TOWN OF NEW BOSTON
NEW BOSTON PLANNING BOARD

MEMORANDUM

TO: Board of Selectmen

CC: Twin Bridge Land Management, LLC

FROM: Shannon Silver, Planning Board Assistant

DATE: December 19, 2012

RE: **Twin Bridge Land Management, LLC- Phase II, Open Space Land**

At the Planning Board meeting of December 18, 2012, the Board reviewed, discussed and voted to recommend accepting the approach outlined in the attached letter as the replacement option for the previously agreed upon conveyance of the open space land to the State of New Hampshire. The State has decided that the land does not meet their criteria for acceptance. See their letter of November 19, 2012, also attached.

Because accepting land is the purview of the Board of Selectmen, the Planning Board would like you to discuss this at your earliest opportunity and inform them of your decision so that the applicant is able to continue with their subdivision.

Ian McSweeney of the Russell Foundation, a key player in the discussions of this piece of land, would like to be present at your meeting when you discuss this. If you could please let him know when it will be on the agenda, his details are: email ian@russellfound.org or his cell #603-801-3120.

As always, should you have any questions, comments or concerns, let me know.

File #2010-003

SS/

December 12, 2012

New Boston Planning Board
Town of New Boston

RE: Twin Bridge Development, Phase II

The New Boston Conservation Commission, the New Boston Open Space Committee, and the Russell Foundation write to convey our shared recommendation that the Twin Bridge Development, Phase II, Conditions Precedent be revised to: (1) Remove the State of NH (DRED) from fee ownership and remove the Town of New Boston from conservation easement ownership and (2) Add the Town of New Boston as the fee owner of the open space property.

This property has long been recognized as important because of its river frontage, wildlife habitat, and recreational open space opportunities. The Town of New Boston's ownership will allow full local control and authority over the properties protection, while providing opportunities for passive public recreational uses.

The New Boston Conservation Commission has agreed to accept the responsibilities of management and enforcement, through unanimous vote at the December 13th meeting. To ensure maximum public benefit and protection of the open space, the Conservation Commission, Open Space Committee, and the Russell Foundation further recommend the land be conveyed to the Town of New Boston with the following Deed Restrictions.

- There shall not be conducted on the Property any industrial, commercial, or agricultural activities with the exception of forestry.
- No removal, filling, or other disturbances of soil surface, nor any changes in topography, surface or subsurface water systems, wetlands, or natural habitat shall be allowed.
- There shall be no mining, quarrying, excavation, or removal of rocks, minerals, gravel, sand, topsoil, or other similar materials.
- Motorized vehicle use on the Property is prohibited, except as may be needed for emergency and forest management access. A gate(s) may be erected and maintained by the Fee Owner along access points into the property to ensure that unauthorized motorized vehicles are restricted.

In summation, we recommend the fee ownership of this open space come to the Town of New Boston as quickly as possible to allow the care and protection the land deserves while also providing the passive recreational opportunities that will benefit the town

New Boston Conservation Commission

Burr Tupper, chair

New Boston Open Space Committee

Ken Lombard, chair

Russell Foundation

Ian McSweeney, Director

STATE OF NEW HAMPSHIRE
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT
DIVISION OF FORESTS AND LANDS
172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2214
FAX: 603-271-6488
www.nhdfl.org

Stuart Lewin, Planning Board Chair
Nic Strong, Planning Coordinator
P.O. Box 250
7 Meetinghouse Hill Road
New Boston, NH 03070

November 19, 2012

RECEIVED
NOV 21 2012

SUBJECT: Land Gift Offer to State of NH – Lang Station /New Boston

Dear New Boston Planning Board:

Regretfully, contrary to my October 25, 2010, and April 26, 2011 letters to the Board, and based on a recent site walk of the subject, the State no longer is willing to accept the 36-acre remainder parcel to the Twin Bridge subdivision abutting the Piscataquog River and Lang Station State Forest.

Since October 2010, I had falsely assumed that our Forest Management staff had visited the site and was endorsing acceptance of the property. Upon learning that no forester had visited the site, and not having seen the site, a site walk was conducted on November 7th, by Ian McSweeney of the Russell Foundation, and Tom Carr of Meridian Land Services. Also attending was Will Guinn and Scott Rolfe of the State's Forest Management Bureau, and Ken Lombard representing the Town of New Boston.

It became clear that the subject would provide little to no manageable forest. In addition, the considerable boundary to be maintained, the discovery of an old tire and assorted debris dump along land, now or formerly, of Alan and Elizabeth Brooks, and, most troubling, the only public access to the subject being across the front yard of property, now or formerly, of Jason and Jenifer Martel, makes the offer undesirable to the State. In short, acceptance of the subject by the State into the fold of "public land" would become a long-term burden on State resources during a time of diminishing staff and shrinking budgets. It seems appropriate to us that the subject remain as "common land" subject to a conservation easement held by the Town.

Again, I regret this turn of events, and offer to attend your next meeting to answer questions, if necessary.

Sincerely,

Bill Carpenter

Bill Carpenter
Administrator, Land Management Bureau

Cc: Brad W. Simpkins, Interim Director – Division of Forests and Lands
Ken Desmarais, Administrator – Forest Management Bureau
Ian McSweeney, Russell Foundation Director
Tom Carr, Meridian Land Services