

Town of Milton
Conservation Commission



PO Box 310
424 White Mountain Highway
Milton, NH 03851
(p)603-652-4501
(f)603-652-4120

1 **4/6/2022**
2 **Meeting Minutes**
3 **6:00PM**

4
5 **ATTENDANCE:**

6 **Members:** Virginia Long (Chair), Steve Panish, Robert Weiss, Wayne Sylvester, Deb McCormack

7 **Alternates:** Sharon Buttrick, Jeff LeClair

8 **Public:** Dan Bisson, Karen Golab, Joe Stanley, Lee Howlett, Bruce Woodruff

9 Virginia Long, Chair, opened the public session at 6:00PM.

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11 **1.) Ascertain who is present and approve alternates to serve as full members if needed.**

12 **2.) Welcome to guests in attendance**

13 **3.) Discussion with Bruce Woodruff regarding Town of Milton Master Plan and MCC's role implementing**

14 **the plan and its priorities:** Bruce was invited to attend the meeting to provide discussion and direction
15 regarding the Master Plan, especially in areas where the Conservation Commission is involved. These
16 include surface and groundwater resources, wetlands, wildlife and habitat, agricultural, etc. Deb –
17 question on Page 22 regarding protection of surface water. How does the new Article 3 on Split Zoning
18 impact the protection of water? Bruce – this will eliminate split zone parcels and will not have any
19 impact as the regulations do not change. There is a stringent approval process and will still be in effect.
20 Jeff – stressed the importance of education on septic system maintenance. Bruce – there are town
21 initiatives happening including flyers and pamphlets that provide education to residents. This is required
22 for the MS4 permit. It's important to inform and educate residents on the best practices and what
23 techniques are available for residents in order to protect their lands. Although we are in Year 3 of the
24 MS4, the town is slightly behind its implementation. As explained, MS4 affects Milton since waters
25 from Milton flow down into Great Bay. Virginia – there is a lot of overlap between MS4 and the Master
26 Plan. Jeff had previously volunteered to draft a letter to homeowners providing education about septic
27 systems use – perhaps this could be used as part of resident outreach. Virginia – the CC is looking to
28 prioritize the implementation plan. Bruce – suggestion to have the Commission host an education
29 outreach program. Wayne – the TPPA new website will also include many resources and information.
30 Steve – is there any budget available for outreach endeavors? Bruce – there may be some grant
31 opportunities available in May (but currently no budget). Steve – since there is not enough time to solicit
32 grants any upcoming programs will be low budget.

33 Bruce – page 54: Zoning Ordinance – Milton Wetlands Map – suggestion to bring to the table for meeting
34 with selected partners. Additional layers will be added to the GIS to help in the decision making process.
35 Bruce will be talking to all departments, including CC to collect all ideas from department heads. He will
36 then start to prioritize and work with GIS consultant to concentrate on those most important. Steve –
37 what teeth does the town have to enforce policies to ensure residents following the rules? Bruce –
38 stringent regulations for new developments include legally binding documents that require
39 builders/homeowners demonstrate their obligation to follow all regs. For example, the town can hold a
40 compliance hearing to go before the planning board which has the power to revoke the plan. Steve –
41 what about existing home owners? Bruce – the Code Enforcement Officer really has the power to do this
42 although this is not currently a FT position to handle all the issues. It would be better if the CC had access
43 to the Code Enforcement Officer. Virginia – discussion about potential designation of 'Prime Wetlands.'
44 Bruce – recommendation to have CC educate the Planning Board about this before submitting a Warrant

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45 Article to go to the voters. This was a good first discussion. Virginia – thanks to Bruce for speaking to
46 the group.

47 **4.) Election of Officers:** Virginia – this is the first meeting after the recent town election. Have to elect the
48 officers for the upcoming term:

49 Deb – willing to serve again as Vice President

50 Steve – willing to serve again as Treasurer

51 Virginia – will to serve again as President

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Wayne – motion to approve the above slate for the upcoming term. Seconded by Bob. All were in favor; the motion was approved.

