

**CONSERVATION COMMISSION
RINDGE, NEW HAMPSHIRE**

RULES OF PROCEDURE

As Revised on July 23, 2015

Pursuant to RSA 676:1, The Conservation Commission of Rindge New Hampshire adopts the following Rules of Procedure.

Article 1 – Title; Adoption; Amendment

- 1.1 These rules may be cited as the Conservation Commission Rules of Procedure.
- 1.2 The rules shall be effective upon the adoption by the majority of the Conservation Commission and when they have been signed by the majority of the Conservation Commission and filed with the Office of the Town Clerk.
- 1.3 These rules may be amended in the same manner.
- 1.4 Any documents in the Appendix may be amended at a regular meeting of the Conservation Commission by majority vote.

Article 2 – Membership; Terms of Office; Officers; Vacancies

- 2.1 Pursuant to NH RSA 36-A:3, the Conservation Commission shall consist of up to seven (7) regular members appointed by the Board of Selectmen and up to seven (7) alternate members.
- 2.2 All members shall be appointed for three (3) year terms. The membership of the Commission shall be appointed in such a manner to appoint no more than four (4) members per year.
- 2.3 Terms of Office commence on the third Tuesday of March for three (3) years subsequent, provided however, that term shall continue until successors have been appointed and qualified.
- 2.4 The Conservation Commission shall elect the following officers from its regular members: Chairman, Vice Chairman, and/or multiple Vice Chairs.
- 2.5 Officers shall be elected for one (1) year terms at the first regular meeting following the Annual Town Election provided that the Selectmen have completed their appointment of new members. If said appointments have not been made, the election of officers shall take place at the first regular meeting following the appointment of new members.

2.6 In the event that an officer resigns or is removed, an interim officer may be elected by the Conservation Commission to fill the vacancy.

2.7 Vacancies in membership in the Conservation Commission shall be filled by appointment by the Selectmen for an un-expired balance of the term of office.

2.8 The Conservation Commission Secretary shall be hired by the Conservation Commission

Article 3 – Duties of Officers; Secretary; Minutes

3.1 The Secretary shall be responsible for the maintenance of the Commission minutes and records.

3.2 Minutes of the Commission's meetings shall be kept in accordance with the provisions of RSA 91-A. Minutes shall be considered a summary of events and business transacted once adopted by the Commission with any corrections noted.

3.3 The Secretary shall post approved minutes in accordance with RSA 91-A.

3.4 The Secretary may use tape recordings as a tool for the minutes and not for the public record.

3.5 The Secretary shall be responsible for maintenance of the Commission's section of the Town's web site with agenda, minutes and other information as needed.

Article 4 – Meetings, Special Meetings; Place; Hours

4.1 The Commission holds regularly scheduled monthly meetings, provided there is business to come before the Commission. The Commission should publish an agenda prior to each meeting.

4.2 Special meetings of the Commission shall be held at the call of the Chairman or request of a majority of the regular Commission members.

4.3 Regular meetings of the shall commence at 7:00 p.m. and adjourn typically no later than 9:00 p.m. unless the agenda requires additional meeting time and/or unless the Commission shall vote to fix some different meeting time for a particular meeting.

Article 5 – Quorums; Voting; Conduct of Meetings

5.1 A quorum of four (4) members which may include alternate members shall be required to conduct business.

5.2 An affirmative vote of a majority of members voting on a question shall be sufficient, provided there are at least three (3) concurring votes for adoption of the question.

Article 6 – Site Reviews

6.1 A site review involves two or more members of the Rindge Conservation Commission (RCC) making a personal visit to examine the site for the extent and presence of wetland resources, the suitability for a prospective project, presence of violations, effects on the forest buffer, or other related issues.

6.2 The RCC shall obtain permission from the owner to enter the property prior to the date of the review. The property owner, applicant or their representatives shall be encouraged to be present at the time of the review.

6.3 All site reviews must be *formally requested* in writing using a “Site Review Request Form” available at the Town Office or at the Commission’s web site.” (See Appendix A).

6.4 Following their review of the site, the RCC will complete a “Site Review Report” (see Appendix B) that will become public record. A copy of the report shall be sent to the property owner. During public meetings involving the subject site, the Site Review Report will be read.

6.5 Site Reviews may be requested for the following purposes:

1. To answer questions specific to wetlands issues, raised by the Board of Adjustment, the Rindge Planning Board or the Rindge Selectmen, for projects under their consideration relative to appropriate ordinances, laws, regulations, codes. etc.
2. To identify potential issues and answer questions from land owners or applicants prior to any site alteration.
3. To respond to complaints of wetland code violations by abutters or other residents.
4. To assess the accuracy of a wetland delineation for a proposed project.
5. To clarify questions raised during RCC discussions of projects already under review.
6. Any other reason deemed appropriate by the RCC.

6.6 A site review may qualify as a formal meeting of the RCC provided that there is a quorum. In this case minutes shall be recorded in accordance with Article 3.2.

6.7 A notice of all site reviews will be posted at least 48 hours prior to the review on the town bulletin board and the town web site.

Article 7 – Joint Meetings and Consultations with Other Boards, Commissions and Committees

7.1 Joint meetings of the Conservation Commission and the Planning Board or Board of Adjustment (BOA) shall be presided over by the Chairman of the Planning Board or Board of Adjustment.

7.2 A quorum of the membership of each Board shall be required in order to conduct a joint hearing.

7.3 Separate minutes shall be kept of all joint meeting by the Secretary of the Planning Board and of the BOA as well as by the Secretary of the Conservation Commission. Minutes of a joint meeting shall not be considered the official minutes of joint hearing until they have been

adopted by vote of both and Planning Board and/or BOA and the Conservation Commission. The Conservation Commission Secretary shall perform her/his normal tasks.

7.4 Presentation of applications shall follow the same presentation format as the Planning Board uses for regular applications.

7.5 At the conclusion of the public hearing, the Conservation Commission shall proceed to act on the request first. Following a motion and vote by the Commission, the Planning Board and/or BOA shall act on the application.

7.6 Request for opinions for special exceptions and variances to the Wetlands Ordinance are to go through the BOA first with all documentation to be forwarded to the Conservation Commission.

7.7 Requests for opinions from other Town Boards, Commissions or Committees are to be accompanied with the same documentation that they are considering.

Article 8 – Standards of Conduct

8.1 The primary obligation of the Conservation Commission members is to serve the public interest and to conduct themselves so as to maintain public confidence in the Commission and the conduct of business.

8.2 Since the diversity of ideas and opinions contributes to the effective working of the Conservation Commission, it is expected that all regular and alternate members will make every effort to attend each meeting and site review. When attendance is not possible, a member should notify the Chair or Secretary in a timely fashion prior to the event. If any member demonstrates persistent non-participation, it is the prerogative of the Commission to ask the member to resign.

8.3 Members shall not directly or indirectly solicit any gifts or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, premises, or in some other form), under circumstances in which it could be reasonably inferred that the gift was intended to influence them in the performance of their duties or was intended as a reward for any recommendation or decision on their part.

8.4 To avoid conflict of interest or even the appearance of impropriety, any member who may receive private benefit from a Conservation Commission decision must not participate in that decision. The private benefit may be direct or indirect; create a material personal gain or provide an advantage to relations, friends, or groups or associations that hold a significant share of the official's loyalty. An official with a conflict of interest must make that interest public and abstain from voting on the matter.

8.5 A Commission member may not disclose or improperly use confidential information obtained in the course of his/her duties for financial gain or further a personal interest

8.6 All Conservation Commission members share a responsibility to enforce adherence to the standards of conduct herein. If a member believes that one or more members may be either by intention or inadvertence in violation of these standards, she/he shall call that fact to the attention of the Chairman who shall in turn call it to the attention of the commissioner in question. In the event of a dispute as to whether a commissioner should or should not participate, the question shall be posed to the Commission as to whether the member in question should or should not participate. Such vote shall be advisory and non-binding.

Rindge Conservation Commission Site Review Request Form (Applicant)

Appendix A of Conservation Commission Rules of Procedure

This form may be also be used by other Town departments, boards or individuals.

<p><i>Site Reviews may be requested for the following purposes:</i></p> <ol style="list-style-type: none"> 1. To answer questions specific to wetlands issues, raised by the <u>Board of Adjustment</u>, the Rindge Planning Board or the Rindge Selectmen, for projects under their consideration relative to appropriate ordinances, laws, regulations, codes, etc. 2. To identify potential issues and answer questions from land owners or applicants prior to any site alteration. 3. To respond to complaints of wetland code violations by abutters or other residents. 4. To assess the accuracy of a wetland delineation for a proposed project. 5. To clarify questions raised during RCC discussions of projects already under review. 6. Any other reason deemed appropriate by the RCC. 	DATE OF REQUEST		
	SITE LOCATION:		
	Assessor's Map/Lot No. Street Address		
	OWNER INFORMATION:		
	Name		
	Mailing Address		
	Phone Number/Email Address		
	Authorization (signature)		
	PARTY REQUESTING ACTION:		
	Name		
	Board, Commission, Town Dept. (if applicable)		
	Mailing Address		
	Phone Number/Email Address		
	PURPOSE FOR THIS REVIEW		
	OTHER INFORMATION		
<p>Notes:</p> <ol style="list-style-type: none"> 1) Submit this request to the Town Secretary at the Town Office. 2) Attach a site map for this location. 3) Attach a copy of the site plan for the proposed project, if applicable. 4) Be sure that all pertinent proposed structures such as buildings and driveways are staked on the site prior to the review, if possible. 			

Rindge Conservation Commission

Site Review Report Form (by Board/Commission)

(Appendix B of Conservation Commission Rules of Procedure)

Date of Review	
Date of Report	
Owner's Name	
Assessor's Map/Lot No. Street Address of Site	
Board/Dept. Requesting Review	
Conservation Commission Members Present During the Review	
Others present during the Review	
Purpose for This Review	
Conclusions of the Conservation Commission	
Votes (if Quorum) or Decisions Made by the Conservation Commission	
Plan Reference (Number & Date):	
<i>Other Notes:</i>	