

**BOARD OF SELECTMEN**

**JUNE 12, 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: Bryan O'Day, Joe Perrotto, Ron Butcher and Whit Smith, Zoning Coordinator.

Zoning Permit Updates:

Whit reported on recent activity: An application for an above-ground swimming pool was submitted today by Ryan Peterson. Whit reported there are no issues and recommended approval. Application was signed.

Joe Perrotto, Sanborn Hill Road has applied for a permit to build a 40' x 24' pole barn. Whit has viewed the proposed site and met with Mr. Perrotto. It appears the location is within a wetlands buffer. Whit noted the application will require a conditional use permit or a variance. Joe questioned the parameters in determining wetlands. Bryan O'Day explained the parameters of designated wetlands. The map is used as a guide to show where there are designated wetlands, if there are three of the seven criteria (as shown in the Zoning Ordinance) it is considered a designated wetland. Leigh noted, the Selectboard has no authority to grant exceptions to the Ordinance. Relief, if practical, would need to be sought through Zoning or Planning. Whit noted he will work with the applicant.

Written summary of further Zoning Coordinator activity follows:

REPORT from ZONING COORDINATOR. -- Board of Selectmen Monday, June 12, 2017.

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

Application for Permit – To Be Considered at the Meeting:

1. Joseph B. Perrotto, 124 Sanborn Hill Rd.; Application for Permit for 40' x 24' pole barn. Application is complete with drawings. Location identified and staked. No setback issues. Structure will be less than 15' high. However, there does appear to be a wetlands buffer encroachment based on the ArcGIS Springfield Wetlands Reference Map – March 2016.

Zoning Coordinator has viewed the site location and discussed plan with applicant. Zoning Coordinator walked the area indicated to be wetlands and pursuant to recommendation from Chair of the Select Board, Bruce Allen was invited to reconnoiter the area. Mr. Allen is the Chair of the town's Conservation Commission and is also a forester with considerable experience identifying and evaluating wetlands. Mr. Allen noted the presence of Sphagnum moss, which indicates the presence of wetlands soils. The distance from the planned pole barn to the areas of sphagnum is approximately 60', thus indicating encroachment into the 100' buffer required

by the zoning ordinance. Mr. Allen also noted the demarcation between the area of pine trees (not wetland) and fir trees (conducive to wetlands) behind the area for the planned pole barn. This confirmed his identification of the wetland area.

Mr. Allen and the Zoning Coordinator also measured the distance from the brook (in the wetlands area) to the edge of the planned pole barn at approximately 145'.

Based on the above, Zoning Coordinator will discuss situation with the applicant to determine his preferences. If the applicant wants to build in the planned location, Zoning Coordinator will recommend referral to the Planning Board and application for a conditional use permit or to the Zoning Board of Adjustment and application for a variance to allow construction of the pole barn within the 100' wetlands buffer.

Application for Permit – RECEIVED, Acted Upon:

2. Ronald Whiting, 155 Four Corners Road. Application for a 36' x 24' garage to be built next to residence. Application package reviewed and forwarded to BOS members. APPROVED by Zoning Coordinator pursuant to delegation of authority.

3. Michael Tully, 294 George Hill Road. Application for a walkway (approximately 280 sq.ft.) to be built next to residence. Application package reviewed and forwarded to BOS members. APPROVED by Zoning Coordinator pursuant to delegation of authority.

4. Joshua Lizotte, 444 Hogg Hill Road. Application for Permit for 14' x 17' shed/barn. Application was complete with drawings. Location identified and staked. No setback issues. Structure will be less than 35' high. Zoning Coordinator visited site and discussed plan with Applicant. This application was forwarded to the BOS (with Positive Recommendation) for action at the May 22, 2017, BOS meeting as Zoning Coordinator was leaving to go out of town.

