Franconia Conservation Commission (FCC)

FCC PUBLIC HEARING

Topic: proposal to purchase map 17 lot 3.0 for conservation:

March 28, 2022, 4 pm, Town Hall.

Hearing was publicly noticed on 3/18/2022 as required

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

Guest: Melinda Richmond

Members of the public are present.

Chris Nicodemus, FCC Chair, opens the Public Hearing at 4:07 p.m.

Chris: Reviews the FCC proposal to purchase the currently for-sale 4.2 acre land parcel Franconia map 17.3, just downstream of the beaver ponds visible near the Black Brook bridge on Rte 18. Parcel has 670 feet frontage on Lafayette Brook across from the 40 acre Town Forest, which adjoins our 114 acre Lawrence Family Forest. The Town Forest is landlocked with no direct access; it buffers potential flood waters, and was originally acquired due to the aquifer beneath. The for-sale property has recent tax assessment valuation of $53,800; advertised price is $89,900. Properties selling rapidly right now. A neighbor suggested FCC look at it for conservation. There is a current donor-advised fund through the NH Charitable Foundation which has agreed to split the cost with FCC. Chris has discussed acquisition with the landowner, who is interested in selling to us but wants to sell soon. Due to conservation value of the property, including helping buffer flood waters, we want to acquire it. Our portion of the purchase is from the Conservation Fund, which is funded by 50% of the current use fees paid by landowners who remove their property from current use tax status.

Ginny mentions other benefits. There’s potential for future access to the Town Forest and adjacent Lawrence Family Forest, via perhaps a log-based footbridge or a moveable metal footbridge. There is a lot of wildlife using this wetlands property. A survey done by Trout Unlimited in 2014 or 2015 showed that Meadow Brook/Lafayette/Beaver Brook had a small fish that’s on the State Threatened list – the Red-Bellied Dace. Being low, to build and put septic in there would require significant fill, which would threaten the habitat.

Chris invites public comments:

Sally Small: It’s a perfect use of the money, and is what the Conservation Fund land use change tax is there for. Building on it would wreck it.

Monica LaFlamme: The proposal is consistent with the Planning Board master plan survey results: residents want to conserve and preserve.

Pat Garvin: She likes that there is possibility of access; and she likes the preservation of the wildlife corridor.

Sharon Penney: She is a direct abutter across the street. She sees lots of wildlife: moose, bears w/ cubs, herons, beavers, foxes, others. Residential development would be detrimental.

No other public comments.

Chris thanks the public and appreciates the enthusiasm today. He thanks Dinny Richmond for offering access for the additional funding. He appreciates members of the community watching for important conservation parcels.

Chris closes the public meeting at 4:21 pm.

Chris opens the FCC meeting at 4:24 pm, 3-28-2022.

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

Guest: Melinda Richardson

Members of public present.

Minutes of 3-17-2022: Jill moves to approve the minutes as amended. Mary seconds. Unanimously approved.

Chris: Bill Oliver, attorney, working at discount for FCC, and has prepared a purchase and sales agreement (P&S) with an offer based on the one modified by the Town’s attorney. Comments from seller returned. No deposit needed. Seller, and the Town attorney, required and received a written pledge for the donor’s NH Charitable Fund grant amount. Town attorney recommended that there be a SB resolution at tonight’s SB meeting to authorize Chris as Chair of FCC to sign the completed P&S. The seller’s attorney is currently working on fixing the title error from when the larger parcel was subdivided years ago. We are offering $75,000 as agreed last meeting.

Chris: the SB needs to vote tonight on two things – a motion to approve the P&S, and a motion to accept the grant from the NH Charitable Foundation, which will be $38,058, also covering 50% of the estimated closing costs. Jill will bring these to the SB meeting.

Chris makes a motion: The Franconia Conservation Commission requests authorization from Board of Selectmen that the Chair of FCC execute a P&S agreement for acquisition price of $75,000 of lot 17-3-0 as prepared by Bill Oliver, subject to the provision of 50% of the purchase price and 50 % of closing costs from NH Charitable Foundation grant.

Ginny seconds. Unanimously approved.

Chris: Tomorrow 8:15 a.m. Chris, Ginny, and Dan Zajic will walk the boundary of our McKenzie Woods conservation easement. The easement includes land from 3 parcels, so there are 3 easements, not just one big one.

Art: Has question about his own reappointment process. Ginny explains he’s still a voting member per RSA. Jill will put reappointment on next week’s SB agenda.

Chris and Jill suggest Dan Zajic become an alternate FCC member. Agreed. Jill will put the appointment on next week’s SB agenda.

Chris moves to adjourn 4:44 pm. Jill seconds. Unanimous.

Minutes by Ginny Jeffryes