

## Town of Milton

424 White Mtn Highway  
Milton NH, 03851



## Conservation Commission

PO Box 310  
(p)603-652-4501  
(f)603-652-4120

4/12/21

Meeting Minutes

5:30 PM

**Present Members:** Cynthia Wyatt, Steve Panish, Wayne Sylvester, Virginia Long, Karen Golab, Deborah McCormack, Robert Weiss

**Absent Members:**

**Guests:** Marc Jacobs (representing Three Ponds Investment LLC), Phil Auger (representing Moose Mountains Regional Greenways), Marie Doiran (representing abutters to Three Ponds Investment proposed development on Northeast Pond Rd), Chris Huydic, Darlene Anderson, Tracie Tankevich, Dan Venis, Leo Carten, Daniel and Arlene Bisson and a couple other unnamed abutters or concerned residents.

**Staff Present:** Julius Peel, Land Use Department

### Special Meeting Notice – Electronic

- I. **Chair Cynthia Wyatt opened the meeting** at 5:41 pm with reminders about how it would be run, starting with guests who came to discuss a potential conservation project of the land owned by Walter Cheney Senior/Three Ponds Investment LLC on Northeast Pond Rd in order to avoid it being developed.
- II. **Potential conservation project of Three Ponds Investment LLC property on Northeast Pond Rd (Map/Lot: 23/40 and 23/44):**
  - a. Marie Doiran reviewed her conversations with Walt Cheney Sr. He is willing to sell for \$600k if can close quickly. Marie has talked to neighbors and gotten pledges of about \$25k, is asking CC for assistance in fundraising and applying for grants.
  - b. Phil Auger reviewed important first steps to take for conservation project. An appraisal would be required so priority is to get abutters to chip in for that to estimate the fair market value. Since subdivision plan has not yet been approved, appraisal would be for bare land. ARM grant program has money this year for Salmon Falls watershed and this project would be a good candidate but pre-proposal and final application deadlines are very soon (end of May and August). Perhaps Cheney would offer a mortgage to group of abutters. Phil will bring this project to MMRG and will continue to work with Marie.
  - c. MCC input: Steve Panish said this project is way bigger than MCC can handle. Virginia added apology if Marie misunderstood CC's role but this project needs a Land Trust to guide it, such as MMRG. CC only contributes about \$20k to any given project. Cynthia added MCC will send support letters for grants but Land Trust does the grant-writing. Karen asked if other land trusts or TPPA could be involved and how will MCC follow up.

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Phil agreed to copy Cynthia on correspondence with Marie and Cynthia will report to MCC.

### III. Review Wetland Impact Permit Application of Three Ponds Investment LLC property on Northeast Pond Rd (Map/Lot: 23/40 and 23/44):

- a. Abutter Daniel Bisson pointed out that the proposed new culvert is larger than the existing downstream culvert under Bolan Rd (a private road) and is concerned the new culvert/development will increase the water flow through the existing culvert and asked if the town will take care of any negative impacts on the road. Daniel also mentioned that some of the lots are incorrectly labeled on the site plan.
- b. Marc Jacobs asserted the potential impact on the downstream culvert is a Planning Board issue, not a CC issue. He also described the storm water reduction plan, as previously presented by Paul Blanc. All or almost all storm water will be infiltrated on site (goes into ground water) and the only drainage is from a small portion of the road, which will be collected and treated with 'state of the art' Best Management Practices. The BMPs were designed using a 25-acre watershed although state maps indicated only 19 acres, but Marc's study of the area found an additional small watershed so the watershed size for the design was enlarged to account for it.
- c. Cynthia asked if the MCC members want to give our endorsement to the Permit.
- d. Karen responded that her only concern is that the homeowners association is responsible for long term maintenance and that the town should ask for encumbered money in case association fails 10 years from now.
- e. Virginia responded that it is not the MCC's role to endorse a development plan but to provide comments to DES if we find any problems in the permit application. She suggested we write a letter to DES stating that as far as we can tell, all regulations are followed and the wetlands delineation seems completed appropriately although the site plan has errors in parcel labels. However we are concerned about long term maintenance of the drainage systems and would like DES to support the idea of the developer encumbering funds for that purpose.
- f. Steve said he thinks we need a longer time frame.
- g. More discussion followed, including questions by abutters and MCC members and replies from Marc Jacobs. (Apologies to those whose comments are not included here to to lack of time and space.)
- h. **Karen moved that we respond to DES with our concern for the long term maintenance of the culvert and drainage system. Steve 2nded.** More discussion ensued about impact on downstream culvert. **All in favor.**
- i. **Karen moved that Virginia is authorized to write the letter (very brief, as stated in motion) and send it without further review by the committee. Steve 2nded. All in favor.**
- j. Cynthia thanked abutters for attending and providing comments.

