

Gilman Conservation Commission

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Joint Hearing

Gilman Conservation Commission
&
Gilman Board of Selectmen
February 28, 2011

Members Present: Tracy Tarr, Chair; Joe Derrick, Alternate seated in the absence of Dick de Seve, Vice-chair; Erin Hollingsworth, Member; Nanci Mitchell, Member; Desiree Tumas, Administrator.

BOS Present: Betty Ann Abbott, Don Guarino, Rachel Hatch, Lois Dionne, Recording Clerk, Tim Warren, Town Administrator.

The Gilman Conservation Commission will conduct a joint hearing with the Board of Selectmen to discuss expending \$9,000 from the Conservation Fund for the purchase of a half-interest in Map 110, Lot 015 on Pine Circle. The Town of Gilman currently holds a conservation easement on the other half-interest. The purchase will provide protection for a high-yielding sand and gravel aquifer which provides water for existing wells, as well as for future public drinking water resources.

Prior to opening the Public Hearing, the Commission updated the status of the Paula Gilman Easement language to be used related to organic farming.

The following phrase will be added to Section 1.2.A.i: *Any agricultural products sold for commercial purposes shall be in compliance with the USDA National Organic Program requirements, Final Rule 7CFR Part 205, as amended, and as may be amended from time to time.*

The Organic Farming requirement is included in the Conservation Easement language and will go with the land, and not a particular owner, to ensure continued use in an organic manner.

Members of the BOS questioned the monitoring of the organic requirement and why the requirement was being put in place.

It was explained that the requirements of the organic classification are monitored by application to the state for approval, and the current owner farms in an organic manner and does not use pesticides or commercial fertilizer.

BOS Chair called for further discussion, hearing none; entertained a motion to approve the amended language as stated.

BOS Member Hatch moved to amend Section 1.2.A.i of the Conservation Easement Language to include the following: "Any agricultural products sold for commercial purposes shall be in compliance with the USDA National Organic Program requirements, Final Rule 7CFR Part 205, as amended, and as may be amended from time to time", Member Guarino seconded the motion as stated; the motion passed unanimously.

BOS Chair Abbott called for further discussion, hearing none; discussions pertaining to the Gilman Easement were concluded.

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The Public Hearing was called to order at 7:30 pm.

Section 36-A:5 Appropriations Authorized.

- I. *A town or city, having established a conservation commission as authorized by RSA 36-A:2, may appropriate money as deemed necessary for the purpose of this chapter. The whole or any part of money so appropriated in any year and any gifts of money received pursuant to RSA 36-A:4 may be placed in a conservation fund and allowed to accumulate from year to year. Money may be expended from said fund by the conservation commission for the purpose of this chapter without further approval of the town meeting.*

The GCC seeks approval from the BOS to expend \$9,000.00 from the Conservation Fund for the purchase of the other ½ interest in the “Bacon” property as shown on Tax Map 110/Lot 15 on Pine Circle in Gilmanton.

The purpose in purchasing the ½ interest is for the protection and preservation of the high yield aquifer and drinking water resource located in the area.

Following review of the property history, attending members of both the BOS and Conservation Commission went on to discuss the final title opinion needed prior to the final exchange of title and the expense incurred. It was concluded that the expense would not be necessary if a final check was done at the registry of deeds prior to the final transaction and transfer.

Following brief discussion that concluded a complete title search was completed back in 2006, and all agree by consensus to do a title search dating back to October 27, 2006 to the present, prior to the final exchange of title.

Tom Howe of the Society for the Protection of NH Forests explained the current estimated market value of the property is \$20,400.00.

BOS Chair Abbott called for further discussion and public comment, hearing none; Chair Tarr closed the public hearing at 8:05 pm and Chair Tarr entertained a motion to approve the purchase.

Conservation Commission Member Erin Hollingsworth moved that the Gilmanton Conservation Commission approve the purchase of an undivided one-half interest in Tax Map 110/Lot 15 of approximately 2.4 acres on Pine Circle from the Society for the Protection of NH Forests for \$9,000.00 from the Conservation Fund, contingent upon a satisfactory review of the title. This purchase is made in order to protect the drinking water resources of the parcel, as it abuts the highest yielding aquifer in Gilmanton and it also abuts the highest “Drinking Water Resources” lot on Pine Circle, so designated by vote of the 2005 Town Meeting. The Chair of the Conservation Commission is authorized to sign for the Commission. Alternate Member Derrick seconded the motion as stated. The motion passed 4-in favor/0-opposed.

Selectmen Hatch moved that the Gilmanton Board of Selectmen approve the purchase of an undivided one-half interest in Tax Map 110/Lot 15 of approximately 2.4 acres on Pine Circle from the Society for the Protection of NH Forests for \$9,000.00 from the Conservation Fund, contingent upon a satisfactory review of the title. This purchase is made in order to protect the drinking water resource of the parcel as it abuts the highest yielding aquifer in Gilmanton and it also abuts the “Drinking Water Resources” lot on Pine Circle, so designated by the vote of the 2005 Town Meeting. Selectmen Guarino seconded the motion as stated. The motion passed 3-in favor/0-opposed.

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The Deed was signed and notarized, and will be recorded after update of the title opinion.

Mrs. Tumas stated that Pete Pinckney had come in on Friday and wanted a record of the conservation commissions funds regarding the expenditures for the Bacon property; she looked those up, but he is also requesting the January 11, 2011, non-public minutes because it doesn't say in the draft copy of the regular minutes that they were sealed, although it does state in the sealed minutes that a motion had been made and a roll call vote had been taken to seal the minutes in the non-public minutes. Mrs. Tumas stated that in the future, a motion would be made in public session. She said she made a note on Mr. Pinckney's request that the minutes are sealed, and asked if the Conservation Chair Tarr signed off that they are sealed, would be sufficient. It was felt it should be.

Having nothing further, discussions were concluded at and the meeting with the Conservation Commission adjourned at 8:18 pm.

Respectfully submitted,

Desiree Tumas
Administrator