

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

February 25, 2010

MEMBERS PRESENT:

Selectmen Paul Tierney and Kenneth Mertz were present.

OTHERS PRESENT:

Town Administrator Barbara Lucas was present.

CALL TO ORDER:

Chairman Paul Tierney called the regular meeting of the Board to order at 6:00 p.m.

WORK SESSION:

- Manifests, bills, requisitions, purchase orders and leave request forms were processed.
- Building Permit (After the Fact) – *Philip Wolfe, 136 Evergreen Drive, Tax Map R-6, Lot 24* for a 10' x 16' addition on the house within the setback of the abutting property and constructed without a building permit. It was also noted a garage and carport were also constructed without building permits. Mr. Tierney made a motion to deny the permit because it fell within the 20 foot setback. This was seconded by Mr. Mertz. Communications between Mr. Wolfe and Mrs. Lucas reiterated the Board's suggestion to do a boundary line adjustment, but Mr. Wolfe indicated that might not be possible with the abutter.

Mrs. Lucas explained that if the Select Board turns down the building permit after the fact, the options are: 1.) The owner can apply for a variance with the ZBA; 2) If the property owner disagrees with the Select Board's interpretation of the Ordinance, he/she can apply for an Administrative Appeal, or 3.) He/She can claim they are eligible for a dimensional waiver. If the Building Permit is denied by the Select Board, the owner will receive a letter that outlines the 30 day requirement to apply to the ZBA. If the owner does not apply to the ZBA within the 30 days, then the Select Board can turn the matter over to the Attorney and fine the property owner until the situation is rectified. If an application to the ZBA is made and then turned down, there is a separate appeal process through the ZBA.

After discussion, the motion to deny the permit because it does not meet set back requirements of 20 feet was passed. A letter advising Mr. Wolfe of the decision and giving thirty days to appeal will be mailed. It will also advise him that a separate Building Permit will be necessary for the carport and garage.

- Septic System Review – *Fred Bailey, Evergreen Drive, Tax Map R-6, Lot 23*. This is a renewal of a permit applied for previously which had not been acted upon since 2006. A motion was made by Mr. Tierney to approve a renewal of the application and seconded by Mr. Mertz.

- Current Use Application – None.
- Home Occupation Form – None.
- Intent to Excavate – None.
- Intent to Cut – *David Tessier 604 Old Bristol Road, Tax Map R-15, Lot 4 was approved by the Board.*
- Veterans Credit – None.
- Elderly Exemption – None.
- Misc. Correspondence – None.
- A leave request for Mrs. Lucas was approved by the Board.
- Warrant for Timber Taxes of \$251.92 was signed by the Selectmen.

Highway Department requisitions totaling \$895.44 for items ordered in November and December 2009, but not received until 2010 including a sprocket and idler shaft for the sander on the 1996 International, a coupler and grease fitting for the new sander, and bolts and fasteners for plow shoes was approved by the Selectmen.

Central Street Bridge

Spread sheets with the reimbursement summary were prepared by Mrs. Lucas and reviewed with the Board in anticipation of submission to NHDOT for the reimbursement request. The spread sheets outlined billing for Winterset and the DOT reimbursement for all expenses to year end of 2009 including the DOT check received in 2007 for the estimated 50% estimated cost.

Spreadsheets outlined similar costs, payments and reimbursements to SEA going back as far as 2002 and 2003 to the present. Items still to be billed were outlined and miscellaneous costs to the Town (including such things as wetland permit fees, legal fees, payments to the Town of Bristol for slope easement, signage for the closed bridge, attorney fees, the historic sign and plaque were all outlined. The total is \$791,890.68 due to the Town of New Hampton.

Sinclair Hill Road and Proposed Use by Snow Mobiles.

A memo from Chief Salmon dated 2/22 outlined his comments on snow mobile use of Sinclair Hill Road with regard to RSA's 215-C:49 and 215-C:8. He provided a CD with pictures of the area for the Board which was reviewed by the Board.

