

**BOARD OF SELECTMEN**

**FEBRUARY 26, 2018**

**MEMORIAL BUILDING**

**4:00 P.M.**

*The following are to be considered draft minutes until approved by the Board.*

The meeting came to order at 4:00 p.m. and opened with the Pledge of Allegiance.

Selectmen present: Leigh Callaway, Chairman; Tamara Butcher and Dick Hendl.

Others in attendance: Bryan O'Day, Peter Abair, Whit Smith, Mike Beaulieu, and Jim Yager.

Dick Hendl presented Sergeant Mike Beaulieu with a letter of commendation in recognition of his contribution to the Town. Dick quoted several notes received over the years from citizens extending their gratitude to Mike's kind assistance in the line of duty.

Tim Wallace presented the Board with a copy of a perambulation of the Springfield – Wilmot Town line done on November 23, 2013, by himself, Nick Brodich, a Selectman in Wilmot, and Bruce Allen, the Springfield Conservation Chair. All ten monuments were found and marked and GPS coordinates provided. Monument # 10 was found to have been moved about 75 feet from the location noted around 2012. It has since been returned to closely match the location and description previously observed. The Selectboard accepted the perambulation and thanked Tim for his time.

Minutes of February 12, 2018 – Minor correction to add “and” between Selectmen “and” Budget Committee in warrant article # 4. Dick moved to approve as corrected, seconded by Tamara and unanimously approved.

Minutes of continued meeting on February 15, 2018 – Tamara moved to approve as written, seconded by Dick and unanimously approved.

Perched beach: Tamara spoke to Eversource about the utility pole at the beach. It is Consolidated Communication's (aka Fairpoint) pole. It needs to be determined what the road right of way is. She spoke to Dallas Patten who will check with NH Department of Transportation.

Wetlands permit: Jeff Evans presented the prepared application for submission to the Department of Environmental Services. He has worked with Pete and they were able to get a finished grade to 3". Jeff recommends submitting the application with the fee's included to not hold up the application process. The State can then take into consideration the Board's request to waive the fees. The application fee is \$1863.00. The project will not require an Alteration of Terrain permit as it is under the size where an ATP is required. The application includes expansion of the crossing permit previously received to allow two vehicles to pass at once. The Town has done due diligence over the past 6 to 7 years in searching for alternatives. Leigh moved accept the plan as presented, and move on. Motion seconded by Dick and unanimously approved. Jeff

will bring copies of the applications for the Town Clerk and Conservation Commission to sign. Jeff will take the signed application with a check for the fees to Concord.

REPORT from ZONING COORDINATOR. -- Board of Selectmen Monday, February 26, 2018.

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

Application for Permit – Acted Upon, Approved:

NONE.

Application for Permit PENDING:

1. Richard Tatro, 94 Sanborn Hill Road. Application to add 12' x 21' mudroom to the side entrance of existing residence. No wetlands issue, no setback issues, structure less than 35' high.
2. Michael Howard, 153 Carter Brook Road. Mr. Howard filed an Application for Zoning Permit prior to commencing construction of shed (24' x 24' x 24') attached to an existing barn/storage building. Zoning Coordinator appeared before Planning Board to request direction regarding this matter (whether it constitutes expansion of a grandfathered business; and therefore requires Special Exception granted by the Zoning Board of Adjustment - ZBA). Mr. Howard, a sitting member of the Planning Board recused himself from the discussion and moved to the audience. The Planning Board concluded that they would like to review again Mr. Howard's site plan and recommended that he make an application to the ZBA for a Special Exception. Mr. Lee, chair of the Planning Board, suggested a joint meeting of the Planning Board and ZBA concurrent with the next regularly scheduled meeting of the Planning Board on March 15, 2018.

Following the meeting of the Planning Board, Zoning Coordinator contacted the Chair of the ZBA and received consent for a joint meeting of the Planning Board and ZBA to be scheduled for March 15.

Zoning Coordinator assisted Mr. Howard in the preparation of an Application for Special Exception, which has been timely filed with the town. Fees paid.

Other Matters.

A. Attended Planning Board meeting.

B. Reviewed application to replace existing antennas on cell tower. Placed phone call to applicant's agent. Determined that the antennas are same size and number as those being replaced. No change in dimensions of structure. No zoning permit required for "like" removal/replacement with new equipment. Advised agent accordingly. Requested Administrator to refund applicant's \$25 fee.

B. Property on Woodcrest (Tunis LLC) – February 20 site visit completed. Report forwarded to BOS, Administrator and attorney for Tunis LLC.

<< RWS 2/24/2018 >>

Whit reported the zoning permit for Mr. Tatro has been approved.

