

BOARD OF SELECTMEN

MAY 22, 2017

MEMORIAL BUILDING

4:00 P.M.

The following are to be considered draft minutes only until approved by the Board at their next meeting.

Selectmen present: Leigh Callaway, Chairman; Dick Hendl and Tamara Butcher.

Others: Dale Milne, Dick Petrin, Bryan O'Day, Cody Patten, Pete Abair, Ken and Tanner Jacques.

Zoning Permit Updates: Whit was not in attendance. His report follows:

REPORT from ZONING COORDINATOR. -- Board of Selectmen Monday, May 22, 2017.

Here is a summary of permit applications and Zoning Coordinator activity.

Application for Permit – To Be Considered at the Meeting:

1. Tanner Jacques, 306 Twin Lake Villa; Application for Permit for single family residence. Parcel appears to front on a Class VI road (Webster Pass), however plan is to improve the road to condition of a residential drive. Application complete with drawings and septic system permit. Location identified and staked. No setback issues. No wetlands buffer issue, Structure no more than 35' tall. Since the parcel appears to front on a Class VI road (Webster Pass) applicant has also executed a "Notice of the Limits of Municipal Responsibility and Liability for Class VI and Private Road." Copy of the executed "Notice" has been delivered to the Administrator. Zoning Coordinator has viewed the site location and discussed plan with applicant. Recommend APPROVAL.

Application for Permit – RECEIVED, Acted Upon:

2. Troy Denney, 444 Sanborn Hill Road. Application for a deck to be built on front of existing residential house. Application package reviewed and forwarded to BOS members. APPROVED by Zoning Coordinator pursuant to delegation of authority.

Application for Permit – RECEIVED, but PENDING Further Action

3. Attiya Mirza, agent for UPLA5AC, 378 Stoney Brook Rd; Application for permit to build a 4' x 8' structure. Met with Applicant on Tuesday, May 9, and again on Thursday, May 18, 2017. Applicant has decided to request and pursue a variance for dimensional relief allowing shed to remain in its present location. Application for Zoning Variance complete, fees paid and timely filed with the Town Clerk to be put on the docket for the June 6, 2017, meeting of the Zoning Board of Adjustment. Zoning Coordinator with assistance from Dr. Mirza has prepared photo documentation of the shed location and measurement of distances, including proximity to Stoney

Brook Road, distance to watercourse outflow from Baptist pond and distance to water frontage on Baptist Pond. Note: there is no location on the parcel where shed can be located without violating one or more setback/shoreline/wetland buffer requirements.

Application for Permit REQUIRED:

4. Mr./Mrs. Martin, 566 Hogg Hill Rd; 12' x 20' shed constructed without zoning permit. Zoning Coordinator met with Mr. Martin and he indicated that he is prepared to move the shed and file an Application for Zoning Permit (after the fact). However, Mr. Martin is currently deciding on whether to apply to ZBA for a variance (dimensional relief) or to move the shed to comply with 35' side yard setback requirement.

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5. Mr. Rifkin – Camp Sunapee. Met and had conversation with Mr. Rifkin. He has agreed to prepare and file Zoning Permit Applications for the several structures that were constructed on Camp Sunapee property in early 2016 with site plan approval from the town Planning Board.

Other Matters.

A. Attended Planning Board meeting – May 18, 2017.

B. Emails and conversation with Selectman Callaway regarding delegation of authority for zoning permit approvals and Class VI Road Notice from Town to landowners seeking zoning permits.

<< RWS 5/21/2017

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An application was received today from Josh Lizotte on Hogg Hill for a shed. Whit visited the property and everything appears to be in order. The Board approved and signed the permit.

The Board also reviewed and signed the zoning permit for Tanner Jacques, as stated above.

Leigh noted Ken Jacques spoke to him about an issue with tree cutting necessary for two utility poles required to extend power to Tanner's property off the Class VI road. Eversource needs vegetation cleared and some trees removed within the Webster Pass right-of-way. It appears this requires approval from the abutters to do so. Leigh stated after talking to Ken, he contacted, Margaret Byrne, an attorney at the NH Municipal Association who referred him to several RSA's that deal with this. It is his understanding, per RSA 231:172, that it is up to the utility to

seek permission for tree removal from the abutter. The town has no role in this other than granting a pole license to the utility.

Ken stated they were given permission from the town last year to upgrade the road and clear the ROW to access the property. They did not clear trees for the first 50' of the road, but did clear from stone wall to stone wall after that. Last year they were told by Eversource it would be fine. Now Eversource is telling them they need more cleared. Eversource wants to keep the utility poles in the ROW as much as possible as well as avoid putting any anchors, if required, on the property of someone else. Eversource wants trees and brush removed. Ken's understanding, after talking with Eversource, is the Board of Selectmen has the authority to allow upgrades within the town right of way without notice to anyone. Leigh stated it is up to Eversource to get permission and to take the trees out. Ken will do some further research.

