

HOLLIS CONSERVATION COMMISSION

Minutes of Pubic Meeting

February 2, 2022

Approved February 16, 2022

Regular Members: Tom Dufresne, Thomas Davies, Paul Edmunds, Mark Post, Joe Connelly
Alternate Members: James Plummer, Bernadette McQuilkin, Laura Bianco
Staff: Connie Cain, Amiee Le Doux
Selectboard: Paul Armstrong
Attendees: Jack and Lori Law; property owners, George and Gloria Burton; property owners, Gerry Gartner, David Harris, Peter Baker, David Gilmour, John Sias, Pamela Hicks, Fred Hooper, Joe Garruba, and other unidentified members of the public.

The meeting was called to order by Tom Dufresne at 7:02pm. T. Dufresne announced that Paul Edmunds would be giving the presentation for the Law property.

PUBLIC HEARING – Law Property, Richardson Road, MBLU 014-035

T. Dufresne opened the Public Hearing with the following statement: “In accordance with RSA 36-A:5 and RSA 675:7, the Hollis Conservation Commission is conducting this Public Hearing for the purpose of obtaining public input regarding the expenditure of \$860,000 of conservation funds for a fee simple deed for the property identified as Hollis Map-Block 014-035, containing 69.51 acres, and owned by the Gloria R, Law Revocable Trust. This land is located on Richardson Road in Hollis, New Hampshire.”

P. Edmunds began the PowerPoint presentation, describing the property as 69.5 acres of open land containing forested land containing approximately 34 acres of forested land, split evenly between pine and hardwood, 22 acres active agricultural land, with the remaining acreage wetlands. The access to the property will be to the east of the Law’s house lot on Richardson Road. From a conservation perspective, the property is considered highly desirable and contains a significant amount of highest rated wildlife habitat and agricultural soils, and will also provide water resource protection.

In the past, the HCC has purchased land at an average cost of \$5,000 to \$18,000 per acre. The per acre cost of the Law property is \$12,375. Funding for the purchase will be via the Land Use Change Tax (LUCT) issued when property is rendered ineligible for Current Use due to development. The HCC currently receives 100% of the LUCT issued by the Town.

The Law family’s wish is that the land would be conserved and remain open. The only improvement proposed on the property would be a walkway for hikers and bikers over the wetlands. The property would be open to passive recreational uses, such as hiking, sledding, nature observation, etc. Motor vehicles, hunting and trapping on the property will be prohibited. Additional costs for legal and other fees were detailed, with a total of \$13,700 being the estimated costs.

P. Edmunds gave a very warm “thank you” on behalf of himself and the HCC to the Law family for their generosity and kindness in working to conserve their land.

P. Edmunds noted that he had received two letters from Rogers Saunders, who was a member of the former Land Study Protection Committee, which had been working on preserving the property for a number of years; and from Bill Lowman; both letters support the HCC purchase of the property. P. Edmunds also read an excerpt from Mr. Saunders’ letter to the HCC, expressing his knowledge of the property and his support.

T. Dufresne opened the floor for Public Comments.

Jack Law, property owner thanked P. Edmunds and the HCC board for their efforts to make this purchase a reality; commending P. Edmunds on his negotiation skills. J. Law asked a brief question about the location of the parking lot. P. Edmunds addressed that the parking lot would be small and inoffensive with four or five parking spaces near the entrance off Richardson Road. Complaints have been made in the past over the lack of parking areas near or on other Conservation lands, and the parking area would be used for both pedestrian and horse riders using the property.

J. Law also commented on the decision to prohibit motor vehicles and hunting and trapping on the property. When he and his wife bought the property in 1978, there were not many houses nearby. The neighborhood has grown significantly, and wanted to provide some protection to his neighbors and the area in general.

Gerry Gartner, Dow Road thanked the Law Family for their generosity and conveyed his support for the property purchase.

62 *David Harris, Richardson Road* expressed his concerns with the purchase. He felt that the construction of a parking area would
63 affect the integrity of the road with increased traffic, car accidents, and the possibility of the road needing to be paved. He
64 further expressed additional concerns that the parking lot would create a “hub” that would bring excess lights, garbage, and
65 noise, etc. D. Harris requested that the board acquire a state approved traffic study. Both T. Dufresne and P. Edmunds repeated
66 that it would be parking for 4-5 cars at the most.

