

BOARD OF SELECTMEN

September 25, 2023

MEMORIAL BUILDING

4:30 P.M.

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

Selectmen Present: Poul Heilmann, Chair; Amy Lewis, Vice Chair; Jeremiah Crosby

Others: Keith Cutting; Sue Cutting; Corey Swenson; Cody Swenson; Tim Hayes, Road Agent; Steve Dzubak

Scheduled Appointments:

Cody Swenson, Sanborn Hill Rd – Cody was before the Board on behalf of his father, Corey Swenson. Cody is a beneficiary of the Robert Lane Trust. Cody stated they were unaware of the meeting that happened a couple of months ago, granting Mr. Lindquist permission to use the pit again. The Swenson's don't want this happening anymore. They tried in the past to get the area zoned commercial and it didn't work. Cody stated Mr. Lindquist is running a commercial business out of there. Cody is aware of the quick-claim deed for the right-of-way to Mr. Lindquist's property. Cody read from the quick-claim deed and it states, "a certain right-of-way to be used for driveway access". Cody has done some research and understands that the word driveway refers to residential use not commercial. Cody stated that Conkey is not only hauling materials out, he is also hauling materials in; stating a lot of topsoil had been hauled in. Cody described the condition of the road Conkey uses to access the property, adding they have widened it up to about fifty feet.

Poul pointed out the agendas are posted and recommended keeping an eye on what is coming up so they can be at the meetings and discuss matters. The issue of the right-of-way is a civil matter, the Board has no position on that. It is recommended the Swenson's get a lawyer and deal with that through their attorney. The agreement with Mr. Lindquist was to haul and clean up the area; all work to be done during specific times during the day to avoid school buses.

Cody informed the Board they will be shutting the road down and if Mr. Lindquist wants to get a lawyer to open the road back up that is fine. Until then, the Swenson's will leave it open enough to fit a motor vehicle or one-ton pickup through. There will be no commercial vehicle passing through there until Mr. Lindquist gets things changed through his attorney. Tim Hayes pointed out that Mr. Lindquist was given a timeline to get the materials out of there: March 15th. Poul stopped the discussion pointing out that this is a civil issue between neighbors.

There was a lot of discussion on loads being hauled out and into the pit. Cody's concern is that everything he's hauling in, the topsoil, will have to be removed. Tamara asked about the topsoil, how do the Swensons know he will be hauling it out. One of the statements made to the Board over the course of the ten years this has been going on was that he had to return the property to its original state; topsoil will do that. Cody agreed, they don't know it has to be hauled out. Cody stated it will need to be screened, so whether he's hauling in or out a screener will need to

be hauled in there. Cody and Corey just wanted to keep the Board informed but understand this is a civil matter and not the responsibility of the Board.

Zoning Permits:

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, September 25, 2023.

Application for Zoning Permit – APPROVED

1. Hildebrand, Daniel & Debra, 116 Dutchman Pond Road, for a hot tub on an approved deck overlooking Dutchman Pond. The Zoning Coordinator visited the site and discussed the project with applicants, sufficient distance from Shoreline Conservation District, project meets all current zoning regulations. Permit approved per delegation of authority.
2. Roberts, Kevin & Jennifer, 306 Town Farm Road, for a hot tub. The Zoning Coordinator visited the site and discussed the project with applicants. Project meets all current Zoning Regulations. Permit approved per delegation of authority.

Application for Permit – In hand, being held

2. Marc McCalmont, 228 Oak Hill Road, Zoning Permit application for a ground-mounted PV solar panel installation. Mr. McCalmont instructed: "Don't approve this application just more incompetence! Let's see if the next company can get it correct." Awaiting further communication from applicant.
4. Aucoin/Ruppel, 15 Sandy Beach Road (private road) for a hot tub (i) within the shoreland conservation district and (ii) within the side yard setback requirement. Held pending review and hearing by the Zoning Board of Adjustment.

Other Matters.

- A. Emails received from Ossa, Jose, 115 Woodcrest private road applicant states he would like some guidance on filing ZBA application regarding the fabric shelter, due to location, "relief" from the Zoning Ordinance by Special Exception is required. The amount of relief required in road setback is 22' (structure is 13' from edge of road ROW), relief needed in side yard setback is 17' (structure is 18' from property line. Plan to meet applicant next week.
- B. Email questions from Domings, Robert & Diana, 325 Messer Hill Road concerning changes in roof architecture of approved house. No change in footprint or height of structure, therefore no new application required.
- C. Email questions from Turner, Selby 3877 Main Street concerning further permitting requirements for approved sunroom/deck. Reviewed file and copy of approved Zoning Permit forwarded to applicant. No further permits required for this project.

