

Open Space Committee / Minutes of December 13, 2012 Meeting

7 p.m. Peterborough Town House

Present: Ed Henault, Debby Kaiser, Francie Von Mertens

Guest: Meade Cadot, Harris Center

Bogle Road conservation easements

Meade Cadot of the Harris Center presented two easements on Bogle Road about to be completed:

1. Sunnyfield Farm Inc. easement on two parcels along the Contoocook River, 40 acres total, with three-acre exclusion area on each parcel. In 2007 the Open Space Committee received advance notice that the parcels were to go on the market, and notified Crotched Mountain that bought one. Abutters bought the other. Both as conservation buyers. The abutter subsequently sold to Crotched Mountain, under the Sunnyfield Farm Inc. subset of Crotched.

2. Crotched Mountain Foundation property across Bogle Road from the two shoreland parcels and fronting Route 136. 17 acres with a one-acre exclusion for house and outbuildings where the Sunnyfield Farm managers live.

The properties abut and fill in gaps in a significant area of conserved lands, including Sunnyfield Farm and conservation easements held by the Conservation Commission. Since 2005 the Bogle Road area has been a conservation focus for the OSC, including two neighborhood gatherings co-hosted by the OSC with Sunnyfield Farm and Crotched Mountain.

Natural resources being conserved include agricultural, Contoocook and Bogle Brook shoreland, forest, wetland and scenic.

Easement support funding was discussed, assisted by history shown below.

- 2007 **\$20,000** from capital res. fund as town contribution for Temple Mountain purchase **\$2,000** to Harris Center for Greene et al easement, **239 Ac** Windy Row (rec'd matching grant) **LAMF**
- 2008 **\$6,917.86** cap. res. fund to Forest Society (Strong easement 2/14/08; **109 Ac**); **\$21,598** to Monadnock Conservancy (Thomas easement **375 Ac** 12/09/08) **LACRF**
- 2010 **\$5,000** to Mon. Cons. for conservation easement support funding on Wheeler, Babine and Lowe town parcels (**120 Ac**), 3/25/10. **LACRF**
- 2011 **\$2,000** from **LAMF** to Harris Center for easement support, Eastman parcel opposite MacDowell Colony, High Street (**40 Ac**) 11/11
- 2012 **\$5,000** from **LAMF** to Harris Center for Walcott easement transfer to HC 6/12

Members agreed to recommend easement support funding of \$5,000, restricted to the Harris Center's Easement Monitoring and Defense Fund. The Harris Center, in accepting the two easements also accepts the legal responsibility for monitoring the easements at least annually to ensure the terms of the easements are being honored. In the event of an infraction, legal expenses could be incurred. The Fund covers future expenses.

Community Garden conservation easement

Members discussed easement support funding for the conservation easement on the six-acre Community Garden parcel on Route 202N, completed a month ago also with the Harris Center.

It was agreed that the amount of \$1,000 be recommended to partially cover the landowner's expenses (survey, legal, environmental site assessment, Harris Center).

Ed Henault will present the recommendations to the Conservation Commission at its January 17 meeting, and the Select Board thereafter, co-agents to expend for the Land Acquisition Capital Reserve Fund.

As Meade Cadot retires in a few weeks after 37 years at the Harris Center building what he named the "Supersanctuary" of conserved lands, members requested he reminisce some about his favorite conservation projects. He is a legend well beyond the Monadnock Region. Tea was offered.

Upon Meade's departure, members again discussed certain town-owned properties that lack legal protection (conservation easements), the "Hall property" included. As each easement likely would cost the town at least \$5,000, that expense has and remains a roadblock. Debby Kaiser questioned whether a deed restriction instead of a conservation easement could be binding. It would lack a land trust or agency responsible for monitoring to see that the restrictions were honored, but it is an option worth exploring with town counsel.

The meeting adjourned at 9:10 p.m.