



TOWN OF
NEWMARKET
NEW HAMPSHIRE

Conservation Commission

November 14, 2024, at 7:00 PM

Town Hall Auditorium

AGENDA

- **Pledge of Allegiance**
- **Roll Call**
- **Public Comment**
- **Approve Meeting Minutes: May 9, 2024, June 13, 2024, Oct 10, 2024**
- **Financial Summary**
 - **NHACC Annual dues**
 - **Martin Forestry contract – Wiggin Farm boardwalk**
 - **West Environmental – WF boardwalk permitting**
- **Committee/Board Reports**
 - **Piscassic Greenway Management Plan Update (SELT)**
 - **Town Council**
 - **Town Planner: NH Plan – Riverfront Charette; CC staffing**
 - **Planning Board**
 - **Riverfront Advisory Committee/Schanda Park**
 - **Energy & Environment**
 - **School Liaison**
 - **300th Celebration**
- **Easement Monitoring**
- **Land Conservation**
 - **Rosa**
 - **Mitchell**
- **Projects**
 - **Prime wetlands mapping**
 - **Heron Point Sanctuary: hazard tree removal, boundary survey, access**
 - **Wiggin Farm: boardwalk replacement**
 - **Ash Swamp Road turtle crossing/aquatic passage**
- **Events, Outreach, and Education**
 - **Salamander Crossing Brigade; Vernal pool survey**
 - **Rain barrels**
 - **TurtleFest 2025 – May 10th**
 - **Newmarket Library: CC display**
- **Adjourn**

Newmarket Conservation Commission -- Conservation Fund FY25					
MONTHLY FINANCIAL SUMMARY - 7 November 2024					
Items (date of motion)	Date of CC Approval -- Discussion	Date of Debit, Revenue, or Balance	Conservation Commission Fund	Richard Schanda Fund	TOTAL
		8/12/24	\$138,803.66	\$4,621.11	\$143,424.77
		10/3/24	\$135,147.32	\$4,621.11	\$139,768.43
		11/7/24	\$137,649.01	\$4,621.11	\$142,270.12
CREDITS					
Interest		7/31/24	\$213.70		
Interest		8/31/24	\$368.87		
Interest		9/30/24	\$365.28		
Interest		10/31/24	\$363.87		
Land Use Change Tax (LUCT)					
Other Contributions					
LRAC Old Lee Trail grant - first payment		7/16/24	\$2,800.00		
LRAC Old Lee Trail grant - second payment		10/8/24	\$1,035.92		
LRAC Wiggin Farm - first payment		10/11/24	\$3,750.00		
DEBITS THIS FISCAL YEAR					
Portsmouth Sign -- Old Lee Trail sign printing (LRAC grant)		8/19/24	\$50.00		
Cathy Arakelian -- Old Lee sign graphics (LRAC grant)		9/17/24	\$150.00		
Martin Forestry Old Lee Trail work (LRAC grant)		9/18/24	\$1,500.00		
Martin Forestry Old Lee Trail work (LRAC grant)		9/23/24	\$2,135.92		
PR-L replacement rails	9/12/24	9/18/24	\$235.70		
Heron Point Sanctuary - partial boundary survey Stakes&Stones	9/12/24	10/10/24	\$1,500.00		
Wiggin Farm boardwalk-- wetlands permit West Environ	5/8/24	10/18/24	\$520.00		
APPROVED TO BE SPENT					
Mitchell land acquisition -- approx based on Bond Balance for a total of \$100,000	6/13/24		\$13,500.00		
Heron Point Sanctuary - partial boundary survey - balance	9/12/24		\$2,700.00		

Newmarket Conservation Commission -- Conservation Fund FY25					
MONTHLY FINANCIAL SUMMARY - 7 November 2024					
Items (date of motion)	Date of CC Approval -- Discussion	Date of Debit, Revenue, or Balance	Conservation Commission Fund	Richard Schanda Fund	TOTAL
PR-L easement monitoring - SELT (seek LCHIP reimbursement)	9/12/24		\$500.00		
NEW REQUESTS					
Wiggin Farm boardwalk replacement - Martin Forestry (LRAC and GBRPP grants, \$7,500 and \$3,520.00, respectively-\$11,020)			\$10,500.00		
Wiggin Farm boardwalk-- wetlands permit West Environ - balance	11/14/24		\$628.10		\$1,148.10

Newmarket Conservation Commission Funds						
FY25		General Fund: 014611				
General Fund Budget 7 November 2024		\$5,343.00				
	Date of motion or debit	Part-Time Salary	Contracted	Dues/ Subscriptions	General Supplies	Postage
BUDGETED		\$3,643.00	\$1,000.00	\$500.00	\$200.00	\$0.00
EXPENDED		\$827.80	\$0.00	\$0.00	\$0.00	\$0.00
BALANCE		\$2,815.20	\$1,000.00	\$500.00	\$200.00	\$0.00
General Fund total balance		\$4,515.20				
DEBITS THIS FISCAL YEAR						
Part-time salaries - minute taking	7/11/24	\$126.29				
Part-time salaries - minute taking	7/25/24	\$42.10				
Part-time salaries - minute taking - correction	7/1/24	-\$14.03				
Part-time salaries - minute taking	8/22/24	\$37.42				
Part-time salaries - minute taking	9/5/24	\$103.43				
Part-time salaries - minute taking	9/19/24	\$174.30				
Part-time salaries - minute taking	10/17/24	\$358.29				
APPROVED -- TO BE PAID						
NEW REQUESTS						



New Hampshire Association of Conservation Commissions

SERVING NEW HAMPSHIRE'S COMMUNITIES SINCE 1970

54 Portsmouth Street, Concord, NH 03301 | (603) 224-7867 | www.nhacc.org

October 1, 2024

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Dear Newmarket Conservation Commission,

New Hampshire Association of Conservation Commissions (NHACC) works to ensure that all conservation commissions remain strong and relevant within their communities, making NH a healthy, desirable place to live and work. We understand how important our local conservation commissions are in protecting natural resources. We need your conservation commission to renew your NHACC membership so we can continue to provide technical assistance and strong leadership.

