

Cornish Conservation Commission

Minutes of the Public Hearing of Tuesday, September 30, 2008, Approved

Conservation Commission Members Present – Loel Callahan, Linda Fuerst, Bill Gallagher, John Hammond, Mariet Jaarsma, Betty Miller, Frank Parks, Rickey Poor, and Don Snowden

Selectboard Members Present – Merilynn Bourne, John Hammond, and Keith Jones

Members of the Public – Betty Caterino, Bill Caterino, George Edson, Lois Fitts, Becky Flynn, Daniel Flynn, Mary Beth Heiskell, Stuart Hodgeman, Robert Jaarsma, Andrew Johnson, Judith Kaufman, Mary Mancuso, Chris Mann, Gail McKenzie, Heather Meeks, Doug Miller, Cheston Newbold, Patrick Pinkson-Burke, Dale Rook, Katie Beth Ryan, Troy Simino, Tom Spaulding, Caroline Storrs, Peter Storrs, Fred Sullivan, Shirley Sullivan, William Wall, Sally Wellborn, Nancy Wightman

Bill Gallagher called the meeting to order and indicated that in light of Conservation Commission Chair Gabe Zoerheide's recent resignation, that he, as Vice Chair, would moderate the meeting. Bill introduced the Commission and the Selectboard, then described the format for the evening.

John Hammond provided background information on behalf of the Selectboard. The owner of the property adjacent to the Town Office defaulted on his loan and signed a quit claim deed over to the credit union. The property consists of a house, garage, and shed on .6 acre. The property doesn't meet present set back requirements, the garage hangs over the brook, and the septic and well conditions are unknown. The Selectboard feels that purchasing this property is a good opportunity for the town and would enable future expansion of the Town Office property. The property is assessed at \$110,000 and the balance on the loan is \$57,000. The Selectboard's offer of \$35,000 was accepted by the credit union but if the deal isn't finalized by October 3, the property will go on the market. The town will absorb back taxes. Prior to making the offer, the Selectboard approached the Conservation Commission to see if they were interested in working together on the purchase. At the same time, the Selectboard approached members of the community for donations, which now total \$33,500. Checks have been deposited in a special account and if the results of this hearing are positive and the Conservation Commission agrees, the \$35,000 will be withdrawn from the Conservation Fund. The Selectboard remains committed to raising the small balance. If over \$35,000 is raised, the excess will be held for clean up work. Nate Cass is talking with the State about the Fire Department burning the building in a training exercise. The Selectboard has also received offers of equipment to help clean up the site.

Bill Gallagher then spoke on behalf of the Conservation Commission, which held a special meeting to discuss the subject. The Commission had developed guidelines to help prioritize its work, particularly when using town conservation funds. This project doesn't rank high in conservation criteria but there is precedent for conservation funds supporting a prior purchase of property abutting the Town Office. Current funds are not sufficient for four significant projects already in development – two farms on Route 12A, the Fitch farm which has been approved for state funding but requires a local match, and improving access to and expansion of the Town Forest. The Commission also took into consideration a petition going around to do away with significant source of conservation funds. Based on the enthusiasm of the Selectboard and their commitment to repay the conservation fund, the Commission agreed to use this source, subject to the outcome of the public hearing.

Bill then opened the meeting for public input. Questions and comments addressed the following topics:

- What is the long-term use of the property (unknown; good opportunity for future expansion)
- Land use change tax, which supports the conservation fund, should be returned to the tax base and if this property is to be for town use, then it should be purchased with tax dollars
- Concern about taking property off tax base as well as writing off back taxes – effects us all
- Concern about invasive plant, Japanese knotweed, growing along brook, which needs to be cleared properly otherwise it will spread
- Why town ownership rather than private?
- How have guidelines been applied? Don't want to see criteria watered down
- Precedent of prior purchase with conservation funds was prior to guidelines
- Make deal without Conservation Commission

