

Atkinson Conservation Commission Minutes
Wednesday, May 27, 2020, 7:00 PM
Via Zoom (no physical venue)

Non-public session

(A vote to seal these minutes was made in public session on May 27, 2020)

Approved June 24, 2020

Members Present:

Paul Wainwright, Chair
Bill Steele, Vice Chair
Pete McVay, Secretary
Dennis Krause
Scott Kukshtel
Denise Legault
Jeff Nenart
Andrew Borisko (Alternate)
John Fournier (Alternate)
Suzie Newman (Alternate)

Others Present:

13. Non-public session under NH RSA 91-A:3, II (d), consideration of the acquisition of land

Chair Wainwright stated that there are three land acquisition deals currently on the table:

1. Debbie Lang's land on Knightland Road – the Town attorney determined that she does not have marketable title and would require extensive and therefore expensive legal work to fix the title.

Chair Wainwright traded email with Ms. Lang to pass on this information and they agreed to take no action for the next year. Ms. Lang asked if the Commission was serious about purchasing this land, Chair Wainwright responded affirmatively but stated that it would not be done this year.

2. Dan Kimball's land on Main Street & Willowvale Road – Mr. Kimball's family discussed donating a portion of his land with a conservation easement. Chair Wainwright stated that there are title issues with this land as well.

Chair Wainwright continued that this land was inherited when Dan's wife's father passed away in the 1950s without a will. Chair Wainwright stated that he had a chat with real estate attorney John Troy who deals with similar issues on a regular basis. Mr. Troy stated that the Kimballs may be able to apply for a "quiet title," but he'd need to sit down with the Kimballs

to figure out all of the details. Mr. Troy has agreed to have this discussion on a pro-bono basis.

Chair Wainwright asked the Commission whether or not they'd be okay with spending some funds towards the effort of helping Mr. Kimball clear up the title issues in order to allow him to donate the conservation easement to the Town. Member Steele stated that the Commission would need to know what the dollar amounts looked like before committing but stated that this is a great piece of land and it would be a nice asset to protect with an easement. Chair Wainwright noted two other conservation easements about this property.

Chair Wainwright requested a motion in regard to this property.

Member Nenart made a motion to empower the Chair to work with Dan Kimball and his family to plan for a conservation easement on a portion of Dan's land, to determine the cost of doing so, and at a future meeting propose any financial assistance from the Conservation Fund that we might offer to help obtain the easement. Member Legault seconded the motion. Vote: 7/0/0 (The details of this roll-call vote can be found in Attachment B.)

3. Rick Schafer's Land on – the Commission has already voted (in our May 10, 2020 meeting) to pursue a land deal with Mr. Schafer and to apply for grant monies to be used towards that effort.

Chair Wainwright is currently applying to four separate grant funds including the New Hampshire Land and Community Heritage Investment Program, the Land & Water Conservation Fund, the Aquatic Resource Mitigation Fund, and the Drinking Water and Groundwater Trust Fund. Chair Wainwright stated that if all of the grants come through, and with some small private donations, his goal is to raise \$1,609,300 which is the current estimate needed in order to acquire this land.

Chair Wainwright stated that the entire LCHIP grant application package is due June 26th of this year which is coming up very quickly. Chair Wainwright has been working together with Member McVay to complete the associated maps, but they have hit many roadblocks. As a result, Chair Wainwright requested a motion to hire the Rockingham Planning Commission to help with the completion of this portion of the project. Chair Wainwright will meet with Julie LaBranche to go over which portions are done and which portions still need to be completed.

Member Legault made a motion to authorize the Chair to spend up to \$2000 from the Other Professional Services line in our 2020 annual operating budget to obtain technical and editorial assistance from the Rockingham Planning Commission to complete grant applications for purchasing the Schafer land. Member Steele seconded the motion.

Vote: 7/0/0. (The details of this roll-call vote can be found in Attachment B.)

Chair Wainwright requested a motion to close the non-public session.

Member McVay made a motion to close the non-public session of the Atkinson Conservation Commission. Member Legault seconded the motion. Vote: 7/0/0. (The details of this roll-call vote can be found in Attachment B.)





