

**Town of Chesterfield
Board of Selectmen
MINUTES
February 17, 2016**

CALL TO ORDER

Chairman Jon McKeon called the meeting to order at 6:05 p.m. Others in attendance were Brad Roscoe, Dan Cotter and Rick Carrier, Town Administrator.

McKeon opened the meeting by welcoming those in attendance and requested that they raise their hand, state their name and to have their questions or comments directed to the board.

FOR SIGNATURE

- Manifest #7
- Selectmen Minutes – February 10, 2016
- Deputy Health Officer Appointment
- Current Use Applications (3) – Saba, Lathrop, Fish

- **Bennett Road – Attorney Kossayda Correspondence**

McKeon moved to go into Nonpublic RSA 91-A:3 II (e). Cotter seconded the motion, which passed unanimously.

Roscoe moved to come out of Nonpublic. Cotter seconded the motion, which passed unanimously.

Roscoe moved to seal the minutes. Cotter seconded the motion, which passed unanimously.

McKeon noted that the board has correspondence going out to the town's attorney and will be moving forward to establishing the boundary line of the right-of-way on Bennett Road.

APPOINTMENTS

- **6:30 p.m. Robert Hodgkins – Highlander Arms**

Carrier noted that he has received a memo from the code enforcement officer indicating that he received a letter dated January 21 from Highlander Arms in that they have "terminated a part-time employee to comply with the Home Industry ordinance 402.4". They also indicated that they have removed their advertising hours on their website and replaced with it with "By Appointment Only" and will remove hours from "social media, website, and "our radio station". Hodgkins has filed for a ZBA hearing that is scheduled for March 15 to rehear the special exceptions to assemble and sell firearms and address the issue of having expanded a non-conforming use without ZBA approval and without a building permit.

McKeon noted that code enforcement was supposed to look at the building for compliance to code issues, electrical issues and accessibility issues. Hodgkins stated that he has had an open building permit since 2010 on the conjoined building for the addition on the barn. Hodgkin said

they've kept it open to finish the siding on the addition. Carrier noted that the Special Exception was given in 2007 and the building permit was to expand the use of the business in 2010.

McKeon stated that there are still questions on whether there are two separate businesses. Hodgkins replied that it is one business and they file one tax return. McKeon asked for some documentation indicating such. Attorney Nathan Lynch, attorney for Hodgkins, stated that he will provide that documentation to the board. McKeon noted that, upon receiving that documentation, going to the ZBA is the last hurdle that will be required of Hodgkins.

Cotter noted that he still has concerns of the expanded use in that they are still doing the same thing but are working in a bigger footprint and noted that this is a home business. McKeon stated that the Special Exception was for the business as it was presented and expansion of footprint or volume needs to go back to the ZBA. The owner needs to comply with the zoning and code enforcement, regardless of whether he received a building permit. Lynch stated that the permit was given for the barn and the code enforcement officer did not perform an inspection this week and asked for it to be waived. McKeon reminded Hodgkins that the board has requested his cooperation of taking care of the business issues since October 2015. Cotter noted that the one outstanding issue is the expanded use. Hodgkins stated that the footprint has remained the same 1,800 square footage, 30x60 since the beginning (2007). Hodgkins stated that they added more space that they don't do business in and the addition was for the business because he needed room "for overflow". Hodgkins added that they don't manufacture anything in that part of the building and his employees don't go into that part of the building. McKeon explained that if Hodgkins has expanded his footprint into another piece of the building, in which he noted that he needed for overflow, then that is expansion. Cotter noted that the expansion in the new barn is part of the business. Cotter added that Hodgkins should move the overflow into the main building until after the March 15 ZBA meeting. Hodgkins replied that the bullet trap is the only overflow item. Cotter added that if the bullet trap was moved before code enforcement does the inspection. That will verify that Hodgkins doesn't have business materials in the barn. Mrs. Hodgkins agreed to call early next week to get an appointment for an inspection with code enforcement of code issues and to determine if expansion of the footprint is for business activity, including storage.

Evan Deutsch asked if Hodgkins meets the criteria of the inspection, will the license get signed before March 15. Cotter noted that it could, as long as the expansion doesn't extend into the barn.

FOR DISCUSSION

- **Suggestion Box**

There were no suggestions in the suggestion box.

- **Town / Budget Warrant Recommendations**

The Budget Committee recommended a cut from the library operating budget of \$5,899, which is the amount calculated for the longevity pay. They voted not to recommend the two broadband warrant articles of \$5,000 each. They also voted not to recommend the \$14,000 for deconstruction of a town owned building in Spofford from the petitioned warrant article. The Budget Committee recommended all other articles that were recommended by the Selectboard.

