

February 2, 2024

Working Meeting of the Select Board – Approved by Board 2/6/24 (seh)

Meeting called to order 1:40 Chairman Delaney

#1. Conservation Commission members present: Nancy Robart, Jerry Hersey, Sooze Hodgeson, Tina Cotton, Lee Wells

Also attending at Select Board's request: Andy Deegan, Stewardship Manager, Ausbon Sargent Land Preservation Trust (ASLPT).

Scott Hilliard: Bradley Lake Warrant article submitted to Select Board – which meets the requirements.

Andy has been working primarily with Nancy Teach, to follow up on the Town meeting vote to place the land into conservation easement. He is here to answer any questions.

Questions:

- What can ASLPT do that the town cannot? Town can make decisions about the property, such as allowing some logging, ASLPT makes sure that it is done in sustainable manner.
- What is the town allowed to do with this land? Agricultural purposes allowed, some logging, you could put a chicken coop there, sugaring could be done, a sugar shack put in, etc. no dwellings. The ultimate decision on putting in the sugar shack etc, is the town's decision.
- A hypothetical question – if the town puts in a sewage system to tie into Franklin's system, would that be allowed? That probably wouldn't be allowed; however, eminent domain could trump everything else.

Comment: most of the land is wetland.

ASLPT's responsibility is to make sure everything is done properly. Land will be monitored annually. Monitors look for change – natural and human caused change. Land-owner is always contacted first before monitoring done, and they are invited to join the monitors. Monitors are trained by ASLPT.

A member of the Select Board has read that conservation easements can't be placed on town-owned property, is this the case? Andy said that ASLPT holds easements on town owned lands in several towns, but he would check with ASLPT legal counsel.

- Have all the boxes have been checked, have all procedures been properly done to place this land into conservation easement? Andy confirmed that this is the case.

- Why couldn't the ACC hold the easement?

-The mission of the Conservation Commission is not to manage easements, but, among other things, to work with organizations like ASLPT.

-A brief summary of the history of our involvement with the property was given.

- How does ASLPT benefit?

-ASLPT is a non-profit and this meets their mission. ASLPT looks at property and its assets – here we see Sucker Brook, which leads into Webster Lake which is struggling with algae blooms. Protecting Sucker Brook will help Webster Lake. This area has a top wildlife ranking in the state, scenic quality is also important, protecting the rail trail is also a factor. Town can get a federal tax deduction. ASLPT also looks at existing conservation land – Hersey and Perry easements are nearby which strengthens wildlife corridors.

- Andover is a rural town and this parcel is part of the rural gateway to Andover.

- Call for a vote, all in favor. Easement signed by Select Board••
Chairman Delaney motion seconded by D. Swenson all in favor.

Select Board moved on to the next topic on their agenda: Emory Pond dam at 2:10.

#2. Emory Pond Dam Present representing property owner were Laura Condon (daughter of Property Owner) and Bob Carter engineer representing property owner.

Hoyle and tanner engineer Josif Bosica, Bob Stevens Dam Engineer .

Selectmen Delaney began discussion and provided documentation that ownership of the dam is actually incorporated into the deed for the property. Laura and Bob Carter agreed.

Considerable discussion about what needs to be done and how to proceed. All agreed that there must be an engineering plan and discussed changing the wording and eliminating the Dam all together. It agrees that the sinkholes are present and more than one indicating the structure leaking. A stability analysis should be done asap.

It is agreed that Kevin Dyval the road agent will monitor this from the Town side and That Laura and her representative will monitor it on behalf of the property owner..

#3. Lawrence street Bridge Amendment #1 was signed for project engineer from bureau of planning.

#4 Les Fenton Clerk of the works for Highway Garage project there was considerable discussion on some contingency fund expenses and what procedure would be used to purchase them.