

BOARD OF SELECTMEN

NOVEMBER 14, 2011

MEMORIAL BUILDING

7:00 P.M.

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

At 6:30 p.m. the Selectmen met with a taxpayer in non-public session per RSA 91:a regarding delinquent taxes.

Selectmen present: Chairman, John Chiarella, Don Hill and Leigh Callaway.

Also in attendance: Bryan O'Day, George McCusker, Tim Julian, Keith Cutting, Ed Belfield, John Trachy, Mike Lawlor, Bill Sullivan, Kathy Richardson, Cynthia Hayes, Peter Abair, Mike Beaulieu and Justin Hastings.

Meeting called to order 7:00 p.m.

Emergency Management:

Keith Cutting, Emergency Management Director: The Emergency Management Committee met several times. Determined the Emergency Operations Center (EOC) will require two 8' tables for 5 work stations with 5 laptops dedicated to EOC use and will be locked up when not in use. Other needs: Telephones, and radios with at least one hand-set radio available for a Selectman at the work station. The Space Needs Committee recommended use of the lower level meeting room as the EOC. The Selectmen have concurred. Keith noted concern with ADA accessibility to the space. The room needs to be made ADA available. Keith noted with the Fast Roads project coming, the committee is hoping to marry that project with necessary upgrades of internet and electrical capabilities of the building. An emergency generator will be required and Leigh has some preliminary estimates for that. Leigh Callaway is donating his Selectman's stipend to hire a grant writer for possible grants. Most grants require 50% cost share. The Town's share can be offset by in-kind contributions of time and labor. Project meetings also go toward the match. Keith anticipates an appropriation in the Emergency Management budget to pick up some of the cost share, if necessary.

Keith reported he has e-mailed Cindy Desrocher, grant writer, regarding EOC requirements. Leigh will set up a telephone conference for the three of them to discuss needs.

John Chiarella asked if the upgrades to the meeting space could be considered part of the in-kind match. Keith noted it will depend on the focus of the grant. A broader scope might include the EOC needs and ADA accessibility. Keith reported he is working with Danielle Morse, from the State Department of Safety. Leigh suggested the budget may need to include about \$6,000 to stabilize building needs. Keith noted he addressed the future needs of the EOC with the budget committee last year.

Keith also reported National Incident Management System (NIMS) information needs to be updated with the State. Janet will organize with departments and Danielle Morse.

Leigh reported the Emergency Operations Plan needs annual update. He will begin reviewing the plan.

Keith will put together budget information for the Selectmen.

Zoning:

Bill Sullivan requested an update concerning the Tucker property (Route 4A) and the structure that has gone up there. Discussion: Don noted Mr. Tucker mentioned his intention to several people indicating he had been advised local regulations did not apply if the structure was on wheels. A letter from the Board was drafted by Don at that time, but a structure didn't appear, so the letter did not get sent. Bill suggested the selectmen might want to check as a structure is there and can be seen from the road. Don noted if there is a structure, there is no building permit and this will need to be reviewed for zoning compliance. Leigh stated the zoning ordinance makes no mention that this is not a structure. Bill noted the zoning board makes sure people go by the regulations. They want to make sure discussions are followed through. John noted the Selectmen have been discussing the position of a code enforcement officer. He stated the Selectmen will look into the situation at the Tuckers and a letter will be sent once the structure is verified. Tim Julian verified a structure is there. John stated they will need to confirm the location and setback compliance. No building permit has been received. John questioned the possibility of whether this could be classified as a trailer and be registered as such with the State. Cynthia Hayes indicated his request was to build a carport to house his camper. A carport is a structure as per the zoning ordinance. Don agreed to draft a letter on behalf of the Board to be sent to the Tuckers.

Cynthia Hayes commented the Planning Board minutes indicate that the Patten subdivision was approved even though a variance was denied and without a Special Exception.

