

BOARD OF SELECTMEN

July 27, 2020

MEMORIAL BUILDING

4:00 P.M.

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

The meeting was called to order at 4:00 p.m. and began with the Pledge of Allegiance.

Selectmen present: Tamara Butcher, Chairwoman, Dick Hendl and George McCusker

Others present: Dick Petrin, Pixie Hill and Dan Saulnier

Others present via ZOOM: Keith Cutting, B. Manning, Whit Smith and Sueann Kazenas

Scheduled Appointments:

Dan Saulnier presented his report giving a brief update on the status of the Internet Advisory Sub-Committee. The committee is currently working on a calculation of public benefit to the town. We need to demonstrate the citizens are getting more out of it than the ISP. Once the committee develops this it will be brought before the board of selectmen and if they agree with the calculation the selectboard can accept this and it becomes part of the effort moving forward. The map that has been developed has not been shared on the Facebook page because the committee is waiting to hear if this would be allowed by Consolidated Communications. Dan asked if the selectboard has any problems or questions about the map being released, on Facebook or otherwise, if Consolidated gives the go ahead. Dick stated as long as the approval is obtained by Consolidated he doesn't see any issues with that. He feels the committee should be prepared for a lot of questions and feedback once the map is released. The committee feels the time is right to have a public meeting to give the townspeople a chance to ask questions. The committee would prefer to hold the meeting at the fire department because there is more opportunity to social distance there. The committee would also like to make this meeting available online through Zoom. Tamara will discuss this idea with the fire department at tomorrow night's meeting and let the committee know what the decision is. Dan stated that in continuing along the line of the bonding issue program, the committee needs to start to pull together a request for proposals that would go before the selectboard before being sent out. This will be one of the next steps that needs to happen. Dick asked if there has been any kind of feedback about the decision on the CARES funding. Dan said it is a black hole right now. Whit asked the same question to Jeff Maciver yesterday. Whit has followed up with them almost daily. Whit feels the problem is with the Governor's office, not Consolidated. The committee has been told to sit tight. Whit stated the committee is continuing to work on the original program with the assumption that if this all falls apart, we will not have lost any ground.

REPORT

Internet Advisory Sub-Committee to the Town of Springfield Select Board
Monday, July 27, 2020

Since appointments to serve were made, the Internet Advisory Sub-Committee (the Sub-Committee) has held four (4) meetings (on-going notice published with quorum in attendance).

The Sub-Committee has eight (8) members, so a quorum requires 5 members to be present. Minutes have been published and posted on the town website.

The Sub-Committee prepared a survey to be distributed throughout the town (approved by the Select Board). 665 surveys were mailed out. To date, 235 responses have been received back. All comments in the survey responses have been cataloged and will be available for review.

The period for survey responses will close at the end of business on August 6. The final report of survey results will be available for the Select Board prior to the regularly scheduled BOS mtg on August 10.

In the meantime, the Sub-Committee has considered the Rural Broadband Initiative announced by Governor Sununu in late June. Representatives have been working with Consolidated Communications and State officials to see whether this opportunity will allow build out of high speed internet capability to all unserved locations in the town.

The Sub-Committee has also prepared a map of internet service locations and levels of service provided within the town based on data supplied (subject to confidentiality agreement) by Consolidated. This map will be used in support of to town's initiative to build out high speed internet infrastructure using the municipal bond funding program approved by the NH legislature – again, subject to BOS approval.

The Sub-Committee intends to have a Public Information Session on August 27, 7:00 pm in a location where a public gathering can safely occur – subject to approval by the BOS.

The Sub-Committee will submit to the BOS (September 14 meeting) a draft of Request for Proposals (RFP) from known Internet Service Providers (ISPs) for review, comment and approval. Presuming the Request for Proposals is approved by the BOS no later than their September 28 meeting, the RFP will go out before the end of September.

The Sub-Committee is assuming that the RFP will be of interest to ISP's and the town will receive Proposals.

Zoning Permits:

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, July 27, 2020. Here is a summary of permit applications and Zoning Coordinator activity.

Application for Permit – Acted Upon, APPROVED

1. Mr./Mrs. Downey, 1867 Main Street, are planning to build a garage next to their house. Zoning Coordinator has been out to the site and area for planned garage is marked. 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. Applicant has represented the same on the Zoning Permit Application. Zoning Permit application approved per delegation of authority.

Open Applications - In Hand, But NOT Acted Upon.

2. Mr./Mrs. MacCreighton, 99 Old Grafton Road, would like to build an addition/extension on their existing garage. Zoning Coordinator has been out to the site and area for planned addition is marked. There are no wetlands 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. Applicant has represented the same on the Zoning Permit Application. Notice that I did not mention set back issues.

Alas, this an old Springfield road and like so many such roads, back in the day when the house and garage were built, they were placed closer than 35' from the road. In this case, to properly line up the front of the addition with the garage, it will be 31' off the edge of the road.

