

HOLLIS CONSERVATION COMMISSION

Minutes of Meeting

September 21, 2016

Approved October 5, 2016

Present:

Regular Members: Tom Dufresne, Thomas Davies, Cathy Hoffman, Mary Jeffery, Peter Baker, Jonathan Bruneau, Laura Bianco.

Board of Selectmen, Ex-Officio: Peter Band.

Staff: Connie Cain.

Guests: Douglas Nye; Ryan Young, SPNHF.

The meeting was called to order at 7:00 pm.

AMES ROAD, MBLU 046-012, PROPOSED NEW CONSTRUCTION

D. Nye, property owner, requested to meet with the HCC on the advice of Mark Fougere, Town Planner. He is proposing construction of a new house on an existing lot of record, containing 1.10 +/- acres. This lot was formerly the site of a water-powered grist mill in existence from ca 1793 until 2000. The grist mill foundation remains on the property, which has frontage on both Ames and Witches Spring Roads. The house size will be approximately 1400 square feet; the Nye's are planning on moving into the house when complete. An old drainage ditch runs through the proposed site, and the proposal calls for the installation of a diversion dam as had previously been on the property when the grist mill was in use; evidence of the same is still visible on the property.

D. Nye explained that the original plan was to use the grist mill foundation as the foundation for the new house, but it was found that the foundation is not square and a new foundation on the same footprint is being proposed. The proposed house site is approximately 5 feet away from wetlands on the property.

C. Hoffman noted that Mr. Nye presented the construction plan to the PB at their meeting the previous night, and they have scheduled a site walk before their next meeting on October 18, 2016. As a grist mill was previously located on the property, the proposed house construction constitutes a change in use, and requires PB approval. P. Band asked what the PB will be looking for from the HCC; C. Hoffman stated that the PB will be looking for HCC input on the site, as the lot is non-conforming, the house will be constructed approximately 5 feet from the wetland in the wetland buffer, a portion of the lot is in the flood plain, and the proposed site does not meet the 50' setback from the road. She also noted that the PB has asked for an updated plan to show any changes made by D. Nye since the original plan was presented, and that the flood plain also be shown.

M. Jeffery asked if any portion of the previous diversion dam could be used for the new one; P. Band asked what effect the change on water flow in that area would have on the abutters and environment? C. Hoffman noted that Witches Brook was to the north of the lot. D. Nye stated that he has been working with abutters in the "exhaust area," and has water rights on the property per deed. T. Davies asked about the proposed septic plan; D. Nye stated that the proposal calls for the septic to be located off of Witches Spring Road, at about a 30 degree angle.

D. Nye stated that he has been working with a contractor to protect the wetlands on the property, and explained the process, which involves placing steel pilings around the area, building a granite wall (using the granite blocks from the existing foundation), and removing the pilings after the granite wall construction. D. Nye stated that the contractor that he is working with has experience on this type of system, and does the same work for the State. C. Hoffman noted that this has not been attempted in Hollis before. J Bruneau asked if the granite wall would allow water to go around; D. Nye stated that pipes will be installed to provide for potential 100 or 500 year flood events. The granite wall will be approximately 65 feet in length. He also noted that the wetlands had been previously delineated by a soil scientist, and most of the markers are still up.

T. Dufresne felt that with such an unusual situation, a site walk for HCC members would be warranted. After discussion with D. Nye, a site walk will take place on Saturday, October 1st at 9:00 am. This would allow HCC members to give the PB some input on the site prior to the October 18th meeting.

(Douglas Nye departed the meeting at 7:35 pm.)

SULLIVAN FARMS CONSERVATION EASEMENT, HOWE LANE

Ryan Young, Land Agent for the Society for the Preservation of New Hampshire Forests (SPNHF) addressed the HCC in regards to a proposed Conservation Easement on the Sullivan Farms property in Nashua. There are also two lots associated with the farm in Hollis at the Nashua boundary. (Staff Note: These two parcels are MBLU 033-010, 6.12

acres and 033-011, Howe Lane, 1.07 acres.) This had been brought to the attention of the HCC a few years ago, but due to Federal estate tax issues, the project was stalled. At the present time, there are no conservation restrictions on the properties, and as there is one sole owner, she would prefer a conservation easement to protect the property from development while allowing the agricultural concern to continue. If there is no protection put into place, it would probably be sold for development after her passing.

The conservation easement proposal currently calls for 2 areas to be excluded from the easement, one where the current buildings are and approximately 1 acre across the road to be used as possible worker housing or agricultural buildings in the future; development would be limited to those uses only, both sites are in Nashua. SPNHF is to purchase the easement from the owner, and has applied for grant funding, with LCHIP doing a site walk on the weekend of September 24-25th. It is hoped that the Conservation Easement area will cover both the Nashua and Hollis properties; the City of Nashua is hopefully committing funds towards the easement. R. Young wanted to bring the project forward again, and ask if the HCC would support and possibly contribute funding towards the easement.

P. Baker reminded members that if the Town, or any of its Boards or Committees, wishes to contribute funding towards the easement, it would need to be towards the Hollis properties only and the Town would have to own some sort of interest in the property prior to committing funding. R. Young agreed, and stated that an easement could be done for the Hollis portion only, assigning executory interest to the Town. T. Davies asked what kind of interest could be done to the Town; R. Young stated that it depends on what the Town wants. The Town could request restrictions, such as no buildings in Hollis, or other parameters, as part of the easement. The easement can be worded to meet the Town's requirements; it is anticipated that there will be at least 4 executory interest holders at this time.