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56 **5.) Display/Circulate CC materials for lending (sign-out sheet):** There was none.

57 **6.) Event announcements:** April 23rd – town clean-up day in conjunction with Earth Day. This is being held
58 by the Public Works Department.

59 **7.) Review/Approve 3/2/2022 meeting minutes:**

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3/2/2022 minutes: Steve – motion to approve the 3/2/2022 minutes with Virginia’s corrections (sent out in advance). Seconded by Wayne. All were in favor; the motion was approved.

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8.) Schedule Public Hearings for Conservation Fund donations to MMRG conservation projects:

At a recent meeting there was a vote to expend \$5,000 from the Conservation Fund (CF) to MMRG for each of two projects. As required, a public hearing is needed when expending monies from CF. June 1st meeting will include a public hearing to start at 6:00PM. As there are two separate projects, two separate hearings will be held. They are already posted on the town website. In addition, when donating to projects the CC is also required to notify the BOS before expending funds. Virginia will attend an upcoming BOS meeting about the plan to hold hearings and expend funds.

9.) Review/Report on Wetlands and Shoreland Applications:

Jellystone Park – wetlands field report by Gale Associates: according to the report, Jellystone has ‘lived up to the spirit’ and has met the necessary requirements.

Wetland buffer zone violation (basal area law) on Winding Road (suggest town hire PT Timber Harvest Monitor): At Lyman Brook, Virginia saw there had been a lot of cutting done in the area. As she thought this was a violation, she asked Jonathan Nute to also look which he did and he agreed this could be in violation. Virginia then contacted the state who went to the area and agreed the slash is in violation, however the basal area is not.

She suggested the town hire a part-time Timber Harvest Monitor who could check on potential violations. This was be discussed more at a future meeting.

10.) Town-owned Easements and Conservation Lands:

Easements: Update on letters to landowners of town-held easement properties and their responses (Spring Brook, Tremblay / Wallace Way parcel donation?): ~30 letters were sent to town-held easement properties. So far there have been two responses:

Gary Tremblay (Wallace Way) – he is no longer a town resident and indicated he may want to donate the land to the town. This is ~5 acres off Governors Road. There is no public access – ROW for the developer and the land owners on Wallace Way). Questions: associated closing costs – who is responsible for paying?; 2.) Landowners abutting this land have access, however, there is no public access to the land.

Wayne – there is no real advantage to pursue this as it’s not really connected to any land of interest.

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90 Virginia will tell Mr. Tremblay the CC is not interested in pursuing.
91 Walt Cheney, Sr. – interest in parcel ‘Old Ski Area’: Virginia – Mr. Cheney recently attended BOS meeting
92 and expressed his interest in purchasing the parcel known as ‘Old Ski area’. Virginia reached out to Chris
93 Jacobs and Walter Cheney telling them this is conservation land which neither of them were aware of.
94 Virginia – important to educate all town officials about town conservation lands and easements. Steve –
95 this information should be in the GIS. 2010 – town voted to place a conservation easement on this
96 property but never happened. MMRG might be interested in helping conserve this land (year 2023). This
97 will be kept on the agenda.
98 Karen – suggest having this as a Warrant Article removing the requirement of a town easement? Virginia
99 – we could do that, but do we really want to sell the property? Maybe a site walk is in order. Steve –
100 since the town already voted on this, we should move forward with it. Could take grant money to add
101 two easements and start the process with MMRG. A possible ARM grant (for restoration purposes). Site
102 walk scheduled on April 24th at 9:00AM – meet in the Dollar General parking lot. Will have to invite the
103 public.
104 Regarding site walks of CC properties: for the first time should hold these site walks as a group. Wayne –
105 the CC could save \$1,000 by doing site walks instead of paying Chris Kane. Virginia - ~20% of our budget
106 is used to pay Mr. Kane. Wayne – if the CC does the site walk and sees a violation, what happens?
107 Virginia – report back to the CC and we can decide what would be the next course of action. Wayne –
108 question why the CC would assume responsibility of monitoring? Virginia – it’s important to do the site
109 walks and see what, if any, violations are happening.
110 Plan Presentation to BOS regarding easements and fee lands currently overseen by CC:

