

BOARD OF SELECTMEN

MAY 26, 2020

MEMORIAL BUILDING

4:00 P.M.

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

The meeting was called to order at 4:05 p.m. and began with the Pledge of Allegiance.

Selectboard present in the meeting room: Tamara Butcher, Chairwoman, Dick Hendl and George McCusker.

Others present in the room: Lawrence Mester and Pixie Hill.

Others present via ZOOM. B. Manning, Keith Cutting, Wayne Smith, Whit Smith, and Sue-Ann Kazenas.

B. Manning and Pixie met with the Board regarding the voting machines. Dick stated he requested a quote for the cost of programming at the training session on May 15th and wondered if it was received. B. has not seen it. He was told depending on the complexity of the ballots, the minimum cost would be \$500.00. The federal and the state elections do not tend to be as complicated. The ones that become a problem are in the larger towns. Tamara asked if it would be safe to assume the town's cost would be around \$500.00. B. stated, he tried to see if he could get them to do something less but was told it would be a minimum of \$500.00. Tamara was impressed with the machine and there is not much choice at this point. Dick stated his position is that \$3500.00 cost of the machine, plus \$250.00 a year maintenance for essentially an obsolete machine is outrageous. There must be a better way to do this buying from a single-source provider. The people who count ballots seem to be the same people over and over and everyone is getting older. He wonders if more needs to be done to get younger people involved to spread the effort and give more people an idea of how elections are run. If asked to vote on this, he is going to vote no. Pixie stated no one knows what the situation is going to be like in September and November. If things continue as they are today, ballot workers, poll workers, ballot counters, cannot be put at risk. Considerations regarding COVID is why this is being considered, otherwise she would not pursue a counting machine. George stated originally, he did not see why a group of younger counters could not be found, but that is only part of the problem. He does not like there is no other choice of machines. He agrees it is about the process and public safety. B. stated the State commission will likely come up with safety guidelines for people working polling places over a certain amount of time. He expects people who are working the polls will be required to wear N95 masks. Other masks will be ok for people who come and go to vote. Moderators are dealing with issues of having people inside the building for 10 to 12 hours during the election. B. supports the idea of bringing younger people in, but now is not a good election to try to recruit. Dick asked if the cost of the machines would be considered part of the CARES Act. B. has talked with people at the State and made a case to the assistant Secretary of State. He believes this qualifies, but the AG's office will not commit to it until they know what the commission is going to do, but it is under consideration.

George stated he did not think this is a huge expense, relative to costs today. Dick's concern is the equipment is 13 years old already. Pixie stated the company has assured they have enough components to keep the equipment operational. She is confident the company is not going to abandon the towns. The equipment will be viable for the next 5 years. Further discussion relative to pursuing funding and pricing was discussed. B. stated he is willing to pursue this further. George made a motion to purchase the voting machines, as proposed. The motion seconded by Tamara. George and Tamara approved the motion. Dick opposed. B. will begin the purchase process.

Zoning Permits:

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Tuesday, May 26, 2020. Here is a summary of permit applications and Zoning Coordinator activity.

Application for Permit – Acted Upon, APPROVED

1. Mr./Mrs. Keene, 1987 George Hill Road, would like to install ground mounted solar panels on their parcel in the field next to their house. Zoning Coordinator has been out to the site and has discussed the project with Mr. Keene. There are no wetlands issues, no set back issues and the structure will be less than 35' tall. Based on site visit there does not appear to be any home business or commercial activity at the location. No observed Home Business or Commercial Activity. Zoning Permit Approved.

2. Mr. Carter, 117 Oak Hill West Road, would like to rebuild and increase the size of south facing patio with a beautiful view of Mount Sunapee. Zoning Coordinator has been out to the site and has discussed the project with Mr. Carter. There are no wetlands issues, no set back issues and the structure will be less than 35' tall. No observed Home Business or Commercial Activity. Zoning Permit Approved.

