

BOARD OF SELECTMEN

NOVEMBER 9, 2009

MEMORIAL BUILDING

7:00 P.M.

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

Present: Selectmen John Chiarella, Chairman; Don Hill, Dave Tucker, Administrative Assistant Janet Roberts, Code Officer Tom Duling, Police Chief Tim Julian.

John called the meeting to order at 7:00 p.m.

Howard Road: John & Stephanie Bray and Vince Panaroni were present to address any concerns that were raised as a result of work they had done recently on Howard Road. John reported that he had been cleaning the existing drainage ditches and culverts to maintain the flow of water before it could cause damage to the road. That portion of Howard Road is a private road, and it is his responsibility to maintain. None of the material was close to or went into the brook. He voiced his concern that someone didn't come to him to bring this to his attention before it went to the length that it has. John Chiarella indicated that a permit from DES might have been needed for this work as this would all under their jurisdiction. There are no local permits required for this type of work. The Board advised the Brays to contact DES to see if any permits would be required for work of this nature in the future. John Bray indicated that he had permits from DES in the past build a bridge.

Route 114 Culvert: Tom Duling reported he has met with the Coombs on 114 about their drainage culverts. The septic system is located on the opposite side of the house. The drainage pipes are not coming from the septic area. The area in question has been raised, due to previous problems with standing surface water. Under drains to drain the surface water and a foundation drain were installed through this area. Tom reported that water testing in that area of the lake is done frequently, and test results have been satisfactory.

O'Day: Tom reported that Mr. O'Day is building a new shed on his property. Tom met with him to request a building permit. Bryan indicated that it is not a building because it will have a canvas roof. The area is being used for sand/salt storage. The Selectmen reviewed this. John will look into what the State requires for private sand/salt storage. The Board is in agreement the building is a structure under zoning definitions. They will review whether amended approvals for planning and or zoning are required. They will send a letter to Bryan.

Star Lake Properties: At 7:30 Todd Richardson, Manager for Star Lake Properties met to discuss where the Selectmen stood in regard to road and conservation easement issues.

John stated the list he compiled were some of the thoughts he came up with when this was presented last year. Many of those issues have been resolved through the Planning Board process. John discussed clarification of maintenance responsibilities. Todd indicated Star Lake would not have an issue with doing some annual maintenance but they would not want to get calls every time a tree is down. John indicated the Town would not want to be responsible to maintain the roads through private land. The Board discussed that the SRK Greenway and the

snowmobile clubs do perform trail maintenance now. It was felt that there could be some mechanism in the easement that would allow for maintenance of the roads by a snowmobile club or other non-profit organization. Todd indicated that the right of way width and the area to be maintained will have to be determined and spelled out in the easement. Star Lake does not maintain all of those roads now, but has kept some of them open for farm and forestry access. The Board discussed gating and signage. This will be Star Lake's responsibility if the roads are discontinued. John indicated that as long as the easement builds in some maintenance mechanism, then he is not as concerned with making these areas Class A trails. Don stated that legal counsel will need to work out the details. He suggested, based on legal opinion received during similar discussions last year, the easement should be a public easement and not a town easement.

In reviewing the suggestions/concerns made by John the following was determined:

- Mechanism for maintenance will need to be determined and documented in the easement deed.
- The "tread width" area that will be maintained needs to be determined and documented.
- Public access, signage and gating responsibilities will need to be determined and documented.

The Board discussed plans for public presentation of the proposal. Todd stated there is nothing that could be done in Town in the foreseeable future that would preserve as much open space as this is going to do. John stated that this is a legacy for the future of open space and the protection of environmental, historical, and other resources in Town. The easements need to be done in such a way to protect future use.

Todd indicated that Ausbon Sargent likes to see public access in their conservation easements. Approximately 135 acres will be open to the public. They are also looking at the possibility of a Sunapee-Ragged-Greenway trail from Stryker Road up Pitcher Hill.

John reported that he is encouraged with the progress that has been made. All three Selectmen indicated they are on Board with this proposal and would support the proposal, pending recommendations by legal counsel that the documentation protects future generations as well.

Todd stated he will have Attorney Lane send the revised easements for the roads. The Selectmen will review the information and then refer it to town counsel. Todd reported Ausbon Sargent is working diligently to collect the baseline ground information while the weather is still nice. The language of the easement will be available in time for town meeting but documentation of the ground work may not be complete until spring.

Zoning Report: John reported the request for Special Exception from Mark Brunelle was granted, with conditions, to allow installation of a culvert on property on Route 114, based on the plans submitted. Proper permits have been issued through the State DES. Septic approvals have been granted. An amended septic plan will be needed.

STOP sign: The STOP sign at Four Corners and Bowman Road has been installed.

Planning Board Report: Don reported the Planning Board had referred the Rifkin's to Zoning for Special Exception. Based on information presented at the November 3 Planning meeting it was determined that the Planning Board did not have authority to make that decision. The Planning Board continued the Site Plan Review hearing and voted unanimously to approve the Site Plan, with conditions, as presented.

Recreation Department: Laura reported the Recreation Department will hold a Holiday Craft and Bake Sale on Saturday, November 14, from 9-4.

The Rec. Department will be hosting a holiday party that will tie in to planned activities with the Library.

Rec. Department members would like to meet with the Selectmen to discuss their 2010 operating budget.

Dave asked Laura for an update in the local assistance case. Laura reported she is working with the applicant to find housing.

Tim Julian reported he is in the process of finalizing the sale of the Explorer.

Tim discussed the installation of a Dutch style door between the public entrance and the town clerk's desk. Don moved to approve the installation of a Dutch door and approved up to \$300.00 for such. The motion was seconded by Dave and unanimously approved.

Conservation Report: Dave reported that Betsy Forsham from the Sutton Conservation Commission met to discuss conservation easements.

Employee Evaluations: The Selectmen agreed to meet on Wednesday, November 18 at 7:00 p.m. to review the employee evaluations.

Next Meeting: Don reported he would not be available on November 23. The Board voted to move their next meeting to Monday, November 30, 2009 at 7:00 p.m.

Scanner Purchase: Don and John reported to Dave the discussion of the Department Head meeting. Scanning of public documents was discussed at the meeting. John has spent some time looking into available scanners. More research will be done in this matter.

Holiday schedule: Holiday closings will be Thursday November 26, Wednesday December 23, Thursday December 24, and Thursday, December 31, 2009. The Board agreed when possible the Police Department and Highway Department would follow the Town Office holiday closures.

Signatures:

The Selectmen discussed the Rifkin building permit applications that had been on hold pending the Planning Board's approval. The Selectmen discussed whether a Special Exception would be required. Based on information reviewed by the Planning Board meeting, the Selectmen agreed they would not require a Special Exception. The Board unanimously agreed to approve the building permits for the 3 existing and 3 proposed cabins. A building permit has not been received for the new house.

Tax Collector abatement was approved and signed.

Miscellaneous Business:

The Selectmen discussed a State Zoning authorization form for an applicant wishing to operate a State Licensed Daycare. The Selectmen agreed they needed more details before the form could be approved.

Tax bills have been processed and were mailed out today.

Deborah Midgett reported on a vandalism incident that occurred at her property on Halloween. The State Police are handling the matter.

The Board voted to adjourn at 10:10 p.m.

Respectfully Submitted,

Janet Roberts,
Administrative Assistant