

**BOARD OF SELECTMEN**

**JUNE 11, 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: Tamara Butcher, Chairman; Dick Hendl, and George McCusker.

Others present: Whit Smit, Leigh Callaway, Jim Bednar, and Attorney Lenhart. Cody Patten came around 4:30 p.m.

Jim Bednar reports the 250<sup>th</sup> Celebration Committee has a lot of merchandise and there will be more coming for fundraising. The Committee would like to install a lockable display cabinet in the Town Office. The cabinet was available for the Select Board to see. He has another one with three shelves to install at the Meetinghouse. Cutting Farm is loaning their "farm stand" on wheels to have out and about at events throughout the summer. Motion made by Dick to grant the 250<sup>th</sup> Committee permission to install the cabinets at the Town Office and Meetinghouse. Motion seconded by George, and passed unanimously.

Tax Collector, Pixie Hill met with the Board to ask for the Board's approval to accept yearly pre-payments prior to the final tax bill. Currently, she must refund overpayments to the taxpayer. Many people would like to make payments in advance of the December bill. Statutory provisions allow prepayment up to 2 years in advance. Pixie would like to do only 1 year at this time. She sees this as additional stream of revenue and an advantage to many taxpayers who own seasonal business. The only downside she sees is when a property sells that has pre-paid taxes, a refund would be due the payer. There is no interest earned on payments made in advance. After review, Dick moved to grant the Tax Collector permission to accept tax payments in advance, payable only for the current calendar year taxes. The motion was seconded by George and unanimously approved.

Leigh Callaway reported he has received another \$250.00 in donations in response to the mailing the 250<sup>th</sup> did. George moved to accept the donation, seconded by Dick and unanimously approved.

Attorney Anthony Lenhart was present to represent Tunis LLC. Dick reported he and Whit visited the site on June 5, 2018 with Attorney Lenhart. Pictures from the Feb site visit as well as the June visit were reviewed. Whit noted, the carport for which the complaint was made, showed a closed in gable end of the roof structure which was a significant finding in defining a carport. The transparent roof panels and supporting roof structure, including the gable have now been removed. What remains is a decorative trellis near the walkway and entry to the house. As seen on the picture, the fieldstone goes all the way around the house and looks like it was done all at one time, and is part of the walkway. Tamara stated, from the pictures, it does not appear to her to look like what the Zoning Ordinance defines as a structure is there any longer. George stated she took down the carport in question and all that is left is the walkway. Dick asked if the

removal of the existing structure as seen in February 2018, removes the violation that existed. Tamara stated she (Mrs. Austin) did what she was asked to do. The Board agreed. Attorney Lenhart stated Mrs. Austin does not live here year round and this was a big undertaking and added difficulty coordinating the removal and compliance of the violation from away. Motion made by Dick the removal of the transparent panels and supporting structure satisfies the Notice of Violation and as long as it remains in the current state as supported by the pictures of June 5, 2018 is compliant to satisfy the Notice of Violation. Motion was seconded by George and unanimously approved. The Board will send a letter of notification to Tunis LLC with a copy to Attorney Lenhart. Tamara extended appreciation to Attorney Lenhart for his efforts. George stated the key point here is that the field stone was there, and the carport has been taken care of. All that is left is the trellis.

Whit noted the Zoning Ordinance is silent on driveways. A Zoning Permit is required for a patio greater than 100 s.f. The fieldstone is in the parking area, entry to the house and walkway around the house. It is not on the lake side of the house where it would be common for a patio.

Minutes: Dick moved to approve the Minutes of May 30, 2018 as written, seconded by George and unanimously approved. Having just been completed, the Board reviewed the minutes of the June 7, 2018 Emergency Meeting. Dick added the sentence "as specified in the Personnel Policy and then moved to approve the minutes as amended. Motion seconded by Tamara. Dick and Tamara approved, George abstained as he was not at that meeting.

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, June 11, 2018.

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

Application for Permit – Acted Upon, Approved:

1. Mr. Guy Downey at 1867 Main Street (Rte. 114); plans for building 8' x 30' porch (with roof) attached to his house. Turns out Mr. Downey had previously received a Zoning Permit for the project. Same location, same dimensions. I have reviewed the application and have made the additions/corrections per instructions from Mr. Downey. I have been out to the site. The location for the porch has been marked and in compliance with all setback requirements; there are no wetlands issues. Structure will be less than 35' tall. Application reviewed and forwarded to BOS members. APPROVED by Zoning Coordinator pursuant to delegation of authority.

2. Mr. Keith Cutting, 266 Sanborn Hill Road; also wants to build a porch over his back steps. I have met with the applicant and I have been out to the site. The location for the porch has been marked and in compliance with all setback requirements; there are no wetlands issues. Structure will be less than 35' tall. Application reviewed and forwarded to BOS members. APPROVED by Zoning Coordinator pursuant to delegation of authority.

