

BOARD OF SELECTMEN

OCTOBER 13, 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 4:00 p.m. and began with the Pledge of Allegiance.

Selectboard present in the meeting room: Tamara Butcher, Chairwoman, Dick Hendl. George McCusker joined the meeting at 4:25 p.m. having attended part of the Cemetery Commission meeting at 4:00 p.m.

Others present in the room: Whit Smith, Marla Binzel, Bill and Nyla Waddell, Mike and Joni Boucher, Sarah and John Anderson, and Jason Patten.

Others present via ZOOM. B. Manning, Keith Cutting, Sue-Ann Kazenas, Andy D'Amico, Leigh Callaway, and Ed Shank.

Tamara announced that long-time resident, and former Health Officer Tom Duling died on Saturday, October 10th. Condolences were extended to his family.

Scheduled Appointments:

Sarah Anderson on behalf of Mike Yurick, a neighbor of Hoptimystic Brewery addressed his concerns with the parking and traffic on the road. Recently she put out some NO PARKING signs, and Bill put out some cones which helped. Mike does not have a problem with the business and is excited for them. He moved here from the city 30 years ago and enjoys the quiet, but he does not want to have cars parked in front of his house every Saturday. The biggest issue was a vehicle that parked right in front of his mailbox. Due to his mobility issues, he gets to his mailbox by pulling up to it in his vehicle. He has asked for clarification about what the town allowed or permitted for parking for the business. Mike is willing to work with Bill to find a solution. Mike Boucher, Co-Owner, stated the success of the business has happened a lot quicker than they thought. Recently, he spoke to Peter Keene and Kevin Lee about the issue with parking on the road. Since then they have put in the parking lot and were able to put in a few extra spots, but it has not taken care of the issue with cars on the road. They are working on plans to put more parking up behind the brewery to get parking off the road. Tamara asked at what point did they see themselves moving out of that area because of size, or are they just thinking to expand the parking to see if that works. Bill stated there are no plans to move at this point. They have not gone through a full year of how the business will play out. They expect there will be a decline during the winter months due to inside limitations. Dick stated he applauds the business. He noted Section D of the Site Plan states if the brewery ever gets to the point where it impacts the harmony of the area, they will look for a larger commercial space in another location. He asked at what point do they see taking that part of the Site Plan into being. Bill stated the business needs to get through a year. Right now, they are new with a big "buzz" and that might not last. With the effects of COVID with people staying local, it is hard to tell where they are going to go and if they can sustain a certain level.

If they ever get to a level where they cannot keep up with what they can do themselves, and a need to hire employees, they would have to reevaluate what they are doing. They get a lot of comments from people in the community that want the business there. Whit stated he has heard about this from the Chair of the Planning Board anticipating an application to the Planning Board to address the additional parking. Whit noted they may want to attend the meeting on Thursday (October 15th) to talk to the Board about their requirements.

Jason Patten commented there are many other places in town where cars are parked beside the road 24/7 that nothing is done about it. These guys are open only one day a week and should not be singled out. Tamara stated it is all if there is a complaint or not. These guys were not called in. They came in and are trying to solve the problem. If someone has a complaint, they should contact the Board of Selectmen. Dick stated the Board cannot react to everything that people may think is a problem unless they hear about it and there is input to make a case.

