

BOARD OF SELECTMEN

SEPTEMBER 25, 2017

MEMORIAL BUILDING

4:00 P.M.

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

Selectmen present: Leigh Callaway, Chairman; Dick Hendl and Tamara Butcher.

Others: Bryan O'Day, Mike Lawlor, Whit Smith, Dallas Patten, and Tim Julian.

The meeting was called to order at 4:00 p.m.

Minutes of September 11, 2017: Dick made following corrections on page 1, paragraph 2 weed watcher program with lake-host count. Paragraph 3 – “Or two, use modular concrete units which ~~Pete Abair~~ Tim Hayes...” Dick moved to approve with corrections, seconded by Tamara. Dick and Tamara voted in favor. Leigh abstained as he was not present on September 11th.

Beach Sand: Dick reported at their meeting of September 11th, acceptance of the joint proposal to replenish beach sand and reconstruct the boat ramp was deferred. He has since spoken to DES. The only options the DES approves is a concrete slab, or “concrete” logs. He has been to Sutton to review their ramp replacement which was done with logs. Each “log” costs between \$1,000 and \$1,200, and replacement could require 10 or more logs. Pierre’s engineering fee for beach sand replacement is \$1500 to \$1700. Susan Chiarella has expressed ideas for the beach. Dick would like to set up a time and place to hold a publicly noticed meeting with Pierre to review ideas. Dick moved to accept Pierre’s proposal for beach sand replenishment. Motion seconded by Leigh and unanimously approved. The contract with Pierre was signed and a \$500 check will be cut for the retainer.

Zoning Coordinator:

REPORT from ZONING COORDINATOR. -- Board of Selectmen Monday, Sept 25, 2017.

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

Application for Permit – Acted Upon, Approved:

1. Nathan & Kristy Heath, 531 Bowman Rd; Application for an addition and deck on the back of existing single-family residence. There are no set back issues, no wetlands issue, and the addition to the structure is less than 35' high. Application reviewed and forwarded to BOS members. APPROVED by Zoning Coordinator pursuant to delegation of authority.

2. David and Janet Hausmann, 323 Messer Hill Rd. Mr. & Mrs. Hausmann received approval from NH DES for Individual Sewage Disposal System (ISDS). Yep, that’s what they call it... So, with Septic Design Approval the Hausmann’s are good to go (no pun intended). Application reviewed and forwarded to BOS members. APPROVED by Zoning Coordinator pursuant to delegation of authority.

Application for Permit PENDING:

3. Mr. /Mrs. (Jay & Dorothy) Martin, 566 Hogg Hill Rd; Application (after the fact) to place or construct 12' x 20' shed. Fee is \$300 for zoning permit after the fact of construction of a shed with agreed value of \$3000. Mr. Martin has requested a waiver reducing the fee to \$25. The BOS is familiar with the history of this case. Shed was originally constructed without a permit in a location that violated the zoning ordinance setback requirements. The shed has subsequently been moved to a location in compliance with the ordinance. Accordingly, there are no set back issues, no wetlands issue, and the structure is less than 35' high. Zoning Coordinator is holding the zoning permit application pending decision of the BOS regarding amount of fee to be charged to applicant.

4. Dallas & Laura Patten, 33 Old Croydon Road; Application to build a single story single family (2 bedroom) residence. Zoning Coordinator is holding application pending execution and recording of Notice of Limits Class VI Road per Town of Springfield Policy.

Other Matters.

A. Rosen inquiry (previously reported) regarding parcel that is predominately wetlands. No further activity. Matter is an "open" file.

B. Inquiry from Sam Vidal regarding placement of a utility pole to service his property (2035 George Hill Road). Referred to Road Agent. No additional information. Matter is an "open" file.

C. Respond to inquiry from Josh McGraw regarding construction of on "observation tower" on his property.

D. Attended Planning Board meeting. Almost the entire meeting was devoted to concern expressed by an abutting landowner regarding the planned placement of a "semi-trailer" (registered and road-worthy – means it is inspected as required) on an adjacent parcel (across the street). Planning Board Chair stated intention to advise the BOS with respect to this matter.

E. Visit property where owner had installed "temporary access ramp." Advised concerned parties that zoning ordinance had been amended to allow for the install of a temporary access ramp without requiring a zoning permit.

E. Work on "Notice of Limits" for construction on Class VI and Private Roads per the BOS Policy for the Town of Springfield, effective August 28, 2017.

F. Reviewed correspondence from land owner regarding possible "Home Business" being conducted on adjacent property.

Whit updated the Board on activity between 9/23 and today. Dallas and Laura Patten revised their building application. There is no change in the layout. There are no setback issues. Approval of the permit is pending the Notice of Limits on Class VI Roads. Laura is on her way with the notice paperwork.

Dick asked for clarification regarding item D (above) semi-trailers, as to inspection requirements. Bryan O'Day stated trailers less than 10,000 gross weight no longer require inspection. Those with 10,000 gross weight and above require annual inspection along with registration. The Board agreed a semi-trailer would not be considered road worthy if it were not registered, and did not have an inspection sticker issued by a State certified garage which would require the need to move the trailer at least annually for inspection. The Planning Board spent about an hour and a half discussing this issue on Thursday evening. To date there has been no trailer moved to the proposed site. Leigh felt this is an issue the Planning Board needs to address and correct in the Zoning Ordinance. Debating this issue in a Selectmen's meeting is an incorrect venue.

