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MINUTES
June 6, 2024

MEMBER ROLL CALL:

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

Ted Slader (Alternate) – Present
Noreen Downs (Alternate) – Excused
Marcia McKenna - Present
Joy Gray– Selectmen’s Rep. - Excused

OTHERS PRESENT: Kasia Scontsas - Madison TV, Katharine Young, Land Use Boards Administrator and Doug Burnell, USVLT

MEETING POSTED: The Public Hearing was posted in the Madison Town Hall Upper & Lower levels, Madison & Silver Lake Post Offices on May 30, 2024.

CALL TO ORDER: Lutjen called the meeting to order at 4:36 pm.

ELEVATION OF ALTERNATES: **Motion** by Lutjen, seconded by Shackford to elevate Slader to full voting member. The motion was voted on and passed **unanimously**.

APPROVAL OF MINUTES: **Motion** by Lutjen, seconded by Shackford to approve the May 1, 2024 minutes as written. The motion was voted on and passed **unanimously**.

PUBLIC COMMENT: Lutjen stated there was no public comment but Slader asked if he could speak.

Slader stated he has been on the commission since 2010 and he and his wife have always maintained the path on the Ward Parcel and because of the recent storms, there are about 20 trees down that require chainsaw work to keep the path open. Slader stated he is going to continue opening it up and if his neighbor will continue to help him, then they will do the chainsaw work. McKenna stated that at the May meeting it was discussed to put something on the website that says the trails have suffered damage. McKenna stated it could take a few years to get the trails cleaned if they wait for Nolin to do it on a rotating schedule.

Tim Nolin – Forest Land Improvement: Nolin was not present.

Motion by Lutjen, seconded by Shackford for Young, Land Use Boards Administrator to email Nolin and ask him to survey the trails and if the trails are in any need of repairs to report back to Young. The motion was voted on and passed **unanimously**.

McKenna stated she called Nolin and he did flag the McNair easement boundaries and there should be some charge for that.

Lutjen stated that some of the trails are covered by Nolin's budget of approximately \$4,000.00 and the board had not approved his budget yet.

Motin by Lutjen, seconded by Shackford to approve Nolin's expense level for this year.

Discussion: Shackford stated that Nolin did have a plan but that the last time Shackford talked with him, he stated it may change a little bit because of the storms this year.

The motion was voted on and passed **unanimously**.

The commission asked Young, Land Use Boards Administrator to post on the Conservation website a disclaimer about the storm damage to the trails.

Chain of Ponds: Burnell stated that Linda Comeau has started working on the edits to the draft Conservation Easement from the May 23, 2024 work session meeting. He further stated that USVLT needs to sit down with their land attorney and look at what their plans are for the property. Burnell also stated that he had a meeting with Sally Manikian and they received \$400,000.00 from the Community Forest Grant which is through USDA Forest Service and they were one out of 13 nationally, to get this grant. Lutjen asked what the total commitment to date is? Burnell stated there is \$900,000.00 pledged including the \$213,000.00 pledge from the Madison Conservation Commission. Burnell also stated they have received \$45,000.00 in donations. Lutjen asked if the closing would take place before 2025? Burnell stated there is due diligence work needed to be done which is another title search, environmental site assessment and that the surveys are progressing. He further stated that one subdividing land off Forest Pines Road, the owner, had trouble getting the Crowe family to authorize it and USVLT has not been authorized by the landowner.

Burnell stated that there are some other factors where there was an old gravel pit that was used to build Forest Pines Road when Bruce Thomas owned the land and that this may be an issue and may have to be excluded and declared non-conservation land and they are looking at options. He further stated that there was discussion about the parking lot and that one of the funders may not want to have a parking lot on the property. Burnell stated that you would need a trail head off Forest Pines Road and once you start having automobiles, then this other fund, the Drinking Water and Ground Water Trust Fund, may not approve this.

Shackford asked why would the old gravel pit not be allowed as it has not been active? Burnell stated it probably cannot be active because technically, USVLT would have to have a restoration plan and if you keep it active, you never have to do the restoration plan.

