

**TOWN OF NEW HAMPTON  
BOARD OF SELECTMEN  
MEETING MINUTES  
TOWN OFFICES  
NEW HAMPTON, NH 03256**

April 29, 2010

**MEMBERS PRESENT:**

Selectmen Charles Bartley and Kenneth Mertz were present.

**OTHERS PRESENT:**

Town Administrator Barbara Lucas was present.

**CALL TO ORDER:**

Selectman Kenneth Mertz called the regular meeting of the Board to order at 6:06 p.m.

**WORK SESSION:**

- Manifests, bills, requisitions, purchase orders and leave request forms
- Building Permit – *Steven Marsh, Tax Map R-3, Lot 20B #1980, 95 Gordon Hill Road.* A 20' x 28' garage is shown on plot plans as the minimum distance from the right of way on Gordon Hill Road. The Board approved this, but made a notation for the owners to be sure the construction maintained proper setbacks.
- Building Permit – *Hilda Devino & Joni Mullenmeister, Tax Map R-20, Lot 16D #1984* for a finished basement with a home office and den. This item was tabled pending clarification from the State regarding information on energy code compliance requirements.
- Septic System Review – *John Claridge, Tax Map R-4, Lots 2 & 3,* these were approved four years ago and have since expired. These were reviewed and approved by the Board.
- Current Use Application – None
- Home Occupation Form – None
- Intent to Excavate – *Michael Latulippe, Tax Map R-20, Lot 13, Route 132 North.* This is a grandfathered pit. This was reviewed and motion to approve was made by Mr. Mertz, seconded by Mr. Bartley. The motion was passed.
- Intent to Cut – *Ilidio & Patulcia Valente, Tax Map R-2, Lot 6.* This was reviewed and approved by the Board.
- Hawkers & Peddlers License - *Jeff Day, 752 Route 104.* The Route 104 Diner seeks to put up an ice cream stand next to the restaurant. This was tabled pending Police and Fire Department review and confirmation of the dates of operation.
- Veterans Credit – None
- Elderly Exemption – None
- Misc. Correspondence – None

The CNP invoice was reviewed and approved by the Board.

**APPOINTMENTS:**

None were scheduled.

**DISCUSSION ITEMS:**

*Recommittal Warrants*

Recommittal Warrants from Mrs. Torsey, Tax Collector were reviewed, with items for 2003, 2004, 2005, 2006, 2007, 2008 and 2009. These had been approved previously and were signed by the Selectmen this night.

*Earth Excavation Warrant*

This warrant, for \$46.00 was signed by the Selectmen.

*Timber Tax Warrant*

This timber tax warrant for \$368.22 was signed by the Selectmen.

*Central Street Bridge*

- a. Email dated 4/22 from Wade Brown regarding the pay requisition was
- b. The draft letter to SEA regarding the sidewalk issues was reviewed by the Town Attorney and then sent to Bristol for their comment.
- c. Email to Paul Weston, dated 4/27, regarding draft letter to SEA,
- d. Email dated 4/28 from Wade Brown regarding a possible meeting with Bill Hardy (SEA) on 5/11 to resolve the outstanding issues.
- e. CEC plantings were on site today.

*Eastern Analytical  
Ground Water Testing*

Email notification was received from Eastern Analytical stating that groundwater testing is scheduled for 4/30.

Engineers are still pursuing gas monitor options (leasing, etc). Mrs. Lucas will update the Board as information becomes available.

*NH DOT Notification*

A letter dated 4/27 was reviewed announcing the Highway Block Grant figure totaling \$95,643.15. It was noted that the State reduced its aid to New Hampton by approximately \$10,000. Hazard Mitigation funding is also being pursued by Mr. Boucher. A number of projects left from last year will be worked on this spring.

*Blake Brook Road Bridge*

A letter regarding the inspection report for the Blake Brook Road (a bridge owned by the Army Corps of Engineers off Coolidge Woods Road) was reviewed and forwarded to Mr. Boucher. The bridge is still posted for 15 tons – sufficient for emergency vehicles.

*Police Department Statistics  
Week of 4/12 – 4/25*

This was reviewed by the Board.

*DirecTV*

An email from Attorney Whitelaw, dated 4/29, was reviewed by the Board.

*CNP*

An email regarding Still Pond Investment Group (Ralph Kirshner), from Mary Moses of CNP regarding damages to the property after the fire for assessment purposes.

*Highway Department Memo*

May 3, 2010 will begin its summer hours working later on 4 days and off on Mondays, until Labor Day. At the Board's request Mrs. Lucas will do an email to reiterate the policy regarding Monday holiday hours.

