

Town of Milton
424 White Mtn Highway
Milton NH, 03851



Conservation Committee
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9/29/20
Teneriffe Mountain Public Hearing
4:30 PM

Present Members: Deb McCormack, Wayne Sylvester, Cynthia Wyatt, Robert Weiss

Absent Members: Karen Golab

Staff Present: Julius Peel

Members of the Public: Irene Gutowski, Claudia Caswell, Sharon Hey, Jeff Williams, Dan/Sue Bourque, Kari Lugren, Susan Flemming, Ian Whitmore, M.D, Jared Kane, Virginia Long, Steve Panish, Peg Hurd.

I. Call to Order:

4:30: Cynthia Wyatt, Chair of Milton Conservation Commission welcomes all to the Public Hearing. For this meeting she appoints Deborah McCormack to replace Steve Panish who recused himself.

II. Teneriffe Land Conservation Project:

Cynthia Wyatt begins by reading an opening statement about the Teneriffe Mountain project.

The purpose of the hearing is to share information about the 242-acre conservation project on the southern slope of Teneriffe Mt., to hear public input about the project and the Milton Conservation Commission's proposed disbursement of \$20,000 donation from the Milton Conservation Fund toward the project. The Milton Conservation Commission is in unanimous agreement that this conservation project serves Milton's public interest by safeguarding the Lyman Brook watershed and by maintaining and expanding public trail access to landmark scenic viewsheds.

Per RSA 36-A:5-II , in order to contribute conservation fund money toward a land protection project where the municipality will not hold property interest, the following 3 steps are required.

1. The legislative body must authorize the conservation commission to expend conservation fund monies to “qualifying organizations” (e.g. land trust) according to RSA 36-A:4-a, I(b). This is a one-time vote and does not need to be passed for each project.

Milton passed this warrant article (353 yes, 0 no) in the March 11th, 2014 Official Ballot.

2. The conservation commission must hold a public hearing.
3. The conservation commission must vote to expend the conservation funds which we plan to do after the public hearing

Share information about Conservation Fund legislation and how Milton has conformed to the legislation.

RSA 36-A:5 I : Authorizes towns to establish conservation funds for the purposes of Natural Resource Inventory, maps, wetlands evaluation, purchase of land or conservation easements, training and education, guest speakers, publications about conservation.

Milton voted to establish a CF several years ago.

RSA 79-A:25 Authorizes towns by majority vote of the legislative body to place the whole or a specified percentage of the Current Use Land Change Tax into the town’s conservation fund. The LUCT is imposed at a rate of 10% of the full fair market value of that that is developed. Milton voted to fund the CF with 50% of the LUCT. Current balance is \$100,000.

RSA 79-1:1 Declaration of Public Interest for Open Space & Current use taxation

“It is hereby declared to be in the public interest to encourage the preservation of open space, thus providing a healthful and attractive outdoor environment for work and recreation of the state’s citizens, maintaining the character of the state’s landscape, and conserving the land, water, forest, agricultural and wildlife resources. It is further declared to be in the public interest to prevent the loss of open space due to property taxation at values incompatible with open space usage. Open space land imposes few if any costs on local government and is therefore an economic benefit to its citizens. The means for encouraging preservation of open space authorized by this chapter is the assessment of land value for property taxation on the basis of current use.

After Cynthia Wyatt reads her opening statement, she introduces Jill Eldridge and Phil Augur, guest speakers from Moose Mountain Regional Greenways, to talk about the project from their end. Jill Eldredge starts by explaining the organization and its foundation.

In this "She explains that Moose Mountains Regional Greenways (MMRG) is a Land Trust organization that currently stewards or owns more the 3,000 acres of conserved land within the Moose Mountains region of New Hampshire. Their goal is to expand conserved areas into connected greenways to protect diverse and endangered wildlife. Teneriffe Mountain is within the conservation focus areas of the organization." To answer some of the expected questions, she notes that the property, when purchased by the organization, will stay on the current tax role, but it will be placed into current use. She also explains that there will be a conservation easement placed on the property. What this will mean is that the property will have limitations as to what activities can be done on the lot. Although they are not finalized yet, Jill believes that the conservation easement will include allowance of low impact recreation like hiking and will prohibit the use engine-based recreation like four wheeling. Jill finishes her section and introduces Phil Augur to talk about the characteristics of the land.

Phil explains that Teneriffe Mountain contains the highest point in Milton and that the Cheney Property Management owns significant acreage on it. Their property extends almost to the peak and is abutted by other conservation land which includes the top. There is a significant amount of existing conservation land close by but not directly abutting. He explains that on the northern side of this land is also large parcel of land purchased by the Nature Conservancy because it contained a significant population of a rare orchid, the Small Whorled Pogonia. On the land that MMRG is attempting to purchase in this project, there may be more of these orchids, although none have been found yet. Other plant and animal species in the project area are important to nurture and protect. First, he explains that the property contains the headwaters of Lyman Brook, the primary stream in the Lyman Brook watershed, which feeds into the Salmon Falls River at Spaulding Pond. Lyman Brook is inhabited by Brook Trout below the project area. Undersized and malfunctioning culverts on the project area prevent the trout from moving upstream. The project budget includes remediating this situation. Brook Trout statewide are experiencing a decrease in population and are a concern by local fish and game to maintain. The second population of note is Chestnut oak, this may be the northernmost incidence of this species in NH. The budget of the project is \$635,000. Grants through DES are expected to be the largest contributors to this cost. The donation offered by the town, \$20,000, is significant to demonstrate to the granting agencies that there is local support for the project. Local support is also evidenced by pledges of well over \$100K from private individuals, which is very unusual for a project at this early a stage.

III. Public Comment:

After completing the introduction to the hearing, the board opens the meeting to the public to ask questions or make comments. Of the questions asked by the members of the public that were present, early concern was about what type of recreation could be done on the property. Phil explains that as of right now the only real limitation that the agreement will most likely restrict is motorized recreation. He anticipates that when the organization is further in the process, they will reach out to the community to see what it would like on the property. Steve Panish, acting as a member of the community, explains that if this is not approved the alternative is that Cheney properties can attempt to develop this land, something that he would not like to see. Phil explains that he does not want to talk for the current property owner, but states that it is a possibility. Jeffrey Williams, a member of the public, states that he has land that abuts the property that he hopes to keep conserved for the rest of his life so he will never sell. He did mention that he would be interested in working with MMRG to continue the conservation of this land. Peg Hurd ask Phil if there has been a purchase and sales agreement between MMRG and the property owner. Phil states that in this business coming this far without the agreement would be a huge risk. There is a purchase and sales agreement signed by both parties. Jeff McClair describes that there is a significant importance for having this land because with COVID-19 more people have been out in the open air. With no further comments Cynthia Wyatt closes the discussion.

Motion: Wayne Sylvester motions to expend \$20,000 from the Conservation fund, Seconded by Robert Weiss. The vote is approved unanimously. The Motion Passes allow the conservation to expend \$20,000 from the Conservation Fund.