

**Town of Chesterfield  
Board of Selectmen  
MINUTES  
April 16, 2014**

**CALL TO ORDER**

Chairman Jon McKeon called the meeting to order at 6:15 p.m. Others in attendance were Board members Elaine Levlocke, Jim Larkin and Town Administrator Rick Carrier.

**FOR SIGNATURE**

- Manifest #17
- Selectmen minutes – April 2<sup>nd</sup>
- Intent to cut –Kwader
- Yield tax certifications (5)
- Yield tax warrants (2)
- Veterans Credit
- Raffle Permit – School
- Property tax abatement - Eikenes
- Payroll change notice - cemetery

**APPOINTMENT**

- **6:30 p.m. Bart Bevis**

Bevis reported on the salt, sand and gravel budget figures for the Highway Department. Bevis reported on the muddy conditions of the dirt roads and, although the roads have been posted for local traffic only, numerous cars have gotten stuck, with four out of five being non local vehicles. Gulf Road has been a major mud issue, because of the number of visitors attempting to get to Madame Cherie Forest.

*McKeon made a motion to close Madame Sherri Forest parking lot on Gulf Road from now until further notice, with the reopening of the parking lot to be at the discretion of the Town Road Agent. The motion was seconded by Levlocke, which carried unanimously.*

The Selectboard has asked Bevis to continue storing the Parks & Recreation 4-wheeler until the P&R Commission meeting of April 28. Bevis reported on the water table levels at Spofford Lake and the Connecticut River.

Nathan Antaya reported on the drainage issue from Mill Road onto his property at Cross Road. Antaya indicated that the water doesn't flow into the two drainage areas. The Board members individually will look at the property and water issue areas and get back to Bevis to discuss how to resolve the issue.

## **FOR DISCUSSION**

- **Highway Department Employee Resignation**

Carrier reported that Gordon Rudolph has resigned from the Highway Department. The Selectboard has agreed to bring Dave Weaver's status up from seasonal to probationary full time. The Selectboard felt that it was not necessary for an exit interview with Rudolph.

- **Town Clerk Mileage Reimbursement**

Barbara Girs submitted a request for reimbursement compensation for mileage when conducting bank deposits. The board determined that a town vehicle is available for making the deposits and her request has been denied. If the town vehicle is not available, reimbursement will be paid.

- **Zoning Board – Nine A LLC**

McKeon reported on the recent Zoning Board decision to allow the cluster housing of Nine A LLC application on Spofford Lake. McKeon added that the Selectboard did not agree with the last ZBA decision for this application. He stated that the Selectboard needs to review the most recent decision for determining if the board will accept or appeal the decision that was made. McKeon is not looking at the applicant's plan but is looking at the zoning that it there, in the people's interest in the town in their effort in 1999 of making sure that there wasn't the concentration on the lake. McKeon feels that the application does not meet the intent of the ordinance. McKeon added that the previous Supreme Court decision findings is if the variance is allowed at this property, then the town doesn't have any standing in defending the zoning around the rest of the lake. The Supreme Court stated that if the cluster housing is approved, the town will have difficulty in objecting to similar applications. McKeon stated that the Lake is a huge benefit to this town.

David Thomas, abutter to the applicant's property, stated that he feels that it is a good use of the property, which is an eye sore now. He added that by preserving the land on the opposite side of the lake with 25 acres being preserved and is on an uphill.

Charlie Paquette felt that it was appropriate for the Selectboard to ask the ZBA to rehear the January 2014 decision on the application. He added the applicant will still be required to go through the Planning Board and meet State regulations. He feels that the development is a responsible one.

Jeff Scott stated that he feels that a decision to approve the variance will set precedence and urges the Selectboard to appeal the decision.

Ken Walton stated that allowing the cluster development will create a dangerous precedence for future cluster housing requests around the lake. He would like the BOS to appeal the decision.

Pam Walton asked that the BOS vote against the ZBA decision. She added that there are several properties around the lake that could apply for a variance for cluster housing. Walton stated that she is familiar with "legal precedent" being used by development in the area that she lived in. She urges the Selectboard to appeal the ZBA decision, in hopes to help preserve the lake for 100 years from now.

Larkin stated that he felt the proposal and presentation emphasized on the need to preserve the lake with the control, as best they can, with the drainage flow off of the slopes across the road from the lakeside property being proposed for development. He added that the developer proposed preserving a 24 acre buffer that will allow some control of the runoff. He said that the potential for development could be far greater, with the 90 acres that the applicant owns across from the cluster development area. He stated that each application has to stand on its own.

