Franconia Conservation Commission (FCC) \*\* DRAFT MINUTES \*\*

Meeting: December 16, 2021, 4 pm, Town Hall

Members present: Chris Nicodemus (Chair), Ginny Jeffryes, Mark Ober, Jill Brewer

Draft minutes of meeting 9-21-2021 reviewed. Chris moves to approve with a minor edit. Jill seconds. Unanimous vote in favor.

Chris reviews content of our previous meetings of 2021 for the year-end wrap-up. He will draft a brief annual report in January for town meeting publication. Meeting time of 4 pm is workable. Agreement that every 3 months is adequate unless an interim issue arises.

Chris’s trail update: The move of Pebble Beach Trail to town land was completed, with the Schmitts agreeing to allow the short lowest portion near the Meadow Brook Trail intersection to be on their land [due to the easement restriction on the town’s Lawrence Family Forest]. Tim Clough [F-NEMBA] got Sean Sweeney [wetlands scientist] to do the required documentation, and ACT approved the new trail, which was built 2 months ago.

Ginny: Wetlands applications: Presbys’ DES application by Ham Branch near transfer station was withdrawn. The only new wetlands application we received a copy of [in November] was for the work DOT is doing to repair the Rte 18 bridge over Beaver Brook (aka Black Brook). We got it after the deadline to respond. The work didn’t involve impact. The DES website changed at some point. It used to be easy to locate wetlands applications by town. Now it’s hard to find. She will call DES for help.

Chris: Other town conservation land: Regarding the McKenzie easement [by the airport] on Noonan land, it is unknown if the Noonan property has changed hands yet. We need to do the annual easement walk by late winter.

Ginny: She’s concerned about the 4.2 acre property for sale on Rte 18 across from the state highway garage which includes town right-of-way to the Town Forest property over the brook. It has wetlands that are part of the flood plain buffer; also important wildlife habitat. She looked up the for-sale website, tax card and deed on-line. The listing says there is a septic design. There is flagging next to the easement. She wasn’t able to find mention of an easement on either the sale listing or the deed, but remembers from when we were looking at acquiring the Lawrence property that a few of us walked there and talked about the easement as potential access option, after we looked at the Sawmill Lane easement. Chris remembers seeing it on a survey back then, and remembers it as being 50 feet wide. Members reviewed a Gaia map. The deed history Ginny looked up was probably for adjacent vacant land piece to the south instead of the for-sale one. It isn’t clear where boundaries are of the two parcels. She thinks the easement is probably on the correct deed. She will look it up. Further discussion and agreement about the importance of floodplain/wetlands buffer and town land access.

Ginny: She reviewed the past minutes of the Planning Board. There was mention [post-meeting review note: 8-31-21] by Chair of possibly pursuing the Town getting an exemption from the Shoreland Protection Act along the Gale River in the business district. She attended the PB meeting 2 days ago to give public input about the ecosystem reasons for protection by the Act. This Dec 14 meeting didn’t have a quorum. Two members said that 250-foot law limits much further business development, such as a new restaurant being built or brewery expansion, due to impervious surface size restrictions. Thad said the SPA applications are expensive. He didn’t know the specifics of getting an exemption. Ginny told them her concern was that the development restrictions need to be retained for ground water soil filtration to clean runoff water, and vegetation buffer reasons. She told them she thinks that Shoreland Protection areas need to be continued to be reviewed on a case-by-case basis by the State wetlands experts and not taken over by local Boards.

Discussion ensued among FCC members today, with agreement that we are opposed for conservation reasons to the town getting a blanket Shoreland Protection Act exemption.

Next meeting: TBA.

Minutes by Ginny Jeffryes