Application for Permit PENDING:

Ms. Kerry McNally, pursuant to Article VIII “Nonconforming Structures and Uses” of the Town of Springfield Zoning Ordinance (2018) hereinafter the “Ordinance,” has applied to the Town of Springfield Planning Board (Planning Board) for a permit allowing relief in the form of a Conditional Use (Ordinance Sec. 8.22) for real estate parcel located at 21 Old Croydon Road, Springfield, New Hampshire (Tax I.D. Map #25, Lot 339-374).

DESCRIPTION: Applicant has an existing structure (32’x 24’ house) that serves as a principal residence, the establishment of which pre-dates the Town of Springfield Zoning Ordinance (August 7, 1987). This is the only residential structure on the applicant’s parcel, which consists of 19.7 acres; and roughly >95% of the structure (principal residence) falls within the designated Wetland Buffer (100’) as depicted on the ArcGIS Springfield Wetlands Reference Map – March 2016.

Ms. McNally desires to rebuild a deck that was previously attached to the residence but was removed approximately seven (7) years ago. The deck will also be in the referenced Wetland Buffer. The proposed 24’x 10’ deck will be on the south side and attached to the existing structure. Other than the impediment of the Wetlands Buffer, the deck will meet all setback requirements (greater than thirty-five feet (35’) from all lot lines.

Other Matters.

A. Consultation with Mr. Greenhalge regarding building a garage on his property (Four Corner Rd).

B. Consultation with Mr. Hendl regarding building a garage on his property (Woodcrest).

C. Provide to BOS “before” and “after” pics of carport area at 150 Woodcrest (Tunis LLC).

<< RWS 06/10/2018 >>

Whit reported he met with Tom and Pat Greenhalge this afternoon regarding a garage/workshop he is proposing. There are no setback or wetlands issues. Mr. Grenhalge has been in touch with the State DOT about driveway requirements. Whit recommends the application be approved. Tamara questioned whether there was a business use at the property. Whit stated if there is it would be classified under a home occupation. His garage and work shop are for personal use. He operates his plumbing and heating business out of Grantham. The application was signed.

Whit provided the Board with an updated version of the Zoning Permit Application modifying the definition of “After the Fact” applications. Dick moved to approve the modified language on the Zoning Permit. Motion seconded by George and unanimously approved.

Old Business:

George McCusker reported he noticed a new gazebo has been put up on property on Georges Mills Road in the past couple of weeks. This is a rental property. There are wetlands behind the

property that should be researched. Whit stated he was not aware of a new structure and will take a look.

Dick reported he has not heard back from Capitol Roofing about the highway/fire roof overhangs. Both John and Bruce from the company had come out to take a look. He has e-mailed Bruce but has not heard back.

George reported there are still several outlets at the ball field that don't work and have not been working for some time that should be taken care of before Old Home Day.

Cody Patten addressed concerns with employees not following the town rules in the Personnel Policy. He is aware of people talking poorly about other people, and discussing what happened in closed sessions which he thought should not leave the room. "People are going around town telling everyone I was fired." Tamara stated that is not what happened, the Selectmen are the only ones who can hire or fire. On June 7<sup>th</sup>, The Board of Selectmen accepted Cody's resignation and made it retroactive to Monday, June 4<sup>th</sup>, the day Cody submitted it, which is what they found the Personal Policy reads. Dick stated he feels there needs to be a review of the personnel policy by all employees so everyone is aware of the rules. Tamara stated it was important for Board members as well.

Dick reported the Library is trying to figure out what the most appropriate times for open hours is.

#### Correspondence:

Letter received from Chuck Braxton, Realtor from Roche Realty regarding concern with liability from the public using an access on Baptist Pond on his client's property. The owner has indicated they want the access to be posted, but before doing so, Mr. Braxton wished to seek out input from the town or state to see if they wish to acquire it. The Board discussed issues of liability as an attractive nuisance. The Board agreed the Town of Springfield is not interested in the parcel.

Information from Pixie regarding the remaining unlicensed dogs. Pixie will be producing a warrant for the Board to sign which will then be turned over to the Police Department to process for civil forfeiture.

#### Signatures:

Yield Tax Assessments approved and signed

Current Use Application signed which had been approved for 4/1/2018 but signatures were overlooked.

Solar Exemption Application approved and signed. Submitted prior to 4/1/2018 but did not get processed for first bill. Will be all set on second bill.

The Board moved and unanimously approved appointing Tim Fraser to the Conservation Commission.

The Historical Society is in need of members to fill vacancies on the Board of Directors.

Meeting adjourned at 5:15 p.m.

Submitted by,

Janet Roberts,  
Administrative Assistant