



Selectmen's Meeting
Town Office 6:00 P.M.
Wednesday, March 7, 2012

Present: Jed Brummer (Chair), Patricia Lang Barry, Carlotta Lilback Pini

APPROVED Minutes

5:30:
Non-Public Session per RSA 91-A:3 II.(a) for Personnel

CALL TO ORDER / PLEDGE OF ALLEGIANCE

Approval of:

- Manifests: Accounts Payable & Payroll – Pat motioned to accept for week of March 7, 2012.
- Minutes: February 15, 2012 - Pat motioned to approve, Jed seconded, and all were in favor.

Citizen's Forum

GENERAL BUSINESS

Josh Olson: Request to Build – He would like to build a garage for his parents on Woods Crossing Road across the road from where their main house is. They have a 25-acre lot, and this garage will have space for mowers, tractors, etc. plus a meeting space to relax in. Carlotta: Mr. Olson's here because it's been our practice not to issue building permits for a garage only. Dave DuVernay wrote a memo not to issue permits for accessory structures if there's no primary structures, and there's no house yet on this lot. We don't typically do this because someone could build a garage or barn and try living in it because it's economical to do so. I don't anticipate that's the case here. Josh: No, it's not. Pat: Will this garage have plumbing? Josh: Yes--we have a three-bedroom, State-approved septic design. There will be two floors and the exterior will be all wood and vinyl siding. Pat: What's on the second floor? Josh: A 60'x100' lounge area and game room with a fireplace and a bathroom. We could get a new permit later to make it a livable space by adding closets.

Carlotta: Earlier, we talked about someone who was keeping ducks, and Rick had her builder pay a house permit fee but said he would credit them back later if the owner actually built the single family house. That was assurance that we would be inspecting it as we would a regular structure. Pat: If this were a regular house, how would the process be different? Carlotta: Josh would have to have a State septic design (done), meet energy requirements (done), and also meet the housing code (Josh: we would need to comply with egress requirements and add closets to the rooms). Carlotta: I wish Rick were here this evening. Jed: I don't think it would be a problem as long as it's built in accordance with the way Josh has outlined tonight.

The Town charges one fee for primary structures and another for secondary structures, plus there's a difference between residential and commercial impact fees. Pat: The impact fee for a commercial structure is \$4,920 while a residential structure is \$5,726, so the difference is about \$800. Dave DuVernay is saying that if a builder pays a commercial impact fee and then it morphs into a residence, that's not right. So I think if you were to pay the impact fee on what it could potentially be (which is a residence) and the building permit fee, then at some later time, if you do build that residence, we'll credit that back. Jed: That would be a lot cleaner.

MOTION: Jed motioned to approve the building application presented by Josh Olson on Map 2, Lot 23 and that the impact fee will be based on a new residential building rate. Pat seconded, and all were in favor.

Rick Donovan will be informed of the results of this meeting.

FastRoads License Agreement - Carlotta: the FastRoads group is planning to bring high-speed internet to unserved and underserved homes and businesses in the Southwest portion of Town, as well as the community anchor institutions such as the Town offices and schools. We don't need to sign up for their internet service but could down the road. Meanwhile, FastRoads needs permission to make the connections to our businesses. The service will go up Payson Hill Road to the Town Office, to the DPW garage, the Police Department, the Rec Building, and the School. We need to grant them a license to do that and give FastRoads permission to run a line to our buildings and install a junction box. That doesn't commit the Town to buying internet service from FastRoads; it just commits to the installation, which is at no cost to us. It's at no cost now during this grant initiative but if we did it later it would cost the Town something.

So the FastRoads Board is going to various Towns to get these permissions. Carlotta: Our FastRoads grant is \$7M. Although there had been some talk about perhaps not running lines to the Class VI and private roads, the whole reason for FastRoads is that those areas should be served first and foremost because they're unserved or underserved. So the focus has shifted back to that corner of Town. They're going to send letters out to everyone in the service area. I would ask the Board to grant FastRoads a license agreement to install the connections to the Town buildings.

MOTION: Pat motioned to enter into a license agreement with FastRoads so the municipal buildings can be accessed by the network. Jed seconded, and all were in favor.

Zoning Protest Petition Re: Map 32, Lot 12. - Carlotta pulled the statute regarding protest petitions that says that, if we have a valid protest petition, a rezoning would require a 2/3 vote rather than a simple majority. But to be a valid protest petition, it has to be signed by the owners of 20% of the area within 100 feet of the area or across the street from such area affected by the change. This statute applies to amendments that alter the boundary locations separating previously defined zoning districts. A notice of receipt of the petition also must be posted at the polling place.

The petition was submitted seven days prior to Town Meeting. Does it meet the 20% criteria? We don't know because Fogg's land is about eight acres. The petitioner has five acres. Carlotta: I understand that you draw a 100-foot circumference around the acreage. The owners of 100 feet immediately affected by the change OR across the street from such area are notified. So someone needs to sit down with the map and tally this all up. I don't know whether the Planning Board discussed last night whether they planned to do it.

Tom Roth – I'm representing Willis Fogg. I tried to look at it. Over the Highway are 20 acres right there. You add up the other people on West Main Street. Then across the street are 2.5 acres. The store is on six or nine acres, and we can't determine tonight whether this meets the 20% requirement. Carlotta: The Planning Board usually meets the first and third Thursday of the month, and there could be value in talking with them to help clear this up. Pat: The vote is going to take place even if this isn't determined prior to Town Meeting on Tuesday. But people are going to want to know: it was published in the paper. Not to put a wrench in this – but if we get SW Regional or a planner to clear this up we're talking about setting a precedent, using taxpayer money to clarify this. It sets a precedent for funding petitions. Carlotta: But if we consulted an attorney or a planner it would cost something, too. Tom: I had 36 hours to get 25 signatures, and I can ask the abutters. Carlotta: We need to know because if someone comes in after the vote to do something on that parcel, we need to know what zone it's in. Pat: That makes sense. Carlotta: But I don't want to step on the Planning Board's toes. Pat: Could we ask Kirk considering his background whether he could take a look at it or know who we could ask? Carlotta: That's a good suggestion.

TOWN ADMINISTRATOR'S REPORT AND INFORMATIONAL ITEMS / COMMUNICATION

Janet Kohlmorgen, President of the Women's Club

Carlotta: Janet came to see me months ago about creating a garden at the Meeting House. We thought that was a great idea and she was to bring her proposal to the Board for consideration. She saw me on February 29th and

asked for approval because there was a sale on materials that it would be helpful not to miss. She would like to purchase the materials and build four benches that would be set up next to the flag pole on either side. So groups such as the Boy Scouts and Girl Scouts could sit out there and hold their meetings, or people walking by would have a place to sit. She said she would like to plant some flowers to spruce it up, but I think the Beautification Committee cautioned her against something requiring too much maintenance. The other thing I talked to her about was the rash of vandalism that has been affecting the nearby Common. At least the top of each bench would be made out of Trex®. And she was going to ask the supplier how that would clean up if it were spray painted. Plus, we wondered how the benches would be attached to the ground to deter theft. Since the benches would be donated to the Town and would be on Town property, we would need to maintain them going forward. Does the Board like this idea?

Pat: Are we stepping on the Meeting House Oversight Committee's toes? They're advisory to the Board of Selectmen.

MOTION: Jed motioned to move forward with the bench project. Pat seconded, and all were in favor.

Jed: We recognized Pat at the Deliberative Session. This is her last night after serving Rindge for six years, and she will be sorely missed.

The meeting adjourned at 6:46pm

Minutes respectfully submitted by Linda Stonehill, Administrative Assistant.