67
68 *Peter Baker, Buttonwood Drive* stated that the Law property had been noted in the last Master Plan update as important to
69 preserve. When the Land Protection Study Committee was originally created, they reviewed properties important to preserve
70 and the property was again selected as important to preserve. He felt fortunate that the HCC has been able to preserve both this
71 and the Ernest Hardy property on Baxter Road. He requested that the HCC consider delineating the wetlands to make sure that
72 there is documentation. He asked if the property would be protected by deed language or a Conservation Easement. P. Edmunds
73 responded that Town Attorney Christopher Drescher is in the process of creating the language, and that restrictions would be
74 part of a Conservation Easement to be placed on the land after purchase. P. Baker expressed concern about the easements, the
75 documentation, and making sure that the restrictions and activity list would remain maintained. He also expressed his support
76 for the board to purchase the Law property.

77
78 *David Gilmore, Depot Road* noted that recently he had walked the property, and observed the beaver dam and blue heron nests.
79 He conveyed his support for the purchase.

80
81 *John Sias, North Pepperell Road* Expressed his love for Hollis, its rural character and his concern for future developments that
82 might come into town. He expressed some of the Town’s features he hoped would continue to be preserved as part of life in
83 small town New Hampshire. He noted that Mr. & Mrs. Law have done much more for the Town and the neighboring
84 communities than the public was aware. He acknowledges that nothing is forever, but some things can be protected. He
85 conveyed his support for the purchase.

86
87 *Pamela Hicks, Maple Knoll Drive* expressed her gratefulness for the HCC’s work and explained that developments increase
88 taxes, while the purchase of conservation land would keep taxes low and preserve the rural nature of the Town.

89
90 *Fred Hooper, Worcester Road* addressed the board in favor of the purchase, pointing out that the purchase of this land would
91 be a wonderful investment, it is the Town’s obligation to purchase and preserve these “gems,” and this purchase is an excellent
92 use of taxpayer money. Mr. Hooper expressed a warm thank you to the Law and Burton families.

93
94 *Joe Garruba, Winchester Drive* thanked the board for their detailed report on the properties and thanked that Law family for
95 their generosity. Mr. Garruba urged the board to purchase the Law property.

96
97 T. Dufresne noted that the HCC would vote on the purchase of both the Law and the Burton properties after the conclusion of
98 the public hearings.

99
100 **PUBLIC HEARING – Burton Property, Rocky Pond Road, MBLU 017-013-001**

101
102 T. Dufresne opened the Public Hearing with the following statement: “In accordance with RSA 36-A:5 and RSA 675:7, the
103 Hollis Conservation Commission is conducting this Public Hearing for the purpose of obtaining public input regarding the
104 expenditure of \$375,000 of conservation funds for a fee simple deed for the property identified as Hollis Map-Block 017-013-
105 001, containing 14.12 acres, and owned by George “Bill” & Gloria Burton. This land is located on Rocky Pond Road in Hollis,
106 New Hampshire.”

107
108 T. Dufresne began the PowerPoint presentation describing the property as 14.12 acres of open land and wetlands, to the
109 immediate west of the existing Transfer Station on Rocky Pond Road. Both the DPW and Selectboard were interested in this
110 land. Due to time constraints, the Selectboard asked that the HCC purchase the property instead of putting it on a town warrant
111 article to be voted on at future town meeting. The HCC and the Selectboard have an understanding that the Town will be
112 purchasing 4.0 +/- acres for \$275,000 from the HCC in the future to be used as a Transfer Station expansion. As the property
113 owner has had another offer for the property at a higher price, the property owner did not wish to wait to sell the property.
114 While the purchase price is about \$26,560 an acre, with the proposed future purchase by the Town, the remaining 10 +/- acres
115 will have a net per acre cost of \$10,000 to the HCC, which is in keeping with past purchases. This type of arrangement is not
116 usually preferred, it was felt by both the DPW and the Selectboard that it will not be available in the future. Town Attorney
117 Christopher Drescher has indicated that HCC funds can be used in this manner, as the primary goal is to protect the wetlands.
118 The HCC did not pursue an appraisal because they felt that the pricing was fair. The land is an excellent wildlife habitat and is
119 comprised of about 4.5 acres of wetlands with the remaining being wooded. It is felt that at least 3 house lots could be obtained
120 from the lot. Additional costs for legal and closing fees were detailed, with a total of \$3700 being the estimated costs.

