

SELECT BOARD

June 27, 2022

MEMORIAL BUILDING

4:30 P.M.

Present: Chairman Dick Hendl, Amy Lewis and Poul Heilmann

Also present: Whit Smith, Courtney Heath, and Dave Tucker

The meeting was called to order at 4:30 p.m.

Dick moved to enter Non-Public to discuss a Personnel situation. Poul seconded Board approved.

Board returned to Public Session at 5:00 pm to take care of the public portion of the meeting.

Zoning Permits:

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, June 27, 2022.

Application for Permit – APPROVED

1. Mr./Mrs. Weathers, 1482 Main Street (Route 114), would like to build a 20' x 40' swim pool behind their house. Zoning Coordinator has been out to the site and discussed the plan with Mr. and Mrs. Weathers. Location of structure has been marked. There are no setback or wetlands issues. Height of the completed structures will be less than 35'. Zoning Coordinator observed no home business or commercial activity, and applicants have represented the same on the application. Zoning Permit approved per delegation of authority.

2. William Cook, 618 Hogg Hill Road would like to build a lean-to style shed for tool and equipment storage attached to the side of his house. A copy of the application is attached to this email. Zoning coordinator has been to the site and the location has been excavated (allowed). There are no wetlands issues, no setback issues, and the lean-to/shed will be less than 35' tall. Zoning Coordinator observed no home business or commercial activity, and applicant has represented the same on the application. Zoning Permit approved per delegation of authority.

3. Kurt & Pam Laurie, 652 Hogg Hill Rd, would like to build a 14' x 10' shed behind their house. Prior to receiving Zoning Permit the concrete slab was poured - so the location is clearly marked. During visit Mr. Laurie was advised regarding additional fee for application filed after the start of construction (which includes poring of concrete). After-the-fact fee has been paid. Zoning coordinator has been to the site and discussed the plan with Mr. Laurie. There are no wetlands issues, no setback issues, and the shed will be less than 35' tall. Zoning Coordinator observed no home business or commercial activity, and applicants have represented the same on the application. Zoning Permit approved per delegation of authority.

4. Mitchell and Claudia Swenson, 557 Sanborn Hill Rd, would like to build a 3-bay garage behind their house. Note: This application was originally submitted in September 2021, but the proposed location on the lot was too close to the side lot line. Mrs. Swenson requested that the application be held until Spring 2022 so they could decide where to re-site the garage. That has now been done and the Swenson's are ready to move forward. Fee has been paid. Zoning coordinator has been to the site and

discussed the plan with Mr. Swenson. Distance to the side lot line has been measured. There are no wetlands issues, no setback issues, and the garage will be less than 35' tall. Zoning Coordinator observed no home business or commercial activity, and applicants have represented the same on the application. Zoning Permit approved per delegation of authority.

5. Jeff & Diane Fitch (Mt. Vernon, NH) have plans to build on the lot at 140 Hogg Hill Road. They intend to move here eventually, but the first step is to build a "pole barn" 16' x 20' on the lot. Zoning coordinator has been to the site and discussed the plan with Mr. Fitch. There are no wetlands issues, no setback issues, and the barn will be less than 35' tall. Zoning Coordinator observed no home business or commercial activity, and applicants have represented the same on the application. Zoning Permit approved per delegation of authority.

6. Ms. Dymon, 2262 Main Street, would like to add a deck to the house that she is currently building at 2262 Main Street. Zoning Coordinator has been out to the site and discussed the plan with the builder. Location of structure has been marked. There are no setback or wetlands issues. Height of the completed structure will be less than 35'. Zoning Coordinator observed no home business or commercial activity, and applicant has represented the same on the application. Zoning Permit approved per delegation of authority.

Permit Applications in hand - Waiting further Information

7. PREVIOUSLY REPORTED. Zaleskas/Kelly, 164 Four Corners Road, would like to erect/install a small - (8' x 15') shed behind their house on Kolelemook Lake (lot is .34 acre). Proposed location is too close to road (20') and too close to lake (within the 100' shoreland conservation overlay). Zoning Coordinator stopped by to visit site and to take measurements. Email sent to the applicants advising the need for Special Exception (from Zoning Board "ZBA"). No Reply to date.

Permit Applications Returned to Administrator

8. Cushing, Lot 1 Nichols Hill Road, for a garage. We were advised the location currently staked is not correct. Permit Application returned to office for corrections. No known change in status.

Other Matters.

A. Inquiry regarding proposed minor subdivision on 5 acre parcel on Route 4A (approx.) (Platt)

B. Inquiry regarding location for a pole shelter to protect camper on Sanborn Hill Road. (Denney)

C. Visit with property owner building a parking area next to barn (no asphalt, no concrete, no currently planned cover, or other structure. Party advised that NH DOT permit may be required if they would like to have the area paved because it abuts Main Street (Route 114). (LeBlanc)

D. Attended Planning Board meeting.

E. Follow-up Inquiry/phone call from property owner regarding development of two lots at the end of Sanborn Hill Road after Planning Board meeting. Referred to Chair of Planning Board. (Argy)

F. Follow-up/respond to property owner regarding short-term rental of guest facilities business. Agreed to meet in connection with preparation of Application for Special Exception. (Harriet) *

F. Inquiry from property owner regarding changes in the location of electrical feed conduit and point of entry into house. Referred property owner to the electric utility. Town of Springfield has no permit requirement. (Piedmont)

G. Inquiry regarding potential for subdivision of 21-acre lot on Main Street (Route 114). (Tullar)

H. Additional research regarding State of New Hampshire standard for determining “who is an abutter” under law and regulations. This to address question of the “200 foot” rule for parcels “across a street or stream” from an applicant property. Emails and conversation with Chair of Planning Board.

