

BOARD OF SELECTMEN

June 14, 2021

MEMORIAL BUILDING

4:00 P.M.

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

The meeting was called to order at 4:00 p.m. and began with the Pledge of Allegiance.

Selectmen present: Tamara Butcher, Chairwoman, Dick Hendl and Amy Lewis

Others: Jim Bednar and Whit Smit

Zoom: Wayne Smith

Scheduled Appointments:

Jim Bednar provided his letter to the board of selectmen along with the plans for the build of the barn. The letter requested the board would apply to the zoning board of adjustment for a special exception. Whit stated once the board agrees to the build, he will process the application for special exception immediately. Whit feels there is plenty of time to get everything done and be ready for the ZBA's first meeting in July. The board is in full agreement to move forward with the application. Jim stated based on this decision he will move forward with preliminary steps, their first meeting with the architect is on Thursday.

The board welcomed and swore in Springfield's new part time officer, Brandon Conlon. Officer Conlon was presented with his badge by the board of selectmen. Congratulations Officer Conlon.

Wayne Smith announced he was unable to hear the meeting. Whit did some testing, and the problem was not coming from our end. Wayne then called in to ZOOM and was able to hear the meeting that way.

Zoning Permits:

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, June 14, 2021. Here is a summary of permit applications and Zoning Coordinator activity.

Application for Permit – Acted Upon, APPROVED

1. Robert Leese & Claudia Zent, 191 Four Corners Rd, would like to rebuild and expand the size of the deck on the front of their house. Zoning Coordinator has been out to the site and has discussed the plan with both Mr. Leese and Ms. Zent. There are no wetlands issues (deck is outside shoreland protection zone), no setback issues and the structure will be less than 35' tall. Zoning Coordinator did not observe any commercial or business activity and applicant has represented the same on the application. Zoning Permit APPROVED by BOS per delegation of authority.

2. James and Tanya Callan, 85 Oak Hill Rd West, would also like to rebuild and expand the size of the deck on the back of their house. Zoning Coordinator has been out to the site and has discussed the plan with Mr. Callan. There are no wetlands issues, no setback issues and the structure will be less than 35'

tall. Zoning Coordinator did not observe any commercial or business activity and applicant has represented the same on the application. Zoning Permit APPROVED by BOS per delegation of authority.

3. Natural Dharma Fellowship Wonderwell Mountain Refuge, 253 Philbrick Hill Rd, would like to put a porch roof over the ADA access entry/office door in an effort to keep snow from piling up at the entrance. Zoning Coordinator has been to the site (staked out) and reviewed the plan. All in all, seems like a good idea. There are no wetlands issues, no set back issues, and the structure will be less than 35' tall. Based on Planning Board review and application to the Zoning Board of Adjustment, Natural Dharma Fellowship Wonderwell Mountain Refuge did receive a Special Exception (February 5, 2015) to operate a Buddhist religious retreat. Zoning Permit APPROVED per delegation of authority.

Open Applications - In Hand, But NOT Acted Upon.

4. Corey Swenson (Robert H. Lane Testamentary Trust, Claudia Swenson, Trustee). 658 Sanborn Hill Rd. would like to build a garage next to his house. The location of the garage is fine. Zoning Coordinator has been out to the site and has discussed the plan with Mr. Swenson. There are no wetlands issues, no setback issues and the structure will be less than 35' tall. Zoning Coordinator did not observe any commercial or business activity. Application being held pending review and discussion by the Select Board. Mr. Swenson advised accordingly.

5. Joachim & Ilona Raia, would like to build a house out on George Hill Road (house number not yet assigned) Zoning Coordinator has been out to the site and the location for the driveway was located (driveway permit application has been filed). The location for the 3-bedroom single story house has been staked. Lot has not yet been cleared. There are no setback issues and no wetlands issues. Structure will be less than 35' tall. Application being held pending review and discussion by the Select Board.

