

**Town of Chesterfield  
Board of Selectmen  
MINUTES  
January 27, 2016**

**CALL TO ORDER**

Chairman Jon McKeon called the meeting to order at 6:07 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 for questions or comments.

**FOR SIGNATURE**

- Manifest #4
- Selectmen Minutes – January 20, 2016
- Yield Tax Certifications (4) – Hampshire Timber
- Timber Tax Warrant
- Property Tax Abatement
- Payroll Change Notices – Code Enforcement

**APPOINTMENTS**

- **6:15 p.m. Rob Hitchcock – McKenna Way**

Present: Rob Hitchcock and Mike Cersosimo

Rob Hitchcock stated that McKenna Way road has been built and SVE would like to clarify road issues so that the road will be accepted as a town road. McKeon noted that SVE needs to follow steps under the Road Acceptance Policy and the town requires the paperwork. Hitchcock stated that he received a request from Carrier for sieve analysis, compaction testing and asphalt depths. He added that the gravels were not sieve tested beforehand and the bank run gravel was processed in 2010 by Cersosimo. Hitchcock noted that he has two sieve tests taken before 2010 and he received two more sieve tests since Carrier's email request.

Hitchcock stated that Cersosimo's supervisor kept Bart Bevis in the loop during the construction of the road. McKeon replied that the board had Bevis step away as an engineer. Cotter noted that Bevis was not an engineer. Hitchcock stated that he has added up all the slips for the asphalt that was delivered and calculated the volume and it comes to within 5% of what he feels it ought to be. Hitchcock noted that he does not have any compaction tests and added that the pavement has been in place since September of 2014 and it should settle within three years. McKeon noted that he had reminded the SVE representative of the report requirements at one of the Planning Board meetings, during the road development. Cotter added that compaction tests are done on roads during the road construction. Hitchcock stated that he didn't instruct the superintendent to do it and it didn't get done.

Cotter noted that the compaction test will have to be done. McKeon noted that the board needs to be provided with the pavement depths and to get the wear course and finish course

information. McKeon added that the depths of the paving need to be recorded. Hitchcock and the board agreed that one sample spot will be done at the start of the cul-de-sac. The testing will be for pavement depths, wear and compaction. If this spot passes the compaction testing, gravel meets specification and the pavement depths are compliant, then no more of this testing will be required. If not there will be additional testing required

Hitchcock stated that at the ravine he is willing to switch out the flat top with a domed top at the catch basin to prevent flooding. McKeon recommended that Hitchcock contact M&W to be sure that the project as installed complies with their design, which was approved by the Planning Board. Hitchcock will contact M&W to review the work done on the ravine stabilization on McKenna Way and reschedule another visit with the board.

McKeon noted that the Development Agreement signed September 5, 2012 between Timothy Hanson and the Selectboard stated "that all work required under this Agreement shall be completed prior to acceptance of the road . . . "

McKeon stated that the reason for having two different bonds was because if the road was not done and the ravine was done and accepted, then the bond could be removed from the ravine. John Koopmann asked if further work is done, would it need prior approval of the Planning Board. McKeon's responded that the reason to get M&W to review the work is to be sure that the work complies with their design.

- **6:45 p.m. Howard Lane, Gary Kenyon & David Gale – Route 9A Building**

McKeon stated that he would step back from voting on this issue because he is a shareholder to the abutting property owned by Thomas Eaton. Attorney Lane stated that David Gale is under contract for purchasing the Eaton property located on Rt. 9A in Spofford. Gale would like to build on the property and has submitted the plans to the building inspector.

Gale had provided a survey performed in 2011 on the Route 9A property which indicated that the property consists of .83 acres. The town assessing records indicate that the property consists of .77 acres. Gale requested that the town records reflect .83 acres for that parcel. McKeon stated that the board requires documentation to be sure that .83 acres is accurate. Lane stated that the footage on the road and the footage on the lake had been consistent for 100 years and the neighbor had encroached onto the Eaton property. By virtue of a property line agreement approximately 3 or 4 years ago, that boundary line was reestablished as being the correct line. A copy of the Boundary Line Agreement between Eaton and Lake Spofford Family Recreation, Inc. dated February 3, 2015 was provided to the board and was recorded in Book 2894 and Page 1046 in the Cheshire County Registry of Deeds. Lane noted that the Boundary Line Agreement has not been recorded in the club's deed. He added that the club's deed goes back to 1956 and if the club were to sell their property, they would have to incorporate the Boundary Line Agreement into their description.

