

**Town of Chesterfield  
Board of Selectmen  
MINUTES  
February 24, 2016**

**CALL TO ORDER**

Chairman Jon McKeon called the meeting to order at 6:04 p.m. Others in attendance were Brad Roscoe and Rick Carrier, Town Administrator. Dan Cotter arrived at 6:09 p.m.

McKeon opened the meeting by welcoming those in attendance and requested that they raise their hand for questions or comments.

**FOR SIGNATURE**

- Manifest #8
- Selectmen Minutes – February 17, 2016
- E911 Mapping Data Request
- Land Use Change Tax – DK East & Schlicting, Jr.
- Lane Use Change Tax Warranty (2)
- Argent Cable Franchise Agreement Renewal

**APPOINTMENTS**

- **6:30 p.m. Chief Phil Tirrell – Fire Mutual Aid**

The board invited Chief Phil Tirrell to discuss the 6% increase in the Fire Mutual Aid budget. Tirrell noted that part of the increase was due to Charlestown Fire Department having left the Mutual Aid system in June of 2015, which took an entity out of the system, where the dispatch fees of \$42,000 was split up between the community. Charlestown was responsible for 200 calls per year. Tirrell noted that there was an increase in the retirement system, health insurance and wages. He added that the charge to towns is based on 50% for population, 40% on equalized assessed evaluations and 10% for fixed costs.

- **7:00 p.m. Rebecca Todd – Town Moderator**

Rebecca Todd met with the board to discuss the process of the town meeting. The board noted that they would like the 2016 Town Meeting to be consistent with how it has been done in the past. Todd suggested that a pro tem moderator be available.

**FOR DISCUSSION**

- **Suggestion Box**

There were no suggestions in the suggestion box.

- **Draft Monthly Email – Chesterfield Happenings**

Roscoe would like to have the 911 Ordinance letter added to the monthly email. McKeon requested that the opening seats for board members be listed in the April monthly email. The board is also looking for an OEM director.

- **Apartment Registration Letter**

The board approved the changes made to the apartment registration letter that was created by Kristin McKeon. The apartment numbers will be assigned when the registrations are approved at the Town Clerk's office. The letters will be available at the town meeting.

- **Wares Grove Cottage Proposal**

A proposal from Craig Robidoux was approved by the board for trimming windows and doorways for \$1,125. Another proposal of \$400 was approved for removing existing wall sheathing and adding sheetrock. Total repair costs to date are \$11,435, which does not include electrical or cosmetic work. Jeff Scott suggested that the contractor submit a quote to divide the large bedroom to make two smaller bedrooms for a long term investment.

- **Parks & Rec Building Exp Trust Expenditures**

*McKeon moved to expend \$3,435 from the P&R Expendable Trust Fund to pay for the renovations to the Wares Grove cottage building. Roscoe seconded the motion, which passed unanimously.*

- **Highlander Arms Follow-Up**

The board received a verification letter from Attorney Nathan Lynch, legal counsel for Highlander Arms, noting that Highlander Security Consulting is a "trade name" and not a separate business owned by Robert Hodgkins III. McKeon also spoke with Attorney Margaret Barnes to verify the definition of expansion of a business/footprint. The ZBA Notice of Decision does not state anything that there can't be an expansion of the footprint or business but it does fall under the category of a home business. Within the home business category there are no restrictions for growth of the building, other than the local zoning. There is an employee limit issue. Cotter noted that the (ZBA) decisions did not list the business name in the Special Exception as a consulting and manufacturing business. A later decision stated that sales was added. Attorney Barnes instructed McKeon to go through the meeting minutes to read what was discussed.

McKeon noted that a code enforcement report, dated February 24, 2016, stated that no building permit was granted by code enforcement for the work that has been done at 1041 Rt. 63 for their display room and 31'x35' work area. The report also stated that each toilet and bathing facility shall be accessible for persons with physical disabilities. Signage for handicap parking is required at Highlander Arms. McKeon noted that bathroom facilities are required for the public and employees. McKeon stated that the code enforcement officer can issue a temporary certificate of occupancy with conditions and, under certain conditions, a timeline should be listed. McKeon noted that the code enforcement report does not state that Hodgkins can't occupy the building.

McKeon noted that if there is not a business on the premises that is open to the public, then a bathroom is not required in the building. Cotter stated that a permit is needed for the expansion and the alterations to the barn. Carrier noted that permit fees are doubled if work was done without a permit.

*Cotter moved to require Robert Hodgkins to apply for a building permit for the work that has been done. Hodgkins will need another building permit to address any code concerns and whatever needs to be addressed, such as water closets and for the board to sign the license permit for Hodgkins to sell pistols and revolvers. Roscoe seconded the motion.*

Discussion: McKeon noted that none of the board members are trying to have Highlander Arms business be shut down. The board has been trying to get the building in compliance for that and it appears that the board is closer to that. McKeon feels that the board is using a leverage point to be able to have this be in compliance. If the permit is signed without the conditions of the Code requirements met, the board and town loses the leverage point it holds to ensure the compliance is met. McKeon noted that if a permit has a temporary C of O, it could state that a deadline needs to be met as a leverage point, but this motion does not have one. Cotter stated that a building permit should have been done before the work was done by knocking down a wall on the inside of the building.