Conservation Easement Deed Revisions: Lutjen stated that Downs did the minutes at the May 23, 2024 work session as Young was unable to attend. Young stated she received Down's minutes on June 4, 2024 and she forwarded them to the commission members on June 5, 2024. Lutjen asked that everyone who attended the May 23rd meeting to forward any comments to Young. McKenna stated there was one point that Down's highlighted in yellow in her minutes that she was not sure if Burnell "have spoken (or will speak)" with the Davis Pond organization about the easement. Burnell stated he is hoping to do this and that technically, USVLT would have an easement past Madison Boulder as an end view point which is a legal right of way for USVLT. Burnell stated he talked with the state parks department and it was of great interest to them to have something other than just to walk to the boulder and have another trail leading off.

Burnell stated this might be the appropriate entrance to the property from the north end and then they would stay out of the Davis Pond area altogether but that they would have an entry point for maintenance only.

Lutjen stated that from the May 23, 2024 work meeting, he was trying to focus on what the commission wants to do with the property as to what they thought was permitted and what they wanted to avoid and he narrowed it down to four paragraphs as shown below:

Page 6 – 3.1B – Commercial Activities – Suggest deletion

Page 17 – 3.11.A – Low Impact Outdoor Recreation Suggest deletion of trapping, horseback riding and non-motorized bicycling and bicycling in designated areas. Permitted activities-low-impact outdoor recreation-walking, hiking, nature observation and study, cross country skiing, snowshoeing, fishing and hunting.

Page 17 3.11D – Snowmobile permitted on designated trails.

Page 18 3.11.D.1 – Suggest no camping, horseback riding, mountain biking, all-terrain and other motorized vehicles and commercial uses.

Burnell stated that you do have to keep it open to hunting per LCHIP. Lutjen stated that LCHIP is consistent with the commission's desires.

Shackford brought up the deletion of trapping and that sometimes it is necessary, especially beaver dams as they do damage to properties. Lutjen stated maybe we could say that trapping is required under certain circumstances. Burnell stated you would have to have landowner permission and Shackford agreed and stated trapping is highly regulated by the state. Burnell stated that USVLT does have a small grant from Fish and Game and maybe they can consult them.

Lutjen stated the May 23, 2024 meeting was quite constructive. McKenna asked if the commission would meet one more time as a group? Lutjen stated yes and he would invite Tim Nolin to this meeting.

Burnell asked if USVLT could get a Letter of Intent from the commission. Young stated that was previously provided to Mike Morin. Young stated she would send that along to Burnell.

Property Review Commitments: No update was provided from Ohlson or Gray as they were not in attendance.

Young asked Lutjen what to do with Down's minutes from the May 23, 2024 meeting as they need to be voted on. Lutjen asked that the attendees make their comments and forward them to Young and then they will go to Downs for any revisions. Young stated that she sent an email to Downs stating that she should be present when the commission votes on her minutes in case any revisions are needed.

Master Plan: Lutjen stated the commission has a draft of Chapter 8 which is in pretty good shape and he does not think we should have a 2024 version when we are going to have the Chain of Ponds which is going to require a significant modification. He further stated that it should be updated after the commission consummates the deal so that all that information will be incorporated in the commission's draft. Young let the commission know that the Planning Board met last night with a Planner and she is not sure what the Planning Board is going to do as far as the Master Plan at this point.

Digitalizing Property Town Reports: Young stated she has not had a chance to revisit this task.

NEW BUSINESS:

Election of Officers: Lutjen asked for a Motion for Chairman.

Shackford nominated Lutjen as Chairman.

Motion by Shackford, seconded by McKenna that Lutjen continue as Chairman. The motion passed **unanimously**.

Lutjen nominated Shackford as Vice Chairman.

Motion by Lutjen, seconded by Slader to nominate Shackford as Vice Chairman. The motion passed **unanimously**.