- Non-conforming lot (now need to build at least 100' from water and 30' from road)
- Without conservation fund, need town vote
- Compliment the Selectboard and Conservation Commission for working together
- Does the town really need this property?
- About \$700/year lost in tax revenue – that adds up to \$21,000 over 30 years
- We need this property. We need it tonight for parking. For future growth. To protect the brook.
- Don't like to see the Conservation Commission in the real estate business
- No money in existing conservation fund will be used
- If not approved, money will be returned to donors
- Would like to see some nice landscaping, clean up the property
- If sold on open market, someone could move in or rebuild on existing footprint
- Advantage of town meeting is so everyone has a say – but they can come to hearing tonight
- \$700 of tax revenue is gone after the first day of school
- Glad to see conservation funds reserved for other projects
- Town has a process for dealing with problematic septic and water systems
- What about another abutter buying?
- Would be nice to wait until March but time is of the essence
- Don't want to see the Conservation Commission owning or controlling this property (that's not the case nor has it ever been – the town will own and control this property)
- No substantial discussion about a conservation easement – only .6 acre
- When NH established conservation commissions and conservation funds, it recognized there may be times when there's a need to purchase property quickly – thus allowing a public hearing rather than full town meeting
- Conservation funds *are* the town's funds
- What about cost of upkeep?
- Conservation guidelines are guidelines, not rules and regulations
- Keep conservation funds for conservation projects which safeguard the quality of our lifestyle

The public hearing closed and the Conservation Commission then held a special meeting to consider the testimony of the public hearing. After considerable discussion, Bill made the following motion, seconded by Loel:

Are you in favor of the expenditure of \$35,000 from the Conservation Fund, to be used to purchase the so-called Clark property at 482 Town House Road, adjacent to the Town Office building?

The motion was approved by unanimous vote.

John thanked Keith for bringing the purchase of the property to attention of the town and for his hard work in raising the money.

The meeting adjourned at 9:05.

Respectfully submitted,
Betty Miller

Cornish Conservation Commission
Minutes of Wednesday, September 24, 2008, Approved

Present: Jim Barker, Bill Gallagher (Chair), John Hammond, Betty Miller, Rickey Poor, Gabe Zoerheide and guests Dan Flynn and Frank Parks

Minutes: John moved to approve the minutes of August 27. Jim seconded and the motion passed. Jim moved to approve the minutes of September 4. John seconded and the motion passed.

Property Adjacent to Town Office: John provided an update from the Selectboard. Since the fundraising goal hasn't quite been reached yet, the Commission discussed ways to help the Selectboard raise additional funds. Letters and various postings were discussed. Jim moved to contribute \$500 from the Barker Fund toward purchase of the Clark property. Rickey seconded and the motion passed.

Barker Fund: Nancy Newbold is still a signer on this account but no longer on the Commission. Gabe nominated Herrika Poor and James Barker to be new signers, with bank statements sent to Herrika (Rickey). John seconded and the vote was in favor.

Posts for Trail Signs: Rickey reported for Linda on the current status of obtaining posts for the trail signs for the CREA property. Rickey moved to allow Linda to spend up to \$200 from the Palmer Fund for posts. Jim seconded and the motion passed.

Updates/News/Announcements

- Gabe mentioned that about 5 acres of land have been cleared on the Bulkeley property for a field/wildlife management area.
- Betty mentioned that she joined Steve Walker (NH Conservation Land Stewardship Office) and Brian Meyette to monitor the easement on the Joe and Peggy Meyette property on September 3. They discussed the forest management plan and recognized that recent logging benefits wildlife, releases apple and oak trees, and provides additional trails.
- Rickey indicated that the annual meeting of the NH Association of Conservation Commissions usually takes place the first week of November. Watch for notices of the date.
- Gabe spoke of the Orange County Headwaters Project, an interesting model for land conservation in the Washington and Corinth, Vermont area.
- Rickey asked about the Farnsworth property. The Commission discussed next steps but made no decisions.
- Betty would like to see two analyses: (1) compare how much of the property tax dollar in Cornish goes to open space vs. housing (and perhaps commercial) and (2) what is the impact to the individual property tax payer if revenues from the land use change tax go to the general fund rather than the conservation fund. John said the second is already known – for every \$1800 increase in the town budget, there is a \$0.01 increase for every \$1,000 of property valuation.
- Clark Camp Road is closed between the Edsons and Center Road.

Adjournment: Jim made a motion to adjourn at 8:35. John seconded and the vote passed.

Next Meeting: Public Hearing regarding use of Conservation Fund Tuesday, September 30, 7:30 p.m. followed by a special meeting of the Conservation Commission. **Next Regular Meeting:** Wednesday, October 22, 2008

Respectfully submitted,
Betty Miller