

## **BOARD OF SELECTMEN**

**July 11, 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, Poul Heilmann and Amy Lewis

Others: Jen Roberts, Tim Fraser, Brandt Denniston, Whit Smith, Attorney Dan Corley and Al Lindquist

### **Scheduled Appointments:**

Brandt Denniston thanks the Beach and Picnic Improvement committee for the efforts they've made at the town beach; it looks great. Brandt offered four Adirondack chairs as a donation to the town beach and picnic area. On behalf of the Board Dick thanked Brandt for his generous donation and made a motion to accept the donation of the four Adirondack chairs. The motion was seconded by Amy. Dick, Amy and Poul voted in favor of the motion.

Tim Fraser, Protectworth Brewing, came before the Board to ask permission to sell beer at the Summer Festival this coming weekend. Tim has spoken with the Liquor Commission and was told as long as the Selectboard approves they will approve him selling beer. For future events Tim mentioned possibly leasing a space on town property, and everything would take place within that space. After a discussion on the topic of selling/tasting alcohol on town property the Board Dick made a motion to allow sampling on the spot, four 1oz. samples and then refer them to Protectworth Brewing for future sales. The motion was seconded by Poul. Dick, Poul and Amy voted in favor of the motion. The Board signed the form required by the Liquor Commission. Tim thanked the Board for their time.

Attorney Corley, representing Al Lindquist, stated they were there as a follow up, requested by the board after the engineers completed their work on the road, to discuss Mr. Lindquist's future plans for the site. Al Lindquist provided some history on the property. He has been informed by Art that the materials are 90% removed. Al's hope is that he is allowed to have the remaining materials removed from the property so he is able to turn it over to somebody who is able to do something with that land. The Board would like Al to provide a statement on what is being asked of the Town, providing a timetable and approximately how many truck loads to complete the work, including where the materials will be sold to. The Board will ask someone to go to the site to see what is left on site and get an idea of what it will take to haul it out of there. Attorney Corley said a plan will be provided to the Board by their next meeting.

### **Zoning Permits:**

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, July 11, 2022.

Application for Permit – APPROVED

1. Mr./Mrs. Tucker, 2322 Rte.4A, would like to place a 10' x 16' "Tuff Shed" in a section of their drive where previously they had a carport (since removed and sold). Zoning Coordinator has been to the site, viewed the location, and has spoken to Mr. Tucker regarding the plan. There are no wetlands issues or setback issues, and the structure will be less than 35' tall. No business or commercial activity observed, and applicant has represented the same on the application. Zoning Permit approved per delegation of authority.

2. Mr. Troy Denney, 444 Sanborn Hill Road, has built an addition to a shed/workshop (previously approved). Zoning Coordinator was visiting at Mr. Denney's request regarding another matter (pole shelter for RV Camper) when the addition to the workshop was noted. Mr. Denney was advised regarding the requirement for a Zoning Permit and the additional fee for application filed after the start of construction. After-the-fact fee has been paid. Zoning coordinator has been to the site and discussed the situation with Mr. Denney. There are no wetlands issues, no setback issues, and the shed/workshop is 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. Mr. Troy Denney, 444 Sanborn Hill Road, would like to build a 14' x 32' pole shelter (behind his shed/workshop) to cover his RV Camper. Copy of the application is attached. Zoning coordinator has been to the site and discussed the plan and proposed location with Mr. Denney. Location is clearly marked with crushed bluestone parking spot for the camper. There are no wetlands issues, no setback issues, and the pole shelter 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.

Permit Applications in hand - Waiting further Information

4. 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. Applicant sent email to Dick Hendl expressing confusion regarding the rules and requirements. Applicants have been advised regarding the need for Special Exception (from Zoning Board "ZBA").

5. Brookside Storage, 2669 George Hill Road, for a 8' x 12' shed/office to support business activity on site. Application is complete but is being held pending response to questions from member of BOS regarding site-plan review and approval status.

Permit Applications Returned to Administrator

6. Cushing, Lot 1 Nichols Hill Road, for a garage. Zoning Coordinator visited with Mr. Cushing (at his request) at the location on Nichols Hill Road. Cushing advised that town clerk had expressed concern regarding the presence of wetlands. Although there are some non-designated wetlands around the property, there do not appear to be any wetlands in the area that Mr. Cushing wants to build a garage. But Mr. Cushing expressed a desire to build closer to Nichols Hill Road than the required 35'. Mr. Cushing advised regarding need for a variance. He said he planned to file an application with the town.

Other Matters.

- A. Review letter from Attorney Herz representing Handley/McKelvy (Hendl request).
- B. Telecon with town attorney (Fillmore) regarding short-term rental business on Twin Lake Villa Road. Prepare report to BOS regarding Handley proposal. (Handley/McKelvy).
- C. Attended Zoning Board meeting. Reviewed notes and prep explanation paper for ZBA regarding Shoreland Conservation overlay district. (Cotter)
- D. Review letter from Attorney Tilsley regarding appeal of ZBA decision – short-term rental on Woodcrest. (Paravati)
- E. Meeting with Health Officer at town office regarding questionnaire on water quality. Discuss new builds in town. Visit one location with re-activated well and septic (Dymon).

<< July 10, 2022 >>

Whit met with Mr. Cushing (#6). If he wants a garage closer than 35 feet to Nichols Hill Rd than he needs to apply for a variance based on the size of the lot.

