

TOWN OF BELMONT

CONSERVATION COMMISSION

RULES OF PROCEDURE

Belmont, New Hampshire

Enacted: (July 12, 2000)

Edition: (May 5, 2010)

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7. The Commission shall manage all natural resources on all town-owned conservation areas as obtained herein. By action of the voters at the March 12, 1994, town meeting the Commission is specifically charged with the management of the Town Forest.

8. The Commission shall advertise, prepare, print and distribute books, maps, charts, plans and pamphlets, which in its judgment it deems necessary for its work.

9. The Commission shall review all Dredge and Fill applications submitted to the Wetlands Bureau in accordance with these Rules and may request to intervene in the Bureau's review of said project in accordance with RSA 482-A:11.

10. The Commission shall review all earth excavation applications submitted to the Planning Board for approval.

11. The Commission shall appoint such clerks and sub-committees as it may from time to time require.

ARTICLE 3. WAIVER

The Conservation Commission may vote to waive any requirement of these Rules by a majority vote taken at a meeting with a quorum present when it is determined that such waiver will properly carry out the purpose and intent of these Rules.

ARTICLE 4. AMENDMENT

The Conservation Commission shall, from time to time, prepare, amend, and revise its Rules of Procedure. Amendment shall occur in the manner prescribed by RSA 676:1 as amended.

ARTICLE 5. MEMBERSHIP

By vote of the Town Meeting of March 18, 1995, the Conservation Commission shall consist of seven (7) members including one representative from the Board of Selectmen who shall serve as an ex-officio member. One member of the Commission may serve as a member on the planning board.

The Commission may interview applicants for vacant positions and make recommendations to the Board of Selectmen. Members shall be appointed by the Board of Selectmen and shall serve staggered terms of three years. The expiration date for terms shall be March 31 of the applicable year. Appointments to fill unexpired terms shall also be by the Board of Selectmen. Members are required to be residents of the town and may include seasonal residents if Belmont is their established place of residency.

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ARTICLE 7. DUTIES OF THE OFFICERS

The Chairperson shall call the meeting to order, preside over deliberations, and see that all proceedings are in accordance with the rules of the Town and the laws of the State. The Chairperson shall present a report for inclusion in the Town's Annual Report, appoint sub-committees, which may include resident citizens as necessary (with one member of the Commission acting as sub-committee chairperson); and perform all other duties of the presiding officer. He/She is responsible for directing the clerk in generating all correspondence, recommendations, letters to the State and other Town boards, etc.

The Vice-chairperson, in the absence of the Chairperson, shall perform all the duties of the presiding officer.

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ARTICLE 9. CODE OF ETHICS

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ARTICLE 12. MEETING REQUIREMENTS

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Applications submitted to the Commission for formal action should be submitted to their office by the closing. In addition, participants for informal discussions should also request to be included on the agenda by the closing date.

2. The Clerk shall issue notice of all meetings in accordance with RSA 91-A. For formal public hearings, he/she shall notify all abutters and make notice of the time and place as required by RSA 675:7.
3. After the meeting closing date, the Clerk shall mail a meeting packet to all members prior to the meeting. It shall include a copy of the agenda, any minutes to be considered for approval, copies of any documents or applications that will be considered by the members at that meeting, copies of any correspondence, notices or other information received.
4. All meetings, including subcommittee meetings, are open to the public with the exception

of non-public sessions properly called and held under RSA 91-A:3.

5. Regular meetings shall be held once a month on the first Wednesday of the month beginning at 6:00 PM. Subcommittee meetings shall be held as needed to facilitate their appointed function. Adjustments to the posted schedule shall be made as necessary for situations such as holidays and weather events.
6. Special or emergency meetings may be called by the Chairperson, or in the absence of the Chairperson, the Vice-Chairperson or designee. All Commission Members shall receive at least twenty-four (24) hours notice of such a special meeting. The agenda shall specify the purpose of the meeting and no other business shall be discussed.
7. Meetings may be continued or rescheduled by a majority vote of the members present and notification of all absent members.
8. All agenda portions of the meeting shall be terminated by ten (10:00) PM except that a matter under consideration may be continued or terminated as determined by a majority of members present. Agenda items not yet considered shall be deferred to the next meeting.
9. The Clerk of the Commission shall keep a full and accurate record of the proceedings of all meetings. Minutes of meetings shall be taken and shall include the names of members present and absent, persons appearing before the Commission and a summary of the matters discussed and action taken. Records shall be produced and retained in accordance with RSA 91-A.
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7. Introduction of new proposals and other new business.
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ARTICLE 14.

