

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



**Conservation Commission**  
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**Meeting Minutes**  
**August 12 2019**  
**5:00 PM**

**Members in Attendance:** Cynthia Wyatt, Wayne Sylvester, Paul Blanc, Steve Panish, Karen Golab, Deb McCormack, Bob Weiss, Also in attendance Land Use Clerk Ashley Morrill, Town Planner Bruce Woodruff

**Public Attendance:** Jennifer King, Walter Cheney

Chairman Wyatt called the meeting to order at 5:00 pm.

**Finalize and approve recommendations to the 2019 Zoning Amendment:** Bruce Woodruff Town Planner suggested to have the Commission's recommendations reviewed by the town attorney prior to submitting to the Planning Board to make sure the changes fall within Land Use law.

Further discussion with Bruce Woodruff Town Planner about holding a jt. meeting with the Planning Board to review and discuss their recommended changes.

*B. Woodruff* stated he would have to check with the Planning Board during their next meeting on the 20<sup>th</sup> to see what date would work best for the Planning Board and that the earliest would be either during the 1<sup>st</sup> or 2<sup>nd</sup> meeting in Sept.

*K. Golab* stated that would allow time for the attorney to review.

*S. Panish* recommended getting a 3<sup>rd</sup> party review, like Stafford Regional.

*B. Woodruff* agreed and stated he would not wait on getting it to Stafford Regional Planning.

*S. Panish* stated he was thinking of sending it to the 3<sup>rd</sup> party after the Planning Board was done reviewing but it could be too late and might be safer to get it out now.

*C. Wyatt* stated okay that will be our next step.

The commission reviewed their changes, definition and the zoning ordinance.

**Approval of Minutes:** July 15th meeting minutes, W. Sylvester motions to approve, S. Panish seconded. Voted U/A. S. Panish motions to approve July 15<sup>th</sup> workshop minutes. K. Golab seconded. Voted U/A.

**20 Rookery Rd** the Commission reviewed the draft boundary line and letter from W. Mitchell. C. Wyatt stated she would email the draft form to B. Woodruff Town Planner to present to the Planning Board. K. Golab motions to accept the draft documents, S. Panish seconded. Voted U/A.

**NHDES Permit –Eversource** Row Chris Wilks with VHB for NHDES presented a plan for upgrades to right away access road off of McKeagney road.. Improvements include, grading, restoring, and gravel. One of the structures owned by Eversource had and overhead switch installed and will require maintenance which created the need for upgrading the road. Part of the project will be to put in a culvert to eliminate water crossing the road. C. Wilks stated he is looking to submit a minor impact application with NHDES and requested the Conservation Commission to sign to help off on the project to help expedite the process with NHDES. C. Wyatt signed on behalf of the Conservation Commission.

**Norway Plans presents for Walter Cheney, NE Pond, LLC:** P. Blanc presented on behalf of W. Cheney, NE Pond, LLC. P. Blanc showed two different plans for development on Bolan Rd. The original plan showed 18 residential lots, including driveways, leach field, etc. The second plan (suggested by W. Cheney) consisted of 3 buildings with 36 units, 1 driveway with sidewalks. P. Blanc stated the impact on the second plan is much less. W. Cheney would put remaining land into a conservation easement. P. Blanc stated there would be no burden on the town, as the entrance will be a driveway and everything will be out of the shoreland buffer. Storm water will be treated and the plan will also go through NHDES. Site will include a gravel wetland.

