



PO BOX 248
MADISON, NEW HAMPSHIRE 03849
Phone: 603-367-4332x302 Fax: 603-367-4547

MINUTES
March 7, 2024

MEMBER ROLL CALL:

Ralph Lutjen, Chairman - Present
Josh Shackford, Vice Chair - Excused
Michael Brooks - Present
Mike Mosher – Present
Marc Ohlson – Present

Ted Slader (Alternate) – Present
Noreen Downs (Alternate) - Present
Mike Mauro – Selectmen’s Rep. - Present

OTHERS PRESENT: Kasia Scontsas - Madison TV, Katharine Young, Land Use Boards Administrator, Mike Morin, USVLT, Doug Burnell, Sally Manikian, Tim Nolin and members of the public

MEETING POSTED: The Public Hearing on the Chain of Ponds was posted in the Madison Town Hall Upper & Lower levels, Madison & Silver Lake Post Offices and the Conway Daily Sun on February 9, 2024.

CALL TO ORDER: Lutjen called the meeting to order at 4:30 pm.

Lutjen stated that the commission will open the public hearing and then will conclude the public hearing and go into the regular meeting.

Motion by Lutjen, seconded by Ohlson to open the Public Hearing. The motion was voted on and passed **5-0**.

Young read aloud the Public Hearing notice as well as the document entitled “Funding the Conservation of Chain of Ponds Conservation Easement” which both documents were also posted on the Conservation Tab in the Town of Madison’s Website. Young also read aloud a section of RSA 36-A:4 Conservation Commission’s Powers and Young stated that after this Public Hearing, the Commission would need to go to the Selectboard and present them with a history of this project.

Lutjen stated that before he opened the Public Comment, he wanted to make a few introductory comments and have Doug Burnell, President of Upper Saco Valley Land Trust (USVLT) and Mike Morin, USVLT explain the geography of the property.

Morin explained the history of the property and stated this is a 625-acre piece of property comprised of various tax lots as defined on the maps that they provided for this presentation. Morin explained the layout of the land as to aquifers and eskers which are ancient river beds and a glacial trough valley.

Doug Burnell, President of Upper Saco Valley Land Trust (USVLT) gave his part of the presentation of the Chain of Ponds and used the maps provided to explain the property to the public. Burnell stated the eskers were rivers in the glacier and are layered deposits inside the glacier which are quite remarkable as well the amazing views of this property. Burnell stated the primary access point is off Forest Pines Road and the owner is taking out a little piece of land for house lots for his family and what is left, is a corridor road and is in the same place as the current access off Forest Pines Road. Burnell stated this is the main way in and there are also deeded accesses through the Madison Shores Development and those will probably be less public but that there is a good road in Madison Shores and accesses the north part and this will mostly be used for access for USVLT for monitoring purposes. Burnell also stated the Boston and Maine railroad corridor goes through the property and is owned by the State of New Hampshire and this is an active trail/snowmobile trail. Burnell also stated that USVLT is also going eventually own the Davis Pond parcel which was being donated to Green Mountain Conservation Group (GMCG) but GMCG does not want the land as they deal with water quality so it will then pass to USVLT.

Lutjen stated that when the Conservation Easement is paid for, it will keep the property under conservation in perpetuity.

Lutjen asked Morin to talk about the funding of the project. Morin stated they are going through a number of funding resources and the town's contribution is one and they have also secured \$250,000.00 from Land Community Heritage Investment Program (L-CHIP) and also secured another \$260,000.00 from an anonymous foundation who is also contributing around another \$40,000.00 to a pass-through grant to finalize this acquisition that GMCG is working on for a total of \$300,000.00, as well as a public campaign on USVLT's website and have received to date, \$14,700.00 from community contributions and they are anticipating this to grow. Morin stated there is also a pending grant from US Forest Service in the amount of \$400,000.00 and that Sally Manikian assisted in this grant writing process and he is optimistic this grant will come through. Morin further stated that NH Fish and Game is considering contributing \$30,000.00 from their fish habitat account and this will depend on the surveys done this summer. Morin stated that in total, the acquisition price tag is approximately \$1,100,000.00 and with due diligence, there is a survey required which contributes to this significant expense and the grant makers require a survey to make sure the parcels and the bounds are marked. Morin stated the total project cost is around \$1,300,000.00 with \$200,000.00 being set aside for initial management anticipating having to monitor and improve future improvements for public access to sustain the site. Morin also stated that as a land trust site, they are tasked with the monitoring and managing of the property in perpetuity and when USVLT acquires land, there is a contribution to the stewardship endowment for \$100,000.00 which would spin off interest to help fund work in conserving and managing this property.

