

**Town of Chesterfield
Board of Selectmen
MINUTES
May 25, 2016**

CALL TO ORDER

Chairman Jon McKeon called the meeting to order at 6:03 p.m. Others in attendance were Brad Roscoe, Norman VanCor 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 #21
- Selectmen Minutes – May 18, 2016
- Notice to Former Owner for Repurchase – Kendall
- Notice to Former Mortgagee for Repurchase – Breen
- Correspondence – Shippee
- Tax Lien Agreement
- Payroll change Notices – Parks & Rec

APPOINTMENTS

- **6:30 p.m. Jorge Crespo – Volunteer EDC**

The board welcomed Jorge Crespo to fill a volunteer position on the Economic Development Committee. That committee typically meets the third Thursday of each month.

- **7:00 p.m. Steve McGrath – Spofford Lake Association**

SLA President Steve McGrath addressed concerns that will involve compliance with the Watershed Protection Program at Spofford Lake and pre-permit recommendations and local inspections requirements of Shoreline Development. McGrath noted that lake quality protection requires local support to observe and report violations around the lake to the Dept. of Environmental Services.

There is also local housing stress as a result of septic runoff into the lake and water runoff from over development within the first 50 ft. of the water buffer zone to the 150 ft. natural woodland buffer zone in the Spofford Lake area, McGrath stated. The DES is responsible for the Protected Shoreland buffer zones.

McGrath noted that it was brought to the attention of the SLA that recently cleared land on Rt. 9A may be in violation of the DES regulations. He stated that a complaint has been filed with DES and he has asked that the town not grant town permits for this property until DES has had the opportunity to determine if the lot is in full compliance with town, state and federal development guidelines.

McKeon stated that there have been numerous calls, concerns and complaints with this particular lot. The town has reached out to DES. Jen Droziak will inspect the lot by the middle of June. McKeon encouraged anyone who sees a violation to contact the code enforcement office. That office has been assured that the prime focus is on erosion control. McKeon stated that the board will be looking at whether the code enforcement position needs to be full time or increase hours for an assistant to alleviate some of the backlog.

McGrath noted that the SLA is looking into a funding program for the watershed management plan. The SLA have already paid \$15,000 in the Lake Host Program, and has put "in-kind" time by volunteers that provides for a setting match for the towns toward offsetting funds to the DES. Some communities have received in access of \$50,000.

Val Starbuck asked if there was an intent to cut town permit on the Rt. 9A property. Carrier replied that Matt Apgar of DRED indicated that none was needed. Starbuck suggested that a regulation be set up for a town cut permit for the reasons that the town's awareness and opportunity to investigate and oversee a project, such as a building project. She added that the applicant supply the same documentation to the town that they provide for the state so that the town has all the information for a DES permit.

Bill Manter stated that DES and the State Park system are overwhelmed. The town needs a firewall on the local enforcement level. His suggestion would be that the local conservation commission work with the environmental engineer that drafted the shoreline permit with DES. He noted that he walked the Rt. 9A lot and indicated that they may have gone further into the 50 ft. buffer than what they should have.

VanCor noted that the local conservation commission does not have that expertise for the permits. McKeon noted that the board should look into hiring a wetlands specialist to check the lots that are doing cutting. McGrath stated that those are the types of expenses that can be put aside for the offsetting funds for DES matching funds. The Planning and Zoning Board and the BOS have the ability to have a third party inspection and the third party inspection fees are the responsibility of the applicant. McKeon noted that the town can have stricter permitting rules than the state for the shoreline protection regulations.

Manter suggested that the town look at other town rules for regulations. Starbuck suggested that the BOS convene with interested individuals for the purpose of getting ideas for data sharing for shoreline protection.

FOR DISCUSSION

- **Suggestion Box**

There were no suggestions in the suggestion box.

- **Draft Monthly Email**

Roscoe noted that he received over 200 responses from the broadband survey. The board had no other changes to make to the Monthly Email.

- **Town Clerk's Office Closure**

The Town Clerk's Office will be closed on Wednesday June 8th so they can attend a town clerk conference.

- **License to Sell Pistols – Highlander Arms**

McKeon moved to not sign the license for Highlander Arms to sell pistols at the Brook Street location until it meets full compliance and has received a certificate of occupancy. The motion was seconded by VanCor, which passed unanimously.