Applications Reported Previously – Still Open

6. Mr. Francis Ricard, 342 Shad Hill, would like to build/place two (2) sheds of his parcel. Application fee for two sheds (\$25 each = \$50) still not received. Applicant notified by email regarding amount due. Application held pending receipt of fee.

7. Ms. Rylee Preston, 112 Philbrick Hill Road, additional Zoning Permit application to build roof over deck (creating porch).

8. David and Elizabeth Erickson, to build a cabin off Morrill Road.

Other Matters.

A. Prep letter for John Downing (contractor) in connection with development of lot on Hazard Rd. Inform Mr. Downing regarding Zoning Permit, but the town does not issue Building Permits.

B. Information to Mike Howard regarding additional living space now planned for house on Baptist Pond Road. Plan has been modified to increase living space in the building. Expansion of structure in protected zone requires Conditional Use permit per Section 8.2 (pp. 27-27) of the Zoning Ordinance.

C. Seminara inquiry regarding wetlands on lot located on Brook Road (off Town Farm Road).

D. Inquiry/Discussion with town counsel regarding expansion of garage variance granted for 26' x 26' garage; applicant would like to change the specification to a 28' x 26' garage. Re-file amended permit application to ZBA

E. Attended Zoning Board meeting (Leah Greene hearing) 1327 Stoney Brook Rd. Variance previously granted; see decision on file. Further inquiry from Ms. Greene regarding whether she can now make the garage larger – 26' x 28' feet (no closer to the property line) rather than the 26' x 26' size referenced in Variance. New hearing on Amended Variance Application. Zoning Board of Adjustment granted an Amended Variance for a garage measuring 28' x 26'. Applicant subsequently advised regarding Zoning Permit Application fees for garage, connector addition to house AND new structure – shelter for 42' camper.

F. Review and revise draft letter to Select Board (from Springfield Historical Society) regarding plan to build a 14' x 20' barn on town property. Special Exception will be required due to lot size (non-conforming; .92 acre).

G. Review so-called “letter of credit” from Citizens Bank with respect to “sufficient funds on deposit” for completion of reclamation of land on Sanborn Hill Road.

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Whit went through his report with the board. Whit had not gotten a response from Amy Lewis regarding the Raia application. Amy stated she has no issues with this application. Whit said he would approve that application.

Mr. Downing (A), who's a contractor and also a septic designer, will be doing work on Hazzard Road for Megan Baxter who wants to build a house up on Hazzard Road. Megan needs to pull the trigger on her construction loan so she can pay for site prep and also a septic design. Mr. Downing asked Whit to send a letter regarding the zoning permit. Whit requested Springfield letterhead so he can complete this letter for Mr. Downing.

Mr. Piispanen (B) is the guy who is going to raise up the house, increase the size of the foundation and shore up. Whit was originally told by planning board member Howard, who is also the contractor doing the house elevation, that there was not going to be anything more than a crawl space down below. Accordingly, that would not require a zoning permit. Then Mike Howard visited with Whit and said it turns out they are going to raise it up considerably more, enough to have a rec room, or a ping pong table, down there. Whit stated that constitutes an expansion of a structure in a conservation overlaying district. As a result, he may not need a

zoning permit, but he would need a conditional use permit granted by the planning board in order to do that expansion of the structure. That information was conveyed to Mr. Piispanen via Mr. Howard. Whit received an email from Mr. Piispanen saying that his building inspector had been through, and the place is full of rot and not worth saving, meaning it needs to be completely rebuilt; he then asked if he would need a zoning permit. Whit's response was that it depends. If the intention is to raise it up enough to have a ping pong table in the basement, then you may need a conditional use permit. If you are placing it on exactly the same footprint with the same dimensions and no change in specifications, then no permit is required. That is where it stands now, just waiting to hear their final plan. Dick asked if he needs an amended DES permit. Whit does not know the answer to that. This is now in a holding pattern. Janet said Mike Howard will be at the planning board to talk about the conditional use.

