



CONSERVATION COMMISSION
Town of Greenland • Greenland, NH 03840
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MINUTES OF THE CONSERVATION COMMISSION

Wednesday, October 13, 2021 – 6:30 p.m. – Town Hall Conference Room

Members Present: Bill Bilodeau, Laura Byergo, Joe Fedora, Brad Lajoie, Lloyd Ziel (by phone)
Also Present: Jeremy Lougee, Southeast Land Trust; Alan and Steve Smith, Great Bay Farm

Chair Byergo opened the Conservation Commission meeting at 6:35 p.m. Attendance was taken and it was announced a quorum was present and the meeting was being recorded.

1. Southeast Land Trust: Jeremy Lougee

Jeremy Lougee, Southeast Land Trust, stated they were present for discussion purposes, to keep on schedule with other grant applications, and seek a warrant article. He was hoping for support from the Conservation Commission with funding through their Conservation Land Capital Reserve Fund.

J. Lougee addressed members concerns. Forest Management: A conservation easement will require a Forest Management Plan from a licensed New Hampshire Forester. The Forest Management Plan would need to be in place before the property owner does any type of forest management. If they are not planning on forest management for the next 10 years, they do not need to have one on file. However, the next time they did a timber harvest or other type of forest management, a Forest Management Plan would be required. L. Byergo noted certain criteria are required, including wildlife protection. J. Lougee reviewed the draft of the conservation easement. It is a working lands easement and a managed approach rather than a hands-off approach.

Public Access and Trail Opportunities: L-Chip requires affirmative public access for pedestrian use, not motorized vehicle access but on foot. They also require affirmative rights for hunting and fishing. J. Lougee noted the Smith's have never posted their land and it is always open for various activities. L-Chip does have allowances for anytime there is livestock in a field or crops being grown, those areas can be restricted by the farmer. If L-Chip is awarded to them, very specific language will be included in the easement. S. Smith, responding to a question for L. Byergo, stated that the side of the farm near the house was too wet for a trail. SELT wanted to protect the property for its agriculture resources and wildlife habitat. L-Chip, Bureau of Land Management, and Fish & Game spent several hours touring the fields with the property owner. A. Smith stated that during the L-Chip site visit they had identified a potential access point for a trail. On the largest portion of the property on Portsmouth Avenue, there was access on the property line next to the golf course years ago; there are granite posts where the gateway was located. Several people on the tour suggested a gravel road in that location as an access point to the woods. A. Smith noted that location on the map. A site walk of the property was scheduled.

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L. Ziel voiced his concern about forest fires and forest management that would keep the family safe as well as the value of the land. L. Byergo commented that L. Ziel had raised an interesting point. If the Smith's wanted to address it from their vast experience with the woodland, that would be fine. L. Ziel may have been speaking about a much larger issue. L. Byergo suggested that Ralph Cresta, Fire Chief, could speak with the Conservation Commission about those concerns. There are woods throughout Town, many of which are close to homes. S. Smith stated that the Forest Management Plan could include a fire plan.

L. Byergo verified that the amount needed, through a combination of sources, was approximately \$1.9 million. She asked J. Lougee if he had any updates from other potential grant sources. At this time there are firm commitments. The appraisal done last year will be redone; they anticipate it being completed in November. With the updated appraisal and the results of the three grants that have been submitted, they're hoping to finalize the budget. The Board of Selectmen would need to prepare any warrant article.

Members will do a site walk on Friday, October 15, 2021, at 11:00 a.m. Meeting location will be the proposed access point on Portsmouth Avenue.

The L-Chip Committee recently did a site walk; feedback was positive and they were enthusiastic about the site. The wildlife group felt the habitat was incredible along the fields and field edges. They will have a committee that makes a recommendation to the full board. SELT is hoping to hear by the end of November or early December. J. Lougee explained that 'affirmative access' provides the on-going and absolute right for the public to access the property with certain caveats (example: around active agricultural areas). There does not have to be a sign. It is a right that is permanently a part of the conservation easement that states the public can access the property. A. Smith added it was more of a restriction to them not going out and putting up 'Posted' signs.

