

**Town of Chesterfield
Board of Selectmen
MINUTES
October 4, 2017**

CALL TO ORDER

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

FOR SIGNATURE

- Manifest #40
- Selectmen Minutes – September 20, 2017 & September 27, 2017
- Raffle Permit – Friends of Chesterfield School

APPOINTMENTS

- **6:15 p.m. Eric Barron – ZBA Alternate**

The board met with Eric Barron to discuss his interested in serving on the ZBA as an alternate. He will attend the October 10 ZBA meeting.

- **6:30 p.m. Davis Peach – SWRPC**

Davis Peach stated that he was interested to serving with the Southwest Region Planning Commission as a representative of Chesterfield. His interest is also to serve on the Natural Resource Program. He has agreed to report back to the BOS 3 to 4 times a year.

- **6:45 p.m. Chris Lord Nonpublic RSA 91-A:3 II (b)**

Lord reported that the Highway Dept. has been working to upgrade, repair and pave the town roads and placing straw waddles at the beach. Lord attended a seminar on geogrids as a process for improving roads. McKeon requested that one or more highway personnel get training and certification to apply pesticides, herbicides and other chemicals to help control or eradicate invasive species of plants.

Budgets were reviewed for the Highway Dept. and the Transfer Station as well as warrant articles for resurfacing, heavy equipment replacement and construction. The Highway Dept. overall budget is at a 3.6% increase and the Transfer Station overall budget is at 2.2%. The board asked Lord to see where he could cut back to lower the budget numbers before going to the Budget Committee.

VanCor asked if Lord had looked into the wind screens at the TS. Lord stated that he didn't feel the screens would be beneficial because the front entrance is too open to the enclosure. The cost would be approximately \$3,000 to install the wind screens. He will take another look at the wind screens and may be installing them out of his operating budget.

Roscoe moved to go into Nonpublic RSA 91-A:3 II (b) personnel. VanCor seconded the motion, which passed unanimously.

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

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

- **7:15 p.m. Jeff Scott – Old Town Office Building**

Scott presented copies of the draft stipulations for the old town office building. A draft article was reviewed that will be placed in the local newspapers and Yankee Magazine to draw interest for a possible buyer for the building.

An open house is scheduled for Saturday, October 21 from 10:00 a.m. to 2:00 p.m.

- **7:30 p.m. Bill Hutwelker – Boat Slips Spofford Lake**

Howard Lane came to the meeting as the representative for the owners of the property at 508 North Shore to discuss the boat slips at that location. Lane noted that the property is in the process of being sold and the sale hinges on the boat slips. He asked what acknowledgement would be required from the board to show that the slips have been at that location since the early 1960's. Lane noted that the town has had a code enforcement officer since that time and no one has questioned the use of those slips. He noted that the land, where the boat slips are located, was rezoned in 1962 to light commercial, specifically for the purpose of parking. Lane presented a 1969 black and white photo of the cove, showing only six slips in the photo. The photo was provided by a resident on North Shore Rd. Lane noted that in 1988 part of the condo approval for the Near Lake Inn, two of those docks were part of the approved process. McKeon noted that the board spoke with Bill Hutwelker on September 20 requesting documentation of the number of slips that were in existence at that location just prior to the Spofford Lake District being established. McKeon stated that, what is there now is an existing non-conforming use. The existing non-conforming use is established at the time of when the zoning was enacted. Roscoe stated that proof is needed of the number of slips that were there at the time of ordinance change and what is there now. The board doesn't know if the number of slips has or hasn't been increased since the ordinance was established.

Cliff Emery stated that the house was built in 1964 across from Bud & Dolly's (Restaurant) and the slips were moved from the restaurant to the house. McKeon stated that the board just wants to be sure that number stays compliant and it is documented. It is not this board's intention to take things away. McKeon noted that if this was a business, most businesses have records. Stubb Thomas noted that eight docks had to be moved when the dam was being worked on. Emery stated that four of the docks now belong to Near Lake Inn. Roscoe stated that the number of slips is uncertain from the 1980's when the regulations changes. Lane stated that he will provide a letter to the BOS with affidavits.