Ed Shank – (VIA ZOOM) Mascoma Valley Snow Travelers (MVST) – snowmobile trail agreement. Ed had prepared the list of town-owned roads/properties that MVST utilizes as part of their trail system. The list is the same as it has always been. There may be a couple of re-routes required but if that happens, he will come before the board specifically for those instances. Tamara stated the Board has never had any issues with most of these locations and do not have issues with them right now. There are a few locations in the Deer Hill Road area with some concerns. Ed stated Deer Hill Road itself is a town road. The letter the Board recently received on behalf of Deer Hill Trust has nothing to do with Deer Hill Road or the connector trail between Deer Hill Road and Sanborn Hill. That Class VI road, (name unknown) is still owned by the Town. School House Road which connects between Deer Hill Road and Star Lake Farms property, is the only one that is in question right now. Ed was not sure if School House Road was on the list, but if it is, per the covenants, the owners must allow snowmobiling. The difference right now is whether grooming is allowed on that property. Per the letter in discussion, the Town does not have any say over that road, so if that is on there, it needs to be removed. John Anderson asked what the Board's take was on the letter. Dick stated on May 4th he had a conversation with Lt. Kneeland in charge of District 3 of NH Fish & Game. Lt. Kneeland stated he does not consider grooming to be part of maintenance. Dick suggested MVST contact Lt. Kneeland to see if he will give them something in writing to that point. Lt. Kneeland had said he was going to send a copy to the Deer Hill Trust. Since Fish and Game are the State agency to oversee snowmobiling, he is probably the best source of information to bring a little light onto this subject. Ed stated he will reach out to Lt. Kneeland. Tamara drew a line and initialed the # 3 School House Road from the list of roads since it is a private road. Tamara and Dick have no issues with other roads. George joined the meeting at 4:25 p.m. and was brought up to speed on where the discussion stands. Motion made by Dick grant the snowmobile club's request to maintain the roads on the letter, striking # 3 School House and Smitt Road. George seconded the motion, all voted in favor.

Ed stated NH has approved a grant to the club and they will be able to purchase a second piece of large grooming equipment. They have a landowner that will let them build a structure to park things under and prevent them from sitting out in the elements. One of the things the club is

concerned about are the tax implications. He asked if there is any avenue for a non-profit not to get taxed on something on someone's property or to keep the landowner from being taxed. They are a 503C organization. The Board was not able to answer that but will do some investigating.

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Tuesday, October 13, 2020.

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

Application for Permit – Acted Upon, APPROVED

1. 4. Dell & Wendy Rice, 2680 Main Street, to build house with detached garage. The Rice's received a Special Exception (with conditions) from the Zoning Board of Adjustment to build according to plan prepared by Clayton Platt, Surveyor No. 833. Zoning Coordinator and Mr. Hastings, a member of the ZBA, went to site and found the planned structures staked properly and accurately on the site according to the plan approved by the ZBA. This application was approved by the Select Board at their meeting on September 28, 2020.
2. Steven and Cindy Grant (through their agent, Yankee Barn Homes, by Karen DePrizio) to build a house with attached garage at 7 Winding Wood, Eastman. Plans have been reviewed and are on file at the town offices. No setback or wetlands issues. Zoning Coordinator has been out to the site and area for the planned house is marked. 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.
3. Merle and Helen Schotanus, 368 Sanborn Hill Road, would like to build a carport attached to and behind their house. Zoning Coordinator has been out to the site and area for the planned carport 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.
4. Smith Family Trust, Roger Smith and Frances Smith, trustees, 159 Georges Mills Road, would like to build additional deck space attached to existing deck behind the house. The application submitted to the Select Board for review to avoid conflict of interest. There are no wetlands issues, no set back issues, and the structure will be less than 35' tall. There is no home business or commercial activity at the location. Applicant has represented the same on the Zoning Permit Application. Zoning Permit application approved by Select Board.

Open Applications - In Hand, But NOT Acted Upon.

5. Scott VanHaltern, 1718 George Hill Road, application for hoop house for wood storage (after the fact). Fee has not been paid. Property Owner advised regarding fee. Application will be processed when fee is received.

6. Luke & Annika Munholand, 2803 George Hill Road, have filed an application for a 13' x 20' (260 sq.ft.) mobile shelter for goats built to be skidded by ag tractor. The Agricultural Commission has made recommendation to be considered by Planning Board at their meeting on October 15.

7. Dalton (by Yankee Barn Homes), 11 Winding Wood Road, for house with attached garage. Application incomplete; also, no approved septic design. Pending per completion of the application.

