

BOARD OF SELECTMEN

June 12, 2023

MEMORIAL BUILDING

4:30 P.M.

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

Selectmen Present: Poul Heilmann, Chairman; Amy Lewis, Vice Chair; Jeremiah Crosby

Others: Jen Roberts, Keith Cutting, Susan Cutting, Jamie Crosby, Don Hill, Al Lindquist, Art Conkey and Steve Dzubak

**Scheduled Appointments:**

Al Lindquist – Sanborn Hill Rd:

Al Lindquist appeared before the Board looking for the opportunity to complete the reclamation of the property on Sanborn Hill, making it a suitable piece of land in the town and turning it into something useful. Selectmen Lewis asked what was left to do on the property. Art Conkey stated there is a lot of ledge and asphalt that has to be moved. After the materials are removed it has to be sloped and covered in doc soil, or something that will grow vegetation. Art informed the Board there are probably close to 500 loads that will need to be hauled out.

Amy clarified the two issues. One is how long it will take Mr. Conkey to remove the materials. The second issue is trucking on the road. This is a residential area, and in the past residents had complaints about the time-of-day trucking was happening, speeds with it being a school bus stop. There was some discussion on the possible time frame for getting this work done. Mr. Lindquist stated it makes a lot of sense not to interfere with the school bus route and times.

Some history was discussed about the property, road and the hauling that was done. Mr. Lindquist felt it important to note that Conkey was not the only hauling being done on the road at the time, and to his knowledge no one else was addressed for any kind of bond or anything of that nature. Mr. Lindquist feels there has been a lack of communication in the past and that is why he decided to attend the meeting and get it down to a one-on-one situation with questions and answers. The Board appreciates that. The mission is to get the property reclaimed.

Whit asked if the Selectboard had the opportunity to review the letter that former Chair Hendl sent to the attorney for Mr. Lindquist last August. Poul remembers at that time the Board was asking for a schedule and details. Whit stated he is reading from a draft of this letter, which he was requested to review by Mr. Hendl. In that letter it says Mr. Corley visited the Selectboard on July 11, 2022 and the result was a letter drafted August 15, 2022. In that letter it states that Mr. Lindquist shared that Art Conkey had removed 90% of the material from the site, however you indicate that 700 truckloads have been removed and about 2500 truckloads remain. In the letter Mr. Hendl asked why the discrepancy. Whit isn't advocating one way or the other, but there seems to be an ambiguity here. Whit believes the administrator has a copy of the letter in the office.

Poul asked Mr. and Mrs. Cutting if they had any comments about road usage and the plan of action going forward. Mr. Cutting stated he has had no objection to Mr. Conkey's behavior. The hours of operation have not affected them. Mrs. Cutting said there has been a lot of trucking up and down Sanborn Hill, not just Mr. Conkey. The Cutting's didn't see a lot of difference between what was being hauled.

Poul stated the objective here is what is the plan of action going forward. The Board will review the engineers' reports prior to the next meeting. Mr. Lindquist and Mr. Conkey will determine the remaining loads needing to be hauled out and they will create a proposed schedule before the next meeting. Amy Lewis will be the designated point of contact for Mr. Lindquist and the plan of action will be available by the next meeting on June 26<sup>th</sup>.

Art Conkey stated the last time he was at the property Corey Swenson told him the Selectboard said no one could enter the property, so the right-of-way was no longer available. Whit Smith stated there is an easement across Mr. Swenson's property that allows access to that back lot. Whit informed Mr. Lindquist that would be a civil matter that should be brought up to his attorney. The Selectboard did not say to anyone that the property in question could not be accessed using that right-of-way. There is a deeded right-of-way on file; this allows access. The Board will not prevent anyone from accessing their property.

Don Hill – Building & Maintenance Update:

Don provided a copy of his notes from the first meeting of the Building and Maintenance Committee including a list of the committee as it exists.

