

BY-LAWS
OF
THE CONSERVATION COMMISSION
OF
EXETER, NEW HAMPSHIRE

Article I

Name and Location

The name of this (voluntary, non-profit,) organization shall be the Exeter Conservation Commission (hereafter called The Commission). The principal office of The Commission shall be located at The Exeter Town Office Building, 10 Front Street, Exeter, New Hampshire.

Article II

Authority

The Commission derives its authority from State Law RSA 36-A and from the Town of Exeter Ordinances. Nothing in these by-laws is intended to conflict with these.

Article III

Purposes

1. To ensure the conservation and proper utilization of the natural resources and the protection of watershed resources of the Town of Exeter.
2. To advise other boards on conservation matters.
3. To acquire land for fee (full title) or through conservation easement for conservation purposes and to receive gifts of money or property in the name of the Town. This may include water resources. The Commission will then manage these areas.
4. To manage duly authorized town forests.
5. To conduct research into local land and water natural resources to ascertain their value for conservation purposes.
6. To keep the public informed as to actions taken and lands available for public use through maps, signs, charts, plans and pamphlets.
7. To intervene when appropriate within 10 days of a dredge and fill of wetlands application, and to investigate and report its findings and recommendations within 40 days to the NH Wetlands Board.(RSA 483A)
8. To receive copies of sand and gravel excavation permit applications and make necessary comments and recommendations to the proper board.(RSA 155-E)
9. To monitor yearly open space and conservation lands, including easements.
10. To sponsor activities which foster conservation education.
11. To assist in the Town's Master Plan up-date.
12. To attend workshops, informational meetings and conferences so that the Commission is adequately informed about conservation issues.

Article IV

embership

1. Eligibility and Appointment of Members

- A. The Commission shall consist of not less than seven regular and five alternate members, appointed by the Board of Selectmen.
- B. Terms of the members shall be for three years and be so arranged that approximately one-third of the members' terms expire yearly.
- C. Members may serve no more than two consecutive three-year terms.
- D. The balance of an un-expired term shall be filled by the Selectmen.
- E. Alternate members may take an active part in the meetings, but may vote only to obtain a quorum.
- F. New members shall register with the Town Clerk and sign appropriate papers.

2. Election of Officers

- A. Officers for the Commission shall be elected each May for a term of one year.
- B. Officers may serve consecutive terms.

3. Absenteeism

- A. Members are expected to attend all monthly meetings unless the Chair is notified in advance.
- B. Unexcused absence from four meetings may result in a letter being sent to the regular member or alternate in question. If no reply is forthcoming in a reasonable amount of time (usually one month), the member will be requested to submit his or her resignation, and the Selectmen will be so notified to select a replacement.

Article V

Responsibilities of Offices

1. Chairperson

- A. It shall be the duty of the Chair, or his/her designate, to notify in advance all members of the Commission of any scheduled meeting. The Chair is also responsible for preparing agenda for the meeting listing issues to be discussed.
- B. The Chair shall run the meeting and assign the floor to those speakers who request it.

- C. The Chair may take part in any discussions relative to the business at hand and will rule on any disputes that arise during debates.
- D. The Chair will have a vote only in case of a deadlock or in the event that said vote would constitute a quorum necessary to expedite the business at hand.

2. Vice-Chairperson

- A. The Vice-Chair shall preside at all meetings of the Commission in the absence of the Chair and shall perform all duties and have all powers of the Chair in case of temporary absence or incapacity of the Chair.

3. Secretary

- A. The Secretary shall keep an accurate record of the meetings and other proceedings of the Commission.
- B. A typed copy of the minutes shall be completed within 144 hours of the meeting and a copy brought to the Town Office.
- C. The Secretary shall be responsible for correspondence designated by the Commission.

4. Treasurer

- A. The Treasurer shall keep an accurate record of the finances of the Commission and pay all obligations levied against it when approved by the Commission and ordered by the Chair.
- B. The Treasurer shall report on the status of the Commissions monies at each meeting and file a copy of that report with the Chair, the Secretary and the Treasurer of the Town of Exeter.
- C. The Treasurer shall also prepare an annual financial report and file a copy of that report with the Chair, the Secretary and the Treasurer of the Town of Exeter.

Article VI

Committees

1. The Street Tree and Nursery Committee

- A. This committee shall
 - (i) work with the Planning Department and others to plan and oversee the planting and maintenance of trees on public streets.

- (ii) maintain the Conservation Commission's portion of the Wilfred Moreau Nursery in conjunction with Public Works and use the plants from this Nursery to enhance the beauty of Exeter.

- B. This committee shall consist of at least three people, one of whom shall be a member of the Conservation Commission. Other members may be selected from the town at large. Appointments shall be made by the Chair of the Commission for one year and renewed annually.
- C. The Committee shall elect its own chair annually. The chair shall be a member of the Commission.

