

**BOARD OF SELECTMEN**

**June 13, 2022**

**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.

Selectmen present: Dick Hendl, Poul Heilmann and Amy Lewis

Others: Susan Chiarella, Jim Bednar, Alison Conlon, Whit Smith and Sarah Anderson

**Scheduled Appointments:**

Beach and Picnic Area- Susan Chiarella provided the Board with the committee's Phase I plan, this provided a basic idea of what they would like to eventually see at the beach. One of the items being a redi-rock wall between the picnic area and parking area, which was suggested by Sargent Zullo. The board had already agreed at a prior meeting that a fence could be put around the port-a-potty. Eventually they would like to have a marquee for other groups/clubs to advertise what is going on. The top priority is to have a handicap parking spot. The Board would like to see a sketch/plan giving a layout of the improvements they are wanting to make.

Dick stated that the sand being put down was done at Pete's own volition. Poul feels this is where a plan would benefit this project; it would show the Board the timeline of where the pieces fit. Poul has offered to help Susan lay it all out. Susan stated the committee has stepped back from the beach and the parking and are focusing on the picnic area. The reason for doing so is the responsibility of the beach improvements should be done by the Town. After some discussion the Board agreed, especially with the sand down, this would be the Town's responsibility.

Susan brought up the topic of upkeep in the town; is there money to keep these improvements up. Poul asked the committee to provide a list of the things they think aren't being done that should be done. Sarah provided some research she had on handicap parking. Sarah stated there were vehicles with Connecticut and Massachusetts plates there this past weekend, yet there is no designated handicap parking spot and would like to see that made a priority. Sarah also stated that being ADA compliant may help in obtaining grants in the future.

Alison Conlon asked if the town was looking in to having a perched beach. Dick provided some history on the perched beach and there was never much public support in that idea so it was not pursued. Alison stated the KPLA would like to have that discussion again and see what it would take to do the perched beach. She has offered to start researching this and then restart the conversation with the Board.

Susan and Poul will work on a drawn-out plan for the improvements the committee would like to make. Susan will also come back with a prioritized list of what they would like to have done immediately, knowing the handicap parking spot will be at the top of the list as well as the port-a-potty enclosure. Susan is also willing to try to find someone to fix the skate park.

**Zoning Permits:**

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, June 13, 2022.

**Application for Permit – APPROVED**

1. Stephen Dolan, 282 Bowman Road, would like to place a stand-by power generator 22' off the side of his house. The area has been clearly delineated. Zoning Coordinator visited the site and discussed the plan with Ms. Dolan. There are no setback or wetlands issues, and the structure will be less than 35' tall. Zoning Coordinator observed no home business or commercial activity, and applicant has represented the same on the application. Zoning Permit approved per delegation of authority.

**Permit Applications in hand - Waiting further Information**

2. Kristine and Kara Zaleskas, Virginia Kelly, 164 Four Corners Road, would like to erect/install a small - (8' x 15') shed behind their house on Kolelemook Lake (lot is .34 acre). As you might guess, the proposed location for the shed is too close to the road (20') and too close to the lake (within the 100' shoreland conservation overlay). Zoning Coordinator stopped by to visit site and to take measurements. Email sent to the applicants advising the need for Special Exception (from Zoning Board "ZBA") before proceeding further with the project.

3. Jeff & Diane Fitch, 140 Hogg Hill Road, would like to build a "pole barn." Application incomplete – missing page 3. Applicants have been notified.

**Permit Applications Returned to Administrator**

4. Cushing, Lot 1 Nichols Hill Road, for a garage. We were advised the location currently staked is not correct. Permit Application returned to office for corrections. No further status reported

**Other Matters.**

A. Inquiry regarding proposed location for a prefabricated home at the end of Meadow Brook Road. Location is less than 100' from water body (pond greater than one (1) acre). Property owner advised regarding need for Special Exception from ZBA before proceeding further with the project. (Cotter)

B. Inquiry regarding size of septic system (designed and installed for 3-bedroom home) where applicant would like to add a fourth (4<sup>th</sup>) bedroom. New septic design required. (Preston)

C. Attend Zoning Board of Adjustment meeting. Application for Special Exception to permit operation of business - short-term rental of guest facilities – at 140 Woodcrest Road (private road) Denied.

