

BOARD OF SELECTMEN

OCTOBER 7, 2014

MEMORIAL BUILDING

2:00 P.M.

This emergency meeting was scheduled to address the septic design issue for Brian Call on Route 4A. Clarification of the State regulation was received by Don so the meeting was scheduled in fairness to the applicant.

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

Others present: Tom Duling, Tim Julian, Peter Abair and Brian Call.

Meeting called to order.

Don apologized to Brian for the frustration during a telephone call yesterday. Brian apologized as well. Don assured Brian the Selectmen's effort was to be sure they were acting consistently and treating everyone the same. On the DES website there is a "survey" site that tells when a new septic design is needed or not. The online guide indicated design approval was required. Don called Mr. Tardiff at DES and explained the position the Selectmen took. Mr. Tardiff explained unless there is a specific town ordinance that says otherwise, the Town must go with the state law. Mr. Tardiff gave assurance the Selectmen were proceeding in the right way, but once someone has more than 5 acres, a design cannot be required without something more stringent in the Zoning Ordinance. Leigh noted it his opinion yesterday was this was a gray area and it is hard to enforce and stay consistent in gray areas, but they have to because of the RSA (485: A).

Motion by Don to overturn the decision made yesterday, and in light of the State regulation for property in excess of 5 acres, to approve the building permit for Brian Call as there is no local regulation to require otherwise. The motion was seconded by Leigh and unanimously approved.

Brian noted that he will have a septic design but he does not want to submit it and pay the \$300.00 application fee, and then be under the State's time frame to install it until he knows he is going to have the money to pay for installation. The Board suggested a septic design would offer protection if a problem arises. The building permit was signed.

Meeting adjourned at 2:45 p.m.

Submitted by,

Janet Roberts