The committee is starting from scratch. They have been forwarded templates from Proctor Academy and other places as to the best way to do the process. What the group will do is start with several buildings and perform inspections looking for things that need maintenance or replacement. The committee feels they will have the first round of inspections complete in about four weeks. The process is a walk-thru of each structure, building a history of maintenance that can be found for each building and inventory of town lands including cemeteries. On the first round of inspections, they are looking for glaring things that need to be maintained immediately. The committee is trying to build a baseline with the history, needs and uses; it's an all-encompassing evaluation, but beginning with identifying critical maintenance needs. The goal is that by fall they will be able to provide the Selectboard with a short list, by building, of things the committee thinks will need to be addressed in 2024, as well as trying to come up with a bottom-line number for what that cost might be. The committee will also include an overview of usage, non-usage, wasted usage, questionable usage and looking forward. What that involves at this point is unknown.

The next meetings will be held on July 19<sup>th</sup> and September 20<sup>th</sup>.

It was stated that the Buildings Maintenance Committee is a sub-committee of the Selectboard, making it an advisory committee.

Steve Dzubak provided the date of the Energy Committee's next meeting, June 20<sup>th</sup> in the Protectworth Room at 5:30pm. Poul asked Steve to attend the Selectboard meeting on June 26<sup>th</sup> to provide a recap of where things started off.

Poul would like to see the chairs of these committees at the Selectboard meetings so the Board gets a sense of what is going on. After that it can fall into reports from representatives as we move forward.

**Zoning Permits:**

REPORT from ZONING COORDINATOR. -- Board of Selectmen - Monday, June 12, 2023.

**Application for Permit – APPROVED**

1. Ms. Donna Blaikie, 435 Messer Hill Road, installed a deck around three (3) sides of her house. No Zoning Permit on file. Zoning Coordinator noticed the deck when asked to visit regarding the installation of a swim pool. Situation discussed with Ms. Blaikie and she filed a permit application for the deck with appropriate "after-the-fact" fee paid. The location of the deck is obvious as it has been built. There are no setback or wetlands issues, and the height is less than 35'. No observed business or commercial activity and applicant has represented the same on the application. Zoning Permit approved per delegation of authority.

2. Mike Hansen Properties LLC (Mike Hansen), 116 Hansen Road, submitted an amended Zoning Permit application covering an addition to the storage building (permit previously approved for a 50' x 70' structure) to be used in commercial business operation. The amendment calls for an addition of ten feet (10') to the building length and two feet (2') to the building width. Mr. Hansen has received approval from the Planning Board for a revised site plan showing the larger building. The fee of \$125 is due for the addition of the space to the originally approved Zoning Permit was paid.

However, on visiting the site to confirm the new size of the storage shed, it was discovered that the frost wall footers had already been poured. Contacted Mr. Hansen to discuss the situation. Application (amended) is now considered an "after-the-fact application. Mr. Hansen acknowledged this, and per Ms. Butcher, the additional fee (\$125) was also paid.

There are no setback or wetlands issues, and the structure will be less than 35' tall. The Commercial activity at the site has been addressed and approved by both the Zoning Board and the Planning Board. Permit approved per delegation of authority.

3. Ahoy! Hansen Properties LLC, Hansen Road - Application for Boat Storage building going in on the so-called "lower lot" Application included an excellent drawing (Clayton Platt) reviewed and marked by Zoning Coordinator) showing the relative locations of the different business activities in the Hansen conglomerate. Mr. Hansen has not yet started construction on this project and the normal fee for a building this size commercial use (\$250) has been paid. There are no setback or wetlands issues, and the

building will be less than 35' tall. The Commercial activity at the site has been addressed and approved by both the Zoning Board and the Planning Board. Zoning Permit approved per delegation of authority.

