



TOWN OF **NEWMARKET** NEW HAMPSHIRE

Conservation Commission

June 13, 2024, at 7:00 PM

Town Hall Auditorium

AGENDA

- **Pledge of Allegiance**
- **Roll Call**
- **Welcome Emma Fortin: new Non-Voting Student Liaison**
- **Public Comment**
- **PUBLIC HEARING** on whether the Conservation Commission should recommend to the Town Council a contribution of \$100,000 (approx. \$87,000—the remaining balance-- from the 2002 Land Acquisition Bond and approx. \$13,000 from the Conservation Fund) toward the approx. \$2.2 million acquisition and permanent conservation by the Southeast Land Trust of New Hampshire and NH Fish and Game of approx. 132-acres of Mitchell family land on Bald Hill and Jacobs Well Roads, with the Town holding a Third Party Right of Enforcement on approx. 70-acres in Newmarket.
- **Approve Meeting Minutes**
- **Financial Summary**
- **Master Plan Update: Open Space Plan, Land and Water Conservation Chapter**
- **Committee/Board Reports**
 - **Town Council**
 - **Planning Board/Town Planner**
 - **Riverfront Advisory Committee/Schanda Park**
 - **Other Committee Reports**
- **Trails: Old Lee Class A Trail: LRAC grant**
- **Projects**
 - **Prime Wetlands Mapping Update: PREPA grant**
 - **Ash Swamp Road turtle crossing/aquatic passage: Grant Match Request**
- **Land Stewardship:**
 - **Heron Point Sanctuary: reimbursement for boardwalk repairs**
 - **Piscassic River-Loiselle: parking area fence, trail work**
 - **Wiggin Farm: boardwalk replacement**
- **Events, Outreach, and Education:**
 - **Newmarket Backyard Bash: Aug 2 5-8 PM; CC display table**
 - **TurtleFest 2025**
 - **Bookmarks, Educational videos, CC member notebooks**
- **Adjourn**

Newmarket Conservation Commission -- Conservation Fund FY24					
MONTHLY FINANCIAL SUMMARY - 6 June 2024					
Items (date of motion)	Date of CC Approval -- Discussion	Date of Debit, Revenue, or Balance	Conservation Commission Fund	Richard Schanda Fund	TOTAL
		8/1/23	\$133,527.18	\$4,621.11	\$138,148.29
		8/28/23	\$132,271.97	\$4,621.11	\$136,893.08
		9/11/23	\$130,265.26	\$4,621.11	\$134,886.37
		10/5/23	\$133,347.19	\$4,621.11	\$137,968.30
		12/6/23	\$134,536.83	\$4,621.11	\$139,157.94
		1/4/24	\$134,710.21	\$4,621.11	\$139,331.32
		2/5/24	\$134,868.84	\$4,621.11	\$139,489.95
		3/6/24	\$135,248.05	\$4,621.11	\$139,869.16
		4/3/24	\$134,811.31	\$4,621.11	\$139,432.42
		4/30/24	\$135,050.16	\$4,621.11	\$139,671.27
		6/6/24	\$135,417.52	\$4,521.11	\$139,938.63
CREDITS					
Interest		7/31/23	\$201.29		
Interest		8/31/23	\$375.79		
Interest		9/30/23	\$351.53		
Interest		10/31/23	\$384.88		
Interest		11/30/23	\$260.97		
Interest		12/31/23	\$173.77		
Interest		1/31/24	\$350.50		
Interest		2/29/24	\$379.21		
Interest		3/31/24	\$375.76		
Interest		4/30/24	\$386.79		
Interest		5/31/24	\$367.36		
Land Use Change Tax (LUCT)					