2. The Outreach and Education Committee

- A. This committee shall
 - (i) promote conservation news, issues and events to the public.
 - (ii) sponsor and oversee conservation programs for the schools such as for Arbor Day.
 - (iii) have responsibility for publications produced by the Commission including trail guides and maps.
- B. This committee shall consist of at least three people, one of whom shall be a member of the Conservation Commission. Other members may be selected from the town at large. Appointments shall be made by the Chair of the Commission for one year and renewed annually.
- C. The Committee shall elect its own chair annually. The chair shall be a member of the Commission.

3. The Land Management Committee

- A. This committee shall
 - (i) oversee the management of the Town lands designated conservation areas.
 - (ii) monitor easements held by the Commission and maintaining the files relating to such monitoring.
 - (iii) oversee the creation and maintenance of trails on the Conservation lands.
 - (iv) promote public stewardship of the lands.
- B. This committee shall consist of at least three people, one of whom shall be a member of the Conservation Commission. Other members may be selected from the town at large. Appointments shall be made by the Chair of the Commission for one year and renewed annually.
- C. The Committee shall elect its own chair annually. The chair shall be a member of the Commission.

4. The Watershed Committee

A. This committee shall

- (i) monitor the usage of the rivers and streams that are in, or flow through, Exeter.
- (ii) oversee water quality monitoring programs.
- (iii) work with the Planning Department on watershed management issues.

B. This committee shall consist of at least three people, one of whom shall be a member of the Conservation Commission. Other members may be selected from the town at large. Appointments shall be made by the Chair of the Commission for one year and renewed annually.

C. C. The Committee shall elect its own chair annually. The chair shall be a member of the Commission.

5. Ad Hoc Committees

A. Ad Hoc committees may be appointed by the Chair of the Commission as the need arises. At least one member of the Commission shall serve on each committee.

Article VII

Operating Procedures

1. Meetings

- A. Public notice of Commission Meetings must be posted in two public places, such as the Town Offices, the Post Office or the Library, 24 hours prior to the meeting. The notice shall be published according to State law RSA 91, a copy of which is available in the Conservation Commission Handbook.
- B. The Chair shall direct the calling of not less than one regular meeting of the Commission each month. Such meetings will be held in the Town Offices on the second Tuesday of each month at 7:00 p.m. unless otherwise specified by the Commission or the Chair prior to the second Tuesday.
- C. Special meetings may be held, if necessary, at the discretion of the Chair. They may also be called by the Commission on a majority vote of the members for a special purpose. At any special meeting, no business other than that specified by the Commission may be considered.

- D. Individual notification of each Commission member by the Chair shall be given not less than five days before the date of any special meeting .
- E. A majority of the members of the Commission then in office shall constitute a quorum for the transaction of any business.
- F. It is the responsibility of the Chair to convey to the appropriate State, County or Town board or commission recommendations passed by the Commission.

2. Public Hearings

- A. A public hearing must be held before any money from Conservation funds are used to acquire "any interest in real property"(RSA 36-A:5 II). A public hearing may be held in conjunction with an investigation of a fill and dredge application or to solicit opinions on other issues deemed important by the Commission.
- B. Notice for such a meeting must be posted in two public places and in a newspaper "of general circulation in the municipality" at least 10 days before the hearing, counting neither the day of posting or the day of the hearing. (RSA 675:7)
- C. Conduct of the meeting should follow the procedure outlined on p. III-4 of the Handbook for Municipal Conservation Commissions in New Hampshire.
- D. Minutes of the meeting should include the members of the commission present, those who testified and a summary of their positions. These minutes should be distributed in the same manner as regular minutes, described in Article V, Section 3B.

3. Dredge and Fill Applications

- A. Upon receipt of a copy of an application to dredge and fill wetlands from the Town clerk, per RSA 482-A:3 (except for agricultural and minimum impact applications as noted in D below), the Chair shall send a letter of intervention to the wetlands board asking for an additional 30 days for review.
- B. The Commission may hold public hearings, public informational meetings and/or conduct site walks as part of its review. The application must be discussed, and a decision made as to its impact, at a regular meeting of the Commission.
- C. A final letter of recommendations shall be sent to the wetlands board.
- D. Upon receipt of agricultural wetlands or minimal impact applications from the Rockingham County Conservation District (RCCD), the Commission shall review the application and prepare a letter to accompany the application.

4. Review of Sand and Gravel Excavations

- A. Upon receipt of a copy of an application for a permit to excavate, per RSA 155-E, the Commission will review the application as to its impact on the natural resources of the area.

- B. The Commission may hold public hearings, public informational meetings and/or conduct site walks as part of its review. The application must be discussed, and a decision made as to its impact, at a regular meeting of the Commission.
 - C. A final letter of recommendations shall be sent to the Planning Board.
5. Request from Planning Board, Zoning Board or Technical Review Committee for Advice or Review.
- A. Upon receipt of a request for advice or review by any Town board or committee, the Commission shall review the request and respond appropriately.
6. By-laws
- A. These By-laws shall be reviewed annually and revised as needed by a majority vote of the Commission.

Revised, October, 2001