Accordingly, a trip to the Zoning Board of Adjustment is required for the MacCreightons to undertake the project.

Zoning Coordinator has discussed the matter with Mr. MacCreighton.

3. Mr./Mrs. Twombly, 247 Twin Lake Villa Road, received a Special Exception allowing for side yard setback relief, which will permit them to place a 26' x 28' garage no closer than 15' from the lot line. (Zoning Board of Adjustment Decision dated July 7, 2020). Although some nice pictures were attached to the Application for a Zoning Permit, the Twomblys have not finalized their plan for the garage (no plan view provided with the application). Accordingly, this one is on "hold" pending the final design. Applicants were advised and when they have a plan we can proceed with a review of the application.

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

Incomplete Applications – Returned to Town Office, NO Action.

5. Mr. Don MacDowell, 5 Colcord Road, has storage container located next to house.

Zoning Coordinator received email from Mr. MacDowell stating:

"You a public servant please Get our permit as we requested for it from town it basically Simple and not Rocket Science."

Zoning Coordinator did not respond and has taken no further action on the matter.

Other Matters.

A. Attended Planning Board meeting July 16 (via Zoom)

B. Conversations with the Chair of the Planning Board following inquiry/suggestion from town resident regarding economic development opportunity (business incubator) near Route 89, Exit 12-A; location of the wood fired electric power plant.

C. Inquiry from town resident regarding planned movable goat shelter on skids. Respond to the same and referral of the question to the Planning Board. Structure or Agricultural Equipment?

D. Inquiry from property owner regarding wetlands permits and shoreland permit; operation of equipment within 250' of the protected waters.

E. Review six (6) packages of site plans for residential home construction in the Eastman section of town for lots that had previously been “retired” (taken off taxable property roll).

F. Inquiry regarding building “a small utility shed” - 12x12 and “is simply a garden shed.” Responded that a Zoning Permit is required. Sent Permit Application to the individual.

G. Inquiry regarding installing a driveway and a residence on Hogg Hill Road “in the near future.” Individual also had questions on the rules/regulations regarding wetland setbacks. Responded to the same.

H. Inquiry from real estate broker (due diligence) regarding representation from Seller (or Seller’s agent) that Zoning Coordinator had inspected and approved an interior stairway as being in compliance “with code.” Zoning Coordinator is familiar with the property and the specific interior stairs. Responded with detailed explanation; Zoning Coordinator does not do “code inspections.”

I. Inquiry from prospective purchaser asking “what is the smallest lot” amount of land that one might be permitted to purchase in the town of Springfield.

“You know, it’s always something...”

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Whit spoke briefly on Kara Zaleskas. He explained to Dick that it involves the expansion of a deck which is why they need a shoreland permit by notification as opposed to the other situation he was thinking that may be replacement of an existing structure with no additional size or increase in construction. Dick’s concern was not the increase in size but the use of equipment within 250 feet of the lake front. Whit believes equipment can be used as long as you are not within 50 feet of the lake front. Whit did quite a bit of checking on this and would be glad to go over it with Dick.

Whit received an inquiry from the real estate broker regarding the interior staircase at Christine Austin’s house; the one with the downstairs living space. They had an inspector who suggested that staircase was not built to code. Where upon someone from the seller’s side said the staircase had been inspected and approved by the zoning coordinator. Whit wrote a detailed response to the realtor and has heard nothing back.

Dick asked Whit to expand a bit more on the retired lots that were taken off taxable property. Whit received six packages which contained a type of site plan for residential construction on retired lots. They range in size from 1½ to 3 acres over in Eastman. The homes range in size from 1500 to 3500 square feet. They are basically a Yankee Barn home package that Jeff Rosen submitted for each one. Whit told Jeff he doesn’t want to submit a zoning permit application until he is able to sell the particular home because if the buyer buys something different he will need to resubmit. Jeff agreed with that but felt it was important to send the packages, which includes a plan view of the location of the house, location of the driveway and the septic system.

Whit feels he is just giving the town a heads up this is coming along. Whit stated he used the language “retired” to describe the lots because it makes the question, they came off the tax rolls a few years ago and now will be treated as developable lots. Dick asked who owns the lots. As Whit understands they are owned by the Eastman Association; Yankee Barn would be the contractor/developer. Dick questioned why the town does not receive property taxes on these. Janet stated Eastman made a deal years ago, George Hildum could give exact history, with the town that if they would retire these lots because they were for whatever reason not being built on or turned back to the ECA, ECA would retire these lots if the town would not assess them as buildable lots because they were retiring them and the only value Eastman was giving these lots was abutter value only. Now they are wanting to bring these lots out of retirement and make them available to be built on if Yankee Barns can work out a buildable lot; they want to be able to sell these lots while the town has only been taxing them as abutter value only. Janet said this should be discussed with George Hildum.