*Roscoe moved to reflect the acreage to .83 acres in the town's records. Cotter seconded the motion. Vote called: (2) yes – (1) abstained. Motion passed.*

- **7:00 p.m. Craig Robidoux – Wares Grove Cottage**

Contractor Craig Robidoux provided photos of the mold and other issues in the back room above the entry door at the cottage. He noted that with the floor having to be raised 16 inches,

the outlet and switches will also need to be raised, which were not included in the proposal accepted by the board. The new proposal will be to not remove the existing floor.

*McKeon moved to withdraw the scope of work of \$6,100 with the description to remove the existing floor. The work added to the scope is for the flooring portion which equals the amount of \$4,500 to frame a new flooring system over the existing floor and to install a new 3x3 PT landing stairs outside the door. Also to add to the scope the amount of \$1,600 to remove all the masonite walls and install sheetrock, the 6 inch poly and install sheetrock over the existing ceiling. This does not include primer and paint or the electrical work. Roscoe seconded the motion, which passed unanimously.*

Robidoux noted that the carry beam over the kitchen sink was removed. McKeon stated that new posts need to be added with a section of beam across where the cabinets are. The board will revisit the window installation issues and the cosmetic repairs after the structural issues have been taken care of.

*McKeon moved to authorize Cotter to assess the heat duct in the back bedroom area and decide what issues need to be addressed before the floor work is started. Roscoe seconded the motion.*

McKeon noted that if there isn't a monetary value, then Cotter can address the issues and not spend the money. The board will plan to meet on Friday, January 29 at 4:00 p.m. at Wares Grove Cottage. The board will contact an electrical contractor to look at the electrical work to be done at that meeting.

*McKeon moved to withdraw his motion. Roscoe seconded the motion to withdraw the motion.*

## **FOR DISCUSSION**

- **Suggestion Box**

There were no suggestions in the suggestion box.

- **Draft Monthly Email**

The board made changes to the draft monthly email for the Budget Committee portion of the public hearing. Roscoe suggested adding a note stating that the upcoming Building Number Ordinance can be viewed on the town's website. Barbara Girs asked to add a note that the Town Clerk's office will be closed on Wednesday, February 10.

- **P&R Building Exp Trust Expenditure**

Carrier noted that the board has invoices in the amount of \$9,525 for the Wares Grove Cottage repairs.

*Cotter moved to approve Carrier to pay the invoices of \$9,525 from the P&R Building Expendable Trust Fund. Roscoe seconded the motion, which passed unanimously.*

- **Bennett Road Discontinuance Petition**

A petition was received to discontinue Bennett Road which was signed by 28 registered voters. The abutters will need to be notified by verified/certified mail.

*McKeon moved to move forward with the petition and authorize the postage expense to be sent to Attorney Adam Kossayda. Roscoe seconded the motion, which passed unanimously.*

An email was received from Joe and Diana Warhall requesting a timeframe of removal of items in the right-of-way on Bennett Road. Cotter noted that a letter was previously sent after David Mann's survey was accepted.

David Gale asked what happens if the road is thrown up. Cotter noted that the recommendation from the NH Bar Association was to not throw up a road unless you have agreed upon deeds from abutters as to who will own what property and the deeds need to be in place. McKeon added that there is no maintenance agreement between anyone. There is no recommendation from the Planning Board or the Selectboard on the petition for discontinuance.

Gale noted that he installed a new manhole and catch basin. He cleaned out the leaf filled swale near the Warhall's house. He added that the road is going to need repairs. Gale is concerned with liability issues if someone gets hurt.

Richard Diesl asked who would be liable for the road repairs if the property owners don't own the road. He also inquired as to when the street signs were set up around town. The small "private road" signs no longer exist. McKeon and Cotter both stated that a "Small private road sign" does not designate the road status.

John Koopmann suggested that the board get a clarification of responsibilities pertaining to the Bennett Road petition. McKeon noted that the board will inform the public of what the ramifications will be for the town. Cotter stated that his concern is with the liabilities of the town.

The board will instruct the road agent to verify that there is nothing left in the right-of-way on Bennett Road.

- **Draft Town Reports**

No additional reports were submitted.

- **Draft Selectboard Town Report**

No changes were made to the report.