D. Applicant questioned Town Administrator, why an abutter's notification must also be sent to the applicant in preparation for a public hearing. Question referred to Zoning Coordinator, state statutes reviewed and found it clearly states in **NH RSA 676:4 et.seq, (Administration Enforcement Procedures)** that the applicant also must be notified in the same manner as the abutters. Information provided to Administrative Assistant, who notified the applicant of same.

REPORT from HEALTH OFFICER -- Board of Selectmen - Monday, September 25, 2023.

Application for Septic System Operational Permit – APPROVED

1. McGraw, Old Grafton Road, Local & State approved septic system installed and left uncovered for Operational Permit inspection. The Health Officer visited the site and discussed the installation and plan specifications with the owner/applicant. ISDS was found to be in approved location and all local septic regulations were met. Local Operational Permit granted. Owner/applicant awaiting final inspection & approval by DES Subsurface Division.

<< September 25, 2023 >>

Tim Bray will attend Selectboard meetings on an as-needed basis.

Poul made a motion to accept the donation of the laptop from Whit Smith for use by Tim Bray as the current Zoning Coordinator. The motion was seconded by Jeremiah. Poul, Jeremiah and Amy voted in favor of the motion.

Poul made a motion to accept the Zoning Coordinator report dated September 25th as written by Tim Bray. The motion was seconded by Amy. Poul, Amy and Jeremiah voted in favor of the motion.

Poul made a motion to accept the Health Officer report dated September 25th as written by Tim Bray. The motion was seconded by Jeremiah. Poul, Jeremiah and Amy voted in favor of the motion.

Minutes of September 11th, 12th, and August 28, 2023:

September 12, 2023:

Page 1:

*Poul's suggestion for the pay rate of the third employee is ~~\$25 per hour~~. **should be commensurate with the market.***

Page 2:

*On the power washer, Tim had a good suggestion to go in together **with the Fire Department and Police Department** to purchase a new power washer.*

August 28, 2023:

Page3:

*Pike has **Hogg Hill** scheduled for paving in October, but it could happen in September.*

Poul made a motion to accept the minutes from September 11th and September 12th, as amended. The motion was seconded by Amy. Poul, Amy and Jeremiah voted in favor of the motion.

Amy made a motion to accept the minutes of August 28th as amended. The motion was seconded by Jeremiah. Amy and Jeremiah voted in favor of the motion; Poul abstained.

Unfinished Business:

- a. Skate Park Repair – No updates. Just waiting for cooperating weather to complete the painting.
- b. Vacation Policy – Amy will provide a draft to the Board members.
- c. Historical Society Steps – Amy informed the Board that Pete Lewis is not sure when he would be able to get the railings done. Tim will take a look at the steps. There is a lot of piping that might work as a railing and he and Cody might be able to construct something. Poul asked if at the next meeting Tim could give his idea for the railing.
- d. Sanborn Hill Road – Amy has heard no response to the Board's letter other than he will do his best.

Jeremiah asked Tim if he had followed Mr. Tedeschi on Oak Hill Road. Tim has spoken with Mr. Tedeschi and the issue has been addressed. They have a bit more clean-up to do on his lawn but that is all. Tim is working on a long-term solution for Oak Hill Road.

Poul wanted to touch on the subject of pest control. Tamara has made a call and they will get back with a time to come and evaluate the buildings and give an idea of what's needed. Poul would also like Tamara to get an estimate from JP Pest. Poul would like to see a regular service set up.

New Business:

- a. Soccer Goals for Rec. Field – Tamara has done some research, including measuring the field. We have enough space to do a regulation U12 field which requires 165'x105'. The cost of two semi-permanent four-inch square goals 6' x 12', net not included, is \$2,485. The ground sleeves would be an additional \$375. The ground sleeves would be installed in the ground and the goals would be set in those allowing for the removal of the goals if/when needed. The Board will table this until the spring season. This will also be a budget request of \$3500 for 2024.
- b. Fire Department Structure – Amy informed the Board the Fire Department is still working on determining positions and roles within the department. They are in the process of creating multiple committees. Ian is rewriting the bylaws. Poul informed the Board of the equipment leftover from Lydia, Pete has it and will drop it off either at the Fire Station or town office.
- c. Website – Poul is doing some research on updating the website. Amy recommended Culver Technologies, Dave Heckle, a local web designer whom she has experience working with.

- d. Federal Disaster Relief – Tamara has received an email with a form to be completed requesting public assistance. She filled out the form and returned it. Jill has started pulling together expenses that occurred as a result of the storms in July. Jeremiah will provide the pictures he has to Tamara to add to the information she has.

Poul has recommended the Board review budgets at the last meeting in October, November and December. Jill will provide updated reports to the Board a week prior to the final meeting of the next three months.