Dick is unclear on how these lots that were declared not buildable some time ago and retired, can all of a sudden be deemed buildable. Janet is unsure if they were deemed unbuildable, they just weren’t being built on. That would be a question for George Hildum. Dick asked the question because a few years ago the town tried to sell lots in Eastman, and the town still have six properties left, and they are deemed to be unbuildable. Dick asked if we can somehow take another look at those and see if we can change the status of those. Whit feels that is a good point and he would be interested in comparing those lots to the lots Eastman would like to build on. Dick will send Whit an email with the list of lots so he can compare them.

Tamara stated Mr. MacDowell dropped off a new application with the additional \$25 for the storage container. Whit stated there are no wetland or setback issues. The selectboard reviewed the application and approved it.

B. Manning stated one of his concerns for the upcoming election is the issue requiring people to wear a mask. B. said the secretary of state and the attorney general’s office have not come up with a definite answer on this matter yet. The moderators are pushing them to give a little guidance. They have strongly recommended that each town speak to their town attorney for some guidance on the issue. B. said the plan is to require people to wear a mask and to provide an alternative, for those people that refuse, way to vote. They are allowing people who refuse to wear a mask to become similar to a disabled voter, what that will require now is to deliver an absentee ballot to them, most likely in the parking lot. All the absentee applications and affidavits need to be filled out and put in the envelope then the absentee ballot would be taken and processed like any other absentee ballot. There is a meeting with the secretary of state Thursday morning and B. hopes to get some guidance at that time. B. feels it would be wise if there was a conversation with the town attorney to see what his take is on the issue. B. is sending an email to all the moderators in the Kearsarge district to get a handle on how they are going to approach it and what their actions might be. B. would like to be able to provide the people working at the polls an answer to provide to people that are refusing to wear a mask. Dick asked if it might be wise to wait until after the next zoom meeting on Thursday before trying to resolve this with the town attorney; we may get more specific guidance at that zoom meeting. B. feels that would be prudent, but he wanted to make the selectmen aware of what is going on and that a conversation will need to be had at some point and time. B. and Pixie agree that requiring people to wear masks is the right thing to do. Pixie doesn’t feel we will have a

problem with requiring masks; there may be one or two people that refuse, but it only takes one or two. B. feels an alternative might be to bring the person in another door and have a little room where they can vote. B. personally feels masks should be required to come in and vote and if they don't, they shouldn't be allowed in the building. Tamara asked how that works if they have to check in with the ballot clerk. B. said someone would have to verify their identity, but you don't have to check in with a ballot clerk to get an absentee ballot. B. said the absentee ballot would have to be given by the town clerk, assistant town clerk or a designated person. The selectboard will hold off on deciding until after Thursday's meeting. The selectboard has scheduled a meeting for Monday, August 3rd at 4pm to make a decision.

Minutes of July 13, 2020:

Dick moved to approve the minutes of July 13th, which was seconded by George and unanimously approved.

Minutes of July 14, 2020:

Dick moved to approve the minutes of July 14th, which was seconded by George and unanimously approved.

Unfinished Business:

Dick is going to court on August 13th to work with Matt Decker on the final action on the Stone property.

As Dick stated during the last meeting he put together and mailed to the assistant commissioner of the DES a package outlining all the efforts we've taken with the DES to try to resolve the situation on the Main Street property. Dick will, and has already offered to a few people who expressed interest, be happy to meet with anyone to review that package.

Dick will also follow up with Matt Decker on the property concerning the bob house / shed. Matt has been working with the lawyer that represents the owner and Dick would like to find out his situation is.

Dick, working with Jill and Janet, has submitted a CARES Act submission for reimbursement for the extra costs we've experienced related to Covid. A claim was put in for about \$1,550. Dick stated the whole set of instructions has changed and he hasn't gone through all of them, but they have extended the deadline to October 15th. Dick says it seems as though the town can include wages that have been paid for extra work during Covid; he will read more about that.

George asked if legal fees on situations like the bob house can be recouped. Dick said yes, that is what we are doing with Mr. Stone; if legal action is taken, we can put in a claim for legal.

George shared that Oak Hill West has been completed. Peter was not able to go with the original plan of putting in culverts because of the ledge. They hauled in crushed rock and gravel and built up that side of the road. George thinks the road looks good and stated the neighbors are all happy. At some point Pete will put down calcium chloride.

Board and Department Updates:

Tamara said the fire department is looking at putting together a list of equipment that needs to be replaced.

Dick shared that the library trustees will meet Thursday at 1pm.

Signatures:

Janet gave the selectboard two state forms that required signatures. One form stating how many inventory forms we will need for next year and the second providing the assessed value of the Gile State Forest. Janet will fill in the values and send them off to the state.

At 5:00 p.m. the board entered into non-public session for discussions as per RSA 91-A:3.

At 5:16 p.m. the board entered back into public session. Dick moved to seal the minutes from the meeting on July 27th. Tamara seconded the motion and George, Dick and Tamara agreed.

Meeting adjourned at 5:17 p.m.

Jill Hastings

Deputy Administrative Assistant