

Franconia Conservation Commission (FCC) -

Meeting: November 15, 2022, 4 pm at Town Hall

Members present: Chris Nicodemus (Chair), Art Daily, Ginny Jeffryes, Mary Grote, Red McCarthy, Jill Brewer

Guests: Rosalind Page (of Ammonoosuc Conservation Trust Conservation Project Manager (ACT)), Kim Cartwright, Exec Director of ACT, Tim Sykes, Peter Grote

Minutes: Reviewed 10-4-22 minutes. Art moves to approve minutes as amended. Red seconds. Unanimously approved.

Potential conservation by ACT of a Wells Road parcel belonging to Peter and Mary Grote:

Rosalind Page: The Grotes have requested that ACT conserve a parcel of theirs on Wells Rd. To conserve a project, ACT requires demonstration of public support. Thus, ACT is approaching us to ask FCC for support, and if appropriate requests a donation to the project costs.

Chris describes: This will be 19 acres (3 parcels) on the Easton Rd/airport side adjacent to the ACT-owned conserved property on Wells Rd, and adjacent to part of the FCC's McKenzie conservation easement. The Grotes' intent is that it will be a sanctuary property restricted to pedestrian access only. Mary elaborates that eventually their intent is to conserve some land on the other side of the road, too. She clarifies that they want it to be open to the public year round for walking and snowshoeing, but no other recreational uses.

Rosalind suggests donation of \$5000 to project costs as show of support.

General discussion that this is within the Conservation Fund's uses.

Ginny moves that the FCC support the conservation by ACT of 3 parcels owned by Peter and Mary Grote comprising approximately 19 acres on the north side of Wells Rd, with the use and use restrictions requested by the Grotes. Jill seconds. Mary recuses. Chris recuses due to ACT board membership. All remaining members present approve the motion unanimously (Art, Ginny, Red, Jill).

Jill moves that FCC anticipates providing financial support in the amount of \$5000 from the Conservation Fund to defray costs to complete the conservation project. Art seconds. Mary and Chris recuse. All remaining members vote in favor (Art, Ginny, Red, Jill).

Thanks expressed by FCC members for Mary and Peter's conservation generosity.

Town Forest (map 17-2) and FCC-owned map 17-3: discussion of possible conservation by ACT:

Chris reviews discussion of last meeting. Says the Select Board is supportive of project. RFP was put out for a land survey. 2 proposals came in: \$4800 and \$6000 totals including posting conservation placards. Jill contacted Town Counsel who didn't explain reasons but said that this specific conservation initiative needs to go to Town Meeting for approval. Jill will contact counsel to get the specifics of why, and ask what next steps are. Warrant articles are due in mid-January.

Discussion as to whether we should undertake a Town Forest survey now. Land was acquired in 1982 via Quit Claim from previous long-term owner, no subsequent survey known. Rosalind points out that whether or not easement occurs, it may be helpful to know surveyed boundaries of Town Forest, and an easement can't be approved until there is a new survey. Red points out a good time to do it is winter, especially before snow accumulates. Conservation Fund can be used for the survey either way.

Red moves that we move forward with the survey taking the lowest bid conditioned on Jill getting approval from the Select Board. Chris seconds. Unanimously approved.

Chris will let lowest bidder know that he may be getting a request to do the survey if SB okays.

Discussion that we will defer submitting a conservation project application to ACT until after Town Meeting vote.

Jill re a Lawrence Family Forest trail:

She reports that Tim Clough [of NEMBA] requests that a small segment of Meadow Brook Trail get moved in winter to avoid a downhill area by the river that gets icy. He requests permission to move it a little uphill. Discussion: Part of the new trail will remain in the 100 foot buffer of Meadow Brook, (buffer required by Mitigation Enhancement Fund that helped us purchase it). Ginny has concerns the motorized grooming of winter bicycle trails in the Forest was initiated since we purchased it, without our permission, and motorized vehicles are not permitted in the Forest. A new use because winter bicycling wasn't a thing in 2014-2015 it was conserved. She says winter walkers can wear cleats, which protect from ice hazards. Chris points out that the new motorized winter bike grooming equipment is used infrequently. 'Snow Dog' is what is being used – a small machine. Chris says these are two separate issues: Moving the trail is relevant today, not motorized grooming: before us is moving trail away from the pre-existing grandfathered trail. Discussion of process.

Process agreed to is that 2 or 3 of us will walk the area soon with NEMBA and an ACT employee. If the walkers agree that it's reasonable to move trail in winter, then FCC will vote on at December meeting with ACT in attendance, and then we can ask ACT to review for approval if agreed.

Shoreland Water Quality Protection Act: Red says that the nearly finished foundation replacement of the red house on Main Street on the Gale River involved excavation and creating a new temporary access road for heavy equipment next to the retaining wall. Red says it required both a Shoreland permit and a wetlands permit, neither applied for per DES. Some of work was within the bank of river. He discussed with the building inspector, who said contractor didn't need it. Red says DES wetlands permits are not building inspector purview – is contractor's responsibility. Red says the sediment control barrier was also installed inadequately. Because no state wetlands permits were applied for, there was no notice to FCC. We have an advisory responsibility for the environment. Red wants to Town to address creating a process so that we get notified when there are building permits applied for near the river so that we're notified proactively, without slowing down building permit process. Discussion.

Jill suggests adding a checkbox line to Town building permit application asking if project is within 250 feet of the Gale River. Jenny can then give us a copy if checked yes. General agreement. She will bring up amending the building permit application with the SB.

Chris: Request received from Easton Conservation Commission to financially co-sponsor a proposed Ben Kilham bear talk in May 2023, maybe in Franconia. His talk fee is \$600, so their request will likely be \$150 for cost-sharing among local town and organization sponsors. Ginny says Kilham has gotten high local turnout of approximately 125 people when he's spoken in Lancaster and at the Rocks in years past. Jill says maybe Lafayette School would be appropriate. We agree that we'd like him to come. Chris will relay this to Easton. Once finalized, we will vote on our part of funding.

Jill: Kim says they need minutes for this year. Ginny says drafts have been cc'd to town when sent out. She will straighten it out.

Next meeting: Mid-December.

Minutes by Ginny Jeffries