

## **BOARD OF SELECTMEN**

**October 12, 2021**

## **MEMORIAL BUILDING**

**4:30 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 4:30 p.m. and began with the Pledge of Allegiance.

Selectmen present: Tamara Butcher, Dick Hendl and Amy Lewis

Others: Sgt. Zullo, Mike Lawlor, Whit Smith, Dan Saulnier and Darrin Patten.

### **Scheduled Appointments:**

Jon Laliberte from Capitol Alarm – Jon called in and spoke with the board regarding his proposal for security cameras on the Fire Department and near the rec field. A copy of the camera layout for the areas was provided to the selectboard. Amy asked how long it would be before the install is complete once the agreement is signed. Jon said the cameras on the fire department could be done anytime. The underground work would have to wait until Spring. The way the proposal is written up the Town will need conduit that goes from the fire department across the field and will need a post installed in two different locations for the license plate cameras; the town would be responsible for the underground going to those locations. Jon said the proposal is for a 16 channel DVR with an 8TB hard-drive, and right now he is proposing to install twelve cameras.

Dick asked about reducing the number of cameras on the Fire Department building itself and one off the field, how dynamic would the network be to add those cameras back in the future if desired; this is being asked because there are other buildings in town that the Board would like to see some surveillance on as well. Jon said, longevity wise, if you think you will want those cameras, now is the time to do it. The town might save somewhere around \$1500, but if Capital Alarm has to come back to install those cameras it would cost more money in the long run. Jon feels the town would be better off taking some cameras off the fire department and then outfitting another building. Jon informed the town that each location, the Meetinghouse and Historical Society counting as one location, would have its own DVR system.

After the discussion the Board has decided to get a proposal to do all town buildings at the same time using the American Recovery Act funds. Whit suggested the Board get a proposal based on what they feel the coverage should be. Dick will make a sketch with the suggested camera locations as a place to start.

### **Zoning Permits:**

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Tuesday, October 12, 2021.

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

### **Application for Permit – Acted Upon, APPROVED**

1. Olivia & Brooks Weathers, 1482 Main Street, would like to build a screen porch/deck/storage area around back of their house. Mr./Mrs. Weathers successfully concluded spousal conversation regarding

design and size of screened porch. Proper fee received. This is not considered an “addition,” because it is not “finished living space.” Revised drawing submitted. There are no setback or wetlands issues, and the structure will be less than 35' high. Zoning Coordinator has visited the site; there was no observed home business or commercial activity and the applicants have represented the same on their application. Zoning Permit APPROVED per delegation of authority.

2. Tim Bray, 43 Bowman Road, would like to place a permanently located stand-by generator behind his house. Zoning Coordinator has been out to the site and discussed the plan with Mr. Bray. 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 per delegation of authority

#### Zoning Permit in Hand; Action Pending

3. Kurt & Allison Conlon, 22 Lamson Lane, would like to build a carport, lean-to style, in the parking area next to their residence on Kolelemoook Lake. Although application was submitted, after visit with Mr. Conlon, it was discovered that his plan for the carport is somewhat different than what Mrs. Conlon drew on the application. Now “Weathered” with experience involving spousal negotiations (porches, decks, garages, and the like), Zoning Coordinator got the two parties together, and stepped back. Holding application pending successful outcome of the conversation.

4. Mitchell & Claudia Swenson, 557 Sanborn Hill Road, would like to build a 3-bay garage. Area has been marked and is too close to the lot line – 25' instead on 35' set back. Discussed with Mr. Swenson, who beat me to the point. He had inadvertently measured the setback at 25' and is planning to move the location an additional 10' in from the line, thus meeting the 35' set back requirement. He doesn't plan to begin construction until the Spring of 2022. Accordingly, we are holding the application until the planned site is relocated.

5. Ty & Samantha Morris, 235 Bowman Road, application for zoning permit to build a shed. No need for the area to be marked because construction of shed has already begun – Permit application will be processed upon receipt of remaining fee due (After the Fact fee).