4. Mr./Mrs. Kershaw (Bog Road in Enfield) purchased the property at 60 Eastman Access and are planning to completely renovate the structure. The improvements will also include a deck on the back and deck/porch at the front entry (total sq.ft. < 500). A permit is required for the front and back decks, but not for the renovation, which will utilize the existing structure and no change in footprint. Zoning Coordinator has visited the site and has spoken with Mr. Kershaw. There are no setback or wetlands issues, and the deck(s)/porch will be less than 35' tall. No commercial activity observed, and the applicants have represented the same on the application. Zoning Permit approved per delegation of authority.

5. Olivia Weathers wants Brooks to install a bluestone patio behind their house 1482 Main St. Mr. Weathers is going along with the plan. Zoning Coordinator has been out to the site and the location is clearly marked (already dug out, which is allowed prior to obtaining permit) and has discussed the plan with Mr. Weathers. The patio will include a fireplace (no permit required) and it will be a beautiful transition from screen/enclosed porch area and the swim pool. (Permits for those previously issued.) There are no setback or wetlands issues. The height of the patio will be less than 35' tall. No observed business or commercial activity and applicant has represented the same on the application. Zoning Permit approved per delegation of authority.

Application for Permit in Hand – NO ACTION

6. Selby & Allyson Turner, 3877 Main Street, would like to add a deck and 4-season sunroom to the back of their house. Retaining walls and site prep has been completed (allowed prior to permit); eight (8) concrete piers for foundation have also been installed. Since this is the start of construction, the application is considered "after-the-fact" and additional fee is required. Applicant advised accordingly.

Other Matters.

A. But, there's more! Mr. Hanson is planning to pour two (2) more concrete pads for mounting large CNC drilling mills to be used in his business. This is new equipment mounted as a fixture on the concrete pads. Accordingly, another amended site plan (different lot - this is the upper lot where he conducts the bridge building business) is required. And, assuming that amended site plan is approved at the June PB meeting, a new Zoning Permit Application for those structures will follow shortly thereafter.

B. Call from attorney representing additional information in connection with site plan review for short-term rental of guest facilities business activity (Handley)

C. Inquiry (via email and phone calls) regarding notice and scheduling of hearing for lot line adjustment with Planning Board. Referred to Ms. Butcher and Chair of PB. (McGraw)

D. Attended Zoning Board meeting. (Handley; Aucoin Ruppel). No action taken.

E. Inquiry from RE broker regarding year-round residence on Class VI road. (Appel)

F. Inquiry from owner of cottage used for short-term rental of guest facilities business activity – would like to move forward with site plan review. Forwarded to Ms. Butcher. (Li)

G. Inquiry from RE broker regarding amount of road frontage for lot on Four Corners Rd, which has less than the required 200' of frontage to allow building on lot. This lot apparently was the result of subdivision action in 1998 and does not predate the Zoning Ordinance. Referred to Ms. Butcher and the Planning Board. RE Broker advised accordingly. (Morris)

H. Inquiry from resident who would like to build a block outside fireplace - 75 feet from the property line and 30 feet from the house. Responded that an outdoor fireplace or a firepit is listed in Appendix A2 of our Zoning Ordinance - "List of things that are NOT a Structure." No Zoning Permit required. However, resident was advised before kindling a fire, they will need a burn permit.

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Whit reviewed Mike Hansen's permit application status with the Board. Details are included in the report under approved items numbers two and three. Other Matters, item A, Mr. Hansen was told he would need to amend his site plan to include the additional equipment being added. Mr. Hansen agreed. Whit advised Tamara on this matter but has no update as to where it stands today.

There is action needed on Mr. and Mrs. Turner (No Action #6). Eight concrete piers have been installed; this is considered the start of construction requiring an after-the-fact fee. Normally Tamara would notify the property owner about the fee. Whit will wait for the Board to review before approving.

Jill received a letter today from Mr. Ruppel. At the Zoning Board meeting last Tuesday their application was incorrect and incomplete. Jill forwarded the letter to Whit looking for some clarification. Whit stated the property owners are not happy and there needs to be discussion on what the appropriate steps are going forward. Whit feels there is error on our part as well as the applicant.