Your annual dues provide so much more than simply access to expert advice. **Your support of NHACC helps build a stronger NH conservation community.** We work diligently to make sure your voice is heard in the state legislature and on state-wide commissions; providing strength in unity. Please renew your NHACC membership for 2025 to help us provide education and advocacy to our members.

Last year your dues helped NHACC host field training programs on wetlands ecology and conservation easement monitoring for our members. With your support we tracked state legislation, providing testimony on bills impacting natural resources and legislative updates to our members. We presented another online Lunch & Learn series making our programs more accessible to our members. We collaborated on Wildlife Webinars with the *Taking Action for Wildlife* team; NHACC, UNH Extension, and NH Fish & Game.

Remember, the benefits of membership include:

- Discounted rate at our **Annual Conference to be held on November 2nd**;
- Access to the NHACC Members Resource Library on our website;
- Educational opportunities focused on what matters to our members: wetland permit review, land management, and wildlife habitat protection;
- Networking opportunities including roundtables, hikes, and potluck gatherings;
- Up-to-date publications from our E-newsletter and Legislative Updates.

Don't miss out on this opportunity to be part of a connected conservation community: renew your membership for 2025. Feel free to contact me at Barbara@NHACC.org or call 224-7867 if you have any questions or need assistance. We look forward to working with you again this year.

Sincerely,

Barbara Richter, Executive Director

INVOICE

New Hampshire Association of
Conservation Commis
54 Portsmouth St
Concord, NH 03301

admin@nhacc.org
+1 (603) 224-7867
www.nhacc.org



Bill to

Newmarket Conservation Comm.
186 Main St
Newmarket, NH 03857-1838

Invoice details

Invoice no.: 2896
Invoice date: 09/25/2024
Due date: 01/31/2025

#	Date	Product or service	Description	Qty	Rate	Amount
1.		2025 Membership Dues		1	\$450.00	\$450.00

Total

\$450.00

Note to customer

Thank you for your support. We look forward to working with you in the coming year.

TRAIL CONSTRUCTION AGREEMENT

Newmarket CC – Wiggin Farm 2024

This Contract entered into by and between NEWMARKET CONSERVATION COMMISSION, C/O ELLEN SNYDER, of 186 Main Street Newmarket, NH 03857 (hereinafter referred to as “CLIENT”), and MARTIN FORESTRY CONSULTING, LLC, of PO Box 89, New Hampton, NH 03256 (hereinafter referred to as the “CONTRACTOR”).

Article I

Scope of Work:

CONTRACTOR agrees to provide professional services for trail improvements.

Services Provided: CONTRACTOR will perform the following services:

1. Dissassemble existing boardwalk and bridge, along with volunteers.
2. Construct a 90-ft long boardwalk, following NHDES Trails BMP standards. Boardwalk will be 4-ft wide, with bump-rails, on helical piers every 8 ft. The middle 50-ft will be elevated 2 feet above the wetland, with 20 feet on either end ramping down to the ground, per the design by Ellen Snyder and Mark West.

CONTRACTOR will primarily use a small dump truck and hand tools to complete this work.

CONTRACTOR will stabilize any exposed soil prior to rainfall events throughout the project using hand tools and mulch hay.

CLIENT has hired a Wetland Scientist and received a Trails Notification wetland permit.

CLIENT plans to remove the disassembled materials, either for re-use or disposal. If those plans change, Martin Forestry Consulting can truck the disassembled materials to the Newmarket Transfer Station, with Newmarket CC coordinating permission and disposal fees.

Article II

Fees:

Time and labor costs are estimated at \$5,500 for services 1-2 outlined above.

Materials costs are estimated at \$4,300 for the lumber, fasteners, and helical piers.

Mileage is estimated at \$700.

An estimate for trucking disassembled materials to the transfer station could be provided if needed.

Total: Not-to-Exceed \$10,500

Article III

1. CONTRACTOR agrees to perform the services listed in Article I to the best of his abilities.
2. CONTRACTOR agrees to hold CLIENT harmless in the event of any injury to them or their employees or subcontractors.
3. CLIENT agrees to permit CONTRACTOR access to its property to perform said services.
4. CLIENT agrees to hold CONTRACTOR harmless in the event of any injury to trail users after the CLIENT has inspected the trails.

Article IV

Payment to be made as follows:

Terms: \$3,500 deposit from CLIENT to CONTRACTOR as a down payment on the project.
Balance to be paid within 30 days of completion of project. Balance will be the total cost of the project offset by the deposit.

Labor will be billed as follows:

\$125/hour for hauling materials in small dump truck.

\$70/hour for other work related to this project.

\$0.67/mile for commuting.

Materials will be provided by CONTRACTOR and billed to the client when work is complete.
Materials will be lumber, fasteners, helical piers, and hay. Fuel and other operating supplies are included in the excavator hourly rate and will not be billed separately.

Article V

This contract is valid between the dates of November 1 and December 31, 2024 unless CLIENT grants an extension of time. CONTRACTOR plans to complete the project by early-December unless weather or mechanical breakdowns delay the start time and/or completion of the work.

IN WITNESS WHEREOF the parties hereto have set their hands on the day and year first above written.

CLIENT

DATE

Newmarket Conservation Commission

CONTRACTOR

DATE

Jon Martin, Martin Forestry Consulting, LLC

West Environmental, Inc.