Summer Camp: McKenna stated that in the minutes she and Downs were going to contact the guidance counselor at the Madison Elementary School to inquire if there were any eligible students for summer camp. McKenna stated she has had a difficult time reaching the school counselor. McKenna further stated that we have around \$600.00 in the gift account that could be used to fund scholarships this year but next year, if we cannot use the Forest Management Account, we have no money and we would have to put this in the budget and she is not sure if the commission wants to ask the tax payers to support that. McKenna stated she is not sure if they should actively pursue the scholarships if they have no funds available to back it up. Young stated for the record, that last month, Downs stated that we budgeted the \$400.00 for the scholarship fund for this year and that was incorrect, as that money last year for scholarships was going to come from the gift account and Young also stated, that you cannot budget donation money. McKenna stated that maybe have a fundraiser or the members would have to pony up the money or do something to fund this scholarship because we do not have access to money that we thought we would have access to. Lutjen asked if we have any students that are eligible? McKenna stated she never heard back from the guidance counselor. Lutjen stated we have money in the gift account and could do scholarships this year. Lutjen stated he really wants to make this program available for the future and that we should not have an issue for a \$400.00 or \$600.00 appropriation and we should put this in the budget as a line item for next year.

McKenna stated that she understood that the way the initial Forest Management Account was set up was that this money was only available for forest management and is not available for legal fees. She further stated she is not sure if legally, they can rewrite it to give the commission more access to money for things the commission deem conservation mind and measures or if there needs to be a whole different warrant article that might appropriate some of the money out of that fund and into a different fund that would give the commission more access. McKenna suggested that maybe we should ask the town attorney his opinion if we can modify the account. Lutjen agreed and stated we need certain flexibility to access money. Young stated she thought there were restrictions on how the money is used from the Forest Management Account but that she would confirm with town counsel. Shackford asked what is the money for in the Forest Management Account? McKenna stated she believed it was for trail maintenance, mowing of the trails for Old Home Week and Nolin's budget. McKenna stated she thought they could use the money for legal fees for the easement because it would be to manage more forest if we acquire the Chain of Ponds.

McKenna asked again about changing the meeting time to either 6:30 or 7:00 pm and that Gray, Downs, Tim Nolin and herself are in favor of this. Lutjen stated he likes the meeting time at 4:30 pm and Shackford and Young were also in agreement. Lutjen stated we will table this to the July 11, 2024

meeting. McKenna stated for the record, that if she is not present at the July meeting and there is a vote, that she is in favor of changing the meeting time to 6:30 pm or 7:00 pm.

McKenna asked about the Hurricane Point and has Brooks refurbished it? Shackford stated he has the old sign at the garage and it needs to be replaced. Shackford will talk with Gemini Sign to see if they could do a new sign, what the cost would be, and that cost could come out of the Forest Maintenance Account. Shackford stated he would take a picture of the sign and forward it to Gemini Sign for a price.

Lutjen stated the commission received an email from John and Heather Krellner who bought a portion of the Malcom P. McNair parcel off Lead Mine Road, Map 246, Lot 13 which also includes the Conservation Easement around Durgin Pond. Lutjen asked that Young forward this email to Tim Nolin for his input in possibly assisting Krellner with a forestry management plan. Young stated she will also send a confirmation to Krellner.

Selectman's Report: Gray was not present to give the Selectmen's Report.

Planning Board Report: Ohlson, Chair of the Planning Board was not present to give his report.

Lutjen went over the account balances as of April 29, 2024 and May 31, 2024 as follows.

Account Balances as of May 31, 2024 - Received 6/4/2024

Conservation Land Use Change Tax: **\$214,451.39 + \$1.77 = 214,453.16**

Forest Maintenance Account: **\$69,917.31 + .57 cents Interest = \$69,917.88**

Conservation Gift Account: **\$661.76**

Capital Reserve Account: **Balance as of June 2, 2024 is \$60,814.32**

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ADJOURNMENT: Motion by Lutjen, seconded by Shackford to adjourn the meeting. The motion was voted on and passed **unanimously** and the meeting adjourned at 5:30 pm.

Submitted by:

Katharine Young
Land Use Boards Administrator