Mike Bentley stated that the boats were docked on the Bud & Dolly's side through about 1956 and they were moved after the house was build on the other side of the cove. Bentley stated that he didn't know how many docs were involved. VanCor noted that the first time he had heard of any issue on the number of docs at this property was when Bill Hutwelker approached the board on September 20. Roscoe stated that September 20 was the first time of hearing that there may be an issue of the number of slips.

FOR DISCUSSION

- **Suggestion Box**

One suggestion was to have the tax collector files in the old town office building need to be moved from the old town office building to the new town office building. Carrier noted that one of the files is locked and no one can get into it. McKeon noted that he will get into the locked file this weekend.

- **Public Comment**

John Koopmann commented on the boat slips being discussed later at this meeting in that the boat slips can't obstruct the navigable waters and with such little water in the canal, motor boats would stir up the bottom with their props.

- **Selectmen Minutes Review – September 27, 2017**

VanCor moved to approve the September 27, 2017 meeting minutes as amended. Roscoe seconded the motion, which passed unanimously.

- **Code Enforcement Reports**

The Code Enforcement activity reports were reviewed for the week ending September 30. The report included permits issued, field inspections, complaint follow-ups, violations, review of the Chesterfield Central School well head progress, attended Hoarding Workshop, and reviewed Lanoue site plan. The board noted that the action due dates have passed and they would like the CEO to proceed on the following issues:

- Highlander Arms – signage added to walls
- Doug Wrobel – signage
- Bob Godere – Change of use
- LP Tanks – documents provided to CEO on September 25
- Karapanagiotides – More than two apartments – documents provided to CEO on September 25

- **Library Trustees Warrant Articles Request**

Library Director George Preston requested approval for the library to add warrant articles to allow the library to retain miscellaneous money/fees for the use of the library copier and fax to be voted on at Town Meeting. The library also requested that the BOS add to their warrant an article that allows them to act as the Trustees of the Trust Funds for certain library funds. Carrier noted that they are already allowed to do that and NHMA verified that there is no reason to put that on the warrant article. The BOS felt that Preston's request should be processed. There will be a notice posted 15 days prior and not more than 30 days prior to Town Meeting.

- **Library Trustees Vacancy Appointments**

Ken Walton provided background information to the board on Nicole Martin and Linda Skrzyniarz for his recommendation to appoint them to fill the vacant positions with the Library Board of Trustees.

McKeon moved to appoint Nichole Martin and Linda Skrzyniarz to serve the two vacancies on the Library Trustees. Roscoe seconded the motion, which passed unanimously.

- **Town Office/Town Hall Snow Removal**

The town will be seeking to employ someone to perform snow removal at the Town Offices, Town Hall, Historical Society and Library during the 2017-2018 winter season.

- **Holiday Tree**

The board has approved the Friends of the Library to set up a Holiday Tree on the common in front of the town hall, providing they follow the guidelines as in previous years.

- **Town Hall Annex Warrant Articles**

The board discussed possible Warrant Article options for the Annex and dollar amounts to finance the projects.

Bruce Beach Settlement: Knox box needs a padlock.

29 Wildwood Rd.: Bids due November 2.

McKenna Way Ravine: Dubois & King will evaluate the stabilization issues at the ravine.

Review Sealed Minutes: To review sealed minutes by BOS. To be scheduled.

OTHER BUSINESS

Eric Barron will be provided with copies of the applications for the ZBA hearings and site visit for October 10. He is interested in serving as an alternate to the ZBA.

VanCor suggested that the property owner of 508 North Shore or Bill Hutwelker get an affidavit and/or photos from the previous owner (Alan McGrath) and previous renters of boat slips during the 1980's.

VanCor will be attending a DRA seminar on Excavation and Timber Tax.

The board verified that the State has the responsibility to notify the town of their intent of changes to be made at the State liquor store on Rt. 9 by providing plans.

