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MINUTES
May 1, 2025

MEMBER ROLL CALL:

Ralph Lutjen, Chairman – Present
Mike Brooks, Vice Chair – Present
Mike Mosher – Present
Rick Judkins - Selectmen’s Rep. - Present
Marc Ohlson – Present
Liza Rogerson (Alternate) – Excused

Ted Slader (Alternate) – Present
Marcia McKenna - Present
Josh Shackford - Present

OTHERS PRESENT: Kasia Scentsas - Madison TV, Katharine Young, Land Use Boards Administrator, Doug Burnell, Linda Comeau and Eric White from Upper Saco Valley Land Trust, Jill Emerson and AmeriCorps. members Emma and Rachel from Green Mountain Conservation Group, Heather O’Donnell, Recreation Director and Shawn Bergeron, Bergeron Technical Services.

MEETING POSTED: The meeting was posted in the Madison Town Hall Upper & Lower levels, Madison & Silver Lake Post Offices on April 24, 2025.

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

ELEVATION OF ALTERNATES: Chairman Lutjen stated there was no need for elevation of alternates as a quorum was present.

APPROVAL OF MINUTES: Chairman Lutjen asked for any comments or issues with the minutes from April 3, 2025.

Motion by Mosher, seconded by Lutjen to approve the April 3, 2025 minutes as written. The motion was voted on and passed **unanimously**.

PUBLIC COMMENT: There was no public comment.

OLD BUSINESS:

Tim Nolin – Forest Land Improvement – Forest Maintenance Budget:

Chairman Lutjen noted that Nolin had submitted his budget for review. Members commented that Nolin seemed to be making good progress and doing a thorough job with property reviews and site visits. Chairman Lutjen stated that Nolin was very active with respect to items that needed to be done.

Chairman Lutjen asked for a motion to approve Nolin's budget in the amount of \$4,260.00

Motion by Mosher, seconded by Lutjen to approve Nolin's budget of \$4,260.00. The motion was voted on and passed **unanimously**.

Chain of Ponds Update – Doug Burnell, Linda Comeau & Eric White, USVLT Update:

Chairman Lutjen asked the members to approve a letter he had drafted regarding the Chain of Ponds project which is in response to a letter received on April 28, 2025 from Eric White, as well as an email from Laura Weit-Marcum from Drinking Water & Groundwater Trust Fund, same date.

Motion by Lutjen, seconded by Mosher to approve Lutjen's letter to Eric White, Upper Saco Valley Land Trust (USVLT) dated May 1, 2025. The motion was voted on and passed **unanimously** with McKenna abstaining because she did not fully understand the rationale behind the letter. She thought they were still going to receive language from other donors to work into the easement.

Chairman Lutjen hand-delivered the Madison Conservation Commissions (MCC) response letter dated May 1, 2025 to White at the meeting. Chairman Lutjen further clarified that the email dated April 28, 2025 had been provided to the MCC from Laura M. Weit-Marcum from Drinking Water & Groundwater Trust Fund stated that "the terms of the conservation easement have broken down. USVLT has contacted the NH Department of Environmental Services (NHDES) and has requested the Conservation Easement be removed as the legal instrument to permanently protect the property. Instead, they are proposing to own the property in-fee simple, with a copy of the grant agreement recorded with the Registry of Deeds, which would require USVLT to execute a Conservation Easement or deed restrictions when USVLT transfers the fee-interest in the property to another party." The commission also received a letter dated April 28, 2025 from Eric White, Executive Director at USVLT stating that "Because of our funder's strict deadline and expectation, we informed them that the purchase of the property will not include a conservation easement; however, this does not have to mean an end to our negotiations." Chairman Lutjen stated the MCC prepared a response letter disagreeing with that characterization and describing their efforts to communicate and negotiate with USVLT and reiterated USVLT's statement, again, is grossly incorrect. Chairman Lutjen expressed frustration that USVLT had not provided any comments on the draft easement which had been emailed to them on March 12, 2025.

Comeau stated that USVLT's attorney, Attorney Levin, has reviewed the draft Conservation Easement as it currently stands, and he has concerns further negotiations are needed. White apologized if his letter came across as suggesting negotiations had broken down, as that was not his intention. He further explained that the language in the Conservation Easement needs to be worked out between the attorneys. He also stated USVLT wants to work with the MCC. Comeau explained they are still very

interested in the project but have been trying to navigate timing issues with funders like the Drinking Water Groundwater Trust Fund.

Chairman Lutjen stated he does not know where USVLT stands and that USVLT provided a draft of what they will accept and then recommend that the attorneys talk. He further stated that the MCC are the participants in this, not the attorneys. Comeau stated that after a year of negotiations, the parties have been unable to come to terms.

Burnell stated that some of the MCC's terms in the conservation easement are unique and that USVLT would not put them in their easement. He further stated that there needs to be a workshop between the parties. Chairman Lutjen requested that USVLT provide a response to the draft of the Conservation Easement previously emailed to USVLT on March 12, 2025 so the MCC has something to work with. White stated they will get that to the MCC as soon as possible and that USVLT did not anticipate the Drinking Water & Groundwater Trust Fund's deadlines. Comeau stated that they just received the grant agreement from Drinking Water & Groundwater Trust Fund last week. She further stated that the closing date is scheduled for November 14, 2025.

Brooks stated that the Conservation Easement should be set aside and that negotiating the Conservation Easement is fruitless since there is no room for negotiation based on the funders terms if the project falls apart and we may not have any bargaining issues. He further stated that the MCC must protect the best interests of the Town of Madison.