48 Stevens Hill Road
Nottingham, NH 03290

Invoice

DATE	INVOICE #
10/8/2024	124854

BILL TO
Newmarket Conservation Comm 186 Main Street Newmarket, NH 03857

WEI NO.	TERMS	PROJECT ID
24-065NH	Due on receipt	Wiggin Farm Trail ...

STAFF ID	DESCRIPTION	AMOUNT
Sr Wet Sci NH	Site inspection with Ellen Snyder to flag wetlands, photo document site and discuss boardwalk reconstruction	280.00
Sr Wet Sci NH	NHB Data Search; prepare Consultation Package for NH Fish & Game including maps and project details	385.00
Sr Wet Sci NH	Prepare SPN Trail Permit Application with all attachments; complete online application and submit	420.00
Expenses	NHB Data Check	25.00
Expenses	Filing Fee	25.00
Mileage	Mileage Charge	13.10
A late charge of \$10 will be added to your account each 30 days that this invoice remains outstanding		Total \$1,148.10



TOWN OF NEWMARKET NEW HAMPSHIRE

Conservation Commission

May 9, 2024 at 7:00 PM

Town Hall Auditorium

DRAFT MEETING MINUTES

Members Present: Ellen Snyder (Chair), Melissa Sharples (Vice-Chair), David Bell, Jeffrey Goldknopf (Planning Board Rep.), Tom Jones (Alternate), Colin Lawson (Alternate), and Julianna Tyson.

Members Absent: Cris Blackstone, Jessica Cann (Alternate), and Brian Ward (Town Council Rep. ex officio)

Town Staff Present: Bart McDonough, Director, Planning and Community Development

Guests: Duane Hyde, Land Conservation Director, SELT

The Chair called the meeting to order at 7:00 PM.

1. Pledge of Allegiance

2. Roll Call

The Chair appointed Alternate **Colin Lawson** as voting member this evening. The seven voting members include **Ellen Snyder, David Bell, Jeff Goldknopf, Tom Jones, Colin Lawson, Melissa Sharples, and Julianna Tyson**. The Chair spoke with the Newmarket High School student who is interested in being a representative to the ConCom. She has agreed to serve. The Chair mentioned that, during the Newmarket Cares Day with the Newmarket HS students at Heron Point, she was approached by a student who asked if the ConCom might be willing to have a student representative. The members agree that they would like to have the Chair pursue a student representative.

3. Public Comment

There was no one present for public comment.

4. Land Conservation Project

Mitchell – Bald Hill and Jacob's Well Roads: Duane Hyde, SELT

The Chair distributed a packet of information on this project prior to the meeting and Duane Hyde provided maps to everyone. He then introduced himself and was present this evening to discuss a relatively new conservation project – the Mitchell Project. He is seeking approval from the ConCom by means of a letter of support from the Chair and then discuss the

funding necessary to purchase the land from the Mitchell family. The Mitchell property is located on both sides of Bald Hill Road, encompasses ~130 acres in Newmarket and includes a 1.3 acre portion in Epping. He went on to describe the unique and beautiful characteristics of the land and the Hilton Brook (which flows through the land). This property has been a topic of discussion among the conservation groups in the NE for a long time. For more detailed history and budget details please see Addendum pages 1-6. Total cost would be approximately \$2.2 million dollars. NH F&G will be the major funder at \$1,384,373.00. The NHDES Drinking Water Ground Trust will contribute ~\$245,000. Durham has provided a letter of support. LCHIP is contributing \$245,000. \$30,000 will come from the Moose Plate program and LRAC will be asked for \$100,000. The remained 'ask' is \$100,000. SELT will be sending residents of Newfields, Durham and Newmarket a letter requesting private and community donations. Duane hopes to close on the property by the mid to end of 2025 as the paper work proceeds on all the grant submissions. All the purchase and sales agreements have been signed. The Chair completed the new Town of Newmarket Conservation Commission Land Acquisition Criteria Evaluation (LACE) which gives the ConCom information about the benefits of conservation for this property.

Duane requested the following:

- 1) a letter of support including our level of interest
- 2) the dollar amount of the ConCom contribution and source of the funds
- 3) the hope that this proposal could go to the Town Council for the first reading in June and the second reading in July/August.

The members discussed this proposal and were very enthusiastic about the purchase and conservation of this beautiful property.

Action

Motion: **Melissa Sharples** made a motion to write a letter to the Town Council of support and express the level of interest in the property (executory interest).

Second: **David Bell**

Discussion: none

Vote: **Approved 6-0-1 (Ellen Snyder abstained)**

Action

Motion: **Tom Jones** made a motion to approved funding of \$100,000 from the fund remaining in the Open Space Bond and the Conservation Fund.

Second: **Melissa Sharples**

Discussion: none

Vote: **Approved 6-0-1 (Ellen Snyder abstained)**

The Chair will: 1) write up a document for the TC Public Hearing, 2) she and Duane will co-write the letter, and 3) they will coordinate a site walk for May 23 at 5:30 PM. A public hearing will be scheduled for the next meeting.

5. Approve Meeting Minutes

January 11, 2024

Action

Motion: Colin **Lawson** made a motion to approved the Minutes of

January 11, 2024 as drafted.

Second: **Melissa Sharples**

Discussion: none

Vote: **Approved Unanimously 7-0-0**

6. Financial Summary

The Chair reported that the Conservation Fund has a balance of \$135,060.16. The Richard Schanda Fund has \$4,621.11. Together the fund totals: \$139,671.27. There was some interest recorded this month in addition to one expenditure for the bridge repairs and another for the waterfront & Moonlight Brook signage. The General Fund has a balance of \$1,693.95 with expenditures for staff salary and the ConCom notebook supplies.