8. Ty and Samantha Morris, 235 Bowman Road, application for a deck (after the fact fee paid) but application incomplete (does not show distances to property lines). Pending per completion of the application.

Other Matters.

A. Inquiry as to whether a fence requires a Zoning Permit. It does not.

B. Resident recently bought home and would like to build a carport. Visited location and spoke to homeowner regarding location and setback requirements.

C. Noted pictures sent to town office of new construction reported to be at 2710 Route 4A. This will be brought to the attention of the Select Board.

D. Inquiry as to whether a propane tank is a structure and where it may be placed relative to the property line. Generally, the Planning Board has regarded an above ground propane tank to NOT be a structure requiring Zoning Permit. The propane company and state regulations may control (determine) the proximity of the tank to other structures and the property line.

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Whit reported he has had a busy couple of weeks. There are two applications from Yankee Barn Homes, as agents for homeowners for residential structures, the first on 7 Winding Wood Road has been approved. The second is in open applications, 11 Winding Wood Road which is pending the septic plan.

6 will be going to the Planning Board on Thursday. He received information from the Agricultural Commission regarding one story moveable livestock shelters.

C. Not sure this is a complaint but is an observation that there is probably new construction being built there. He is not aware any zoning permit has been applied for.

Whit reported he had an inquiry regarding the use of what he will call an in-law apartment. He did some research from a few years ago, and the same unit was not called an in-law apartment at that time, but now it is. Back then it did not have a private entryway, but now it

does and seems to be a moving target. It is not an ADU. Whit mentioned an article in the recent edition of the Intertown Record that shows Springfield is not the only town dealing with short-term and itinerate rentals. The implications of both place stress on community infrastructure. It is an emergent way to help property owners make ends meet in terms of the expenses of a home. It is also seen as a competition with the hotel and hospitality industry. Whit stated we should be out in front of this instead of taking a wait and see approach. He has pushed this to the planning board for some clear direction and has communicated the same to the person making the inquiry.

Don Hill, Chair of the 250th Committee presented the Board with a final invoice for lift installation. The lift committee has approved the invoice. Per the reaction of the people at the recent dedication, the lift appears to be accepted by the community. Money raised was \$3,300.00 short. Several people made donations of to cover the overage. Don presented the board with \$3,300.00 in donations. Don stated he was sad to hear of the passing of Tom Duling. In Tom's obituary it was suggested contribution can be made to the Lift, c/o the Historical Society. As donations come in, he is sure the Historical Society will keep the Town apprised. He noted this may be a source to cover annual inspections etc. Don stated he is in awe of what the Town has done. It has been the greatest privilege to be part of the 250th, to see all the volunteers, and what the Town accomplished and then to see the dedication the other night was "WOW". There were some extra issues that Nate took care of, and he paid for a cleaning crew to come in and clean after the construction.

Dick moved to accept the donation of \$3,300.00 to pay the final invoice for the lift in the meetinghouse. Motion seconded by George and unanimously approved.

Minutes of September 28, 2020 and September 30, 2020: Dick moved to accept the minutes of both meetings, as written; seconded by George and unanimously approved.

Unfinished Business:

Review Declarative Covenants – School House Road: Tamara would like to table this again. Dick stated it may need outside council for the Town's position. Ed Shank stated he is holding a response in respect to MVST as he was waiting to see what the Town was doing. The impression from the letter on behalf of Deer Hill Trust was they were telling the town to "mind their own business," and that the snowmobile club still had to get written permission. He has drafted a response to the Deer Hill Trust lawyer. The club needs to request permission to groom the trails. That will come back to Dick's suggestion to see what Lt. Kneeland's approach is, but he cannot keep putting off communications. Tamara stated from how she understands the covenants, and the letter, the club needs to ask for permission every year. They are supposed to give a response in a timely manner. Dick stated he is interested in the distinction between grooming and maintaining. He does not see the need to get written permission to go in and groom. He encourages the club to get a determination from Lt. Kneeland. Ed stated he will reach out to Lt. Kneeland. The covenants give snowmobilers the right to use the land. Grooming involves flattening the snow. Without a clear definition, it is difficult to separate the two. Most understand that grooming is included with allowing snowmobiles. Then if there are trees or branches that need to be taken care of, they ask the landowner. Because the way the

covenant was written, it allows an ability for the owner to make a different distinction. Ed will be sure to let the Board know what response he gets from Lt. Kneeland.

