Brackett Brook Farm Project

Public Hearing

February 21, 2019

Minutes

* The Chair called the hearing into session at 7:00pm
* Roll Call of Commissioners Present: Ted Cooley (Chair), Carl Schmidt, Emily Bryant (Alternate), Craig Putnam, Fran Plaisted (Alternate, Secretary),Jeff Macqueen, Paul Goundry(alternative), John Miller, Diane Gildersleeve and representing the Selectboard, David Smith
  + Recused: Harry Pease.(send sympathies to his Dad who is in the hospital)
* Emily Bryant was seated as Commissioner for the meeting.
* Others Attending:
  + Megan Chapman from Upper Valley Land Trust (UVLT) presenting at the hearing
  + Sarah and Bruce Schwaegler, Harry Pease were present.
* Chair introduced Conservation Commissioners and UVLT attendee.
* Public Hearing Purpose: To receive public input regarding the proposed OCC Contribution of $10,000 from the Orford Conservation Fund to support the purchase by the Upper Valley Land Trust of a Conservation Easement on 105 scres of farmland in East Orford owned by Harry and Linda Pease.
* Ted Cooley began the hearing on the Brackett Brook Farm by reviewing the process for a public hearing including the public hearing noticing process and how OCC did so. Ted Cooley read the provisions (see Appendix).
* Conservation Fund Purpose: Chair outlined the process for the hearing. RSA 79-A:5 II Conservation Fund- Ted reviewed history, how funds are utilized. See Appendix.
* Brackett Brook Farm Project: 105 acres adjacent to NH Route 25A. Southern boundary abuts the AT corridor. The farm has been in the Pease family for five generations, and is one of the last remaining hill farms in East Orford. Cost for the project including the easement and project expenses (see Appendix) is $160,000. OCC has contributed $10,000 already the current Proposal is to donate an additional $10,000 from the Conservation Fund to be added to a grant already obtained to gain Orford’s access to a $160,000 easement. The land will be conserved and public access will be secured.
* The land is presently in current use and will remain in current use. Thus, Orford will continue to collect taxes on the farm. Once the Conservation Easement is in place,
* Megan Chapman from the Upper Valley Land Trust (UVLT) reviewed the history of the organization and of other UVLT projects. The UVLT has been conserving mostly working farmland in NH and VT for 20 years. This project involves purchase of a conservation easement on the land. The reason for the request for additional funds is the result of the LCHIP grant being less than the ULVT requested. The request was for $60,000 and $40,000 was awarded. Thus, an additional contribution from the Conservation Commission, in combination with a local fund-raising project, will be necessary in order to purchase a conservation easement from the Peases. Such an easement will ensure that the land will remain farmland, instead of it being developed. It is the last remaining hill farm in East Orford. The goal is a closing in late summer.
* NRCS grant was for $60,000 funding was obtained recognizing Brackett Brook is high value farm land. The farm produces hay, wood, and syrup, and leases fields for beef cattle. $30,000 from the Appalachian, $40,000 and we are hoping to raise the remainder of the $10,000 from private donations.
* A contribution to purchasing the easement aligns with Orford’s town plan and recreation plan. The easement would protect scenic vistas, wildlife habitat, and open space, along with a well-managed woodlot that provides field and woods edge habitat necessary for wildlife.
* Public Access to land is guaranteed in easements funded by LCHIP. The access includes: pedestrian, hunting and fishing (mechanized vehicle access up to land owner). There is a snow machine trail on the land.
* No restrictions apply on the buildings. The land remains privately owned and all subsequent landowners must keep the land as farmland with dispersed pedestrian access. No protected public trails. Right to hunt, fish.
* NRCS only 2% of the entire land can be developed into buildings- Bruce Schwaegler asked about
* Carl asked if the property tax liability will change since the development rights are no longer available. Since the land is already is in current use and it will remain in current use so there will be no change in the amount of taxes paid by the land owner. Megan pointed out that while future development rights will be sold, the town would not incur costs that would result from developments such as roads, education etc.
* Paul Goundry asked about the breakdown in land and it was listed in the flyer from the fund raising letter.
* UVLT will be the holder of the easement and maintain the easement. The property will remain conserved even if the UVLT were to close. The easement would transfer to another entity involved in land conservation.
* Bruce Schwaegler, 598 Indian Pond Rd., Thanked Harry and Linda for conserving their farm land. Both he and Sarah Schwaegler indicated they were in support the donation of $10,000 and he is pleased that this is in conjunction with a public fund raising effort of $10,000.
* Chair moved to adjourn the Public Hearing at 7:32. John Miller seconded. Motion carried.

Appendix

*Orford Conservation Commission*

*Brackett Brook Farm Public Hearing*

*Thursday, 9th August 2018*

*7:00 P.M.*

*Niles Room, Orford Town Offices*

*2529 NH Route 25A, Orford, NH*

**PUBLIC HEARING AGENDA**

1. Call Public Hearing into Session

2. Roll Call of Commissioners

3. Introductions

4. Purpose

5. Agenda

* Conservation Fund purpose
* Brackett Brook Farm Project
* Public questions and comments
* Next steps
* Adjourn Public Hearing

Orford Conservation Commission

Town of Orford, New Hampshire

**Notice of Public Hearing**

Regarding The

Brackett Brook Farm Project

February 21, 2018, 7pm

The Niles Room

Orford Town Offices

2529 NH Route 25A

Orford, New Hampshire 03777

TO RECEIVE PUBLIC INPUT REGARDING THE PROPOSED ORFORD CONSERVATION COMMISSION CONTRIBUTION OF $10,000 FROM THE ORFORD CONSERVATION FUND TO SUPPORT THE PURCHASE BY THE UPPER VALLEY LAND TRUST OF A CONSERVATION EASEMENT ON