Vote called: (2) Yes, (1) No

*The motion passed by majority vote.*

- **Release of Welfare Liens**

The board received a request from a local attorney to release, without guarantee of payment, welfare liens of a deceased recipient so the heirs may sell the property. The town attorney does not agree with the statements of the local attorney regarding some of the expenses that have priority over the town's welfare lien. The town expended over \$21,000 over the years and with interest, the amount due the town is over \$30,000. A suggestion from the town attorney is to ask whether there are any recorded liens with priority over the town's welfare lien. Carrier noted that the lien is on 1/3 of the property owned by the deceased. The board wants to see all of the recorded liens to determine the priority of the welfare liens. Cotter added that he would like reasons for other liens and the RSA's for setting the priorities of the lien out.

Carrier noted that the purchase and sales agreement implies that it is for \$120,000 and the property is assessed for \$180,000.

- **Economic Revitalization Zone Renewal**

In 2010 the selectmen established an Economic Revitalization Zone for the vacant land commercial properties in the Stow Drive development. There is no cost to the town for this designation and any business that creates full time jobs on these vacant properties can apply for a business tax credit with the NH DRED. McKeon noted that it also enables the Economic Development Committee to award grants. Carrier noted that there are four vacant land lots. The board approved the ERZ renewal. McKeon asked if this same type of zone could be applied in other areas of town.

- **Town Meeting Handouts**

The board discussed having handouts for the Capital Maintenance Plan. They will also display photos of the options of the Town Hall annex.

- **Town Hall Repairs – Stage Steps**

The stage steps will be attached to the right side of the stage and a hand rail will be added for safety. Plywood will span the well around the edge of the stage, which will be made removable.

- **Gateway Preserve**

Code Enforcement reported on concerns he has received regarding erosion control at the Gateway Preserve. Code Enforcement Officer Frank Richter will request copies of the approved

AOT plans, the DES/Wetlands permit drawings and the drawings submitted with the NOI permits. He will also do a site inspection and request a copy of their maintenance log on the week of February 29.

## **OLD BUSINESS**

Ware Grove Cottage: Venting for exhaust needs to be moved. The cosmetic wish list will be provided by P&R.

Town Email Addresses: Roscoe will look into concerns of moving the old website over to the new email accounts. The library and town clerk does not want to get onto the new email account.

Property Owners – Apartments: This was an agenda item earlier in the meeting.

Ambulance Options Comm: The board will actively be looking for an OEM director.

## **ZONING ISSUES**

Santo: - 87 Hewitt Road/additional dwelling – Chris Lord replied to Santo's attorney in that the driveway is illegal and has allowed a one month extension for the attorney to research the issues.

Highlander Arms: - Appointment only customers/# of employees – Addressed the issues earlier at this meeting.

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 letter 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 report noted that the realtor cancelled the inspection of the 4<sup>th</sup> bedroom which exceeds the permitted 3-bedroom septic system and for a non-permitted in-law apartment. The realtor rescheduled the inspection for February 29. The board has requested documentation from the owner stating that the realtor is the authorized agent to the property.

Unauthorized Residence: - Route 9 trailer, former Kray property – A code enforcement report will be available at next week's meeting.

EJ Prescott Signage: - Exceeds allowable signage – A code enforcement report will be available at next week's meeting.

## **OTHER BUSINESS**

Jeff Scott inquired as to whether the present logging operation on Route 63 is being monitored for any affect it may have on the wetlands. McKeon noted that the town issues the timber cut permits. Norm VanCor stated that the Conservation Commission has a right to ask for an onsite inspection.

John Koopmann expressed his concerns with the large amount of tree cutting that was done between the lake and Route 9 a few years ago. He recently spoke with Chet Greenwood who noted that DES did not require an alteration of terrain permit for that site because the owner was going to plant with Christmas trees the that location. To date, there has not been any Christmas trees planted and the owners did not have to go through the permitting process or DES inspection. McKeon stated that the cutting area was stumped and that area was over 100,000 square feet.

Koopmann spoke of another property along Route 9 near the lake that has no erosion control.

Koopmann asked for a written procedure from the Selectboard for establishing guidelines and formalizing them for violations of wetland or environmental issues such as who follows up on those issues, who is responsible to whom and what involvement does the Conservation Commission have and who follows up with DES.

Cotter asked if there was a town procedure in the handling of credit cards. Carrier noted that there was not. Cotter added that there should be a credit card and a purchasing policy that states that the town is exempt from a sales tax and a tax exempt number should be in place. McKeon stated that credit card purchases are restricted to town purchases only.

*With no other business to conduct, Cotter moved to adjourn the meeting at 10:15 p.m. The motion was seconded by Roscoe, which carried.*

Respectfully submitted,  
Patricia Grace  
Secretary to the Selectboard

Approved by:

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Jon P. McKeon, Chairman

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Date

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Brad Roscoe

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Date

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

\_\_\_\_\_  
Date