Board and Department Updates:

- a. Agricultural Commission – No updates to report
- b. Buildings and Grounds – Jeremiah was unable to attend. Poul informed everyone a list has been generated by the committee establishing short-term and long-term goals. They will have a recommendation to the Board in October.
- c. Cemetery – Headstone repair work for 2023 has been completed. There was some discussion on who can do headstone repairs. Tamara added this is budgeted for every year and they do about 12 stones per year.
- d. Conservation Commission – There was a Collins Park clean-up. Tamara informed the Board the Commission received a donation at the Family Fun Day, totaling \$27. Ken Jacques has requested that be deposited to the Conservation Commission account.
- e. Energy Committee – Steve informed the Board the committee is just waiting for their approval of the RFP before moving forward. This will be on the agenda for the next meeting. Tamara will forward a copy of the RFP to Christine Johnston.
Steve added the committee feels it would be beneficial to have someone come in and speak to the Board directly about Community Power. Steve will schedule them to come to the meeting on October 23rd.
- f. Fire Department – No updates to report.
- g. Highway Department – Tim Hayes provided an update to the work he and Cody have been doing. The road grading is going well, they are getting caught up with the roads preparing them ready for winter plowing. There has been a lot of equipment repairs in the last few weeks, but everything is up and running now. Hogg Hill is being prepared for paving which will happen in October. This is truck inspection month. The Freightliner is going in Thursday for new tires, which is needed to pass inspection. The welder was purchased, they are just waiting for the gas tank to arrive tomorrow. Tim did get the ok from Chief Zullo that the police department would go in on the cost of the pressure washer. Tim isn't sure who to speak with on the Fire Department. Amy will speak with the Friends of the Fire Department to see if they would be interested in contributing funds to the pressure washer. If the cost is split between three departments the cost would be \$1,800 per department.
Tim is looking into new stop signs for the roads to get them up to code. Tim is waiting on the State Prison sign shop to get back to him with a quote. He is looking to replace six

signs now, and maybe another six next year. Delineator posts are needed as well. Tim estimates it would be a five-year project to get all up to code.

Prepping for winter has begun with the trucks, Tim will need to order plow edges.

It was talked about in the past to put the Sterling truck up for auction. There are also several small tools in the shop that aren't used or needed which could also go up for auction as well.

Tim still needs to get over to Harbor Freight to pick up some of the hand tools that need to be replaced.

A new truck was found. Tim has viewed the truck twice, once with Cody and once with Chuck Fay. There were several little blemishes that needed repairing, which the company is taking care of. They have already replaced the windshield. The cost is \$79,000. Tamara has started the process with the purchase and sales agreement, which will not be signed until they finish their work order and Tim verifies all the work is complete. Tamara added there is also a document fee of \$175. The truck does come with a wing and a plow. The radio will need to be transferred from the Sterling into the new truck by Ossipee Mountain. The truck is a 2013 Western Star six-wheel dump truck with just over 60,000 miles.

Keith asked Tim if he has received an estimate for paving the culvert on the end of Sanborn Hill. Tim has not received an estimate. Keith pointed out Tamara will need that to fill out her request for assistance from FEMA. Tim assured Keith anything that has happened through the storms since he took over has been documented, including pictures. Keith just pointed out that disaster recovery is not just limited to what we have spent but what will be required to be spent for repairs to be completed.

- h. Library- No updates to report.
- i. Planning Board – Met on Thursday. They reviewed the merger and annexation forms. They discussed driveways but didn't come to a conclusion.
- j. Police Department – No updates to report.
- k. Recreation Committee – Meet Thursday, September 28th.
- l. ZBA – No updates to report.
- m. Administration – There is a class being offered by the DRA on October 24th that Tamara would like to take. The class is Practical Skills to Deescalate Difficult Situations. Jeremiah would like to take the Hard Road to Travel class. Tamara recently did a webinar on social media. Tamara pulled from this class that facebook is not a place for public officials to be on or discussing things because it can be taken out of context.

Correspondence/Signatures:

A letter was received from Wonderwell. They had a change in leadership and employees. The person who was submitting their religious exemption forms left and the new person was unaware they needed to file them. They have spoken to both George and Tamara and are basically requesting an abatement for not filing timely. The Board reviewed the letter and accepted the 2023 BTLA-A9 late filing.

Miscellaneous Business:

Poul reminded the Board members if they are unable to attend a meeting to please find a substitute to attend in their absence. It is very important for a Board member to be present at all meetings.

Poul made a motion at 5:39 p.m. to recess tonight's meeting. The meeting will reconvene at 5 p.m. on Tuesday September 26th. The motion was seconded by Amy. Poul, Amy and Jeremiah voted in favor of the motion.

Jill Hastings

Deputy Administrative Assistant