

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

May 6, 2010

**MEMBERS PRESENT:**

Selectmen Paul Tierney, Charles Bartley 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
- Building Permit –
- Septic System Review – *Ryan Martin, Tax Map R-3, Lot 9, Gordon Hill Road*. This was approved by the Board.
- Current Use Application – *Tony Sarno, Tax Map R-17, Lot 13*. This was approved by the Board.
- Current Use Application – *Kathryn Rakowski Tax Map R-6, Lot 26*. This was approved by the Board.
- Current Use Application – *Frank Rakowski, Tax Map R-6, Lots 20 & 21*. These were approved by the Board.
- Home Occupation Form –
- Intent to Excavate –
- Intent to Cut – *Gene & Winnifred Boynton, Tax Map R-18, Lot 31, Boynton Road*. This was approved by the Board.
- Hawkers & Peddlers License – *Jeff Day, 752 Route 104*, for an ice cream stand at the Route 104 Diner. The Police and Fire Chief still need to submit their comments, so the item was tabled.
- Veterans Credit – *Jerry Busby, Tax Map R-20, Lot 42*.
- Elderly Exemption –

Approval of the Fire Chief's requisition for \$595 for annual pump and phone testing, a budgeted item, was moved by Mr. Mertz, seconded by Mr. Bartley and the motion passed.

Six tires and mounts for the Mac dump and grader was approved by the Board.

A server installation for the Police Department was also approved by the Board.

An invoice Certified Erosion Control for completion of the work at Central Street Bridge was tabled pending inspection and verification of the work.

Nicole Mello's name was submitted for a new hire for the Fire Department.

Fire Chief Drake advised that she is not certified as yet, but Mr. Mertz made a motion to approve, seconded by Mr. Bartley. The motion passed.

**APPOINTMENTS:**

*Kevin Lacasse  
112 Main Street  
Tax Map U-7, Lot 16  
6:30 PM*

A letter dated 4/16/10 upset Mr. Lacasse. A fence has not been moved and Mr. Lacasse acknowledged his error and stated he would move it. Regarding the advertisements for a three-bedroom unit, Mr. Lacasse stated this was an error by the newspaper (The Laconia Sun). On his website and other newspaper advertisements states them as 2+ bedroom units. Mr. Lacasse refers to the "plus" as being a bonus room. Regarding the other life safety issues, he stated the work is done. A cement block in front of the meters, a cover over the meters and a cement block in front of the tank. Fire Chief Clement inspected the units and his construction permits during construction and approved the building. Mr. Lacasse stated that at Chief Clement's request a sprinkler system was added to the building during its construction. He noted any list of outstanding issues from Chief Drake has not been provided to him. The Board did not have any list and stated that this will be held until a meeting can be arranged with the Fire Chief Drake. Mr. Lacasse was upset that he had been called to the Board for a misprint in the papers. He was advised that any time an advertisement shows a use not permitted the Board will contact the owner of the property, not the newspaper. Mr. Lacasse will be advised of a meeting time with the Fire Chief and the Board to resolve any outstanding safety issues with the property.

*Elizabeth Short  
3 Fire House Lane  
Tax Map U-2-7  
6:45 PM*

Ms. Short had some questions regarding the construction of a handicapped accessible ramp. She has reviewed the plan with NH DOT and they find her plan is acceptable. The issue she has is with town setbacks from the middle of the road. In the Precinct it has to be 50 feet from the middle of the road. The house is a non-conforming property. Reviewing the drawings of the property, it is a difficult issue. Mr. Tierney advised the Board would have to take this matter under advisement. They will review the state requirements and try to get an answer for her by next week.

*Matty Huckins  
7:00 PM*

Ms. Huckins presented a preliminary idea for a Farm and Faith program on her property, which would provide instruction on agricultural interests (like milking cows, raising chickens, etc.) in a faith based program. Ms. Huckins spoke with DES and found that less than ten days duration and less than ten children would not require licensing as an outdoor camp. The question for the Board was whether this is an expansion of use or if this is outdoor education.

