

Nelson Conservation Commission
Meeting January 28, 2016
Minutes

Draft

Kathy Schillemat called the meeting to order at 7:00PM. Present were Kathy Schillemat, Rick Church, Dave Patek, Judith Putzel and Maury Collins representing the selectmen.

Guests: Stephen Froling and Jeremy Wilson from the Harris Center for Conservation Education. (HCCE)

Kathy Schillemat opened the meeting at 7PM

Conservation Easement Review:

From opening to until adjournment at 9:18 the NCC and HCCE discussed the the proposed Conservation Easement between the Town of Nelson and the Harris Center for Conservation Education.

Kathy expressed the view of NCC members that the proposed easement was “too complicated.” Rights granted under “Reserved Rights” were restricted elsewhere or required to be considered under the “Stewardship Plan” which probably meant more restrictions, too. She said it was difficult, and would be difficult for new people dealing with the document in the future, to determine just what the Town was allowed to do as rights and limitations for many uses were scattered in different sections of the draft.

Anne McBride joined the meeting at 7:12

Jeremy Wilson suggested we might index the final document so that it would be easier to read for issues like that. Stephen added that the format was typical of easements and was dictated by the practice of law on this subject.

Tom Newcombe joined the meeting at 7:19

The meeting, then, proceeded to review the document page by page making numerous changes that were agreed and which Stephen Froling will modify in the easement draft. There were substantial discussions on trail building, forestry, agriculture and the use of renewable energy on the site.

Judith Putzel left the meeting part way through this discussion.

At 9PM the meeting turned to the process for getting the conservation easement approved by the selectmen Kathy has urged Dave Upton to review the draft so that

we have his comments and objections BEFORE we write the final agreement for one final review, but he has only noted one issue so far. Kathy will attend the next selectman's meeting on Feb 3rd to see if she can get an agreement on the process and the involvement of Gary Kinyon, town counsel.

We agreed it would be nice to close in February, but noted that the appraisal would not be available and reviewed much before the end of that month. It was thought to be no small matter to get the conservation easement language approved by the selectmen.

Stephen noted that the Environment Assessment done for the project will "expire" in February. He will find out what it takes to get an extension.

Stephen Froling brought up the matter of the budget for the project reminding the group that, as things stand, the cost sharing is far from the 50:50 split that NCC and HCCE had been using as the general basis of this project. NCC's inability to adhere to this premise has been brought about by advice from Gary Kinyon regarding its inability to borrow and the limits of the uses of the funds it controls. There will be an article on the 2016 town warrant that, if passed, may give the NCC the ability to make grants to organizations assisting with conservation work in Nelson. There are several bills that have been paid by HCCE that can be reimbursed at a later date.

Meeting adjourned 9:38 PM

Rick Church, Secretary