Leah Greene (E) appeared before the ZBA with an amended application for a variance that should be treated as new application. The ZBA granted the additional size of the garage, they did not grant additional relief. This is now proceeding in an application for a zoning permit which was received today, all fees were paid. This application also includes a 42' x 12' pole barn where they will store their camper. The application looks good and will be processed in the next couple of days.

Whit reviewed the letter of credit (G) for completion and reclamation of the land on Sanborn Hill Road. Whit personally doesn't feel this is a letter of credit and thinks the selectboard needs to plan how they want to approach the property owner to ensure that the maximum amount of restoration can be obtained both for the road and also the property that is being cleaned out. The areas that have been cleaned up and reclaimed look good. Janet said she spoke with Art Conkey today saying that he would continue hauling. Art has asked for a consultation with planning and will be at the planning board Thursday night. Mr. Lindquist wants to be done owning the property. Janet isn't sure what will happen when the letter of credit expires. Art wants to come find out, because he doesn't have the means to get a letter of credit; he's truly going to need a bond and he needs to know what the bond is entailing. How much might be attributable to the road, how much attributable to reclaiming the property and the difficulty is that Janet has not been able to locate that file as of yet, just the minutes. It is Whit's suggestion that the \$135,000 on deposit at Citizen's Bank be placed in an escrow account pending resolution. Christine Fillmore might think differently, and Whit feels the board should discuss this with her as quickly as possible. Janet said that Mr. Conkey has been doing some water testing on the water in the pond and has talked with DES. He is very seriously considering purchasing the property he just needs to know what is going to be required of him and how the planning board got to that \$135,000 figure.

Corey Swenson (4) has an application for a garage on his property. The location is fine, with no violations. The only concern was that in the past the planning board had felt there was commercial activity happening on the property and thought he should be required to get a site plan review. Whit informed the board of selectmen that all equipment that would have supported that has been removed from the property and will not be returning. It is Whit's opinion that any

commercial activity has stopped and therefore there is no longer a need for a site plan unless it were to recommence.

Whit provided the board of selectmen copies of maps of Corey's property; pointing out an area where he has dumped a lot of sand and is using it to store stuff like old vehicles. The problem is the map showing that the area is in designated wetlands, which Whit informed Corey he was not supposed to have done that. Corey was unaware of that and said he will do whatever he needs to get it fixed. Whit is unsure of the responsibility of the board of selectmen with respect to dealing with the conduct of a property owner who has a compromised designated wetland. It may be to just notify the property owner that this has been brought to their attention and they also notify the division of environmental services for the state. After that it becomes a state matter. Janet said there is another slippery slope, that is not enforced, which is that you can only have so many unregistered cars on a piece of property. Tamara was going to ask if he knew that if he has more than two unregistered vehicles that he had a junkyard. Janet added that this is everywhere in town. The board agrees that dealing with the wetlands first is more important. Tamara suggests inviting Corey to the next meeting to determine his plan on moving the vehicles out of the designated wetlands. Whit would like to process the zoning permit application based on the location of the proposed garage and the fact that he's no longer, if he ever was, conducting commercial activity.

Whit brought another matter to the board's attention. If you go out on George Hill Road, past the boat launch for MacDaniel's Marsh, just over the hill past Peter Keene's house on the left is a rather substantial collection of junk metal. Whit has been told from time to time a truck shows up and loads up some of that metal and goes off. Which leads Whit to the conclusion that he is accumulating scrap metal and when he has enough to fill a truck, they weigh it and he gets paid. He probably feels he's doing a service by disposing of metal that might otherwise be left around. On the other hand, it is an activity that we don't condone in the town without planning board approval.

