

TOWN OF AMHERST  
Conservation Commission

February 12, 2020

**APPROVED-Amended**

In attendance: Jared Hardner – Vice Chair, Bill Widmer – Treasurer (alternate), John Harvey, Lee Gilman, Vick Bennison, Peter Lyon – BOS Ex-Officio, Bill Stoughton (alternate), and Mike Cohen (alternate).

Staff present: Kristan Patenaude – minute taker.

Vice Chair Jared Hardner called the meeting to order at 7:00 pm.

**ADMINISTRATIVE:**

**1. Chair Comments**

Jared Hardner explained that he will Chair this meeting while Rob Clemens is away.

*Bill Stoughton sat for Rob Clemens.*

*Bill Widmer sat for Frank Montesanto.*

**2. Minutes (from 1/08)**

**Bill Stoughton moved to approve the meeting minutes from January 8, 2020 as amended [For Line 101 to read: “In response to a question from Jared Hardner, Ken Clinton stated that water basins and swales will make up for any loss of water management function from these impacted wetlands.”] Vick Bennison seconded. 4-0-2; motion carried.**

*Rich Hart entered.*

**3. Treasurer’s Report**

The Commission reviewed the Treasurer’s Report.

Bill Widmer explained that an item charged under the Invasives Mitigation line was an encumbrance from 2019.

The group reviewed the budget’s bottom line and discussed that possible line transfers could be run by Town Administrator Dean Shankle.

**Bill Stoughton moved to accept the Treasurer’s Report as presented. Vick Bennison seconded.**

**All in favor.**

**4. Planning & Permits**

Rich Hart explained that there was no Planning Board meeting last week, due to Deliberative Session. There will be a large Planning Board meeting next Wednesday.

**TOPICS:**

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**5. Purchase of Buck Meadow property**

Jared Hardner explained the background of the Buck Meadow purchase. The original offer was rejected, but eventually reconsidered and accepted. Town Administrator Shankle has signed a purchase & sale agreement for \$575,000. The process now will be to hold public hearings, have votes taken by the ACC and Board of Selectmen, and to perform some due diligence. The property was originally assessed at \$997,000. It is approximately 40 acres. This area was once a larger property that was subdivided for two sets of condominiums. When this occurred, an easement was given from the condos to the owner for continued use of the golf course on some of the condominiums' land. This property and easement comes with the sale.

In response to a question from Vick Bennison, Jared Hardner explained that there is access to the property off NH Route 101A. There is also an interesting opportunity to access the property off Stearns Road. There may be the possibility for a trailhead there.

Jared Hardner stated that this property was identified in the Conservation Plan as an area to conserve, due to it being located in the southern hydrologic zone. The area of the property that is currently grass has the potential to be restored to natural grassland. There is also a chunk of the land that could be suitable for a municipal wellhead. A majority of the land, ~24 acres will be conserved as wetlands. The rest of the land will be split between the ACC and the Recreation Department. The Rec Department plans to put three soccer fields on the property. The rest of the land offers a recreational opportunity for the community, such as trails for walking, jogging, cross-country skiing, and snowshoeing. There is also the possibility for a dog park or playground equipment.

In response to a question from Mike Cohen, Jared Hardner stated that there is a proposed Operating Agreement between the ACC and Recreation Department that will protect the aquifer. The ACC has a responsibility to ensure that the water resource is protected. The Recreation Department is currently reviewing the agreement in context with their preferred regimen.

Jared Hardner explained that the current clubhouse on the property will be utilized for different Recreation Department programming. This could be an opportunity for possible recreation for the older demographic in town, as it has easy access to its location.

Jared Hardner explained that the land on this property is not perfectly flat and there may be the need to move earth around. The examination into this could lead to further involvement with the Planning Board or DES. There will also need to be a line of trees removed that is currently used to split the fairways.

Jared Hardner stated that the land comprises 40.7 acres, with an additional 17.9 acres in the easement, for a total of 58.6 acres. The asking price was \$680,000 (from an original asking price of around \$1M), but a bid of \$575,000 was accepted in January 2020. This amount will be made up of \$375,000 from the ACC funds, and \$200,000 from the Recreation Department funds. The Board of Selectmen is in unanimous support of this purchase. This project shows an excellent level of collaboration with the Recreation Department.

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The due diligence being completed for this purchase includes: the building code inspection, a legal review of the easement/condominium, a site walk, water quality tests, ensuring the compatibility of the proposed playing fields with town ordinances, and a review of the equipment and other property included (some of the equipment will be kept for the town; the rest will be sold).

In response to a question from Bill Stoughton, Jared Hardner stated that Town Attorney Quinn is currently reviewing the easement and other possible restrictions on the property. He explained that, in the past, the golf course began to creep on the condominiums' edges. A piece of the land, approximately 1 acre, was granted to the golf course for as long as golf continued to be played there. This would be returned to the condominiums, but has no material impact on the town's goals for this land.