- **Broadband Studies RFPs**

Broadband bids were due at noon on May 25 to seek a consultant for broadband improvement studies in Chesterfield. Six bids were received. Roscoe noted that he will review them with his committee and make recommendations to the selectboard at the June 8 meeting. McKeon noted that the selectboard will start their summer meetings to be scheduled every other week, beginning June 8. They will not be meeting on June 1.

- **Properties to be Tax Deeded**

Two property owners have not made arrangements to pay their 2013 property taxes by May 26. One property owner did not have a certified check available to the tax collector. West River Road LLC has not contacted the tax collector or the Selectmen's office.

- **Larkin Way and Cul-de-sac**

Warren Stevens, of M&W, met with Chris Lord and Jim Larkin at Larkin Way to evaluate the road condition on May 24. Stevens provided a report to the board indicating that the condition of the road was similar to the inspection done in 2010 with a slightly wider longitudinal crack down the center. McKeon requested that Larkin provide a remedial plan for the cracks in the surface. Larkin noted that Stevens has a plan listing of all the deficiencies. Larkin stated that the paving will be done, based on the cores that Stevens has listed. Larkin added that all the cracks will be blown out, cooked and sealed and the shimming will be done.

Carrier noted that he could not find Planning Board documentation on the ownership of the cul-de-sac area on Larkin Way. McKeon stated that the drainage easements will be part of the roadway. He added that it would be the town's best interest to have it revert back to Lot #4 and have the owner of Lot #4 be the responsible party to enable the fire department to dredge the pond. McKeon stated that once the paving has been done and is approved, the next step can be taken. Stevens will be notified that the town will hire him to meet with the pavers at the site. Larkin will coordinate the dates with Stevens and the pavers. Once the road has been accepted by the town, Larkin will be required to provide another one year maintenance bond.

- **McKenna Way Ravine Maintenance Bond**

Chris Lord reported to Carrier that work has been done on the ravine on McKenna Way. McKeon noted that the requested work has been completed. The performance bond (\$42,000) will remain in effect for one year for stabilization upon acceptance by the board. A \$6,300 warranty bond will be required for replacing the performance bond following the expiration of the performance bond for an additional year.

Roscoe moved that the bank has been stabilized, as of May 25, 2016. The motion was seconded by VanCor.

Discussion: Unless something happens within 365 day of May 25, 2016, the board will revisit the site to determine that the stabilization still meets approval and the bond will get reduced to \$6,300 for another year.

Vote called: *The motion passed unanimously.*

- **Hazard Mitigation Plan**

The draft Hazard Mitigation Plan has been completed and has been accepted by the OEM director. A public hearing will be scheduled on June 8 for the board to formally adopt the plan.

- **Browne Limited Draft Letter of Credit**

The draft Letter of Credit that was submitted by the owners of Browne LTD will be forwarded to the legal counsel for review.

- **69 Forestview Drive Notice of Tax Sale**

The draft Notice of Sale will be updated and sent to the former property owner. An open house is scheduled for August 13 from 9:00 a.m. to 3:00 p.m. Bids must be received at the Selectmen's office by 4:00 p.m. on September 14.

- **Planning Office Computer**

A laptop computer and monitor will be purchased for the code enforcement officer to be able to take it to site visits and be used as a second work station computer in the Code Enforcement office.

- **Spofford Lake Boat Landing Fence**

There was a request from Jeff Bauer to have the town take over the maintenance of the fence on the left side of the boat landing. The boat landing is the gateway to the lake but the town can't spend money on the Class VI road unless the selectboard deems the road an emergency lane. VanCor suggested that there may be the possibility of receiving a grant or possible private funding to repair or replace the four fences near the boat landing.

- **Heating Oil Bids**

The board requested that heating oil bids be received by mid July for town owned buildings.

- **Code Officer Report**

Report from Frank Richter, Code Enforcement Officer

Highlander Arms: Richter will attend future inspections of the Brook St. project with Steve Dumont as they occur. Dumont has been conducting commercial inspections at that location. The storage trailer needs to be relocated to what is indicated on approved plans prior to the certificate of occupancy to be issued. Richter will conduct an inspection on Rt. 63 property to bring that property back to compliance after Hodgkins has transitioned to the Brook St. location and has received his CO at Brook St.

