

**Town of Chesterfield
Board of Selectmen
MINUTES
March 9, 2016**

CALL TO ORDER

Chairman Jon McKeon called the meeting to order at 6:00 p.m. Others in attendance were Brad Roscoe, Dan Cotter and Rick Carrier, Town Administrator.

McKeon opened the meeting by welcoming those in attendance. He requested that they raise their hand for their questions or comments to be directed to the board members.

FOR SIGNATURE

- Manifest #10
- Selectmen Minutes – March 2, 2016
- Credit Card Policy
- Appointment Papers – Selectmen, Treasurer, Fax Collector, Supervisor of Checklist, Trustee of Trust Funds & Cemetery Commission

APPOINTMENTS

• **6:30 p.m. Steve McGrath & Jeff Marcoux (DES)**

Steve McGrath, President of Spofford Lake Association, provided progress reports and research that SLA has started for trying to save the water quality at Spofford Lake. There have been reports of water quality issues around Pierce Island and in the southern portion of the lake. He noted that the public beach was closed in the late summer of 2015 due to a result of high bacteria count. The state has provided guidance for program information that will require involvement of town officials, associations that work with the programs, someone to chair the project and requirements needed to be met for funding. McGrath noted that Spofford Lake is a major resource for Cheshire County and the SLA would like to start a bench program with the state for 2016.

Jeff Marcoux, of NH Department of Environmental Services, works with the watershed section. Marcoux gave a presentation for management plans. The presentation described how impervious surfaces increase stormwater and pollution runoff, goals, scheduling and using best management practices. Marcoux noted that EPA helps fund grants that can hire experts and DES offers technical support. Marcoux suggests that a stakeholder group be established in town by people who are interested in working on the plan and applying for a grant. The 2016 application for the grant is not available until July or August but it will be similar to the 2015 application and that can be viewed on the DES website. If funding is approved, the group can hire a consultant to work the DES. The federal government, through the EPA Clean Water Act, gives grants to the state and monies are given to municipalities and non-profit groups. The grants are 60/40: 60% comes from the federal grant and 40% comes from the town that can be in-kind match, i.e. volunteer labor. McGrath noted that many of the tasks that are already being done, such as the watershed plan, the Weed Watch program and the boat launch ramp for the Lake Host program, which are all samples of in-kind matches.

Charles Paquette of South Shore Road asked if there was a way to determine the impact that has occurred as a result of watershed and if the priorities could be identified. Marcoux noted that he has reviewed a lot of data that has been collected and it appears that there are issues in the lake, i.e. bacteria issues and a declining trend in water clarity that it is getting worse. McGrath added that Paquette brought the silt issue to SLA around his property. The silt issues are occurring all around the lake which adds increase weed growth in those areas. McGrath noted that a source of the silt needs to be addressed to help remedy the issue.

Roscoe asked who has authority at the lakes. Marcoux replied that it depends on the nature of the issue. On small scale projects, the town maintains control through zoning ordinances. In order for the state to be involved in a water quality problem, proof is needed to determine what is causing the water quality impairment, and resources can be provided to remedy the issues.

Pam Walton of Rt. 63 asked if a portion of the funds from EPA are allocated to water bodies or is all the money going to be given to grants where there are serious pollution problems. Marcoux replied that the EPA wants the state to strike a balance to try to protect water bodies before the issues become bigger issues.

Bob Brockmann asked how other communities handle volumes of road salt getting into the lakes within an average of 100 feet of the water. Marcoux replied that the towns have to address it at the source with the amount of salt being applied and how it is being applied.

Marcoux stated that the current volunteer hourly rate is about \$21.00 per hour and any professional work or town work can be charged at fully burden rate and can be charged against the grant. There is no up-front funding available. There is a two-year timeframe that grant money has to be expended.

Property owners should be contacted around the watershed areas and they should be asked for permission to go onto their property. Property owners can refuse to allow others to go onto their property. The town can require that septic systems be checked, if an ordinance is in place. Cotter recommended that the property owners be made aware of what the town is attempting to do before they are asked to allow anyone onto their properties.

Paquette noted that his 80 foot beach area has gotten worse in the past few years. He has had to remove 20 loads of thick black leaves with a 4x8 ft. trailer to clean the beach.

Susan Campbell, of the Silverdale area, stated that she has 10-12 years of photos and documentation showing washouts on her property. The groundwater is coming from underneath the stone wall.

James Corliss asked if there are things solvable by the landowner without going to DES to get permission to make modifications and where can the information be obtained. Marcoux replied that DES can provide resources for controlling storm water on a small scale. DES has a program called "Soak Up The Rain" project. Permits may be required.

Best management practices should be used during logging operations so to not create water runoff. Susan Lawson-Kelleher stated that there should be a Planning Board copy of a draft of a water resource plan that was done several years ago that may have historical value to the town.

- **7:00 p.m. Erik Barnes – Nonpublic RSA 91-A:3 II (a&c)**

McKeon moved to enter into nonpublic RSA 91-A:3 II (a&c). Cotter seconded the motion which passed unanimously.

Cotter moved to close the nonpublic session. Roscoe seconded the motion, which passed unanimously.

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

FOR DISCUSSION

- **Suggestion Box**

There were no suggestions in the suggestion box.

- **Town Meeting Election Results**

Rebecca Todd won the Moderator position by receiving 104 votes over votes of 103 for Michael Bentley. The votes were recounted twice and the vote remained the same following the recounts. There was a five-way tie for the third seat for the Budget Committee.

- **Town Meeting Handouts**

Changes were made to the proposed floor plan drawing for the Town Hall and Annex, which will be posted at the town meeting. An explanation will be included with the floor plan on three phase options to bring the building up to code.