<i>Coolidge Woods Road Deficiency</i>	A resident requested the Highway Department's attention to a grading deficiency.
<i>Tax Collector</i>	The Tax Collector prepared letters regarding late payments received from two residents who had payment plan arrangements. These were reviewed by the Board.
<i>Abutter Letter</i>	A letter from the abutter regarding junk cars still on the property of Bruce Garant and Monica Stevens was reviewed. The property owners had until this date to respond or the matter would be referred to counsel. The Board will table this matter until the next meeting.
<i>NH DES – Wetland Permit 114 West Shore Road</i>	The NH DES sent a copy of their letter to Theodore and Madonna Saia approving their permit application.
<i>Snake River Property</i>	A letter from Robert Wenstrup dated 4/15 was received by the Board. This was a letter to residents of the Waukegan area to raise money for the purchase of the "Snake River Property" (also known as the Spear Property).
<i>Spear Property</i>	Emails from the Town Attorney regarding the Spear Property related to their recommendation that a conservation easement be granted to the current property owner by the Town of Meredith. If this is done, the Town of New Hampton can avoid having to wait until the next Town vote to grant a conservation easement on the property. Additionally, the sale of the property could avoid a transfer tax. The Meredith Conservation Commission is working on this.
<i>Incident at Town Offices</i>	<p>A gentleman came to the Town Offices and became very upset with the Tax Collector regarding a check which he stated was mailed and not received. His behavior caused a disturbance that required the police to be called to the Town Offices. The gentleman eventually apologized for creating a disturbance, but charges may yet be filed. The gentleman will be coming back for other business and the police will be present at his next visit.</p> <p>Safety protocols were reviewed with all office staff. The Selectmen discussed avoiding moving Board meetings from Thursdays whenever possible, but Mrs. Lucas noted that the protocols are established to deal with these matters regardless of whether the Board is meeting. Incidents can happen at any time and whether someone else is in the office or not.</p>
<i>911 Maps</i>	Corrections to the maps are continuing. When complete, they will be sent to the State for update of their records.
<i>New England Forestry Foundation Tax Map R-13, Lot 27A Tax Map R-4, Lot 15 Tax Map R-1, Lot 6 Tax Map R-2, Lots 13 and 14</i>	<p>The Belknap County Forester is reviewing the properties in advance of a discussion of current use applications by the New England Forestry Foundation. He also offered to speak to townspeople regarding current use or Timber Tax, and any other topics the Town might find useful.</p> <p>The Selectmen indicated they would be interested. It is possible other</p>

speakers could also be arranged for topics of town interest.

*Metrocast Public Hearings*

Mrs. Lucas confirmed August 2<sup>nd</sup> at 7:00 PM with the New Hampton School for a Public Hearing on the Metrocast franchise renewal. The meeting will be held at the New Hampton School.

*Property Tax Bill Mailing*

Mrs. Lucas may have the warrant prepared for next week's Board meeting. Mrs. Torsey will have the tax bills ready soon. She reported that the bills will be out earlier to give people as much time as possible before July 1<sup>st</sup>.

*Legislative Bulletin Update*

Mrs. Lucas brought to the Board's attention a recent Legislative Bulletin. The State House killed the pole tax exemption which means that the poles may be taxable. Next year the Board may have to consider appraisal services to determine the value for tax purposes.

**MINUTES:**  
*3/25 and 4/1*

These were tabled to the next meeting to give the Selectmen time to review them.

*Brad Rohdenburg  
Tax Map R-18,  
Lots 12 and 13  
Jackson Pond Road*

Brad Rohdenburg wrote a letter of complaint regarding the Town's submission of information to DES regarding work he has done on his property. Mr. Rohdenburg contends the existing structure he has been working on since 2008 is a former sugar house which he was rebuilding to store canoes and similar items. He previously had an Intent to Cut permit which had been reviewed and claimed he was sufficiently removed from the pond.

Mr. Rohdenburg asked for all information regarding the complaints, including names and contact information for any persons who were on his property in connection with this matter. He felt that the Town should have contacted him rather than passing information on to DES. He also stated he was not knowingly in violation of any rules either with the Town or with DES. He felt his property was trespassed in order to get photographs. Also reviewed was a copy of the response Mr. Rohdenburg had sent to NHDES and the copy of a complaint form completed by NHDES.

Mrs. Lucas recapped events for the Board: At the April 1<sup>st</sup> Selectmen's Meeting, pictures taken by the appraisers were discussed with the Board. The pictures were then forwarded to DES for their information. There was no complaint filed by the Town, nor is there any interest in filing a complaint because there may not be any violation of DES rules.

The pictures taken on site did raise some question as to whether the timber cut exceeded limits within the Shore Land Protection zone. Additionally, the structure in the pictures was estimated by assessors as being 8 x 16 feet in size with an area dug out inside of it. This size would require a building permit from the town. The structure may be within 50 feet of the shoreline of Jackson Pond. A cement area up the hill was also identified by the assessor.

On April 16<sup>th</sup> Mr. Rohdenburg had contacted Town Office staff. The size of

the accessory building (reportedly less than 120 sq. ft) was less than that which would require a building permit issued by the Town. There would be no electricity, water or plumbing. Mr. Rohdenburg was advised shortly after purchasing the property that for a structure of 120 square feet or less no building permit was required by the Town. He was also told at that time that the Shore Line Protection rules were more restrictive than town requirements and it was suggested that he contact DES for further information.

Mr. Rohdenburg is now requesting documentation (emails, letters, telephone records, minutes, etc.) regarding this matter. Mrs. Lucas is putting the requested information together and will advise Mr. Rohdenburg when he can pick up the materials. The Board suggested that Mr. Rohdenburg be invited to meet with the Board.

Mrs. Lucas noted appraisers were in the area regarding another matter, and they regularly note things they see on other properties while doing their work. She noted the majority of the property was put into recreational current use and it is not posted, so no trespassing occurred. Additionally she noted that the Town was unaware of any other structures on the property since the late 1960's as claimed by Mr. Rohdenburg.

**OTHER BUSINESS:**

*Recycling Information and Education*

Mr. Mertz asked that Mr. Boucher be asked for a follow-up regarding a recycling awareness program at the Elementary School. Mrs. Lucas will ask him about this. Mr. Mertz also asked about the signage for the Transfer Station to educate the townspeople. Mrs. Lucas noted that she believed the signs had been ordered but will confirm at the next Board Meeting.

**PUBLIC COMMENT:**

None was heard.

**ADJOURNMENT**

It was moved by Selectman Mertz to adjourn, seconded by Selectman Bartley. The vote passed and the meeting adjourned at 8:31 p.m.

Respectfully submitted,

Kristin J. Harmon