In response to a question from Mike Cohen, Bill Stoughton replied that any disputes between the ACC and Recreation Department in terms of this agreement would be resolved in the same way as any other two town entities handle disputes. Treatment issues and floodplain issues are called out in the agreement. The Recreation Department needs to review the agreement during their due diligence to explain if it is something that they can agree to.

Jared Hardner explained that there will be two public meetings with the Board of Selectmen, March 9<sup>th</sup> and March 23<sup>rd</sup>. There will then be a final Board vote on March 30<sup>th</sup>. The proposed restoration plan includes: mowing costs being borne by the Recreation Department, and a focused invasive plant treatment. There will be ongoing pro bono technical guidance available from UNH Extension and the Amherst Country Club.

John Harvey suggested that the Commission nominate a project manager to oversee some of the onsite items for this project.

**Bill Stoughton moved to proceed with the acquisition of the Buck Meadow Golf Course, which includes the completion of due diligence, finalization of an operating agreement with the Recreation Department, public hearings, and a final vote by the ACC followed by a vote by the Board of Selectmen on whether to approve the purchase. ACC's participation in this acquisition is understood to be \$375,000 towards the purchase of the property, to come from the Conservation Fund. John Harvey seconded.**

**Discussion:**

Bill Stoughton stated that the property is not in danger of being developed because it's in the floodplain but the town/ACC has an opportunity to protect a water resource, which is one of the ACC's statutory duties. This is also an excellent opportunity to work with the Recreation Department, and can be seen as an appropriate expenditure from the Conservation Fund.

**Voting: All in favor.**

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Jared Hardner explained that there is also the need to expend some money on the due diligence steps: Attorney Quinn needs to complete a title search, and an environmental site assessment needs to be sought.

**Bill Stoughton moved to approve an amount, not to exceed \$10,000, for due diligence and closing costs for the Buck Meadow Golf Course. Any expenses will follow regular town spending rules, such as acquiring multiple bids for an environmental site assessment. John Harvey seconded. All in favor.**

Bill Stoughton suggested that the ACC contact the condominium association sooner rather than later in order to explain the project at hand. This may help to gain public support for the public hearings.

The ACC agreed to look at site walk dates after March 6, 2020.

#### **6. Lindabury Pruning & Spraying**

Bill Widmer explained that there is some frustration around the level of volunteer effort being put forth to maintain Lindabury Orchard. The level is not enough for what is required. Currier Orchards, in Merrimack, was contacted regarding pruning and spraying. They gave a quote of \$50/hour/person for this. \$1,500 will be spent on pruning, approximately 30 hours, and \$1,000 will be spent on spraying. Lee Gilman will be consulted on all matters.

**Bill Widmer moved to expend \$2,500 out of the Conservation Fund to prune and spray Lindabury Orchard and to offer Currier Orchards \$50/hour, in order to do so. Rich Hart seconded. All in favor.**

#### **7. Earth Day 2020**

Mike Cohen explained that this year will be the 50<sup>th</sup> anniversary of Earth Day. He is hoping to find out if the ACC has interest in coming up with a theme for Earth Day and using it to extend throughout the year. Local examples of this are in Rindge, "Less Snow, More Rain," and Townsend, "Every Day is Earth Day." He is hoping for the ACC to host joint events in April, including a library display, Clean-Up Day, a talk on vernal pools, and possibly some collaborative events with other town entities.

Jared Hardner suggested that the ACC use the opportunity of the proposed purchase of Buck Meadow to center a possible theme and activities around. This acquisition could be a great community resource. The theme could have pieces regarding aquifers and water quality, grasslands, monarchs and supporting their habitat loss due to climate change, or pollinator gardens.

Will Ludt suggested connecting the theme to the Amherst Garden Club and their annual plant sale.

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Mike Cohen stated that Earth Day is April 22, 2020. The group discussed having Clean-Up Day on April 18<sup>th</sup> and a day full of themed activities on April 25<sup>th</sup>.

Vick Bennison suggested a theme of Amherst Earth Week.

Bill Widmer explained that Clean-Up Day this year will have two locations for drop-off after collection: one at the Town Green and one at the road that leads into the Souhegan High School. He is also hoping to get more engagement from high school and middle school students this year.

#### **8. Other Business**

John Harvey explained that he, Mark Worwitz, George Rollend, and Samantha Allen worked together to install a duck box, built by Mark, and place it in the Ponemah Bog.

Rich Hart stated that Matt Tarr will be unable to lead a discussion on vernal pools for the ACC, but did give him a name of someone else who might be able to help.

Lee Gilman stated that Scotts Field will be mowed sometime within the next week or two.

**John Harvey moved to adjourn the meeting at 8:29pm. Bill Widmer seconded.  
All in favor.**

Respectfully submitted,  
Kristan Patenaude

Minutes approved as amended: February 26, 2020