Dick reported Ruth Ward is going to make a presentation to Vera Rivard at the next Selectboard meeting at 4:00 on October 26th.

Sand Shed Site: Dick reviewed the contract proposal from Engineer Dan Nash in the amount of \$4,000 to complete the future sand shed site engineering. Dick noted it is too late to get the project done before the end of the year. He would propose the use of \$4,000 to at least get this thing re-started so Dan Nash can move forward. Tamara agreed as this has been in the works for too long now. George stated he is not in favor as almost two years ago a contract was written and rejected. This has been sitting for two years and at this point he is not willing to spend thousands of dollars on the project. Tamara stated it has been sitting because previous engineers backed out. Mr. Nash has been moving forward in a matter of months. George stated he objects to the project. He does not want the sand shed built there. Two-years ago he was asked to draw up plans and everything was ready to go for bids, it was not sent out, and nothing has been done. Now things have grown up again and it is going to have to be cleared to start over. Dick stated if this was not done now, it was probably never going to get done. George stated he is not in favor of it, but he has not recently discussed this with Peter. He noted Peter wants to get a roof over the partially constructed sand shed we have. A couple of years ago we could have gotten it done for \$50,000 and now it will be at least \$100,000. Peter got bids to add a few more blocks and to put the roof on and it never went anywhere. This happened before and during the idea came about of moving the sand shed. It would not be a big deal to move it. Tamara stated she thought the old shed was going away when a new one was put in and had no idea there was any plan to put a new roof and addition on the old one. Dick stated he would like to table this and talk to Darrin at the next meeting as he has been the contact with Mr. Nash. Tamara agreed.

Sale of Eastman Properties: Tamara reported the Village District of Eastman is asking for permission to travel across # 40 Winding Wood Road, (Map 37; Lot 490-318), a town-owned lot, so they can do testing on their wellfield. They have also expressed interest in purchasing that lot. Tamara stated she did not have any issue allowing them to travel across the lot. Their interest in purchasing it is regardless whether the wellfield tests positive or negative. Dick moved to grant permission to the [Village District of Eastman] to traverse 40 Winding Wood Road to access their wellfields. Motion seconded by George and unanimously approved.

Dick has spoken to the Town Attorney about how best to proceed with possible sale of all the Town-owned lots in Eastman. The recommended approach is a two-step process. The lots would be sold on a sealed-bid auction basis. If the lots were not sold, since Eastman has expressed an interest in some of them, the Town could then approach Eastman with one on one negotiations. There is a resident interested in a lot adjacent to his. The sales could be limited to an abutter and be contingent on merger, but this may not be in the best interest of the Town since it reduces the interested people. Dick would favor an open, sealed-bid auction like was done the last time, see what happens and evaluate the situation later. These lots were acquired by tax deed. Sealed bid auction was offered in 2017 without much interest, and only two lots were sold.

Dick moved to start advertising and begin the sealed bid process. The motion was seconded by George and unanimously approved.

Agricultural Commission: Request from Keith Cutting. James Bednar has resigned from the Ag. Commission. The Committee recommends appointing Alison Patten, changing her position from an Alternate to full commission member, and appointing Neal Huntoon as an Alternate. Tamara moved to appoint Alison and Neal as recommended by the AG Commission. Motion seconded by Dick and unanimously approved.

Tamara stated paving should be done at TLV tomorrow. That is the last road to be done this year.