R. Young noted that the original property appraisal done in 2009, was being updated to reflect the current property value; some additional changes to the restricted area will also affect this. In 2009, the conservation easement was valued at \$1.25 million, or approximately \$29,000 an acre; it is anticipated that this value will increase. The Hollis portion of the easement, in 2009, was valued at \$200,000, or 15% of the property. The updated summary appraisal should be available in October 2016. At this time, the Agricultural Conservation Easement Program-Agricultural Land Easements (ACEP-ALE) Grant program (former USDA Ranch & Farmland Grant) has committed to funding ½ of the purchase via matching grants. While R. Young is not looking for a commitment at this meeting, if the HCC or the Town could provide at least a fourth of the Hollis appraised value, it would be considered generous. This would also guarantee that the Hollis portion of the property would receive a conservation easement to protect those areas from development. R. Young asked if members would like to arrange a site walk of the property; yes.

T. Dufresne reminded R. Young and members of the funding process, it can be quite lengthy. P. Baker asked if the summary appraisal can be forwarded to the HCC when it's available; yes. T. Davies asked if the Town's possible contribution is a requirement for the grant; yes. R. Young does not expect the conservation easement process to be completed until March 2018. P. Baker suggested that a formal letter, to both the HCC and the BOS, be sent as the first step in generating official discussion of any possible funding.

(Ryan Young departed at 7:55 pm)

ONGOING BUSINESS

Moose Plate Grant Application

T. Dufresne noted that LeeAnn Wolff had communicated that there will be no Moose Plate Grant application this year, due to the amount of research needed for the property; the deadline for the grant was September 1, 2016. It is anticipated that an application will be submitted in 2017 for this property.

Old Home Days Wrap-up

T. Davies noted that 26 participants had submitted their answer cards for the scavenger hunt raffle; there were 4 prizes available. At this meeting, the winners were drawn, as follows:

1.) Dremel Tool, donated by Home Depot, went to Samuel B.

2.) \$50 Target gift card went to Carol B.

3.) \$50 Dick's gift card went to Tamra L.

4.) \$50 Amazon gift card went to Kelly W.

L. Bianco will contact the winners and arrange for prize delivery. It was felt that the scavenger hunt was a great success, but planning should begin a little earlier if the same were to occur for 2017.

T. Davies was able to meet with the revitalized HBHS Green Group, and he felt that the HCC could work with the group on recycling. At Old Home Days, the Green Group was collecting donations towards the purchase of recycling bins and they will be taking on the task of recycling any items collected. P. Baker thanked and commended T. Davies for his continuing efforts on recycling at the schools for the past 20+ years.

Stefanowicz Farm Update

T. Dufresne stated that the purchase and sales agreement has been approved by the Town Attorney, and has been sent to the Stefanowicz's attorney. The title search has commenced, and is ongoing.

BOARD & COMMITTEE UPDATES

Board of Selectmen – Peter Band

P. Band stated that the Selectmen are anxious to see the Howe Fields Conservation Easement finalized, and will be holding a Public Hearing during their meeting of October 10th to accept grant funds received. The final easement document and plan are being worked on by the Town Attorney, and once complete, will be made available to the BOS for review and approval.

Planning Board – Cathy Hoffman

At the September 20, 2016 meeting, the following items were discussed:

- 1.) Douglas Nye, New Construction on Ames Road, as previously discussed;
- 2.) Two Lot Line Relocation Plans were presented, the first for property at 0 Depot Road, MBLU 050-013; 4 Cleasby Ln, MBLU 050-011; and 15 Broad St, MBLU 052-061. The second was for property at 60 Ridge Rd, MBLU 012-013, and 74 Ridge Rd, MBLU 012-014. Both plans request reconfiguration of the lot boundaries.
- 3.) Subdivision of one lot into two, 154 Proctor Hill Rd, MBLU 012-018. The subdivision plan proposes a new 3 acre residential lot.
- 4.) The proposed recreational field on the Hardy South Lot, Depot Rd, MBLU 018-014. This plan had been presented to the HCC at the September 7th meeting. During the PB meeting, an abutter requested that the PB add that trees for screening between his house and the south end of the field as a condition. Also, a wetlands scientist discussed drainage from the field; with the existing plan, no flowage changes are expected. If flowage changes occur, the Town would have to pay to correct. Additional discussion occurred with HCC members regarding construction, wetlands, drainage, pesticides, and DES permitting process. C. Hoffman will forward the PB minutes to the HCC when available.
- 5.) Hollis Montessori School, Site Plan Amendment, 7+9 South Merrimack Road, MBLU 036-032. As required, the Montessori School presented its plan to the Hollis Zoning Board of Adjustment, who granted a special exception with 20 separate conditions. Based on these conditions and discussion with the PB, the applicant withdrew its application and will resubmit a new plan at a later date to incorporate the ZBA conditions.

Land Protection Study Committee – Peter Baker

After meeting with the Town Attorney, the LPSC is waiting for the final conservation easement and plan; these are also subject to owner approval. P. Baker noted that the contract with the owner expires December 31, 2017, and the grant funding will need to be returned if not completed by July 31, 2017. P. Band noted that the BOS will want to see the Town's interests preserved.

There was no Treasurer's Report available at meeting time.

MINUTES

T. Dufresne motioned to approve the minutes of September 7, 2016 as written, seconded by C. Hoffman, with P. Baker abstaining. All members in favor, none opposed, and the minutes were approved by a vote of 6-0-0.

ADJOURNMENT

T. Dufresne motioned to adjourn the meeting; seconded by C. Hoffman. All members in favor, none opposed, and the motion carried by a vote of 7-0-0. The meeting was adjourned at 8:40 pm.

Respectfully submitted,
Connie Cain
Staff