Franconia Conservation Commission (FCC)

Meeting: April 17, 2018, 8 am.

Members present: Kim Cowles, Chris Nicodemus, Ginny Jeffryes, Mark Ober, Jill Brewer

Guest: Art Daily, prospective Alternate member

DES Wetlands Draft rules update: (Ginny). Ginny spent several more hours reviewing the rules changes, and attempting to compare to the previous rules. She reports she didn’t gain much additional clarity as it remains too difficult to sort out what specifically is changing. Similar to last meeting, the main issue of concern is the “low scrutiny approval” (LSA) category needing to be approved by DES within 4 days of their application receipt (2 days to review App for completeness, and 2 days to approve or not), and results posted to their website on Day 5. Town Clerk would be notified via a copy of the application by Day 1, but this doesn’t give us time to get a copy and review if any concerns, or, for that matter, the PB or SB to receive copies, since board meetings are weekly, biweekly, or once a month. More things appear to be eligible for LSA than previous category of Permit by Notification (PBN) included, as best as she can tell from comparing the Draft to the old rules. Ginny reports that she determined that the Town Clerk has been supposed to be cc’ing copies of all the Wetlands apps to the Conservation Commission per RSA 482-A:3 I.(a)(1). Copies don’t come directly from DES, so that’s an internal town issue, not something to address with DES.

Motion by Ginny: Move that the FCC make an official comment on the Draft DES Wetland Rules which will state our concerns that 1) a 5 day approval window for “lower scrutiny approval” is inadequate and impractical in our rural small town setting; and 2) that the changes to the rules need to be less confusing in format, as we have had difficulty understanding exactly what is being changed. Chris seconds. Approved unanimously. Discussion among members that the wording of the statement should include some of the phrasing included in the March 20th minutes. Ginny will write the email to DES Wetlands Bureau, then send to members for any final edit, then send by end of comment period April 20th.

Emergency wetlands authorization notification received from DES: (Kim). The 0.5 acre pond on Mountain View Road has a breach in its earthen dam. DES issued an Emergency auth to repair.

Gale downtown Riverwalk update: (Kim). 4 landowners involved. Have signed letters from all but Garnet Hill, who says they’re in favor of the project. Some [amended] have said they’ll grant easements. Town lawyers are drafting the easements currently. Jim Snyder will bring in his volunteer crew of about 20 kids to clean up brush on the 5 foot wide trail area, and they’ll also construct the rerouting of the part of the trail which gets occasionally flooded. All sections will be worked on this spring except the part behind Presby’s that has knotweed. Any small amount of root or living plant material can transfer knotweed to other locations.

Chris talked to his biologist sister in CT about best method to treat the knotweed – something she deals with professionally. She recommends cutting back stems in spring to weaken plants, then in fall spraying leaves. She says this is preferable to injecting stems, because injecting can cause roots to leak toxin into waterway. Discussion today about spray drift and drip harms. Kim thinks it’s within 25 feet of river. Distance matters, since we need to hire certified sprayer, if so. We need to measure the distance. We’ll do this today immediately after this meeting. Kim reports that the trail used to be about where the new Presby building is, and previously didn’t go through the knotweed. Trail being moved closer to river with their permission, so that puts it in contact with the knotweed. Discussion that she can inquire whether Presby’s will pay for the eradication treatment.

FCC webpage: (Kim) Requests we look at it and email comments to her about updates/suggestions.

Trails update: (Chris) Another scouting session with J Morton on the Rocks Estate section of proposed Profile Trail will be on 4/20. Trails Master Plan work – it focuses on linking trails which will be user friendly trails. However, Chris notes a new issue has arisen: the landowners of the 94 acre lot 22.4 (the lot Presbys wanted to sell us a few yrs ago) have agreed with Franconia Inn to continue allowing access to cross country ski trails for only 7 more yrs. Many of the key existing trails of the network are on this piece of land. Discussion today about our Conservation Easement, whether or not much of it is on their 94 acres. Examining the map today, Ginny thinks most of our deeded easement is on that property, except for the small initial portion off the McKenzie Woods access road. Kim will check on the deed on file in the Town office. Need to determine the language of the easement, re uses. It would not, however, include all the existing trails in that lot. Chris notes that this issue raises the question of how much a Master Plan will help when landowners change, because trail use can be impacted like this.

Art Daily discusses that he’s very interested in conservation lands, and Trails development, also has equipment which might be helpful for trail building.

Next meeting: third Tuesday of May, 8 am

Minutes by Ginny Jeffryes.