7. Master Plan Update

Conservation Focus Areas, Land Acquisition Checklist

Present this evening to make a presentation are **Bart McDonough**, Town Planner. The PB will not meet next week as there are no urgent agenda items, but they will look at the proposed zoning amendments for North Main Street and the downtown corridor at a meeting later in May.

The Chair provided the draft of the Open Space Plan. She asked that everyone take the time to read and comment. Please submit any comments to **Ellen** with **Bart** cc'd by May 16.

The Chair then discussed the Land Acquisition Checklist. She discussed her thoughts on possible edits. Please submit any comments to **Ellen**. **Bart** will update the final Checklist.

Bart mentioned that a new survey will be ready for distribution regarding all the rest of the Master Plan Chapters. Each chapter is limited to three questions because this is a larger/longer survey. He welcomes ConCom members to participate in discussions about these other chapters if interested – like recreation/connections etc.

The Chair distributed a draft of the Priority Focus Area Map for comments/discussion/questions. The members had a valuable discussion. The Chair will make the changes to the map for inclusion in the Open Space Plan.

8. Committee/Board Reports

Town Council: There was no report this evening.

Planning Board/Town Planner: **Jeff** had no report this evening. **Bart** spoke about the April 18 meeting with Ivy Vann who is a consultant for the SRPC. **Bart** contacted 195 property owners in the N. Main Street and downtown corridor regarding the housing and building types they could visualize for the zones. Approximately 60 folks attended the meeting. The Master Plan Subcommittee met to discuss the questions for the new survey. They discussed a program called CommunityVis which he hopes to employ. CommunityViz is used primarily for land-use planning and natural resource management, but because it allows its users to create custom analyses, it can be applied to almost any geographic decision-making process.

Riverfront Advisory Committee/Schanda Park: **Bart** mentioned that the Moonlight Brook sign is done, but the 'wildlife feeding' sign is still in draft form. They plan a QR

code for this draft sign which will link to the ConCom website.

Energy and Environment Advisory Committee: **Julianna** reported that they have been working on their survey questions. She also said that the Chair of EEAC, Ellen Read, is interested in setting up tours of other Towns in the area in order to see how they do their recycling. After a presentation by Casella, there is a lot of interest in an evaluation of effective waste management programs.

9. Trails

Boulder Creek HOA Trail: **Colin** reported on the progress on the Boulder Creek Trail. All the fencing is now off the property and is awaiting pick-up by DPW. There will be a meeting shortly with the new President of the HOA about woodchips and stones for the dry areas of the trail. Over the next few weeks they expect to begin the work on improvements. There is hope that someday the Boulder Creek Trail might cross Dam Road and connect with the Sweet Trail.

Old Lee Class A Trail: trail improvement: budget and grant opportunities: The Chair reported on the work being done on Old Lee Road. Greg DiSanto is submitted a proposal for the trail work and a she has submitted a grant request to LRAC for \$4,500. Suzanne Peterson has provided valuable suggestions/feedback for the grant request and the Chair will revise and submit the grant. Suzanne is particularly concerned about the Wetlands Permits with NHDES- they have become more challenging to get. The Chair has just learned about a grant opportunity with the Great Bay Resource Protection Partnership grant program and will be applying for matching funds to combine with the LRAC grant. The due date is very early in June.

Wiggin Farm: bridge re-build: budget and grant opportunities: The Chair provided information on the proposed bridge improvements to the Wiggin Farm Footbridge. Given the complexities of the NHDES application, we need additional information about the location of the wetlands. She proposes bringing on Mark West complete a wetlands survey and to determine if we need a \$25 application (just for notification) or a \$400 application for something larger. We truly hope that an expensive fee of \$1,000+ for a dredge and fill application would not be needed. She is asking the members 1) to endorse his plan & budget, 2) to endorse Mark West to do the work, and 3) to appropriate funds to complete the permitting.

Action

Motion: **Melissa Sharples** made a motion to appropriate \$520.00 from the Conservation Fund and to hire Mark West, West Environmental, Inc. for the wetlands survey work at Wiggin Farm.

Second: **Julianna Tyson**

Discussion: none

Vote: **Approved Unanimously 7-0-0**

10. Projects

Ash Swamp Road: turtle crossing/aquatic passage: The Chair, **Jeff, Bart**, and Lindsay Butler met at the site for a meeting. **Jeff** mentioned several things which have been done to slow the traffic speed with signage (the big Town flashing sign) and a flashing light. Speed bumps both permanent and removeable were discouraged. More ideas were discussed – including new speed limit signs (where are the current signs? what is the current speed limit?). Several turtles have been killed already this season. Members discussed volunteering to monitor traffic during especially busy times of the day, sitting by the road with a vest on, and manually slowing traffic...**Jeff** offered his driveway for parking!

11. Land Stewardship

Heron Point Sanctuary: The Chair reported on the Newmarket Cares Day with the 14 students from the Newmarket HS and their teacher, Silas Richards, along with Paul Marino (local carpenter). The students were wonderful and the group accomplished a lot: cleaned out and re-set rocks (with great improvements) in the drainage swale at the trailhead; raked leaves and gravel to smooth out the parking area and trail; cleaned the platform and boardwalk of debris, helped fix broken railings on the platform working with Paul, cleaned a trail sign, and cleared several trails of brush. Thanks to Karen Bloom at DPW for support and rakes and brooms and the Nature Groupie tool shed for loaning other tools. Thank you all!

12. Events

Newmarket Backyard Bash: August 2, 2024 5:00-8:00 PM: Save the date!

13. Outreach and Education

Bookmarks: **Jessica Cann** has agreed to work on the bookmarks!

Educational Videos: **Cris** is still working on these.