PUBLIC COMMENT:

Lutjen set the ground rules and read them aloud for the Public Comment and then opened the Public Comment.

Dave Cribbie, 23 Heritage Road – Cribbie stated he has used this property for over 30 years and is concerned how it will be managed as far as allowing four wheelers, hunting and snowmobiles. Lutjen stated that as far as the Conservation Easement, this process will go through Cribbie's concerns.

Ken Jones, 61 Pine Hill Road – Jones stated he supports this project and that this is good for the town as it is important to preserve wildlife and water quality.

Christine Taylor, 17 Beach Drive – Taylor stated she had some concerns with the roads which are private dirt roads and the potential usage of the roads as Madison Shores maintains the road and asked what the contribution would be from the Conservation Commission to help maintain the roads if work people are using the roads. Taylor stated she, as well as other property owners, are concerned about privacy and security issues. Taylor stated she fully supports this acquisition but is concerned people will use resident's property as a public access to access logging roads and may possibly enter onto resident's property. Lutjen stated these issues will be addressed as to the access part of the Conservation Easement.

Burnell stated that there is a deeded stipulation that USVLT will inherit that says any damage done to the roads will

need to be repaired. Taylor understood this but stated as an association, all residents pay dues to take care of the roads.

Dan Stepanauskas, 135 High Street – Stepanauskas stated that the Chain of Ponds property has been cut very hard and there should be no worry right now about logging and that a lot of the acreage is growing back in places with young trees. Stepanauskas stated there is currently good wildlife habitat and a lot of wetland habitat.

Shawn Bergeron, 93 Forest Pines Road – Bergeron stated he owns the property south of Mack Pond and easterly from Mack Pond to Forest Pines Road. Bergeron stated when he bought his property in the early 1980's, he was not a fan of conservation. Bergeron further stated that the access road off Forest Pines Road was barely accessible and since the 1980's the road has become a super highway and that the Crowe's property has been used as a dumping ground for construction debris which Bergeron and his son have removed truckloads of debris a few times a year. Bergeron further stated that the use of motorized vehicles is incredible and he was not a fan of conservation previously, but that he is biased in this situation, as this project abuts his property and he would like to see it conserved.

Motion by Lutjen, seconded by Slader to close the Public Hearing at 5:05 pm. The motion was voted on and passed **5-0**.

Lutjen stated the regular meeting reconvened at 5:13 pm.

Jill Emerson, Water Quality Coordinator, GMCG: Emerson gave her presentation to the commission regarding the water quality report. Emerson stated that GMCG does monitoring from April 29th through Columbus Day. Emerson introduced two members of her team which were Haley and Grace from AmeriCorps who assist her in monitoring. Emerson stated they do bi-weekly collections for four locations in Madison which are Banfield Brook, Forest Brook, Ferrin Brook and Mill Brook. Emerson also stated they did a single monitor sample in August for Davis Pond and currently, there is no monitoring for Davis Pond and it should be monitored routinely. Emerson stated that nitrate levels were high everywhere.

Tim Nolin, Forest Land Improvement stated that all towns have replaced some culverts and asked if the town could give GMCG a list of culverts that were repaired. Emerson stated that she worked on monitoring the culverts but she was not the main lead on this and she does not know how changes are made to the data base and if changes are made or not. Emerson did state there are 450 culverts in our water shed that need to be replaced but she believes that only a small amount of culverts were replaced. Emerson also stated they reapplied for the FEMA grant towards fixing the culverts.

Tim Nolin – Forest Land Improvement: Nolin stated he handed out the proposed Forest Maintenance Budget for the summer to the commission. Nolin also offered any help he can contribute in the drafting of the Chain of Ponds Conservation Easement as he has experience in drafting easements.

Lutjen stated the Conservation Easement is rough draft and the commission is not doing a lot of work on it until closer to knowing the project is a go and he does not want to spend money on attorney fees yet but that he appreciates Nolin's offer to assist.

Motion by Lutjen, seconded by Slader to approve the proposed Forest Maintenance Budget for 2024 in the amount of \$4,025.00 for site work to be done by Tim Nolin, Forest Land Improvement. The motion was voted on and passed **5-0**.

Brooks stated that Nolin should go ahead and mark and flag the McNair piece.

Nolin stated that once summer hits, he can make the meetings at 4:30 pm.

Chain of Ponds Update: Lutjen stated this was already covered tonight with the Public Hearing.

Conservation Easement Deed Revisions: Nothing to report as this was discussed under Tim Nolin – Forest Land Improvement.

Property Review Commitments: Lutjen asked Mauro how he was coming on the property review for Durgin Pond and Durgin Farm. Mauro stated he is almost done and he will email it to Young.