#### Zoning Permit Amended, Modified or Renewed

6. Tim & Kara Berns, 76 Nichols Hill Road; amending Zoning Permit to put on a little more shed (previously approved - August 16, 2021). Adding 10' to the back instead of the 4' previously approved. I guess if you're going to add a little more shed and you realize 4' isn't very much, and you have plenty of space behind to the lot line, and \$25 to spend... Hey, why not?

7. Greyson Labelle, 33 Old Croydon Road, renewal of Zoning Permit for 34' x 42' house with 12' wrap-around deck.

8. David & Virginia Casey, 63 Oak Hill Rd, reposition 12' x 24' swim pool (Zoning Permit previously approved Aug. 7, 2021) because when the excavator started digging - the ledge was discovered! New location is next to the old location and no closer the road right of way. However, upon further review (and another visit to the site) it was determined that the new location for the swim pool is either right next to or on the southerly lot line of the parcel. Fortunately, Mr./Mrs. Casey also own that adjacent lot. They have filed the necessary papers (and paid fee) to merge the lots, which will happen at the next Planning Board meeting. Then this one will be "squared away."

Other Matters.

- A. Inquiry regarding adding a parking area next to driveway – no permit required (LeBlanc).
- B. Attended Zoning Board meeting. Hansen Bridge
- C. Meeting with Chair of Planning Board to discuss short term lodging
- D. Respond to Selectman Hendl regarding construction of deck on Four Corners Road
- E. Prep note regarding when special exception and site plan review are necessary – incorporating Policy clarification by Select Board, to wit: providing "short-term lodging" falls within the definition of "guest facilities" and is, therefore, "Other Activity," rather than Residential Use. Accordingly, a Special Exception and a Site Plan are required under the Zoning Ordinance and Site Plan Regulations, respectively. Summary of Home Occupation, Home Business and "Other Activity" forwarded to Select Board, PB Chair, ZBA Chair and town office staff.
- F. Inquiry regarding need for Certificate of Occupancy (Pavlik)
- G. Inquiry from underwriter's agent regarding compliance with Zoning Ordinance for a property that was just transferred (sold) on Hogg Hill Road. This was a "first."
- H. Initiate discussion regarding need for a summary of how "recusal" works and should be utilized by town board members who are hearing cases. Discussed with Hendl and with Town Counsel.

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After some effort, Whit spoke with Mitchell Swenson ( #4). He does not plan to begin the build until the Spring of 2022 so the application is being held until next Spring.

There is an after-the-fact fee due for the Morris' (#5) application. Mr. Morris' application will be processed after the fee is received.

Mr. LeBlanc made an inquiry to Whit regarding adding space in their existing driveway. Whit informed Mr. LeBlanc that what he is requesting does not require a permit. This gave Whit the opportunity to have a conversation with them about how they are using the barn and what they will store there. Now inventory from the Snap-On Too franchise is being stored in the barn. Whit suggested a site plan be done.

Whit did a brief write-up on short-term lodging for the benefit of people who must address questions on the subject. It is a one-page primer on Home Business / Home Occupation and "Other Activities". This was done to explain the logic behind how a short-term lodging is a business and therefore requires both a special exception and a site plan. Whit also confirmed that the site plan regulations are specific in that the proper order of events is the special exception first and then the site plan for this narrow category of issues, not the broad world.

Whit provided a brief summary of his discussion with attorney Fillmore regarding recusals. Whit said there is not as much experience in NH as there is in other states regarding recusals at the municipal level. The law behind recusals is well developed. However, one thing is not very well explained, because it's rare, and that is where in a small town you have sitting board members who have to make tough decisions involving their neighbors. Sometimes that gives rise to uncomfortable situations. Rather than face the discomfort the sitting board member decides to recuse himself or worse still not recuse but abstain. The opinion of our council is that if you are a sitting board member you don't have the right to abstain if you are hearing a matter. You can either recuse yourself or hear the matter and then make a decision on how you are going to decide. In the case of recusal there is some confusion because recusal is a personal decision. The real question is 'can I decide this matter objectively or am I influenced by other factors'. Whit's idea, which he discussed with Christine, was to write a small, easily understood primer of what you need to think about if you are thinking about recusing yourself.