It was noted that a barricade with "No Snowmobiles" signs had been knocked down at the time Mr. Mertz viewed the area. The Board discussed concerns regarding laws applicable to minors operating an OHRV on a roadway, whether or not the minor has taken the OHRV classes. Also there was a question of being able to operate unsupervised at a crossing. The Board discussed the issues of the intersection and oncoming traffic being able to see snowmobiles approaching the intersection. Additionally there are areas that are very narrow which could be problematic if both vehicles were using the roadway. Mrs. Lucas noted the precedent this action will set in other areas of Town should be considered as well. The Board tabled the matter until further questions could be posed and answered by Chief Salmon.

APPOINTMENTS:

*Shaun Batchelder
Drake Road
Tax Map Lot
6:30 PM*

Mr. Batchelder came before the Board regarding a plan to put a garage on his property for the purpose of a mechanic's shop to work on cars and trucks up to one ton. He advised some welding would be done on the premises as well. The Selectmen reviewed the Zoning Ordinance relative to home occupations. The Selectmen noted the proposed size of the garage just exceeds the size limitations outlined in the ordinance and would have to be reduced a bit. While the use is permitted within the BC2 Zone, the property is residential and there are restrictions to ensure the outward appearances remain that of a residence with a home occupation and not a commercial property.

Discussion covered vehicles and equipment currently stored on the property belonging to Mr. Batchelder's father which needs to be removed. Mr. Batchelder was made clear on what could and could not be outside the garage in the course of a home occupation. Requirements for parking and space for delivery vehicles and storage of equipment were reviewed with Mr. Batchelder. Further, he was advised the Fire Chief and Police Chief will want to comment on any safety issues, such as hazardous materials on the property. The signage requirements were also reviewed.

*Mark Grotheer & Jeff Day
Route 104 Diner
Route 104
7:00 PM.*

A proposal to bring a mobile unit on a trailer chassis, to be placed either permanently or temporarily on the dirt lot to left of the diner, approximately 20 feet off the road for ice cream sales was discussed. Selectmen advised this is a matter for the Planning Board. The proposal could require site plan review or perhaps be eligible for an expedited site plan review. It is an expansion of the use and concerns for traffic are paramount on that stretch of Route 104. The Board suggested bringing photos of the trailer and drawings of the lot for an informational/conceptual meeting with the Planning Board. Mr. Grotheer and Mr. Day said their plan includes consideration of a possible temporary placement and application for a Peddlers & Hawkers Permit for a time to see how it works out. Mrs. Lucas advised she would add them to the agenda for the Planning Board's next meeting on March 16th for an informational/conceptual meeting.

*NH BTLA Letter
Wesley & Janan Hays*

Mrs. Lucas has requested an extension for the BTLA hearing until March 29th to give the Town time to collect information from the mappers of the property. Once that is available and provided to Mary Moses of CNP, Mrs. Lucas will set a meeting with the Hays to discuss the discrepancies in the surveys and possibly settle the issues before the BTLA hearing.

*Ambrose Gravel Pit
Route 132*

The Board received information from DES in response to complaints at Ambrose property regarding bio-solids at the gravel pit. DES cited Ambrose Brothers for four violations.

NH Dept. of Safety

A letter of approval for the base radio station at the Fire Station for EOC use was received. Chief Drake has been made aware of the approval and is going ahead on the installation. The Selectmen will sign required forms after the unit is installed and return them to the Department of Safety.

*Joseph Bourque
West Shore Road*

Mr. Bourque addressed questions he had to the Town Offices regarding his plans to tear down an unsound camp and replace it with an environmentally sound cottage. He was not sure if he needed to contact DES first, or the Select Board. Mrs. Lucas responded and suggested he should submit the building permit with Town first to be sure he meets local requirements. She advised the Select Board could potentially grant approval contingent upon receiving State permitting approvals.

*Email from Paul Weston
Bristol Town Manager*

An email copy from Mr. Weston of Bristol with regard to the recent Bristol meeting with NHDOT and comments from the public regarding crowding at the New Hampton Park and Ride facility. Mr. Weston discussed options to alleviate crowding with Mark Morrill of DOT who advised Mr. Weston an expansion project was being worked on actively. Mr. Morrill anticipates the project to be advertised later in the year.

Police Department Statistics

Police statistics for the week 2/15/10 to 2/21/10 were reviewed by the Board. It was noted that there has been vandalism to the Central Street Bridge in the form of graffiti on the abutments.