Ruppel/Aucoin have an 8x8 gravel bed behind their house, which is irrelevant because it is less than 100 square feet. The DES stated that constitutes excavation and therefore requires a shoreland permit. They obtained the appropriate permit. They also have a two-person hot tub, roughly 30 square feet, that sits on the gravel bed. Under Springfield's ordinance the hot tub is a structure which falls under setback requirements. They need a special exception which would allow them to have a structure within the setback. If approved by the ZBA they will be granted a certain amount of relief from the 35-foot setback. The proximity of the hot tub to the lake falls within the shoreland/conservation district requirement for the town. Whit feels the ZBA should address both of those exceptions. Whit doesn't think this was clearly explained to them; and if their application had been properly reviewed when submitted those errors would've been caught.

The question now is do we charge Ruppel / Aucoin again, or do we waive any of the fees resulting in the new application and re-noticing. Poul feels there are some shortfalls on both

sides, but this gets in to process and who does what. The chair of the zoning board told Ruppel / Aucoin they needed to resubmit their application, pay the new application fee and would have to pay to re-notice the abutters. The letter shows the property owner is still misunderstanding what is needed. The application fee for a special exception is \$100 and \$10 per abutter notice. Amy would like to waive the additional filing fee. Whit stated this will need to be re-noticed because the description contained in the notice was wrong. Amy made a motion to waive the filing fee for a corrected special exception application for Aucoin / Ruppel and the town will cover the expense to renotify the abutters. The motion was seconded by Poul. Amy, Poul and Jeremiah voted in favor of the motion.

Today Whit received an application from a resident on Town Farm Road who would like to build a garage. Whit is familiar with the property from past projects. Whit visited the property. The area is staked clearly, the site has been neatly prepped, and construction has not begun. Whit will follow the standard process and would like to hear back from the Board how they feel about this application in the next 24 hours.

At the last meeting Whit discussed an inquiry from a property owner regarding a fabric shelter that popped up on Woodcrest Road. Whit is unsure if the town has done anything to respond to that and feels that property owner wants to know where things are going.

Whit completed a review of an updated zoning permit application that was prepared involving the Eastman comments. Whit had added additional corrections to that zoning permit application. A new application can't be used without the Selectboard stating they want the new application used. Whit is still using the prior application. There was some discussion on changes that were made to update the application. The Board will review the changes made and discuss them at the next meeting. Poul asked, from a process perspective, where would that originate to come to the Board for approval. Would it be through Tamara or would it come from the zoning coordinator. Whit feels this is a good question and would like the opportunity to sit down and have that conversation with the chairs of the Zoning Board and Planning Board present and perhaps the chair of the Selectboard so everyone can speak candidly about how things are going and what needs to be addressed. That meeting will get set up.

Whit went back to item G under other matters on his report. There is a piece of property on Four Corners Road and according to Ty Morris the road frontage is just shy of 200 feet. Our ordinance is clear, for the lot to be buildable there needs to be 200 feet of road frontage, unless the Planning Board grants permission. There is no record that ever occurred; Whit has reviewed the minutes from that time in 1998. So, there is a situation where a good piece of land conflicts with our ordinance and there has been no acknowledgment by the Planning Board that the 196 feet of frontage will suffice. The proper thing to do is have the Planning Board revisit the subdivision, which was approved without any reference to making it a buildable lot, and for them to say they want to correct the error from the past.

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*Whit received text messages from Mr. Conlon expressing concern with the shoreline work being done ~~on~~ Main Street.*

Page 4:

*The Board has received four applications for the road agent position. Interviews will be conducted on Wednesday. From that the Board will move to a recommendation and approval of offers. ~~and so on.~~*

Poul made a motion to accept the minutes of May 22, 2023 as amended. The motion was seconded by Jeremiah. Poul, Jeremiah and Amy voted in favor of the motion.