Moderator Rebecca Todd will provide the residents with a “Ten Simple Rules for Chesterfield Town Meeting” explaining the process of how the meeting will be conducted.

Copies of the Capital Maintenance Plan will also be available at the town meeting.

- **Boat Registration Agent**

Frank’s Marine will no longer be issuing boat registrations due to lack of staff to perform the manual data entry. The Department of Safety has made changes to the boat registration process to be performed electronically by municipal agents, which can be done by the town clerk.

- **Tax-Deeded Property Sale – Wildwood Road**

The advertisement for the sale of 29 Wildwood Road will be listed in the Sentinel, Reformer and on the town’s website. An escrow account of \$14,000 will be required of the successful bidder prior to closing to ensure demolish and removal of the existing building and appurtenances from the property within sixty (60) days after the closing. The bids will be due in the Selectmen’s Office by April 20, 2016.

- **69 Forestview Drive Town-Owned Property**

The Selectboard served notice to the prior owner in November 2015 informing her that she had 30 days to remove the possessions from the property. The certified mail was signed but the prior owner has not responded. The board will send another notice to her to inform her that the personal contents will be disposed of.

- **Bennett Road Layout/Superior Court**

The board has authorized the town attorney to accept the services on behalf of the town for a petition filed in Superior Court for a determination of the legal status of Bennett Road by Richard Diesl. The lawsuit against the town for this matter will be discussed in nonpublic at this meeting.

- **Town Hall Stage Steps**

The steps can't be attached to the stage. The steps will be moved to a storage area and out of the open area of the Town Hall.

OLD BUSINESS

Ware Grove Cottage: Venting for exhaust needs to be moved – to be discussed with Brian Bassler. McKeon reported that the windows and doors are cased out and the walls need painting. Mechanical issues to be determined.

Town Email Addresses: Roscoe noted that the process is transferring over but is not complete.

Town Center Tree Committee: Jeff Littleton announced that he, Tom Duston and Roscoe will have the work completed by summer. He added that Scott Rolf will calculate the cost benefit of the town for each tree.

Rescue Inc. Representative: Fill vacancy on Rescue Board – McKeon will contact a person of interest before the next board meeting.

Route 63 Retaining Wall: McKeon met with Chris Flagg/stone replacements are needed. An estimated time of two days of work to rebuilt the wall.

OEM Director Position: An interested candidate will be meeting with the OEM director this week to discuss the position.

Right To Know Request: Public documents will be provided to Hodgkins as soon as they are gathered.

ZONING ISSUES

Santo: - 87 Hewitt Road/additional dwelling – The deadline extension set for March 21.

Highlander Arms: - Appointment only customers/# of employees – Ongoing discussion between Hodgkins and code enforcement for denying building permit.

Forest Ave: - Driveway exceeds permit – Attorney to file court action.

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 – Realtor will get building permits to code enforcement.

Unauthorized Residence: - Route 9 trailer, former Kray property – Code enforcement will provide an updated report.

EJ Prescott Signage: - Exceeds allowable signage – Code enforcement will provide an updated report.

OTHER BUSINESS

Jeff Scott thanked Dan Cotter for filling the position as selectboard member. Joanne Condosta also thanked Cotter for working with the Parks & Rec Commission as the selectboard representative.

A local church resident approached the board noting that the church would like to have the Town Hall available before the permitted time of 9:00 a.m. The Selectmen decided that the policy should not be amended to allow earlier usage, and the request was denied.

Frank Richter, Building Inspector, reviewed the Notice of Intent, AOT, and plans for erosion control at Gateway Preserve. Richter spoke with the owner about the need to monitor and clean out silt collection areas and repair silt fences as soon as compromised or damaged. He also reminded the owner that a foot of standing water in the drainage ditches or dams after 72 hours is a violation of agreement.

John Koopmann asked if anything was formerly addressed with Conservation or DES where the logging occurred and the Christmas trees were not planted. McKeon replied that questions will be asked as a follow up. Cotter noted that USDA may need to be involved because cutting trees is part of agriculture.

Jeff Scott requested that Park & Rec Commission to prepare meeting agendas so that they can be posted on the website.

John Koopmann expressed his gratitude for Dan Cotter to have brought his experience with filling the position on the selectboard. He also wished Norman VanCor good luck as the new board member.

Cotter reported that a number of residents expressed their concerns of conduct during a recent meeting of the Planning Board by members and how business was conducted. McKeon noted that there has to be a public meeting to review documents submitted through the checklist that is provided to the applicant to fulfill. The board reviewed the documents to see if the applicant had followed through by completing all of the items required. The documents are submitted to the board secretary. Bob Brockmann noted that many of the people cannot hear the board members because they are not speaking loud enough for the audience to hear.

Roscoe met with Fairpoint this week to learn of their new improvements for coverage in the Spofford Lake area, where residents should be able to get 25 Mbps of broadband. That service is now available. The two distribution boxes in the Gulf Road and Mill Road area will need to be upgraded.

The Spofford Fire Dept. requested approval to hold a raffle. The applicant did not provide enough information to complete the permit form.

Carrier noted that an office floor is being replaced at the library and asked where the money is coming from. Roscoe was not aware of the replacement flooring but noted that the library has

some donated funds available. Lee Brockmann noted that the new flooring was done but she was not aware as to what funds were being used to pay for that project.

Koopmann wants to be sure that Frank Richter looks into the solid waste issues at Big Deal and the ramp in the back of the building.

McKeon moved to go into nonpublic session per RSA 91-A:3 II (e). The motion was seconded by Cotter, passed unanimously.

Cotter moved to close the nonpublic session. Roscoe seconded the motion, which passed unanimously.

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

With no other business to conduct, Cotter moved to adjourn the meeting at 9:07 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