

Minutes
Nottingham Select Board Meeting
June 4, 2018

6:30 PM Chair Danis opened the meeting and asked all those present to stand for the Pledge of Allegiance.

Members Present: Donna Danis, Tiler Eaton, Charlene Andersen, Anthony Dumas, Benjamin Bartlett

Others: Town Administrator Chris Sterndale, Secretary Dawn Calley-Murdough, Romeo Danais, June Proko, Justin Weisman, Ben McMahon, Raelene Shippee-Rice, John Morin, Marguerite Tucker, Stephen Soreff, John Decker, Ed Kotowski, Jason Morin, Pam Kelly, Tom Duffy,

Approval of Manifest:

Motion: by Mr. Dumas, second by Mr. Bartlett to approve the June 4, 2018 accounts payable and June 5, 2018 payroll manifests.

Vote: 5 – 0 in favor.

Approval of Minutes:

Motion: by Mr. Dumas, second by Mr. Bartlett to approve the May 21, 2018 public minutes, and the April 9, April 23, May 7, and May 21, 2018 non-public minutes as amended.

Vote: 5 – 0 in favor.

Select Board Department/Board/Committee Reports:

Budget: Next meeting is July 26, 2018 at 7:00 pm

Planning: Mr. Dumas reported the prior meeting was a joint board meeting with the Zoning Board and Mr. Sterndale and Mr. Bookholz presented information regarding proposed zoning ordinance changes. The board determined they would seek public help in completing a review of the Master Plan document, and Ms. Andersen would also assist in that review. The board did not review any applications.

Marston: Next meeting is June 8th.

Town Administrator Reports, Mail, Signature Items:

Town Financials: The board received and signed documents from the new Auditor. The audit has started with preliminary work.

Building: The interim Building Inspector has started work and is available Monday and Thursday mornings.

Police: Outfitting the new cruiser has started and it should arrive soon.

Fire: The department will come to the board soon for a final recommendation for purchase of the new truck, as approved at Town Meeting. The town is using a new national buying group that should provide the town with additional savings on the purchase prices.

Appointments:

7:00 pm – Barn Preservation Easement Public Hearing: Chair Danis opened the public hearing and explained that the purpose is for the board to hear comments from the public regarding the proposed easement. Mr. Sterndale stated Mr. Danais answered a prior question about the specific

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buildings that would be included in the proposed easement, but the information needs to be inspected by the assessor before any structure is confirmed to be part of the easement.

Mr. Danais reviewed the structures he is requesting an easement, describing the buildings and their history. Mr. Danais reviewed his proposal for building renovations, which included cost estimates, photos of areas needing repair, and reviewed some of the historic information about the buildings.

Mr. Danais reviewed each area of the easement evaluation checklist, see attached.

Ms. Andersen asked about the repair of post support. Mr. Danais stated he will need to replace the broken support posts that will require total replacement of one post.

Mr. Bartlett supported the work Mr. Danais has already taken to make repairs to the barn. Mr. Bartlett asked how Mr. Danais established his list of costs, and was the barn built at the same time as the house. Mr. Danais stated he is having a difficult time finding people who will come to the barn rather than requiring him to remove each of the windows and bring them to a separate location to be repaired but he is trying, and the costs are based on removing the windows based on time and materials versus a bid for the entire job. Mr. Danais stated he believes the barn and house were built at a similar time, with the addition and stables coming after the construction of the house; there are many of the remaining original working qualities found in the barn.

Mr. Eaton thanked Mr. Danais for his undertaking of repairing the barn and maintaining the history of the barn.

Mr. Morin of 46 Whites Grove Road supported the easement for the barn to maintain the rural/rustic characteristics of the town. He believes the easement will make sure the barn doesn't deteriorate to the point of its complete loss; the whole property is worth conserving.

Mr. Duffy supported the easement, the original construction is amazing and it is in great condition for its age.

Mr. Soreff supported the barn easement and thanked Mr. Danais for allowing use of the area by Mr. Danais for the Historical Society Pancake Breakfast. Mr. Soreff provided additional details about the Revolutionary War use.

Ms. Shippee-Rice supported the barn easement and asked to promote information regarding the preservation easement program so that others may consider the possible preservation of other structures in town.

Ms. Tucker asked if there are any other participants in the program and if there is an intention to use the funds from the tax savings for barn repairs. Chair Danis reported Nottingham does not have any other participants and Mr. Danais reported the intent with the tax savings is to repair the barn. Mr. Danais reported the easement could be revoked and the tax discount refunded back to the town if the barn isn't repaired.

Chair Danis closed the public hearing.

It was stated the exact buildings that would be included in the easement needs to be determined, which would take approximately two to four weeks, which will include the assessor providing the Select Board with a recommendation on the easement

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Ms. Andersen asked to verify the start date of the discount. It was stated the town would utilize the building inspector to complete a review of the structural integrity and continuation of the proposed work each year of the agreement.