ConCom Notebooks: The Chair is still working on putting these together.

14. Adjourn

Action

Motion: **Ellen Snyder** made a motion to adjourn at 8:50 PM.

Second: **Melissa Sharples**

Discussion: none

Vote: **Approved Unanimously 7-0-0**

Respectfully submitted,

Sue Frick, Recording Secretary

DCAT:

https://videoplayer.telvue.com/player/XSekkdEeRsk0JHQVHAvKJVka7_5VjxKP/videos

ADDENDUM Page 1

MEMORANDUM

TO: Newmarket Conservation Commission
 FROM: Duane Hyde, Land Conservation Director, SELT
 DATE: May 3, 2024 for May 9, 2024 meeting
 RE: **Mitchell Conservation Project**

SELT has been actively working with the Mitchell family on an approximately 132-acre conservation project located near/along Bald Hill Road and Jacobs Well Road and shown on the Newmarket Tax Maps as Tax Maps as Map R7, Lots 21, 21-1, and 27. In addition, there is an approximately 1.3 acre portion of the property in Epping and shown on the Epping Tax Maps as Map 18, Lot 32 (see attached maps). Note that some of these parcels will be reconfigured through boundary line adjustments as described later in this memo. In addition, it is worth noting that Newmarket Tax Map R7, Lot 27 is shown on the tax maps in a much different configuration than shown in the attached maps, but the shape shown is based on abutting surveys.

Since the late 1990s there have been on again and off again conversations between the Mitchell family and the conservation community, including SELT, The Nature Conservancy, Great Bay Resource Protection Partnership, and the Newmarket Conservation Commission. The family has deep roots and reportedly the land has been in their family since it was granted to them by the King of England. Up until now the family was not ready to conserve the land and wished to retain the property as it had for 100's of years. The ownership is in a Trust with 5 siblings as Trustees. Four of the five siblings live in very close proximity or abutting the property and one is in California. The family members have realized that beyond the current generation the family will start to grow exponentially and managing the land and ownership interests of all these people would become practically infeasible. Thus, through the past meetings with conservation groups and town representatives, they have decided to pursue conservation. SELT began in depth conversations with the family late in 2022 to discuss conservation and explore funding options. We have decided on a configuration of a conservation sale in fee of an approximately 132-acre portion of their property and an appraisal has been completed with the purchase price based on the appraisal and agreed upon by all parties. The land is now under agreement for acquisition.

The purpose of this memo is to update the Commission on the project and work to date, the conservation features of the property, the project structure, discuss budget, and request for Newmarket Conservation Commission letter of support and also funding. With funding support the Town will likely want to hold a legal interest in the property and this could take the form of an Executory Interest in either the conservation easement or the fee deed, whichever the Town prefers.

Conservation Features

Commission members may be well aware of the conservation values of the Mitchell property and you may be able to share some additional information with me at your meeting; however, below is a summary of the conservation attributes SELT has identified in its evaluation of the property.

ADDENDUM page 2

Water resources:

- There is approximately 1.070 feet of Hilton Brook that flows through the property which then flows through a large matrix of conservation land protected by the Town of Newmarket and others. Eventually Hilton Brook joins with the Lamprey River. The brook has very good forested buffer protecting water quality and providing excellent wildlife habitat. There is also approximately 1,920 feet of a of intermittent tributaries to the Lamprey River that flow into the Lamprey just a short distance away on the other side of Jacobs Well Road.
- There are approximately 23-acres of National Wetland Inventory mapped wetlands on the property including open water wetlands, scrub-shrub wetlands, and forested wetlands.
- The property is approximately 1,800 feet from the mainstem of the Wild and Scenic Lamprey River.
- Along Hilton Brook there is approximately 28-acres of Army Corps of Engineers mapped 100-year floodplain.
- The property is important toward protecting the water quality within the Great Bay Watershed with approximately 39-acres mapped as significant toward Pollutant Attenuation according to the 2021 Land Conservation Plan for NH's Coastal Watershed (Coastal Conservation Plan).
- The property includes significant drinking water attributes with 70.5-acres of the property within a NH DES High Priority Water Supply Lands area and within a NHDES Hydrologic Area of Concern due to the Lamprey River downstream being a drinking water source for the Town of Durham and UNH. Approximately 10 acres of the property is also over a High Transmissivity Aquifer.

Wildlife & Conservation Plans:

- The property has exceptional conservation context and is part of an approximately 4,965-acre block of conservation lands. The Mitchell project abuts the 104-acre Town of Newmarket Hilton Conservation Easement, the 64-acre Hayden tract owned by NH Fish and Game Department, the 146-acre Bald Hill Forest owned by SELT (formerly Limperis and Chinburg tracts), and the list goes on (see attached map).
- 116-acres of the property is within a Prioritized Habitat Block identified through The Nature Conservancy's Connect the Coast report which identified key remaining wildlife habitat blocks and corridors of regional significance. These are the large intact areas of habitat that the wildlife corridors connect to and there is an approximately 0.4-acre portion of a wildlife corridor on the Mitchell property.
- NH Fish & Game Department Wildlife Action Plan identified 66-acres of the property as Highest Ranked Habitat in the State, 60-acres as Highest Ranked Habitat in the Biological Region, and 3-acres of the property as Supporting Landscape for wildlife.
- The property has very good climate resiliency features with approximately 8-acres Far Above Average for resiliency, 79-acres Above Average, and 34-acres Slightly Above Average.
- The property includes a portion of a NH Natural Heritage Bureau exemplary community, a Low-Gradient Silty-Sandy Riverbank System (S3, rare or uncommon) that is associated with Hilton Brook. This community provides important wildlife habitat including fowl and migratory bird habitat. The community includes several rare plant

ADDENDUM page 3

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populations including giant bur reed and climbing hempweed. Rare bird species documented utilizing the community include golden-winged warbler and Northern harrier.