Brooks asked how quickly can the MCC get responses back to our Conservation Easement draft? Comeau stated that Attorney Levin wants to work with only the MCC's attorney. Comeau stated she would get Attorney Levin's comments to the MCC by Monday, May 5, 2025. White stated they need to know if the MCC is behind the project and if the MCC goes to the funders, this project will disappear and he stated that they are under a tight timetable. Comeau stated it is a 120-day review for the Drinking Water & Groundwater Trust Fund. Lutjen stated the MCC will work to conclude the agreement by June.

Chairman Lutjen agreed to modify the MCC's response to the Drinking Water & Groundwater Trust Fund to indicate the MCC is still actively negotiating with USVLT. The MCC decided not to contact other donors at this time until they could review USVLT's comments.

Bergeron explained his frustration and he stated that there needs to be attorney to attorney conversations which would be better than not and he suggested, let the attorneys nail down the language. He is also concerned because his office is in the process of finalizing plans for the subdivision and he is going to the Planning Board in June for subdivision review and hopefully, will have the subdivision approved in July. He further stated that USVLT and the Conservation Commission need to get this Conservation Easement negotiated.

Comeau stated the updated surveys are underway and the funders are on board with or without the Conservation Easement and she is hopeful we can come to a resolution. White stated he is looking forward to working with the MCC.

Conservation Easement Deed Revisions – Update, if any from USVLT or Attorney Levin:

This item was covered in the previous discussion.

Property Review Commitments – Update from Lutjen, if any: Chairman Lutjen reported he had completed the two missing property reviews which were for Stacy Mt. - Bald Ledge Property and McNair-Durgin Farm Property. He noted these were for easements rather than town-owned properties, representing about 600 acres. Chairman Lutjen volunteered to review all the updated property descriptions to ensure comments had been incorporated. This would prepare them to move forward with digitizing the records once complete. McKenna stated that abutters may have changed over the years.

NEW BUSINESS:

Green Mountain Conservation Group 2024 Quality Report – Jill Emerson & AmeriCorps. Members: Jill Emerson from Green Mountain Conservation Group (GMCG) presented their 2024 water quality report for Madison. She introduced Emma and Mackenzie, seasonal employees who had previously been AmeriCorps members.

Emerson regretfully informed the committee that they had recently lost their AmeriCorps funding due to federal budget cuts due to DOGE. They were still committed to continuing their programs but were evaluating the impacts.

Emma presented details on the water quality sampling conducted at four sites in Madison:

- GM1 (Banfield Brook): Sampled year-round. Showed increasing trends in phosphorus and turbidity since 2020, though still within acceptable ranges. Conductivity exceeded standards from May-December. Chloride and nitrate routinely exceeded pristine water quality standards.
- GM3 (Forest Brook): Conductivity exceeded standards in September.
- GM4 (Farrin Brook): Showed improvements in phosphorus and turbidity levels. Conductivity exceeded standards in September.
- GM5 (Mill Brook): Showed improvement in conductivity levels. Dissolved oxygen and temperature relationship was weaker than expected.

Emma stated that overall, water quality in Madison was reported to be good, with some concerns about conductivity levels likely related to road salt use. There was discussion about efforts to reduce road salt impacts, including use of alternatives like brine solutions.

The Conservation Commission thanked Green Mountain Conservation Group for their work and report.

Green Mountain Conservation Group Summer Camp Program – Heather O'Donnell Rec. Director:

O'Donnell discussed plans for GMCG to provide educational programs during the Madison summer camp in July. They were planning for five weekly one-hour sessions, potentially alternating Tuesdays and Wednesdays. The programs would focus on hands-on science activities for about 20 campers.

The Conservation Commission expressed support for funding these educational programs. GMCG said they remained committed to providing the programs despite recent funding cuts, but may need to adjust details as they evaluate impacts and O'Donnell and GMCG will work together on this.

Selectmen's Report: - Rick Judkins, Selectman's Rep: Judkins reported that filter systems were being installed on the town well. More comprehensive details would be provided at the next month's meeting.

Planning Board Report - Marc Ohlson, Chairman: Ohlson reported the Planning Board did not meet in April due to no quorum and their next meeting would be on May 7th.

Administrative Correspondence:

Letter to USVLT dated May 1, 2025: This item was covered in the earlier Chain of Ponds discussion.

Chairman Lutjen went over the following accounts:

Account Balances as of March 31, 2025 – Camden National Bank March 17-March 31, 2025:

Conservation Land Use Change Tax: \$225,772.72 + \$2.78 Interest = \$225,775.50

Forest Maintenance Account: \$61,933.67 + \$.76 cents Interest = \$61,934.43

Conservation Gift Account: \$261.76

Capital Reserve Account: Balance as of March 1, 2025 is \$67,261.48

Young, Land Use Boards Administrator presented the members with pictures of donation boxes with lock and key to be used at the Old Home Week Animal Presentation. She stated one box cost \$11.99 which was plastic and the other was \$39.99 which is made from wood. The members decided on the wood box for \$39.99. Young stated she would order it.

Chairman Lutjen asked for a motion to approve spending \$39.99 from the Conservation Commission's supply line.

Motion by McKenna, seconded by Lutjen for Young to purchase the \$39.99 donation lock box. The motion was voted on and passed **unanimously**.

Slader stated that the school gymnasium was not available for the animal presentation during Old Home Week and asked if it could be at the Madison Fire Department again this year. Brooks stated they did it last year and can do it again this year if the school is unavailable.

The commission decided to do a "workshop meeting" on May 6, 2025 at 4:30 pm at the Madison Town Hall, Lower Level, to review USVLT's comments which the MCC is hopeful they will receive from USVLT as promised by them on May 5, 2025. Young stated she will do the posting.

Adjournment:

Motion by Mosher, seconded by Lutjen to adjourn the meeting at 6:19 pm. The motion passed was voted on and passed **unanimously**.

Katharine Young

Land Use Boards Administrator