I. Discussions with Chairs of Planning Board and Zoning Board around the preparation of an objective scoring sheet (checklist) to be used when interviewing parties that may be operation short-term rentals of guest facilities businesses.

J. Meeting with town Health Officer (at his request) regarding septic system inspection and approvals for septic design in connection with several recent permit applications. Also discussed need for well water quality testing.

*Review status of four (4) other “STR” cases.

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Whit shared that there has been discussion with Planning Board as to who/what constitutes an abutter. Accepted thought has been anyone within 200’ of the subject property which may not be accurate.

Whit questioned if a Notice of Violation or any further action has been taken with 298 Twin Lake Villa as the property is continuing to be use as a Short-Term Guest Lodging Facility and advertised on Airbnb. The Board is waiting for direction from the Town Attorney.

Dick shared with the Board the concerns the Zoning Board voiced during their deliberations on the recent hearing held on June 7th for TAP LLC. Agent never meets the renters to do any form of screening, septic situation was a concern, and that Woodcrest is a private road and the increase in traffic would cause a change in the neighborhood. Residents on the road have experienced break-ins and felt that not meeting the renters is not acceptable.

Minutes of June 13th:

Page 4 add *Pending a response from Primex the Historical Society and Town will be utilizing the waiver as approved by the Town Attorney.*

Also page 4: *State that the total for the Sand Shed Site Prep of &187,268 if being financed by warrant articles approved at Town Meeting in 2021 and 2022.*

Poul moved to accept minutes as amended, Dick seconded Board approved.

Court Status update:

“The Court held a hearing on May 26 regarding the plaintiffs’ request for a temporary injunction to prevent the Town from taking any formal land use enforcement action against the plaintiffs while the lawsuit is pending. As a result of the discussion between the judge and the attorneys at the hearing, the Court issued an order on May 27 inviting the parties to reach a temporary agreement regarding possible land use fines and an agreement regarding filing deadlines. Also on May 27, the Town filed a Motion to Dismiss the lawsuit with the Court.

As requested by the Court, the Town and the plaintiffs filed a joint response on June 1, agreeing that (a) potential land use fines would not accrue temporarily while the Court considers the Town’s motion to dismiss, (b) the plaintiffs had until June 8 to file an additional memorandum regarding the request for a temporary injunction against enforcement action (which ultimately they did not do), and (c) if the motion to dismiss is denied in whole or in part, the Court would at that point consider and rule on the temporary injunction request.

The plaintiffs have since filed an objection to the Town’s motion to dismiss the case. We are now waiting to see whether the Court will schedule a hearing on that motion, or simply issue a ruling.”

Old Business:

The new beach sand is washed sand.

The wrong raft was put out in the deeper water.

Poul contacted the town attorney asking about a special deed for the historical society barn and he responded that a special deed does not need to be written when it is gifted to the town after construction.

Poul is reviewing Tamara’s job description.

Amy shared that there was concern over the weekend of out of state individuals parked at the beach. Felt that something needed to be done, examples shared were beach stickers for residents only, a beach placard available only to town residents, increased patrol by the police department. Concern about the number of vehicles parked along 114 as well as in neighboring residences driveways. Signs along the road stating no parking or overflow parking at the rec field and town office on weekends might help. Another question raised over the weekend was if jet skis are allowed on the lake. Single rider jet skis are not but those that carry 2-3 are considered boats and are allowed.

Questions were raised about who are allowed to display messages on the town marque. A prior Select Board discussed this and made the decision that only those that are town sponsored could post messages.

Leigh Callaway would like to build a box for the town office in which flags may be dropped off for appropriate disposal. He has been in touch with Scott Houle whose son is in cub scouts and would like to be a part of the disposal of any collected flags. Dick moved to allow Leigh to build such box, Amy seconded Board approved.

Dick is going to replace the flag at the fire station as he feels it is not an adequate size for the pole height.

Board and Dept updates:

Amy would like to review any grants the Fire Department is currently applying for and any in the future. There has been a lack of communication between members of the FD and the Friends of the FD on who is paying for items.

The library gave out 4 scholarships, 3 of which were picked up during a ceremony on June 15th. The cemetery commission is actively discussing green burials. They have \$3,000 to spend this summer for stone repair and have an individual coming to do the work.

Misc. business:

A property owner who has agreed to make payments to avoid having their property taken for tax deed reached out to inform the Board they are unable to make their payment for June. The Board requested Tamara reach out to them stating deferring the June payment is acceptable but needed to know when they would be receiving a payment for July.

6:14 pm Board voted to return to non-public to continue the discussion started earlier in the meeting.

6:40 pm Board voted to seal the minutes of the Non-Public session.

Meeting adjourned 6:45 p.m.

Submitted by,
Tamara Butcher