

**Peterborough Conservation Commission /
Open Space Committee Meeting Minutes
September 20, 2018, Peterborough Town House, 7 p.m.**

Present: Jo Anne Carr, Swift Corwin, Bryn Dumas, John Patterson, Liz Thomas, Francie Von Mertens, Robert Wood; Ed Henault, Open Space Committee; Tyler Ward, Select Board liaison for the Open Space Committee; Jim Callihan; Ryan Owens and Anne McBride, Monadnock Conservancy

Cunningham Pond project funding

Ryan Owens, Monadnock Conservancy head, detailed the Cunningham Pond land protection project, and cited Master Plan references to the area as high priority for conservation, and the town beach (a "magical place") as the favored public open space according to a survey of townspeople. Among the plans and property features: a 15-acre field with prime agricultural soils; existing trails will be expanded including a link with the Conservancy's abutting property to the east and to a parking area along Cunningham Pond Road; significant frontage and scenic views along the pond shore and Route 101, considered by many to be an important gateway to town.

Concerning the Peterson boathouse, he said that land trusts are reluctant to take on responsibility for buildings and their maintenance. Recognizing the historic and architectural appeal of the boathouse, the Conservancy is considering subdividing it off in order to avoid demolition—an outcome no one wants. This would preserve the building and proceeds would go towards the \$1.5 million project goal.

Tyler Ward, Select Board liaison to the Heritage Commission and its demolition subcommittee, agreed that demolition of the boathouse is best avoided.

In answer to questions, Ryan Owens said the land was appraised at \$1.385 and the Petersons agreed to \$1.325. The entire parcel had been for sale for \$3 million in the past before three lots were sold.

Bryn Dumas asked about potential agricultural uses of the field. Ryan Owens said that conserving agricultural land is a top priority of the Conservancy. The field will remain field, and ag uses are a strong possibility. He said that given the public nature of the property, active forestry was unlikely.

About project timing, Ryan Owens said the deadline was the calendar year, but if 70% is in hand December 31, the contract can be extended. They have \$350,000 in pledges/cash and are optimistic about a \$250,000 LCHIP grant application although Anne McBride from the Conservancy said this grant round is "very competitive."

Ryan Owens referenced the town's Land Acquisition Capital Reserve Fund. Citing the town beach with its clear view across the pond to the property's shore, in addition to other features discussed, he requested that the town contribute \$250,000 to the project.

Liz Thomas asked if Town Meeting would be asked for additional funds, and Ryan Owens said that was not planned.

Jo Anne Carr asked if a conservation easement on the land had been considered instead of fee purchase. Ryan Owens said the property owners had reached a time when sale, not continued ownership, was their clear desire.

Tyler Ward asked Ed Henault, chair of the Open Space Committee, whether there were future needs for the capital reserve fund, referencing figures projected on the meeting room screen.

Henault said there always are projects "out there" that rise to the surface, often unpredictably.

Jim Callihan, pond neighbor and member of a neighborhood committee that brought the project to the Monadnock Conservancy, cited the figures projected on the screen. He pointed out that given the rate of spending the capital reserve fund since its origin in 2002, the remaining amount (\$140,000) would last a significant time.

Von Mertens asked what protection there would be in the event a boathouse parcel is subdivided. Ryan Owens said that Pete Throop at the Town House suggested that given required setbacks, a house would need a variance or special exception. Von Mertens suggested exploring various restrictions that would protect views from the pond.

Tyler Ward mentioned taxpayer concern about higher taxes, including comments that the town has too much open space. All agreed that education about tax benefits of open space is needed. Von Mertens referenced a statewide study done by Deb Brighton (for the Trust for Public Lands) that clearly indicates that increased residential development does not lead to lower taxes. In most cases, property taxes increase.

After the guests left, the two committees crafted what was called a "preliminary motion" subject to determining setbacks and building potential in the boathouse area. Swift Corwin motion; Liz Thomas second.

Move to recommend to the Select Board, as co-agent to expend, approval of \$250,000 from the Land Acquisition Capital Reserve Fund for the Cunningham Pond land protection project with the requirement that, in the event a boathouse parcel is subdivided off, there be a restriction on further shoreline development yet to be determined, along with special protection of the boathouse such as a preservation easement, or, alternately, that any alterations or modifications be subject to Heritage Commission approval.

The motion passed unanimously.

Relating to the "to be determined" restrictions on shoreline development, Von Mertens will ask Fash at the Town House to work up detailed shoreline mapping with various setbacks (150'; 250'); including the potential for a building envelope given those shoreline and other relevant setbacks.

She also will look into old deeds that mentioned protective setbacks from the shore relating to the pond as a town water resource—whether they remain in effect. The question also arose about responsibility for the outlet dam—town or landowner.

Morison Conservation Easement support funding

Owing to the late hour, and a few questions relating to the building lot withheld from the 94-acre Morison property, members decided to postpone discussion of the funding until October's meeting.

August minutes were approved.

/fvm