McKeon moved to recommend item #27 in Article 4 to be in step with the Budget Committee of \$143,029 with a total of \$3,034,285. Roscoe seconded the motion, which passed unanimously.

Roscoe noted that options, consultants and possible grants should be discussed for consideration for Articles 25 and 26 to be able to put together a plan by the end of the year. McKeon noted that this is a worthwhile investment.

Roscoe moved for the board to support Articles 25 & 26 of the Town Warrant. McKeon seconded the motion, which passed unanimously.

Cotter noted that the Budget Committee didn't recommend Article 29 for deconstruction of the old Spofford Police Department building because it didn't want to spend money to tear down a building and if there was a reason for it to be torn down, that the selectboard would have addressed it earlier. McKeon noted that the petition was submitted long before the board started to discuss budgets and it had been discussed in previous years. He added that the board did not receive a proposal from a prior interested party for that property. Roscoe noted that there are liability issues with that building and it will need to be addressed.

Roscoe moved to recommend support of Article 29 of the Town Warrant. Cotter seconded the motion, which passed unanimously.

The selectmen signed the 2016 Town Warrant.

- **Draft Wares Grove Cottage Residence Agreement**

The board agreed to leave the Agreement as written. They will discuss the Agreement with the P&R director.

- **Town Hall Repairs Proposal**

The board approved the proposal from Craig Robidoux to do repairs for door hinges, seal windows in the Annex with plastic and provide floor protection on the bottom of the steps leading to the stage. The board will determine if the stairs should be permanently attached to the wall, after Roscoe has reviewed the best area for the stairs to be located.

- **HB 1589 – Transport of Exotic Weeds**

The HB 1589 has passed the NH House Resource Committee. This bill is for boat owners to clean and drain their boats from one body of water to another to prevent the spread of exotic aquatic weeds.

McKeon moved to send another letter of support from the Selectboard for House Bill 1589 to Senator Molly Kelly and local representatives Abbott, Berch, Sad and Weber. Cotter seconded the motion, which passed unanimously.

- **Draft Town Reports**

The town report will be going to the printer on Friday and the report should be available for the residents by March 1.

OLD BUSINESS

Wares Grove Cottage: The drywall work will be finished on Friday and the electrical repairs will be done next week.

Town Email Addresses: The email users are aware of the changes to their new email addresses.

Property Owners – Apartments: Waiting to hear from Barbara Girs on the draft letter.

Rescue Inc. Representative: The board is still looking for someone to volunteer as representative.

ZONING ISSUES

Santo: - 87 Hewitt Road/additional dwelling – Carrier and Chris Lord will discuss the letter from J.R. Davis on the driveway issue.

Highlander Arms: - Appointment only customers, number of employees and building without a permit – Was discussed with the applicant earlier at this meeting.

Forest Ave: - Driveway exceeds permit – Carrier contacted legal counsel to draw up court documents for board signature.

LP Tanks in Setback: Town wide

Westervelt: Owner to relocate tank in April.

Banak: Dec. 9 schedule passed, follow up setter sent to owner.

Marilyn George: Approval to hold off until spring.

Bohan: Owner has applied to ZBA – Code Enforcement approved to hold off until spring.

Brabec In-Law Apartment: - 12 Bob's Way listed for sale with in-law apartment – Code enforcement sent a letter to owner – Owners have indicated that they have sold the property. A voicemail message was sent to the listing real estate agent for clarification on number of bedrooms regarding work done without a permit.

Gateway Preserve: - Erosion control – Code enforcement will continue to monitor the erosion and inspection of owner and/or contractor's maintenance log. McKeon noted that Code enforcement should also be walking the perimeter of the site.

EJ Prescott: - Signage – Code enforcement has discussed signage compliance with owner. Two businesses are being discussed at next Planning Board meeting.

888 Route 9: - Unauthorized Residence - Owner has been contacted by Code enforcement.

OTHER BUSINESS

Roscoe has been invited to speak to the Economic Development Committee at their next meeting on the Articles 25 & 26.

John Koopmann expressed his concerns on the wetlands and watersheds beyond the lake. Koopmann provided a copy of recent article written by a local Brattleboro newspaper regarding watersheds, including the effects of clear cutting and runoff issues.

With no other business to conduct, Roscoe moved to adjourn the meeting at 7:41 p.m. The motion was seconded by Cotter, which passed unanimously.

Respectfully submitted,
Patricia Grace
Secretary to the Selectboard

Approved by:

Jon P. McKeon, Chairman

Date

Brad Roscoe

Date

Dan Cotter

Date