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Lynn Girard Tue, May 7, 5:21 PM

to Jeff, me, Forrest, conservationcomm, Josh, LAUREN, Hoby, msununu, mkasper, Mark

Newfields Conservation Committee:

We are writing you to address some of our concerns that were addressed in a recent Select Board meeting. For those of you who sit on the board that may not be aware of our situation regarding Southeast Land Trust, we will take the time to provide you with a background. We apologize in advance for the length of this email, but we find it necessary to provide all of the information to you so it is more transparent moving forward.

We purchased our home in April 2019 with the understanding that there was an easement over the property for both the Town of Newfields and SELT. The easements were established to provide access to the conservation land and the Piscassic Greenway. We were presented a document from SELT from the real estate agent prior to purchasing our home. We read through the document along with the referenced deed (See Appendix A for both documents). We also followed up with previous owners to confirm that the document was a reflection of how SELT has utilized the access since it was established in 2004. There were no red flags, and we didn't make the assumption that a conservation easement was meant to be a negative thing, so we went through with the purchase of our home.

From the very day we moved in, to now, SELT has been extremely disrespectful. They are utilizing the access in ways not intended (see supportive letters from developer Joe Falzone and Haughton Family in Exhibit B) and feel no need to give us notification prior to utilizing our driveway. As we have expressed repeatedly, this poses safety concerns for our family. Our children are utilizing our property in ways in which it is intended, for example horseback riding, ATV's, bikes, sports, playing with dogs, etc. If we don't know when trucks and excavators are coming through our property we cannot make sure they are safely out-of-the-way (see Appendix C for a better understanding of our concerns).

We've done a lot of research regarding Land Trusts and everything we have read suggests Land Trusts to work hard to maintain healthy relations with land owners. Telling us that they will give us notice notification when "they see it fit", is by no means working and trying to create good relations with homeowners. In spite of this, we still tried to work with SELT to come to agreement that would work for all parties involved, SELT, the Town of Newfields, and ourselves. We were willing to put 2 acres (buildable lot) that is excluded from our conservation land, amongst the Piscassic Greenway into the Town of Newfields Conservation. In return they give us 24 hour notification and compensate us financially for the driveway we no longer have a use for. We informed the Newfields Conservation Committee of the proposed agreement during the 4/19/21 meeting. We felt this was more than generous of us to only receive something in return that should be respectfully given, especially since the usage portrayed prior to purchasing was in no way comparable.

Unfortunately SELT, went back on their verbal agreement to give us 24 hour notification. We brought this to the Newfields Conservation Committee's attention on July 16, 2021. We sent three emails before receiving a formal response on August 11, 2021 asking us to attend a meeting on August 16, 2021. We attended the meeting on August 16, 2021 and we're quite disappointed with the lack of support given. The Newfields Conservation Committee had the opportunity to be involved with negotiations with SELT to avoid a house being built amongst 100+ acres of conservation land, land utilized by town residents and the public. The Greenway was conserved to protect water quality, wildlife habitat, and ecologically sensitive areas. What would a septic system, a foundation, and a well do to the surrounding conserved acreage? Not to mention the electrical lines would be run over the Rockingham Rail Trail. This will take away from the beauty of this land (see Appendix D for photos) and would pose problems for the state with daily usage over the Rockingham Rail Trail and the maintenance of the trail. We were willing to

preserve this land indefinitely, yet we were not given any support from the Newfields Conservation Committee. Instead, in that meeting, we got the impression we were being accused of illegally pulling a permit for a safer driveway for not only our family, but for SELT. A permit we asked SELT to pull for several months without receiving responses. It was obvious to us that the Newfields Conservation Committee was more concerned with maintaining a good relationship with SELT, than supporting citizens of their town and gaining more conservation land. Why would the Newfields Conservation committee want to keep good relations with the land trust that is not holding themselves to higher standards? That aside, there are ways of being supportive to the members and land of the town you represent while still keeping good relations. There was absolutely no effort to do so.

We then addressed our safety concerns to the Select Board. They supported us by trying to work with SELT to come up with an agreement that could work for all parties. We arranged a meeting with Mike Sununu and SELT at the town hall. We walked away from the meeting with SELT stating they would entertain the option of moving the access to Cole Farm Road and/or they stated they would consider agreeing to giving us 24 hour notification if we hired a lawyer to write up an agreement using verbiage to protect them against emergencies. These considerations were in return for us putting our 2 acre lot into Newfields Conservation. Unfortunately we had our lawyers write up verbiage regarding 24 hour notification and SELT refused to even look at it. Additionally they refused to go to mediation if it had anything to do with notification. With that said we put our focus into Cole Farm, since our safety concerns were clearly not a consideration for SELT.

