



CITY OF CONCORD

New Hampshire's Main Street™

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Beth Fenstermacher, Assistant City Planner, on behalf of the Conservation Commission

DATE: June 21, 2022

SUBJECT: Resolution authorizing the City Manager to accept an executory interest in a conservation Easement for property owned by the Potter Farm Family Trust, and appropriate \$224,500 from the Conservation Fund for this purpose, as approved by the Conservation Commission.

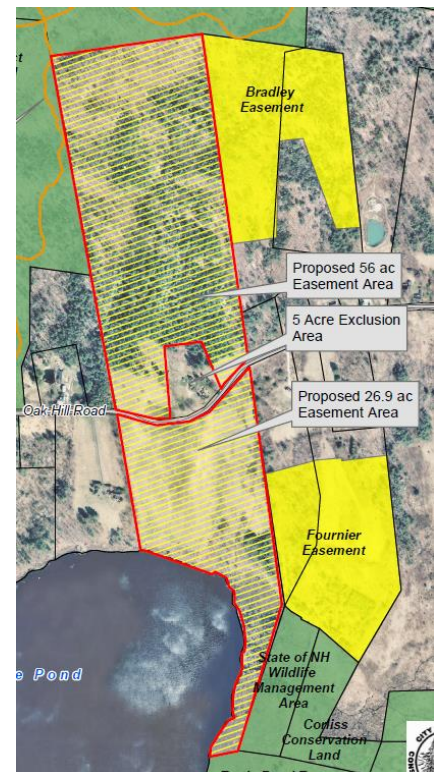
Recommendation

Approve a Resolution authorizing the City Manager to accept an executory interest in a Conservation Easement for property owned by the Potter Farm Family Trust, and appropriate \$224,500 from the Conservation Fund for this purpose.

Background

In 2020, the Potter Farm Family reached out to the Conservation Commission and Five Rivers Conservation Trust to start discussions for protecting the Potter Farm property on Oak Hill Road. The Potter Farm consists of two parcels on either side of Oak Hill Road, approximately 87.9 acres in total. As part of the proposed easement, the Potters will reserve approximately 5.5 acres for a homestead on the north side of Oak Hill Road. Exclusive of the homestead, there are approximately 56 acres of mostly wooded land on the north side of Oak Hill Road and 26.9 acres of farmland and open fields on the south side of Oak Hill Road. The southerly parcel has approximately 2070' of shore frontage on Turtle Pond, has statewide and locally significant agricultural soils, and is currently being used to produce vegetables, potatoes, squash, and other produce. The Potters are conducting maple sugaring operations on the northerly parcel and will work on a forest management plan to be approved by the easement holders for any future timber harvesting.

The subject property is located within the Conservation Focus Area identified as "Oak Hill Southeast" in the 2017 Conservation Open Space



Plan. The area was identified as a priority for acquisition because it consolidates protection of Oak Hill; is part of a large unfragmented forest; has moderately high resilience value due to habitat connectivity and ecological integrity; contains productive agricultural soils; is a prominent scenic resource; and is identified as Highest Ranked Habitat in NH in the State of NH Fish & Game Wildlife Action Plan (WAP).

Most of the northern parcel of the Potter Farm is bounded on the west and north by the city-owned Oak Hill conservation area and trail system. The Murray Bluff trail and the Potter Ridge trail run along the boundaries. The northern parcel is also bounded on the east by a city-held conservation easement on a private parcel (Bradley). The southern parcel is bounded on the east by a Five Rivers conservation easement on a private parcel (Fournier) and further south and east by a 183-acre City of Concord parcel along the shore of Turtle Pond and a 6.5-acre parcel owned by the State of New Hampshire as a Wildlife Management Area.

Discussion

An appraisal was completed on November 23, 2020 utilizing funds from the Commission's FY 2021 operating budget. The family agreed to sell the conservation easement at the appraised value of \$449,000. Five Rivers secured funding through the Natural Resource Conservation Service/U.S. Department of Agriculture, State of NH Mooseplate grant program, and Merrimack Conservation partnership to cover 50% of the purchase price as well as transaction and stewardship fees. The Commission agreed to pay for the remaining 50% of the purchase price and the cost of the appraisal and survey.

The primary purpose of the easement is to protect the natural habitat, forest and productive agricultural soils from development and to allow the Potter Family to continue farming the area to produce locally grown food. The easement will provide wooded buffers to the Oak Hill trails and provide emergency access to the existing City trails on Oak Hill. The easement will protect the water quality of Turtle Pond which is an active recreational area for fishing and kayaking from the state boat launch. The southerly parcel has expansive scenic views across open fields to Turtle Pond and the Broken Ground ridge line to the south

The Conservation Commission voted unanimously, at a public hearing on June 8, 2022, in favor to disperse \$224,500 from the Conservation Trust Fund per RSA 36-A:5, for the conservation easement acquisition on the Potter Farm property, and to recommend that City Council accept an executory interest in the easement. Upon acquisition, Five Rivers will monitor the property annually to confirm that the terms of the easement are followed.

BAF