121
122 T. Dufresne opened the floor for Public Comments.

124 *Peter Baker, Buttonwood Drive* had several questions/comments.
125 Was this approved by the Selectboard? T. Dufresne stated yes; Selectman P. Armstrong also stated yes.
126 Has the wetland area been delineated? T. Dufresne answered not yet, but that the wetlands would be delineated after the
127 purchase to the HCC but before the 4 +/- acre transfer to the Town.
128 Has a Phase II Environmental Study been completed? T. Dufresne answered no, because there was no evidence found to
129 indicate that it was necessary. P. Baker requested that the HCC conduct such a study, due to the proximity of the Transfer
130 Station and the prior use of the Transfer Station was as a dump site.
131 P. Baker stated that he was against buying wetlands, as no development can occur on wetlands and they have little to no value;
132 why spend the money?
133

134 *Joe Garruba, Winchester Drive* expressed concern about the property being developed into condominiums if the HCC did not
135 purchase the land, due to the recent transfer of abutting properties to a developer. The property is also in the Water Supply
136 Conservation Zone, and is sited over a large aquifer. He felt the property was worthy of conservation on its own. He thanked
137 the HCC for considering this property and urged the HCC to vote in favor of this expenditure.
138

139 *George "Bill" Burton, property owner* thanked the board for their efforts and time, along with reassuring the HCC and the
140 public that there is significant wildlife activity on the property and that this purchase would be good for the town.
141

142 *Fred Hooper, Worcester Road* expressed his concern about the environmental status of the property but was in favor of the
143 purchase. T. Dufresne explained what a Phase I Environmental Study would look for, such as oil drums, oil slicks on the
144 property, or other evidence of contamination. None had been found; and he reassured F. Hooper that according to the study,
145 there was no evidence of contamination from the previous dump.
146

147 *Peter Baker, Buttonwood Drive* spoke again about his concerns with possible leakage from before when the abutting parcel of
148 land was a dump instead of a transfer station. He also was concerned that the Selectmen would get the deed to the land instead
149 of the HCC. He reminded members of the Worcester & Hardy Field purchases in 1994, and that the conservation protections
150 were added at a later date.
151

152 Seeing no other public comments forthcoming for either property, T. Dufresne ended the public comment portion of the meeting
153 at 8:08 pm.
154

155 **CLOSE OF PUBLIC HEARING**

156

157 *T. Dufresne motioned to close the Public Hearing for the Gloria R. Law Revocable Trust property on Richardson*
158 *Road, identified as Hollis Map-Block-Lot 014-035; seconded by J. Connelly.*
159 *and*

160 *T. Dufresne motioned to close the Public Hearing for the George & Gloria Burton property, identified as Hollis Map-*
161 *Block-Lot 017-013-001; seconded by J. Connelly.*
162

163 *Voting in favor to close the Public Hearing were T. Dufresne, T. Davies, M. Post, P. Edmunds and J. Connelly; none*
164 *opposed or abstained. The motions to close the Public Hearings was approved at 8:09 pm.*
165

166 **PUBLIC HEARING VOTE TO EXPEND FUNDS**

167

168 *T. Dufresne motioned to approve the Law Property purchase and expenditure of \$873,700, to include \$860,000*
169 *purchase price, and \$13,000 for legal and other costs, seconded by P. Edmunds. Voting in favor were T. Dufresne,*
170 *T. Davies, M. Post, P. Edmunds and J. Connelly; none opposed or abstained, and the motion to expend was*
171 *approved by a vote of 5-0-0.*
172

173 *T. Dufresne motioned to approve the Burton Property purchase and expenditure of \$378,700, to include \$375,000*
174 *purchase price, and \$3700 for legal and other costs, seconded by J. Connelly. Voting in favor were T. Dufresne, T.*
175 *Davies, M. Post, P. Edmunds and J. Connelly; none opposed or abstained, and the motion to expend was approved*
176 *by a vote of 5-0-0.*
177

