

**CONSERVATION COMMISSION
MINUTES
29 OCTOBER 2013**

PRESENT: Commission members Ron Gehl (Vice-Chair), Bill Malay (Alternate), Bob Craycraft (Alternate), Recording Secretary Amy Smith.

OTHERS PRESENT: Gail and Don Holm.

EXCUSED: Paddy McHale, Charlie Berube.

Vice-Chair Gehl called the meeting to order at 7:08 pm and designated Mr. Craycraft and Mr. Malay to sit in as voting members.

Town Owned Parcel – Map 209 Lot 046

Don and Gail Holm stepped forward regarding the Town owned parcel of land known as Map 209 Lot 046. At the 27 August 2013 Commission meeting the Conservation Commission, at the request of the Selectmen, reviewed the parcel. The Conservation Commission, as well as, the Planning Board submitted memos to the Board of Selectmen suggesting the Town keep the parcel as conservation land.

Commission members and Mr. & Mrs. Holm reviewed tax map 209 showing the parcel in question, as well as, abutting properties. Mr. Holm stated he spoke with the owners of the non-conforming lots (lot 43, lot 44, and lot 45) to see if they would be interested in purchasing a portion of Map 209 Lot 46 to make their substandard lots conforming. Lengthy discussion followed regarding the terrain of the land in question, septic systems, and the classification of the road. Commission members agreed that due to these factors, it is unlikely that the three non-conforming lots will ever be conforming.

Commission members also discussed annexing the property to the Holm's conservation easement. Discussion followed regarding the logistics of how to best conserve the property. It was noted that ultimately the decision of what to do with the parcel is up to the Board of Selectmen.

Thompson Conservation Easement

Ms. Smith stated Board of Selectmen Chair Terry Jarvis asked about the 24 September 2013 vote regarding the Thompson conservation easement and whether a public hearing was necessary. Ms. Smith stated she reviewed Town Warrants dating back to 1970 to gather pertinent information regarding the establishment of the Conservation Fund. Ms. Smith stated she forwarded the information she found from the Town Warrants to the Local Government Center (LGC) and asked the LGC Attorney if a public hearing is required. Ms. Smith stated she will inform Commission members of the LGC Attorney's opinion as soon as she receives it.

Commission members reviewed documentation regarding when a public hearing is necessary. Commission members also discussed the differences between owning a conserved parcel, having an interest in a conserved parcel, and making a donation to a charitable entity to procure and manage a conserved parcel. Vice-Chair Gehl stated, he believes, in the case of the Holm easement it was the Board of Selectmen, not the Conservation Commission, who held a hearing. Mr. Malay found a public hearing notice regarding the Holm conservation easement which was held 29 December 2008. Vice-Chair Gehl asked Ms. Smith to research the Board of Selectmen's minutes from 29 December 2008 and forward them to Commission members. Commission members noted they may need to re-vote on the Thompson easement depending on the legal opinion of the Local Government Center Attorney.

Non-Public Session

At 8:30 pm Mr. Craycraft made a motion to enter into non-public session pursuant to RSA 91-A:3 (d) consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to the general community. Mr. Malay seconded the motion. A roll call vote was taken: Craycraft – Aye; Gehl – Aye; Malay- Aye.

At 8:40 pm Mr. Craycraft made a motion to exit non-public session. Mr. Malay seconded the motion. The motion was unanimously approved

While in non-public session the Commission discussed a Conservation Easement.

Review of Permit by Notification Application -Susan Drady – 228 Pine Point Road- Map 102 Lot 011

Commission members reviewed the Permit by Notification Application for Susan Drady for property located at 228 Pine Point Road- Map 102 Lot 011. All was found to be in order.

Review of Minutes

Commission members reviewed the public minutes of 24 September 2013. **Mr. Craycraft made a motion to approve the minutes of 24 September 2013 as printed. Mr. Malay seconded the motion. The motion was unanimously approved.**

Commission members reviewed the non-public minutes of 24 September 2013. Vice-Chair Gehl noted a typo in the second full paragraph. **Mr. Craycraft made a motion to approve the non-public minutes of 24 September 2013 as corrected. Mr. Malay seconded the motion. The motion was unanimously approved.**

Vice-Chair Gehl made a motion to seal the non-public minutes of 24 September 2013 until such time as the associated property transaction is completed. Mr. Craycraft seconded the motion. The motion was unanimously approved.

Review of Mail

Commission members reviewed the mail. Ms. Smith informed Commission members that David Nelson had come into the Land Use Office last week and submitted a copy of plans for his driveway. Ms. Smith stated Mr. Nelson requested she show the plans to both the Conservation Commission and the Planning Board so they were aware of what was going on. Ms. Smith stated Mr. Nelson informed her that both the Road Agent and the Code Enforcement Officer had reviewed the plans and had no issue. Mr. Nelson also stated the plan was a result of Court mediation and the abutters agree to the plan as well.

December Meeting

Ms. Smith noted the last Tuesday in the month of December is New Year's Eve. Ms. Smith asked if the Commission planned on cancelling or rescheduling December's meeting. Commission members agreed to discuss the issue at the 26 November 2013 meeting.

At 9:07 pm Mr. Craycraft made a motion to adjourn. Mr. Malay seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Amy Smith
Recording Secretary