J. Fedora questioned the statement in the biologist's report that mentioned the woodland area was not a real habitat area. J. Lougee responded that one of the things mentioned at both site visits was that the most valuable habitat was in the fields and along the forest edges.

L. Byergo stated that the Conservation Land Capital Reserve Fund was started in the early 2000's and built up slowly over time. She was concerned that money be left in 'the piggy bank'. A. Smith stated that the Board of Selectmen could present a warrant article after the Conservation Commission donated funds. The obvious alternative end use of the property was for housing. S. Smith stated that, as a Selectmen, it would be helpful to have a number for the budget; if a warrant article was needed, the Board would have an idea how much would be needed. He asked for a figure before the next Board of Selectmen meeting, or before the Budget Committee met. After a brief discussion, the Conservation Commission agreed to support SELT and the Great Bay Farm and recommended \$200,000 for the Conservation Land CRF.

James Connelly, 22 Charles Drive: Asked what other projects the Conservation Commission had planned. He stated that the Board of Selectmen needed to know the numbers and how much funding the project would receive. J. Connelly stated with that information the Board would be able to determine the taxation that would be palpable for Greenland residents. He felt it was a great project and if the Town had 'buckets of money' he would do it in a heartbeat. However, the tax rate had to be considered.

L. Byergo, responding to J. Connelly's question about other projects, stated with the Conservation Land CRF they were looking at being able to respond when people say they would like to be able to put

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something into an easement; there are pressures for development and people wanting to protect their land. It would be helpful if the Town had a little ammunition that did not require a Town Meeting. L. Byergo noted that the Conservation Land Fund CRF requires a Town Meeting vote.

MOTION: B. Lajoie moved that the Conservation Commission support the easement, with the road access, and donate the amount of \$200,000 to the Southeast Land Trust for the Great Bay Farm from the Conservation Land CRF. Second – J. Fedora; all in favor. MOTION CARRIED

2. Budget Concerns

L. Byergo discussed the Conservation Commission budget at the Board of Selectmen meeting on Tuesday, October 12, 2021. The current three-year warrant article will expire this year; an increase from \$10,000 to \$16,000 was requested due to updating the natural resources inventory, which requires a professional. L. Byergo explained the process of updating the natural resources inventory. An increase from \$1,000 to \$2,700 in the annual budget was also requested to move the cost of the summer intern from the warrant article to the Town budget as well as additional outreach programs. When all expenses have been paid from this year's warrant article, L. Byergo anticipated the remaining balance would be \$500. The remaining balance in the Conservation Commission budget will be approximately \$80 after all expenses have been paid.

J. Fedora added that L. Byergo did a nice presentation for the Selectmen that included the trail monitoring, easement monitoring, and maps showing those areas. J. Fedora noted that L. Byergo mentioned to the Selectmen during her presentation that the Planning Board requested that the Conservation Commission be pro-active with education about the wildlife corridors and other areas.

3. Easement Monitoring and Thompson Brook Trail

All properties have been completed; with the exception of Falls Way. L. Byergo stated she is waiting for the leaves to fall. A major job on Falls Way this year will be to go from point to point and relabel the easement property lines. Falls Way is planned for November 20 and 21, 2021.

4. Other Business

John Brackett, 60 Rosemary Lane, approached the Conservation Commission. He asked if they could devise a mechanism that required property owners selling large tracks of property to give the Town of Greenland the right of first refusal. J. Brackett continued that a developer would approach the property owner with a huge number for the whole piece. The next time the Town hears about it, the property is before the Planning Board for a subdivision. J. Brackett has spoken to the Town Administrator and was told it would be illegal to do that. J. Brackett requested that the Conservation Commission think out of the box and give landowners who are not necessarily conservation minded an incentive to offer their property to the Town first. He suggested a tax reduction for a certain number of years or fair market value over a number of years. J. Brackett further suggested that abutters may be willing to 'kick in' some money. J. Fedora responded that the tough part is the money aspect; taxes play a big part. L. Byergo stated it was hard to do prospective things. The Town is always looking at 'what is our budget right now'. L. Byergo appreciated that J. Brackett came to the Conservation Commission. B. Bilodeau stated that there should be a historic district in the center of Greenland. L. Byergo stated it was an excellent idea and would be worth thinking about and researching. She continued that support would be needed from other organizations; the Town would be unable to fund the whole thing outright.