OPERATIONAL PROCEDURES

1. **Requests from Planning Board:** When the Planning Board receives an application for review; a copy of that application shall be forwarded to the Chairperson of the Conservation Commission or his/her designee. Comments about the proposal shall be returned to the Planning Board by the date of their meeting on that application.

In addition, the Land Use Office and/or Planning Board may also direct parties to the Conservation Commission when issues arise regarding acquisition of conservation easements, acquisition of land for conservation/recreation purposes, wetlands, scenic roads, or timber stands.

In the case of earth excavation applications, the applicant to the Planning Board shall also submit a copy of the application to the Commission in accordance with RSA 155-E.

2. **Wetlands Bureau Applications:** Review of projects requiring approval by the Wetlands Bureau shall be as follows:

- (1) An Applicant is encouraged to request appointment with Commission to discuss a project prior to submitting application to Town Clerk. This will facilitate the Commission's understanding of the proposal, provide feedback for the applicant and result in a timely response to the Bureau when the formal application is filed. For such an informal discussion, the applicant shall file a copy of all information with the Commission Clerk by the meeting closing date.
- (2) Once the Commission Clerk from the Town Clerk receives a formal application, it shall be copied and forwarded immediately to all members.

If a meeting is held within 14 days from the date the application was signed by the Town Clerk, it shall be acted upon by the Commission at that meeting.

If no meeting is scheduled to occur within that time period, the chairman shall:

- (a) call a special meeting of the Commission, or
- (b) determine that no notice to intervene is necessary, or
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Once intervention is requested, further evaluation and comment by the Commission will be provided within 40 days to the Wetlands Bureau.

- (3) For a Minimum Impact Expedited Application, Land Use staff will review the application and view the site of the proposed wetland impact. Upon consultation with the Chairman, the decision of whether or not to approve and sign the application for submission to the Town Clerk and Wetlands Bureau will be made.
3. **Public Hearings:** The Commission shall/may hold a formal public hearing for the following purposes:
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TOWN OF BELMONT

CONSERVATION COMMISSION

RULES OF PROCEDURE

Belmont, New Hampshire

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Edition: (May 5, 2010)

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TOWN OF BELMONT

CONSERVATION COMMISSION

RULES OF PROCEDURE

Belmont, New Hampshire

Enacted: (July 12, 2000)

Edition: (May 5, 2010)

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8. The Commission shall advertise, prepare, print and distribute books, maps, charts, plans and pamphlets, which in its judgment it deems necessary for its work.

9. The Commission shall review all Dredge and Fill applications submitted to the Wetlands Bureau in accordance with these Rules and may request to intervene in the Bureau's review of said project in accordance with RSA 482-A:11.

10. The Commission shall review all earth excavation applications submitted to the Planning Board for approval.

11. The Commission shall appoint such clerks and sub-committees as it may from time to time require.

ARTICLE 3. WAIVER

The Conservation Commission may vote to waive any requirement of these Rules by a majority vote taken at a meeting with a quorum present when it is determined that such waiver will properly carry out the purpose and intent of these Rules.

ARTICLE 4. AMENDMENT

The Conservation Commission shall, from time to time, prepare, amend, and revise its Rules of Procedure. Amendment shall occur in the manner prescribed by RSA 676:1 as amended.

ARTICLE 5. MEMBERSHIP

By vote of the Town Meeting of March 18, 1995, the Conservation Commission shall consist of seven (7) members including one representative from the Board of Selectmen who shall serve as an ex-officio member. One member of the Commission may serve as a member on the planning board.