The board would review all available materials before making a final decision of the easement application.

General Business:

Building Permits on Class VI Roads: Mr. Sterndale reviewed the prior meeting discussion regarding the matter, which included a request by the Select Board that he create an updated policy. The matter was also discussed at the Planning and Zoning Board at their joint board meeting, and the policy will be distributed to those board when complete. There are a couple of building permit applications regarding this issue and the board will need to determine who they will take action on those applications.

Mr. Sterndale provided the board information regarding the three open cases of people seeking to build on a Class VI roads, stating all would go before the Zoning Board for a variance because they don't have road frontage on a Class V road. One case has already met the ZBA and was continued for procedural issues.

Ms. Andersen stated the Select Board could review the three cases prior to the next ZBA meeting without causing a delay in the open cases. Ms. Andersen asked if all applicants were aware they needed to file the road liability deed waiver at the registry of deeds. Ms. Andersen asked to make sure the waiver was filed before the building permit was issued. Mr. Sterndale reported it will take place.

Mr. Dumas stated he is in favor of the board completing a review of these three cases, as he is sensitive to the appearance of changing the rules mid process, and isn't comfortable causing the three applicants any significant delay. Whatever method the board decides to use, a review of applications needs to take place before cases go before the ZBA and PB, even if it is the most basic type of review to meet the statutory obligation.

Chair Danis acknowledge the board hasn't complied with the law previously. She is not in favor of changing the rules for the current cases, is in favor of completing a review but would like to the board to discuss the process and criteria that will be used in reviewing applications for building on a Class VI Road. Chair Danis stated she isn't ready to rush into a new list of criteria or policy without better understanding the process.

Mr. Bartlett and Mr. Eaton stated they agree with Mr. Dumas to try and prevent holding up the forward movement of the existing three applications.

Chair Danis asked what the review would look like. Mr. Dumas recommended reviewing the current cases based on existing town criteria. Ms. Andersen suggested completing a review of the road to determine if upgrades need to be made, a Fire Department recommendation should be made of the road and if there should be a consideration of installing a sprinkler system, and to make sure the liability waiver of building on a Class VI road is filed at the registry prior to issuing the building permit and for future purchasers of the house.

It was stated the three applicants could file the deed waiver quickly preventing interruption to the current cases.

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Chair Danis stated she felt the board needed to better understand the process before making any decisions. Mr. Dumas stated he understands the complexity of the situation, the board has some homework to do, is concerned about making a quick decision with the three open cases, but doesn't want to cause a significant delay for the current applicant.

Mr. Sterndale reported he is about half way through developing a policy and the board will need to determine how detailed they want the process and policy to be. The statute references that the governing body should receive advisory comments from the Planning Board.

It was stated the Select Board would have one more meeting prior to the next ZBA meeting.

Chair Danis stated the board needs to specifically know what questions they need to ask prior to making a decision on whether or not they would take an action on any of the three cases. Ms. Andersen stated the law determines the Planning Board would provide an advisory opinion.

Specific questions could be: Minimum road width and grade, can the fire truck get down the road safely; making sure the Select Board receives the Planning Board comments from the land use criteria; verify the applicant has filed their liability waiver at the registry of deeds.

Mr. Sterndale reported the town does not have any minimum road requirements/standards on existing roads. The town does review minimum criteria for new roads.

Motion: by Mr. Dumas to proceed with the review of the three applicants for new building permits per statute. Second by Mr. Bartlett.

Vote: 4 in favor. 1 opposed.

Chair Danis reported the board would review the building on Class VI Road cases at their next meeting on June 18th.

It was stated the Planning Board could review the cases at their June 13th meeting, before the next Select Board meeting. Ms. Andersen stated there is some case materials available under the Zoning Board case hearing information.

Chair Danis expressed concern about the Select Board making a decision on matters the board isn't fully aware of. Ms. Andersen reported all available applicant/case materials are available on the Zoning Board webpage, under the Agenda section. Mr. Sterndale reported the ZBA can make a decision without the Select Board decision; any delay can be an additional cost to the applicants in their building process.

Planning Board Route 152 Lane Painting Request: Mr. Sterndale reported the Planning Board Transportation sub-committee submitted a letter asking the Select Board to request that NH Department of Transportation paint a lane width of 10 to 11 feet on Route 152/Stage Road to increase the shoulder width and would decrease the lane size. Mr. Sterndale asked the board to make a decision on the request because the painting of Route 152 will take place very soon; repaving is taking place this week.

The Select Board reviewed their questions and concerns with decreasing the lane size. Concerns included impacting the safety of travelling on the road, the ability to actually increase the shoulder width with inconsistencies along the road with the current shoulder widths, the safety of walkers and bicycle riders, impact of reducing the lane size with a high number of large trucks travelling on Route 152, and actual ability to reduce travel speeds by reducing the lane width.