105 ACRES OF FARMLAND IN EAST ORFORD

OWNED BY HARRY AND LINDA PEASE

**OCC Bylaws, pp. 4-5:**

**Public Hearings**

* 1. At the Annual Town Meeting on March 14, 2000, Orford adopted the provisions of RSA 36-A:4-a, I (b) to authorize the Conservation Commission to expend funds for contributions to qualified organizations for the purchase of property interests, or facilitating transactions related thereto, where the property interest is to be held by the qualified organization and the Town of Orford will retain no interest in the property.
  2. The Commission is required to hold a public hearing before using money from the Conservation Fund to acquire any interest in real property. (RSA 36-A:5)
  3. The Commission may hold public hearings to solicit opinions on issues other than real property acquisitions or dredge and fill applications.
  4. Notice of a public hearing must be posted in two public places and published in a newspaper of general circulation in the Town of Orford at least 10 calendar days before the public hearing, counting neither the day of posting nor the day of the hearing. (RSA 675:7)
  5. Public hearings shall be conducted as follows:

1. The Chair shall call the hearing in session and ask the Secretary to call the roll of the Commission so that the hearing record will reflect those present.
2. The Chair shall identify the applicant or agent, and ask for their report on the proposal or application.
3. The applicant or agent shall present the proposal or application to the Commission.
4. Members of the Commission may ask questions at any point during the presentation.
5. Any party to the matter who desires to ask a question of another party must do so through the Chair.
6. Any applicant, any abutter, or any person with a direct interest in the matter may testify in person or in writing. Other persons may testify as permitted by the Commission at each hearing.
7. Each person who speaks shall be required to state her/his name and address and indicate whether she/he is a party to the matter or an agent or counsel for a party to the matter.
8. Other parties such as representatives of town departments and other town boards or commissions who have an interest in the proposal shall be allowed to present their comments in person or in writing.
9. The Chair shall indicate whether the hearing is closed or adjourned pending the submission of additional material or information or the correction of noted deficiencies. In the case of an adjournment, additional notice is not required if the date, time and place of the continuation is made known at the adjournment.

ORFORD CONSERVATION COMMISSION

AND

CONSERVATION FUND

The Orford Conservation Commission was established in 1972 by approval of Warrant Article 20 at Orford Town Meeting, which stated in part, “To see if the Town will establish a Conservation Commission under the provisions of R.S.A 36A.”

At the March 14th, 2000 Town Meeting, voters approved Warrant Article 19 which stated, “To see if the Town will vote to deposit 100% of the revenues collected pursuant to RSA 79-A (the Land Use Change Tax) into a fund known as the Conservation Fund as authorized by RSA 79-A:5 II, to be administered by the Conservation Commission to help preserve the rural character of Orford by encouraging the conservation of open land in accordance with RSA 36-A:5 III.”

In accordance with RSA 36-A: 5 II, “The town treasurer, pursuant to RSA 41:29, shall have custody of all moneys in the conservation fund and shall pay out the same only upon order of the conservation commission. The disbursement of conservation funds shall be authorized by a majority of the conservation commission. Prior to the use of such funds for the purchase of any interest in real property or for a contribution to a qualified organization for the purchase of property interests under RSA 36-A:4-a, I(b), the conservation commission shall hold a public hearing with notice in accordance with RSA 675:7.”

Notice has been published in the Valley News and the Journal Opinion. Notice was posted at the two Orford libraries, Orford Town Offices, and the Orford Post Office. Notice was further published on the OCC Facebook page and using the Orford Listserv.

BRACKETT BROOK PROJECT

* 105 acres located adjacent to NH Route 25A. The southern boundary of the property abuts the AT corridor
* Owned by Linda and Harry Pease. Quoting Harry Pease:

“The farm has been in the Pease family since 1866.  My Great-Great Grandfather bought the farm September 10, 1866.  I'm the 4th generation to own the farm, 5th generation to farm here.  Dad farmed here (4th generation), but never owned it.  It is one of the last remaining active hill farms in East Orford.  There used to be dozens.”

* The conservation easement project is headed by the Upper Valley Land Trust (UVLT).
* Assessed cost of the easement and due diligence is $160k. The OCC would contribute a total of $20k to the effort, thus obtaining a 16x multiplication as we already donated 10K and per this hearing will donate another 10K.
* OCC Commissioners enthusiastically support this project
* The UVLT will be the holder of the easement and will be responsible for maintaining it.
* The land is in current use and is contributing to the Orford tax base. The land will continue to contribute to the tax base.
* Once the conservation easement is in place, The Town will have access to the land. The land provides opportunities for conservation and stewardship education, hiking, cross-country skiing, hunting, fishing, and other public uses. Mechanized traffic likely limited to snowmobiles.

Wildlife at Brackett Brook Farm

Animals:

Black Bear

Coyote

Fisher

Mink

Moose

Porcupine

Raccoon

Red Fox

Skunk

Snapping Turtle

White Tailed Deer

Wood Chuck

Birds:

Bald Eagle

Barred Owl

Bobolink (and many other types of songbirds)

Crow

Canada Geese

Grouse

Raven

Red Shouldered Hawk

Turkey Vulture

Wild Turkey