3. Mr./Mrs. Roger Smith, 159 Georges Mills Road, would like to build an addition to the existing residence (addition totaling less than 690 sq. ft). The planned structure does not encroach upon or into any setback restrictions and will be less than 35' tall. Copy of the Wetlands Reference Mapping Tool has been provided to the Select Board. Zoning Permit approved by the Select Board.

Open Applications - In Hand, But NOT Acted Upon.

4. Kara Zaleskas, 164 Four Corners Road; Zoning Coordinator has nothing further to report.

Other Matters.

- A. Terri Gerard, 61 Sugar House Road, inquiry regarding change in plans for porch on back side of existing house. Change in plan will result in much smaller cover for entry ways. New permit not required, but Ms. Gerard may need to file an extension to her existing zoning permit.

- B. Jeff Rosen, Yankee Barn Homes, is working on a project with the Eastman HOA to develop 4-6 parcels in Eastman section of Springfield. Mr. Rosen has expressed an interest in being “pre-approved” for Zoning Permits, as necessary, based on standard construction designs. Meeting scheduled with Mr. Rosen to better understand what he has planned out.
- C. Mike Hansen – Site plan for addition to existing shop. Scheduled for June Planning Board meeting.
- D. Attend Planning Board meeting
- E. Inquiry from Chair of Zoning Board of Adjustment regarding procedure for handling upcoming meeting via Zoom.

Whit reminded Janet he needs a copy of the zoning permit the Board signed for his addition. Tamara acknowledged it was signed and he is good to go.

Whit reported just before this meeting he talked with Jeff Rosen from Yankee Barn Homes. The Eastman Community Association has identified lots that have been retired. They are looking for ways to resurrect those lots to build their revenue stream. There six lots in Springfield they are working with Yankee Barn to develop. Whit stated he has reviewed the lots and they look like they have good potential. The developers would like to know if there is a way for some sort of pre-approval. Whit stated he “disabused” them of that notion on the basis that the zoning permit application rarely requires a specific house plan. He suggested if they had a footprint for the lot, rather than issuing a zoning permit perhaps an opinion could be given based on the footprint submitted. He has been through the maps already and it appears there are no setback or wetlands issues. They are looking for an indication that under the current ordinance there are no issues associated with it. Wit told them he did not have the authority to offer that, but he would review with the Board of Selectmen. They will submit a letter and document package for the Board to review. Most of the lots they are talking about with one exception are at least 1.5 acres. This appears to be a test run with Yankee Barn Homes working with Eastman. Dick asked if the Board acted on a footprint, would they be subsequently required to submit a zoning permit application based on the actual plan. Whit stated there would be no zoning permit application until they are going to proceed with the actual building. Then it would be considered just like any other zoning permit application. The contract they are proposing to buyers will give them a 30-day window to work from between a sales agreement and when the real estate would close. Whit felt that was plenty of time to act on a Zoning Permit. These houses are being projected to range in price from \$450K to 800K. They are looking for a statement that based on the materials presented there did not appear to be any setback or wetlands issues and could reasonably expect a zoning permit to be favorably considered when it is appropriate. Discussion followed whether the applicant would be the ECA or the owner of the lot since the ECA would still own the lot at the time of the application, and not the purchaser until closing. Whit noted the last page of the zoning permit states that permits are valid for one year from date of issue. Applications and

approvals are not transferrable. That contradicts the ability to be able to assign the approval from ECA to the buyer. Further consideration will need to be given to this matter. Whit stated they have septic designs already done for the six lots, and they have stated the square footage of the house plans to be available for this project will all fit on the lots in question. Eastman will be coming forward at some point to review this with the Board. Whit will send a list of the lots in question to Janet.

Whit reported a permit for a shed on Main Street is still pending. Ryan was going to look into this. Tamara will follow up with Ryan.

Whit reported e-mailed two photos of a bus being used as a residential facility at the end of Sanborn Hill to the Board. Whit also informed Police Department. When he went to the site, he both police officers were there. They found that the owners of the bus know the owner of the property. The bus is converted for off-grid living with solar panels on the roof, and a stove exhaust stack out of the roof.