#### **Minutes of September 27, 2021:**

Amy pointed out a punctuation correction to be made.

*Others: Mike Lawlor, Sarah Anderson, Jessalyn Stranetti, Whit Smit, Barbara Cooper, Gerry Cooper and Pixie Hill*

Dick made a motion to accept the minutes with corrections. The motion was seconded by Amy and unanimously approved.

#### **Court Status:**

There are no changes from the statement that was read into the minutes at the last meeting.

#### **Unfinished Business:**

Tamara had sent Pete a message wanting to know if there had been any updates on the new truck. Pete responded saying he hasn't heard from them and will call them tomorrow.

Amy gave Horizon's the go ahead after the last meeting to start on the Sanborn Hill matter. John Warzocha does know the engineer hired by Mr. Lidnquist and he is in contact with him.

**New Business:**

Dick met with Katie Lavelle from Certified Computer Systems and provided the Board a summary of all of the recommendations that were made. Dick has discussed this with Janet and feels there is enough money in the budget to handle the one-time cost items which is essentially the hardware and some new software to increase the security of our emails. Dick made a motion to authorize CCS to install or purchase the hardware and the software necessary to take care of the one-time cost items. The motion was seconded by Amy and unanimously approved.

Dick will contact Katie and find out what the installation time and purchase time is for these items.

**Board and Department Updates:**

Dick stated the library is planning some programs for the upcoming summer. The Friends of the Library are having their annual meeting on October 23<sup>rd</sup>.

Janet stated the Zoning Board met last week and approved a special exception for Michael Hansen's Bridge Company. It has moved down to 116 Hansen Road at the old CCM building. He will be coming to the Planning Board on the 21<sup>st</sup> for an amended site plan.

**Open Bids – site improvement behind highway garage:**

The Board opened the one bid which was received from K.A. Stevens & Son Construction, Inc. He explained to Pixie that there were three different scenarios in his estimates. The proposal was reviewed by the Board as well as Dan Saulnier and Darrin Patten. After reviewing and some discussion the Board decided to hold off on making a decision until the next meeting. According to Dan there are several government programs offering grants, that information was passed along to Amy. Before the next meeting Amy will work with Whit to see if there is any more government funds available for projects like this. Dan will try to get a feel to see if any of the proposed layers can be thinned out. Dick asked that the minutes reflect that the Clerk of the Works is Dan Saulnier assisted by Darrin Patten. Janet will contact Josh Stevens to let him know the board reviewed the bid and he will be hearing from Dan and/or Darrin with questions before making a decision.

**Correspondence/Signatures:**

None.

**Miscellaneous:**

None

**Tax Deeding:**

Pixie informed the Board there is a resident who paid off the 2018 taxes owed; however, this resident would like to set up a payment arrangement for the remaining balance of taxes owed. This resident is off the deed list.

The board reviewed the remaining names on the tax deeding list. Waivers need to be signed for the properties the board will not tax deed for non-payment.

Tamara made a motion to tax deed map 489021, 380 Shad Hill Road, for non-payment of taxes. The motion was seconded by Dick and unanimously approved.

Tamara made a motion to waive the tax deed for the following properties: map 47-80220, map 28-66622, ap 28-733377 and map 28-727471 due to the property owners agreeing to payment arrangements with the town for back taxes. The motion was seconded by Dick and unanimously approved. The deed waivers were signed by the Board of Selectmen.

**Action Items:**

1. Amy will work with Whit tomorrow afternoon about possibly finding other financing.
2. Dick will put a sketch together of the buildings with recommended camera locations for surveillance cameras.
3. Dick will contact Katie Lavelle to find out when we can expect if we fund the one-time cost items when they can be acquired and installed.
4. Tamara will talk with the property resident who requested setting up a payment arrangement for their property taxes.
5. Follow up regarding the proposal of the sand shed.

The meeting was adjourned at 6:41p.m.

Jill Hastings Deputy  
Administrative Assistant