Mr. Bartley asked about any fee and was advised there would probably be a nominal fee for attending. Eventually she noted she would consider expanding the program which would involve a longer period during the summer in the future. Mrs. Lucas suggested the Board consider based on this program of less than 10 days duration and less than ten children under the state definition to be considered at this point as incidental to the agricultural use. The board discussed the special exception for an outdoor education program. Mr. Mertz suggested application for a special exception

with the ZBA, which would require review for any changes down their road. She was given instruction and deadlines for bringing the matter to the next ZBA meeting.

*Brad Rohdenburg*  
7:30 PM

Mr. Rohdenburg stated that DES shows the complaint of possible Shore Line Protection violations was filed by the Town of New Hampton. Mr. Tierney stated that the Town did not file a complaint, but brought information to the DES for them to determine if there was a problem as is their responsibility. Mr. Rohdenburg felt he should have received a phone call or notification before the Town contacted DES. Mr. Tierney stated he understood Mr. Rohdenburg's frustration with DES, but noted that any time Town representatives see something that may need further investigation; they are obligated to report it.

Mr. Tierney also noted that Mr. Rohdenburg mentioned trespass, and Mr. Tierney stated that land under current use is open to persons. Mr. Rohdenburg acknowledged that.

At Mrs. Lucas's suggestion, the Board will draft a letter to DES regarding this incident and suggesting improvement in the handling of such matters would aid municipalities in their role as the eyes and ears for DES.

**DISCUSSION ITEMS:**

*2010 Commitment Warrant*

Mrs. Lucas needed the Selectmen to review the warrant so it can go to the Tax Collector for processing. The Board will meet on Monday at 5:00 PM to review and sign these.

*New Hampton Historical Society*  
*Tax Map R-11, Lot 36*

A request for a real estate exemption for the museum property was submitted on April 23<sup>rd</sup>, and the deadline is April 15<sup>th</sup>. This has been submitted each year for some time. Mr. Mertz expressed some concern that accepting the late application set a poor precedent. The reason given was that the president of the Society was out of town when the mailing was received. Mrs. Lucas believed the forms were mailed at the end of March and it was probably addressed to the President's personal address. The RSA's do allow the Board to consider a late filing in some circumstances. Mr. Tierney suggested Mrs. Lucas prepare a letter to all current holders of these exemption advising that the forms are on the web site or available at the offices and must be submitted in a timely manner for consideration.

Mr. Mertz made a motion to approve the exemption, seconded by Mr. Bartley. The motion passed.

*Disabled Veterans Credit*

While proofing tax bills, Town staff found that four individuals were entitled to the \$200 credits for Disabled Veterans. Abatements for the over payments for 2009 to the four total \$688.33. These were approved. These were approved by the Board.

*Wesley and Janan Hays Abatement*

The Board has two abatements to sign for two different years. While the Hays still dispute the numbers and still plan to go before the BTLA, the Board has taken the recommendations of the assessors and will grant the

abatements.