Minutes of May 11, 2020: Dick moved to accept the minutes, seconded by George, and unanimously approved.

Unfinished business:

Dick reported on discussion he and had with Shawn Tanguay, with Janet present regarding the letter sent to Kennebec inviting them to a July Selectboard to discuss site plan. Shawn agreed to contact the lawyer for Kennebec to explain the town's goal is to establish a baseline for the operation at Kennebec like what Twin Lake Villa is doing. In the future if there are any changes to be made on these properties, the town will information available to reference which they do not have now. Shawn agreed this was a reasonable approach. Dick indicated to Shawn there were likely to be neighbors present when Kennebec attends to voice their displeasure with the way things are there. Shawn will contact Kennebec's attorney.

Dick stated as an aside, Shawn has some good information on the work he is doing with broadband internet and is interested in talking to the Internet Advisory Committee about his efforts. Whit was asked to call Shawn.

Dick has contacted the editor of the Valley News and invited her to review the situation on Main Street. She is interested in doing something but needs to talk to some of her staff.

Whit noted he had a follow up conversation with Ken Jacques after the last Planning Board Meeting last week. Ken had a consultation with respect to TLV and their work on their Site Plan Review. Ken had spoken to a lawyer friend and had asked for clarification of the Planning Board's process for Site Plan in their case. Ken indicated the business predated all zoning and planning regulations and there had not been any changes made in several years. Ken questioned the hearing process since there is nothing for the board to approve or disapprove. Their site plan will become part of the records of the Planning Board. Whit noted his concern about the precedent that might be set in terms of dealing with these two businesses with respect to the site

plan hearing issue. Whit expressed the opinion that the requirement of a special exception was waived as result of being grandfathered based on research and his reading of Bernie Vaughn's writings. His research also suggests the site plan requirement is not exempted and the business or commercial activity per is required to have a site plan, per the Zoning Ordinance, if they are continuing to operate. Whit stated Ken accepted his explanation, though he may not agree with it. Tamara stated Ken is in agreement to submit a site plan for what is there now to be on file with the town, and if anything new is to be changed in the future it would be added to the Site Plan, d just like what is proposed for Kennebec. Whit stated Kennebec should be held to the same standard and be required to submit a site plan for review by the through the normal procedure so changes in the future when they come up. Janet noted she had asked the question of Shawn as to what the submission requirements would be for TLV since the question came up at the Planning Board. Shawn's opinion they would have a consultation type meeting with the Planning Board and present his site plan for the planning board to place on file. TLV is showing what they have and what they have been doing for many years predating any planning or zoning regulations. There is not a need for a formal hearing, notice or approval process in this instance. Whit and the board discussed the precedent this may be setting for other businesses currently in operation. He is concerned there be a consistent and predictable approach for planning that allows the citizens to understand what is really going on.

An e-mail was received from Marla Binzel requesting the town write a thank you note to the Eastman Charitable Foundation for the spruce tree that was planted on the recreation field., Tamara asked George to write up a thank-you for the tree from the town and the Board will sign it.

Nichols Hill Road: Tamara asked George for an update. George stated he knows nothing about that. Tamara stated she has heard that the Moskalenko's have no interest in entertaining any movement of the road onto their property. It does not sound like they have been contacted or presented with any plans, other than Peter going over there and painting lines that go all the way to the trees on their property. It is likely that moving the road will not be happening.