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### IV. Review of minutes:

- a. **March 8, 2021 minutes.** Steve pointed out no final vote recorded to approve reimbursement to TPPA of \$750 for educational video. New vote was taken: **Karen moved same motion to approve this expenditure as on March 8; Steve 2nded, all in favor.**
- b. **Steve moved to approve March 8, 2021 minutes, Bob 2nded, all in favor.**
- c. **March 22, 2021 minutes.** Cynthia made revisions before the draft was sent out. Virginia offered 2 more corrections. **Wayne moved to approve 3/22/21 as corrected, Karen 2nded. All in favor.**

### V. Commissioners' terms

- a. Steve and Karen's terms expire and Virginia's term as alternate expire this year, Bob's expires in 2022 (correction to what agenda states)
- b. Karen has already submitted letter to renew her term, Virginia and Steve need to do so
- c. Michelle has forms to fill out, also can swear us in. Julius will let us know the procedure
- d. Cynthia suggests we keep same officers; Karen suggests co-chairs, but this would probably require bylaws change
- e. Cynthia suggests we each bring suggestions for 3<sup>rd</sup> alternate to next meeting

### VI. Linda Boise Wetland Permit – Application received by town last December -- past the 40 day deadline to submit comments. Cynthia suggests we consider forming a special subcommittee to review permits and recommend to Board if any action is needed. Such a committee would need BOS approval. Table to next meeting.

### VII. MCC role in Town of Milton MS4 Permit (storm water discharge) and Great Bay Total Nitrogen Permit

- a. Julius reported he is working with Claudine on MS4, and that the BOS wants to form a committee; please attend BOS meeting on May 3 if you're interested in being part of it.
- b. Cynthia said we need a CC member on it, who would like to be?
- c. Steve commented that he and Virginia attended the GeoInsight presentation on MS4 at least BOD meeting. MS4 district is strictly an urban area, not a natural area, so the CC has marginal purview, except that water quality is affected. Many Town storm water outfalls go into DOT outfalls, which then go into Salmon Falls River. He said the MCC could potentially aid in education efforts but added we're really on the periphery of this effort and we could get viewed as sticking our noses in.
- d. Cynthia said okay if someone is interested, fine, if not, the MCC wants to focus on work with shoreland owners.
- e. Julius next reported that Bruce Woodruff may come to a MCC meeting to talk about the Inter-municipal Agreement on the State Total Nitrogen Permit that the Town has entered into with several other downstream towns, all of which release water from waste treatment plants into the Salmon Falls River and Great Bay. The Permit aims to

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reduce Nitrogen in Great Bay so all towns must test their waste water discharge. The Inter-municipal Agreement helps reduce Milton's testing costs by economies of scale. A new Board has formed for this Agreement and someone is needed to represent Milton to make sure we don't get financially overburdened since our waste water discharge is extremely small relative to other towns. Dale Sprague would be a candidate but he retires on one year. Cynthia asked Julius to please find out job description, time commitment, work load, etc.

### VIII. Trout Unlimited Sam Plummer Rd Culvert Project

- a. Bob Weiss commented that it is an impressive project
- b. Virginia reported that Joel DeStasio is now in charge of the pre-application for an ARM grant to fund the culvert. The pre-app is due end of May and Joel will send us a draft application to approve before it is submitted. Also wants approval by BOS and Dept of Public Works. Support letters can wait until full application due at end of August.

### IX. Ball Easement- Norway Plains estimate for survey work

- a. Estimate was for \$1k to pay for research and on the ground survey work of Ball easement to define boundaries where monitor Chris Kane had found ambiguity and that abutter was mowing lawn probably in easement area. Cynthia will clarify if cost include marking the boundaries.
- b. Steve moved to approve up to \$1500 to get this work done by Norway Plains. Bob 2nded. All in favor.

### X. Skip item on 3.04-acre parcel that abuts Casey Rd Conservation Land .

### XI. Education Committee Report:

- a. Virginia reported that the video is progressing, Ryan has taken some video and will come back and take more in May. The committee is working on questions to ask interviewees.
- b. Cynthia asked if the MCC approves sending list of shoreland owners to MMRG for their fundraisng efforts to appeal to landowners around Spaulding Pond. Some discussion; general consensus that it's okay to send the list.

### XII. Celebration of Casey Rd Conservation Land with MMRG-

MCC consensus is to postpone until a public celebration is deemed safe. Virginia will relay this to Jill of MMRG.

### XIII. Financial Report, Budget, Invoices

- a. Financial report shows little expenditures in last month.
- b. Steve moved to approve \$100 for TPPA membership and \$18.49 to reimburse Deb for 'no motorized vehicles' sign. Wayne 2nded. All in favor.

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- 164                   c. Karen explained that materials are needed for temporary sign at Casey Rd Conservation  
165                   Land, including 4X4 posts, boards, bolts, and stain. **Karen moved to approve up to \$200**  
166                   **for these materials, Bob 2nded, all in favor.**
- 167
- 168 **XIV.    MCC Facebook Page.**
- 169                   a. Virginia asked everyone to send photos of wildlife or natural areas since Facebook posts  
170                   need photos.
- 171                   b. Virginia said we need an official town MCC email so Julius doesn't have to receive email  
172                   and so no-one has to list personal email address on the Facebook page. She suggested  
173                   [mcc@miltonnh-us.com](mailto:mcc@miltonnh-us.com), which the Milton Tech contractor can create. Everyone on the  
174                   MCC would know the password and could respond to emails. **Wayne moved to approve**  
175                   **creating this official email address for the MCC, Karen 2nded, all in favor.**
- 176
- 177 **XV.    Karen moved to adjourn at 8:35 pm, Bob 2nded. All on favor. Adjourned.**
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