D. Inquiry from property owner regarding paving over gravel parking area in front of cottage on the shore of Kolelemook Lake. Advised that no permit required from town to pave with asphalt. However, permit is required from NH DOT because Main Street (Route 114) is a State highway. (Griffin)

E. Follow-up with property owner regarding building addition on back of house at 1482 Main Street. (Weathers)

F. Met property owner regarding development of two lots at the end of Sanborn hill Road. One of the lots is on the small side (1.98 acre) and is bisected with a Class VI road. (Argy)

G. Inquiry regarding addition of deck to house plan for house currently under construction. Amended Zoning Permit application required. Additional fee for deck smaller than 500 sq.ft. is \$25 (Dymon)

H. Reviewed letter, dated May 23, 2022, received by Select Board from “Concerned Vocal Citizen.”

<< June 12, 2022 >>

Whit received an email from the Harriet’s and he will be meeting with them the week of June 27<sup>th</sup> which would probably get them on the agenda for the zoning board meeting in August.

Whit received an inquiry from a Mr. Albanese who is looking for more information on solar arrays.

Whit followed up with Brooks Weathers (E). Brooks has already paid the fee to extend his zoning permit, however his permit is good until October, and he will have most of the addition built by then so there was no need to extend. Brooks is thinking about installing a swimming pool so we will hold the \$25 fee and if/when he files the application for the pool it will go towards that.

Amy asked Whit about the “concerned vocal citizen” mentioned in item H. Whit provided a background of letters received over the years, which has been about a half dozen. The concerned vocal citizen has never identified themselves. The letters are complaints to the town about enforcement and conduct, particularly by the Selectboard in its role as an enforcing authority. Recently the Board received another letter. Whit’s personal philosophy is that if someone isn’t willing to step forward and give their name under their complaint it’s like it didn’t happen. He has also expressed the opinion that if something like this is brought to the attention of the Selectboard they do have an obligation to read it and perhaps even think about it; he does not think there is any obligation to act. At first Dick’s position was that if this person was going to be anonymous the Board would ignore the letters; after discussing with a few people, they pointed out the letter contained specifics that should be looked into, and they were. On one occasion the Board did enforce the zoning ordinance and required modification on a property. Dick feels the person should come forward and address the Board with their concerns.

Dick asked about DES requirements regarding items 2, A and D in Whit’s report. Whit explained that a DES permit is not required in item two because it is more than fifty feet from the lake. In item A, a DES permit is not required because it is not public water, it is completely enclosed on the property and therefore the shoreland conservation district applies. In item D,

this is on Route 114 on the shoreland side of the house. According to Peter Abair DOT says they need to issue a permit; no one talked to DES.

### **Minutes:**

Corrections from May 23, 2022 minutes:

*Amy stated that ~~Wordpress~~ Culver Technologies owned by David Heckle, based out of Sutton, would be another point of contact regarding the website.*

Poul made a motion to accept the minutes of May 23<sup>rd</sup> with corrections. The motion was seconded by Dick. Poul, Amy and Dick voted in favor of the motion.

### **Court Status:**

There is no activity to report on the court status.

### **Unfinished Business:**

Historical Society – Poul contacted Shawn Tanguay and he has recommended a simple liability waiver which he drafted and provided to Poul. The draft was amended to reflect the Board's recommendations. Jim Bednar broke down the types of workers into three categories which were:

1. Contractors, those that have liability insurance.
2. Retired contractors that have the skills, but not the insurance.
3. Volunteers, non-professionals.

Jim did submit a mitigation plan for the different categories of the roles and duties of each of those. Tamara has provided this information to Primex but has not received a reply yet. For the time being the waiver approved by Shawn will be used. Poul did talk to Shawn about the before and after contract. Shawn doesn't feel the pre-contract is relevant. The handing over of the building would be a simple document stating that the historical society is gifting over the actual building to the town. Another question that Primex had asked Dick is if there will be a deed with this building. Poul will follow up with Shawn and asked about a deed.

Sand Shed Site – Poul, Darrin and Ken met with Josh and reviewed the plan and discussed the details of the project. Josh would begin pretty much next week and be completed by September. Poul made a motion to accept the contract with KA Stevens and Son Construction for the sand shed site preparation at the cost of \$187,268 according to the 2021 and 2022 warrant article. The motion was seconded by Dick. Poul, Dick and Amy voted in favor of the motion. The Board signed the contract.