The Commission may interview applicants for vacant positions and make recommendations to the Board of Selectmen. Members shall be appointed by the Board of Selectmen and shall serve staggered terms of three years. The expiration date for terms shall be March 31 of the applicable year. Appointments to fill unexpired terms shall also be by the Board of Selectmen. Members are required to be residents of the town and may include seasonal residents if Belmont is their established place of residency.

ARTICLE 6. ORGANIZATION

The Conservation Commission shall hold an annual organizational meeting in April of each year. The existing Chairperson shall call the meeting to order. At this meeting, the Commission shall review the bylaws and elect of one of its members as Chairperson and one as Vice Chairperson. Term of office is one year. Officers may be reelected.

ARTICLE 7. DUTIES OF THE OFFICERS

The Chairperson shall call the meeting to order, preside over deliberations, and see that all proceedings are in accordance with the rules of the Town and the laws of the State. The Chairperson shall present a report for inclusion in the Town's Annual Report, appoint sub-committees, which may include resident citizens as necessary (with one member of the Commission acting as sub-committee chairperson); and perform all other duties of the presiding officer. He/She is responsible for directing the clerk in generating all correspondence, recommendations, letters to the State and other Town boards, etc.

The Vice-chairperson, in the absence of the Chairperson, shall perform all the duties of the presiding officer.

ARTICLE 8. FINANCE

The annual budget shall be approved by a majority of the members present and voting at that meeting. The chairperson shall authorize expenditures of funds within the approved budget.

The Commission shall administer the Conservation Fund as established by vote of town meeting on March 13, 1993, and as amended by vote of town meeting on March 13, 1999. Expenditure of monies from the existing fund may only occur upon vote of a majority of the Commission members after a public hearing in accordance with RSA 36-A:5 II, with notice given in accordance with RSA 675:7. Expenditures to purchase any interest in real property also require approval by the Board of Selectmen.

ARTICLE 9. CODE OF ETHICS

The Members of the Conservation Commission shall at all times function in the best interest of the community as it relates to the goals and stewardships outlined in the Purpose and Intent section of these Regulations. Commission members acknowledge and accept the standards of conduct included in **A Resolution To a Code of Ethics** as adopted by the Board of Selectmen on

December 9, 1992, as amended.

ARTICLE 10. ATTENDANCE

Members shall attend all meetings and must inform the Chairperson, the Vice-Chairperson or clerk of expected absences.

If a member misses five (5) consecutive meetings with no contact, this shall be evidence for non-interest. The Commission shall then vote to recommend to the Board of Selectmen that the member be removed from the Commission.

ARTICLE 11. VOTING

Four (4) voting members constitute a quorum. A lesser number may meet, but may not vote on matters before the Commission.

After discussion has occurred on an item, the chairperson will call for a motion to be made. If seconded, discussion will be called for on the motion. A majority vote of the voting members present is needed to approve any item. If a vote is not unanimous, the record shall indicate by name those voting in favor, opposed and abstaining.

ARTICLE 12. MEETING REQUIREMENTS

1. Agendas for meetings close at 4:00 PM, on the Monday nine (9) days before the scheduled meeting (calculation of the closing date shall not include the closing or meeting days).

Applications submitted to the Commission for formal action should be submitted to their office by the closing. In addition, participants for informal discussions should also request to be included on the agenda by the closing date.

2. The Clerk shall issue notice of all meetings in accordance with RSA 91-A. For formal public hearings, he/she shall notify all abutters and make notice of the time and place as required by RSA 675:7.
3. After the meeting closing date, the Clerk shall mail a meeting packet to all members prior to the meeting. It shall include a copy of the agenda, any minutes to be considered for approval, copies of any documents or applications that will be considered by the members at that meeting, copies of any correspondence, notices or other information received.
4. All meetings, including subcommittee meetings, are open to the public with the exception

of non-public sessions properly called and held under RSA 91-A:3.