VanCor will provide copies to anyone interested in Senate Bill #30 regarding vegetation, lawns, etc. near bodies of water. He noted that the State is going to be making it more difficult to do anything within the 150 ft. of the buffer from the waters edge and will be more restrictive, as time goes on. Senate Bill #30 has passed but the governor hasn't signed it yet.

The board members discussed an upcoming ZBA application that will be discussed on October 10 for a property on Silverdale Road. The board urges the ZBA to follow the five criteria and to be sure that "Hardship" should really be looked at in it's true definition.

VanCor noted that applications are being accepted for funding through the community facility for water and environmental programs from the USDA Rural Development Program. Funds may be used by municipalities and nonprofits finance improvements to essential community facilities, i.e., municipal buildings, educational facilities and more. VanCor felt that this may be a way of getting funding for the Town Hall Annex.

Roscoe was asked by a resident when and how they would be notified of the lake level being lowered. Carrier noted that it was in the newsletter and he had asked that it be put in the SLA newsletter.

Roscoe noted that on October 13 there will be discussion on Broadband in the Granite State at Keene State College. He has asked Joe Ragusa to attend.

Roscoe announced that AT&T is expanding their wireless services in 14 states to give at least 10 megabytes of broadband to more people.

Roscoe stated that the state solar rebate plan is still in question, which may have some financial impacts on the town. Roscoe is looking for a model for that.

Roscoe received an opinion from legal counsel into whether the BOS needs ZBA approval for the solar project and found that solar is allowed in the R/A district, therefore, no approval from ZBA is required. Because someone else will be doing the project on the town's behalf, Roscoe will look into whether the plan needs to go before the Planning Board. Jeff Scott is getting quotes for the fencing. The Solar Committee will be meeting on October 5 at the Town Offices at 7:10 p.m.

The board received an email with concerns about the drinking water at the fire departments. Spofford had their water tested because they had a concern with the smell and taste if their

water. The board requested that the water be tested that supplies the Chesterfield Fire Station and the Town Hall offices.

McKeon will discuss with the Planning Board where an ordinance change should be placed to include enhanced requirements for septic systems and leach fields by using the State requirements as the activator. It will include a subterranean inspection whenever a State inspection has to be done, i.e, expansions, change of use, etc. McKeon suggested that the board look into property transfers for this ordinance use also. It was suggested that non-contractual transfers and divorces be excluded.

The Planning Board made a nomination to Norman W. VanCor as commissioner to SWRPC. The board signed an appointment to that nomination.

The vent to the septic tank was knocked over at the Town Office building and the board will be getting quotes to repair it. The BOS has authority to sell the old town office building and land. They will need to go through the Planning Board and CCC for a review and recommendations.

Building Inspector Parsons will be attending the ZBA on October 10 to discuss a request for a building permit to make major changes to a property in the Spofford Lake District.

- **Public Comment**

Jeff Scott asked if property owners would be notified prior to any spraying to be done on the Japanese Knotweed. McKeon replied that they will be.

Scott asked if there was any chance for the Planning Board or Zoning Board to have a Public Comment session as is being done at the BOS. McKeon noted that both boards are designed to discuss a specific application that is in front of them.

John Koopmann felt that the ZBA decisions should require applicants to be more in compliant of allowing the variances to pass.

Koopmann stated that he put the issues of the parking lot/boat landing signs back to DOT.

Koopmann raised concerns with the Planning Board in that they are not addressing the zoning regulations relative to the Spofford Lake District/steep slopes, wetland and shoreland issues. The Planning Board has asked Koopmann to help work with CCC, Spofford Lake Assoc., BOS and any other groups on issues that need to be modified.

- **Nonpublic RSA 91-A:3 II (a&c) – Personnel**

McKeon moved to go into Nonpublic RSA 91-A:3 II (a&c) Personnel. Roscoe seconded the motion, which passed unanimously.

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

With no other business to conduct, Roscoe moved to adjourn. VanCor seconded the motion, which passed unanimously. The meeting was adjourned at 11:15 p.m.

Respectfully submitted,

Patricia Grace
Secretary

Approved by:

Jon P. McKeon, Chairman

Date

Brad Roscoe

Date

Norman W. VanCor

Date