



NEW HAMPSHIRE LAND SURVEYORS ASSOCIATION

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NHLSA FALL QUARTERLY BUSINESS MEETING & SEMINAR

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603-895-4822

The **Fall Quarterly Business Meeting & Case Studies Seminar** will be held on **Monday, September 19, 2022** at *The Barn On the Pemi*, a Common Man franchise event facility, located at 341 Daniel Webster Highway, Plymouth, NH. (Easy access off I-93 exits 24 from the south or 25 from the north)

Seminar:

Case 1: Atwood vs. Webb – A Right-of-Way to the Beach, presented by Edward L. Rogers, LLS #949

A landowner approaches you and says, "The guy down the road claims he has a right-of-way across my land to get to the pond, and it's not in my deed." What do you do? This case involves parole evidence, sequential conveyances, representations made by real estate agents, a claim of deeded rights, and subsequent claims of prescriptive rights.

Edward L. Rogers, PE, LLS has been involved in surveying for the last 28 years and started Rogers Engineering Solutions, LLC in 2005. His experience on Boston's Big Dig provided him with a unique perspective on roads, surveying, and the 4-dimensional puzzles they represent. For the past 19 years he has focused on surveying and engineering projects in New Hampshire, taking some detours along the way including teaching high school trigonometry and serving as a member of the Housing Appeals Board. Ed's past presentations include "NH Road Research Part I", "Turnpikes and County Roads", and a case study of Green Crow vs. the Town of New Ipswich, NH.

Case #2: "But it was supposed to be a straight line!" Retracing the records and evidence of the original Colonial surveyors, presented by Andrew J. Nadeau, LLS #947

All surveyors are familiar with the term "following in the footsteps", however, that can be difficult when the footsteps are so old that they have either been obliterated from the landscape or possibly replaced with newer evidence. We also understand the principle that "the original monument has no error", but how does one determine what in fact is an original monument? Can the steps of the original surveyor and intent of the grantor be determined when following lines marked by evidence that was possibly established decades after the original survey? How does a surveyor reconcile lines that were drawn straight on a 200-year-old map, with the meandering blazed lines and corners that are established on the ground? Mr. Nadeau will explore these questions and others, drawing from his personal experience with cases in rural northern New England from 3,000 to over 10,000 acres.

Andrew J. Nadeau, PLS, LLS, is a licensed surveyor in Maine, New Hampshire and Vermont and the co-owner of Horizons Engineering, Inc. Andy graduated from the survey program of White Mountains Community College in Berlin in 1989 where he began his career in the Great North Woods of New Hampshire. He subsequently moved to Maine after a hitch in the Army as a field artillery surveyor and rose from rodman to co-owner of a prominent survey firm. In 2006 Andy relocated back to New Hampshire and has overseen the growth of Horizons from 25 to nearly 70 employees operating throughout northern New England.

Case #3: NH Housing Appeals Board Update, presented by Michael Klass

Mike will provide a refresher into the Housing Appeals Board and will discuss several recent decisions of the Board.

Mike is a member of the New Hampshire Housing Appeals Board. Prior to his appointment on the Board, Mike was a Planner with the NH Office of Planning and Development (formerly known as the Office of Strategic Initiatives), where he provided outreach and education on land use matters to various stakeholders. Before that, he was an attorney in private practice, focusing on land use and real estate development, property disputes, and related litigation. Mike began his legal career serving as a law clerk for the Hon. Alexander Sands, III of the Massachusetts Land Court. Mike has a B.S. in Watershed Science from Colorado State University and a J.D. from Vermont Law School.

Case #4: Canterbury, Where Cemeteries Go To Die. If an old historic cemetery is no longer a cemetery, is it still a cemetery?, presented by Mark C. Stevens, LLS #737

Many surveyors have likely wrestled with the status of old family graveyards that are prominent as life on the ground but have no description or citation in the chain of title. Or conversely, a deeded reference to a burial plot, but no physical evidence indicating its location on the property. Cemeteries reserved out of a deed conveyance might be in fee simple or by easement, and the distinction between the two may impact development setback distances. If no deeded right of access exists, does a right of access exist anyway? If the cemetery is not surrounded by fence or walls, how can the surveyor determine boundary lines or apply zoning setback distances? And...can a cemetery even be "discontinued?" Mark's case will discuss these questions, and he promises a surprise ending.