Discussion: John Chiarella noted the Planning Board approved the plan presented as it complies with the conditions required for subdivision approval. Don noted the consensus of the Planning Board was there was adequate land to build. The wetlands were all mapped and setbacks delineated. The lot sizing supports setbacks. Bill indicated the variance was denied based on all the other land that might have been more acceptable. Concern was voiced for the requirement to cross wetlands. Don noted the planning board is ok with it if the state is ok with it. Cynthia stated the Zoning Ordinance says a Special Exception is required. Don noted if it is determined a special exception is required then a building permit would not be approved until a SE is received. Bill stated the ZBA is not permitted to issue a variance when the same objective can be obtained without a variance. His concern is that they could not get ZBA approval for a buildable lot and then come in and get subdivision approval for the same thing. Janet Roberts reported in the past the ZBA has required DES wetland approval before considering Special Exceptions. Concern was also raised that a quorum of zoning board members were addressing this issue with proper notice. The building area always met the setback requirement. They were seeking a 25' relaxation of the setback to increase the buildable area. Leigh indicated the proposal to the planning board was a different plan than that turned down by the zoning board. It was duly noted that there might be a problem requiring special exception that will be looked at. Kathy Richardson stated, for the record, that she was attending as a private citizen. Bill stated that the zoning board tries to help people do what they want with their property but must be compliant with the zoning ordinance.

Unfinished business:

Beach Ordinance: Don suggested consideration of restricting noise from loud boom boxes which interfere with enjoyment of the beach. Discussion: Tim Julian stated there are State laws covering obnoxious use that can be enforced by the Police Department. George McCusker stated the town spent a lot of money in the past fighting a noise complaint and discussed setting some guidelines for non-compliance. Tim stated state laws allow him to enforce obnoxious use as a criminal offense. The ordinance has been reviewed by legal counsel. Selectmen voted unanimously to approve the beach ordinance.

Transfer Station Ordinance: Leigh reviewed the draft. Cynthia Anderson has approved. He has made reference to the Sunapee Transfer Station Ordinance. He will send the ordinance for to legal counsel and Sunapee for their review.

Minutes of October 26, 2011 unanimously approved as written. Minutes of November 2, 2011 unanimously approved as written.

Board and Department Updates:

Conservation Commission: Leigh reported the Conservation Commission discussed the completed project on the Brook Lot. Commission is interested in the Planning Board deliberations relative to wetlands delineation. An expedited culvert crossing application was signed. The Conservation Commission is looking for alternates.

Selectmen reviewed the correspondence from Van Webb. Mr. Webb hired and paid for KDL construction to install water bars and recommended the town keep watch of the site as there had been evidence of ATV and 4-wheel use. Leigh noted Cynthia Bruss was at the site last week and saw no further evidence of damage. Van would like to review estimated yield assessments with the board. An invoice has been received from Brooks Weathers for forestry services. Discussion: In response to Mr. Webb's letter, Motion, (John), second (Leigh) to reimburse Mr. Webb the \$850.00 he paid to KDL Construction for stabilization of the site. Motion unanimously passed. Leigh will send a letter to Mr. Webb. An estimate of yield taxes will be included for his review. Motion (Leigh), to approve Brooks Weathers fee for forestry services, second (John), unanimously approved.

Zoning Board: Board granted a Variance for a garage for Handley at former Hideaway Lodge. Hearing for Nasiatka on Stoney Brook road was continued to December.

Cemetery: Leigh reported cedar trees in the old cemetery have been removed. Trustees are reviewing plans for replacement of the gate and marble from the monument. There are more trees that need to be removed.

2012 Budget – Streets & Highways :

1. Pete reported the body on the red truck is in bad shape. It has been patched for this winter. Mechanically the truck appears to be in good shape. He has investigated replacing the truck or replacing the bed and sander. Discussed costs of replacing the truck versus repair. \$150 K new; \$40-\$50K used, or \$20K to replace bed.
2. Propose purchase of a used ¾ ton pickup with plow for plowing parking lots and as transportation for checking roads, running for parts, workshops, etc. Estimate \$20-22K.
3. Parking lot at highway garage needs further work to eliminate the mud. Discussion regarding materials and drainage to the surface at the side of the building. Discussed adding material so surface can be graded, or removing/replacing about 18" of material. If this latter option is chosen, the project would need to go out to bid. Further investigation will be needed.
4. Pete will put together a plan for road shimming, prioritizing road condition and use.

