

From: Ian McSweeney ian@thefarmerslandtrust.org

Date: Oct 18, 2023 at 12:48:01 PM

To: Ian McSweeney ian@thefarmerslandtrust.org

Jan 21, 2013 BOS - final minutes

Article 30; Shmid/Banks Property on East Road – Ian McSweeney said that the Banks/Shmid property on East Road is 137 acres, of which 20 acres will be put aside for recreation. The total 137 acres will be for town use with 117 acres under easement and the other 20 acres for an active permitted gravel pit and recreational field usage. The total purchase price to the land owner is \$600,000. Mr. McSweeney said that the voters are being asked to come up with \$200,000. The Mildred Hall Committee has pledged \$130,000 and the Conservation Commission has pledged \$50,000, and the remainder of the funds will come from grant sources outside of the FINAL -4- January 21, 2013 Town of Weare. Mr. McSweeney said that he has verbal approval for about \$60,000 and will be applying in the next few months for additional funds. If the voters approve these funds it would help with leverage when submitting fund proposals. If the funds are not approved, nothing will be spent. Mr. McSweeney said that in addition to the \$600,000 there will be approximately \$20,000 in project costs being covered by the land owner, Forest Society, and the Russell Foundation. Town Administrator Bolton will forward Mr. McSweeney's email to Town Counsel along with the article for review. Mr. McSweeney will know by August if all the funding is in place. The Board needs to know by September, when setting the tax rate, if the \$200,000 needs to be appropriated. Mr. McSweeney told the Board that from a visual and from the test pits there is over 8 years worth of material in the gravel pit. He said that the request of \$200,000 from the voters will be paid for in a matter of 2 years in gravel and sand from the parcel and the town will get recreational fields. The gravel pit permit is not transferrable and is Site

Specific through DES. The current gravel pit permit is good through July 2015. The pit was approved to remove gravel and no amount was specified on the permit. Vice Chairman Butt asked if the Finance Committee has sufficient information. Mr. Spring said that the information is helpful because the numbers were very confusing and they were not informed. Mr. McSweeney will try to attend the Finance Committee meeting. Vice Chairman Butt said that they could include in the town mailer that this is the only viable location for recreational fields in town.

Final article - Article 29 -

Article 29 - Purpose: This warrant article is to pay a portion of the purchase price for 137 acres of land that would be owned by the Town of Weare. 20 Acres of this land would be set aside for development of recreational facilities which could include fields and buildings. This property also has an active 8 acre gravel pit which would provide gravel to the town Public Works department that the town would otherwise purchase from privately owned pits.

- recommended by DPW, Finance, and BOS
- passed 774 to 547

March 25, 2013 BOS

discussion on farmland use on Banks property


SHMID/BANKS PROPERTY DISCUSSION – Mark Anderson, New Boston Veterinarian, explained to the Board that he has always hayed the fields. He would like to know if he could still do it this year and if there is a possibility of having a lease to continue to hay the field. It was discussed that it is likely that the ownership would not change until the end of the season. Mr. Anderson said that those fields are very heavily drained sandy soils and as a result, he applies fertilizer up to three times per


year. He typically parks equipment there between haying those fields and moving to the next fields and wants to make sure that the equipment is not a problem for the town. Ian McSweeney, Russell Foundation, said that the terms of the conservation easement allow agriculture by the town or leased to a third party. He has not done anything further with funding since last meeting with the Board. Mr. McSweeney said that there are grant funding deadlines coming up in the next few months. The Selectmen need to know the status of the purchase by the end of August before setting the tax rate. Mr. McSweeney said that prior to that depends on how successful he is at getting the money. Mr. McSweeney said that town owned land can be leased out for agricultural purposes and most of the towns similar to this situation have had a prior user lease the land. There could be a verbal agreement that was between the land owner and the user and the town continues to allow the agricultural activity. Unless there is a conflict from someone in Weare regarding haying the fields, Vice Chairman Butt sees no reason why Mr. Anderson can't continue. FINAL -2- March 25, 2013 Mr. Anderson said that the amount of money spent each year to get the property to grow hay is close to \$200 per year, per acre and he fertilizes every year. Mr. McSweeney mentioned the possibility of holding an event on the field and Mr. Anderson said that if he knew ahead of time, he could work around an event. The easement would preclude heavy equipment, but recreation and education are allowed and are a benefit to the town. It would be best to have a lease to spell everything out and Mr. Anderson would like a 5 year commitment, but understands that the town does not have all the input yet. The Board feels that there is no need to interrupt the process for this year. Mr. Anderson hays a total of 30 acres on East Road; 10-12 acres is Shmid/Banks property. Vice Chairman Butt would like to see the land used and encourages the activity. The 10-12 acres being hayed are the only open fields on the Shmid/Banks property. Mr. Anderson said that there is a 2 acre parcel on the right side of the driveway that something will need to be done to, it

has never been an agricultural field, and it is the only part that he thinks that is currently open that would be conducive to recreation fields. There is a state law that allows for posting of actively used agricultural land and it makes sense to have the ability to post it. Mr. Anderson has reseeded the parcel twice and he has been haying that field for 10 years. Mr. McSweeney said that most easements are privately owned; this easement land would be owned by the town and it would be unique that the town will own active agricultural land. The Board said that Mr. Anderson could hay the fields this year.


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Ian McSweeney
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[Schedule with Ian](#)

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 [Organizational Schedule](#)



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