

**Meeting**  
**Tilton Conservation Commission**  
**Tilton Town Hall First Floor Meeting Room**  
**October 21, 2024**  
**MINUTES**

**Present:** Chuck Mitchell, Jim Cropsey, Helen Hanks, Bob Hardy, Ken Norton, Paul Rushlow, Jon Scanlon, Ben Wadleigh, and Kathi Mitchell

**Observers:** Jane Alden and Patricia Consentino

The chair opened the meeting at 6:56 pm.

1. **September Minutes:** Jim made a **motion** to approve the September minutes as amended by deleting Helen's name since she was not present and changing the word "pollution" to "contamination". Bob seconded the amended motion. The motion was approved with one abstention.
2. **Old Business:**
  - a) **Salmon Run** – Chuck contacted the water company to shut off the water at Salmon Run. There was a discussion about the padlock and keeping the valve open. The chair will handle this matter. The Public Works crew has done an excellent job keeping the area mowed. It is nice to be able to see the river.
  - b) **WRTA** – Ken reported that the Tastes of the Trail was a successful event. All proceeds will be directed toward trail maintenance. WRTA volunteers have repaired a damaged bridge.
  - c) **Taking Action for Wildlife** – There is a Zoom meeting scheduled for tomorrow to review the planned activities which include:
    - (1) Checking with the Lakes Region Conservation Trust about ways to preserve open lands in town
    - (2) Contacting landowners about the possibility of establishing conservation easements
    - (3) Members will review maps provided by the TAFW team. Interested members were given flash drives with various maps and spreadsheets.
    - (4) The secretary will work with the TAFW team to explore ways to explain to members of the community that there are economic and cultural advantages to maintaining open spaces and wildlife corridors.Members suggested obtaining copies of slides and other visuals from the TAFW's original presentation to share with the community.
3. **New Business:**
  - a) **NHACC Dues** – The annual dues are \$250. Bob made a **motion**, seconded by Ken, to pay the invoice. The motion was approved.
  - b) **Warrant article for Improving and Maintaining Lakes Capital Reserve Fund** – There was a discussion about milfoil located at the boat ramp on Route 140. The secretary was asked to contact various entities to encourage them to consider acquiring funding to remove the invasive plants. Discussion about the proposed warrant article ensued. The Winnisquam

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Watershed Network had requested \$4336 for work done this summer; the Silver Lake Association had requested \$2000. Both requests were approved. Bob made a **motion** to approve a request for \$6000 at next year's Town Meeting to replenish the fund and to be added to the town's warrant. Ken seconded the motion, and it was approved.

#### 4. **Correspondence:**

- a) NH DES File #2024-02416 1003 Laconia Road Winni Boats 9.16.24 Permit approved
- b) NH DES File #2024-01679 12 Murphy Lane Patti/Ross Garofalo 9.18.24 Permit approved
- c) Army Corps of Engineers Minor or Major Impact NH Wetlands Permits 9.18.24 Notice
- d) Tilton Wildlife Alliance Environmental Investigation letter 10.7. 24 Peter Spear
- e) Terrain Planning and Designing LLC – The Preserve 10.11.24

They are requesting additional boat slips. Concern was expressed about the natural loon nesting at the area of possible changes. The chair will contact Lisa Eggleston of the Winnisquam Watershed Network, NH DES, and the Loon Preservation Society.

- f) NH DES File #2024-03048 Eversource Energy ROW PbN10.11.24 PbN accepted

#### 5. **Other:**

Issues of concern and interest were discussed.

Helen made a **motion**, seconded by Ken, to incorporate Kathi Mitchell's comments about zoning issues in these minutes since they were not permitted to be read at the ZBA meeting. The motion passed. (See below.)

Helen made a **motion** to adjourn at 8:34 pm. Bob seconded the motion. All were in favor.

Respectfully submitted by Kathi Mitchell

## Letter from Kathi Mitchell to the Zoning Board of Adjustment

Please have the comments below read into the public record of the ZBA meeting (10-15-2024) for ZB #24-16.

The Handbook for NH zoning boards states:

1. (Page II-11) “The board does NOT have the discretion to grant a variance because they ...believe the project is a good idea.”
2. (Page II-12) “The Board of Adjustment MUST determine the legal purpose the ordinance serves and the reason it was enacted. This may include a review of the master plan upon which the ordinance is based.
3. (Page II-13) When the ordinance contains a restriction against a particular use of the land (*for example, no apartments in a particular zone*) the BOA would violate the spirit and intent of the ordinance by allowing that use.... The board CANNOT change the ordinance.

As a resident of this community, I request that this case be continued until a full review of the ordinance, its legal purpose, the reason why it was enacted, and the connection with the master plan be examined closely before any decision for this case is voted on by the ZBA. I believe that this detailed review needs to include the possible impacts on town services and infrastructure such as traffic, schools, police, fire, trash, public works department maintenance, and the safety of residents traveling on Route 3. It is interesting to note that Tilton has had a net increase of 680 people over the last 24 years; this project could bring more than that in a short period of months. Any decision needs to be made carefully in consideration of all factors since it has the potential to forever change this community.