Master Plan: Ohlson stated that the redrafting of the Master Plan is more than what the Planning Board could do and that the Board had discussed at their meeting, the possibility of hiring a Planner, Jamel Torres, who was Conway's Planner, to come to the Planning Board meeting on May 1st and help the Planning Board decide how comprehensive they want to be with the Master Plan.

Lutjen stated that Chapter 8, which is the Madison Conservation Commission's chapter, is nearly complete and they need to make one more version from tonight's meeting and the next month, the commission can decide where they want to go with this.

Digitalizing Property Town Reports: Young stated she had talked with Larry Meader at Minuteman about having Young send to Meader a chapter of one of the property descriptions with different sized documents and he will talk with his graphics team as he believes they may be able to do a Word document. Meader told Young this would give her the opportunity to see if it worked properly. The commission was in agreement.

PUBLIC COMMENT: Marcia McKenna stated that the McNair easement property is under agreement and that the commission should revisit the easement and approach the new owner to see if they are willing to work with the Commission to strengthen the easement.

Marcia McKenna also stated she believes that if USVLT does not receive all of the fundraising for the Chain of Ponds, that the Conservation Fund will step in and supplement any gap in funding so the purchase will go through and this is how they have approached other large projects and to supplement any fundraising that did not happen in totality and then over the years, the fundraising continues to pay them back. McKenna stated that Lutjen should not be looking at this as it might not go through but that Lutjen should check with Mike Morin on this. Lutjen stated that he has had conversations with Morin and Morin did not indicate this possibility.

Donna Veilleux, 1227 Lead Mine Road – Veilleux asked if it was customary for the commission to forward this public hearing to the selectmen and is it customary that it goes with or without the commission's recommendation and was discussed as a board before you put that forward to the Selectmen. Veilleux was asking as she is not sure of the protocol.

Lutjen stated they will report the outcome of the public hearing and the fact that it happened and the fact that he believes it was unanimous in terms of the people present, the commission is going to propose a recommendation to move forward on the Conservation Easement at the appropriate time. Veilleux asked if this board would take a vote on this.

Lutjen asked for a motion.

Motion by Lutjen, seconded by Ohlson to approve pursuing the Conservation Easement for the Chain of Ponds property. The motion was voted on and passed **4-1** with Mosher abstaining as he does not have enough information on the Conservation Easement Agreement.

Selectmen's Report: Mauro stated that voting and town meeting are coming up and that there are two Warrant Articles for the Madison Conservation Commission, one being funding and the other is the East Davis Pond lot

property which is town property to be turned over to the Conservation Commission and that the Selectboard are in support these two Warrant Articles and Mauro is hopeful both will pass at town meeting.

Planning Board Report: Ohlson stated the Board did a Boundary Line Adjustment and are in the process of working on the Master Plan which is going to cost money.

Old Home Week: Slader asked the commission if they were interested in having Wildlife Encounters bring animals for a presentation during Old Home Week and if so, the payment is \$453.40. The commission thanked Slader for all his hard work on pulling this together every year.

Motion by Brooks, seconded by Mosher to authorize the payment of \$453.40 for the Wildlife Encounters to do the animal presentation at the Madison Elementary School during Old Home Week. The motion was voted on and passed **5-0**.

McKenna asked if the alternates were going to be elevated so the votes are going to be accurate.

ELEVATION OF ALTERNATES: **Motion** by Lutjen to elevate Downs and Slader in pursuing the Conservation Easement for the Chain of Ponds. There was no second to the motion or vote, so the motion did not pass as McKenna interjected.

McKenna also stated that the Commission will also want to have someone prepared to talk about the Davis Pond piece at town meeting.

APPROVAL OF MINUTES: **Motion** by Ohlson, seconded by Brooks to approve the February 1, 2024 minutes as written. The motion was voted on and passed **4-1** with Mosher abstaining as he was not present at the February 1, 2024 meeting and did not have a chance to review the minutes.

Account Balances as of January 31, 2024

Conservation Land Use Change Tax: **\$213,671.05 + \$775.00 + \$1.82 Interest = \$214,447.87**

Forest Maintenance Account: **\$69,915.56 + .60 cents Interest = \$69,916.16**

Conservation Gift Account: **\$4,469.71 + .04 cents interest = \$4,469.75**

Capital Reserve Account: **Balance as of February 1, 2024 is \$60,174.37**

ADJOURNMENT: **Motion** by Lutjen, seconded by Mosher to adjourn the meeting. The motion was voted on and **5-0** and the meeting adjourned at 5:55 pm.

Submitted by:

Katharine Young
Land Use Boards Administrator