*C. Wyatt asked if there's going to be a pathway to the water area.*

*W. Cheney stated the units will be elevated 2 bedrooms. The units will have a water view and will have access to the water. Boat slips will not be put in however, there may be a rack for kayaks. The buildings will also have healthcare management services on site.*

*S. Panish stated when he gives an example of a well quality development he used Moody Point (developed by W. Cheney)*

*K. Golab asked if there is going to be a common area.*

*W. Cheney stated he believes they will have a social area on a roof top.*

*W. Sylvester asked if there are going to be accesses to the pond.*

*W. Cheney stated they will provide access but has no intention at this time to put in boat docks. But does envisions providing a pontoon boat and kayaks.*

*W. Sylvester asked about a Beach area.*

*W. Cheney stated there's presently a beach area that would remain.*

*P. Blanc stated residents would have to walk to the beach area.*

P. Bland pointed out a trail network in the conservation land.

*D. McCormack asked about wider doorways for elderly*

*W. Cheney stated some units will be handicap accessible but not all.*

*C. Wyatt asked if he envisions the conservation land be open to the public.*

*W. Cheney stated yes.*

*W. Cheney asked if the town would want the land.*

*C. Wyatt asked meaning the fee, the ownership and asked if there is existing trails.*

*W. Cheney stated there is no existing trails.*

*C. Wyatt stated she can't speak for the whole commission but it would make sense to put the land*

*into conservation land rather than easement. An easement would require a homeowners association which can be difficult with owners coming and going.*

W. Cheney asked for the commission to provide any suggestions they may have. S. Panish stated it would be good for the town to have fee ownership and conservation easement held by and trust.

P. Blanc stated there is a small crossing stream that is rated a tier 1 (out of 3 tiers). The plan is to put in a 48 inch culvert in with 8 inches imbedded. The culvert is not required but is the best way to do it.

**All Commission members gave a thumbs to the project.**

**Update from Concerns Milton Property Owners:** J. King spoke about concerns in regards to the Planning Board accepting the proposed Revised Site Plan Review Re: addition of accessory uses for Mi Te Jo Campground – Three Ponds Resort, LLC, Owner; SFC Engineering Partnership, Inc., Applicant; 111 Mi Te Jo Road; Map 28, Lot 4.

Concerns included pending legal actions, Zoning Board of Adjustment decision to deny the appeal. J. King stated the abutters meet and agreed to mediate with the Board of Selectmen and they denied the request to meet. She believes the Board of Selectmen did not like the recommended restrictions. J. King stated she would love it if the Conservation Commission could attend the continued Planning Board hearing scheduled for August 20, 2019. J. King stated she's concerned with her water due to the number of gallons of water the resort will use and the quality of the ponds. Discussion of amenities falling under accessory structure in the zoning ordinance. Further discussion of if MiTeJo falls under campground or resort the current zoning ordinance does not list or refer to resorts. C. Wyatt questioned how the Planning Board could move forward with accepting the application while it's in review with the Court. W. Sylvester stated there were two new members appointed to the Zoning Board of Adjustment as Alternates during the appeal, P. Bean and H. Williams. C. Wyatt stated there is a legal defense in her opinion. C. Wyatt said they could write a letter to the Town Administrator or Board of Selectmen requesting to honor the Supreme Court's decision and to not allow the Planning Board to hold the hearing and let the Superior Court make their decision. W. Sylvester asked J. King if she feel the decision by the Zoning Board to deny the appeal was predetermined. J. King stated yes, there were two new members that were not a part of anything before. Also stated she feels the dynamics of the Zoning Board are very different with the new Chairman. J. King said she doesn't understand the Board of Selectmen's unwillingness to mediate. K. Golab agreed. C. Wyatt stated if the pond's water quality goes down then property values will decrease. Some commission members agreed to attend the Planning Board meeting on August 20, 2019. P. Blanc stated he hopes the Planning Board can see that the amenities has and impact. S. Panish stated if they do what Bruce Woodruff Town Planner has talked about in the Site Plan Review then he's going to be strict and he will them to the fire in terms of protections. S. Panish also stated its Bruce's mantra- the Planning Board has the capability of approving with conditions. K. Golab stated she hopes the Planning Board doesn't not table the hearing again. C. Wyatt stated if the abutters want they can create a document to email to friends and stakeholders with their concerns. J. King agreed to write something. W. Sylvester stated he could share the document to the TPPA members.

W. Sylvester motions to adjourn, S. Panish seconded. All in favor. Meeting adjourned at 8.25pm.

Respectfully submitted,

Ashley Morrill  
Land Use Clerk