

MINUTES OF THE MEETING
March 19, 2014
CONSERVATION COMMISSION
Approved at the April 16, 2014 meeting

PRESENT- Dean Anson, Lisa Morin, Marnie Schulz, and Mike Foote

ABSENT- Hillary May and Debra Williams

I. Call To Order :

Review of the public and non-public minutes for Tuesday February 25, 2014 and the public minutes for Wednesday March 5, 2014.

M. Foote made a motion to approve the public minutes of Feb 25, 2014. L. Morin seconded the motion. The motion passed 4-0-0.

M. Foote made a motion to approve the non- public minutes of Feb 25, 2014. L. Morin seconded the motion. The motion passed 4-0-0.

M. Schulz made a motion to approve the public minutes of March 5, 2014. M. Foote seconded the motion. The motion passed 3-0-1. L. Morin abstained.

II. New Business:

- a. Langley Cove Follow Up Discussion. Review of the letter to be sent to the Planning Board.

A request was made to have Langley Cove Condominium for Brady Sullivan properties remove the mining rights from the Conservation easement language. The reason for this change is if the mining rights are exercised a violation of the conservation easement would occur.

Amending easements is discouraged at the NH Attorney General's Office. The IRS is also very strict when attempts are made to amend Conservation easements. The goal of the Con Coms letter is to create suggestions to make the eventual easement transition from a small group of owners in Brady Sullivan to the much larger independent Condominium Association.

It will be important for the city to request an independent Conservation Attorney to review the proposed easement language. Taking this extra step will help protect the city if and when ownership changes occur.

Other concerns after the transition include permitting ATV use in the wetlands and allowing all members of the Association to hunt on the property. The Con Com believes additional signage and fencing would be necessary before or immediately after the ownership change. The easement original easement language was discussed with Attorney Mark Pinard, representing Brady Sullivan at the March 5, 2014 meeting. A letter to the

Planning Board listing all easement suggestions will be written and reviewed at a future meeting. The letter will then be forwarded to the Planning Board and carbon copied to Brady Sullivan.

III. Old Business:

- a. Non-Public Session concerning land acquisition per RSA: 91: A: II (d). A roll call vote is required to enter non-public session.

D. Anson made a motion to enter Non-Public Session concerning land acquisition per RSA: 91: A: II (d). Dean Anson, Lisa Morin, Marnie Schulz, and Mike Foote all voted in the affirmative in a roll call to enter non-public session.

IV. Liaison & Sub-Committee Reports:

-Permit Sub-Committee

No comments.

V. Other Business:

- Subdivision/ Site Plan update

No comments.

- Commissioners Comments

L. Morin indicating she would be pursuing the video work for the continuation of the co-occurrence map project

- Staff Comments

We are attempting to get a previous easement holder together with our current easement candidates. We feel if they can talk about realistic scenarios current easement holders have encountered they may feel more comfortable moving forward and taking the first step to talk to an open space lawyer about what items they want included in their future easement. L. Morin will coordinate the meeting place and S. McPhie will follow up with the parties involved.

VI. Adjournment:

M. Foote made a motion to adjourn. The motion was seconded by M. Schulz. The motion passed 4-0-0.