Police Department: Tim Julian reported there are no big changes to his proposed budget . He will be evaluating cruiser replacement needs for the Crown Victoria.

General Budget: Meetinghouse:

Leigh reviewed the possibility of selling the town lot on the lake to an interested abutter. The proceeds of such to be set aside for work on the town meetinghouse. The meetinghouse is in need of window sill replacement, pews need to be refinished, carpeting replaced, and exterior siding replaced/repainted. Selectmen recommend reorganization of the former building committee. Board agreed refinishing of pews and carpeting could come from the grounds and buildings budget. Lead paint abatement was discussed. Leigh will check on specifics for replacement of siding versus repainting.

Code Enforcement Officer: Selectmen are reviewing adding a part-time code enforcement officer. This person would help with planning and zoning issues, and facilitate the planning and zoning process. They would also be responsible for review of building and septic permit applications as well as enforcement of regulations and ordinances. Discussion: Selectmen and other boards have been discussing this for several years. Activity is currently low due to the economy, and will likely increase when the recession ends. Discussed the possibility of sharing this person with another town, perhaps 20-30 hours per week. Wages and benefit costs discussed. Don and John will send Leigh suggestions for requirements for the position and he will draft a job description. Motion (Leigh), second (John) to recommend a Code Enforcement Officer in the budget. Motion unanimously passed.

Public Comments:

Alison Patten questioned the status of picnic tables. The Old Home Day Committee would like to have tables available for people to use at Old Home Day. Some of the tables may need to be replaced.

Several tables at the town hall are in bad condition. There is also a broken podium, and a large television that should be removed. The interior of the building needs some attention. Selectmen asked Pete to work with Clint to inventory the tables for consideration of replacement.

Correspondence:

Letter from Star Lake Farm regarding the proposed gate design and signage. Discussion: Cynthia Hayes Trust has indicated they would change their gate to the design approved for SLF. Don will review proposed wording for the signage with Todd. Selectmen agreed to send a letter to the Hayes trust regarding the gate design. Don will draft the letter.

Preliminary estimate for replacement of roof at highway/fire garage \$63K to \$75K. Condensation is a major problem. Interior insulation has lost its efficiency due to moisture. Replacing insulation is not cost effective. Proposal is to install rigid foam insulation and then rubber sealed membrane over the exterior of the roof. Savings from heat loss would help offset costs. Selectmen also recommend getting an estimate from someone to seal the garage doors. More definitive numbers will be needed for the budget. Motion (Don), second (Leigh), recommending repair for the budget. Motion unanimously passed.

Board reviewed the building permit issued to Victor Rifkin earlier this year. Permit indicates a garage as not applicable. The house has been built with an attached garage. Selectmen will send a letter requesting an amended application. Don would also like to review the site plan to make sure there is room for this.

Correspondence:

Copy of minimum expedited wetlands application
Notice of Forest Laws Workshop

Motion (Don), second (Leigh) to accept the design of the gate submitted by Todd Richardson (Star Lake Farm). Motion unanimously passed.

Miscellaneous business:

Selectman's meeting schedule for the remainder of the year:

November 28th 7 p.m.

Monday December 5th, 8 a.m. – Selectmen budget work session

Monday December 5th 7 p.m. – Budget Committee Meeting

Wednesday, December 14th 7 p.m. instead of December 12th

Wednesday, December 28th 7 p.m. instead of December 26th.

Board reviewed Pete's septic design. Discussed assessment card shows 4 bedroom home and proposed design is for 3 bedrooms plus the trailer. Selectmen will review the discrepancy in more detail with Peter.

The meeting adjourned at 10:15 p.m.

Respectfully Submitted,
Janet Roberts

DRAFT