

HOLLIS CONSERVATION COMMISSION

Minutes of Public Meeting

June 5, 2019

Approved July 17, 2019

Regular Members: Tom Dufresne, Thomas Davies, Cathy Hoffman, Mark Post,
Alternate Members: Laura Bianco, Paul Edmunds, Karen Bridgeo
Guests: Dan Harmon, Joint Conservation & Agricultural Commissions Workgroup

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

BOARD & COMMITTEE UPDATES

Planning Board – Cathy Hoffman

At the last Planning Board (PB) meeting on Tuesday, May 21, 2019, the PB voted to send Raisanen Leasing's Workforce Housing Plan to the final application process. Some discussion ensued, with the PB requesting the name of a Wildlife Biologist for the Wildlife Habitat Inventory & Assessment.

In the absence of Peter Band, there was Board of Selectmen (BOS) update, nor a Treasurer's Report, as T. Davies has not received an updated report.

Joint Conservation & Agricultural Commissions Workgroup Presentation – Mark Post

M. Post explained that the BOS have requested an update on the proposed Stefanowicz Farm 25-year lease from the Joint Workgroup (JWG). With this in mind, the JWG have created a presentation detailing the property, and wished to present to the HCC for input and/or comments. The BOS presentation will be made at their July meeting.

M. Post explained that the presentation is based solely on the proposed agricultural use of the property. Other potential uses have been discussed for the property, but the JWG have not been tasked with making recommendations on those uses.

The presentation began with historical information on the property. Aerial images from 1947 show a majority of the parcel in agricultural production, and the 1963 aerial images show the same, with small areas along the northern boundary appearing to have been left fallow. In 1978, the aerial image shows that some additional changes occurred, but the majority of the property was still in agricultural production. Most of the changes to the agricultural production on the property have occurred since that time to today.

Property Attributes

Topography. The southern portion of the property probably one of the lowest points in Hollis, with much of the town draining towards this area. The property is at the same elevation as is Flint Pond and Pennichuck Pond, with one of the few exceptions to this elevation being the Nashua River. Additionally, from the highest point of the property to the lowest is about 240 feet in elevation.

Agricultural Soils. The properties' best agricultural soils are located in the northeastern and southern parts of the property, and include both prime and statewide important soils. Some of these areas remain in agricultural production today, but others have been left fallow and have returned to a forested state. M. Post felt it worth noting that many of the forested areas are not considered old forests per Jim Oehler. This property should be able to support a variety of different types of agricultural production including pollinator habitats.

Water Sources. The property has sources of water, including Muddy Brook to the west; a small pond, and surface wetlands towards the southern boundary.

Property Challenges

Irrigation. While there are water sources on the property, there is no irrigation system in place to provide water to the eastern and northern sections of the property, including the majority of the higher rated agricultural soils. M. Post felt that the Town should encourage bidders who may want to invest in an underground irrigation system on the property over the course of the 25- year lease.

Wetland Protection. Map shows both wetland and 100 foot wetland buffer protection areas, which are primarily in the southern portion of the property and along Muddy Brook. Livestock use on the property may prove limiting due to State laws involving wetlands, and the ability to provide clean drinking water to livestock on other parts of the property.

Pesticide use for crops may also prove problematic, as discretion will need to be employed when using these chemicals due to wetland impacts and water flow off the property.

Erosion. As stated previously, elevation from the highest to lowest point on the property is approximately 240 feet. This creates erosion issues as water runs from the top to the bottom on the property. Erosion controls will need to be implemented as part of the required NRCS plan, and will bear some cost to create. D. Harmon noted that the topography on the west side of the property is steep, and this is probably why it was allowed to revert to a forested state.

Access Points

There are 3 main access points to the property; one at the house lot, one at a break in the stone wall on Nartoff Road, and the last off of Pine Hill Road at the southern boundary. Access to the north and west sections must be determined, so that the Town has clear access to the forested areas. Existing agricultural roads will need to be maintained and preserved. M. Post noted that should the Town trails ever become connected to the property, the existing agricultural roads would make good hiking trails and should not impact the proposed agricultural use.

If the Town were to sell the house and supporting lot in the future, the access point from the house lot would be discontinued and another access point created. The JWG has submitted a proposal as part of the presentation addressing this matter.

Opportunities and Recommendations

The best use of this property is under long term agricultural production, as this best conserves the existing agricultural use at no cost to the Town. In NH, the average lease fee is \$40 per acre. RSA's address the minimum lease payment that can be accepted by the Town and other related items, so that no revenue is lost by the leasing of the property. Additionally, as part of the lease agreement, the lessee will be required to create and maintain a NRCS plan for the property. Due to the cost of creating the plan, this will only be required of the winning bidder but will provide a guideline for property maintenance. T. Davies asked if the property taxes are paid by the lessee; the RSA governs that item so that the minimum paid to the Town is what the property taxes would be if the property was privately owned.

M. Post noted that Agriculture is the number one Town industry.

Deliverables

M. Post listed the deliverables, which are similar to those under the 2-year lease agreement. T. Davies asked if there would be restrictions on sub-leasing; M. Post replied that while prohibited under the 2-year lease agreement, it has yet to be decided for the 25-year lease. Legal counsel has advised that the Town may restrict or allow whatever uses it desires, as long as it is stated in the RFP; other requirements or restrictions cannot be added after the RFP is released to the public. Some discussion over legal requirements, members felt that future uses could not be anticipated so the RFP and lease should include only allowed uses to limit any unintended consequences.

