

BOARD OF SELECTMEN

OCTOBER 10, 2016

MEMORIAL BUILDING

7:00 P.M.

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

Selectmen present: Don Hill, Chairman; Leigh Callaway and Tamara Butcher.

Others present: Bryan O'Day, Mike Lawlor, and Zoning Coordinator, Whit Smith.

Meeting called to order at 7:00 p.m. There were no scheduled appointments.

Building Permits: Whit Smith, Zoning Coordinator reviewed his written update. (Report attached.)

Application for Rollins for a garage on Main Street has been approved.

Application for Haley, for a deck on house currently under construction on Bowman Road was reviewed by Whit today. Approval recommended. Permit signed.

Application for Granger for an addition measuring 12' x 63' to the back of an existing mobile home on Route 4A. Application referred to zoning. A Variance was granted. The ZBA also referred the case to the Planning Board for conditional use consideration.

Application for Keene for a 24' x 32' garage on Lamson Lane. Proposed construction does not meet setbacks. Referred to Zoning.

Application for D. Roberts on Woodland Heights for an "After the Fact" permit for a 23' x 27' barn/shed. Original ATF permit for a camp was denied due to issues relative to setbacks, wetlands, and length of driveway. Whit reported he has spoken with Mrs. Roberts. He visited the site with Bruce Allen, Conservation Commission Chair, to review the Wetlands. Dr. Allen's feeling is these are delineated wetlands, and do not meet the new criteria for a designated wetland, that requires a buffer. White agreed the Selectmen acted appropriately with the denial of the November 2015 permit. However, the Zoning Amendments approved in March 2016 changed wetlands regulations. The application for the barn/shed could be permitted under the new regulations. Whit noted the three issues that need to be addressed in order for the application be considered.

1. Determine a fee required for this application. The Fair Market Value of the structure after completion, as stated by the owner on the application, is \$10,000: The Board agreed the estimate provided by the owner appears to be accurate, and applied a \$1,000 fee, (10% of the estimated value) for the ATF application.

2. The issue with the 1200' driveway length needs to be addressed relative to emergency egress, with at least one turn-out installed: The Selectmen agreed turn-out must be installed for the driveway before the application is considered. The owner should consult with the Springfield Fire Department as to the best location.

3. . Culverts have been installed in the driveway. There is one metal, and 3 plastic 12" culverts which require State approval. The Board agreed, compliance with State Regulations as per the culvert installation must be followed.

Whit will draft a letter to the applicant regarding the conditions to be met, which he will share with the Board. He will also follow up with a phone call to Mrs. Roberts.

Discussed protocol for communicating reports of possible unpermitted building. The Board agreed reports should be e-mailed to Whit, with a cc to each Selectmen. Whit will check on a possible shed at the new log cabin on the end of Baptist Pond, and a shed on Hogg Hill Road.

Leigh commended Whit on doing a fine job of working through this proces and establishing procedures. Don and Tamara agreed.

Whit reported that he is working on language for Accessory Dwelling Units which he will make available for the Planning Board to prepare for March Town Meeting.

The Board asked Whit to check in with Roger Landry for an update about changes to the Zoning Ordinance.

Minutes of September 26, 2016: Motion by Leigh, second by Tamara to accept the minutes as written. Motion unanimously passed.

Tamara reported she sent a corrected version of the September 12th Minutes to be posted on the web.

Old Business:

Brunelle – Deck issue. Don reported two certified letters have been sent that have not been collected. Another notice was hand-delivered by the Police Department. To date, no application or contact has been forth-coming. The Ordinance allows fines of up to \$100.00 per day for outstanding violations. The Board agreed to review the process with town counsel to be clear what to do to execute the next step appropriately.

Project List:

Leigh reported the repair of the Library steps was to be done in October. He has e-mailed Matt Labelle for a status update.

