



New Hampshire Council on Resources and Development

MINUTES – May 7, 2026

MEMBERS PRESENT

Heather Shank, Designee, Department of Business and Economic Affairs, Chair
Jared Nylund, Designee, Department of Administrative Services
Patrick Hackley, Designee, Department of Natural and Cultural Resources
Eric Sargent, Designee, Department of Transportation
Jim Oehler, Designee, Fish and Game Department
Jack Ruderman, Designee, New Hampshire Housing
Kim Houghton, Designee, Department of Education
John B. Martin, Designee, Department of Health and Human Services

OTHER PARTICIPANTS

Brendan McDowell, Staff to CORD, NH Office of Planning and Development
Chris Aslin, Attorney to CORD, Attorney General's Office, Department of Justice
Charlotte Harding, NH Conservation Land Stewardship Program
Sam Simpson, NH Conservation Land Stewardship Program
Kathy LaBonte, NH Fish and Game Department
Ben Nugent, NH Fish and Game Department
William Kelly, LCIP/Landowner
Tammy Kelly, LCIP/Landowner
Brenda Kelly, LCIP/Landowner
John Riff, Attorney of Mr. Blanchard a LCIP/Landowner

I. INTRODUCTIONS

The meeting was opened at 3:00 PM by Chair Shank. Introductions were made by members of CORD.

II. MINUTES

Approval of March 5, 2026 meeting minutes.

March 5, 2026 minutes were reviewed, and no changes were made.

MOTION: *On a motion by Mr. Oehler, seconded by Mr. Ruderman, March 5, 2026, minutes were approved with 5:2:0 vote. With Ms. Houghton and Mr. Martin abstaining*

III. CONSERVATION LAND STEWARDSHIP PROGRAM (CLSP)

A. CLSP Disbursement Request

Charlotte Harding of the Conservation Land Stewardship Program at the NH Department of Fish and Game (NH F&G) presented a memo of current endowment disbursements. The 2026 disbursement has already been authorized by CORD and this memo seeks approval of an additional withdrawal of approximately \$8,750 to support monitoring of other NH F&G conservation interests.

The memo provides language supporting monitoring activities by CLSP for conservation property interests required through the Land Conservation Investment program (LCIP) as well as State held non-LCIP land conservation easements where stewardship funds have been deposited into the endowment and income is disbursed to support Conservation Land Stewardship and Department of Natural and Cultural Resources (DNCR) monitoring program where stewardship contributions have been made for those properties.

Ms. Harding drew the council's attention to the authorization from the October 9, 2025 CORD meeting, where CORD authorized a maximum withdrawal of \$303,582 for FY26 and FY27 to be allocated between CLSP and DNCR based on proportional value of contributions that are intended to support the respective monitoring programs.

RSA 162-C:6 II allows CORD to provide funds from the endowment to cover the costs of monitoring other land conservation interests held by the State of New Hampshire. In accordance with this authority, NH F&G requests an additional disbursement of approximately \$8,750 for fiscal year 2026 – the amount previously funded by NHFG as its 25% share under the former MOA. These funds would support CLSP's monitoring of non-LCIP department-held conservation easements for which no stewardship contributions have been deposited into the endowment.

CLSP's FY26 budget includes \$245,246 in planned withdrawals from the endowment. Adding the requested \$8,750 results in a total withdrawal of approximately \$253,996- an amount that remains below the previously authorized maximum disbursement of \$279,761. The actual total disbursement will be brought to the August 6th CORD meeting for final approval of the withdrawal.

Mr. Hackley asked a clarifying question, about how CLSP calculates their \$245,246 planned withdrawals. Ms. Harding explained it was budgeted based on a previous year's budget for the program costs.

MOTION: *On a motion by Mr. Hackley, seconded by Mr. Nylund, to Authorize an additional disbursement of approximately \$8,750 from the Land Conservation Endowment for FY26 to support the CLSP's monitoring of non-LCIP, non-endowment properties on behalf of the NH Fish and Game Department were approved with 5:2:0 vote. With Ms. Houghton and Mr. Oehler abstaining.*

B. Kelly Farm Conservation Easement Violation Update

Brief introductions were made by Ms. Harding, who introduced William Kelly, Tammy Kelly, and Brenda Kelly. Attorney John Riff was also introduced as the attorney of Charles Blanchard.

Ms. Harding gave an overview of the violation and its notices to the parties involved. A portion of the Kelly Farm conservation easement in Winchester, NH has been subdivided off and conveyed

to another person. The conservation easement, which includes six parcels owned by Kelly Scoville Farm, LLC, states the six conservation easement parcels may be conveyed to another owner but the parcels themselves cannot be subdivided.