Chief Beaulieu discussed the results of the data for speeds on Bowman Road. Chief Beaulieu contacted Newport Police Department and spoke to Lt. Craig Robertson. They set up a tracking device, which tracks speeds of vehicles coming and going on Bowman Road as Springfield Police is getting a lot of complaints. Chief Beaulieu thinks the complaints are unsubstantiated. Out of 4,825 cars, you have fifteen cars going fifteen or more over the speed limit. Amy calculated that is only .3%. The speed limit on Bowman Road is posted 30mph, however the police can only enforce 35mph according to NH RSA. The study was done through the dates of May 27th through June 3rd, 2021. Chief Beaulieu has run this by other agencies and there is no way they would put a cop there to do radar patrol and he has been doing that for a long time. A copy of the study was provided.

Date\Speed (MPH)	1-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	>70	Total
05/27/21	4	11	5	6	19	114	113	27	4	1	0	0	0	0	304
05/28/21	5	10	18	3	19	131	145	61	12	1	0	0	0	0	405
05/29/21	5	13	7	11	25	119	166	54	6	2	0	0	0	0	408
05/30/21	2	8	3	1	18	78	103	37	6	2	0	0	0	0	258
05/31/21	2	5	3	4	9	69	80	41	7	0	0	0	0	0	220
06/01/21	0	17	9	2	23	123	125	32	8	2	0	0	0	0	341
06/02/21	1	7	9	3	21	111	164	43	8	1	0	0	0	0	368
06/03/21	1	0	2	1	2	19	24	11	1	0	0	0	0	0	61
Lane1 Total	20	71	56	31	136	764	920	306	52	9	0	0	0	0	2365

85 percentile = 40

Date\Speed (MPH)	1-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	>70	Total
05/27/21	2	4	4	1	15	59	81	32	9	2	0	0	0	0	209
05/28/21	1	17	13	2	17	89	164	75	17	0	0	0	0	0	395
05/29/21	3	17	11	8	24	92	135	51	15	0	0	0	0	0	356
05/30/21	1	15	6	4	19	90	108	67	8	0	0	0	0	0	318
05/31/21	0	17	3	4	10	78	135	60	14	1	0	0	0	0	322
06/01/21	0	12	13	1	26	107	146	50	10	1	0	0	0	0	366
06/02/21	1	14	16	1	13	93	155	63	15	1	0	0	0	0	372
06/03/21	0	1	2	0	7	36	50	22	3	1	0	0	0	0	122
Lane2 Total	8	97	68	21	131	644	974	420	91	6	0	0	0	0	2460

85 percentile = 41

Date\Speed (MPH)	1-10	11-15	16-20	21-25	26-30	31-35	36-40	41-45	46-50	51-55	56-60	61-65	66-70	>70	Total
05/27/21	6	15	9	7	34	173	194	59	13	3	0	0	0	0	513
05/28/21	6	27	31	5	36	220	309	136	29	1	0	0	0	0	800
05/29/21	8	30	18	19	49	211	301	105	21	2	0	0	0	0	764
05/30/21	3	23	9	5	37	168	211	104	14	2	0	0	0	0	576
05/31/21	2	22	6	8	19	147	215	101	21	1	0	0	0	0	542
06/01/21	0	29	22	3	49	230	271	82	18	3	0	0	0	0	707
06/02/21	2	21	25	4	34	204	319	106	23	2	0	0	0	0	740
06/03/21	1	1	4	1	9	55	74	33	4	1	0	0	0	0	183
Combined Total	28	168	124	52	267	1408	1894	726	143	15	0	0	0	0	4825

85 percentile = 40

Minutes of May 24, 2021:

Dick made a motion to approve the minutes of May 24, 2021 as written. The motion was seconded by Amy and unanimously approved.

Court Status:

Dick read a statement received from attorney Fillmore.

“Following the April 28 order finding in the Town’s favor on four of the claims in the Kazenas appeal, the superior court has will hold a combination scheduling conference and hearing on pending motions related to the rest of the claims in the case, scheduled to occur by WebEx video on July 13, 2021 at 1pm. The court will hear arguments on a motion regarding RSA 91-A requests related to the case, and will discuss with the lawyers the timing of discovery, additional motions, and trial.”