A kick-off meeting is scheduled for November 2 with Hazen Jonah, Mason Wheeler and Jim Dewkett to coordinate installation of the cabinets in the Protectworth Meeting Room.

Two “hot-spots” are being planned for the meeting room. He is waiting to hear back regarding a schedule for installation.

Leigh has begun, for information gathering purposes only, fiberoptic connectivity for the town building(s). He would like to schedule a time for representatives from WiValley to come speak to the Board.

The Historical Society painting has been completed. The building and new signs look great.

Don noted since the Safety Meeting in August, all three Selectmen are current on Web EOC training. Training for 4 fire department members will take place on Tuesday, October 18th between 6 and 8 p.m. at the Town Office. The Web EOC should be activated and computers updated periodically to make sure everything is working appropriately.

Tax Deeding: Leigh reviewed the list of properties in jeopardy of tax deeding due to non-payment of 2013 taxes. The deadline for payment is 4:00 p.m., Wednesday, October 19th. The Selectmen agreed to meet at 4:00 p.m. on the 19th to review the status and accept or waive deed transfers.

Virtual Towns and Schools want to make a presentation regarding a proposal to make text size reductions for documents to enhance smart-phone use. The presentation takes about 10 minutes. The Board agreed to hold a phone conference on Monday, November 14th at 6:30 p.m.

Board and Department Updates:

Tamara reported the Historical Society is very pleased with the painting of the building. They would like to request an appropriation in the budget to paint the foyer. Leigh has this on the projects list and it will be included in budget discussions.

Leigh reported the Conservation Commission will be putting up signs at the Knowlton Lot. Don reported he and Pixie participated in the hike to the Fowlertown Cemetery sponsored by the Conservation Commission this past Saturday. While hiking, they encountered 6 “mud trucks” traveling on the Class VI Road. Use of the Class VI road is not prohibited, but there appeared to be other violations with the vehicles.

Highway: Leigh reported the Red Freightliner has been taken to the shop. Repairs are estimated to be about \$3,000.

Correspondence:

Fund drive communication from NH Timber Owner’s Association.

Signatures:

Notification of polling time and place for November 8th election signed.
Intent to Cut for Platt on Old Grafton/Deep Snow Drive approved.

Veteran's Credit approve for Tully.

The Selectmen will be holding an informal meeting with Department Heads on Tuesday, October 11, at 9:00 a.m. in the fire station.

At 8:42 p.m. Leigh made a motion to enter into non-public session, per RSA 91:A personnel. Motion seconded and approved.

At 9:15 p.m. the Board voted to enter back into public session, to seal the non-public minutes, and adjourned.

Submitted by,

Janet Roberts,
Administrative Assistant

Attachment Follows:

In preparation for the Board of Selectmen meeting Monday night, October 10, 2016, I am providing the following summary to brief the Board of Selectmen on permit applications and my activity.

Applications for Permits – Considered Favorably - APPROVED:

1. Erik & Sheri Rollins, 1862 Main Street; Application for Permit for garage behind existing home. Permit application is complete with drawings. Location is adequately staked. No setback encroachment. No wetlands buffer issue. Structure less than 35' tall. Zoning Coordinator has visited and viewed the site; discussed plans with the applicant. APPROVAL granted by e-mail response from Hill and Callaway. Approval noted and delivered to applicant.

Applications for Permits

2. Jeff & Christine Haley, 287 Bowman Rd; Application for Permit for 16' x 16' deck with roof attached to side of house. Permit application is complete with drawings. Location is adequately staked. No setback encroachment. No wetlands buffer issue. Structure less than 35' tall. Zoning Coordinator has visited and viewed the site; discussed plans with the applicant. Recommend APPROVAL.

Applications for Permits – Pending.

