

**TOWN OF NEWFIELDS PUBLIC MEETING
RUGG PROPERTY MEETING MINUTES
TUESDAY, NOVEMBER 14, 2023**

Present: Moderator John Hayden; Trust for Public Land representative, Lynnette Batt; SELT representative, Duane Hyde; Conservation Commission Co-Chair, Jeff Couture; Toby Ferdyn, Fort Rock Riders.

Others Include: Town Residents

Moderator John Hayden called the meeting to order at 7:02 pm and gave an overview of the agenda.

Lynnette Batt introduced herself as a project manager with Trust for Public Land. She explained this is the second public meeting for the proposed Newfields-Exeter Community Forest project, subtitled Fort Rock Trails because it encompasses quite a bit of the Fort Rock Trails network. The first public meeting was in July, this is the second, and there will be a third public meeting in the future. The first meeting was an overview of the project and the proposed plan. This meeting will focus on the trails and recreation pieces and how they're currently being managed and maintained and plans for the future. The third and final public meeting will be talking about the budget and the proposed upcoming town vote in March 2024.

Lynnette began her presentation by explaining that the Trust for Public Land is the project lead, but they are partnering with SELT and the Towns of Newfields and Exeter. Duane Hyde is with SELT, whose role is project support and community outreach, and he'll talk about the planned parking area off Piscassic Rd. Within the Town of Newfields, Jeff Couture is the primary point of contact for the Conservation Commission. Toby Ferdyn from Fort Rock Riders will talk about the trail system, trail maintenance, and recreational uses. Trust for Public Land is a national, not-for-profit conservation organization who work in all 50 states. They've been working with communities in NH for about 25 years, helping to conserve about 265,000 acres of land across about 65 projects. Many of those have been community forest type projects like the proposal in Newfields. Their work focuses on four areas: parks, land protection projects, trail projects, and school yards.

Lynnette explained the proposed Fort Rock Trails project is the purchase of about 150 acres of land between the towns of Newfields and Exeter; about 101 acres are in Newfields and 47 acres are in Exeter. This is a fee purchase of land; in other words, they are recommending the towns purchase the land outright and not through a conservation easement. The town would own the land outright like the existing town forest. Several grant applications have been submitted. Unfortunately, they were not awarded the state grant this year, but they were encouraged to apply again next year. The state wanted to see a bit more momentum on the project, and it was a very competitive year for that grant program. The original intent was that the grants would support the securing of funding from the town, but the state seems to prefer the opposite: that the town gets the funding first and the grants supplement the project. There is a plan to submit applications for two federal grants. There was a recommendation for funding award of a \$2.6 million loan from the state with a low interest rate, with a portion of the principal being forgiven. There are many steps to take before that happens.

Jeff Couture is the Co-Chair of the Conservation Commission and point person on this project. He has a direct line of communication with all the folks on the project, and encouraged town residents to reach out to him with any questions they may have. Jeff stated the Conservation Commission supports this project wholeheartedly.

Lynnette mentioned they are also in partnership with the Select Board, who will review the project and its fiscal impact on the town.

Toby Ferdyn from Fort Rock Riders lives on a property that abuts the trails in Exeter. He created a Facebook page 5 years ago called Fort Rock Riders as a better way to communicate with the trail riding and trail user community to keep people updated on what's going on with the trail network. The group has grown to about 1700 members, and they've kind of become the stewards of the trail network. The Fort Rock system includes the trails in Newfields and Exeter along with some private landowners. There are about 40 miles on the trail network, and about 11 of those miles are on the Rugg property right now. It's an approximation because some of those trails cross over boundaries between Exeter and Newfields. The pandemic increased the usage of the trails and led them to work with the Ruggs to create some trails on their property that are a little different than the trails in the network. They host Spring and Fall trail maintenance days. There are also work parties that are out there doing maintenance as needed. Starting with the Rugg property, they added signs to the beginning and end of most trails and there are almost 70 across the trail network right now. This is something that's been both beneficial for trail users and the town because Fort Rock used to be notoriously difficult to navigate, but the signs are a great reference point for rescues and emergency calls. A community member asked who pays for this, and Toby responded the Fort Rock Riders do. A local sign maker is a member, so that helps reduce some cost. The pandemic also spurred an influx of donations to help with the trail maintenance. They also sell merchandise, fundraise, etc.

Lynnette asked folks in attendance to sign in with their names; all other information is optional.