Mike Howard will have a joint hearing with Planning and Zoning on March 15<sup>th</sup> for a revised Site Plan and Special Exception.

The visit at 140 and 150 Woodcrest on February 20 with Attorney Lenhart for Tunis LLC was successful. The carport at 150 Woodcrest was found to be within the setback requirement. The distance of the structure at 140 Woodcrest to the lake appears to be > 78'. The allegation in the letter from the Concerned Vocal Citizen said it might be less. Two structures at 150 and 3 at 140 were noted that were not previously shown on the plan and may or may not be in compliance, but were outside the scope of the request for this current site visit. The carport at 150 is roughly 20' to the lot line. The original structure (house) does not encroach on the setback. Leigh noted the property does not comply with the approval granted by the Zoning Board. There are no shoreland permits on record, and there is a clear violation for the carport. Options discussed were: Dropping the issue, suggesting special exception or variances for non-conforming parcels, ask for a zoning permit, or tearing down the carport. The Notice of Decision of the Zoning Variance also clearly stated there was to be no deck on either house. Dick noted that the Board needs to be consistent. Others have been made to comply with regulations. The Board agreed a letter noting the violation(s) needs to be sent, with a response received by March 26, 2018. Leigh moved to have a letter drafted to give notice of the non-compliance, and request a response be communication by March 26 at 4:00 p.m. whether to pursue a zoning permit or some other solution. Motion seconded by Tamara and unanimously approved. The letter will be vetted through legal counsel before it is sent.

The Board reviewed communications received relative to House Bill 1381 regarding how utilities are assessed. Leigh will draft a letter and share with the Board before sending it on to representatives Tanner, Sullivan, Oxenham, and Ward.

Board and Department Updates: Members reported on their respective departments.

Planning: Consultation with Michael Howard

250<sup>th</sup> Committee had a successful pulled pork dinner. There is an antique appraisal event scheduled for March 24<sup>th</sup> and a rubber duck race in April. Raffle tickets for the car are selling well. The Board discussed how to handle disbursement of the \$3500 proposed in the budget for the 250<sup>th</sup> celebration. They were in agreement to write a check for the total amount to the trust. Anticipated delivery of the new fire truck is March 8<sup>th</sup> or 9<sup>th</sup>. The fire department is considering taking the old truck to the state auction for more visibility.

The Board discussed who would address each warrant article at Town Meeting.

Article 03: Self Contained Breathing Apparatus – Tamara

Article 04: Sand Shed Site – Leigh

Article 05: Shingle Town Hall – Dick

Article 06: Purchase wood chipper – Leigh

Article 07: Old Home Day Expendable Trust – Tamara

Article 08: Sale of Municipal Property – Dick

Article 09: General Municipal Operations – Tamara and Ken Jacques

B. Manning, Moderator arrived at 5:00 to review the above with the Board, and discuss appointing an Assistant Moderator. A Moderator may appoint an assistant, but the State recommends a Pro Temp appointment be done by the checklist supervisors at a public noticed meeting of the checklist supervisors. He has spoken to Barbara Cooper, Chair of Supervisors about that. Janet Hendl is willing to serve as the assistant. The supervisors have a publicly noticed meeting on March 3 and can do it then. B. stated it's not his or the Selectboard's decision, but would like their blessing. The Board is agreeable to this.

B. noted he has asked Pete Lacaillade and Kevin Roberts to talk about the SCBA equipment. The Secretary of State and Attorney General are in the process of working out what needs to take place in order to postpone a meeting in the event of bad weather.

Signatures:

Veteran's exemption approved.

Agreement with Sunapee for use of transfer station approved.

Jim Yager was interested in the Board's findings of Pettengill Road. Leigh reported based on Clayton Platt's research of state records up to 1960 and the research he and Dick did of all town reports from 1960 forward, the Board has determined that Pettengill Road is a Class VI public highway. If anyone wishes to obtain a permit to do something on the road, they need to fill out an application with details as to what work is being proposed. The proposal gets reviewed by the Road Agent before it is approved. Leigh stated he has been out there and doesn't see that the road needs work. He suggested permits be for that section of road from George Hill to Peter Abair's property, but not the 200' section that goes to the east as it is of no use to anyone other than the landowner. Whit suggested that the language in the notice of limits is good language for residents to use. Jim Yager questioned if the 200' goes to his property would he be allowed to do work on it. Leigh noted the 200' section only accesses John Carr's property and is not within the Board of Selectmen's jurisdiction.

Jim asked about driveways off Class VI roads. Leigh noted the Road Agent is in charge of that. A Notice of Limitations would be required if a structure off a Class VI road is proposed.

The meeting adjourned at 5:25 p.m.

Submitted by,

Janet Roberts

Administrative Assistant