

**Town of New Hampton
Conservation Commission
Minutes**

New Hampton Town Office
Upstairs Meeting Room, 12 Pinnacle Hill Rd.
January 24, 2014

Commission members present: B. Draper, R. Kirshner (Chair), R. Pollock, B. Rolfe, P. Schlesinger

The Chair opened the meeting at 7:10 P.M.

I) Minutes:

a) P. Schlesinger moved and B. Draper seconded approval of the minutes of the meeting of December 18th, 2013. The motion carried unanimously.

II) DES Communications:

a) The commission received a Complete Forestry Notification for the Town of New Hampton for the Egan Lot on Old Bristol Road, Map/Lot R13/9

III) Snake River Conservation Area:

a) P. Schlesinger moved and R. Pollock seconded a motion to pay the legal and closing costs for the Bergeron lot acquisition. Current bills are \$340.00 (legal) and \$149.66 (closing) = \$489.66. The motion carried unanimously.

b) R. Kirshner updated the commission on the press release about the Bergeron lot gift, which has been approved by the Bergerons, Meredith, and the Windy Waters Conservancy.

c) The commission debated a response to a petitioned warrant article concerning the trail on the Baird property. P. Schlesinger moved and B. Rolfe seconded a motion to approve the following statement:

*New Hampton Conservation Commission
Statement Concerning Town Meeting Warrant Article ____*

A petitioned warrant article for town meeting is part of a continuing discussion over creating an interpretive trail in the Snake River Conservation Area. The area is located along the railroad tracks and river between Winona Lake and Lake Waukewan. Unfortunately, the article attempts to tell the New Hampton Conservation Commission to take several illegal, impossible, or unnecessary actions we have already rejected after considerable public input and deliberation.

The commission is proud of its efforts to acquire the area. Under state law (RSA 36-A), the commission is responsible for the protection and proper utilization of the property it manages, and

for expenditures from the Conservation Fund. There is no authority for us to delegate that authority to Town Meeting, the selectmen, or anyone else. To do so would be a violation of RSA 643:1. Town Meeting has no power to amend state law. In addition, if the commission were to follow the procedures in this article, we may not be able to comply with the terms of a state grant, which would result in the town being liable for over \$100,000 that the commission does not have, and/or the loss of this land to the state. Compliance with the provisions of this warrant article would result in higher tax expenditures.

The Waukevan watershed has serious potential problems with phosphorous inflows, primarily from runoff. The trail is designed to educate people about proper use of the watershed, preventing both environmental degradation and declining lakeshore property values that would raise everyone else's taxes. We believe the trail will be an asset for the entire town.

The motion carried unanimously.

d) R. Kirshner reported that our efforts to acquire or gate the FairPoint property abutting the Spear lot have not been successful. Chuck Braxton received an email from the President of FairPoint that they need to retain the land and do not like gates for liability reasons, but are willing to work with us to post the property against dumping.

IV) Laconia Conservation Project:

a) R. Kirshner reported he would email the final report of the project.

V) Miscellaneous: R. Kirshner reported that Colleen Hannon has resigned from the commission.

VIII) Old Business: None

IX) New Business: None

R. Pollock moved and P. Schlesinger seconded a motion to adjourn at 8:17 p.m. The motion carried unanimously.

Respectfully Submitted,
R. Kirshner, Scribe Pro Tem.