11.) Financial Report, Budget:

111 Steve – 2022 budget for CC: \$6,254. Recent Warrant Article for the CC legal defense revolving fund –
112 does that come from CC budget? The wording states the \$1,000 will come from the Unassigned Fund
113 Balance.
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116 Steve – motion to reimburse the following:
117 Virginia/Deb - \$40 each for Saving Special Places Conference attendance
118 Bob - \$11.49 for lamination supplies
119 Seconded by Wayne. All were in favor; the motion was approved.
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12.) Update on formation of new Town of Milton Trails Committee: Virginia – hopefully this will be on the
121 next BOS meeting agenda for April 18th.
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124 Virginia sent a draft charge to the CC for their review. Question of how often the Trails Committee
125 should report back to the CC? Deb – suggest once per month prior to the CC meeting. Wayne – that
126 might be too much. Jeff – is this new committee doomed to failure? Looking at the drafted Charge letter
127 – lots of legalese language which might turn people away from volunteering. Virginia – the Charge
128 provides information on the policies set forth by the town. Deb – because this is a new committee they
129 may need additional guidance especially in the beginning. Virginia – we want them to be independent –
130 they can reach out to the CC for support and guidance. Karen Golab – maybe call it the ‘Milton Trails
131 Support Group’ in order not to fall under all the rules. However, volunteers will still need to complete a
132 volunteer form required by the town. Virginia – the CC will help recruit. However this will still need to be
133 approved by the BOS.
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13.) Update on Community Outreach at recent town election: Tabled to next meeting.

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- 135 **14.) Update on town of Milton trails map to be created by Peter Goodwin:** As Peter has not yet contacted
136 Virginia regarding the trails map, Virginia will reach out to him.
- 137 **15.) Casey Road Conservation Land updates (Jeff)** Tabled to next meeting.
- 138 **16.) Educational Outreach: TPPA, Facebook, Other:** Tabled to next meeting.
- 139 **17.) Update on Sam Plummer Rd Culvert Project:** Tabled to next meeting.
- 140 **18.) Update on Northeast Pond Condo Development:** Discussion of proposed 'trade' by Walter Cheney:
141 Virginia – contacted by Walt Cheney after being notified that the Ski Area is conservation land. He
142 questioned if the CC would be interested in trading the ski area for his 45 acres on Northeast Pond Road?
143 Virginia – because the town had voted to place an easement on the property not sure this would work as
144 the CC just can't give away the land. Question about Mr. Cheney's plans and interest for the property.
145 There are too many complications involved with this. After discussion, Mr. Cheney withdrew his initial
146 idea. Steve – the ski area would be even worse project than the 45 acres he is currently proposing. It
147 would be very difficult to develop and not have severe drainage issues.
- 148 **19.) Placeholder: Update on status of 3.04 acre parcel (tax/lot 41/81) abutting Casey Road Conservation**
149 **Land (None):**
- 150 **20.) Update on Recruitment of new alternate Commission members:** There was no update.
- 151 **21.) Plan for organizing MCC Files at Town Hall:** Sharon reported she will work on going through the boxes to
152 help with organization.
- 153 **22.) Public input:** There was none.
- 154 **23.) Other Business:** Wayne – recently met with Al Goodwin, Athletic Director, at Nute. He is proposing a
155 TPPA scholarship at Nute. Mr. Goodwin – they are always looking for projects for the students to get
156 involved with as this is a requirement for graduation. They must provide 20 hours of public service. It
157 would be great to involve the students – perhaps as part of the Trails Committee? Or perhaps getting an
158 intern. Steve – cleaning up the Ball property would be a good project. Wayne – students really are
159 looking for projects to complete.
- 160 **24.) Confirm next meeting date: Wednesday, May 4, 6:00PM.**
- 161 **25.) Adjourn:**

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163 Steve – motioned to adjourn at 8:17PM. Wayne – seconded the motion. All were in favor; the meeting
164 adjourned at 8:17PM.
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