Mark C. Stevens, LLS, CWS, is a New Hampshire licensed land surveyor, wetlands scientist, and the former Land Agent for the State of New Hampshire (now retired). Mark has a degree in engineering from the Community College of the Air Force and a degree in Wildlife and Forestry Management from Unity College. Mark served on the NH Board of Licensure for Surveyors for many years including a term as Chairman. Mark is a Past President of NHLSA and presently serves as the Publications Director. Mark has been a frequent speaker at NHLSA seminars.

Tentative Seminar Schedule - 2.0 CEUs

7:30-8:00 am	Registration & Breakfast
8:00-10:00	Case #1 – Ed Rogers
10:00-10:15	Morning Break
10:15am-12:00 pm	Case #2 – Andrew Nadeau
12:00-1:00	Lunch: Garden Salad, Chef's Daily Soup, Pasta Salad, Assorted Gourmet Wrap Sandwiches, Hearty Deli Sandwiches, Vegetable Wraps, House-made Kettle Chips, Pickles. Cookies and Brownies for dessert. Coffee, Soda, and water
1:00-2:15	Case #3 – Mike Klass
2:15-2:30	Afternoon Break
2:30-4:00	Case #4 – Mark Stevens

Be sure to stick around afterwards for some individual committee meetings and brief social gathering with your colleagues before the start of the Quarterly Business Meeting.

Quarterly Business Meeting Schedule - Attend 50% of Meetings and receive 1.0 CEU

4:15-5:00 pm	Committee Meetings; cash bar & hors d'oeuvres; closing of Foundation's Silent Auction and raffle
5:00-6:00	Business Meeting

Interested in becoming an Officer, Director, or joining a committee for 2023?

The following Executive Committee positions are open:

Vice President, Education Director, and Publications Director

Vacant positions remain for the following committee chairs:

CST, History, Membership, Merchandising, Publicity, & Youth Outreach

Why not sit in on an Executive Committee meeting and get your questions answered.

Questions? Call: The NHLSA Office @ 603-895-4822

Monday, September 19, 2022

RESERVATION DEADLINE: September 9th

Please make every effort to mail, fax, or email your registration before **September 9th**

Register on the website – see the link on the following page.

Make checks payable to **NHLSA** and mail to PO Box 689, Raymond, NH 03077

NAME: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

COMPANY: _____ TELEPHONE: _____

EMAIL: _____

**DON'T FORGET TO SIGN IN AT THE BEGINNING
OF THE SEMINAR AND/OR MEETING AND SIGN OUT AT THE END**

NESS members may take advantage of the member rate!

Seminar (member) _____ x \$150.00 _____

Seminar (non-member) _____ x \$300.00 _____

Seminar (SIT member) _____ x \$ 75.00 _____
SIT # _____

Seminar (student member) _____ x \$ 50.00 _____

Business Meeting _____ N/C

Please check for handouts planning purposes

Food Restriction (call office) **TOTAL:** _____

Check# _____

**If paying by CREDIT CARD, FAX completed registration form to: 603-386-6856
Register on the website – link will be emailed when ready**

Indicate credit card: ☐ Visa ☐ Mastercard ☐ AMEX ☐ Discover

Card Number: _____ Exp. Date: _____

Name on Card: _____ Security Code: _____

Billing Address for Card (if different from above): _____

Signature: _____

[CARDMEMBER ACKNOWLEDGES RECEIPT OF GOODS AND SERVICES
IN THE AMOUNT OF THE TOTAL SHOWN HEREON AND AGREES TO PERFORM
THE OBLIGATION SET FORTH BY THE CARDHOLDER'S AGREEMENT WITH THE ISSUER]

IF A RECEIPT IS REQUIRED, PLEASE LET US KNOW AHEAD OF TIME,
SO IT WILL BE READY AT THE REGISTRATION DESK –
CREDIT CARD RECEIPTS WILL BE EMAILED WITH A VALID EMAIL ACCOUNT

Quick Directions: From the south: Take I-93, to Exit 24. North onto NH 25/US Rt. 3, for 3.3 miles. The Barn is on your right.

From the north: I-93 to Exit 25. West on NH 175A for 2.6 miles to round-a-bout. South on NH-25/US-3 for 2.6 miles. The Barn is on your left.

Rooms are available at a discounted rate at the nearby Common Man Inn and Spa (approximately 3.5 miles down the road) for anyone desiring to stay overnight or bring their spouse for a long weekend get-a-way. To make room reservations or for more information call 603-536-2200 and mention you are part of this NHLA seminar.