

**NEWINGTON SELECTMEN
PUBLIC BOND HEARING**

FEBRUARY 15, 2003

Present: Chairman Board of Selectmen Cosmas Iocovozzi, Chairman Conservation Commission, Margaret Lamson, Property Owners Helen Frink and John Frink, Conservation Commission Member and Town Treasurer George Fletcher, Conservation Commission Member Jane Hislop, Resident Dennis Hebert, Resident Chris Cross, Resident Robert Sims

The Public Bond Hearing was opened at 12:00 noon.

The purpose of this hearing is to inform the residents of Newington of the impending Bond Issue related to a Conservation Easement to be placed on the Frink Farm Property.

Margaret Lamson, Conservation Chairman spoke to the assembly about the Easement. Chairman Lamson explained that the Board of Selectman, as the Governing Body, is the only entity that has the jurisdiction to Bond for the Town. She went on to say that the Conservation Commission would like to go on record as being highly supportive of the Frink Farm Conservation Easement. The Commission is always interested in open space and land preservation. She stressed that this easement is a bargain for the Town. The Frink property consists of 43.33 acres of prime agricultural land. The Frink Family has owned the farm since 1830.

As back ground for this issue, Mrs. Lamson said that the Frink family approached the Conservation Commission in the fall of 2002, saying that they were interested in placing their farm in a Conservation Easement. They had been working with the Seacoast Land Trust prior to that time. The Frink family asked for the Conservation Commission's support because they where applying for an LCHIP Grant. Unfortunately they where turned down. Currently, the Newington Conservation Commission is working with the Rockingham County Conservation District to apply for a Farm Land Protection Grant for up to \$500,000. The appraised value of the Frink property is 1.3 million.

George Fletcher said that the Conservation Commission has \$114,000 currently in the land acquisition account. The Commission expects \$50,000 from the Con-Ed Power Plant. Also, the Commission is asking for an additional \$50,000 for land acquisition in this year's budget. Mr. Fletcher stated that it is his feeling that the Town will never have to bond the whole \$500,000. He recommends that the Town use as much of the Conservation money as possible. He said that this easement probably will not be completed in 2003.

Conservation Committee Member, Jane Hislop said that the State had passed the Farm Land Protection Grant Budget late Thursday night.

Kay Akerley mentioned that the State has had a very good track record in awarding the grant money throughout the State. Tracey Degnan, the grant writer from Rockingham County Conservation District is very opportunistic that this project will be approved.

Margaret Lamson also pointed out that the Frink family will contribute 25%. She went on to say that Tracey Degnan stated that it is much better for an entity such as the Town of Newington to apply for this grant. She also stressed that the Department of Agriculture needs to see that the Town is behind this project.

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Selectman Iocovozzi explained that Town is basically putting up the Bond as a good faith gesture, to show the State that the Town is behind this project and has the ability to match the State Grant funds. However, because of the offer from the Frink family of 25%, the Town will only have to come up with \$250,000. By the time the grant is approved the Town may not have to go out for Bonding, because of the money in the Conservation Fund

Dennis Hebert asked if the Town would have to put up the whole \$500,000 if the Grant does not come through. Selectman Iocovozzi stated that the \$500,000 is matching funds only and that if the Grant does not come through than the whole project is cancelled. He explained that under the State RSAs the Town can only use this money in Warrant Article 3 for the Frink Property (for the purpose in which it was intended). Dennis Hebert asked how much total the Frink family is looking for between the State grants and the Town money. John Frink stated that they are looking for the appraised value of the property. Helen Frink stated that the initial appraisal came in at 1 to 1.4 million. She went on to say that they used the figure of 1.2 million. The appraiser has to go back and reappraise the property in compliance with the rules of the Farm Land Protection Program. The final appraised value is pending the outcome of this work. She stressed that the rules of the Farm Land Protection Program state that as property owners the Frink family can only contribute up to the 25% figure. However, the Frink family is also pursuing other funds through the Nature Conservancy and the Seacoast Land Trust. She said that the Rockingham County Conservation District is very much in favor of this project, because there is not much agricultural and farm land left in Rockingham County. The State of New Hampshire will receive approximately 12 million dollars for this program and the State tries to distribute the money evenly around the State.

Dennis Hebert asked if this project was irrevocable and that in the future no Town Official or Selectperson could reverse it. Helen Frink confirmed it was. Dennis Hebert asked what the easement says that the Frink family can do with the property. Can they build another home on the property? Helen Frink stated that they cannot build anything additional. They can renovate the farm buildings and put up fences, build a chicken coop, or put out a farm stand next to the road; they can only make improvement for agricultural use. They can not mine or remove the top soil, they can not pave, and they can not bury gas tanks on the property. They do not have to actively farm the land however, they have to preserve the potential to farm the land. If the Frink family sells the property the easement stays with the property and all future owners must honor it.

John Frink clarified that the easement does not include a two acre lot where the bee hives are on Old Post Road.

Resident Robert Sims stated that he was all for Conservation, however he feels the Town has a responsibility to provide space for new housing also. He points out that there is a large part of the Town that is commercial and industrial that creates a lot of jobs and traffic. Dennis Hebert stated that there are still quite a few lots out there that can be developed for housing, in the neighborhood of 2 to 3 hundred if people would sell their land.

Chris Cross stated that he could think of at least ten other properties that the owners may be interested in placing into Conservation Easements. He asked how the Town has placed these other

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properties in prospective as to the amount of money that will be asked of the tax payers if the Town does this for all of them. He stated that in order to be fair to all home owners the Town must make this available to everyone.

