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30 Danforth Street, Suite 106  
Portland, ME 04101  
t: 207.772.7424 x3  
tpl.org

March 25, 2024

Sent by email to:

Newfields Select Board  
Newfields Conservation Commission  
Exeter Select Board  
Exeter Conservation Commission

**Re: Newfields Exeter Community Forest Project Update: Town Vote and Next Steps**

Dear Newfields and Exeter representatives,

First, as you all know, we saw positive votes in both Newfields and Exeter on March 12 for the Newfields-Exeter Community Forest project.

- Newfields Article 1 passed 583 yes to 285 no (67%)
- Exeter Article 24 passed 2222 yes to 340 no (88%)

Trust for Public Land, Southeast Land Trust, and local volunteers were happy to see the community turn out to vote and we very much look forward to working with both towns to advance this locally important project.

Second, **I will** follow up with each town separately, but for the benefit of co-coordination, we are hoping to proceed with the following as next steps/ project timeline in each town.

**Newfields Next Steps/Timeline:**

- Purchase and Sale Agreement between TPL and Town – April or May
- **NH Clean Water State Revolving Fund Loan** – Full application due June 28, preferable to submit in April/May if possible, *pending Select Board designation of authorized representative*
- **NH Land and Community Heritage Investment Program (LCHIP)** – Pre-application due May 22, full application due June 19
- Final appraisal – summer/ fall 2024
- Grant award notices – fall 2024
- Closing – mid 2025, near concurrent with Exeter

**Exeter Next Steps/Timeline on following page**



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### Exeter Next Steps/Timeline

- Purchase and Sale Agreement between TPL and Town – May or June
- Boundary Resolution – ASAP, goal of mid-May (*changed from June 1*) to support funding applications and final appraisal
- NH Clean Water State Revolving Fund Loan – Pre-application due May 31–  
*pending Select Board vote to proceed and designation of authorized representative*
- NH Land and Community Heritage Investment Program (LCHIP) –  
Pre-application due May 22, full application due June 19
- NH Drinking Water and Groundwater Trust Fund Source Water Protection (DWGTF SWP) – Pre-application due May 30, full application due August 8
- Final appraisal – summer/ fall 2024
- Grant award notices – fall 2024
- Town vote on funding – March 2025
- NH Clean Water State Revolving Fund Loan full application – spring 2025 –  
pending town vote
- Closing – mid 2025, near concurrent with Newfields

Additionally, throughout 2024 and into 2025, TPL will undergo a private fundraising campaign and pursue other grants to cover all up front project costs (planning, due diligence, community outreach) so there will be no cost to the town for these expenses. We also hope to provide some funding for future stewardship and recreation.

Finally, a funding update -- last Friday 3/22 Trust for Public Land submitted a \$1.3 million request to Senator Shaheen and Congressman Pappas for a Congressionally Directed Spending (CDS)/Community Program Funding (CPF) grant for the project. If awarded, TPL would direct this funding proportionately to both towns – we budgeted \$400,000 for Exeter and \$900,000 for Newfields. If awarded, and pending the outcome of other grants, this has the potential to lower the cost to the towns from what has been presented in past budgets. As we have stated in past meetings, our goal is to try to maximize grant funding to minimize the costs to the towns.

Please contact me at [lynette.batt@tpl.org](mailto:lynette.batt@tpl.org) or 207-670-4425 with any questions or input.

Thank you,

Lynnette Batt  
Project Manager, Trust for Public Land

Attached: Project Description March 2024



3 Shipman Place  
Montpelier, VT, 05602  
(802) 223-1373  
tpl.org

May 3, 2024

Town of Newfields  
65 Main Street  
Newfields, NH 03856

Sent via email to: Michael Sununu at [msununu@newfieldsnh.gov](mailto:msununu@newfieldsnh.gov), Hoby Harmon at [hharmon@newfieldsnh.gov](mailto:hharmon@newfieldsnh.gov), Mark Kasper at [mkasper@newfieldsnh.gov](mailto:mkasper@newfieldsnh.gov), and Sue McKinnon at [suemckinnon@newfieldsnh.gov](mailto:suemckinnon@newfieldsnh.gov)

Dear Newfields Select Board and Town Officials,

The Trust for Public Land (“TPL”) recently saw on the Town’s website an RFQ in connection with the Newfields Community Forest/Rugg property that TPL is working with the Town to conserve for the benefit of the Newfields residents. We wanted to inquire about the need for this additional work, as TPL has provided and intends to continue providing this service to the Town for free.

To date and for over a year, TPL has worked in close coordination with the Town, and has provided extensive fundraising, grant writing, public information, and due diligence contracting and review services at no cost to the Town. Regarding due diligence, TPL has contracted a qualified appraiser to provide an initial appraisal to federal Yellowbook standards, contracted title work including a title commitment, and coordinated initial boundary survey work. All of this has been included in public grant applications that we assisted the Town in drafting and submitting. We have also provided the Town with regular updates on the project timeline and proposed process, including regarding due diligence. With the Town to be the owner of the Newfields Community Forest, this due diligence will be updated as the project progresses with the Town included throughout the process, as further described below.

