to give an update. A citizens group composed of Brentwood and Exeter residents has formed, Friends of the Exeter River. Two Exeter selectmen backpedaled to say the Board is waiting for report results before making a decision to remove the dam. The engineering study will be posted on the Town of Exeter website on Feb 20; Exeter will have a public hearing on the engineering study on Feb 27 at Town Hall.

Advisory Roles. We do not currently have a ConCom representative attending the ERSLAC meeting, but Eric Turer is attending and will be asked to report. Dunham has started to attend Planning Board meetings as the ConCom representative and will continue to for the time being.

Easement Monitoring Update. McNaughton said all of the monitoring is done and reports have been filed. Stephens asked how much we were paying before the Commission took over doing the walks. Siudut said in 2019 the monitoring funds line was \$3500. SELT is now requiring a minimum amount of \$25K for a permanent easement monitoring fund per property.

Consultant. Dunham will set up a meeting with the potential consultant. If anyone wants to attend, let her know. Dunham and Stephens will work to refine the description.

Stevens Property. Bruce Stevens would like this property to be kept open. Thanks to Bob Magnussion & Doug Cowie who mow occasionally; Bruce would like more consistent maintenance. Stephens said ConCom had met with UNH to discuss a plan for mowing (alternating areas), paths, etc. This task may have been dropped due to the transition of chairmen. McNaughton will discern where we are in the process. The Commission had considered buying a mower, but perhaps the highway department could do it. The property was formerly used to graze cows; that is no longer happening, but a fence remains which nature has

grown into and should be removed. Bruce would like help removing the fence; maybe he/we could clear around the fence and then have the highway department pull the fence out. Stephens suggested the BOS ask the former grazer to remove the fence.

Property Reviews/Updates/Status

Fuller Property: A Full packet from SELT including Letter of Agreement, map, estimated budget and easement Deed (third but not final version) were distributed. The town will serve as the executory interest. The language is similar to Meadows Mirth, with changes that are unique to bond funding. This draft uses state language verbatim for agricultural usage and Brentwood adopted that language; it would neither require nor prohibit public/hunting access. Town Counsel has reviewed the agreement. SELT is anxious to move forward in January to utilize funds in a timely manner. Dunham read the Letter of Agreement. Cowie felt we should approve. Stephens is concerned about the \$25K monitoring fee; it seems excessive. Cowie/McNaughton said that cost accounts for perpetuity. Artimovich said SELT is responsible for raising any funds above the \$250K approved the BOS. Artimovich said SELT is likely just wanting the letter of agreement to be signed at this time, as the deed is still being finalized. Motion by Cowie, seconded by Laroche to sign letter of agreement; passed 5-2.

Spead Property. This is a ¼ acre property on Deerhill Road. The owners offered it for conservation on the condition it remains undeveloped and open in perpetuity. After discussion with Glen Greenwood, ConCom (McNaughton) will suggest to the owner that they offer it to the town through quitclaim deed.

Swasey Property. McNaughton and Dunham are meeting with Dexter and Charlton Swasey, Jeremy Lougee and Deb Gouard of SELT to discuss language in their easement on January 25. Dunham suggested an RFP be prepared for appraisal; Artimovich said SELT would pay for the appraisal. It was unclear if the town pays for the appraisal or SELT pays for it.

Tremallo Property. They have a 2 acre lot on Middle Road, which is connected to their original 5 acres, which they offered to put into easement, under the condition that the Town would pay for the appraisal and legal documents. The lot is currently unbuildable due to DOT site line restrictions, which would cost an estimated \$60K to correct. It was determined that this piece does not meet our mission, would not be worth the cost the town would have to expend, nor would it fall under the parameters of the bond funding. The benefit would greatly favor the Tremallos, rather than the Town. McNaughton will notify the Tremallos.

Webb Property. According to the Town Counsel, Brentwood could use the bond to purchase the Pine Road parcel but it would all need to be placed in easement. The SB did not want to purchase the entire property on Pine Road to put into easement as it is the last large parcel zoned commercial. The bond language will not allow us to purchase the entire property and subdivide, then sell off any portion. The alternative would be to have Mrs. Webb subdivide approx. 8 acres for commercial sale, and conserve the remainder. According to a communication from Lynn Merrill, Mrs. Webb's realtor, Mrs. Webb does not want to subdivide, so has decided not to move forward with seeking an easement at this time.

Forest Management Capital Reserve Fund

Dunham found a report from 2006 that was used as the basis for establishing the fund, but has found no other information. The report will be sent to the Trustees of the Trust Fund.

Other Business

Outreach to landowners. McNaughton has drafted a letter to landowners to inquire as to whether there is interest in placing their land in a conservation easement. Dunham reported there is a priority list that was created 5 years ago of properties which may be desirable for easement. Per Dunham, we will discuss this at a future meeting, in non-public. McNaughton and Dunham will work on this.

Dunham is drafting the ConCom submission to be included in the Annual Town Report; she will distribute it to members once it has been completed.

Next meeting would normally be February 14. However, this is also the snow date for the Budget Committee's public hearing. It was decided to move the ConCom meeting to Feb 7 at 6:30 pm.

Bruce Stevens shared information on the Exeter Dam issue. He has joined the email list of Friends of Exeter River. The hearing will be held at the Exeter old Town Hall on Feb 28. Bruce wondered if Brentwood would consider offering funding to help maintain/fix the dam, if that were an option. The Town (SB) and ConCom have remained neutral; at this time we would like more information and report/study results.

Motion by Cowie to adjourn, at 7:54 pm; passed unanimously.

Respectfully submitted,
Michelle Y Siudut