- Kleinfelder/SEA Consultants* A response to the letter sent by New Hampton and Bristol regarding the outstanding issues on the Central Street Bridge was received from Kleinfelder/SEA Consultants. A meeting with Paul Weston of Bristol, Joe Denning, Mrs. Lucas and Mr. Tierney is scheduled on Tuesday, May 11<sup>th</sup> at 9:00 AM with Mr. Hardy of Kleinfelder/SEA.
- DirecTV* An email dated 5/6 from Attorney Whitelaw regarding the DirecTV trial was reviewed. An evidentiary hearing was scheduled in anticipation of the case going to trial in August.
- New Hampton School* Kirk Beswick sent an email dated 4/30 requesting information regarding the need for a sign permit for a bulletin board at the tennis courts. The definition was reviewed and the Board determined it would be considered a sign and would require a sign permit. The bulletin board dimensions were reviewed against the ordinance requirements in the Precinct Zone. Mr. Beswick will be asked for additional information for the Board to determine the need for the sign permit.
- Gifford Hamill  
Tax Map R-15, Lot 3B* Because Mr. Hamill is in the process of selling the property to a buyer using a FHA loan which requires a letter of “completeness”. The appraiser updated the property card to 100% assessment at Mrs. Lucas’s request. Further discussion determined that Mr. Hamill needed a letter showing the house was complete one year ago. The 80% assessment was determined in February, 2009 and reflected as 80% when the card was updated in April 2009. The owner states his property was complete on April 29, 2009.
- The Board authorized Mrs. Lucas to send a letter stating the house was assessed at 100% currently.
- Susan & Steve Connolly  
Tax Map R-6, Lot 12* Under the Military Relief Act, a request was sent for a reduction in the interest due at 6% rather than 12% the town usually charges. Since the Tax Collector cannot by statute reduce the interest charged, an abatement for \$14.39 was authorized by the Board. Mr. Bartley made the motion, seconded by Mr. Mertz. The motion passed.
- Steve Fariole  
Earth Removal to abutting  
property* An email request from a landowner was received to remove earth to an abutting property was considered by the Board. The earth to be removed and the earth added was determined to be incidental (landscaping) under RSA 155E:2-a (b). The Board found no permit was required in this instance.
- Virginia Wallace  
Tax Map R-6, Lot 55 to 55A* A request to transfer payment on a property tax payment for \$2500 was brought to the Board. Payment was made by John Shepard for property he resides on which is owned by his mother, Virginia Wallace. Mrs. Wallace also owns another property abutting the lot. Mrs. Torsey needs Board authorization to move the payment to the other lot for which the payment was intended. This was approved by the Board. A new lien will be drafted by the Tax Collector to reflect this correction. The Board authorized the payment moved.

*Lucinda Ossola*  
*Tax Map R-6, Lot 27A*

A timber cut on 5/3/10 resulted in a letter sent to Ms. Ossola. She was advised to send a letter explaining the situation. The letter has not yet been received. The matter will be tabled for followup.

*Doris Selewach*  
*Re: Tax Map U-8, Lots 31*  
*and 32Smoke Rise Lane*

Ms. Selewach sent a letter of inquiry regarding a property she formerly owned (Tax Map U-8, Lot 32). The Town sent a reply explaining who now owned the lot, and reiterating her ownership of the lot U-8, Lot 31.

*Karen Parrazzo*

As a follow up from an inquiry from Ms. Parrazzo regarding hosting a Farmers Market at her property, the Board found that under RSA 21:34-a, paragraph V – regarding farmers markets, prohibits a property owner from being a vendor. Further, if 35% or more of the products are from outside New Hampton, the property will require site plan review. Other criteria may also require site plan review. This might qualify for an expedited site plan review.

The Board contacted Ms. Parrazzo by telephone to inquire how many vendors were from New Hampton. They advised she is eligible to hold the Farmers Market at her property but would be required to go for site plan review at the Planning Board because more than 35 % of the items are produced outside New Hampton. Ms. Parrazzo will go before the Planning Board at their May meeting for an informational session.

*Bruce Garant &*  
*Monica Stevens*

Mrs. Lucas looked at the property, and from what she was able to see they are now in compliance with the Junk Yard Ordinance. One of the vehicles has been registered recently and another vehicle has been removed.

*John Claridge*  
*Tax Map R-4, Lot 1*  
*Main Street*

DMC Surveyors advised they have made a submission to the Wetlands Bureau regarding a proposed house and driveway to be built on the property.

*Snake River (Spear Property)*

Another issue has come up regarding legal access to the property, and the establishment of a Conservation Easement. Mr. Kirshner of the New Hampton Conservation Commission advised this topic will be addressed in their meeting next Monday. Selectman Bartley advised he plans to attend.

*Abatements*

The following abatement requests were sent to the appraisers, who have visited and made comments for the Board. If the Board agrees with these recommendations, the abatements for tax year 2009 will be prepared for next week.