- **Personnel Administration Budget**

A change was made that reflects the health insurance that the board voted for on January 20, 2016.

- **Town Office Entryway**

The entryway is heaving at the front of the town office building. The board authorized Carrier to purchase a rubber threshold ramp for a safer entry.

- **Spofford Village Building Deconstruct Petition**

The Catamount report noted that there was no asbestos found during their inspection at 400 Route 9A. McKeon stated that a notice must be posted two weeks prior to the demolition of the building. Carrier stated that there is currently \$20,000 available for the demolition of the town owned building. The Hoag proposal did not include pricing for the dumpsters.

- **Forest Avenue Driveway**

Town counsel indicated that merging of the lots would not relieve the driveway violation. McKeon noted that the permit that was given was to allow the owner to bring the driveway through the side setback. The board will meet with legal counsel.

John Koopmann noted that the permit only addressed two of the four lots. He added that the two lots east of the driveway were intended to be incorporated by DOT for the original driveway and those lots have frontage only on Route 9.

- **Presidential Primary / Selectmen Availability**

The board coverage at the Presidential Primary will be McKeon from noon to the end, Cotter at the end of the day and Roscoe will be present all day.

## **OLD BUSINESS**

Ware Grove Cottage: The contractor will be meeting with the board on January 29 at 4:00 p.m. to evaluate construction issues.

Town Email Addresses: Roscoe noted that the police department will be keeping their current provider. The board agreed to have Roscoe move forward on the new email addresses.

Spofford Building Petition: No asbestos was found during the inspection.

Property Owners – Apartments: Requested changes were suggested to Kristin McKeon's draft letter that will be mailed out to all property owners town wide.

Rescue Inc. Representative: McKeon has two residents that he will contact.

## **ZONING ISSUES**

Santo: - 87 Hewitt Road/additional dwelling – Letter sent to owner.

Highlander Arms: - Appointment only customers/# of employees – Code enforcement sent a letter to owner on Jan. 21.

Forest Ave: - Driveway exceeds permit – Board to meet with legal counsel.

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.

Elia Gilbert: - Welcome Hill Road - Owner living in non-forming structure – Owner notified by letter on Jan. 21 that structure must not be occupied. Code Enforcement posted a notice on the camper on Jan. 21.

## **OTHER BUSINESS**

Barbara Girs suggested that if the moderator cannot be perform the moderator duties during election day, that the moderator salary be distributed amongst the workers who perform those duties. The board determined that there is no written policy on the issue. No decision was made.

Girs requested that the question and answer budget materials be available one week prior to town meeting day. Carrier noted that the handouts materials for residents are usually on the website about a week prior to for the public hearing. Koopmann suggested that a notice be posted on the monthly newsletter that the documents will be available on the website.

Girs noted that the stone wall in front of the school has been deteriorating. Girs stated that the stone wall and the field are town owned. The board will have Chris Flagg look at the wall on Rt. 63.

Cotter announced that he will be able to attend the public hearing but Bayard Tracy has volunteered to fill in to answer any questions of the Budget Committee.

McKeon announced that Jon Starbuck is the new chairman of the Economic Development Committee. A business gathering will be set up at People's Bank in April. A list of in-town businesses now appears on the town's website.

Roscoe noted that the Conservation Commission just received a grant and is waiting for approval on another grant request. Roscoe has asked the Commission for assistance in applying for a grant for the Broadband Committee.

Roscoe announced that the Spofford Lake Association is putting together an action committee to address the silt issues at the lake. SLA is trying to follow the plan that Lake Wentworth and Crescent Lake has developed.

McKeon announced that there is a House bill #1589 that is coming up that would require boat owners to clean off the outside of their boats and trailers to remove all vegetation and the drain water from their boats between one body of water to another. McKeon urged the other board members to support the bill to help preserve the lake. An electronic petition is available signatures.

*Cotter moved to authorize Carrier to sign the petition on behalf of the Board of Selectmen. Roscoe seconded the motion, which passed unanimously.*

*With no other business to conduct, Cotter moved to adjourn the meeting at 9:38 p.m. The motion was seconded by Roscoe, which carried.*

Respectfully submitted,

Patricia Grace  
Secretary to the Selectboard

Approved by:

\_\_\_\_\_  
Jon P. McKeon, Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Brad Roscoe

\_\_\_\_\_  
Date

\_\_\_\_\_  
Dan Cotter

\_\_\_\_\_  
Date