- The property is also identified habitat for and known occurrences documented for two rare reptile species: Blanding's turtle (S1-state endangered) and Spotted Turtle (S2- state threatened).

Recreational Resources:

- SELT has long been working toward a vision of connecting Pawtuckaway State Park to Great Bay, known as the Pawtuckaway to Great Bay Greenway. We have been strategically conserving parcels within this greenway corridor and have made significant progress. The Mitchell property is one of the critical links toward achieving this greenway vision.
- SELT plans to construct a small parking area (3 to 5 cars) at the current old log landing along Jacobs Well Road. This parking area will connect to a looped trail along Bald Hill and also a connector trail to the trailhead for Bald Hill Forest located at the end of Hayden Place road.

Conservation Structure-Ownership

Due to the proximity to the NHFG Piscassic Wildlife Management Area's Hayden tract and multiple other conservation lands, conversations with NHFG were pursued to figure out a viable path toward raising the funds necessary to conserve the Mitchell property. NHFG staff expressed strong interest after visiting the property. Further conversations with NHFG have resulted in a project structure that involves breaking the Mitchell Project into three separate transactions that are all envisioned to occur on the same date one after the other:

- NHFG will acquire fee interest to approximately 61-acres of the Mitchell property which is located on the east side of Bald Hill Road, which includes a portion of Hilton Brook and its associated wetlands and abuts NHFG's Hayden tract. This property is located in Newmarket. This project will involve two boundary line adjustments as described later in this memo.
- SELT will acquire approximately 71-acres which is located on the west side of Bald Hill Road and the east side of Jacobs Well Road, which includes Bald Hill and abuts SELT's Bald Hill-Chinburg tract and the Limperis properties. This property is located in Newmarket with a small portion in Epping. This project will involve two boundary line adjustments as described later in this memo.
- SELT will sell a conservation easement over the 71-acre Bald Hill property to NHFG.

NHFG will make its purchases utilizing US Fish and Wildlife Service Wildlife and Sport Fish Restoration grant funds (aka Pitman-Robinson funds) which pay 75% of the purchase price at fair market value and 75% of eligible project costs. SELT will be responsible for providing funds to cover project costs not covered by NHFG and the 25% match funding through non-federal sources. Three sales agreements have been signed: one between SELT and the Mitchell's for the Bald Hill tract, another for SELT and NHFG for NHFG's acquisition of a conservation easement on the Bald Hill Tract, and the third between Mitchell's and NHFG for NHFG's acquisition of the Hilton Brook Tract. Each of the three agreements are summarized as follows:

SELT Acquisition of Bald Hill Tract

SELT purchase from the Mitchell's at a Purchase Price based on the appraised fair market value of \$1,420,000.

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Closing no later than December 31, 2025.

Standard contingencies of title, hazardous waste, and boundary survey.

- Includes a provision for two boundary line adjustments that require Newmarket Planning Board approval. The family wishes to retain and add to family-owned abutting lots an approximately 2.6-acre area and an approximately 2.7-acre area which brings the total conservation acquisition to approximately 71 acres. SELT is responsible for securing the boundary line adjustments.

NHFG Acquisition of Conservation Easement Bald Hill Tract

- NHFG will purchase a conservation easement from SELT with the purchase price equal to 75% of the appraised fair market value of the conservation easement plus eligible project costs.

- Requires an appraisal be prepared that meets federal "Yellow Book" standards and USPAP standards.

- Closing no later than December 31, 2025.

NHFG Acquisition of Hilton Brook Tract

This contract has NHFG is acquiring directly from the Mitchells.

- The Mitchell-NHFG agreement includes a Purchase Price based on an appraised fair market value of \$490,000.

- Contingent on boundary line adjustments for the Mitchell's to retain areas and increase the size of existing lots. The Mitchell's wish to increase one of their abutting lots by 1.14-acres and a second abutting lot so it totals 14.25 acres. SELT will manage the survey and boundary line process for NHFG and the landowner.

- Requires an appraisal be prepared that meets federal "Yellow Book" standards and USPAP standards.

SELT will be managing the due diligence and project-related work.

Budget

With what equates to three separate projects, and NHFG as a partner in the project, the entire project budget is quite complicated. However, a total overall budget for the project is included as an exhibit to this memorandum.

The budget shows a total project cost of \$2,213,594. The costs in the budget are fairly self-explanatory, but I'd be happy to discuss any questions the Commission may have. A few items that often spark conversation are worth noting. The budget includes SELT Project Management Costs for managing and working on the project. SELT tracks its project management costs for each project it works on and categorizes the projects based upon the structure/funding sources. Based on several prior larger land conservation projects with complicated outside funding sources the Mitchell project falls into a \$30,000 Project Management cost category. The Land Management Fund calculation is based upon the size/features of the property, property taxes, insurance, repairing/maintaining improvements, maintaining trails, and the amount of staff time it will require to manage the property and the volunteers. SELT has a spreadsheet calculator that it enters data about the project into and it calculates the Land Management Fund necessary to ensure that the organization will have the long-term (permanent) capacity to monitor and manage the property. SELT uses the interest from the Management Fund to pay for our costs of stewarding the property. It is a one-time payment to the Management Fund and we estimate a 4% annual return. The calculation indicates this project requires

\$116,300 be placed in SELT's Land Management Fund for the long-term care and monitoring of this

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property, plus a one-time contribution of \$1,800 to SELT's legal defense fund. There are also \$22,000 in capital costs for the improvements to be made including the parking area, signs, kiosk, gates and the forest management plan. There is also a one-time Stewardship Fund contribution of \$20,000 to NHFG for the NHFG held conservation easement.

