

Town of Newington, NH
CONSERVATION COMMISSION

Meeting Minutes, Thursday, February 11, 2021 ²¹

Call to Order: Chair Jane Hislop called the February 11, 2021 Zoom meeting at 6:30 PM with a roll call.

Present: Vice-Chair Jim Weiner; Andrew Meigs; Jim Tucker; Alternate Member, Jane Kendall; and Town Planner, John Krebs

Absent: Ann Morton; Alternate Member, Bill Murray; Benjamin Higgins (later?)

Public Guests: Duane Hyde, Southeast Land Trust; Robert Seide; John Klanchesser; Wayne and Pat Wood

1) Conservation Easements and Mitigation Discussions: Adams Homestead Status Review

Duane Hyde with Southeast Land Trust (SELT) said he had received the letter of agreement for the Adams Homestead conservation easement from the Town. Mr. Hyde discussed the summary that was attached to the letter of agreement.

Mr. Hyde said the Bob and Diedre Seide, the property owner's attorney had suggested that they discuss and add language that would allow agritourism. Mr. Hyde said many farm easements had such a provision. Mr. Hyde said agritourism was defined as any practice incidental or in conjunction to the primary use, accessory to the farm operation, such as corn mazes, hayrides, farm to table events, or overnight stays to draw in business and supplement farming income.

Mr. Hyde went on to say that agritourism had to follow local ordinances, and they would assess the impacts of such uses, including parking on the conservation easement, soil, and farm uses. Mr. Hyde added that porta potties would be used, and the best management practices (bmp's) were usually beefed up.

Bob Seide said they did not have any specific agritourism plans as yet, but he eventually planned on planting something in the field.

Mr. Seide said his attorney recommended agritourism to allow continued viability of the property into perpetuity so it wouldn't fall into disrepair over the years, and so they or their heirs would be allowed to run the farm commercially, and have corn mazes, hayrides, animals or a Christmas tree farm, or some other workable farm with a farm stand and pick your own.

Vice-Chair Weiner said he thought that the Conservation Commission and the Town would support hayrides without changing the easement agreement, but he was

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concerned that large greenhouses, commercial agricultural use, and agritourism could increase traffic on the conservation easement that the Town contributed to.

Chair Hislop commented that the Adams Homestead was an excellent location for a historic education, which would not be a business, but could be considered a tourism event organized by history professors from the University of New Hampshire, and Adams family members.

Vice-Chair Weiner responded that he wanted to keep a cap on activities.

Mr. Hyde responded that they had already discussed the location of buildings for agricultural support on the owner's property behind the house, and not in the field where they would obstruct views. Mr. Hyde went on to say that they could pursue an educational provision for the local school.

Alternate Commissioner Jane Kendall asked why it would be an issue if this was a conservation easement that allowed agricultural use so long as they followed the Ordinance in a town that advocated rural character in the Master Plan. Town Planner John Krebs responded that agricultural farms had different allowances, so he thought the Town would need to know more specifics to prevent it from getting too big.

Chair Hislop asked Mr. Hyde how agritourism was handled on other farms. Mr. Hyde replied that agritourism was relatively new; however, SELT had a conservation easement on Scanlon Farm in Stratham, which produced a lot, and also had a supplemental agritourist business. Mr. Hyde said SELT was trying to keep farms viable with diversity that would include agritourism.

Commissioner Meigs asked what percentage of the of a farm business would be agritourism. Mr. Hyde replied that pick your own pumpkins would be incidental to an agricultural use, but a haunted pumpkin stroll bringing pumpkins would be creating a venue and was not incidental.

Commissioner Meigs responded that the growth and sales of pumpkins didn't seem incidental if sales were brought in by agritourism, and he wondered how it would be monitored. Mr. Krebs said there had been court cases over the term incidental, and he would like to see the language tightened up by saying that agritourist sales would only occur a certain number of weekends a year.

Commissioner Meigs commented that his hometown of 10,000 residents had an influx of a 250,000 people for a three-day agricultural fair, and the parking area was trashed for the rest of the season, so he was concerned that time wouldn't be restrictive enough.

Mr. Hyde said the property owner was looking for flexibility to allow some agricultural commerce and suggested that the conservation easement language allow some agritourism on a case-by-case basis, such as an educational walk for local school children, or pumpkin stroll for the local school children, controlled by an executory interest holder.

Vice-Chair Weiner said he needed more time for consideration, and Commissioner Jim Tucker agreed. Chair Hislop suggested that Mr. Hyde send the revision to the Commission for review.

Chair Hislop asked if educational tours would be included in the easement agreement. Mr. Hyde said they were listed under reserve rights, however it would be

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commercial if money was exchanged for anything like history camps, so everyone should read section 3B. Mr. Hyde said the easement would be open to the public, but could be posted during active agricultural activities, or hunting at the landowner's discretion.

Chair Hislop asked if it would be possible, to put up signage on a trail in the field to explain history of buildings. Vice-Chair Weiner said narrated podcasts were available for tours now without putting up structures that would need to be maintained. Chair Hislop said simplest was best. Mr. Hyde said they could discuss the best location for an information kiosk

Mr. Hyde said he would have a recordable version from the surveyor to put on record next week, present at the March meeting, and close in April.

2) Conservation Commission Year in Review for Town Report

Chair Hislop and Vice-Chair Weiner asked Jane Kendall to write up the Commissions report.

3)Appointments

Chair Hislop announced that Vice-Chair Weiner, Commissioners, Ben Hutchins, , Jim Tucker, and Alternate Bill Murray were all up for reinstatement, so she would write a letter to the Board of Selectmen.

Chair Hislop noted that she and Alternate Kendall were up for reinstatement in 2022, and Commissioner Ann Morton was up in 2023.

Adjournment: *The meeting adjourned at 7:38 p.m.*

Next Meeting: Thursday, March 11, 2021

Respectfully

Submitted by: Jane K. Kendall, Recording Secretary

