

BOARD OF SELECTMEN

January 24, 2022

MEMORIAL BUILDING

4:30 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 4:30 p.m.

Selectmen present: Dick Hendl and Amy Lewis

Others: Whit Smith, B. Manning, Pixie Hill, Eugenia Snyder, Poul Heilmann, Courtney Herz, Barbara McKelvy, Paul Biebel and Steve Piispanen

Scheduled Appointments:

B. Manning and Pixie Hill – Voting:

B. would like to see the town elections held at the meetinghouse; he also feels that the town meeting should be held at the Fire Department to accommodate the amount of people expected. There was some discussion on using the voting machine. The plan is to use the voting machine for the general elections, not the town elections. There was some discussion as to whether masks will be required. B. would like to see masks be optional; this is something to consider before a decision is made in the coming weeks. Before the Board makes a decision on the location of the town elections they will be looking into whether the meetinghouse can be outfitted with fiber internet prior to the election. Having the internet available would make things run much smoother for the supervisors of the checklist. The board will look into the set up of internet and have a decision on the location for the elections by the next board meeting.

Short-Term Rentals:

Dick started off the discussion by stating letters were sent to a few select properties due to complaints registered against these properties specifically. Whit Smith was introduced as the town's zoning coordinator, who would be willing to help the property owners through the steps to comply with the zoning ordinance; this will require a special exception and a site plan. Another thing to be considered is whether or not the property owners have a rooms and meals tax license, which the Board thinks would be one of the requirements of the site plan. Dick then asked the property owners in attendance their viewpoints, comments or any questions they may have.

Attorney Herz, representing Mr. Handley. With regards to the Handley property, she would suggest it is a non-conforming use that was in existence at the time the zoning ordinance went into effect, making it grandfathered. That is a discussion that Attorney Herz will have with Whit Smith and the zoning board.

Dick said the Board has concluded that a cease-and-desist order at this point would be unreasonable. The selectboard feels that within 90 days the property owners should be able to go through all of the procedures to put them in compliance with the zoning ordinance. At the end of 90 days the board will review what the situation is; if there are some contingencies they will be discussed and make a decision from there.

Paul Biebel said the letter from the town was a surprise to him. He has been there since 1959; generally renting to the same people or families. Mr. Biebel explained the circumstances of his situation. He lets people use his property so that it doesn't sit there empty. He has started renting to traveling nurses to help them during these times. Mr. Biebel is unsure why the complainant couldn't just approach him with their concerns, as he has probably been there longer than the individual and has never done anything to hurt that lake. Whit asked if his house is advertised. Mr. Biebel is only listed on furnishedfinders.com, which is for traveling nurses only. Mr. Biebel was unaware the town had any regulations regarding renting your property, he apologized for that.

Barbara McKelvy explained that she has a similar situation. Barbara rents through Airbnb. Being represented by an attorney Whit was reluctant to carry on the conversation. Barbara just wanted to let the board know they are also like Mr. Biebel; they help people from the hospital, college, Twin Lake Villa overflow. They are helping the whole system and carry five-star ratings through Airbnb.

Whit said it is his job to work with the property owner to provide assistance moving forward. If the zoning board and planning board are necessary steps to take, he will be there with the property owners to help them through it.

Mr. Piispanen said there is more problems with trespassers going across their properties to gain access to the pond which has no public access. He was late to the meeting because he was dealing with Fish and Game and the State Police trying to get some vehicles removed. This is a constant problem on that street. Let the property owners do what they want with their property. He would like to see the signs removed from the side of the street restricting parking during certain times of the year; all that does is invite people to stop on the side of the road and walk over their properties to gain access to the water when they have none. Whit said these are valid concerns, but tonight the topic is short term rentals, and he will make sure he has the opportunity to voice his valid concerns with the selectboard when it is appropriate. Mr. Piispanen is here to support the property owners and feels they should be allowed to do what they want with their property.

Dick asked people not to misunderstand; the Board is not taking one side or the other. The board has received valid complaints from people who have identified themselves. Barbara asked if she was allowed to hear the complaints. Dick will show the individuals the complaint letters after the meeting. The goal tonight is to gather facts and to weigh the rights of everybody.

Whit said the next step is to carry the conversation forward with these individual property owners and proceed from there.

5:12 Dick moved to take a five-minute recess to privately share the complaint letter with Barbara McKelvy and Attorney Herz. The motion was seconded by Amy and unanimously approved.

5:17 the Board came back in to the meeting.

Zoning Permits:

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, January 24, 2022.

Application for Permit – APPROVED

None.

