Franconia Conservation Commission (FCC) - approved as amended.

Meeting: May 24, 2022, 4 pm, Dow Pavilion

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

Chris: Draft minutes of public meeting and FCC meeting 3-28-2022 reviewed. Red moves to accept minutes as written, Chris seconds. Unanimous vote in favor.

Chris: Purchase of Rte 18 lot 17.3.0. Everything is done administratively, but owner has some family health issues, so hasn’t been able to get signature on final document signed. Bill Oliver is keeping an eye on timing.

Chris, Dan, Ginny walked part of McKenzie easement boundary 3-29-22, and added a few additional boundary markers.

Chris: Delaneys purchased the 94 acre piece and appreciate the trails but want fewer. They hired Gardner Kellogg to survey the trails and mark easement boundaries. Glide Path, Prelude, Skid Row Trail, Kira’s Trail, Interlude, Birch Run, Middle Earth, Thriller, Ridge Run, Drop Out to remain open.

Chris: A Delaney neighbor’s (Merrick Pratt’s) landscaper cut 24 trees on Delaney’s land a few weeks ago – violating both our easement conditions, and cutting on the Delaneys’ property. They cut on both sides of Middle Earth there, a little ways above the turnaround. Discussion: Mark notes that NH Forested Lands rules mean that DNCR can fine them the value of the trees – a DNCR forester would come examine the value of the trees, and says 24 trees is a lot, from forestry perspective. Ginny notes they were mostly large tall spruce trees, based on her brief walk through of the area today. Dan mentions that in his deed (in that same development) he is allowed to cut 350 ft from his house for view, even on another’s property, with 30 day notice to that property owner. Ginny doesn’t think that would apply to the conservation easement, which preexisted. Chris says that Gardner did the survey to mark trails. He did not mark all the Middle Earth boundaries – only the ones near Delaneys’ planned house site. Further discussion about possible remedies occurs – Red suggests paid easement boundary survey. Chris will have a conversation with Delaneys. Ginny wonders about driveway access relative to easement restrictions. Her recollection is that when this easement was required as a penalty for wetlands violations 25+ years ago and has multiple restrictions. Jill will look into talking to town lawyer. We will gather the easement language.

Next meeting: TBD

Minutes by Ginny Jeffryes