Newmarket Conservation Commission -- Conservation Fund FY24					
MONTHLY FINANCIAL SUMMARY - 6 June 2024					
Items (date of motion)	Date of CC Approval -- Discussion	Date of Debit, Revenue, or Balance	Conservation Commission Fund	Richard Schanda Fund	TOTAL
Other Contributions					
LRAC Sliding Rock grant - second payment		8/15/23	\$3,156.93		
LCHIP for monitoring Piscassic River-Loiselle easement		3/19/24	\$550.00		
DEBITS THIS FISCAL YEAR					
Piscassic River-Loiselle entrance sign (added \$300 12/8/22; \$150 7/10/23)	11/10/22	7/18/23	\$1,462.50		
Sliding Rock kiosk panels graphic design - Cathy Arakelian	7/10/23	8/15/23	\$877.50		
Sliding Rock kiosk panels printing - Portsmouth Sign	7/11/23	8/15/23	\$1,050.00		
Sliding Rock property map - Greg DiSantos	7/12/23	8/15/23	\$455.00		
Wiggin Farm kiosk property map - Greg DiSantos/Martin Fores	10/12/23	3/18/24	\$600.00		
Wiggin Farm kiosk - panel graphic design - Cathy Arakelian	10/12/23	3/18/24	\$462.50		
Wiggin Farm kiosk panel printing - Portsmouth Sign	10/12/23	3/18/24	\$300.00		
Wiggin Farm kiosk - materials (5/11/23-\$500)	5/11/23	4/30/24	\$72.22		
Wiggin Farm bridge repairs	3/14/24	4/30/24	\$75.72		
Moonlight Brook signs - printing				\$100.00	
APPROVED TO BE SPENT					
Wiggin Farm bridge replacement -- wetlands permit application	5/8/24		\$520.00		
NEW REQUESTS					
Heron Point baluster and railing repair - materials	6/13/24		\$99.67		

Newmarket Conservation Commission Funds						
FY24		General Fund: 014611				
General Fund Budget 6 June 2024		\$4,520.00				
	Date of motion or debit	Part-Time Salary	Contracted	Dues/ Subscriptions	General Supplies	Postage
BUDGETED		\$3,470.00	\$400.00	\$450.00	\$200.00	\$0.00
EXPENDED		\$1,705.21	\$867.64	\$450.00	\$0.00	\$0.00
BALANCE		\$1,764.79	-\$467.64	\$0.00	\$50.66	\$0.00
General Fund total balance		\$1,347.81				
DEBITS THIS FISCAL YEAR						
Part-time salaries - minute taking	7/13/23	\$142.56				
Part-time salaries - minute taking	7/27/23	\$26.73				
Part-time salaries - minute taking - correction	7/13/23	-\$13.37				
Part-time salaries - minute taking	8/10/23	\$26.73				
Part-time salaries - minute taking	8/24/23	\$166.06				
Part-time salaries - minute taking	9/21/23	\$121.62				
Part-time salaries - minute taking	10/19/23	\$159.04				
NHACC Annual dues	10/19/23			\$450.00		
Part-time salaries - minute taking	11/16/23	\$149.68				
Part-time salaries - minute taking	12/14/23	\$102.91				
Part-time salaries - minute taking	12/28/23	\$51.45				
Part-time salaries - minute taking	1/25/24	\$145.00				
Part-time salaries - minute taking	2/8/24	\$112.26				
Part-time salaries - minute taking	2/22/24	\$74.84				
Part-time salaries - minute taking	3/7/24	\$9.36				
Part-time salaries - minute taking	3/21/24	\$46.78				
Contract with SELT for easement monitoring	9/14/2023/ 01/11/2023		\$867.64			
Part-time salaries - minute taking	4/18/24	\$37.42				
CC Member notebooks (4/11/24)	4/30/24				\$149.34	

Newmarket Conservation Commission Funds						
FY24		General Fund: 014611				
Part-time salaries - minute taking	5/2/24	\$173.07				
Part-time salaries - minute taking	5/16/24	\$173.07				
APPROVED -- TO BE PAID						
NEW REQUESTS						
Printing of bookmarks, purchase of display itens	6/13/24					

**Contract for Services
between the
Southeast Land Trust of New Hampshire and
the Town of Newmarket**

1. Contract for Services

THIS CONTRACT FOR SERVICES (“Contract”) made this ____ day of July, 2024, between **SOUTHEAST LAND TRUST OF NEW HAMPSHIRE** (the “Trust”), a New Hampshire non-profit corporation with offices at 247 North River Road, in Epping, New Hampshire; and the **TOWN OF NEWMARKET** (the “Town”), a municipal corporation duly organized in the State of New Hampshire with a mailing address of 186 Main Street, Newmarket, New Hampshire, 03857 collectively referred to as the “Parties” outlines specific responsibilities and tasks to be completed by the Trust on behalf of the Town, as follows.