Duane Hyde is from SELT, who are helping with the parking situation. They own several properties and have a few parking areas that they've built. There are currently five parking areas, four of which are in Exeter. There are two Exeter parking areas off Newfields Rd. There's a small parking lot in the Exeter Industrial Park off Route 27, and on Watson Rd. in Exeter at the powerline corridor crossing. The one Newfields parking area is in the town forest off Conner Lane off the Deer Trees parking lot and has only 3 spaces. There's a lot of trails in Newfields, but there's not a lot of opportunity for residents to access the trails from their own community so part of this project should include a place for people to park. There is a strip of land on the north of the Rugg property that goes to Piscassic Rd./Route 87, and that's where the proposed parking area would be. Money has been included in the budget for the parking area. It would be gravel and therefore a nonpermeable surface. There would not be any parking along the street. There will be no lighting. A kiosk would be included that would have a map of the trail system and information about the trails. There would be a new trail that connects with the Olive Branch trail to connect it to the system. There hasn't been any design work so far because it's so early in the process, but SELT is confident they can fit 10 to 15 car parking in the proposed area. They envision the parking area being completed within the first year within the project closing. A community member asked how many parking spots there will be, and Duane said they can fit at least 10, max 20 cars.

Lynnette noted there are many recreational uses of the trails: walking, running, walking dogs, mountain biking, and snowshoeing and skiing in the winter. A question came up during the last meeting about how

these uses would be balanced, with maybe some trails with co-uses and some designated trail uses in other places. If the Town votes to support this project and it moves forward, there will be a much more in-depth planning process. Part of the Community Forest model is public planning, where anyone who wants to have input into it can attend open public planning sessions. They usually have 6 to 12 planning sessions leading up to opening a Community Forest. There will also be a committee for those who are interested. That's where the future uses of the forest are discussed and determined, and the best way for the public to have a say in the management and recreation is for the Town to own the land.

Community questions and panel answers:

1. **Will we know if we received the grant we are reapplying for before the March 2024 vote?** We will not. The next year application would be during the summer, and we'd find out late fall 2024. **Would we know if we have the loan by that time?** The loan has been recommended for award, which means we haven't secured the loan because the Town would have to vote to move forward with the project first to approve to accept. But the money has more or less been approved by the state, which is \$2.6 million, and about \$600,000 would be the forgiveness amount. **So, they just want some sort of commitment from the Town before they approve the grant?** A lot of grants do want to see the local support and town commitment, particularly when the Town is bringing a large source of the funding to the table. We applied early in the project this year, but the goal was really to get our foot in the door and apply again next year.
2. **Will both towns have this on the ballot in March?**
That's still to be determined, but the hope is that will happen.
3. **If Exeter falls apart, does this go away for Newfields?** It probably wouldn't be viable for the landowners to just sell the Newfields portion and strand the Exeter portion because there are some access issues, so they are looking at it as one project, and both towns would have to approve. **What is the environment in Exeter?** There is a boundary discrepancy that the landowners have put a lot of time, energy, and funding into getting the information that's needed to resolve that with Exeter. Exeter is in the process of reviewing it. The Exeter Conservation Commission is highly supportive of the project, so they applied for one state grant pending the resolution of the boundary question. The committee feels there is a clear path forward regarding this issue.
4. **What is the total sale price for the Rugg land?** The Newfields 101 acres appraised at about \$3.5 million, so that's the amount they're trying to fundraise for. **So, the Town is fundraising for \$2.5 million or fundraising for both?** The project team is fundraising for both, but Newfields is only being asked to cover the \$3.5 million. This is based on a restricted appraisal that was done in June, but there will need to be a full final appraisal that has to meet the highest federal and state standards for appraisals. Even though this appraisal was preliminary, it was done with state standards in mind.
5. **Are we voting on a bond, or how are we paying for it?** The loan that was recommended for funding is called a Clean Water State Revolving Fund loan. It's through a state program, and it's a loan to the Town. All the details of how the payment works aren't known by Lynnette, but it is a low-interest loan. **Does the Conservation Committee have a recommendation to the Town for the budget?** They are working on it.
6. **Who determined the dollar amount? Exeter is about 1/3 of the project, but they're being asked to pay almost half of Newfields.** It's about 1/3 of the total. It's per acre, and one of the

requirements of a federal appraisal is that the whole property is appraised; it's called the larger parcel. And so, the appraiser says the unit I'm appraising is 198 acres, and then they do an allocated value of parcel which is about 1/3 for Exeter and 2/3 for Newfields. **The Exeter number is half of what Newfields is.** The \$1.6 million is about one third of the total cost \$5.16 million and is proportionate to the acreage. **Have you gone in front of the Exeter residents yet?** They have not because they are waiting on the boundary issue to be resolved, but the Conservation Commission has seen the numbers.