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Boardwalk Extension: L. Byergo noted that after speaking with Larry Day, November will be the best time to work with volunteers on the boardwalk extension. Cleaning up the trail may also be done that day; November 27 and 28, 2021 is another possibility as a volunteer trail day. There was a possibility that the extension could also be done in December. L. Byergo has picked up the lumber.

Berg Easement: L. Byergo reminded members that the Board of Selectmen did not choose to support the Berg easement. The Bergs are working with Southeast Land Trust and there will be a site walk on October 19, 2021, at 9:30 a.m. L. Byergo asked B. Lajoie if he would be interested in doing the site walk and show where the culvert goes under I-95. L. Byergo will review the site with B. Lajoie before October 19th; he will be representing the Conservation Commission, maintaining the Commission's support for that easement.

Falls Way Easement Monitoring: L. Byergo and the intern will be doing the Falls Way easement monitoring on November 20 and 21, 2021. Monitoring will require two days because it is doing the easements around resident's property.

Recruitment Flier: L. Byergo gave copies of the recruitment flier to members and asked them to distribute them.

309 Portsmouth Avenue: The Planning Board would be reviewing 309 Portsmouth Avenue at their next meeting on Thursday, October 21, 2021. The Conservation Commission sent a letter to the Planning Board and DES requesting the parking lot proposal be downsized to lessen the impact to the wetlands.

Fish Ladder Meeting: L. Byergo and J. Fedora attended the meeting at the Winnicut River fish ladder. Also in attendance were NH State Senator Tom Sherman, representatives from Senator Shaheen and Senator Hassan's office, Fish and Game, and others. The fish ladder was not functioning as designed. The dry hydrant located in that area does not work. Fire safety in that area was a concern. L. Byergo added that Fish and Game's attempt to go back to the original designer of the fish ladder was not supported by the NH Attorney General. J. Fedora stated at the meeting he suggested the original designer may have insurance money available for that type of failure. There are funds remaining in the Fish and Game account for the ladder that may be able to be used to help with a new design for the dry hydrant. J. Fedora stated that Chief Cresta had suggested tying into the Portsmouth line. Senator Sherman's immediate concern was having water available in that area.

Trailhead Sign: The trailhead sign is still at the printers. It was not delivered in time for the 300th Anniversary because they did not receive the metal it would be mounted on in time.

Resignation: It was noted that Rich Collins has moved out of town and resigned from the Conservation Commission.

5. Approval of Invoice

L. Byergo suggested a one-year subscription to 'On-X Tracking' for the intern; this program shows the property lines. She will be able to create maps for the Conservation Commission using this program when monitoring. B. Lajoie recommended 'BaseMap' as a better app. L. Byergo felt it would be better to change next year; the intern knows how to use 'On-X' and it is the middle of the year. The cost for the one-year subscription is \$29.99.

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MOTION: J. Fedora moved to support the expenditure of \$29.99 for a one-year subscription to 'On-X' for the intern. Second – B. Bilodeau; all in favor. MOTION CARRIED

6. Approval of Minutes

MOTION: B. Bilodeau moved to approve the minutes of Wednesday, September 08, 2021. Second – J. Fedora; four in favor, one abstained (B. Lajoie). MOTION CARRIED

7. Adjournment

MOTION: B. Bilodeau moved to adjourn at 8:18 p.m. Second – B. Lajoie; all in favor. MOTION CARRIED

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| NEXT MEETING |
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Wednesday, November 10, 2021 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant