

**BYLAWS**  
**Moultonborough Conservation Commission**  
**TOWN OF MOULTONBOROUGH**

**I: Statutory Authority**

The Moultonborough Conservation Commission was duly authorized pursuant to RSA 36-A by the town of Moultonborough for the proper recognition, use, and protection of natural resources and of watershed resources.

**II: Title**

The Commission is hereby designated as the “Moultonborough Conservation Commission.”

**III: Membership; Residency; Terms of Office; Removal of Members; Vacancies**

The Moultonborough Conservation Commission (hereinafter the Commission) shall be organized consistent with, and pursuant to RSA 36-A. The Commission shall consist of five (5) members who shall be appointed by the Board of Selectmen. One member may be a member of the Planning Board. The terms of the members shall be for three (3) years, pursuant to the provisions of RSA 36-A:3; The Board of Selectmen may appoint to the Commission up to five alternate members. All members shall be residents of the Town of Moultonborough. Members of the Commission may also serve on other town boards or commissions pursuant to RSA 36-A, 36-A:3, and 91:2 Members may be removed for cause, after notice and a hearing, by the appointing authority. Vacancies shall be filled as necessary by the Board of Selectmen;

**IV: Officers**

- *At the first meeting after the Moultonborough Town Meeting* the Commission shall elect a Chair and a Secretary from the appointed regular members and create and fill such other offices as it may deem necessary for its work. An alternate member cannot serve as Permanent Chair or Secretary. The term of the Chair or Secretary and any other officers shall be one year, and he or she shall be eligible for re-election. The Chair shall preside at all meetings of the Commission, sign all official correspondence of the Commission, and serve as the official spokesperson for the Commission.
- The Secretary
  - Posts notices of all meetings and notifies members of any special meetings;
  - Oversees, keeps and posts accurate minutes of all meetings and hearings and distributes copies to Commission members, appropriate town officials and in a file accessible to the public;
  - Presides over a meeting if the Chair is absent.

**V: Scheduling of Meetings; Meetings and Records**

Meetings of the Commission shall be held on a monthly basis and at other times as necessary. A majority of the members shall constitute the quorum necessary to transact business. The Commission shall prepare a report of activities to be included in the Town’s Annual Report. All meetings and records are subject to RSA 91-A.

## VI: Powers and Duties

The Commission shall have advisory authority generally, with the specific powers and duties designated in RSA 36-A, including the ability to:

- A. Assist the Planning Board, as requested, in the development and review of those sections of the Master Plan which address natural resources
- B. Advise, upon request, local agencies and other local boards in their review of matters affecting or potentially affecting natural resources
- C. Coordinate activities with appropriate service organizations and nonprofit groups
- D. Publicize and provide educational information regarding its activities
- E. Hire consultants and contractors as needed
- F. Appoint subcommittees, groups, and individuals (clerks and other employees)
- G. Receive gifts of money and property, both real and personal, in the name of the town, subject to the approval of the Board of Selectmen, such gifts to be managed and controlled by the Commission for its proper purposes
- H. Hold meetings and hearings necessary to carry out its duties
- I. Expend monies from the Conservation Fund
- J. Keep accurate records of its meetings and actions
- K. Keep an index (*aka Natural Resource Inventory*) of all open spaces and natural, aesthetic or ecological areas, all marshlands, swamps and other wetlands.
- L. All decisions of the Commission shall be by majority of the members present and constituting a quorum. In the event of a conflict of interest, the Commission may request that a member with a conflict of interest recline him/herself, though only the member with the potential conflict may determine if such a conflict exists, and may step down at his/her discretion.
- M. Perform review and comment duties on NH Department of Environmental Services applications relating to natural resources, these being primarily, but not limited to, applications for Dredge and Fill Permits, Major, Minor and Expedited and Permits by Notification.

## VII: Advisory Role to Town Boards and Commissions

The Commission may assist and advise State and Local boards and agencies in the review of applications submitted for and make recommendations relative to those and other matters that may affect natural resources.

## VIII Amendments to these Bylaws

These bylaws and rules of procedure may be amended by a majority vote of the Commission at a regular meeting, provided that the proposed amendments must have been presented to the Commission at the regular meeting preceding the meeting at which the vote is taken. These By-Laws and procedures are reviewed annually and may be amended at any regular meeting.

## IX Effective Date

These Rules of Procedure shall take effect on February 8, 2011.

Ammended November 7, 2022

Ammended for approval November 7, 2022