Application in Hand – Pending

1. Georges Snyder Revocable Trust, Eugenia Snyder, trustee, 283 Twin Lake Villa Road; application for a Zoning Permit to convert and expand an existing deck (approx. 10' x 30') to a screen porch with roof over (no larger than 14' x 32') There are no setback issues, the structure is less than 35' tall. There do not appear to be any wetlands affected by the plan. Awaiting questions/concern from Select Board

Other Matters.

A. Inquiry regarding status of parcel on Route 4A next to Grafton town line. Research regarding forest conservation delineation. Locate good color map depicting zoning districts.

B. Attended Planning Board meeting (wetlands, site plan review procedures).

C. Inquiry regarding pig pen with a roof. No further info.

D. Contact from three (3) property owners with respect to letter from Select Board regarding short-term rental of residential facilities.

<< January 23, 2022 >>

The application for Snyder has been signed off on by Amy and will be approved.

Whit received an application from Kevin Blanchette and is very familiar with the property. The property was originally built by Mr. Brunelle. This has now come into complete compliance. The application is for a shed, and he is recommending approval.

Whit was contacted by three property owners regarding the letter sent by the Select Board on short term rentals. The third property owner is out of state. Amy asked what the resolution will be for this third resident, will it be a zoom call. Dick received an email from the third property owner today and he is contacting his property manager and will have the manager represent him.

Minutes of December 29, 2021 and January 10, 2022:

Amy made a motion to accept the minutes of December 29th as written. The motion was seconded by Dick. Dick and Amy voted in favor of the motion.

Dick approved the minutes of January 10th. Amy abstained.

Court Status:

There has been no progress on any court actions to date.

Unfinished Business:

Sand Shed Site Prep- Amy talked with Josh and he is willing to wait until after mud season to start. He also understands not wanting anything more formal than an informal acceptance until we know if we can get the full grant amount from the state. He is on board; we just need to give him the formal go ahead.

When Dick asked the question of where the next \$87,000 is going to come from it seems the sense of the budget committee is that it should be in a warrant article. Dick asked Whit where things stand with this grant. Whit has no update on the grant. Whit is not optimistic about obtaining the \$350,000. Dick said we will have to do something since it doesn't seem like that grant is going to come soon, if at all. Whit said something we were going to do was to have an engineer put together our version of a plan with respect to the sand shed. Dick will contact Dan and find out the status of the engineering plans.

Sanborn Hill Road:

Next summer Pete Abair is going to have Sanborn Hill Road ground and leave it that way. Dick asks where this leaves Mr. Lindquist. According to the engineering review received it did not seem like we had any standing. Amy said there was nothing definitive in the engineer's report. Whenever he decides to start hauling again, going forward, he would need to secure an actual bond on the road. Amy suggested a final follow up with Lindquist based on the engineer's report. Based on that report we would like to know what the plans for the property are. Dick agrees we will try to see what his future plans are for the property.

New Business:

Dick was notified by the Governor's office that the town has been approved for the 90/10 grant for the new police cruiser. Dick needs to provide a committed purchase and sales agreements for the cruiser and all the additional work that will be done on it. Dick will forward all that information along when received.

Dick attended a meeting in Sunapee with the new town manager and the Sunapee Town Homes Association. This is a citizen's group comprised of ten residents, some of whom own short term rentals are upset because the town is not controlling the short-term rentals that are out of control. They have hired a firm called Municipal Resources Incorporated that is advising them to hire a building inspector and a code enforcer. They are also looking at another company, Granicus, that would scan all the short-term rental websites, match it against town property listings advise the town where these short-term rentals are. If there is a change in ownership, they would contact the new owner to update them on what they have to do to maintain that business. They would also advise the town on how to register these things and issue permits. Granicus has already identified 75 short term rentals and they think the final number will be well over 100. Sunapee seems to have a much bigger problem than we do. They will be having a meeting with Granicus and has invited Dick to attend whenever it is.

Dick sent a copy of the letter written to Ruth Ward to the commerce committee that is hearing Senate Bill 249 tomorrow morning. They thank the town for their input and would see that the committee received our comments.

Dick is attending a ARPA webinar on Thursday at 1:30.

Board and Department Updates:

The budget committee is meeting tomorrow. We are currently waiting on the information for the transfer station.

The electrical going to be done on Thursday and Friday of this week.

Correspondence / Signatures:

Two letters for the Board to review.

Supplemental Intent to Cut
Cemetery Lot Deeds

Tamara will send a response to Mr. Rice's email.

Miscellaneous Business:

At 6:26p.m. Dick made a motion to enter into non-public session to discuss Personnel per RSA 91-A:3. The motion was seconded by Amy. Dick voted aye. Amy voted aye.

The board moved back into public session at 6:33p.m. Amy made a motion to seal the minutes discussing personnel. The motion was seconded by Dick. Dick voted aye. Amy voted aye.

The meeting was adjourned at 6:34 p.m.

Jill Hastings
Deputy Administrative Assistant