**Legal Status:** No updates to report currently.

**Unfinished Business:**

Skate Park- The surface materials have been ordered and are being shipped. The invoice will be paid upon arrival. It will most likely be the end of this month before Cold Pond can begin the repairs.

Beach Mat – the mat has been installed on the beach. The location of the handicap spots has changed. After taking some measurements they found we could get two van accessible spots placed with a nice grade up to the mat. Poul understood that the mat would lead to the port a potty. It's been raised to him that there may be some ADA or beach conformity issues about putting the mat on the beach; Is it ADA compliant to have this mat as it sits on the beach with that slope. Jeremiah stated according to everything researched by himself and Tamara we are good. Originally it was going to be set on the grassy area near the port-a-potty. After determining the handicap spaces could be moved, they were able to order a shorter mat, which saved on the cost, and place it directly on the beach.

Health Officer – The board has received recommendations for sewage disposal systems regulations. Poul asked if this needs to be posted and open for comment. Amy feels this is a question for Attorney Johnston. Whit doesn't believe this would need to go to town meeting, but it most likely needs to be noticed with a public hearing. Poul will forward the proposed regulations to attorney Johnston for review.

Highway Department Hire – Nick Moote, coming from Sunapee, has been hired as the town's new road agent. There were a total of five applications and interviews. The interview committee felt Nick was the best fit for the town as we move forward. His first day of employment is June 22<sup>nd</sup>. Jeremiah will reach out to Nick tomorrow.

Emergency Management Plan – There have been two meetings with the consultant. Things are progressing well. There are two more meetings planned. The EMP hasn't been updated in about thirteen years.

Amy mentioned the outstanding request from Perry Hodges for the town-owned lot on Baptist Pond. Amy will manage that.

Highway Truck – Pete Abair and Jeremiah are going to look at a truck tomorrow in Plaistow. Poul asked if Nick is involved in this, as he feels he should be. Jeremiah answered no as he has not been in touch yet. Jeremiah will forward all the information to Nick.

**New Business:**

Beach Parking Ordinance – As we moved forward with wanting to ensure the beach is only used by Springfield residents, it was decided at the last meeting that the current transfer station stickers would suffice defining that someone is a resident here. There are new sticker designs, and they will be available starting in October; they will include beach and transfer station on them. Then the question arose on how this will be enforced. Chief Zullo looked at parking guidance from other towns. The Board has a slimmed down version which was shared with Chief Zullo and there are some adjustments he would like to make. This discussion will be continued to the next meeting. It will then be sent to town council for review.

Jen Roberts informed the Board a question was asked on the community Facebook page about possibly switching the two docks. Amy stated it was her understanding that when the metal dock was donated by Susan and Michael Chiarella it was to be the further dock. Chief Lacaille is willing to switch the docks, he would just like to hear from a Selectboard member that is what they want to happen. Steve Dzubak asked if the larger dock was fully repaired. Jeremiah stated only the boards in need of replacing were done. Steve just feels the dock should be fully checked before putting in the shallow area; younger children are less likely to notice if there is damage and might get hurt. Jeremiah is currently researching the cost of a new aluminum dock that's the same height as the current wood one to replace that dock. Steve Dzubak also suggested putting trek deck on the wooden dock. Poul will contact Chief Lacaille.

**New Business:**

Vacation Policy – Poul noticed while working on the new hire that the town's vacation policy isn't consistent with what's happening in the world today. Amy will review the current policy.

Jeremiah has been doing some research and would like the Board to consider adding an advisory committee to the Highway Department to assist the department. This will assist them with budgeting, hiring, and training as well as equipment assessment. Poul feels this is a good idea and would like Jeremiah to write something up stating the purpose and goals of the committee.



Jeremiah informed the Board that the steel bed on the town truck broke; it split in half. The bed has been welded back together, but this is something on the horizon that will likely need to be refurbished. The rest of the truck seems to be in good shape.