5. Attiya Mirza, agent for UPLA5AC, 378 Stoney Brook Rd; Application for permit to build a 4' x 8' structure. Applicant applied for a variance for dimensional relief allowing shed to remain in its present location and was heard at the June 6, 2017, meeting of the Zoning Board of Adjustment. After public hearing and deliberation, the ZBA granted the Variance. Accordingly, application for zoning permit was reviewed and APPROVED by Zoning Coordinator pursuant to delegation of authority. See May 22, 2017 Report to Selectmen for detailed summary of the Mirza Application.

Application for Permit REQUIRED:

5. Mr./Mrs. Martin, 566 Hogg Hill Rd; 12' x 20' shed constructed without zoning permit. Zoning Coordinator met again with Mr. Martin and he indicated that he is prepared to move the shed and file an Application for Zoning Permit (after the fact). Mr. Martin informed the Zoning Coordinator that has decided to rebuild his driveway and to move the shed rather than apply to ZBA for a variance (dimensional relief).

6. Mr. Rifkin – Camp Sunapee. No changes/developments since last report. Open item.

Other Matters.

A. Follow up on Request from Chairman Lee (Planning Board) regarding complaint pertaining to storage of automotive vehicles behind “Exit 12A Storage” on Georges Mills Road. Spoke to town police officers and sent email to BOS chair and PB chair recommending contact with the owner requesting access to the property prior to further investigation.

B. Attended Zoning Board meeting – June 6, 2017.

C. Emails and with Selectman Callaway regarding complaint about tree service trucks and equipment parked along Shore Drive. As requested by Mr. Callaway, Zoning Coordinator visited site and photographed the trucks and equipment. Forwarded photos to Chairman Callaway. There was no apparent evidence of a home operated business.

D. Request (email) from Daniel Anderson, 260 Eastman Access Road, to schedule appointment to discuss plans to build a garage. In Process.

<< RWS 6/12/2017 >>

Continuing with Minutes:

Leigh reported a concern raised last month at the Planning Board meeting regarding parked cars exceeding the 90-day storage limit at Exit 12A Self Storage. “Things are leaking and people are upset about that”. Whit is comfortable meeting with the owner. The Board will send a letter to the owner requesting permission to enter the property.

Leigh noted Whit’s site visit to Shore Drive relative to a complaint of tree service trucks and equipment parked along shore drive. Whit did not see evidence of a home-based occupation. No further action was taken.

Ron Butcher requested clarification as to the proposed location of a garage permit that was approved for Ron Whiting. Mr. Butcher indicated there has been some trespass of an animal shed and electric fence onto his property, which he has had reviewed by a surveyor. Whit reviewed the application and the location of the proposed garage with Ron Butcher.

Minutes of May 22, 2017: Dick moved to approve the minutes as written, seconded by Tamara and unanimously approved.

Old Business:

Dick shared list of buildings and grounds projects. Projects pending: Paint hand rails, cupola at Memorial Building. Dick had spoken to Chris Carson about doing the work which he was interested in, but is moving. Dick will check back in with Chris. Roof overhangs at the Highway/Fire is still pending, which Chris was also interested in. The electrical panel at the rec field needs to be straightened.

Divesting of Town-owned properties in Eastman. Dick has reviewed all the deeds and shared property details with the Board. He will be meeting with Shawn Tanguay tomorrow to be sure the information he has prepared and the notices are accurate. He has also spoken to Ken Rider at ECA, and has gotten approval to post notices there as well. The properties will be sold by sealed bid. Leigh moved to proceed with advertising and sale of the properties if Shawn gives the green light. Bids to be opened on Monday, July 24<sup>th</sup> at 3:30 p.m. Motion seconded by Tamara and unanimously approved.

Leigh made a presentation to the Board, including a site plan, regarding the property behind the highway shed for possible sand shed location. The prior location up back is not a feasible location due to steepness of grade, driveway length, and associated costs, etc. Leigh discussed use of the area immediately behind the shed with Jeff Evans. Jeff contacted the State DES and it would be possible to expand the existing wetland crossing by filing an "alteration of terrain" permit on the 1.5 acres. DES could require a wetlands easement at some other location. To proceed with this plan, there would be engineering costs, and DES application costs involved. Leigh suggested further discussion be tabled to allow the Board to review the plans and discuss them with others.