Timeline

The JWG hopes that the BOS will decide on lease area and other pressing items by August 2020. This would allow the RFP to be drafted and presented to the BOS for approval in December 2020, with the RFP being released to interested bidders in January 2020. The bid deadline would be in June 2020, the lease awarded in September 2020, with a lease start date of November 1, 2020.

Open Items

M. Post stated that the next step to be taken is to define the lease area. Nothing further can be done until then, and the JWG is on hiatus until that has been established.

T. Dufresne felt that the lease area should be delineated by a surveyor to avoid potential issues. Should the potential house lot be delineated as part of this as well? Some members felt that it would be prudent to do at the same time, but T. Dufresne felt that as the area will not be part of the lease area, it would be best left to the BOS' discretion if and when a Lot Line Relocation Plan should be created. Money expended on the Lot Line Relocation plan creation could be recouped from the sale.

Remedies for non-performance of lease agreement still need to be determined. Examples were briefly discussed.

Potential for sale of house and supporting lot. This area is to be left out of the agricultural lease area, so there should be no impact to the lease should the Town decide to sell.

Construction of supporting agricultural buildings. It is felt that construction of some agricultural buildings may be necessary in conjunction with the agricultural production on the property. T. Dufresne felt that a limit on impervious surfaces should be calculated and buildings kept to that calculation, similar to what has been done on Woodmont and other similar sites.

K. Bridgeo asked if the Request for Proposals/Bids (RFP) would include tapping the maple trees in the forested area. M. Post stated it could if the Town wanted. T. Dufresne stated that the forested areas and other areas of the property not previously developed or included in the lease will be put under a Conservation Easement. The lease area and other factors still need to be decided before any decisions on uses and/or restrictions will be put into place.

M. Post reminded members that everything is still subject to negotiation, nothing has been decided to date. This will be up to the BOS and hopefully they will agree to the recommendations being made for the property.

(Joe Garruba arrived at 7:45 pm.)

T. Davies felt it was appropriate to praise the JWG members on their efforts to make the 25-year agricultural lease a reality and that the HCC should officially support and endorse the presentation. He felt it would be nice for the HCC to support their efforts, and the lease as presented.

P. Edmunds motioned to approve endorsement of the JWG efforts as presented, and respectfully requests that the Selectmen take definitive action to enable the JWG to move forward in the July – August – September timeframe, and with all land parcels to be specifically defined consistent with the JWG proposal; seconded by T. Davies. All in favor, and none opposed; with M. Post abstaining. The motion was approved by a vote of 6-0-1.

(Dan Harmon departed at 8:00 pm.)

NEW & CONTINUING BUSINESS

Joe Garruba wished to request that the HCC conduct a study in accordance with “Town of Hollis Subdivision Regulations, as amended April 19, 2016, Section IV General Requirements for Subdivision, Paragraph F, Additional Studies, subparagraph b, Wildlife Habitat Inventory & Assessment.” As Mr. Garruba was not present during the PB update earlier in the meeting, he was not aware that this had been discussed. Mr. Garruba stated that the reason for his request was that the PB had requested that a Wildlife Hazard Assessment be created for the property, and this was completed by Christopher Guida. Mr. Garruba stated that public members felt that the assessment was deficient and did not comply with the ordinance. He also opined that as the assessment was paid for by the developer, it could be biased in the developer’s favor. Under the quoted Subdivision Ordinance, it was felt that the optional assessment would be unbiased if the biologist was selected by the HCC. C. Hoffman reminded members that the assessment is also paid for by the developer. T. Dufresne stated that the HCC will recommend a biologist to the PB.

(Joe Garruba departed at 8:10 pm)

NON-PUBLIC SESSION

T. Dufresne motioned to enter into Non-Public session to discuss potential land acquisition under RSA 91-A:3, II (c); seconded by M. Post. T. Dufresne polled the members, all those present voted to enter into Non-Public session by a vote of 7-0-0. The HCC entered into Non-Public Session at 8:10 pm.

RETURN TO PUBLIC SESSION

T. Dufresne motioned to conclude the Non-Public session and to keep the minutes sealed until voted by the HCC to release, seconded by M. Post. T. Dufresne polled the members, all members voted to conclude the Non-Public session and keep the minutes sealed by a vote of 7-0-0. The HCC concluded Non-Public Session at 8:27 pm.

SUMMER MEETING SCHEDULE

As per usual, the HCC anticipates only needing to hold one meeting a month for June, July and August. Members agreed, and per discussion, the June 19th meeting will be cancelled unless something unanticipated occurs. The July 3, 2019 and August 7, 2019 meetings are cancelled, with meetings occurring on July 17, 2019 and August 14, 2019. The regular meeting schedule will resume on September 4, 2019.

176 **MINUTES**

177 *T. Dufresne made the motion to accept the public minutes of the May 15, 2019 meeting as written; seconded by C.*
178 *Hoffman. All members voted in favor, none opposed or abstained, and the minutes were approved by a vote of 7-0-*
179 *0.*
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181 **ADJOURNMENT**

182 *T. Dufresne made the motion to adjourn the meeting, seconded by M. Post. All members voted in favor, none opposed*
183 *or abstained, and the motion carried by a vote of 7-0-0. The meeting adjourned at 8:32 pm.*
184

185 Respectfully submitted,
186 Connie Cain
187 Staff