*Dalphonse, Tax Map R-19, Lot 28.80*; revised assessment for trailer value and condition. Recommendation of revised assessment of \$7,500. This was approved by the Board.

*Amero, Tax Map U-9, Lot 5-130*; this trailer has an adjusted value of \$6,900 and it has been removed from the tax role for 2010 because it was removed from the property. This was approved by the Board.

*Tripp, Tax Map R-19, Lot 28.058*; revised valuation for 2009 to \$9200

*Quaglia, Tax Map R-6, Lot 18*; because the property was valued for the

potential of subdivision which is not possible, and because of corrections due to wet topography, the revised valuation for 2009 to \$68,600.

*Whalen, Tax Map R-19, Lot 5;* revised valuation for 2009 to \$168,650.

Corrections were made for the conditions and true value at the time of the last assessment. This was approved by the Board.

*Russin, Tax Map R-7, Lot 16;* revised valuation for 2009 to \$248,400 after inspection of the interior. Physical errors for conditions, and unfinished construction percentage and wet basement, functional depreciation. This was approved by the Board.

*Sawin, Tax Map R-1, Lot 27A;* revised valuation for 2009 to \$287,100 after review of various unfinished conditions inside, and steep ravine areas. This was approved by the Board.

*Edwards, Tax Map R-8, Lot 1A-09;* revised valuation for 2009 to \$419,650 after interior inspection. Interior flooring, a correction to an interior measurement and exterior conditions. This was approved by the Board.

*Flateau, Tax Map R-13, Lot 18;* revised valuation for 2009 to \$210,800 after an interior inspection, a few corrections of interior measurements. This was approved by the Board.

*Carbone, Tax Map R-20, Lot 60D;* revised valuation for 2009 to \$269,550 physical corrections of interior measurements. This was approved by the Board.

*Reuter, Tax Map U-10, Lot 13;* revised valuation for 2009 to \$14,650. This lot has limited development potential. This was approved by the Board.

*Sirois, Tax Map R-13, Lot 20A;* revised valuation for 2009 to \$193,050 after review of the interior, correction of age of the dwelling. This was approved by the Board.

*G10, Tax Map R-5, Lot 5;* revised valuation for 2009 to \$178,750. Field review of property. Use and landscaping, minimal use value. This was approved by the Board.

*Palmer, Tax Map R-19, Lot 3;* The assessor recommends to retain the valuation as assessed. The landowner provided no documentation to the assessor for consideration; stated the property was in proximity to a criminal, and stated the road was un-passable 5 to 6 months of the year. The road is not town maintained and the property tax value was already given consideration for its road condition. This abatement request was denied by the Board.

*Building Permit Forms*

The form was reviewed by the Board.

*Work Session*

The Board will have its first work session on June 2<sup>nd</sup> from 5 to 7 PM to discuss building permit fees. The second Works Session is scheduled for June 17<sup>th</sup> from 5 to 7 PM. The Fire and Police Chief will be present to discuss a public safety building.

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

Motion to approve both sets of minutes was made by Mr. Tierney, seconded by Mr. Bartley. The motion passed.

**NON PUBLIC SESSION:**

At 9:20 PM Mr. Tierney asked to go to non-public session to discuss a personnel issue. The motion was made by Selectman Tierney, seconded by Mr. Mertz. The motion passed.

Present: Mr. Tierney, Mr. Bartley, Mr. Mertz & Mrs. Lucas.

**RESUMING PUBLIC SESSION:**

Mr. Tierney made a motion to come out of Non-public session at 9:30 PM, seconded by Mr. Mertz. The motion passed.

Mr. Tierney made a motion to seal the minutes for ten years, seconded by Mr. Mertz. The motion passed.

**OTHER BUSINESS:**

There was none.

**PUBLIC COMMENT:**

None was heard.

**ADJOURNMENT:**

It was moved by Selectman Mertz to adjourn, seconded by Selectman Tierney. The vote passed and the meeting adjourned at 9:30 p.m.

Respectfully submitted,

Kristin J. Harmon

DRAFT