Warrant Article 1, which authorizes the acquisition of the Rugg property, concludes “and all in collaboration with and facilitated by conservation organizations that will provide copies of title, boundary, and environmental assessment, and an appraisal that has passed state and federal review, to the Board of Selectmen prior to the Board’s action to accept the property.” In keeping with this article, TPL has proceeded with the facilitation role by coordinating with the Town, preparing funding applications, and preparing to contract the final due diligence.

Most recently, we sent a memo to the Select Board on March 25, 2024 outlining proposed next steps (attached for reference). We had hoped to memorialize these steps for the Town’s benefit in a Purchase and Sale Agreement or a Memorandum of Understanding between the Town and TPL.



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Montpelier, VT, 05602  
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to coordinate with you the respective roles and the due diligence process. To date, we have not yet received a response from the Town on this memo and the proposed next steps.

TPL's role in this project, as in all of our projects, is as an independent third party assisting local nonprofit and public partners in acquiring and stewarding conservation lands. While TPL holds an option agreement to acquire the property from the landowner, this option is contingent upon due diligence, including title, survey, environmental and a final appraisal, and that the due diligence is reviewed and approved by the funding agencies. The terms of the option were publicly released in February 2024. Due diligence will be prepared and shared with the Town such that the Town may rely on this due diligence for their acquisition of the land. For instance, the Title Commitment for title insurance will have the Town as the insured party.

TPL's qualifications ensure public land transactions meet the highest standards and we are here to ensure the due diligence meets these high standards for not only TPL but also the Town.

TPL's qualifications include the following which we have expressed at previous public meetings:

1. The Trust for Public Land is an accredited land trust with the Land Trust Alliance, the national gold standard for land conservation organizations, and our position in this transaction is as an independent third party with site control through our option with the Landowner, the terms of which we have already shared with the Town and general public. TPL has over 50 years of experience completing conservation real estate transactions across the US and has worked with thousands of partners, including hundreds of municipalities, to conserve 4 million acres of land. In New Hampshire, we have worked with municipalities across the state to complete nine Town Forest and Community Forest projects like the Rugg property acquisition, and have led the conservation of over 264,000 acres of land in the state across 30+ projects. Some examples include the Mink Brook Community Forest in Hanover, Dundee Community Forest in Bartlett and Jackson, Page Pond Community Forest and Expansion in Meredith, Milan Community Forest in Milan, and Randolph Community Forest in Randolph. We welcome the Town contacting any of these municipalities we have worked with to inquire about our work and past partnerships with them.
2. TPL has the capacity and experience to manage due diligence, assist with securing funding and ensure it is delivered to closing on time, in addition to coordinating public engagement. TPL has 15 staff in our New England region who work as a team to complete conservation real estate transactions with local partners such as municipalities. TPL has a dedicated Project Manager who has worked on the Rugg project since late 2022, and a team of 10 additional staff who have contributed to this project throughout that time. We



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would continue to commit these resources moving forward.

3. TPL works in close cooperation with the state and federal funding agencies and follows all their standards and requirements for due diligence. In addition, TPL has internal detailed and rigorous policies and procedures governing our work on public land transactions, including how due diligence is completed. Finally, TPL abides by all Land Trust Alliance Standard and Practices including those governing due diligence.

At this stage in the project to contract for separate due diligence seems an unnecessary duplication of effort. TPL would like to, therefore, respectfully request that the Town hold on the issuance of an RFQ for consulting services and schedule a time to meet with TPL so we can align our respective roles to avoid duplication and additional expense for the project. As a next step, we propose entering into a Purchase and Sale agreement or a Memorandum of Understanding with the Town that outlines our roles, the process for due diligence, and the future transfer of the land. We believe that we can provide the Town with significant cost savings by serving this role. This is the standard approach that we have taken with dozens of municipalities in similar public land conservation projects with great success. I would be happy to provide you with contacts at the aforementioned towns in New Hampshire who you could call to discuss TPL's role and partnership with the town on similar transactions. We also understand if after we come to an agreement the Town still wants to hire a consultant to help facilitate the Town's process, and we would be happy to work with them to ensure success.

We look forward to the Town's response and working with the Town to complete this locally and regionally important conservation project. Please contact me at [shelby.semmes@tpl.org](mailto:shelby.semmes@tpl.org) or 917-658-2582, or Project Manager Lynnette Batt at [lynnette.batt@tpl.org](mailto:lynnette.batt@tpl.org) or (207) 670-4425 with any questions regarding our request and proposal.

Kind regards,

A handwritten signature in blue ink, appearing to read "Shelby Semmes".

Shelby Semmes  
Vice President, New England Region and New Hampshire State Director

cc

Lynnette Batt, Project Manager, Trust for Public Land  
Denise Mullane, Legal Director, Trust for Public Land