5. Regular meetings shall be held once a month on the first Wednesday of the month beginning at 6:00 PM. Subcommittee meetings shall be held as needed to facilitate their appointed function. Adjustments to the posted schedule shall be made as necessary for situations such as holidays and weather events.
6. Special or emergency meetings may be called by the Chairperson, or in the absence of the Chairperson, the Vice-Chairperson or designee. All Commission Members shall receive at least twenty-four (24) hours notice of such a special meeting. The agenda shall specify the purpose of the meeting and no other business shall be discussed.
7. Meetings may be continued or rescheduled by a majority vote of the members present and notification of all absent members.
8. All agenda portions of the meeting shall be terminated by ten (10:00) PM except that a matter under consideration may be continued or terminated as determined by a majority of members present. Agenda items not yet considered shall be deferred to the next meeting.
9. The Clerk of the Commission shall keep a full and accurate record of the proceedings of all meetings. Minutes of meetings shall be taken and shall include the names of members present and absent, persons appearing before the Commission and a summary of the matters discussed and action taken. Records shall be produced and retained in accordance with RSA 91-A.
10. The Clerk shall create such additional correspondence, documents or reports as directed.

ARTICLE 13. MEETING ORDER

At each regular meeting, the order of the proceedings shall be as follows:

1. Call to order and quorum check.
2. Approval of minutes of previous meetings.
3. Public hearings.
4. Informal hearings and discussions with applicants.
5. Reports of Committees.
6. Unfinished business.
7. Introduction of new proposals and other new business.
8. Adjournment.

ARTICLE 14.

OPERATIONAL PROCEDURES

1. **Requests from Planning Board:** When the Planning Board receives an application for review; a copy of that application shall be forwarded to the Chairperson of the Conservation Commission or his/her designee. Comments about the proposal shall be returned to the Planning Board by the date of their meeting on that application.

In addition, the Land Use Office and/or Planning Board may also direct parties to the Conservation Commission when issues arise regarding acquisition of conservation easements, acquisition of land for conservation/recreation purposes, wetlands, scenic roads, or timber stands.

In the case of earth excavation applications, the applicant to the Planning Board shall also submit a copy of the application to the Commission in accordance with RSA 155-E.

2. **Wetlands Bureau Applications:** Review of projects requiring approval by the Wetlands Bureau shall be as follows:

- (1) An Applicant is encouraged to request appointment with Commission to discuss a project prior to submitting application to Town Clerk. This will facilitate the Commission's understanding of the proposal, provide feedback for the applicant and result in a timely response to the Bureau when the formal application is filed. For such an informal discussion, the applicant shall file a copy of all information with the Commission Clerk by the meeting closing date.
- (2) Once the Commission Clerk from the Town Clerk receives a formal application, it shall be copied and forwarded immediately to all members.

If a meeting is held within 14 days from the date the application was signed by the Town Clerk, it shall be acted upon by the Commission at that meeting.

If no meeting is scheduled to occur within that time period, the chairman shall:

- (a) call a special meeting of the Commission, or
- (b) determine that no notice to intervene is necessary, or
- (c) shall forward a notice to intervene to the Wetlands Bureau on behalf of the Commission.

In any case, the action shall occur no later than 14 days from the date the application was signed by the Town Clerk.

Once intervention is requested, further evaluation and comment by the Commission will be provided within 40 days to the Wetlands Bureau.

- (3) For a Minimum Impact Expedited Application, Land Use staff will review the application and view the site of the proposed wetland impact. Upon consultation with the Chairman, the decision of whether or not to approve and sign the application for submission to the Town Clerk and Wetlands Bureau will be made.
3. **Public Hearings:** The Commission shall/may hold a formal public hearing for the following purposes:
 - (1) shall hold prior to members voting to expend monies from the conservation fund for the purchase of an interest in real estate;
 - (2) may hold to receive general public input before taking action on a specific application to the Wetland Bureau;
 - (3) may hold for any subject for which the Commission wishes to solicit general public input.