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Mr. Sterndale reported he believes there are difference in the current lane width along Route 152 at this time and didn't have a specific answer regarding the impact to reducing the lane width; it would be determined by DOT. Mr. Sterndale reported he believed the state intention was to repair needed sections of the route with a new layer of pavement and not a plan to widen the road.

Ms. Andersen stated the proposed task ties back to the Master Plan to widen the road by two feet, which may be too costly for NHDOT, and reducing the travel lane will meet the Master Plan recommendation. It has been shown in other communities that reducing the travel lane will help to reduce vehicle speeds make travel safer.

Mr. Dumas stated the shoulder width is very uneven and feels most people choosing to walk/bike along the road will still use the dirt shoulder.

Mr. Bartlett expressed concerns about reducing lane sizes where vehicles use the route to cut across from Route 125 in Raymond to Route 4 in Northwood and doesn't support narrowing the lane.

Chair Danis shared the concern expressed by Mr. Bartlett and would defer answering the request based on the opinion of DOT.

Mr. Eaton stated he wouldn't choose to walk on Route 152 even with a wider shoulder because it is used by so many as a short cut from one end to the other; it is a dangerous road.

Chair Danis reviewed the options available to the board: to take no action, to make the recommendation, or to request additional information. Mr. Sterndale stated if the board wants additional information they need to seek it tomorrow, as painting typically takes place immediately after the paving, which is taking place this week.

Ms. Andersen requested to express concern to DOT that Route 152 is considered a bicycle road and that the road isn't safe for bicycles and ask how to best address the safety concerns, as well as sharing the proposal of the Planning Board to widen the shoulder.

Chair Danis requested DOT to consider placement of painted lines to increase the safety of walkers and bicycle riders without sacrificing or creating risk of the safety of vehicle travel.

It was stated members of the Planning Board discussed the matter with DOT. Concern was expressed that the Select Board did not receive any back up material or justifications as to why they should write to DOT about changing the lane width.

General discussion took place about how the board would act on the Planning Board request. This included what questions the board wanted answers to and if there is any available feedback from NH Department of Transportation to the Planning Board regarding the proposal to reduce vehicle lane width.

Motion: by Ms. Andersen for the Select Board to send a letter to NH Department of Transportation (DOT) as the PB Subcommittee asked with DOT making the decision (to paint road lines) where it is applicable. Second by Mr. Dumas.

Vote: 3 in favor. 2 opposed.

Highway Truck: Mr. Sterndale reported the town received an estimated bid of \$83,000.00 for a new truck. This budget account was increased at town meeting from \$65,000.00 to \$85,000.00 based on the information from someone knowledgeable of trucks.

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Mr. Bartlett stated the originally recommended vehicle wasn't an appropriate sized vehicle. The department needs a bigger truck to complete the tasks they need completed. The initial estimates from two separate dealers is for a 1 ½ ton Ford F-550, and after additional discussion with the highway department staff about vehicle needs, he determined the best bid would be from Hillsborough Ford, with a difference of approximately \$10,000.00 between vendors. The proposed truck will have a central hydraulic plow and sander system, safety lights, will not have a wing, and will be delivered within six to eight weeks.

Mr. Sterndale asked if there were any other questions or concerns and asked for authorization to start the ordering process. Mr. Bartlett stated there is a standard vehicle warranty and believes it is a one year warranty on the plow.

It was stated the town will keep the current vehicle as a summer utility vehicle but it won't be used to plow.

Motion: by Mr. Eaton to move forward with purchasing the truck from Hillsborough Ford as soon as possible. Second by Mr. Dumas.

Vote: 5 – 0 in favor.

Chair Danis and Mr. Sterndale thanked Mr. Bartlett for taking the initiative to complete the estimate.

NON-PUBLIC SESSION: The Board entered non-public under RSA 91-A:3 II(a) and (l).

8:10 PM Motion: Motion by Mr. Dumas, second by Mr. Bartlett to enter non-public under RSA 91-A:3 II(a) and (l).

Roll Call Vote: Danis – Yea, Eaton – Yea, Andersen – Yea, Dumas – Yea, Bartlett – Yea. 5 – 0 in favor.

9:10 PM Motion: Mr. Dumas, second by Mr. Bartlett to exit the non-public session.

Roll Call Vote: Danis – Yea, Eaton – Yea, Andersen – Yea, Dumas – Yea, Bartlett – Yea. 5 – 0 in favor.

Motion: by Ms. Andersen, second by Mr. Eaton to seal the non-public minutes of June 4, 2018.

Roll Call Vote: Danis – Yea, Eaton – Yea, Andersen – Yea, Dumas – Yea, Bartlett – Yea. 5 – 0 in favor.

The Selectmen made no decisions during their nonpublic session.

ADJOURNMENT: Having no further business,

9:11 PM Motion: by Mr. Dumas, second by Mr. Bartlett to adjourn.

Vote: 5 – 0 in favor.

Respectfully Submitted,

Dawn Calley-Murdough