On the revenue side, the NHFG is the substantial major contributor to the project with \$1,384,373 in funds to be provided. The other major funding sources include LCHIP, NH Moose Plate Program Grant, the NHDES Drinking Water and Groundwater Trust Fund, Lamprey River Advisory Committee, and of course the Town. All the requests for funds from the grant sources listed will be made in the upcoming grant rounds. SELT is presenting the project to LRAC with the funding request this month.

SELT plans to send out a multi-community fundraising mailing for this project, the costs for which are shown in the Printing and postage section of the budget. With the mailing and other direct outreach to donors, SELT is budgeting to raise \$87,351 in private funds.

Request to the Commission

Request a letter of support for the project which can be used with funding applications. Request to provide SELT with \$100,000 toward the Mitchell land conservation project.

Authorize the Chair of the Conservation Commission to enter into a Letter of Understanding for this funding commitment (if/when it is made).

If required by the Town, recommend acceptance of a legal interest in the Bald Hill portion of the project via an Executory Interest in either the fee deed or conservation easement deed.

ADDENDUM page 6**Expenses**

<u>Transaction Costs</u>	<u>Total</u>	<u>Notes</u>
<i>Acquisition Costs</i>		
Easement Purchase Price	\$1,290,000	
Land Purchase Price	\$620,000	
<i>Due Diligence Costs</i>		
Hazardous Waste Assess.	\$4,000	
Survey	\$36,000	
Appraisal(s)	\$21,699	
Legal	\$13,570	<i>Includes Title research, insurance, legal costs</i>
<i>Closing Costs</i>	\$2,125	<i>Includes recording fees, taxes</i>
<i>Project Management Expenses</i>		
Project Management	\$30,000	<i>Flat rate</i>
Printing & Postage	\$6,000	<i>Community mailing</i>
Travel	\$100	
<i>Contingency</i>	\$30,000	
<i>Subtotal, Transaction Costs</i>	\$2,053,494	
<u>Stewardship Costs</u>		
Capital Costs and Management Planning	\$22,000	<i>Parking area, kiosk, signs, trail work, gates & forest management plan</i>
Land Management & Legal		
Defense Funds	\$118,100	<i>Min. contribution for fee ownership</i>
Stewardship Fund	\$20,000	<i>NHFG Easement Stewardship Fund</i>
<i>Subtotal, Stewardship Costs</i>	\$160,100	
TOTAL EXPENSES	\$2,213,594	<i>total Transaction Costs + Long Term Stewardship Costs</i>

REVENUES

<u>Revenue Sources</u>		<u>Notes</u>
<i>Government</i>		
NHFG	\$1,384,373	<i>Under Agreement</i>
LCHIP	\$245,000	<i>Application due Summer 2024</i>
NHDES Drinking Water & Groundwater Trust Fund	\$245,000	<i>Application due Summer 2024</i>
Moose Plate	\$30,000	<i>Application due in Fall 2024</i>
Lamprey River Advisory Committee	\$100,000	<i>Making Request</i>
Town of Newmarket	\$100,000	<i>Making Request</i>
<i>Private Fundraising</i>		
Great Bay Res. Protection Partnership	\$21,870	<i>Apply Fall 2024 or Spring 2025</i>
Landowner to Vendor		
Private gifts	\$87,351	<i>To be raised</i>
TOTAL REVENUES	\$2,213,594	



TOWN OF NEWMARKET NEW HAMPSHIRE

Conservation Commission

October 10, 2024 7:00 PM

Town Hall Auditorium

DRAFT MEETING MINUTES

Members Present: Ellen Snyder (Chair), Emma Fortin (School Liaison), Jeffrey Goldknopf (Planning Board Rep.), Tom Jones, Colin Lawson (Alternate), Julianna Tyson.

Members Absent: Melissa Sharples (Vice-Chair), Zachary Angelini (Alternate), Cris Blackstone, David Bell, Jessica Cann (Alternate), and Brian Ward (Town Council Rep. ex officio)

The Chair called the meeting to order at 7:00 PM.

1. Pledge of Allegiance

2. Roll Call

The Chair appointed **Colin Lawson** as a voting member this evening. The five voting members include **Ellen Snyder, Jeff Goldknopf, Tom Jones, Colin Lawson, and Julianna Tyson.**

3. Public Comment

None.

4. Approve Meeting Minutes

September 12, 2024

The Chair asked for one change to the minutes.

Action

Motion: **Tom Jones** made a motion to approve the Minutes of September 12, 2024 as amended.

Second: **Colin Lawson**

Discussion: none

Vote: **Unanimously Approved 4-0-1 (Jeff Goldknopf abstained)**

5. Financial Summary

The Chair reported that, as of October 3, the Conservation Fund has a balance of \$136,183.24 and the Schanda Park Fund balance is \$4,621.11. Together they total \$140,804.35. We received some interest and the 2nd LRAC payment for the Old Lee Trail

Grant was received on 9/24/2024. Everything for that Grant has been paid out. The replacement rails for PR-L cost a little more than allocated, but the members approved the \$35.00 unanimously. The General Fund is currently \$4,873.49.

6. Committee/Board Reports

Town Council: No report this evening. For more information watch the meeting at: https://videoplayer.telvue.com/player/XSekdEeRsk0JHqVHAvKJVka7_5VjxKP/media/901454

Planning Board/Town Planner: **Jeff** reported on the meeting this Tuesday. The discussion of the proposed zoning changes was tabled until the next meeting. Specific concerns had to do with single family home lots being divided into smaller lots and the possibility that the smaller lot could then accommodate 6 units. For more information watch the meeting at: https://videoplayer.telvue.com/player/XSekdEeRsk0JHqVHAvKJVka7_5VjxKP/media/905433

Riverfront Advisory Committee/Schanda Park: No report this evening. There will be a special two-session charrette on Friday and Saturday, October 18 and 19. Everyone is encouraged to participate in this informational presentation and workshop with the community.