Whit reported last year when changes were made to the Zoning Ordinance, storage containers were not defined the same as semi-trailers. His interpretation is a semi-trailer is not a structure, it is a vehicle. If it is not road-worthy, then it becomes a structure.

Whit reported Mr. and Mrs. Martin submitted their zoning permit application for their shed with a check for \$25.00. Whit stated he and the Martins agreed the value of the shed is \$3,000. The fee for an after-the-fact permit in this instance is 10% or \$300. Mr. Martin has communicated with Whit, and states their failure to obtain a permit prior to construction was an oversight and he feels the fee is not something they should have to pay. Leigh asked if there was some compelling reason to request the waiver as the Board needs to be consistent in these matters. Dick noted he has looked into previous after the fact applications and there have been no other instances where the fee has not been paid or a waiver granted. One owner chose to tear down their non-complaint structure. There is no precedent to grant a waiver. Tamara stated this issue has been on-going for about a year, and the Selectboard has gone out of their way to accommodate the Martin's schedule for compliance. The Board unanimously agreed the \$300 fee would not be waived and the shed is out of compliance until the fee is paid. Whit will communicate the Board's decision to Mr. and Mrs. Martin.

Whit reported he was contacted by Sheila Swenson regarding property of Bobby Lane on Sanborn Hill Road. Sheila is the Executor of the Mr. Lane's Estate. Mitchell Swenson and Corey Swenson are "heirs apparent" of the property, but probate has not been settled. Whit has just come from visiting the property. A house-trailer on the property burned in Jan 2017. Sheila asked if a zoning permit was required for a replacement. Whit explained a trailer must be a direct replacement, the same size, and in the same location. Claudia Swenson contacted him and told him a replacement trailer has been purchased and delivered to the property but not placed yet. The former trailer stood on sono-tubes. New installations require a slab. She and Corey were not in favor of the smaller trailer, so Corey has put in a 70' concrete slab and has purchased a 66' trailer, scheduled to be delivered and set-up tomorrow (9/26). Whit has discussed with

them that after-the-fact fee may be required if the trailer is delivered and set up without an approved permit. He asked the Board for their direction. The Selectboard discussed at length and agreed the fee for a permit is 10% of the value of the slab as of now. If a mobile home is delivered and set up without a permit, the fee will be 10% of the value of the slab plus the trailer. If they repair and replace the burned trailer in-kind there is no requirement for a permit. Also, the Executor of the estate should be the one applying for the permit. Whit will let the Swenson's know as he is to meet with them after this meeting is over.

Kevin Lee arrived at 4:50 p.m. to meet with Whit Smith. The Board had not received a letter from the Planning Board prior to this meeting regarding the semi-trailer/structure issue.

Project List:

Dick reported the telephone pedestal at the highway garage has been straightened. He will meet with someone tomorrow who may be interested in some of the repair projects on the list.

Leigh mentioned he discussed with Tim Julian support for police department computers. Leigh feels the Selectboard should not mandate who supports or supplies the computers used by the Police Department. The police are familiar with their needs, and it is their budget to maintain.

Tamara reported the fire department is "thrilled" with the internet upgrade.

Dick reported Frank Sparrow provided an estimate for repair and painting the skate park. The painting exceeded the Selectboard's approved amount. Phase one, Frank will replace the rotted wood, and a retainer has been sent to him. The Selectboard will further review painting needs at a later time.

Tamara shared a copy of a Citizen Complaint Form she found while in response to anonymous complaints the Board has received. The form requires signatures. The Board discussed their policy has been to require signatures. The Board is concerned with taking action on unsubstantiated rumors versus a following up on a signed complaint. Whit suggested there be some feedback from signed or unsigned communication in the minutes. The Board agreed they are not comfortable with some allegations made in a recent anonymous letter and will consult with legal counsel.

The Board briefly discussed the beach and rafts. Leigh suggested before the rafts go back in next year, the Selectboard have a with the town's insurance company.

Dick reported the Conservation Commission is still concerned with the former Knowlton Lot. Bruce Allen will be in touch with Janet.

Correspondence:

Selectboard reviewed a copy of a letter from Mrs. Sanetti, a resident on Shore Drive, regarding her concern with storage of bucket trucks and logging trucks beside the road by an abutter. Whit

previously was out there, but only on the public road and noted there is some equipment there. The name, business address and phone number on one of the trucks was in Grantham. Mrs. Sanetti has also addressed her concern with the abutter. The Board discussed whether this met the requirements of home occupation, home business, or commercial use, requiring Site Plan and/or Special Exception. The property may be out of compliance with Zoning. Whit will go back to visit the site.

Hours for deputy moderator, and deputy supervisors of the checklist for the September 12th primary were submitted by the Town Clerk. Leigh moved to pay the deputies the usual amount (minimum wage) for their services. Motion was seconded by Tamara. Tamara and Leigh voted in favor. Dick abstained.

Signatures:

Intent to Cut Timber – Ellen Moore

Abatement to Tax Collector in the amount of \$22.55

Purchase Order for Highway Department - \$1800 springs for truck

Laura Patten arrived with the Notice of Limits for the Class VI Road (Old Croydon Road) signed and notarized. The Selectboard processed the document, which will be recorded at the Sullivan County Registry of Deeds. Whit will process the Zoning Permit application for building.

The meeting adjourned at 5:38 p.m.

Submitted by,

Janet Roberts
Administrative Assistant