2. Scope of Work

The Trust will provide services to the Town that includes the following general scope of tasks. Upon the execution of this Contract, the Parties agree that a specific list of assignments will be agreed upon that is consistent with this Scope of Work and the Budget for Services below:

- A. **Conducting annual monitoring of conservation easements:** The Trust will complete the annual monitoring for conservation easements held by the Town and Town land, as specifically assigned by the Town. Each monitoring visit will include a walk of the property and its boundaries, and trails, contact with the landowner, and a written report summarizing all observations and any concerns regarding or violations of the easement. In addition, the monitoring report will recommend any actions for the Town. For 2024, this includes the Hilton and Nostrom Conservation Easements.
- B. **Remote monitoring:** On behalf of the Town, the Trust will manage the acquisition of current year digital remote imagery of the conservation easements held by the Town. The Trust will perform an analysis of the digital images and complete a written report for each of the conservation easements selected by the Town.
- C. The Trust will submit the written report to any entities that require a copy of the monitoring report, such as State of New Hampshire or LCHIP, where applicable.
- D. The Trust will notify the Town, via the Conservation Commission Chair, prior to conducting the annual monitoring visit so that Commission members may participate in the site walk.

3. Materials, Equipment and Personnel

For easement monitoring related services, the Trust’s Stewardship and Land Engagement Director will be the primary contact for the Town for this Contract.

The Town will provide the Trust with access, at no cost to the Trust, to any Town records necessary to undertake the Scope of Services outlined by this Contract, including but not limited to the conservation easement deed, surveys, tax cards, tax maps (paper and electronic, if available), and conservation easement files. The Trust agrees to use any information or materials received from

the Town of Newmarket for the sole purposes of performing this Contract, and to return same to the Town of Newmarket at the conclusion of the Contract.

4. Term

The term of this Contract shall be from January 1, 2024 through December 31, 2024. This Contract may be extended by mutual written agreement.

5. Content of Contract

This Contract contains the entire understanding between the Parties. The Parties can modify this Contract only in writing.

6. Budget for Services

The Town agrees to pay the Trust at an hourly rate of \$45.00 for work performed under this Contract. Normal travel time to and from Town's offices or other destinations deemed necessary will constitute billable hours.

Ordinary expenses, including but not limited to printing and mileage, incurred by the Trust in the performance of its work scope will be billable to Town at cost.

The total fee for services, including expenses of the Trust, performed under this Contract **shall not exceed \$1,000.00**, without prior written approval of the Town.

7. Insurance

The Trust carries \$1.0 million in general liability insurance. By signing this contract, the Town is representing that the Town of Newmarket carries general liability insurance in the amount of \$1.0 million or more.

8. Assignment

Neither party can assign this Contract without prior written permission from the other party.

Executed in duplicate by the Parties by their duly authorized representatives, this ____ day of _____, 2024.

TOWN OF NEWMARKET

**SOUTHEAST LAND TRUST OF
NEW HAMPSHIRE**

By: _____

By: _____

Steve Fournier
Town Manager
Hereunto Duly Authorized

Brian Hart
Executive Director
Hereunto Duly Authorized



Town of Newmarket Conservation Commission Land Acquisition Criteria Evaluation (LACE)

Observer: _____ Date: _____

Tax Map and Lot _____ Parcel Size: _____

Property Owner: _____

Property Address: _____

Financial Considerations: ☐ Donation
☐ Bargain sale
☐ Full appraised value

Conservation Action: ☐ Fee acquisition ☐ Conservation easement ☐ Executory Interest

Purpose: The Newmarket Conservation Commission has adopted the following evaluation criteria for protecting and preserving important parcels of land for the future benefit of the residents of Newmarket.