Energy and Environment Advisory Committee: **Julianna** reported on the issue that **Melissa** mentioned at the last meeting...a representative from CPCNH (<https://www.cpcnh.org>) was knocking on doors and pressuring folks to change their power provider. **Julianna** spoke with the Chair of the EEAC who was unaware of representatives in town and he will contact CPCNH. Others also reported this issue. **Julianna** mentioned the competition going on right now between seacoast towns for customers who choose to upgrade their service (for more \$\$) to include a greater percentage of renewable power sources. FYI: <https://www.nhpr.org/environment/2024-08-01/seacoast-communities-compete-to-see-who-can-support-the-most-clean-energy>. Having rain barrels available to the community to purchase was considered and they discussed the previous sales program by the ConCom. **Julianna** will let the EEAC know about the interest by the ConCom for both rain barrels and composters. Lyndsay Butler, the Town Engineer, is very excited about the opportunity to help residents conserve water and help work on issues with storage and distribution of the barrels. There is a hope that this offering could be timed for spring when folks begin gardening again!

School Liaison: **Emma** reported that Dale Pike had been in touch with the Principal over the summer about his interest in collaborating with several environmental clubs which she is involved with. Dale would like to have conversations with the students about issues and was particularly keen about the upcoming charrette and possible student participation in the Heron Point trail network and extending trails at Schanda Park. She mentioned that the rain barrel at the High School is used for watering the trees that were planted by the club out front during the summer when they did not have access to hoses, etc. The founders of the environmental club at the HS decoratively painted the rain barrel!

7. Conservation Easement Monitoring

Tom reported that the Smith Sister Audubon property still needs to be monitored. Both **Julianna** and **Ellen** offered to help get that done with **Tom** around the middle of November? The Chair also mentioned that New Roots/Nostrum is pending sale. She has spoken with the realtor, so that any potential buyer is aware of the easement. She also

informed SELT about the sale. The Chair asked for a quote from SELT to produce an evaluation of the baseline/current condition of the farm. With a new owner soon, it would be a good thing to do this.

8. Conservation Land Stewardship

Heron Point Sanctuary: Hazzard Tree Removal and Boundary Survey: The boundary survey and tree removal are on target to be completed by November or December.

Piscassic River – Loiselle: Fence Rails: DPW has agreed to mow the paths for us going forward. The new fence rails have been ordered.

Wiggin Farm: Boardwalk Replacement: The Chair announced the permit was received today and it was the 'notification only' permit for \$25! The project is being funded by a \$7,500 grant from LRAC and a \$3,200 grant from Great Bay Resource Protection Partnership. Mark West submitted an invoice today for \$1,148.10.

Action

Motion: **Julianna Tyson** made a motion to pay Mark West \$1,148.10 for the Wiggin Farm boardwalk replacement project from the grant funds.

Second: **Colin Lawson**

Discussion: none

Vote: **Unanimously Approved 5-0-0**

Thank you so much Mark West! Greg DiSanto will be designing/constructing the new boardwalk for us in November (most likely during the week). The Chair will send out an email for possible volunteers!

Colin reported on the Boulder Hill Trail. He is still waiting an answer on the possible liability issues from **Bart**. **Colin** is looking for additional wood chips and the Chair suggested that Jon Roy at Orion Tree Service might be willing to dump a truck load at the site for spreading. More updates later.

9. Projects and Events

Old Lee Class A Trail Improvements: Ash Swamp Road Turtle Crossing/Aquatic : The project is complete and it looks great!

TurtleFest 2025, May 10th: **Cris** couldn't make the meeting tonight, but told the Chair that there is lots of planning under way. More news later.

Newmarket Library: The Chair had a meeting with the Library staff who are very exciting about TurtleFest and possible ways to collaborate. She will be meeting about another Storybook Trail at Piscassic-Loiselle as well.

Ash Swamp Road Turtle Crossing/Aquatic Passage: The grant applications are still out awaiting approval. Fingers crossed!

Prime Wetlands Mapping: No news.

Mitchelle Land Conservation Project: No news.

Salamander Brigade, Vernal Pool Survey: **Zach** will discuss these topics at the next meeting.

Heron Point Wet Leaf Clean-up: **Colin** and **Emma** will get together and organize a student work party. They will wait until 90% of the leaves are down.

Just another reminder to the community, **please do not use a leaf blower on any of the conservation trails.**

**10. Non-Public Session to Discuss Land Conservation,
per RSA 93-A-3,ii(d) -**

(d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are averse to those of the general community.

Action

Motion: Tom Jones made a motion to go into a Non-Public Session at 7:48 PM.

Second: Julianna Tyson

Discussion: none

Vote: Unanimously Approved 5-0-0

Action

Motion: Julianna Tyson made a motion to close the Non-Public Session at 8:10 PM.

Second: Colin Lawson

Discussion: none

Vote: Unanimously Approved 5-0-0

The meeting was reopened.

Action

Motion: Tom Jones made a motion to seal the Non-Public Notes.

Second: Julianna Tyson

Discussion: none

Vote: Unanimously Approved 5-0-0

11. Adjourn

Action

Motion: Colin Lawson made a motion to adjourn at 8:11 PM.

Second: Julianna Tyson

Discussion: none

Vote: Unanimously Approved 5-0-0

Respectfully submitted,

Sue Frick, Recording Secretary

DCAT:

https://videoplayer.telvue.com/player/XSekdEeRsk0JHQVHAvKJVka7_5VjxKP/videos