7. **As far as the boundary discrepancy, what is the expected timeline for the outcome?** Exeter is working with an outside title and survey expert and that person's schedule is busy, but they are hoping within the next month or two to see some traction on that issue.
8. **What does the timeline look like if Exeter doesn't have their stuff together? When do we come up with the wording for the ballot for the March vote, or is it even worth doing it if Exeter isn't happening? Do we vote and then if Exeter approves, we're good to go?** If Exeter isn't ready, the worst-case scenario is Exeter votes in 2025 and we're still on track for a 2025 closing. There would be the potential to move forward with the Newfields piece before the Exeter piece, but that sequencing isn't ideal. **What if Newfields votes yes in 2024 and Exeter votes no in 2025, what happens?** There would have to be more discussions with Newfields if it's feasible to continue with just the Newfields piece, but that's the worst-case scenario.
9. **Is the boundary issue in Exeter about the appraisal allocation or is it about whether the whole lot is truly for sale?** No, it has nothing to do with the appraisal. The appraisal is based on the assumption of the 47 acres being the right acreage in Exeter. It has never been fully surveyed, so there's been past survey and boundary questions that are being cleaned up now. **10 spots don't sound like a lot of parking spots. Is there any opportunity to go bigger?** 10 spots are the minimum, but probably not bigger than 20. 20 parking spots is a sizable lot.
10. **What's the temperature check on the current owner? Are there any agreements in place while this gets figured out?** The Ruggs are very much in support of the project and would like to sell the land to the towns for conservation. The timeframe currently agreed on has a goal of closing by the middle of 2025. If we get backed out of that and we're pushed into 2025 for a town vote, it will be more difficult to meet that timeline but it's possible. Not sure if the Ruggs are willing to move to 2026.
11. **How are you raising money and is there a way that we can get the money for both towns, maybe through private donations?** The public funding component includes the request for the loan or bond, and then there's the private fundraising component. Both are important to making the project happen. Without showing the complicated budget yet, the amount proposed to ask from each town is proportional to their total dollar tag. To purchase the land, 50% would come from the town and 50% would come from public grants. There will be a private fundraising campaign associated with this project. This team has put in hundreds of hours of work, and we are looking at an initial fundraising campaign over the next couple of months to cover some of the costs that have already been spent, and for some seed money for the effort to go into a March vote.
12. **Is there anything at the federal level available?** There are two grants targeted: one is the US Forest Service Community Forest program, and that is due in January. And the other is the Land and Water Conservation Fund, which is federal funding but gets funneled through the state, and

that application is due in mid-December. We are talking to the Select Board next week to get approval because the Town would have to be the applicant for both of those federal grants.

13. **Are you looking at the impact of the development and the impact that it would have on the Town?** That's a question that has come up with the Select Board and they will be looking at that. At a very minimum, the budget will include the impact to the taxpayer on the bond or the loan, but as far as the alternative subdivision construction and associated costs, that level of fiscal analysis would have to be worked out with the Select Board.
14. **When is the drop-dead date to put something on the ballot?** Trust for Public Land has a conservation finance team that has offered to help work through the Town process and getting on the ballot in 2024, and they will be putting together a schedule. There is a January deadline to meet, and they are working on getting that schedule together.
15. **What does Exeter stand to lose by stepping out of this agreement?** The conceptual subdivision plan shows development in Newfields and Exeter. Doing a conservation design shows most of the land in Newfields, with Exeter being the reserved open space area that would allow a higher yield in the Newfields side. There is potential for development on Exeter land. **If the Newfields portion was developed, could Exeter also be turned into a subdivision?** The whole property is part of a wellhead protection area in Exeter, and there's two public water supply wells there. It's conceptual, so we don't know what a final plan would look like. There was some access to the Exeter portion that the landowner maybe could utilize to do more development.
16. **Are you also holding these public meetings in the town of Exeter?** Once we get further with the Town Select Board, we will have public meetings in Exeter or open it up to larger joint meetings.
17. **Does the town of Exeter know about this yet?** It might be that Newfields moves ahead of Exeter. We are working closely with them to move it forward. **Are people talking about it in Exeter?** The Conservation Commission has been presented with similar information. **As a business owner in Exeter, I only know about this because of Newfields, so I feel there needs to be a larger effort in Exeter for people who aren't trail users.**
18. **You mentioned there would be a certain number of governance decisions that would have to be made after the Town acquires the property, and I believe there are many uses for a town forest. I would say most of the Newfields residents use or know someone who uses the trails. There is a potential impact on the quality of life in Newfields. There may be wisdom in spending time and effort earlier on talking about principles or guidelines so the person who is undecided here has a little bit more information about how it's likely to be utilized.** That's what we're hoping these three public meetings will provide because there are many benefits, recreation and open space, etc. We can continue to try to get the word out about the benefits and will as we lead up to the vote.
19. **Are people going to be comfortable with hundreds of people using these trails? It looks like the parking lot would have 20 spots or so, but if you're looking at it on a continuum, there are concerned residents in Newfields. Maybe there's a provision that said the purpose of the Town's acquisition is for all the things regarding the environment and preserve the use of this land over a given time frame.** You're saying if it moves forward as a Town forest, there is a risk that there may be uses that some who voted for the project may not be comfortable with? **Yes.** The highest risk from the standpoint of not being able to conserve the land for public use is if it remains private it might get developed or turn into a parking lot. The best way for the public to have input is for it to be acquired by the Town and a management plan would come through the

planning process about how the Town wants to use the land. And a committee would govern that future use and management according to the plan. The other layer of protections that ensure this is indeed conserved is through deed restrictions that are required if we get public funding by the public funders. There won't be a conversation easement, but there will be restrictions on the deed as to what the land can be used for.