Potential Benefit		Reference	Condition
1.	Abuts existing Conservation Land	Newmarket GIS; Open Space Plan Conserved Lands Map	☐ Directly abuts existing Conservation Land
			☐ Does not abut existing Conservation Land
2.	Conservation Focus Areas (CFA)	NH Coastal Watershed Conservation Plan	☐ Includes land identified as a CFA
			☐ Does not include land identified as a CFA
3.	Agricultural Resources	NH Coastal Watershed Conservation Plan	☐ Includes a Priority Agricultural Resource (PAR)
			☐ Adjacent to a PAR
		Discussion with Property Owner	☐ Meets none of the above
4.	Drinking Water Protection (groundwater)	Newmarket GIS; NHDES; Open Space Groundwater & Drinking Water Map	☐ Currently a working farm
			☐ Within Aquifer Protection Overlay
			☐ Within Source Water Protection Area
			☐ Within Wellhead Protection Area
5.	Surface Water Quality	Newmarket GIS; NH Coastal Watershed Conservation Plan; Open Space Plan Surface Water & Infrastructure Map	☐ Meets none of the above
			☐ River frontage
			☐ Surface water or wetlands
			☐ Vernal pools
			☐ Prime Wetlands
			☐ Salt marsh
			☐ Salt marsh migration potential

Potential Benefit		Reference	Condition
			☐ Within 100-year floodplain
			☐ Property does not have surface waters
6.	Wildlife Habitat Quality	Wildlife Action Plan; Open Space Plan Highest Ranked Habitat Map	☐ Has Highest Ranked Habitat in NH
			☐ Has Highest Ranked Habitat in Region
			☐ Has Supporting landscape
			☐ No WAP priority areas
7.	Wildlife Corridor	Connect the Coast	☐ Includes a Wildlife Corridor
			☐ Is close to a Wildlife Corridor
			☐ No Wildlife Corridor identified
8.	Public Access	Discussion with Stakeholders	☐ Unlimited public access to property
			☐ Gain of public access to property
			☐ Improves trail connectivity
			☐ No public access to property
9.	Scenic Views (visible from public roadways, public trails or waterways)	Site Walk/Local Knowledge	☐ Features extensive Scenic Views
			☐ Features some Scenic Views
			☐ No Scenic Views
10.	Unique Ecological or Cultural Features	NH Natural Heritage, Newmarket Historical Society; site visits	☐ Unique ecological features
			☐ Rare species or exemplary natural communities
			☐ Unique cultural features
			☐ Unique historical features or values
			☐ No unique features
11.	Funding Leverage	Discussion with Stakeholders	☐ Funding leverage associated with project
			☐ Potential funding leverage with project
			☐ Donation associated with project
			☐ No funding leverage with project
12.	Development Threat	Discussion with Stakeholders	☐ Property under immediate development threat
			☐ Property under potential development threat
			☐ Property not under immediate development threat

Potential Benefit		Reference	Condition
13.	Property Size	Newmarket GIS	☐ Conservation value would not be diminished if adjacent properties are developed.
			☐ Conservation values would be diminished if adjacent properties are developed.
14.	Aligns with Open Space or Master Plan Goals	Open Space Plan; Land & Water Conservation Master Plan	☐ Project aligns with goals or does not conflict with Plans
			☐ Project does not align with goals
15.	Stewardship	Discussion with Stakeholders	☐ Project does not present stewardship or land management challenges
			☐ Project presents stewardship or land management challenges
16.	Climate Resiliency	Coastal Plan/TNC	☐ Far above average ☐ Above average ☐ Slightly above average ☐ No resiliency references
17.	Pollutant Attenuation	Coastal Plan/TNC	☐ Demonstrates significant adventitious pollutant attenuation attributes ☐ Demonstrates some adventitious pollutant attenuation attributes ☐ Fails to demonstrates adventitious pollutant attenuation attributes

NOTES:

NOTES, CONTINUED: