



# TOWN OF HUDSON

## Conservation Commission



Ken Dickinson, Chairman      Dave Morin, Selectmen Liaison

12 School Street • Hudson, New Hampshire 03051 • Tel: 603-886-6008 • Fax: 603-816-1291

**DATE: April 9, 2018**

MEETING MINUTES: Below is a listing of minutes for the Hudson Conservation Commission. Minutes are not a verbatim record of each meeting, but rather represent a summary of the discussion and actions taken at the meeting. All Conservation Commission meetings are televised live and repeated during the following week on HCTV, Cable Television Channel 22. Official copies of the minutes are available to read and copy at the Town Engineer's Office during regular business hours (Monday through Friday, 8:00 A.M. to 4:30 P.M.).

Should you have any questions concerning these minutes or wish to see the original recording, please contact the Town Engineer's Office at (603)-886-6008.

A regular meeting of the Hudson Conservation Commission (HCC) was held in the Board of Selectmen Conference Room of Town Hall.

In attendance = X    Alternates Seated = S    Partial Attendance = P    Excused Absence = E

Ken Dickinson      Randy Brownrigg      Elliott Veloso      William Collins  
Chairman   X        Vice-Chair   E        Secretary   X        Member   X  

Michael Tsu      Michael Drouin      Brett Gagnon      Paula Hubert  
Member   X        Member   X        Member   X        Alternate   E  

David Morin      Elvis Dhima  
Select. Rep.   X        Town Staff   X  

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Called to Order at 07:04 P.M. by Chairman Ken Dickinson

No alternates seated.

## **Public Input Related to Non-Agenda Items:**

None.

## **I. OLD BUSINESS**

None.

## **II. NEW BUSINESS**

Secretary's Note: Prior to opening of New Business – Item A, Selectman Morin provided some initial comments regarding the April 3, 2018 Board of Selectmen meeting, which involved deliberations related to this matter. For purposes of clarity and ease of reference, Selectman Morin's initial comments shall be transcribed under Item A.

### **A. 70 Rangers Drive (Discussion of Town Owned Land)**

Selectman Morin discussed the issues relative to the Town of Hudson ("Hudson") potential sale of the parcel it owns at 70 Rangers Drive, which came up during the April 3, 2018 Board of Selectmen meeting. Selectman Morin clarified issues that were brought up at this meeting related to sewer treatment, water treatment, leach fields, and the intensity of potential development of the 70 Rangers Drive. Selectman Morin expressed his personal opinion that developing the parcel at 70 Rangers Drive would be very challenging, given the presence of a gorge cutting through the middle of the land as well as steep topography. Selectman Morin expressed his personal opinion that the Conservation Commission should discuss the potential development in full and develop some sort of motion to provide guidance to the Board of Selectmen at their upcoming April 10, 2018 meeting regarding preservation/conservation actions. In the alternative, Selectman Morin indicated that the Board of Selectmen could defer action towards 70 Rangers Drive to enable the Conservation Commission to further deliberate on the parcel.

Mr. Dhima provided background information regarding the parcel. Mr. Dhima noted that the parcel currently has water running through it. Mr. Dhima noted that the parcel is outside the sewer district, but is adjacent to parcels with sewer access. Mr. Dhima noted that there is a natural gas line running through the parcel. Mr. Dhima noted the difficult nature of the terrain as well as the presence of a stream and depression with 10 ft. contours. Mr. Dhima noted that the parcel consists of approximately 30 acres, and is not part of the property that would be implicated in the development of the potential Circumvential Highway.

Mr. Tsu asked Selectman Morin if the Board of Selectmen had made a decision to divest or sell the property. Selectman Morin replied that no decision had been made, and reiterated that if the Conservation Commission had a proposed course of action towards the property, it could be presented to the Board of Selectmen for consideration. Selectman Morin also reiterated his desire to defer action on the issue to allow further deliberations.

Chairman Dickinson opened up the hearing for public comment at approximately 7:15 p.m. Two speakers spoke in opposition to the proposed sale of 70 Rangers Drive:

1. Ted Frost, 63 Rogers Drive: Mr. Frost stated that he was pleased that Conservation Commission members he previously walked the parcel and appreciated its value. Mr. Frost asked the Conservation Commission to consider making an offer to purchase a conservation easement for the property. Mr. Frost advocated for the value of the property to the Conservation Commission as it consists of approximately 30 acres of solid undeveloped land. Mr. Frost noted that unofficial trails had already been set up by members of the neighborhood and community. Selectman Morin asked if neighbors noted any problems with the use of all-terrain vehicles on the property. Mr. Frost was unaware of any such issues.
2. Jennifer Parkhurst, 21 Roy Drive: Ms. Parkhurst thanked the Conservation Commission for looking into the parcel. Ms. Parkhurst expressed her interest in doing whatever was required to ensure the preservation of the parcel. Ms. Parkhurst stated that 70 Rangers Drive should be the next parcel that the commission makes a high priority to save. Ms. Parkhurst asserted that there were at least five clearly defined trail heads for hiking on the property, and that these features make enhance its value in favor of conservation. Ms. Parkhurst expressed her hope that the Conservation Commission thoroughly exhaust all options to preserve the parcel. Ms. Parkhurst suggested that regional land trusts could be sought to provide assistance in preserving the parcel.

Chairman Dickinson closed public discussion at 7:24 p.m.

Chairman Dickinson discussed with the Conservation Commission what he deemed were four options regarding what Hudson could do regarding the disposition of the parcel at 70 Rangers Drive:

- Option 1: Sell the land.
- Option 2: Keep the land and take no action.
- Option 3: Place a deed restriction and/or conservation easement on the land through 3<sup>rd</sup> party involvement.
- Option 4: Develop and retain easements to perform an open space subdivision where part of the land could be reserved for public use.

Selectmen Morin offered another option for the potential disposition of the parcel at 70 Rangers Drive:

- Option 5: Allow the partial development of certain parts of the property but reserve some land for potential open use.

Mr. Collins offered another option for the potential disposition of the parcel at 70 Rangers Drive:

- Option 6: Designated the land as a public forest, which would require a public vote.

Selectman Morin inquired about the status of the Conservation Commission's Open Space Subcommittee (the "Subcommittee"). Chairman Dickinson noted that the Subcommittee was currently evaluating high priority parcels that are still available in Hudson and identify landowners that may be interested in entering into conservation arrangements with the town. Selectman Morin noted the issue about not having a full list of potential conservation properties, which means that the issue of 70 Rangers Drive would have to be addressed. Chairman Dickinson noted that 70 Rangers Drive was not on the list of priority parcels because it was adjacent to a potential Circumvential Highway and not abutting pre-existing conservation land.

Mr. Gagnon noted that the Subcommittee is assembling a list of potential properties, but did not consider 70 Rangers Drive as Hudson already owned it. Mr. Gagnon noted that the parcel might be a valuable one to preserve as open space so it could serve as a buffer for the Circumvential Highway in the event it is constructed. Chairman Dickinson inquired if 70 Rangers Drive would be subject to eminent domain in the event the Circumvential Highway is constructed. Mr. Dhima stated that the parcel would likely not be taken in eminent domain. Selectman Morin noted that there is increased interest on the part of state and local officials to construct the Circumvential Highway.

Mr. Tsu inquired about the potential costs for deed restrictions or conservation easements on the property. Mr. Collins stated that cost estimates can be complex and are based on appraisals. Mr. Dhima estimated potential cost of \$6,800 per acre, for a total price of approximately \$195,000. Mr. Gagnon provided a counter example of \$4,800 per acre based on his estimates. Mr. Dhima noted that prices can also increase depending on how bad the desire is to obtain a conservation easement on the property.

The commissioners discussed various options that could be taken to conserve the land at 70 Rogers Drive and what position of priority it would be in relation to the Subcommittee's existing property list. Mr. Gagnon noted that the Subcommittee established criteria to evaluate public use of the land and the benefits of conservation that elevate a parcel's position of priority on the list. Mr. Gagnon cautioned that the Conservation Commission should not make a hasty decision on acquiring the property, given that the claims of public use should be verified and evaluated.

Chairman Dickerson inquired about the need for a site walk. Mr. Gagnon, Ms. Tsu and Mr. Drouin all indicated that they had already performed site walks on their own prior to the meeting. Mr. Veloso suggested that given that many of the members had already performed site walks on their own, scheduling a site walk was unnecessary. Chairman Dickinson agreed.

For more information, please refer to the meeting recording on HCTV-ch22.

**A motion was made to recommend the Board of Selectmen to defer further discussions regarding the sale of 70 Rangers Drive until such a time that the Conservation Commission has the time and/or opportunity to evaluate potential conservation and/or preservation actions.**

**Motion by:** William Collins

**Seconded by:** Michael Tsu

**Vote:** For: 7 Opposed: 0 Abstain: 0

**A motion was made to authorize Mr. Gagnon and Mr. Collins to represent the Conservation Commission on behalf of this matter at the next Board of Selectmen meeting on April 10, 2018.**

**Motion by:** Elliott Veloso

**Seconded by:** Michael Tsu

**Vote:** For: 7 Opposed: 0 Abstain: 0

Mr. Dhima suggested, given the potential time constraints regarding delaying the potential sale for 70 Rangers Drive, that the Conservation Commission seek out appraisal bids as soon as possible to “get the ball rolling” for the next Conservation Commission meeting.

**A motion was made to authorize Mr. Collins to make initial contact with three appraisals for bids to perform appraisals at 70 Rangers Drive.**

**Motion by:** Michael Tsu

**Seconded by:** Brett Gagnon

**Vote:** For: 7 Opposed: 0 Abstain: 0

### **III. OTHER BUSINESS**

#### **A: Schedule Trail Maintenance Day**

The Commissioners decided to defer scheduling a trail maintenance day to the next meeting in order to assess availability of town resources to assist in removing downed or damaged trees in the forest trails.

For more information, please refer to the meeting recording on HCTV-ch22.

### **IV. FINANCIAL STATUS**

No outstanding issues noted with the current financial report.

### **V. CORRESPONDENCE**

Chairman Dickenson noted that there was no correspondence, but wanted to thank Mr. Collins for the maps of the 70 Roger’s Drive parcel and adjacent properties implicated by the potential circumvention highway that he prepared for this meeting.

### **VI. APPROVAL OF MINUTES**

Conservation Commission meeting minutes for March 12, 2018 were submitted for acceptance. No typos were noted.

**Motion made to accept March 12, 2018 Conservation Commission meeting minutes.**

Motion by: Brett Gagnon  
Seconded by: William Collins

Vote: For: 7 Opposed: 0 Abstain: 0

**VII. COMMISSIONER'S COMMENTS**

Mr. Veloso apologized to the commissioners for the delay in distributing the March 12, 2018 draft meeting minutes draft and promised to be timelier in the future.

Mr. Gagnon inquired about the status of a meeting with a potential forester as discussed in the last meeting. A meeting with Bay State Forestry Service was scheduled for April 13, 2018 at 4:30 PM at the Greenfield Drive *cul de sac*. (Secretary's Note: This meeting was rescheduled and held on April 14, 2018 at 9:00 AM).

Mr. Collins noted that while he was looking for appraisal estimates he would like to put a letter for the Society for Protection of NH Forests to see what resources were potentially available. Mr. Veloso inquired if a motion was necessary for Mr. Collins to make informal inquiries. Selectman Morin stated that if the inquiries are informal then no motion was necessary. Mr. Veloso withdrew the proposal for a potential motion.

Selectman Morin voiced his frustrations and the Board of Selectmen's frustrations regarding the seeming disconnect between the board and the Conservation Commission regarding identifying parcels for preservation. Chairman Dickerson voiced his frustrations regarding prior efforts to preserve properties through conservation easements that were rejected by the Board of Selectmen. Cited preservation issues at Griffin Road as an example. Selectman Morin expressed his disapproval over the Conservation Commission's failure to push harder on prior efforts to preserve land, noting that the Board of Selectmen's rejection of Conservation Commission proposal did not preclude the commission from continuing to advocate for it. Chairman Dickerson expressed his frustration regarding the fact that the commission expended resources to forward prior conservation proposals only for them to be rejected by the Board of Selectmen. Chairman Dickerson stated that the commission would not have expended the resources if they knew the proposal would be rejected. Selectman Morin countered that the cost was the price of advocacy.

Mr. Collins acknowledged the frustrations on both sides of the issue but recommended that all parties should move forward. Mr. Collins noted that the Subcommittee is moving forward to evaluate and rank potential priority properties for potential acquisition or conservation. Mr. Gagnon and Mr. Tsu also advocated for allowing the Subcommittee to continue its work.

Chairman Dickerson expressed his desire for a legal opinion as to the Conservation Commission's authority to expend funds, the need for Board of Selectmen approval, and the mechanics for such authorization.

The Commissioners discussed the potential acquisition of other parcels in Hudson. Selectman Morin stated that people are unaware of land available for conservation purposes, and noted that the town should take additional steps to promote its use in social media. Mr. Gagnon noted the potential use of geolocation sites or other online resources.

Chairman Dickerson discussed reaching out to the Town Administration to seek out an opinion from town counsel on the Conservation Commission's authority to expend funds.

For more information, please refer to the meeting recording on HCTV-ch22.

**Motion to adjourn:**

Motion by: William Collins  
Seconded by: Elliott Veloso

Vote: For: 7 Opposed: 0 Abstain: 0

Meeting Adjourned at 9:50 p.m.

/s/ Elliott Veloso  
Elliott J. Veloso  
Secretary, Conservation Commission

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