John Koopmann stated that the Planning Board approval indicated that the driveway called for 20 ft. of asphalt by the State. Also, the driveway that does not appear on the plan to the Gale property, is a violation and that was discussed at PB as being a code enforcement issue.

Gateway Preserve: Developer has covered most of the disturbed area with loam, seed and straw. The disturbed area of concern will continued to be monitored by Code Enforcement. McKeon noted that silt fencing needs to be located at all the toe of all the slopes.

Water Well Testing: Richter has been working with the Parks & Rec director to confirm that startup procedures are followed, as outlined by DES. The director will have the well water tested by EAI Analytical Labs during the months of May, June, July and August.

1763 Route 9 - Mark Lanoue Property: Six unregistered vehicles still remain on the property. Richter discussed the code violation (unregistered vehicles) with Lanoue. Lanoue plans to address the site use with the Planning Board and ZBA.

The board requested that Richter write a letter to Lanoue with the violations. A letter was sent to Lanoue by the previous code enforcement officer in 2015 noticing him of the same violation at the same location.

Building Permits: 39 building permits have been issued to date and three more are currently being processed.

Gale Property (Rt. 9A): The building permit is on hold until further review of plans. Third party confirmation of site coverage (impervious surface area) from SVE has been received.

VanCor moved to instruct Code Enforcement not to issue a building permit for David Gale's property on Route 9A until after DES deems the lot to be compliant. Roscoe seconded the motion, which passed unanimously.

John Koopmann asked if there are open compliance issues with the plans that were used on the Big Deal project. There is a question on whether a CO was issued.

VanCor suggested that Zoning and Planning Boards require more specific documentation by applicants to be better prepared before going into a meeting and for the applicant to provide completed applications. The boards should not have to engineer a design or solution for the applicants. ZBA and PB may use a third party to review the documents for completeness for confirmation that various items are present within the application to the board including coverage issues.

- **2013 Revaluation Report**

The Department of Revenue has reviewed their files from the town's 2013 reval and DRA has noted that the Uniform Standards of Professional Appraisal Practice report is non-compliant. The town assessor is aware of the non-compliance and is working to remedy the report.

- **Next Week's Manifest**

The manifest will be available on Tuesday night for the board member's signatures.

OLD BUSINESS

Town Hall Annex RFP: McKeon reported that Dan Scully is interested in this project.

Boat Registrations/Town Clerk Budget: McKeon will contact Molly Kelly for Dept. of Motor Vehicle information on moratorium for boat registrations.

Old Town Office Building: McKeon is waiting to hear from Randy or Warren Stevens of M&W Soils Engineering.

OTHER BUSINESS

Barbara Girs reported a drain pipe was torn up from a culvert during remodeling at a Winchester Road site behind the Town Offices. She also stated her concerns of the work that was performed on the stone wall repair in front of the Chesterfield School.

John Koopmann requests that DES complaints to the code enforcement/town offices be set up on logging system and to include what action was taken.

VanCor asked for selectmen consensus that the town not approach surrounding towns to collaborate on providing ambulance service at this time. We should evaluate that option after getting more information from outside ambulance service providers. McKeon and Roscoe agreed and McKeon noted that other towns would want costs of service and other information available before they would discuss details.

The method of paying the OEM director's position was discussed. Carrier noted that the BOS had agreed to pay the director weekly, at an earlier meeting. The BOS acknowledged that some training would be needed, which would be most pressing topics, provided that the director stay within the budget. McKeon noted that the OEM director's position is a voluntary one with a stipend. Roscoe questioned whether paying her an hourly rate would change her status to employee versus volunteer. Carrier will check into it.

Carrier noted that he received an appointment paper from Steve Dumont for Sarah McLeroy to be the deputy health officer for OEM. The position will be discussed at next week's BOS meeting.

Roscoe moved to go into non-public session per RSA 91-A:3 II (c). The motion was seconded by VanCor, which passed unanimously.

Roscoe moved to close the non-public session. VanCor seconded the motion, which passed unanimously.

McKeon moved to seal the non-public minutes. Roscoe seconded the motion, which passed unanimously.

With no other business to conduct, Roscoe moved to adjourn the meeting at 9:07 p.m. The motion was seconded by VanCor, which carried.

Respectfully submitted,

Patricia Grace
Secretary to the Selectboard

Approved by:

Jon P. McKeon, Chairman

Date

Brad Roscoe

Date

Norman W. VanCor

Date