3. David & Deb Roberts, Woodland Heights; Application for a permit to build a 23' x 27' barn/shed.

This application follows on a permit application that was made "after the fact" and submitted by the applicants on November 3, 2015. The first application was for a one family residence having one (1) bedroom and one (1) bathroom. That permit application was heard in due course by the Select Board and the permit was denied on November 30, 2015. The reason for denial was written as "Does not meet zoning requirements. Driveway (Zoning Ordinance Section 6.21); Wetland Setbacks not met."

The new permit application was filed on September 28, 2016 and is also submitted "after the fact." This application is for a "barn/shed," which appears to be the same structure that was addressed in the permit application made in November 2015.

Zoning Coordinator has discussed the application with Deb Roberts (one of the applicants) and has also reviewed the available file extensively. Zoning Coordinator has also been out to the site with the written permission from Ms. Roberts. During the site visit the road/driveway to the building site was noted to have a total of four (4) culverts allowing water to flow or drain under the drive. Three (3) of these culverts appears to be of recent construction (new materials).

It appears that the road/driveway does cross delineated wetlands at two (2) points based on a map drawn by Peter S. Schauer, Certified Wetlands Scientist, which was included with the applicants' original permit application package.

Also, without benefit of measurement, but based on Ms. Roberts' statements, the driveway is 1200' long. During visit to the site, Zoning Coordinator did not see or find any place along the drive that would allow two (2) emergency vehicles to pass, as required by the Zoning Ordinance (Ordinance Article VI, Sec. 6.21(2))

David & Deb Roberts (continued)

No fee has been collected with respect to the permit application currently under consideration. According to Ms. Roberts she was "ready to write a check," but was told that she need not pay another fee. According to staff at the Town Office, when Ms. Roberts asked about the fee, Ms. Roberts was told they were not sure what the fee would be based on the nature of the application. Notably, in the first application (November 2015) the applicant estimated the fmV of the one family residence after construction as \$50,000. In the current application the fmV of the barn/shed is estimated as \$10,000.

Zoning Coordinator is making arrangements to visit the site with Bruce Allen who has extensive experience in understanding and identifying wetlands. The Zoning Coordinator will advise the Board regarding the outcome of that site visit and make a recommendation regarding the pending application, accordingly.

Applications for Permits – Previously DENIED

4. Annette and Billy Granger, 2711 Route 4A; Application for a permit to build an addition measuring 12' x 63' to the back of the mobile home, which is the principal residence on the property. The addition will be enclosed living space (under roof) measuring 12' x 45' and a deck (porch), also under roof, measuring 12' x 18'. Because the manufactured housing (principal residence) is in the buffer zone of the McDaniels Marsh (660 feet; Zoning Ordinance, Art.IV, Sec.4.12 (A)) allowing for a "wildlife corridor," the Board DENIED that portion of the permit application.

The Grangers appealed the DENIAL to the ZBA and were heard on their application for a variance requesting relief to construct the addition. That variance was granted, but the ZBA also referred the case to the Planning Board for consideration under the Conditional Use provisions of the Zoning Ordinance (Ordinance Article VIII, Sec. 8.21). The matter was timely filed for consideration at the next meeting of the Planning Board.

5. Benjamin Keene, 86 Lamson Lane; Application for a permit to build a 24' x 32' garage. Mr. Keene's lot is non-conforming with regard to size in that it is 72/100 acre (lot is only 100' wide). The planned site for the garage is appropriately located, but the back of the garage will be no less than 10' from the side yard lot line. Setback requirement is 35'. No wetlands buffer issue. Structure less than 35' tall. Zoning Coordinator has visited and viewed the site; discussed plans with the applicant. Due to the proposed side yard setback encroachment, the Board DENIED the permit application. In the meantime, Mr. Keene has transferred ownership of the lot to his daughter and her husband (Beth & Paul Luttazi).

Mr./Mrs. Luttazi are appealing the denial of the permit application to the ZBA, seeking either a variance or special exception, as the case may be, requesting the dimensional relief from the 35' setback requirement. The matter has been timely filed for consideration at the next meeting of the ZBA.

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