

**Atkinson Conservation Commission Minutes**  
**Monday, March 2, 2020**  
**Atkinson Town Hall**

**Non-Public Session**

A motion in public session to seal these minutes passed on March 2, 2020

Approved May 27, 2020

Unsealed September 28, 2022

**Members Present:**

Paul Wainwright, Chair  
Denise Legault, Vice Chair  
Jeff Nenart  
Dan Kimball  
Dennis Krause  
Pete McVay  
Bill Steele (Alternate, Voting)

**Others Present:**

**Possible purchase of Map 18 Lot 40**

Chair Wainwright and Member Krause reported on their meeting with Town Administrator David Cressman and Town Attorney Sumner Kalman that took place on February 18, 2020.

Attorney Kalman is of the opinion that the property owner does not currently have marketable title. There are two problems. First, because the property has been passed between family members since the mid-1800s, an accurate description of the land's metes and bounds does not exist that can be verified by title search. And second, the plot of land known as Map 18 Lot 40 was originally part of a much larger piece of land. The deed to Map 18 Lot 40 refers to an 1848 deed for that larger piece of land, and there is a patent error in that deed, meaning that the metes and bounds do not start and end at the same point.

Attorney Kalman stated that these problems would need to be corrected by the land owner before a sale could be completed, and he advised us that this process would likely be lengthy and expensive. Attorney Kalman also advised that a fair market appraisal be conducted before making an offer to purchase the land.

Chair Wainwright recommended that the Commission do nothing at this point, and wait to see whether the property owner's current negotiations with the other interested buyer might resolve these issues at the buyer's expense. The Commission agreed by consensus.

**Member Nenart made a motion exit the non-public session under RSA 91-A:3, II (d). Member McVay seconded. The motion passed, 7/0/0.**

The meeting continued in public session as documented in the regular minutes.