*Reappointments to Town
Commissions and Boards*

The Selectmen noted Ken Kettenring of the Planning Board would like to invite Robert Joseph to serve for another term. Ralph Kirshner of the Conservation Commission asked that Nancy Conkling and Michael Anderson be offered another term and also noted that Rick Hillger has asked not to be reappointed because he is out of town for half the year.

The Selectmen noted a number of vacancies exist on several boards. Mr. Mertz noted the Planning Board did not have a quorum at the last meeting for one of the agenda items because a member had to recues themself. Mrs. Lucas will develop a website notice for the vacancies the Board can review before posting.

Tax Appeals for 2009

The first of two appeals was for *Rita Flateau, Blake Hill Road, Tax Map R-13, Lot 18*. The Town's assessed value was \$228,500 and a private appraisal for the purposes of re-financing valued the property at \$174,000. The Board decided to send the information to CNP for comment.

The second appeal was from *DirecTV, Tax Map R-11, Lot 23A* for 2009. As there is litigation ongoing, Mr. Tierney stated he would prefer to contact the attorney and ensure the matter does not get amended to the existing court case and draw out legal proceedings any further.

NH HSEM Reimbursement

Notice of a forthcoming reimbursement in the amount of \$72,595.77 for repairs after the 2008 flood will clear the books for everything except the Straits Road project which will be worked on in the spring.

Winona Heights Sign

A Winona Heights resident had previously asked about a "Private Way" sign off the class 6 road, at the head of Beech Hill Road. There were questions regarding access to town property. The Public Works Director put up the sign in error as it is not a private road. He was asked to remove that sign and replace it with a class 6 sign. A letter of apology will be sent to the residents

for the error.

NH HSEM Notification

An amended MOA notification for Town Files was received from NH Homeland Security/Emergency Management regarding a change in radio frequency assignments. No action of the Board is required.

NH DOT

The Board received notification from NH DOT dated 2/23 regarding work on I-93 had begun on February 22nd.

911 Maps

Copies of 911 maps were provided to the Town by the State, asking for acceptance of maps by Selectmen. Mrs. Lucas and Mrs. Vose are going thru the maps and checking them against town records to make sure they are consistent. There have been some errors caught already. Corrections include not only the numbering for properties, but also the classifications for two-family homes, for example; or commercial building codes, hydrant designations for brooks that require the Fire Chief's review as well. Once they are done, changes will be documented and resubmitted. Then Selectmen will then sign them off on the corrected maps. The Town will be provided a complete set of maps.

Precinct Water Usage

Mrs. Lucas advised the Board of her discussion with the Fire Chief regarding the Precinct's Water Commissioner's request for a meeting with the Board of Selectmen to discuss the Fire Department's water usage. The Chief has been asked to provide any information which could help clarify or expedite the discussion at the meeting. A date has not been determined as yet for the meeting.

Cemetery Association

Ashland removed the limb with a bucket truck. Mrs. Lucas asked if the tree is a hazard to the public, then an estimate for removal. Mr. Tierney suggested asking the Forester to look at the tree and get his input.

Town Clerk/Tax Collector

Alisa Schofield who was supposed to be back at work on March 1st but advised she may have to remain out of work for another week. Mrs. Lucas noted the soonest someone could be in the office after the election would probably be about March 15th. Mrs. Lucas was advising of the possibility that the Town Clerk's Office could be closed for a period.

Campaign Signs Taken

Mrs. Lucas advised the Board that Louise Tilton, candidate for Town Clerk/Tax Collector, reported removal of her campaign signage along Route 104. She was advised to contact the Police Department for follow-up.

Fort Boucher

An email was received at the Town Offices offering a compliment on the sand shed at the Transfer Station. Mrs. Lucas will forward the information to Mr. Boucher.

OTHER BUSINESS:

None.

PUBLIC COMMENT:

None was heard.

ADJOURNMENT:

It was moved by Selectman Tierney to adjourn, seconded by Selectman Mertz. The vote passed and the meeting adjourned at 8:00 p.m.

Respectfully submitted,

Kristin J. Harmon

DRAFT