Whit stated Chairman Hendl received an email from Zaleskas/Kelly. Dick informed her that he was going to ask Whit to send a copy of the email provided and was not received by her. Whit has sent her that email, which was originally sent about six weeks ago.

Whit had a conversation with Attorney Fillmore regarding the short-term rental business on Twin Lake Villa Road. A paper has been prepared, at her suggestion, which contains some of her opinions. Whit will provide that to Chairman Hendl, on a confidential basis so the attorney client privilege is preserved. The administrator can then share it with the other members of the Selectboard as a non-public document.

Tamara did locate the site plan for Brookside Storage Units. Amy has no issue with the permit. Whit will review the site plan but feels he can go ahead and issue the permit.

Amy asked about item E, which water quality is being referred to. Whit explained this was a questionnaire that was received regarding water quality and steps that the town takes. Whit and Ryan responded to the questionnaire; it wasn't referring to wells or lake water specifically. It also had to do with emergency events.

**Minutes of June 27, 2022:**

*Dick moved to enter Non-Public to discuss a Personnel situation per RSA 91-A:3,II(b). Poul seconded the motion ~~Board approved~~. By roll call vote Dick voted aye, Poul voted aye and Amy voted aye.*

*The Board is tabling the non-public session until after the meeting by roll call vote Dick voted aye, Poul voted aye and Amy voted aye. Board returned to Public Session at 5:00 pm to take care of the public portion of the meeting.*

*At 6:14 pm Board voted to return to non-public to continue the discussion started earlier in the meeting. By roll call vote Dick voted aye, Poul voted aye and Amy voted aye.*

*6:40 pm ~~Board voted to seal the minutes of the Non-Public session~~ by roll call vote the board voted to go back into public session; Dick voted aye, Poul voted aye and Amy voted aye. By roll call vote the Board voted to seal the minutes; Dick voted aye, Poul voted aye and Amy voted aye.*

Poul made a motion to accept the minutes with amendments. The motion was seconded by Dick. Poul, Dick and Amy voted in favor of the motion.

**Court Status:**

There is no new status to report on any court actions.

**Unfinished Business:**

Dick reported things will get started up on the sand shed site.

The new cruiser is back from Ossipee Mountain and is on the road.

Dick signed a letter to the purchaser of the Ramsay property suggesting to him the Board has noticed it is on VRBO and invited him to come to a Selectboard meeting to determine whether or not he is operating a business.

The Harriet's hearing is scheduled for August 2<sup>nd</sup>. At his meeting the Zoning Board of Adjustment can decide whether they want to hear the appeal at that meeting or the following meeting.

Tamara asked the Board, on Susan Chiarella's behalf, if the Zoning Board could have permission to speak to town counsel prior to their next meeting or have town counsel at the meeting. Dick made a motion to grant the Zoning Board of Adjustment the authority to contact the town counsel about the Woodcrest matter. The motion was seconded by Poul. Dick, Poul and Amy voted in favor of the motion.

**New Business:**

On behalf of the Historical Society Poul announced they had a very successful Ramble Round the Lake. There were 39 runners. Poul thanked the Town for the support of the Fire Department and Police Department.

Amy asked about the far dock. Tamara informed the Board that last week there was a complaint received that there was damage to the raft. Tamara contacted Pete Lacaillade to have it removed from the water. After looking at the raft they saw that there was a section that looked like someone stamped their foot down through it. Tim Hayes was able to replace the damaged section. Considering the recent vandalism in town, including graffiti on the skateboard ramp,

there was discussion on whether to put the dock back in to the water. Dick made a motion to leave the raft where it is and see what happens if residents complain. If complaints are received, we tell them why it is there; because the vandalism caused it to be removed. The motion was seconded by Amy. Dick, Amy and Poul voted in favor of the motion.

**Board and Department Updates:**

Amy shared the Conservation Committee met and Andy Deegan from Ausbon Sargent was there and is working on updating the Conservation Mission Statement and map. The Kinsley trail is marked. The trail is located off Cemetery Road.

Poul would like to sit down with Pete Abair and lay out what his plans are on a weekly or bi-weekly basis, so the Board has a sense of what is going to happen and when. The Board supports this idea. This would allow the Board to know what was supposed to get done and in turn what did get accomplished.

Dick stated on the 16<sup>th</sup> there is a combination celebration that includes the Recreation Committee, Library and Friends of the Library. Dick was surprised to see in the Shopper last week back-to-back ads for the same event. Dick feels the three organizations planning the event should've jointly planned the advertising.

The Cemetery Commission is meeting tomorrow night and they will discuss green burials and reviewing the regulations for the cemetery.

Whit added that tomorrow evening at 7pm the continuation of the Cotter hearing is going to occur; they are having a site visit.

**Signatures:**

Signature cards

Timber intent

Primex 9% cap agreement

**Miscellaneous Business:**

At 6:07p.m. Dick made a motion to enter into non-public session to discuss personnel per RSA 91-A:3, II(b). The motion was seconded by Poul. By roll call vote Dick voted aye, Poul voted aye and Amy voted aye.

Amy made a motion to exit the non-public session and re-enter the public session at 6:36 p.m. The motion was seconded by Dick. By roll call vote Amy voted aye, Dick voted aye and Poul voted aye. Amy made a motion to seal the minutes discussing personnel. The motion was seconded by Dick. By roll call vote Amy voted aye, Dick voted aye and Poul voted aye.

The meeting was adjourned at 6:37 p.m.

Jill Hastings

Deputy Administrative Assistant

DRAFT