

Milton Conservation Commission
PO Box 310
Milton, NH 03851
November 9, 2015
Meeting Minutes

Members in Attendance: Cynthia Wyatt, Karen Golab, Paul Blanc, Steve Baker, Steve Panish, Also in attendance Dana Smith, Land Use Clerk

Missing Member: Eric Knapp

Public in Attendance: no public attendance

Chairman Wyatt called the meeting to order at 6:37

C. Wyatt welcomed the new member P. Blanc.

Public Comment: no public comment

Discuss process to pay \$500 donation from Milton's Conservation Fund to SPNHF for the 150 acre Speltz addition to Moose Mountain: C. Wyatt asked if D. Smith was all set to start the payment process for the donation. D. Smith responded that once the minutes are approved from the last meeting she will be able to make the requisition.

The board discussed seats on the board and having one of the alternates becoming full voting members. In order to become a full member the alternate will need to present a request to the Board of Selectmen.

Approval of Minutes: October 14, 2015 minutes. Corrections remove 'to' from 'C. Wyatt read to into' on page 1, on page 2 change from 'C. Wyatt once a conservation' to 'C. Wyatt explained that once a conservation' change from 'C. Wyatt once we've had' to 'C. Wyatt said once we've had' remove later from 'P. Auger told the boards that if later after' and on page 3 change from 'S. Panish the Board of Selectmen' to 'S. Panish stated the Board of Selectmen'. S. Panish moves to approve the minutes with corrections, K. Golab seconds the motion, all in favor, October 14, 2015 minutes approved.

Discussion of warrant article for conservation easement on town property Map 41 Lot 69: C. Wyatt received answers as to why RSA 80:80(V) was suggested by Attorney Buckley of the NH Municipal Association. His response was as follows:

I referred to RSA 80:80 (V) because implicit in your proposed warrant article was the desire to retain the tax deeded parcel, Map 41 Lot 69, for municipal purposes. That being the case, RSA 80:80 (V) says that "[t]owns and cities may retain and hold for public uses real property the title to which has been acquired by them by tax collector's deed, upon vote of the town meeting or city council approving the same." Accordingly if the Milton Conservation Commission wishes to retain Map 41, Lot 69 for the municipal purpose of conservation and protection the town meeting must grant its approval.

C. Wyatt sent this response to the Milton Forest Committee as well and asked D. Smith to inform the board when the board needs to have their warrant article in and when they need to be present for the Board of Selectmen meeting to discuss the suggested warrant article.

Master Plan Update: Planning Board update of Groundwater Protection Ordinance, D. Smith reported to the board that the planning board heard back from the town attorney on hazardous waste and he expressed that it can be included in the groundwater update. The Planning Board will include the groundwater update with the Master Plan update when it goes to public hearings.

Natural Resource Chapter Update: Tabled- Kyle Pimental of SRPC was not able to attend the meeting.

Discussion of Survey Results in regards to Natural Resource Chapter: C. Wyatt plans to get together with E. Knapp and Kyle Pimentel to continue working on the update.

Follow up work on off site and on site files: Tabled

CE encroachments:

Tournas/Jones Brook Park: lot line adjustment resolving the encroachment is complete. Plan has been sent to Milton's monitoring agent to incorporate into the Jones Brook Park Baseline Doc. The MCC will need a copy.

Lyman Brook: C. Wyatt reported that they have all of the documents but are still waiting on clear title. S. Panish thinks it has been taking too long and he suggests that the board sends a letter to the Attorney General's office that says the board has everything except the clear title but it the board has requested it months ago and should be getting it soon. D. Smith reported that Attorney Sessler is still in the process of the title search and will hopefully be done by the end of this week. S. Panish and C. Wyatt will get the papers together that need to be sent to the Attorney General.

Potential Conservation Projects:

Casey Road Project: The board is in the process of submitting the warrant article to move forward with putting an easement on the land.

C. Wyatt explained that Map 41 Lot 64 and Map 41 Lot 68 are abutting properties of the Casey Road Project that the town has taken by tax deed but need to go through the three year wait period before anything can be done.

Discussion of town owned properties, Old Ski Area and Payne/Jones Brook Park: C. Wyatt said there was a town vote to put a conservation easement on the Old Ski Area and Payne/Jones Brook Park, but there was a shed encroachment on the Jones Brook Park. Town has previously voted to protect this item, in order to get an easement holder there needed to be a survey, which is done and resolve the encroachment, which is also taken care of. The next step is to find an easement taker.

K. Golab questioned what was happening with the triangular piece of property off of Rt 75. The board discussed if they had heard anything on this property and they have not heard any new news on the property.

Treasurer's Report: S. Panish reported that the Conservation Commission's Budget is up to date, there is about \$148,000, of which \$25,000 of is still owed to us by the town. The important action that the board needs to take is that the legal defense fund is getting low because of expenditures on the law suit. We need to vote to move money from the unrestricted fund into the legal defense fund. C. Wyatt asked what the balance in it right now was. S. Panish responded that it is about \$1,400.

S. Panish moves to ask Pam to move \$15,000 from the unrestricted conservation fund to the legal defense conservation fund. K. Golab seconds. All in favor, motion passed. S. Panish will draft a request letter for this transfer.

Other Business:

D. Smith reported to the board that the lot line adjustment that was approved by the Planning Board on the Tournas property was recorded at the Strafford Registry of Deeds. S. Panish moves to pay the Registry fee of \$27.42 to record the Tournas lot line adjustment at the Registry of Deeds from the miscellaneous budget line (\$23.24) and any amount over the miscellaneous budget taken from the printing line (\$4.18). K. Golab seconds the motion. All in favor, motion carried.

Darrell DeTour, sent the board proposals for Monitoring the easements and town owned properties S. Panish moves to approve and pay from the Conservation Fund Stewardship Line Darrell DeTour's two \$750 proposals for monitoring Milton Conservation land for a total of \$1,500. K. Golab seconds the motion. All in favor, motion approved.

The board received and reviewed an expedited wetlands permit for 19 Governors Road in request for Phragmites control and dug pond maintenance dredging of 7,000 sq. ft. Chairman Wyatt signed the expedited review.

The board received and reviewed an after the fact dredge and fill permit, for two culverts installed located at 465 Hare Rd. Chairman Wyatt signed off on the permit.

D. Smith informed the Board of the complaint that came to the town in regards to dumping on conservation land. The debris has been taken care of by Public Works and Pat Smith requested to the Board of Selectmen that they allow him to block off the entrance with boulders they approved. The Conservation Commission suggests to block off all accesses of the conservation land between Rocky Point Rd and Micah Terrace.

K. Golab motions to adjourn, S. Panish seconds the motion. All in favor, meeting ended at 8:01pm.

Respectfully submitted,

Dana Smith
Land Use Clerk