George Fletcher stated that not all property owners will want to sell their land. He asked how anyone knows the progression of things and the Town needs to handle each situation as it comes up.

Dennis Hebert said he moved to Newington because of the open green space and the quality of life. If it means taking more money out of the taxpayers pockets to preserve and protect that, then it is worth every penny. There are enough people in Town that will sell their property for development because they feel that the Town will not give them what it is worth. He points out that when people like the Frink family step forward and say they will do this and put up 25% of the costs and get the Federal Government to contribute, it's a great deal for the Town. He said that he will go one step further to say that if the Federal Government does not come up with their part, he would like to see the Town step up and do the whole project. He stated that he realizes that the Town cannot handle all the properties in the same year. He suggested that maybe the Town look at key properties. Also certain tracts of land should be considered that are continuous from one side of Town to the other, taking into consideration wildlife.

Dennis Hebert asked if the property is being privately held or is the public able to use the land. Are there any limitations in this respect? Helen Frink said that because it is farm land the Family can prohibit hunting and anything that would interfere with fences and/or crops. She said that if people want to walk the land looking at wildlife that is perfectly okay.

Margaret Lamson pointed out that the Frink family held a Holiday Tour of the farm. Also in February they held a cross country ski trip on the farm.

Selectman Iocovozzi said that he wanted to add that the Frink family has always been very good to the Town of Newington by letting Town's people walk and cross country ski on the property.

George Fletcher said that there is a wetland area boarding the Pickering's property and where there is a desire by the Town to have good, clean water he was wondering if in the future the Town could have wells there. Jane Hislop said that back in the late 70s, early 80s that issue came up about those wetlands. It is approximately 25.6 acres, but because of the requirements back then it was not enough area. But it may be a possibility in the future. The water issue makes this land particularly important.

Margaret Lamson stated that the Conservation Commission and the Planning Board have been very active in the last few years identifying and mapping the Town's thirty-two wetlands. Selectman Iocovozzi said that the draft of the wetlands will be available for public review at the Town's Library and at the Town Hall.

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Jane Hislop addressed the assembly further about the possible financial benefits of the effects of this project. She said that during research the Conservation Commission found an article from The New Hampshire Wildlife Federation dated 1997. It had done a survey of all 234 New Hampshire Towns. What they found was; property taxes were higher in communities with larger tax basis. These towns had more taxable properties, more residents, more commercial and industrial development. Towns with more Open Space have lower taxes. The Town's people continue to be concerned with the State Tax and this is a way to lower that. She went on to say, as an example in the Town of Chester they put in 117 houses; their taxes were increased by \$449,000 for just education. In the Town of Peterborough, 188 homes cost the Town \$128,000 more than they brought in from taxes. The Town needs to remember that every time there is a new house there are many services that need to be provided, such as the roads, schools, police and fire. She said that as a way for the community to allow for some development but also maintain the historical atmosphere of the area, she is an advocate of initiating the concept of Cluster Development. She stated that the concept is to allow houses in on smaller lot sizes, leaving larger areas for Green Space. In the community that she came from they were using this concept and were able to develop five Town Parks, in five years.

Dennis Hebert stated that he felt that Cluster Development is a good concept, but a lot of times what has happened is that developers try to maximize the use of the land. The first time the ZBA makes one exception; the whole concept is done. The easements on the Green Space Land must read that it can never be developed. He agreed with Jane Hislop that the concept is a good idea. He said that the Town Planner and he had been talking about this idea, they were not sure if the Town's people were ready for it yet.

Margaret Lamson said that there are three other properties in town that the owner's are already working with other groups such as; the Nature Conservancy, Fish and Wildlife and the Seacoast Land Trust. So, Chris Cross's concern about everyone approaching the Town for easement funding is unfounded.

Chris Cross stated that he agreed that the Town should use taxpayer's money to preserve Open Space. He said the point he was trying to make was that the Town needs to make further commitment to include more than just this particular property. To save that water property, it would involve four other properties. He stressed that the Town needs to acknowledge that this is a commitment not for just a half million dollars but this issue is going to come up again. The Town needs to continue to work on outside funding.

Selectman Iocovozzi stated that the Frink family has done considerable research on this project.

Helen Frink explained that when their father died in 1986 the family looked into doing this at that time. At the time the State Department of Agriculture had a program where they would purchase agricultural development from the land owner. The family did not do it then. Now the Conservation Easement costs as much as the whole farm was worth back in 1986. So, the property value is going up and up. She also said, when the Frink Family worked with the Seacoast Land

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Trust to get the LCHIP Grant, they perused the Nature Conservancy and the Great Bay Resource Protection Partnership. Because, of the nature of the property and other programs that it may be eligible for protection under, the Frink Property was not a priority for these groups, at that time. However, the family is aware of these groups as other potential areas of funding. The other reason the Frink property is of particular interest to other entities like the Farm and Ranch Land Protection Program is that the property is surrounded by other protected land. It borders the Town Cemetery, the Town Forest, the Old Town Buildings and the Great Bay National Wildlife Refuge.

Dennis Hebert asked if this project does not happen this year, will the Frink family consider coming back to the Town next year. John Frink stated they would.

Helen Frink said that the family will still pursue the project and that hopefully LCHIP will have new funding.

Dennis Hebert said that he would hate to see the family give up such a good cause.

Chairman, Iocovozzi asked if there was any further question or discussions. There being none, the Public Bond Session was closed at 1:00 p.m.

Respectfully submitted,

Cynthia Gillespie
Administrative Assistant