20. **It's important to understand that for passing a bond like this, there is a state requirement for a public bond hearing that would take place in January. The Town of Exeter would have to do the same thing, and the fact Exeter hasn't done that raises some red flags. With respect to what if we move to acquire the Newfields portion and Exeter doesn't vote yet, this goes to the valuation process because how many lots you can build on that property determine the value, that 50 acres in Exeter has an impact on that. A lot needs to be figured out before we decide whether we are going to move forward and do so quickly, and probably go on faith that Exeter will come through, and doubt that Exeter will vote on it for this year.**
21. **Earlier today you talked about the fact that because of access issues, it's unlikely the seller would sell two pieces of property separately. Are you thinking we'd be voting on a contingency with the Exeter property, or are there other ways to deal with that issue if there is an access issue to the Exeter portion of the property?** Both are potential. Newfields could move forward with the vote and Exeter could be the year following, so the Newfields vote could be set up to be contingent upon Exeter's approval. **I would make an argument that positive movement by Newfields might give some confidence to the landowner that this might move forward, and a delay might actually encourage them to pursue the development.** Because Newfields is a majority of the property, if they choose not to go forward with this project, that puts a huge question mark into the project. Recognizing that there is a tie with Exeter, and they are behind, Newfields moving forward would be a big benefit to the landowner and to Exeter. It could work that Newfields approves, we secure funding, Exeter votes later, and we can have the funding ready for Exeter. We feel confident we've got the money basically raised so we can close however many months after Newfields.
22. **An Exeter resident suggested that they get their public outreach in Exeter going sooner rather than later.**
23. **Does the landowner feel that the current appraisal is a fair valuation?** The independent, restricted preliminary appraisal is what we have now, and we'll get a full and final appraisal later. The landowner seems comfortable with the valuation and the Town needs to decide if they're comfortable with it. I think it's a reasonable estimate at this point, and don't expect it to come in any higher. **Where is the Town?** If the Town decides to move forward with it, there would be a bond hearing in January, and go for a vote in March to see what the Town decides.
24. **Is there a worst-case scenario for development considering zoning requirements?** The conceptual plan is showing potential for up to 67 lots. They came before the Planning Board, and there's 67 2-acre lots, but that has not gone for Planning Board review to decide whether that's the actual number of lots. It hasn't gone through the process, and we haven't looked at any of the issues that the Town normally would through the Planning Board. It's also important to note that the Rugg family did not approach the Planning Board with a plan to develop the property. The Rugg family came with the intent of conserving the property. It's good to point out that there's a range of approaches to appraisal, and this appraisal uses a sales comparison method where they look at comps of land that has recently sold for development. This appraisal

accounted for the fact that it is a conceptual development plan that has not been approved by the Town. There will need to be more work on the future appraisal. It is not a typical approach for conservation efforts to go through a full subdivision approval and permit process because it's very expensive and it often ends up going the route of development and has the potential to increase the value of the land.

25. **What are the next steps? There will be a bond hearing, and then the Select Board has to meet?**

A warrant would have to be drafted, and a bond hearing would have to take place, most likely in early January. If the bond runs more than 10% of our annual budget, it requires more hoops, and I tend to think this would be the case, so it will be a process. **But are we ready to go through that process in time for March?** Newfields bond counsel was given permission to talk with Trust for Public Land and start the discussion, so there will be information that comes out of that which will dictate further timing of the process.

26. **Do we have a date for the third meeting you referenced? We do not. Do you have a general time frame?** December's tough with the holidays, but January. We'll need to regroup after this and decide what makes sense.

27. **What can we as Exeter residents do to light a fire under these people because this is embarrassing.** Go to your Conservation Commission and Select Board meetings. We've started public outreach, so maybe that's the impetus you need to get it going in Exeter.

28. **If we're waiting until January for the next official meeting, should there be another meeting where we discuss it with Exeter?** We wanted to get ahead of Exeter's review of these issues, but we could do more of an open-style informational Q&A.

Jeff noted that this project is on the agenda for the next Select Board meeting on November 21st. It's an opportunity to show support for the project and stay informed as well.