September 27, 2022, we attended a Select Board meeting and we expressed our concerns. We proposed entertaining moving the access to Bald Hill Road via Cole Farm. SELT owns this land, it's a safer entry and exit than our blind drive off of Piscassic Road (See Appendix E for photos). We understand the driveway would be twice as long as our access, however, it would conserve 2 acres nestled amongst conservation land and wouldn't require SELT to communicate with a homeowner. It's noted in the Cole Farm deed that a logging road is allowed, so with some attention and discussion this option is attainable. Please keep in mind, it has recently been brought to our attention that our culvert, in its current state, would not support logging trucks. So either way there needs to be some revisions done to conservation land.

Jeff Couture and Chris Griffin attended this Newfields Select Board meeting on September 27, 2022. They had the opportunity to be a supportive/negotiating party. Yet, months later we were informed by two members of our community that we were spoke negatively about in a Newfields Conservation Committee meeting. We were not on the agenda and we were not present. Statements made suggesting that we are "rich people throwing our money around to change easements". There were other things that were stated both on and off the record that were even more disrespectful, but we choose to take the higher road in this situation and keep those words to ourselves. However, personal opinions, especially without disclosure of all relevant information, has no place in a town meeting. With all of our efforts to provide a safer environment for our family, to be talked about in such a manner by those representing our town is extremely disappointing. First of all, how much money we may or may not have is completely irrelevant to our situation with SELT. Even if it were, we don't understand how working with SELT for 5 years and offering to conserve and preserve land is a reflection of throwing our money around to get what we want. If this were the case, we would have done that when we purchased our home.

We recently attended another Select Board meeting where the opportunity to apologize was given. We understand peoples emotions can get the best of them, however, we do not understand the lack of an apology. We do want to thank Forest Hayden for apologizing on behalf of the Newfields Conservation Committee, but based on the feedback we were given by two members of the community who were at the meeting, Forest was not the one who we feel needs to apologize. In addition to this, we do not understand why the Newfields Conservation Committee would be upset with the select board members for supporting members of their community and working to find a solution that works for all parties. We had given the Newfields Conservation Committee 2+ years to step up and help us find a resolution to a problem that would work for all parties prior to reaching out to the Select Board. It is not the Select Boards responsibility to take fault in the Newfields Conservation Committee for their doings and/or lack of.

Before we finalize our concerns regarding SELT, we would like everyone on the committee to understand that we did not bring legal action against SELT. In fact, we never prevented them from utilizing our access. They showed up one day unannounced, two days after we paved a portion of our driveway. This was after SELT would not agree to share the expenses to maintain a drainage issue in the driveway. This is also after we provided access to lot 211 2.1, and according to our deed the temporary driveway SELT was wanting to access was terminated. Yet we still allowed them to utilize our driveway to fulfill a grant, when legally we were not responsible to do so. It has never been our intention to deny SELT access, our focus has always been on the safety of our family and others. If you would like to further discuss the numerous communication we have had with SELT over several years we would be happy to oblige.

This brings us to another topic. The Vernon Family Farm. In the same meeting, we were talked negatively about, the conservation committee members were in support of allowing a historic stone wall to be tampered with and conservation land to be used as a parking lot. How does the Newfields Conservation Committee not support members of the community with legit safety concerns and that are willing to put land into conservation, yet they are in support to have the Vernon Family Farm go against the intentions of a conservation easement that was made 20 years ago to benefit the homeowners and their agenda, not the land? Allowing the alteration of an historic stone wall, a habitat for wildlife, and allowing conservation land to be utilized as a parking lot completely goes against the "Purposes" of the Conservation Easement listed in BK 4307 PG 2955. Do you think Marquette Anderson put her land into conservation so that an historical rock wall could be disturbed and a parking lot could be made so that the land could be utilized commercially for concerts amplifying music and pavilion being built to serve alcohol? In the guidelines for amending easements in the state of NH it clearly states that a proposed amendment must "Have a net beneficial or neutral effect on the relevant conservation values or attributes protected by the easement." (See Appendix F).

Homeowners should be able to put their land into conservation knowing that the town is going to support their intentions. Do you think it would be OK for us to completely ignore the Purposes of our Conservation Easement to establish a business as a financial benefit. Is that what Dorothy Haughton intended after not developing her land? Disturbing our historic rock walls, creating a parking lot, and hosting weddings with amplified music and alcohol for business purposes? We have 10 acres of non-conservation land that would make a beautiful wedding venue along with a beautiful 3 story barn. An ideal location for weddings. Conservation easements aside, how would that adversely impact Piscassic Road and adjacent properties? With that said, we strongly feel this needs to be readdressed in the immediate future.

Again we apologize for the length of this email. These issues have been sitting with us for almost a year now, and we truly hope you take our words into consideration as you move forward with our situation with SELT and with The Vernon Family Farm. We are not sure if we have all emails for those on the Conservation Committee and would appreciate it if you could pass this e-mail along to anyone whose e-mail address we do not have. Thank you.

Regards,

Mark and Lynn Girard