Tamara reported the Emergency Management Director received a question as to what the Town was going to do if someone's well went dry. It seemed perhaps there was an expectation for the Town to supply water. Tamara responded about the faucet on the Town Hall building and at the end of this building for anyone who wanted to fill jugs for drinking water. It is not the town's responsibility to supply water to the town. Dick felt this is reasonable.

Marla Binzel reported she is taking over for Dale Milne, who was previously Springfield's representative on the outreach committee. If there is anything to bring to Ausbon Sargent, she is the contact person.

Dick discussed the Conservation Commission taking on a little bit of the responsibility of contacting residents who live within the shoreland protection act, and who may be planning projects, to talk to them and give them a little education and steer them in the right direction. Whit has agreed to send his reports to Marla. Marla stated the CC talked about pulling together some informational materials. They would prefer to be proactive and make recommendations rather than pursuing people after the fact. Once a year, Ausbon Sargent brings together Chairs of Conservation Commissions from 12 of the surrounding towns to meet at a round table. She has asked to be put on the agenda about how other towns are handling the DES permitting and the roles of the Conservation Commission now that DES seems to want them a little more involved. Resources among the towns differ, but she would like to get some input as to how others handle it. There is interest in putting packets of information together to give out with a request for a zoning permit.

New Business:

The town has been awarded a grant from the Center for Tech and Civic Life in the amount of \$5,000 for the purpose of planning and operation of a secure election. The grant will offset the cost of the vote counting machine. The Board will accept the donation when the funds are received.

Board and Department Updates:

Appoint UVLSRPC commissioner: George is still willing to serve as a commissioner and on the Transportation Advisory Committee. Motion made by Dick to appoint George as UVLSRPC commissioner, and TAC representative. Motion seconded by Tamara and all in favor.

Cemetery: George reported gravestone repairs are supposed to happen his week. Peter is going to remove some more trees in the upper cemetery. There is some tree trimming that needed in the Messer Hill Cemetery. The Commission will contact Nick Cote about the job. Nick will be required to provide proof of liability insurance. The Committee plans to have another meeting in November. Their 2021 budget request will probably be the same.

Highway: Paving is supposed to be done at TLV tomorrow. Peter has been looking at purchasing a big 10-wheel dump truck for the next truck. One of the reasons for considering this is Pete feels there is a lot of money spent having sand and gravel hauled in.

Conservation Commission is looking at sites to log. They continue to do cleanup at Collins Park.

Planning Board is still working on the noise regulations. There will be another work session. George noted his concern with the document, and enforcement as the document is written.

Correspondence: Packets were received from Health Trust for medical insurance. Health Insurance rates increased by 6.4% for 2021. A representative from AFLAC has an appointment on Monday, October 19th at 1:30 to demonstrate their product.

George would like to appoint Mary-Anne as a Deputy Selectman for election day coverage, as recommended. Tamara stated she will be there this time. Dick will be there all day. George stated the State allowed this at the primary and is nice to have an extra Selectman there. George also brought up there should be at least drink and some food there. They ran out of water last time. Pixie stated it is recommended that there not be food due to COVID. She tried to make election workers aware of that.

Dick noted he had an inquiry from the Historical Society about high speed internet. They want to have internet. Dick asked Whit if it could be turned on and off since the building is only used seasonally. Whit stated it probably can be, but there may be a connection charge. That will have to be investigated. The website to sign up for High Speed Internet should be up and running soon.

Signatures:

Intent to Cut Timber

DRA form MS-1.

At 5:57 the Board voted unanimously to enter non-public session per RSA 91:A:3.

At 6:30 p.m., after meeting with tax payers in jeopardy of tax deeding, the Board reentered public session. Motion by Dick to seal the non-public minutes, seconded by George and unanimously approved.

The meeting adjourned at 6:30 p.m.

Submitted by,

Janet Roberts,
Administrative Assistant