

MILTON CONSERVATION COMMISSION
PO BOX 310
MILTON, NH 03851
Workshop Meeting Minutes
November 5, 2014

Members in attendance: Cynthia Wyatt, Charlie Karcher, Barbara Berry, Steve Panish. Also in attendance Kimberly Ladisheff, Land Use Clerk

Public in attendance: Eric Knapp, Steve Baker and Wayne Sylvester

Cynthia called the meeting to order at 6:00pm

The Board met for a workshop to review the Natural Resources Chapter and NRI appendix of the existing Master Plan. Members of TPPA were present and Cynthia stated it would be good to get their input. S. Baker said he spoke with someone who looked it over and there were no specific comments to change or modify. Cynthia asked if there was a Three Ponds management plan. S. Baker stated no and Cynthia mentioned it might be a good goal to have a management plan. There was discussion that when the Master Plan was written the TPPA wasn't established and that is a change that can be made in the MP.

The board looked at ordinances presently in place to make sure they are keeping the lakes clean. Cynthia read aloud the purpose of the Groundwater Protection Overlay District. There was a lengthy discussion and it was realized that there is no description in the ordinance as to where exactly the groundwater protection overlay is. Charlie mentioned unless included in the definition of groundwater protection area are the stratified drifts. It was determined the first thing to do is find out about the groundwater overlay. SRPC produced the overlay map and Cynthia will ask them what we can do about this. Charlie stated another problem with the zoning map is it doesn't show the overlays.

Resident Eric Knapp stated he would like to see the overlay extended to private wells. Steve P. stated they can't know where every private well is.

The Board went on to discuss the Shoreland Ordinance. The MCC did work on this ordinance with the help of a private consultant, Jack Mettee. Cynthia mentioned the Planning Board had put a warrant article in last year to eliminate the permitting process on the Town level as the State is stricter. She was concerned about the process for the MCC to review these applications. Charlie stated in all honesty if the application is done by all state standards, only if they are asking for a waiver or a variance of those requirements, then he can see where comment was warranted. Kim will make sure that the MCC receives copies of all Shoreland permits that come through from the State.

Next discussed was the Wetlands Overlay which the State has jurisdiction over. There is a wetlands ordinance but the Town does not have an overlay. Charlie said he wouldn't expect there to be one because you have to go by the mapping of the wetlands on the ground and no one has done that for the Town. When there is a development they have to hire a wetlands specialist and map the wetlands then.

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Cynthia asked how it is that wetlands can be filled. Charlie said you would need to apply for a permit. Once you fill in part of a wetlands then the new edge of the wetlands becomes where you need to keep your buffer from. The State goes by the value and function of the wetlands. The Town's wetlands buffer is 25 feet with a 50 foot setback. The State has no setbacks. Steve P. stated the NH method is a more sophisticated way of determining wetlands. Charlie stated the State has 3 perimeters for a wetland; hydrology, hydric soil and wetland plant life. It has to have all 3 for it to be considered a wetland. Charlie mentioned a proposed new regulation for vernal pools having a 300 foot buffer. Cynthia thinks we should beef up the vernal pools regulations. Charlie stated if we feel vernal pools need greater protection than our ordinance is giving it they will need to come up with language for a warrant. The Board will look into it. Steve P. mentioned it is reasonable that in a wetlands protective ordinance there would be some language that prevented any development that would damage the wetland function. It would have to be very carefully specified because there is a huge range of wetlands.

There was more discussion on the Master Plan and how it does protect the Town. A lot has been done but there is more that still needs to be done. Wayne Sylvester of the TPPA stated the danger of a warrant article for a zoning change is if the Planning Board and Selectmen recommend it. Cynthia discussed the PB working on the Master Plan and not asking for any public input. She stated they need to formally ask them to do that. RSA's say it needs to involve community input. E. Knapp stated that includes neighboring towns also. Charlie stated a lot of work went into the Master Plan ten years ago and the MP is supposed to be the Town's protection. He referred to page 41 of the NRI "Rivers and Streams" and the point is both the Branch River and Salmon Falls River would be affected by that type of use on the proposed site. It goes into great detail of the importance of those rivers and how they should be protected. They all feed into the ponds.

E. Knapp feels the Master Plan should have public input also. Wayne Sylvester stated the EDC should also have input into this whole process and everyone should be working together. Cynthia asked that Kim let the board know when there will be a public hearing.

Cynthia will report back at next meeting about overlay maps.

Charlie motioned to adjourn at 7:45pm. Barbara seconded. Motion carried.

Respectfully submitted,

Kimberly Ladisheff
Land Use Clerk