Minutes of May 8, 2017: correction page 3 "He has reviewed the driveway location with ~~Red~~ Road Agent. Page 5 remove empty space after "The", and correct "Cody has put in a water bar to ~~diver~~ divert". Motion by Dick to approve as amended, seconded by Tamara and unanimously approved.

Minutes of May 10, 2017: Motion by Leigh to approve as written, seconded by Tamara and unanimously approved.

Old Business:

Meeting with Cemetery Trustees, Dale Milne, Chairman, and Dick Petrin.

Leigh noted the great loss of Frank Anderson. Frank served as the cemetery sexton and also as a town worker. He suggested three options:

1. Part-time replacement for a worker
2. Contracting out the mowing services
3. Keeping Cody Patten on at cemetery and increasing him to full-time status

Leigh stated he would like to extend Cody to a full-time basis until this gets worked out. Frank averaged 12 to 18 hours, or more during the busy season. He feels without the extra 10 hours a week for Cody, it would put a squeeze on the highway department. Tamara stated she is in agreement, but would like to hear from Cody. Cody stated he does not have a problem with doing this, as long as he is allowed the time to get the work done at Pleasant View and the 5 other cemeteries. He thinks about 2 days a week is enough time for cemeteries. Pete thinks this schedule will work. Leigh noted the additional cost with wages and benefits is \$3,900, for the full-time position for the remainder of this year. Dale and Dick Petrin agreed they would like to keep Cody on since he is familiar with the cemeteries. They are not in favor of contracting out services. Motion made by Tamara to extend Cody to 40 hours per week until a final solution is determined. Motion seconded by Dick and unanimously approved.

Leigh noted a long-term solution will need to be worked out and will be part of the budget discussions for 2018. Dick Hendl noted his concern with putting Cody in a position where he is full-time now, and then gets cut to part-time.

Leigh introduced Josh Wise, a new resident who is interested in volunteering some time to help, as needed.

Class VI and Private Road Construction Policy:

Leigh shared the updated draft (vers. 21-2) of the policy. He briefed the Planning Board on the requirements and the policy at their recent meeting. After the Selectmen are finished, he will take this back to the Planning Board for their comments and then it will be sent to legal counsel.

The draft of the Policy was reviewed and suggestions were made to rework some of the language for clarity. The Board discussed whether specific maintenance language should be included in the policy or if it should be in the Notice of Limits. There will be two separate documents. The Notice applies to applicants who wish to construct a residence on a Class VI or Private Road. Maintenance requirements on a Class VI road should be included in the notice as the tool to inform of rights. A separate request for permission would be required for maintenance other than routine work on Class VI Roads. Leigh will forward the draft he is working on for the Notice of Limits.

Divesting of Town Properties: Dick handed out a sample packet of documents he would include for properties the town may decide to sell. He questioned if there should be a minimum bid. The Board may take a further look at this when they look at info for the specific properties. He will start with the Eastman properties and only divest those the town has owned for more than 3 years. Some of them, by deed conveyance, have to be offered to Eastman first. The Board agreed there should be a minimum of 30 days for bids to be received once they decide to move forward.

Projects list:

Board agreed to move forward with having Chris Carson paint the handrails and the cupola at the town office.

Leigh noted the structure supporting the power meters at the Highway Garage is leaning. Peter will take care of straightening the structure. Eversource will need to shut the power off at the pole. Leigh spoke to Jim Dewkett about being available.

Mason will be called regarding a leak in the sink at the library.

Board and Department Updates:

Leigh reported the Planning Board approved an amended site plan for Wonderwell for their parking lot. The plan included a third driveway curb cut. It was brought to the Planning Board's attention that the driveway regulations only allow for two curb cuts and the applicant had not

been advised of the requirement for a driveway permit. Given the amount of available frontage, the Planning Board voted to recommend the Selectboard grant a waiver for the third driveway. Motion by Leigh to grant a waiver to Wonderwell for the third driveway, bringing the site plan into compliance. The motion was seconded by Dick and unanimously approved.

Correspondence:

Annual contract renewal for circuit rider services for the Upper Valley Lake Sunapee Region Planning Commission. Leigh noted the Planning Board had discussed this with Stephen Schneider Thursday night. The contract should go to the Planning Board for recommendation before the Selectboard signs off.

Thank you note received from the Springfield Historical Society for the painting that was done in the foyer at the museum.

Signatures:

Signature obtained for a corrective Current Use Application for David and Deborah Roberts. Recommendations for disposition of abatements were reviewed and signed.

Motion by Tamara to accept the recommendations of Assessor, George Hildum. Motion seconded by Leigh and unanimously approved.

Yield Tax Assessment reviewed and approved.

Leigh would like to review the year-to-date budget at the Board's next meeting on June 12, 2017 @ 4:00 p.m.

Meeting adjourned at 6:07 p.m.

Submitted by,

Janet Roberts,
Administrative Assistant