

BOS on PB agenda, Sept. 18, & Zoom info

1 message

Madbury Admin Asst <adminmadbury@comcast.net>

Sun, Sep 13, 2020 at 8:06 PM

To: Mark Avery <madplanboard@gmail.com>

Hi Mark,

Can the BOS have a spot on the PB agenda for Wed. Sept. 18? The BOS have a project with a tight deadline. I anticipate 10-15 minutes to present the item, and then whatever questions arise. The BOS have signed a letter of intent to purchase a conservation easement on the 11.36 acre lot of record at 9 Mill Hill Rd, Map 7 Lot 6. The BOS interest in the property is for protection of natural resources (wetlands) and recreation use.

The relevant RSA's would be Section 35:15 (expenditures from capital reserves), and 41:14-a, where ... *they shall first submit any such proposed acquisition or sale to the planning board and to the conservation commission for review and recommendation by those bodies, where a board or commission or both, exist.* Public Hearings are required and are being scheduled. I expect I will be presenting, as a member of the Conservation Commission.

RSA 41:14-a Acquisition or Sale of Land, Buildings, or Both. –

I. If adopted in accordance with RSA 41:14-c, the selectmen shall have the authority to acquire or sell land, buildings, or both; provided, however, *they shall first submit any such proposed acquisition or sale to the planning board and to the conservation commission for review and recommendation by those bodies,* where a board or commission or both, exist. After the selectmen receive the recommendation of the planning board and the conservation commission, where a board or commission or both exist, they shall hold 2 public hearings at least 10 but not more than 14 days apart on the proposed acquisition or sale; provided, however, upon the written petition of 50 registered voters presented to the selectmen, prior to the selectmen's vote, according to the provisions of RSA 39:3, the proposed acquisition or sale shall be inserted as an article in the warrant for the town meeting. The selectmen's vote shall take place no sooner than 7 days nor later than 14 days after the second public hearing which is held.

II. The provisions of this section shall not apply to the sale of and the selectmen shall have no authority to sell:

- (a) Town-owned conservation land which is managed and controlled by the conservation commission under the provisions of RSA 36-A.
- (b) Any part of a town forest established under RSA 31:110 and managed under RSA 31:112.
- (c) Any real estate that has been given, devised, or bequeathed to the town for charitable or community purposes except as provided in RSA 498:4-a or RSA 547:3-d.