New Business:

Beach/Rec Field: Tamara stated at the earlier Emergency Management Meeting the Board discussed closing the beach and recreation field/park until the Board gets further information from the State. Signage was discussed. Tamara indicated her feeling is if the rafts are not out, it indicates that the beach is not open. The Board what measures would be taken for the beach to be closed. George stated he feels it needs to be opened or closed. If it going to be closed, there needs to be a fence and it needs to be shut down, anything else is going to cause problems. The Board noted accessing the water would still happen even if the beach were closed. Being on the beach on towels or kids taking toys out are discouraged by the Governor's orders. Tamara stated the case everywhere right now are the beaches are closed, but not the water. Lars stated according to the EOC last week, opening or closing a town beach is the town's decision. Lars stated State beaches and parks are open, the only thing not open currently is Hampton Beach. The State beaches have restrictions and limited access. Lars suggested there could be signs posted that says to maintain proper social distancing and warning utilizing the beach is at the

user's own risk. The Town bears no responsibility or liability. Tamara stated State beaches are open, but New London has closed their beaches. Following discussion, the Board agreed to recommend that beach users are using the beach at their own risk. The rafts will not be put out as there is no way to social distance on the rafts. Motion made by Dick that the rafts will not be put out, no toilets, and no signs will be posted at this time. The Board will review this issue again at their June 8th meeting. The motion was seconded by George and unanimously approved. The same will apply to the use of the recreation field/skateboard park. During the conversation, the board discussed utilizing beach permits for use of the beach.

Request received from Emily Cleaveland to utilize the recreation field on July 11th for Highland Games, contingent on the State's reopening recommendations. The Board did not see a problem with them holding the games depending on what the State says. They will re-evaluate this again at their June 22, meeting.

Board and Department Updates:

Cemetery employee: George reported Mike Tully attended the Cemetery Commission meeting and knew of someone to hire to work at the cemetery. Mike and the young man showed up at the Cemetery with his own equipment and volunteered for a day and Curt came back for the week and made sure that cemetery was all set. The young man filled out an application and worked for half a day and Peter set up an interview for the next day. Peter received word that the young man has decided to work elsewhere. George feels things are in good shape. They will continue to look. Tamara and Dick agreed the cemetery was in good shape for Memorial Day.

Peter will be on vacation next week. He has contacted Ed Abair to fill in for an emergency if Troy needs assistance. Troy will mow next week while Peter is on vacation. George feels the highway guys can handle the mowing in the meantime.

Peter and Troy helped plant the tree.

Fire Department: Tamara reported two new members have joined the department.

Agricultural Commission: Tamara reported she received an e-mail from Susan Cutting resigning from the AG Commission. Keith noted the Commission discussed spousal participation, and Susan decided it was relevant to resign. Susan Chiarella has resigned as well. Alison Patten is interested in serving in one of the vacant alternate positions. Cynthia Bruss has a name to put forward as a second alternate. Keith requested the Selectboard to authorize the webmaster to include the Agricultural Commission on the town website. They will publish their meeting minutes and Statement of Purpose they would like to publish. The requests to publish on the website would come from Keith and not any other source. Tamara moved to appoint Alison Patten as an alternate to the Agricultural Commission, seconded by Dick, and unanimously approved.

Dick reported he responded to an ad from resident Tim Smith regarding handyman, carpentry projects. Dick will be meeting with Tim at 8 am on Thursday.

Information was distributed regarding the Governor's statement regarding property tax interest. The Board will investigate this further.

The Board discussed protocol for ZOOM and other meeting recordings. Whit stated that once the minutes of a meeting have been composed, even in draft form, there is no requirement to retain the recording. Motion by Dick to delete the recordings as soon as the minutes are drafted and posted. The motion was seconded by George and unanimously approved.

The Board signed the 2020 first bill tax warrant. Taxes will be due July 7th.

Miscellaneous Business: Dick extended appreciation to Ken, Tamara, Brandon, and Megan Butcher for arranging for flags on Veteran's Graves for Memorial Day. It was a nice thing to do, since a formal ceremony was not possible. Tamara stated it was an honor for them to be able to do this.

Tamara would like to pursue beach parking stickers. The Board agreed. She will investigate this further and report back. This needs to be done not just because of the things going on right now, but because this becomes a problem every year.

The meeting adjourned at 5:50 p.m.

Submitted by,

Janet Roberts,
Administrative Assistant