

March 10, 2022 Town Meeting

Article 11: AQUISITION OR SALE OF LAND, BUILDINGS, OR BOTH

To see if the town will vote to adopt RSA 41:14-a, to allow the select board to acquire or sell land, buildings or both; provided, however, they shall first submit any such proposed acquisition or sale to the planning board and to the conservation commission for review and recommendation by those bodies.

This article will remain in effect until rescinded by majority vote. Recommended by the Board of Selectmen 3-0-0.

Article 11 was moved and seconded. Discussion followed. Article 11 PASSED AS WRITTEN

TITLE III TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES

CHAPTER 41 CHOICE AND DUTIES OF TOWN OFFICERS

Selectmen

Section 41:14-a

41:14-a Acquisition or Sale of Land, Buildings, or Both; Demolition or Disposal of Buildings. –

I. If adopted in accordance with RSA 41:14-c, the select board shall have the authority to acquire or sell land, buildings, or both, and to demolish or otherwise dispose of buildings, provided, however, they shall first submit any such proposed acquisition, sale, demolition, or disposal to the planning board, the conservation commission, the heritage commission, and the historic district commission if the building lies within a defined district for review and recommendation by those bodies, where such board or commissions exist. After the select board receives the recommendation of the planning board, the conservation commission, the heritage commission,

and the historic district commission if the building lies within a defined district, where such board or commissions exist, they shall hold 2 public hearings at least 10 but not more than 14 days apart on the proposed acquisition, sale, demolition, or disposal; provided, however, upon the written petition of 50 registered voters presented to the select board, prior to the select board's vote, according to the provisions of RSA 39:3, the proposed acquisition, sale, demolition, or disposal shall be inserted as an article in the warrant for the town meeting. The select board's vote shall take place no sooner than 7 days nor later than 14 days after the second public hearing which is held.

II. The provisions of this section shall not apply to the sale of and the selectmen shall have no authority to sell:

(a) Town-owned conservation land which is managed and controlled by the conservation commission under the provisions of RSA 36-A.

(b) Any part of a town forest established under RSA 31:110 and managed under RSA 31:112.

(c) Any real estate that has been given, devised, or bequeathed to the town for charitable or community purposes except as provided in RSA 498:4-a or RSA 547:3-d.

III. The provisions of this section shall not apply to the demolition or disposal of, and the select board shall have no authority to demolish or dispose of, any real estate that has been given, devised, or bequeathed to the town for charitable or community purposes except as provided in RSA 498:4-a or RSA 547:3-d.

Source. 1994, 197:3. 1997, 38:1. 2001, 187:2. 2005, 80:1. 2007, 221:2. 2008, 109:1, eff. July 27, 2008. 2021, 184:1-3, eff. Oct. 9, 2021.