Flag Pole: It has been suggested that the flag pole in front of the town office building be replaced in Frank Anderson's memory, with a fund to be set up for people to make donations. The Selectboard can accept donations designated for a specific purpose and can do so at their meetings. Leigh moved to solicit donations in memory of Frank Anderson. Donations to be used toward patriotic purposes, (i.e. replacing flag pole(s), flags, etc). Motion seconded by Dick Hendl and unanimously approved.

Amended copies of the Class VI and Private Road Policy, as well as the Notice of Limits for Private and Class VI Roads were circulated. Leigh will review the documents with the Planning Board on Thursday night. Motion by Tamara to accept and approve the policy and notice of limits presented. Motion was seconded by Dick and unanimously approved. (i.e. Policy Regarding Construction on Class VI and Private Roads (vers. June 13) and Notice of Limits for Private Roads (vers. Jun 1-2) and Notice of Limits for Class VI Roads (vers Jun 1-2)).

Leigh noted for the record, in the cases of New Hampshire Electric Cooperative, and Eversource, the courts have taken a stand in favor the Board of Land and Tax Appeals ruling that the DRA methods of appraising the properties does not represent fair market value. The Fairpoint case is still in process.

The Board reviewed the status of the town's operating budget and discussed year-to-date expenditures.

Board and Department Updates – Board members reported on their respective Board assignments.

Tamara:

Cemetery trustees visited the cemetery and reviewed the site where Joe Healy is proposing to locate a picnic table. The Trustees would like the original cemetery book, and a map to be placed in the fireproof cabinet.

Leigh noted the Selectmen will need to look at budgeting for 2018 to maintain Cody Patten as full-time employee. Tamara noted the Cemetery trustees are not in favor of hiring contract mowing.

The Board of Adjustment granted a Variance for the Mirza property on Stoney Brook Road.

Dick:

At the Library Trustee meeting a member of the public noted concern about interior building plans and renovations and suggested there be a public forum for input. The Trustees are still reviewing their accounts from the past to see just what they can attribute specifically to donations and what may be available otherwise.

He received an e-mail requesting that minutes of the Library Trustee's be on their website. That will be corrected.

A request from Paul Gagnon, from the Society for the Protection of New Hampshire Forests to ambulate the Society and Royal Arch lots has been forwarded to the Conservation Commission.

The Board has asked for input from the Garden Club regarding fencing along the playground at the Library. They have suggested a split rail fence, with welded mesh backing the same as at the Rec Field. Leigh will speak to Pete Abair as to how far back the fence needs to be placed so as not to interfere with pushing snow.

The Garden Club is interested in putting one of their plaques at the flower garden in the cemetery. Dick asked the Board to think about a way to let people know that the signs coming into town were donated through the Garden Club.

Tamara acknowledged and commended the Garden Club for the beautiful flower garden at the rec field and other areas around town. Dick and Leigh agreed.

Correspondence:

Notification from NHEC regarding Vegetation Control Management was received today. The information will be in the "red box" for members to review when they have a chance.

Signatures:

Yield Tax Warrant signed for Patten, and Hill.

Abatement Requests: NHEC, Eversource, and Fairpoint – Denied.

Abatement Request: Zsofka – Granted

Abatement to Tax Collector for 3 tax deeded properties that should not have generated a tax bill.

Letter to resident of Bog Road regarding a failed culvert

Miscellaneous Business:

Review of information from Tim Julian, regarding Taser purchase.

Street numbering compliance: Tamara noted the existing ordinance does not include a violation fee. Tamara moved for a \$25.00 fee for non-compliance with posting street numbers. Motion seconded by Dick. Discussion. First notice – free, after 30 days of non-compliance \$25.00, next notice is \$50.00 Motion passed unanimously.

Whit noted the Zoning Board has suggested a review of the fee structure for the town boards. He will be working with Janet and Jill, to review existing fees, and recommend changes as necessary.

The meeting adjourned at 6:00 p.m.

Submitted by,

Janet Roberts,  
Administrative Assistant