



**Fremont Conservation Commission  
Minutes of  
June 11, 2014**

Present: Chairman Bill Knee, Co- Chairman Janice O'Brien, Member Pat deBeer, and  
Alt/Recording Secretary Meredith Bolduc.

Notice of this special meeting to address an application by the Southeast Land Trust of NH for a land protection grant offered by The Piscataqua Region Estuaries Partnership (PREP) and Great Bay Resource Protection Partnership (GBRPP) was posted on June 10, 2014 at 5:45 pm.

Chrm. Knee opened the meeting at 7:00 pm.

In a June 10, 2014 e-mail from David Viale, Land Protection & Stewardship Specialist with Southeast Land Trust, Mr. Viale reported that The Southeast Land Trust is working with a landowner in the Spruce Swamp & Fremont Town Forest area to conserve 32 acres of backland which abuts the land trust's Kelleher Forest (just north of the Town Forest) and The Southeast Land Trust is requesting the Fremont Conservation Commission to allow them to submit a grant proposal on the Commission's behalf to PREP for that purpose. This application is due no later than Friday June 13, 2014.

According to the Southeast Land Trust of NH Project Summary Sheet the grant application would be for a Conservation Easement Purchase and Fee Simple Transfer of the Donna Garrison property located at Map 04, Lot 98. Conservation purposes and public benefit are the protection of a relatively natural habitat of fish, wildlife, or plants, or similar ecosystem. The property consists of 32.18 acres of forested upland and wetland and abuts the SELTNH fee ownership of the Kelleher Memorial Forest in the Spruce Swamp area of Fremont.

Nearby protected land: (grantee, acreage)

- Abuts Kelliher Memorial Forest to the south (SELTNH FO, 129 acres)
- Town of Fremont Spruce Swamp 312+ acres abuts to south and west
- Demeritt (Town Brentwood) and other Brentwood CC lands contiguous with Town of Fremont land (175 acres)
- N/F Smith abuts to the east (not protected) The parcel is backland (no apparent legal access), it is not actively managed and is not posted.

The landowner Donna Garrison applied for NRCS Wetlands Reserve Program.

Mr. Viale said that he would prepare the grant, but it would be in the Fremont Conservation Commission's name. He added that the application would not commit the Town to anything at this point in time so the Conservation Commission can formally vote whether to accept and use the funds at later date (if the project is funded). If at any point in time the Commission felt they wanted to have the application withdrawn, they could do so.

Mr. Knee said he talked with Mr. Viale relative to Fremont's role in the PREP Grant. The following is Mr. Viale's answer.

*Here is a summary of what the process would look like for Fremont, should the grant be awarded, and should you accept the award and go forward with the project:*

*The Southeast Land Trust would handle all the project coordination AND upfront project expenses/matching funds. The Town wouldn't need to do anything until after the project is completed. As expenses are incurred, the land trust will cover the costs. As the applicant to PREP, the town, (along with the land trust) would need to be shown on the invoices for project expenses, but Fremont would not be responsible for any payments at this time (the town's involvement comes at the end of the project). For example, to obtain a boundary survey for the property, the invoice for the survey would be made out to both the Southeast Land Trust and the Town of Fremont. The Southeast Land Trust would pay the invoice, knowing we will later be reimbursed by the Town (via use of the grant funds). The same would go for all project expenses we show as matching funds on the grant application.*

*When the project closes, the Southeast Land Trust will prepare the paperwork which needs to be submitted to PREP to be reimbursed with the grant funds and provide the paperwork to Fremont to then submit to PREP. Submitting the reimbursement paperwork to PREP would be the first of two steps for the Town.*

*After receiving the proper documentation, PREP will send Fremont a check, reimbursing the Town for the project expenses incurred. The Town will then turn around and reimburse the land trust (since we paid for all the expenses up front). Reimbursing the land trust through the use of the grant funds would be the second and final step for the Town.*

*That's all there is to it. We've used this arrangement before with other grants and with other towns – it's pretty standard.*

The Members reviewed the grant application and information received. They also viewed the 2014 USGS topographic map of the Spruce Swamp Kelliher Forest Addition prepared by the Southeast Land Trust that showed the target parcel as well as the NELTNH conservation land and Spruce Swamp (also conservation land).

The South East Land Trust would be purchasing the Garrison property.

Chrm. Knee explained that Fremont's role would be a funding partner. He said the Garrison 32 acres would be added to the Kelleher property.

Mbr. O'Brien said we would be funding a project that we would have no ownership in. She said she agrees that the goal is to preserve the land. She stated that her concern is that we are being asked to funnel money through the Conservation Commission to benefit the Southeast Land Trust and the Town. Mbr. O'Brien said she wants to make sure this is legal and said she would be more comfortable if the Commission sought legal counsel or at least ran this by the Selectmen. She wondered why we are just getting this when the deadline for the application is due on Friday.

The Members all agreed that protection of the Garrison property has been previously identified as a key to protecting Spruce Swamp. Conserving this property helps to meet the greater goals of the town of Fremont as identified in Fremont's Master Plan by conserving the area around Spruce Swamp. There is no cost to the taxpayer.

Chrm. Knee stressed that this is not being funded with tax money, but with grant money. Chrm. Knee stated that the end result is to have as much of the land in conservation as possible and it does not matter whose control it is under. He said the only thing he questions is whether there are any restrictions on the Town. Mbr. deBeer said the Town voted down allowing contribution of funds for projects that are in another Town that the Town would have no ownership. However, the Garrison land is in Fremont.

Mbr. O'Brien noticed in Mr. Viale's letter that he listed the status of the Smith land as **not** protected. She noted that the Smith land is protected and Chrm. Knee agreed to let Mr. Viale know that.

After careful consideration by the Members, Chrm. Knee made the motion to allow The Southeast Land Trust to apply for the grant proposal to The Piscataqua Region Estuaries Partnership (PREP) for a Land Protection Transaction Grant on the Fremont Conservation Commission's behalf for the purpose of conserving the 32- acre Donna Garrison property located at Map 4 Lot 98.

Motion seconded by Mbr. O'Brien with unanimous favorable vote.

Chrm. Knee will contact Mr. Viale to advise him of the Commission's vote and to advise him that the Smith land is indeed protected.

At 7:55 Mbr. deBeer made the motion to adjourn.

Motion seconded by Mbr. O'Brien with unanimous favorable vote.

The next scheduled meeting is August 4, 2014.

Respectfully submitted,

Meredith Bolduc, Land Use AA/Recording Secretary