178 T. Dufresne called a 5-minute recess called at 8:11 pm. The Public Meeting was called back to order at 8:17 pm.
179

180 **BOARD & COMMITTEE UPDATES**

181

182 *Treasurers Report – Thom Davies*

183 In January 2022, additional Land Use Change Tax funds of \$389,400 was added to the account balance. This gives a balance
184 of \$2,334,356.49 as of January 31, 2022, of which all but the \$10,000 stewardship reserve is available as cash.
185

186 *Ten Year Report – Joe Connelly*
187 The Ten Year report covered the years 2010-2021 of HCC achievements. Due to space restraints, it will not be included in
188 the 2021 Town Report. Discussion took place on the possible solutions to inform the public, with the final decision to print
189 glossy copies of the report to pass out at the 2022 Town Meeting.

190
191 *J. Connelly motioned to expend \$800 for the purpose of printing the HCC Ten Year report for distribution at the*
192 *2022 Town Meeting, seconded by T. Davies. All in favor, none opposed or abstained, and the motion to expend was*
193 *approved by a vote of 5-0-0.*
194

195 **NEW OR CONTINUING BUSINESS**

196

197 *Jim Oehler Presentation*

198 T. Dufresne would like to have Jim Oehler speak to the HCC and other land Boards/Committees about his management
199 report on the Town Forest, presented to the Selectboard earlier this year. He would like to schedule this for the April 6, 2022
200 meeting. Members in agreement.
201

202 *Burton Property Title Search*

203 P. Edmunds received an invoice from Atty. Tom Quinn in the amount of \$1607.50 for the George & Gloria Burton property
204 Title Search.

205 *P. Edmunds motioned to expend \$1607.50 as payment to Atty. Tom Quinn as detailed; seconded by M. Post. All in*
206 *favor, none opposed or abstained; motion carried 5-0-0.*
207

208 P. Edmunds stated that the Law paperwork was close to completion; documents from Atty. Christopher Drescher were
209 received earlier today. Selectman Paul Armstrong will advise Town Administrator Lori Radke of tonight's vote and request
210 that the properties be placed on the agenda for February 8, 2022.
211

212 **MINUTES**

213 *T. Dufresne motioned to accept the public minutes of December 20, 2021 and January 19, 2022 as written;*
214 *seconded by P. Edmunds. All in favor, none opposed or abstained; motion carried 5-0-0.*
215

216 *T. Dufresne motioned to approve the non-public minutes of December 20, 2021 with a revision to lines 35-36;*
217 *seconded by T. Davies. All in favor, none opposed or abstained; motion carried 5-0-0.*
218

219 *T. Dufresne motioned to accept the non-public minutes of January 19, 2022 as written; seconded by P. Edmunds. All*
220 *in favor, none opposed or abstained; motion carried 5-0-0.*
221

222 **NON-PUBLIC SESSION**

223 *T. Dufresne motioned to enter into Non-Public session to discuss potential land acquisitions under RSA 91-A:3, II*
224 *(d); seconded by T. Davies. T. Dufresne polled the members; voting in favor were T. Dufresne, T. Davies, P.*
225 *Edmunds, M. Post, and J. Connelly; none opposed or abstained, and the motion carried 5-0-0. The HCC entered*
226 *into Non-Public Session at 8:45 pm.*
227

228 **RETURN TO PUBLIC SESSION**

229 *T. Dufresne motioned to conclude the Non-Public session and to keep the minutes sealed until voted by the HCC to*
230 *release, seconded by T. Davies. T. Dufresne polled the members; voting in favor were T. Dufresne, T. Davies, P.*
231 *Edmunds, M. Post, and J. Connelly; none opposed or abstained, and the motion carried 5-0-0. The HCC concluded*
232 *Non-Public Session at 8:52 pm.*
233

234 **ADJOURNMENT**

235 *T. Dufresne motioned to adjourn the meeting, seconded by T. Davies. Voting in favor were T. Dufresne, T. Davies,*
236 *M. Post, P. Edmunds, and J. Connelly; none opposed or abstained. The motion to adjourn passed by a vote of 5-0-0,*
237 *and the meeting adjourned at 8:53 pm.*
238

239 Sincerely,
240 Amiee Le Doux
241 Staff
242