Jeremiah mentioned an art project that residents seem to be interested in. The project is a snake made from painted rocks. The Board would just like an idea of the proposed location and size. Jeremiah will make sure that information gets defined.

**Board and Department Updates:**

Recreation Committee – Amy thought it would be nice to have the rock snake available for the family day running the length of the basketball court. Jamie Crosby stated that July 15<sup>th</sup> is the summer celebration. Jen Roberts is pulling together vendors, they've got advertisements going around. Jamie shared some of the scheduled events and activities for the day. The fireman's chicken barbeque will be happening that day as well.

Planning Board – they will meet on Thursday.

Police Department – The department is working on updating the policies. This is an extensive exercise and there is a consultant helping them with that. They have obtained a grant to help with that expense. The move to the Cloud for the storage of cameras should happen within the next two weeks. There is a new ballistics vest, as Sgt. Julian's is outdated, and they cost about \$800. There is a 50% match grant from the state for that purpose. This is being researched.

Durgin and Crowell donated a speed sign to the town. In the discovery phase of figuring out where the sign can be placed, they have found there are a lot of restrictions. If it is placed on a state road it must be attached to an actual speed limit sign. The temporary signs can only be up in one location for two weeks. On the town roads the signs can be placed anywhere, but there is still the limit of two weeks. Currently the speed sign is at Fisher's Corner. There are more challenges with this sign than the Board or Police Department realized.

The Police Department has been very busy. There were three burglaries involving summer residents; their homes had been empty for six months or so. Two were responded to by our officers, one by state police. All we can do is advise on the use of security cameras. The State police are not responding to a lot of secondary things, they are pushing those back on the Springfield Police Department.

Mr. Biebel spoke with Chief Zullo asking if the signs he had requested were ordered. Chief Zullo was asked to invite Mr. Biebel to the Board of Selectmen meeting to explain what he wanted to do; if it is a gift to the town the Board needs to approve it.

Library – On July 14<sup>th</sup> the library will be giving out the scholarships. The library was left open during Alice Nulsen's memorial service, as that is something she would have liked.

Highway Department – Jeremiah offered to cancel the inspection of the truck in Plaistow scheduled for tomorrow stating it can be rescheduled. Poul agreed that would be good, get the advisory committee up and running first as they should be involved in that process.

Messer Hill has been looked at and a plan was made to try to carefully lower the hump on the road. Jeremiah will also make sure this gets brought up during the transition to the new road agent.

The grader has been fixed. They ended up having to take the parts down to Manchester to make sure they got the correct parts needed for the repairs.

**Zoning Board of Adjustment:**

Kazenas was tabled until the July meeting because there was not a full board in session. Both parties agreed to wait until there was full board representation. Whit added the requirement to act within a certain number of days was agreed to and waived by the applicant.

**Cemetery** – The meeting is tomorrow.

**Agricultural Commission** – Jeremiah was not able to attend as the new Building and Maintenance committee met at the same time.

**Correspondence:**

We received money from zoom which needs to be accepted by the Board as unanticipated revenue. Amy made a motion to accept the \$68.20 received by Zoom as unanticipated revenue. The motion was seconded by Poul. Amy, Poul and Jeremiah voted in favor of the motion.

**Signatures:**

Warrant for unlicensed dogs.

Intent to Cut

Timber Tax

**Miscellaneous Business:**

At 6:56 p.m. Amy made a motion to enter into non-public session to discuss hiring of personnel RSA 91-A:3,(II)(b). The motion was seconded by Poul. By roll call vote Amy voted aye, Poul voted aye and Jeremiah voted aye.

Poul made a motion to exit non-public session at 7:08 p.m. The motion was seconded by Amy. By roll call vote Poul voted aye, Amy voted aye and Jeremiah voted aye. Amy made a motion to

seal the minutes. The motion was seconded by Poul. By roll call vote Amy voted aye, Poul voted aye and Jeremiah voted aye.

The meeting adjourned at 7:09 pm.

Jill Hastings

Deputy Administrative Assistant

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