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MINUTES
November 2, 2023

MEMBER ROLL CALL:

| | |
|--|------------------------------------|
| Ralph Lutjen, Chairman, Present | Ted Slader (Alternate) – Present |
| Josh Shackford, Present | Noreen Downs (Alternate) - Present |
| Michael Brooks, Present | Emily Bass - Excused |
| Mike Mauro, Selectmen’s Rep. – Present | |
| Mike Mosher - Present | |
| Marc Ohlson –Present | |

OTHERS PRESENT: Carol Dandeneau - Madison TV, Katharine Young, Land Use Boards Administrator, Mike Morin, USVLT

MEETING POSTED: This meeting was posted at Madison Town Hall Upper & Lower, Madison & Silver Lake Post Offices on October 26, 2023.

CALL TO ORDER: Lutjen called the meeting to order at 4:02 pm.

ELEVATION OF ALTERNATES: Lutjen asked for a motion to elevate Alternates.

Motion by Shackford, seconded by Mauro to elevate Downs and Slader to voting members. The motion passed **unanimously**.

APPROVAL OF MINUTES: **Motion** by Shackford, seconded by Downs to approve the October 5, 2023 minutes as written. The motion passed **unanimously**.

PUBLIC COMMENT: Lutjen stated there was no public comment and closed public comment.

Tim Nolin – Forest Land Improvement: Nolin was not present so nothing to report.

Chain of Ponds Update – Mike Morin, USVLT: Morin stated the property is under contract and USVLT is working on fundraising. He further stated they have an anonymous donor giving \$300,000.00 towards this project. L-Chip funding deadline is November 8, 2023 and they are anticipating a similar award. The deadline for funding from Drinking and Ground Water Protection is November 7, 2023 and USVLT will be discussing funding for this project at the morning session in Concord.

Morin stated that Peter Nault, Appraiser did the initial fair market value appraisal for the property to inform the acquisition costs and Nault is also doing the conservation value appraisal which will help to inform USVLT in their asking from the Town of Madison in terms to help fund the project through the sale of the conservation easement and this appraisal should be delivered within a week or so. Morin stated then they can discuss the public hearing process. Lutjen requested that Morin send the Commission a copy of the appraisal as well as a copy of the executed Purchase and Sales Agreement. Morin stated that Land Trust is the assignable party and the contract right now is between the Conservation Fund and the Crowes and USVLT is anticipating once they know the outcome of the grants and the fundraising position, then they would go through the process of becoming the primary contract holder. Lutjen stated the Commission should have a copy of the Purchase and Sales agreement for the public hearing. Lutjen stated the Commission will have the discussion about a public hearing at the December 7, 2023 meeting and will also need to talk with the Selectmen.

Mosher asked if surveying is being done. Morin stated that Doug Burnell, USVLT's President is volunteering and doing some preliminary surveying and USVLT is waiting on a proposal of costs from HEB Engineering on the overall costs. Mosher asked if this included the three lots that Crowe is intending to keep. Morin stated that is a separate issue and is in process right now and USVLT is working to get under contract with Bergeron Technical Services who is carrying this process forward both for Land Trust and the land owner. Morin further stated there would be two processes, one for the two-lot subdivision which USVLT will be a party to and once that is complete, then it will be in the hands of the Crowes to work through the four-lot subdivision for the frontage along Forest Pines Road and Crowe will be retaining eight or nine acres or whatever is needed to satisfy the town.

Morin stated they are doing the initial subdivision survey now and then a larger survey of the 625 +/- will be done over the next year and USVLT's goal is to close by November of next year. Morin stated that the transaction is contingent that Crowe get the two-lot subdivision done. Mosher asked if the land USVLT is getting, is there is a 50 feet right-of-way strip off Forest Pines Road and how does that work as you need 200 feet of road frontage to be subdivided. Morin stated he was not sure but believes that Doug Burnell is scoping that out. Mosher stated that Bergeron should be made aware of this.

East Davis Pond Lot: Mauro stated that after talking with the town's attorney, the Select Board is going to move this to a Warrant Article for Town Meeting. He further stated that the Select Board could have made the change from town property to conservation property but another Select Board could overturn it or town meeting could overturn it.

Property Review Commitments and Sign-up: Lutjen stated everyone has their property sign ups and we should be all set.

Master Plan: Lutjen stated he wants to include the Chain of Ponds.

Digitalizing Property Town Reports: Downs stated she signed up for the new Barclay Lot and she drafted from Nolin's report, a town of Madison Barclay Report which includes the deed site restriction, copy of the deed and copy of the layout. Downs further stated that in Nolin's report, he is suggesting new boundaries be marked. Downs recommended that since there is no trail, that the Conservation Commission at some point, could consider doing a loop trail but there is limited parking on Route 113 for maybe three or four cars and is only seasonal. Downs also stated that Nolin filed an annual report which was the Commission's annual checklist and she could not fill out the checklist as she did not know all of the things in the report that are not in the checklist and this goes for the Cascades property and asked what is the recommendation. She suggested a log that states Nolin did it and there is a report filed with the documentation if there is no annual report. Lutjen stated the checklist has a whole series of items. Downs stated that Nolin does not reference it in his report. Lutjen stated he does not think it is necessary and that Nolin is the professional and he would address anything of significance in his report. Lutjen stated they could mention it to Nolin next time he is at a meeting that we have the annual appraisal form. Downs stated that Nolin did more in his report than he needed to.