Job Descriptions – These have been reviewed by the Board. Dick made a motion to accept the job descriptions for the Town Clerk and Tax Collector as written by Poul. The motion was seconded by Amy. Dick, Amy and Poul voted in favor of the motion.

Short-Term Rentals - The Board reviewed the checklist. Dick and Amy provided some changes to a few items on the checklist and the scoring levels. This will be tabled until the next Board meeting, giving Poul time to work with Tim and review the Boards suggestions.

**New Business:**

Enforcement and follow-up of town decisions – Poul would like to know to what level does the town follow up on things. For example, if the ZBA approves a special exception is there any follow up to see if it was done in the way it was portrayed. Whit answered yes and explained the follow-up process. Dick asked Whit what the follow through would be on an application that was denied, and the applicant continues anyway; how do you know they are continuing doing whatever was denied. Whit believes this would fall back on the staff and elected officials in town or official complaints. Dick thinks we would have to fall back on neighbors complaining. The town has not assessed fines for these matters, that is all done through the court system, if it goes that far. Whit stated, in theory, the town's police department would be the ones who would handle enforcement at the direction of the Board of Selectmen.

Leigh Callaway purchased a few new flags for the flag poles and when asked about being reimbursed for them he said he would like the town to accept them as a donation. Dick made a motion to accept Leigh Callaway's donation for new flags for the flag poles with the town's thanks. The motion was seconded by Amy. Dick, Amy and Poul voted in favor of the motion.

Dick has received an email from Lydia on behalf of the fire department, this was shared with the Board. On April 11<sup>th</sup> the Board did commit to the fire department the American Relief Funds. Lydia provided Dick with a list of expenditures and pieces of equipment they intend to buy; the total being around \$72,000. The Fire Department has obtained some grants, which reduced the amount of the ARF funds that would be necessary to about \$72,000. The Fire Department has also decided they will take on the cost of the LUKAS expense. They would like to get a boat, resulting from an increased number of calls out at Baptist Pond and McDaniel's Marsh. They believe they can get the Friends of the Fire Department to contribute half the cost, which would bring the burden on the ARF would go down to around \$68,000. With Amy being the Fire Department representative Dick has asked that Lydia worked through Amy on these expenditures.

**Board and Department Updates:**

Amy is unable to attend the Fire Department meeting on Tuesday but will reach out to Lydia by email.

Amy stated that Conservation committee met and did a lot of trail work off Cemetery Road. It is ready to be hiked on. They will have a table at the field day provided information addressing the knotweed and how to remediate areas and get rid of it.

Emily Cleaveland has been volunteered to host a monarch day at her flower field.

Pete was seen raising the granite stops on the beach, and the parking lot looks great. However, the erosion issue with the drainage running under the road down to the boat launch is still a problem.

Poul attended the Zoning Board meeting, where the application was denied. Poul has also shared with Susan Chiarella the direction the Selectboard is going with short term rentals.

Dick stated the library will be presenting the scholarships to the recipients Wednesday. The cemetery commission meets tomorrow and will discuss how to offer for sale cemetery plots and a continuing discussion on green burials.

Dick asked Whit about the fluctuation in the amount of his Consolidated Communications bill. Whit explained that he has spoken with a representative at Consolidated regarding changes in bills of Springfield residents and after many conversations he has been assured they are aware of this problem and are working on it.

**Signatures:**

Signature cards

Timber intent

Jared Labelle appointment to the Agricultural Commission

Delinquent Dog Registration notices.

**Miscellaneous Business:**

At 6:16p.m. Dick made a motion to enter into non-public session to discuss personnel per RSA 91-A:3, II(b). The motion was seconded by Amy. By roll call vote Dick voted aye, Amy voted aye and Poul voted aye.

Dick made a motion to exit the non-public session and re-enter the public session at 6:43 p.m. The motion was seconded by Poul. By roll call vote Dick voted aye, Poul voted aye and Amy voted aye. Dick made a motion to seal the minutes discussing personnel. The motion was seconded by Amy. By roll call vote Dick voted aye, Amy voted aye and Poul voted aye.

Dick made a motion to adjourn the meeting. The motion was seconded by Amy. Dick, Amy and Poul voted in favor of the motion.

The meeting was adjourned at 6:43 p.m.

Jill Hastings

Deputy Administrative Assistant