

**Town of Auburn
Conservation Commission
Public Hearing
September 6, 2016**

Members present: Jeff Porter-Chairman, Peg Donovan, Vice Chair, Alan Villeneuve, Diana Heaton & Ed Fehrenbach, Members. Stephanie Hanson, Alternate.

Absent: Richard Burnham, Alternate.

Others present: Michael Rolfe.

Mr. Porter called the meeting to order at 7:00 p.m. and introduced the Board members to everyone present.

PUBLIC HEARING

Pursuant to the provisions RSA 36-A:5, II and RSA 675:7, the Auburn Conservation Commission will conduct a public hearing on Tuesday, September 6th, 2016 at 7:00 p.m. at the Auburn Town Hall concerning the acquisition of a proposed Conservation Commission Easement.

The proposed Conservation Easement would encumber approximately 64-acres of the property identified as Tax Map 8, Lot 53, located on Bunker Hill Road. The total project costs will not exceed \$247,000 which would come from the Town of Auburn Conservation Fund (\$204,000 towards Easement purchase and up to \$43,000 for transaction and stewardship costs). The purpose of the Easement is to limit the use of the Property, so as to maintain it in perpetuity as open space, subject to certain reserved rights contained in the Easement.

Mr. Porter began by asking the Board members if they were able to take a look at the package that was sent out by Jeremy Lougee of SELT. Mr. Porter went on to say that the sole purpose of tonight's hearing is to accept the work that he's done and to go ahead and move forward with a vote.

Mr. Lougee informed the Board members that he has placed a packet in front of each of the Board members which shows an aerial photo showing the survey boundary on the first page. Mr. Lougee went on to talk about the second page which shows the budget for the project of which to date they have expended \$244,038 which will go up based on attorney fees and how long it takes to close. Mr. Lougee pointed out that they would be approximately \$3,000 under budget which was a good thing. Mr. Lougee had an idea and would mention it to Mr. Herman due to the fact that the Board of Selectmen only

meet every other Monday and with regard to check cutting as well that perhaps they could cut the check for the Easement payment which would be \$204,000 after the Selectmen's meeting and hold off on the due diligence cost which would be \$4,000 and change in a second check so it did not hold up the closing. This would at least not hold up the closing and get the critical amount into the SELT bank account so they can close.

Stephanie Hanson entered the meeting at 7:02 p.m.

Mr. Lougee moved on to the other pages in the packet which was the actual survey plan which was done by Eric Mitchell's office. Mr. Lougee also included the Appraisal Report cover letter which describes what the evaluation was and the last page was just a letter regarding Phase I Environmental Site Assessment which states that there are no recognized environmental conditions. Mr. Lougee stated that this was essentially their due diligence package and that he did not include the title but the attorney ran the title and it's clear but there will have to be a payout at the closing. Mr. Porter asked Mr. Rolfe if he was okay with that and Mr. Rolfe said yes, that he had an issue with the bank and explained the issues that he was running into.

Edward Fehrenbach entered the meeting at 7:04 p.m.

A brief discussion ensued with regard to financing. Mr. Lougee asked the Board if they had any questions with regard to the packet and pointed out the other things that were not in the packet such as the fact that town counsel has already approved the easement language which he had left up to Mr. Porter. Mr. Lougee also stated that the Board of Selectmen meeting is scheduled for next Monday, which he assumes they will accept the executory interest with the Conservation Commission's recommendation. Lastly, he has a Board of Directors meeting next Thursday for them to accept the Easement in its final form which he expects to get a positive vote from them too.

Mr. Lougee believes they can get this closed by the end of the month. The Board believed this would be a relief to finally be completed.

Mrs. Donovan asked if the Board needed a motion. Mr. Porter said yes.

Ms. Donovan made a motion to accept the Easement proposed interest as written and presented by Jeremy Lougee, Mr. Fehrenbach seconded the motion. A vote was taken; all were in favor, the motion passed.

Mr. Porter asked if they should vote on the terms of the payout. Mr. Lougee believed that at the initial public hearing the Board voted to expend up to \$247,000 so he believed that covered them and believed that they would be coming in below that amount and did not believe the Board needed to do another one but if they would like to they could. Mr. Porter suggested that they make the motion to put it on the record to expend up to \$247,000 based on the Easement language that Jeremy Lougee has provided.

Ms. Heaton made a motion to expend up to \$247,000 based on the Easement language that Jeremy Lougee has provided, Ms. Donovan seconded the motion. A vote was taken; all were in favor, the motion passed.

Sharyn and Richard Ramos of Bunker Hill Road understood that there was a meeting tonight with regard to a Conservation Easement going in but did not understand about an Easement and also pointed out that there was a question about the survey plan. Mr. Lougee showed the Ramos' the survey plan. A brief discussion ensued between Mr. Lougee and Mr. and Mrs. Ramos and believed that this would be a question for Eric Mitchell.

Mrs. Ramos asked what the Conservation Easement would consist of. Mr. Porter explained that by putting it into a Conservation Easement there is a certain amount of protection where it would not be developed and would not have any undue damages to it. It's basically to protect that land for future development. Mrs. Ramos asked if it would be public property. Mr. Rolfe said no but that it could be posted and explained that there were some kids from the campground that had a bonfire going in the woods this week. Mrs. Ramos said that she saw that. A brief discussion ensued with regard to the property in question. Mr. Lougee explained that it was still going to be owned by Mr. Rolfe and that the SELT would be out there every year monitoring it so there is a level of protection.

Mr. Villeneuve entered the meeting at 7:08 p.m.

Mr. Lougee thanked the Board members for their time and exited the meeting.

NEW BUSINESS

None Noted.

MINUTES **AUGUST MEETING**

Ms. Donovan moved to accept the minutes of August 2, 2016 as written, Ms. Heaton seconded the motion. A vote was taken; all were in favor, the motion passed.

OLD BUSINESS

None noted.

\ADJOURN

Ms. Donovan moved to adjourn the Hearing. Mr. Fehrenbach seconded the motion. All were in favor, the motion passed unanimously and the meeting stood adjourned at 7:15 p.m.

The next Conservation Commission meeting will tentatively be held at the Town Hall, 47 Chester Road on Tuesday, October 4, 2016.