

**Town of Milton**  
424 White Mtn Highway  
Milton NH, 03851



**Conservation Commission**  
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## Meeting Minutes

February 20, 2019  
6:00 PM

Members in Attendance: Wayne Sylvester Alt, Andy Rawson (arrived late), Paul Blanc, Steve Panish (acting Secretary), Cynthia Wyatt, Virginia Long Alt.

Public Attendance: Dick and Rhonda Burke, Jen King, Jim Holway

Chairman Wyatt called the meeting to order at 6:04pm.

### Public comments :

Dick Burke – Concerned about Recreational Facility definition, feels language such as including amusement park is inappropriate, and the change from SE to P, removes purview of zba to judge appropriateness

Jen King - concerned about “all of it” (the revisions), such as removing zba authority to safeguard neighbors, inclusion of amusement park , other changes have more nuanced issues

D. Burke – changes seem in conflict w/master plan, feels rec facility/amusement park not compatible w/ LDR zone.

Paul Blanc– there should be no mention of boating piers because that is all regulated by the state. Odd that it is in there.

D. Burke – concerned that water level in the 3 Ponds was raised, perhaps to add value to campground, but it reduced beach area of residents such as the Burkes dramatically (15ft of beach reduced to 4 ft) so was at the cost of existing homeowners. Higher levels also increased erosion to the point that his bank can’t stop erosion, no matter how well vegetated. Wayne says water level was raised at the request of the town but the Dam authority couldn’t say who made this request. Was this done to benefit MiTeJo?

Paul Blanc – concerned with definition of Recreational activities (examples given in the article) in view of a current legal suit MiTeJo owners against the town. Believes ZBA is extra level of protection that is useful to retain. Language proposed sounds like it is meant to encourage development rather than protect natural resources and existing residents.

Jen King – CC should have been involved in writing the revision. Also she checked and surrounding towns have very similar language to the old zoning regs. Rochester has same old 5 criteria, N. Hampton is more restrictive, Ossipee also has more restrictions, Wolfeboro more restrictive, all require applicant to go to the ZBA. Also the language described by Bruce as being currently recommended by a professional society of town planners does not seem to be that recommended on their web site.

V Long – existing lots should have development rights preserved, but the new article has not considered that applicants may interpret some of the language as allowing construction in areas where it was not and is not allowed (banned in wetlands ordinance).

V Long– what is the recourse when a planning board makes a mistake and creates a lot that should not have been developable?

V Long- A lot of rewriting needs to be done but we hope that the planning board will take natural resources into consideration in their work, she takes Bruce at his word that they will. If we (the CC) campaign against this article, which has valuable components as well as a few we disagree with, will we alienate them so they won't work with us? C Wyatt notes that they already just skip us . We would like to work with Bruce on this but he hasn't gotten back to us on any of the points we questioned him about at the previous CC meeting. So do we get the best outcome by acting against this article? V. Long notes that a protest petition likely doesn't apply to this case because of a under 20% land area restriction requirement, while this article is town-wide. The CC decides it does not want to oppose the article, but would like assurance that the PB would work with the CC to change some of the language.

Cyn notes that she will check with the NH Municipal Assn to see if the endorsement of the article by the BOS on the Warrant is legal. If it is not legal, she will inform the interim TA.

Andy Rawson – if the CC had been participating in the ordinance the warrant article would not be before us in this form.

The various public want to know what they can do in opposition to the article, with particular regard to the present and potential expansion of MiTeJo.

The CC encourages the residents who are opposed to the article to organize to educate the town. Andy recommends they show signs at the election and the dump. S. Panish does not believe this would be sufficient to educate the town, since the issues are complex.

Cyn recommends the CC draft a letter to the BOS defining problems with the article and requesting a collaborative approach. V Long notes Bruce said he had examples of some towns that had similar ordinance, but he never got them to us. So we do not have reason to not write the letter expressing our concerns.

V Long moves to adjourn, Wayne seconds 7:47PM