Franconia Conservation Commission

Meeting: Dec 29, 2016, 8 AM

Members present: Mary Grote, Ginny Jeffryes, Kim Cowles, Chris Nicodemus.

Kim passed around copy of letter from NH DES dated Dec 9th to Presby about a complaint of their having no Shoreland Protection permit for their new building in the 200 block of Main St.

Chris reached out to NHACC about getting help with wetlands info/training, hasn’t heard back, anticipates reply after holiday season.

Minutes of 12/1/2016 reviewed. Correction of spelling of NCC representative’s name to “Kaela” Gray. Kim moved to approve, Mary seconds, unanimously approved.

Lawrence property – Ginny perused all the RSAs she can find and is unable to find any which require a town warrant article for a conservation easement on the purchase. She also reviewed all the various Select Board minutes and it isn’t clear when or who said this, and we still need to know the RSA, if there is one. We need to request the Selectman approval to approach lawyer to find out which RSA is in question. Lawyer is Laura Spector-Morgan, of Mitchell Municipal Group.

Thus, we drafted and sent an email to the Select Board with the below wording of our question:

“Re:     Requesting information from Town Lawyer, in order to write, or not write, a warrant article for upcoming Town Meeting.

The Franconia Conservation Commission is asking for clarification of the specific RSA which may require the Town to seek warrant article approval of a conservation easement being attached to the Lawrence property deed.

As background, this parcel of land was acquired by the town July 2016, on recommendation and authority of the Conservation Commission (via RSA 36.A.4)  using Conservation Fund money (from Current Use funds per RSA 79-A), and a portion of an approximately $50,000 grant awarded to Ammonoosuc Conservation Trust (501-C3) in support of the purchase.   Prior to the acquisition of this property, the FCC held a public hearing explaining the purchase and the grant funding we received which was contingent on having the conservation easement to be held by Ammonoosuc Conservation Trust.

The Franconia Conservation Commission has perused the various RSAs that might be relevant and does not find and RSA which requires a warrant article.

If the Town Lawyer determines that an RSA does indeed require a warrant article, we need guidance about drafting specific language of the warrant article, in time to satisfy the requirements for the upcoming town meeting.”

DES training/educational meeting for us and neighboring towns’ Conservation Commissions will be arranged by Red, still, who was unable to attend today. Bethlehem is interested in attending.

Another meeting prior to end of January may need be arranged after hearing a response from the Selectboard about our memo.

Next meeting Thursday Jan 26, 8 am

Meeting adjourned at 10:05 am

Minutes submitted by Ginny Jeffryes