

NCC Minutes 5/17/21

Open meeting: 7:03 p.m.

Present: C. Griffith, L. Hill, J. Couture, F. Hayden, C. Aldrich, Selectman's rep. J. Silvani
Guests- Perry Silverstein, Sabrina Daley

1) Administrative Business:

- a) Minutes 4/19/21- J. Couture motions to accept, C. Griffith seconds, all in favor YES
- b) Treasurer's report- J. Couture motions to accept, F. Hayden seconds, all in favor YES

2) New Business:

a) Silverstein easement- Perry Silverstein

- They bought the house and 5 acres abutting them and sold the house with 2 acres. He would like to add the remaining acres to the easement. The lot line adjustment has been approved by the Planning Board. This would expand the easement from 30 acres to 33 acres.
- J. Couture asked if there would be a modification to the existing exclude area. P. Silverstein replied that yes, they would like to add 0.5 acres of pasture to the excluded area as the existing easement cut off 1/3 of a pre-existing riding ring. Proposal is to give 3 acres into conservation in exchange for a ½ acre of pasture. 2.49 acres are excluded now. It would expand to 3 acres.
- L. Hill asked what the expenses to the town would be. Surveying, lawyers fees, etc. P. Silverstein replied that much of the work has been done and they would be minimal.
- J. Couture stated that we need to investigate the costs but we are on board to move ahead.
- F. Hayden asked if the 3 acres have been surveyed. P. Silverstein replied that the surveyors he hired said everything is fairly recent.
- J. Couture- we will continue to next month.

3) Old Business:

a) Daley easement- Sabrina Daley

- Their interpretation of the easement is that it was for a working farm and that they are still allowed to post. They have livestock and the Vernons are leasing land for livestock so public access would potentially disturb them as well as the possible harm from hunting. They never would have sold into the easement if they thought public access would be allowed. They felt that it was to prevent development. They will not take the No Trespassing signs down and will hire a lawyer if necessary. "From time to time" was for them to allow certain people access for hunting which is what they currently do. C. Aldrich stated that this is not "public" access. S. Daley asked if they would be liable if someone was hurt. J. Couture replied that would not due to existing NH state law.
- J. Couture suggested we wait to see what the next monitoring report says.
- Ongoing discussion- J. Couture stated that they would need to pay any lawyer's fees incurred by the town and we need to take that into account. J. Silvani asked what the fine is for violations. F. Hayden replied that it varies. C. Aldrich reiterated that the grantee has to give the grantor 30 days notice before posting. F. Hayden read the portion of the easement that says public access/ trails are allowed unless access degrades the conservation value.

(2)

- J. Couture stated that it is ultimately up to the Selectmen. C. Aldrich feels that we should pursue some public access even if it's just for cross-country skiing in the winter.

b) Tucker property- L. Hill talked to E. Snyder. The Newmarket PB has decided to leave the decision up to the Town Council without any further requirements to the applicant.

c) Girard easement- J. Couture talked to D. Hyde. SELT has an access easement that overrides Newfields easement. SELT is still negotiating with the Girards. NCC ultimately will need to approve the route which needs to be within the pre-approved area.

4) Mail

- Thank from Great Bay Stewards for the donation.
- SELT will be monitoring Sellers/Newlin property

5) Next meeting- 6/19/21

Adjourn 8:35 pm.

NCC member L.Hill 5/17/21