Lutjen asked how many acres is the Barclay Lot. Downs stated 10 acres. Lutjen asked if there is really a need for a trail. Downs stated it could be an age friendly trail. Lutjen stated this will be deferred until Nolin is present.

Downs stated in the overall report there is a list of properties and the Barclay Lot needs to be added and there is a chart for all properties that shows whether there is water access, views, forest meadows etc. This would be a yes or no and added to the chart and also in the Table of Contents, Section #18 for the Barclay Lot would need to be added. Downs further stated that there is an inconsistency in the map in the report that shows all the town properties and the numbering of that as well as the numbering on the website. Downs stated maybe she could get together with Young, Land Use Boards Administrator and revise the numbering and make sure it is consistent with the brochure as to the trail numbers. Slader stated he could not remember how they came to the numbering. Downs stated she got the numbering off the map from GRANITView and the map in the book that has all the properties in it, the numbering does not agree with the list on the website and it is missing five properties, Cascades, Ward, Loon Island, Wold and Barclay and two new ones may need to be added, the Chain of Ponds and the Barclay Lot is not on the GRANITView map. Downs is unaware how it does get on it and will have to do research to find out. Shackford asked who creates the GRANITView map. Downs stated UNH. Lutjen asked to make this consistent we would have to contact GRANITView. Downs stated yes to get the Barclay lot added.

Downs stated regarding the Cascades, Nolin is recommending the following:

1. That a small bridge be installed where the stepping stones and logs are as it is unsafe where it is.
2. The boundaries should be painted in 2028. Downs further stated that looking at the report in the library there are things that were recommended that have not been updated like the bronze plaque and the steps and there should be a date it is completed.
3. A land survey should be updated, but Nolin stated there is no land survey in his report dated September 29, 2023.
4. The MCC should conduct or create an inventory of existing plants and wildlife, and place a box at the trail head with this information, and a notebook for a flora and fauna observation log.
5. Abutters listing should be updated.

6. An annual litter cleanup and trail maintenance should be conducted. (Nolin's report did not mention anything about noticing litter).

Lutjen stated they should compile a list of action on Nolin's work and that Downs has started this off with an excellent start and that each party that has volunteered, should replicate the work that Downs has done in terms of list of recommendations and action items and get involved in that in the spring.

Ohlson stated they have talked about a bridge in the past and if they build something, it would create a liability to the town versus jumping across the stream. Shackford stated this would need to be run by the town's insurance company. Downs stated the brook is the property line and you would be encroaching on someone's property. Lutjen asked if they need an estimate for a survey and have surveys done on all their properties. Ohlson stated that a wetlands permit may be needed. Mauro stated that Primex is the first place to go.

NEW BUSINESS:

Letter of Support for The Financial Strategy Feasibility Planning Process to FEMA/BRIC – Noreen Downs

Lutjen explained the commission received a draft of a letter that the Town of Conway did in support of supporting the modernization of all the culverts-in-need in the Saco Watershed of New Hampshire. There are about 450 culverts-in-need from an assessed total of over 1,200. Lutjen further explained there is no obligation on behalf of the Commission and this is just a letter of support. Downs stated she gave Mauro a spreadsheet of all the culverts and data she had collected for the Town of Madison at a previous meeting. She explained that this involves 13 towns who applied for the grant and the reason they did not get it was because there was no commitment/interest submitted from the towns to participate working with the engineer who would be doing quotes for modernizing the culverts that impacted the town. Downs further stated that Green Mountain Conservation, North Country Council, NH Fish and Game, Saco Head Water Alliance as well as NH Association of Conservation Commissions are all applying for this large grant. Downs stated Phase 1 is to get engineering in place do feasibility study on what it is going to take to do the modernization and this would happen between 2024-2025 and then work with all the towns applying for grants and funding to get the work started between 2025-2027. Downs stated she does not believe there is a cost for the accumulation of the study.

Lutjen questioned if it was better if the Selectmen signed the letter of support. Shackford stated he thinks the letter of support is a good idea and suggested doing one letter and have the Select Board sign the letter as well as the Chairman of the Conservation Commission and the Planning Board and Department of Public Works. Mauro stated he would bring this to the Select Board and Young, Land Use Boards Administrator will type up the draft letter of support.

Selectmen's Report: Mauro, Selectmen's Rep., had nothing to report.

Planning Board Report: Ohlson stated the Planning Board is looking to eliminate 1.3b the best they can which is expansion of use in setbacks. Lutjen asked what is the impact. Ohlson stated for example if you have property on Silver Lake that is too close to the lake and you want to expand it, you used to be able to expand 50% of something and that nobody could quite decide what that something was and now you cannot expand anything without a variance.

Administrative Correspondence: Young stated she paid the dues to NH Assoc. of Conservation Commission in the amount of \$250.00 on October 16, 2023.

Account Balances as of September 29, 2023

Conservation Land Use Change Tax: **\$213,663.91 + \$1.81 Interest = \$213,665.72**

Forest Maintenance Account: **\$\$71,113.21 + .60 cents interest = \$71,113.81**

Conservation Gift Account: **\$4,469.56 + .04 cents interest = \$4,469.60**

Capital Reserve Account: **As of 9/26/2023 \$59,534.57**

ADJOURNMENT:

Motion by Lutjen, seconded Mauro to adjourn the meeting. The meeting was adjourned with all in favor at 4:40 pm.

Submitted by:

Katharine Young
Land Use Boards Administrator