McKeon stated that not all of the acreage on the opposite side of the road is buildable. There are a lot of steep slopes, wet lands and the treatment facility contributes a lot of area. These areas are not buildable.

McKeon stated that the prior Supreme Court opinion of the judge is what counts, not the attorney who is presenting the case.

*Larkin made a motion for the BOS to no longer pursue this issue and leave the findings of the ZBA to the Planning Board and the DES for the subdivision. Levlocke seconded the motion. With no further discussion, the vote was called: Levlocke – yes; McKeon – no; Larkin – yes. The vote was 2-1 not to pursue the issue further.*

- **Spofford Lake Water Level**

Pam Walton took the measurement of 19 inches on April 15 and 17.5 on April 16, with the boards at 30.5 today and 28 on April 15. She added that the summer level is 14 inches.

- **Library Roof Replacement**

Larkin will do an evaluation for criteria for bidders on the project. McKeon asked to list three manufacturers for the materials to be used. Larkin will include additional materials needed for the attic. Larkin will provide the evaluation for BOS meeting on April 23. Ken Walton wants to be sure that the contractor to be used will be reputable, and not just the lowest bidder. If bidders are invited, at least three invitations need to go out.

- **Religious and Charitable Exempt Properties**

Carrier reported that there are no new requests or organizations and all the required paperwork has been submitted except Camp Spofford, which will forward financials and Form 990 when it becomes available.

- **Transfer Station Swap Shop Volunteers**

The board determined that there is enough money in the budget to allow the required training for the five volunteers to attend the training classes at a fee of \$50 per person each year and mileage will be reimbursed. Carrier stated that the training is done by DES.

- **May Meeting Schedule**

No Selectboard will be scheduled for May 28 and the board will meet every other Wednesday throughout the summer months.

- **Town Hall Floor Project**

The Town Hall floor needs to be recoated this summer. The board agreed that it will not be necessary to put this work out to bid because the board has been satisfied with the work that has been done by the current flooring company for the past three treatments.

- **Parks & Recreation Membership**

Traci Fairbanks has sent a letter of resignation from the Parks & Recreation Commission. The board would like to thank Fairbanks for her time and dedication to the community in serving the Parks & Recreation Commission.

Carrier reported that Jordan Williams will introduce himself to the Selectboard at the April 23 meeting as a volunteer to the P&R Commission.

Dewey Auger stated that John Melvin has volunteered to store the four wheeler for the P&R. The board thanks Melvin for the offer but felt that the four wheeler should stay on town property.

- **Old Business & Project List**

Carrier reported that he has applied for a grant for the Town Hall cupola. Carrier stated that the project does not need to be completed until one year from the grant.

Update Website: Carrier reported that an updated photo was taken of the Town Offices from the road. The project is almost finished.

Town Hall Annex: Larkin stated that a committee needs to be set up and would like to recruit volunteers via the town website. Joanne Condesta has volunteered.

Library Parking Lot: Bart Bevis will be asked to provide plans and specs for the project. Bevis offered his services at the Annual Town Meeting.

- **Other Business**

Larkin reported that the Planning Board inquired as to whether the town had permits for floating vegetable stands. McKeon stated that there are none. Larkin stated that the proper papers need to be approved with Chet Greenwood for operating a business out of the home. McKeon questioned if it would be determined that it was an additional business added to the site.

Levlocke inquired as to why the town hasn't done background checks for the Parks & Recreation, especially employees. The board felt that it is necessary to have background checks done on the applicants being interviewed for the new director position. Chesterfield Police Chief Fairbanks will be invited to attend the April 23 meeting to discuss the procedure for doing background checks.

Grace reported that Barbara Girs has requested approval for her and Kristin McKeon to attend a seminar on a scheduled work day. The board has asked for more information on the seminar to be provided at the April 23 meeting and will discuss employee coverage that may be needed.

- **Nonpublic RSA 91-A:3 II (c)**

*Levlocke moved to go into Non-Public per RSA 91-A:3 II (c). The motion was seconded by Larkin, which carried.*

*Levlocke moved to adjourn from Non-public session and seal the minutes. The motion was seconded by Larkin, which carried.*

*With no other business to conduct, Larkin moved to adjourn at 8:45 p.m. The motion was seconded by Levlocke, which carried.*

Respectfully submitted,

Patricia Grace, Secretary to the Selectboard

Approved by:

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Jon P. McKeon, Chairperson

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Date

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Elaine H. Levlocke

\_\_\_\_\_  
Date

\_\_\_\_\_  
James M. Larkin

\_\_\_\_\_  
Date