In the spring of 2025 Ms. Harding discovered Parcel #6, of the conservation easement, had been subdivided via a Quitclaim Deed and conveyed to Charles Blanchard. It was also discovered that a portion of conservation easement Parcel #4 was subdivided and described incorrectly on the Quitclaim Deed as Lot 106-1. Parcel #4 is Lot 103 according to Winchester Tax Maps and Lot 106-1 is a 0.4 acre adjacent lot.

During a site visit by Ms. Harding, a camper, truck, and shed were found on the southerly portion of Parcel #4 which constituted an additional breach in the easement. Mr. Blanchard had conveyed the southern portion of Parcel #4 to Daryn Sampson and Amanda Wheeler, which was further in breach of the easement.

Letters were sent to both the Kelly's and Mr. Blanchard regarding the first breach of easement on Parcel #6 in June and additional letters were sent to both parties in August regarding the breach on Parcel #4 including the issue of the camper. The parties were tasked with proposing a solution for the easement breaches for CORD to review by November 7, 2025. A letter from the Kelly's attorney, Attorney Howard Lane Jr., stated the issues regarding Parcel #4 would be resolved by the Kelly's repurchasing the lot from Mr. Sampson and Ms. Wheeler. According to Attorney Lane's letter, the camper trailer and pick-up truck have been removed from the property. However, no date has been determined when the property will be repurchased, and no resolution has been reached for Parcel #6.

Ms. Harding drafted a letter to the parties involved requesting an action plan with deadlines for the Kelly's to provide a proposal to resolve the violation and suggested they attend the May 7th CORD meeting to present the plan for CORD approval. The letter was sent on February 18, 2026 requesting an action plan by April 28th 2026.

The steps needed to bring the easements in violation back into compliance include Parcel #6 being brought under single ownership by either the Kelly's repurchasing Lot 72 or Mr. Blanchard purchasing the other two lots in Parcel #6, which are Lots 73 and 73-1. The transaction needs to be reflected in a new deed and the State must be notified within 10 days of the sale.

For Parcel #4 Lot 103, which also must return to single ownership, is more complicated because the incorrect lot was referenced in both deeds during the subdivision and then sale of the property, which calls into question the validity of the subdivision. A corrective deed is necessary to clarify ownership of the lot.

Mr. Kelly gave a summary of the intent of the subdivision. The lots were conveyed to Mr. Blanchard to remove his "interest" in the Kelly family farm business which had been granted to Mr. Blanchard during his divorce to Mr. Kelly's sister. Mr. Kelly was unaware of the conservation easements when he and Mr. Blanchard had come to an agreement on which lots would be conveyed to Mr. Blanchard. Along with the transfer of Lot 72 and Lot 106-1, they added that Mr. Blanchard could use 200 feet of the southern portion of Lot 103 for the purpose of planting a garden but could not sell the portion of Lot 103 he was granted access. Mr. Blanchard then sold the 200 feet of Lot 103 to Mr. Sampson and Ms. Wheeler, who put a trailer and truck on the property over the 200 foot boundary into Lot 103. The trailer and truck have been removed but the southern portion of Lot 103 remains in Mr. Sampson and Ms. Wheelers name.

The confusion arises from the language Mr. Kelly used to allow Mr. Blanchard to use 200 feet of the southern portion of Lot 103. Mr. Kelly did not intend to convey a portion of Lot 103 to Mr. Blanchard. But the same language was used in the sale to Mr. Sampson and Ms. Wheeler. Lot 103 was not officially subdivided or surveyed. Attorney Aslin clarified that the deed rather than simply giving permission to Mr. Blanchard to plant a garden, actually conveyed that portion of the property to him. Since the lot was not subdivided there would be a cloud on the deed which needs to be corrected by drafting and filing a corrective deed with the town.

Attorney Riff, who represents Mr. Blanchard, sent Mr. Kelly and his Attorney an offer on December 10, 2025 and did not receive a response. Between an increase in communication and cooperation, Attorney Riff expressed confidence that a resolution on the issue of bringing the lots back into compliance could be resolved in a few months.

After some discussion between CORD members, Mr. Kelly, and Attorney Riff it was agreed that the responsibility was on the parties to convene and come to an agreement on how to solve the breach in easements. A proposal was suggested to be presented by the next CORD meeting on August 6th or the case will be differed to the Department of Justice.

MOTION: *On a motion by Chair Shank, seconded by Mr. Oehler to postpone referring the violation to legal action until the August 6th CORD meeting if a proposal is presented by both parties. If a proposal is not presented or is unsatisfactory by August 6th then the case will be referred to legal action by the DOJ, were approved with 7:0:0 vote.*

VI. OTHER BUSINESS

A. Next meeting – August 6, 2026, at 3:00 PM

SLR application deadline is June 22nd for the August meeting, and a department staff member must attend to present any requests their agency refers to CORD.

Chair Shank adjourned the meeting at 3:49 PM.

Meeting Minutes Prepared by Brendan McDowell