Members present: Bob Hardy, Jon Scanlon, Ben Wadleigh, Paul Rushlow, Chuck Mitchell, Helen Hanks and Kathi Mitchell. Also present: Eliza Conde, Secretary and Harry Schneider.

Minutes: Paul Rushlow moved, seconded by Kathi Mitchell to accept the minutes of September 21, 2009 with some corrections. Motion passed.

Clement Dam Hydro LLC: Harry Schneider presented copies of the Minimum Impact Expedited Wetlands Permit application for review by members. He presented photos showing the area of rip rap that has washed out with the heavy rains of the past few years. With the rocks removed in this area, water is undermining the butterfly valve that was installed in 1984. This valve is the main shut off for the penstock used to control the amount of water flow. The plan is to replace only what was there with no change to the structure. Members suggested replacing with larger rocks that won’t be washed away with heavy rains. Rocks and boulders will be placed with a crane that will be based upon the shore. Bob Hardy questioned the report from the NH Natural Heritage which lists 2 endangered species. He suggested that Mr. Schneider contact Kim Tuttle at NH Fish & Game and request a letter of clarification to include with the permit application. After further discussion, Chuck Mitchell moved, seconded by Bob Hardy to sign the application with no comment. Motion passed, application signed.

Survey: After review of the survey mapping and comments from Paul Darbyshire, Chuck Mitchell moved, seconded by Bob Hardy to pay $4,600 to Paul M. Darbyshire Associates from the Conservation Fund for the boundary survey of Tax Map U4 Lot 72 and U5 Lot 1A. Motion passed.

Members discussed the issue of the property having been deeded to the State of NH in 1939 and the fact that the state still has this property on their records. It was decided to pursue asking the state to deed the property to the town and seek help from Councilor Ray Burton. In the meantime, the Commission will contact the Title insurance company and file a claim. Chuck Mitchell moved, seconded by Bob Hardy to contact Ray Burton asking his help in obtaining a clear title to this property. Motion passed. Chuck Mitchell will send a letter to Mr. Burton. Helen Hanks will speak with the Selectmen informing them of the situation. Kathi Mitchell will provide a time line of research, etc. completed on the property.

Newsletter: Kathi Mitchell will continue with the next issue.
Other:

- **Todd Thomas:** An email was received from Mr. Thomas with concerns about runoff from the road creating a sandbar near Mohawk Island. Chuck and Kathi Mitchell visited the site, took photos and responded by email to Mr. Thomas. They suggested that Mr. Thomas submit a complaint form to DES and provided him with the pertinent information.

- **WRSD:** Bob Hardy explained that a DES employee discovered that work had begun with installation of a culvert and impacting wetlands with no permit at the Middle School and a cease and desist was issued. As the entire property has been delineated for wetlands and many of the areas are under a Conservation Easement created during the last expansion, it would appear that the District is ignoring the wetlands issues. Bob Hardy also commented that it appears that the intended location for the Biomass plant to be constructed is within the area of a detention pond. Chuck Mitchell moved, seconded by Jon Scanlon to send a letter to WRSD indicating to them that the Biomass facility may be within the drainage swale created during previously approved plans. Motion passed.

- **Groundwater Ordinance:** Kathi Mitchell noted that it appears that the Planning Board has already held a public hearing on the proposed ordinance as prepared by LRPC and is not in favor of its passage.

- **Burger King:** Jon Scanlon reported that there is trash being generated by Burger King in and around the property area because there are no trash receptacles. He asked that the site plan for the restaurant be reviewed to see if it includes trash receptacles. A letter will be sent to Burger King management indicating concern for trash being found in the river.

Correspondence:

- DES – Ronald Smith
- DES – Town of Tilton
- DES – O’Shaughnessy approval
- NHCC annual meeting notice
- LRPC – water quality ordinances
- DES – mitigation grants
- Tilton Budget Committee – Nov 4, 7:20 pm.

Meeting adjourned at 8:55 PM.

Respectfully submitted,

Eliza Conde, Secretary