Unfinished Business:

Sanborn Hill Trucking – Tamara read from the email Janet had put out. Art Conkey has been in touch with the town office several times a week keeping us informed on what is going on up there. Most recently is that they did not get much hauling done last week, and they will be hauling this week, weather permitted.

Dick met with Miles Sparrow at the skatepark this afternoon. They went over the section that has been moved over by the highway shed; he thinks some of it is salvageable and will write up an estimate. They also toured the other sections and he found more damage than Dick and Tamara had seen initially. It looked as though whoever did the dissembling of the first section was trying to do the same to this one because it was separated on the back. Miles will send an estimate within the week and will also let Dick know a schedule of when he might be able to repair it. Janet asked if Miles felt the remaining sections should be taken out of service. Dick said he didn't go so far as to say those two sections were dangerous, but he did say they need to be fixed.

Dick announced that there have already been two inquiries made on the town properties available for sale by sealed bid. The deadline for bids is on July 12th by 3:30pm.

New Business:

Discussion regarding discontinuing ZOOM meetings - Tamara is in favor of no longer having board meetings via ZOOM. There is enough room in this space for attendance and masks are no longer required however you are more than welcome to wear one if it makes you more comfortable. Dick and Amy agree with Tamara's thoughts on ZOOM. Dick made a motion to discontinue ZOOM meetings effective immediately. The motion was seconded by Amy and unanimously approved.

Pixie gave Janet a copy of the tax bill for the property at 164 Hogg Hill Road. She was given an opportunity to make payments while she was working through a bank loan. The latest communication that Pixie has had with her was that she is waiting for an appraisal. The last time she came in and paid anything towards her account was in April. This is in the board's hands. There will be a certified letter going out sometime before the deeding process begins. Pixie wanted to bring this to the board's attention and see if there was anything more they wanted to do with that. Dick and Tamara have been in contact with her and will discuss further in non-public session.

Board and Department Updates:

Amy said the Stop the Bleed refresher class is June 22nd at the Fire Department. If anybody wants to participate Olivia needs to know by Wednesday

The fire department will hold their chicken barbeque on July 10th. That will tie into the family field day that the rec committee is putting on.

The fire department has some truck work they are trying to get through. The truck committee, which is a newly formed committee, is going to try to have a recommendation for a replacement vehicle for the next budget year.

Dick informed us that the library scholarship letters were sent out and they are handing out checks as they come in. There were six scholarships awarded.

Correspondence:

A letter was received from Gary Keith, of the 10 Point Club. He can't afford the taxes and would like to donate the property to the town. This is the second letter we have received from him. Mr. Keith is the remaining trustee.

Janet shared with the board a letter not in favor of the denial of the request for an abatement on the assessment to the property on Dutchman Pond. A copy of this letter was also shared with George Hildum, he may be here on Wednesday this week. Tamara said she would want to see if it actually says they have waterfront. Janet said it mentions they have waterfront, and that may be an error, but they have water access. He says you can't see the water from his house, and he hasn't been able to live in the house because it is in such disrepair. Amy feels this is a non-issue. If they have an easement across a parcel of land to the lake, then they have water access. Perhaps George will weigh in on this.

Signatures:

Upper Valley Lake Sunapee Region Circuit Rider Agreement Contract

Miscellaneous Business:

At 5:22 p.m. Tamara made a motion to enter into non-public session to discuss personnel, the police department and tax deeded properties per RSA 91-A:3. The motion was seconded by Dick. By roll-call vote this was unanimous.

The board moved back into public session at 5:43 p.m. Tamara made a motion to seal the minutes discussing personnel. The motion was seconded by Amy. Dick, Tamara and Amy voted in favor of the motion.

The board approved the purchase of a new radio for Chief Beulieu's cruiser in the amount of \$2270.00.

The meeting was adjourned at 5:45 p.m.

Jill Hastings

Deputy Administrative Assistant