

**Nottingham Select Board Meeting**

**7/27/20**

**Official Minutes as of 8/10/20**

**1 Call to Order**

2 Members Present: Chair Ben Bartlett, Vice Chair John Morin, Tiler Eaton, Tony Dumas, Donna  
3 Danis

4 Absent:

5 Others: Chris Sterndale

6 Chair opened the meeting at 6:30pm with the Pledge of Allegiance.

**7 Approve Manifests**

8 **Mr. Dumas made a motion to approve the accounts payable manifest of 7/27/20 and payroll**  
9 **manifest of 7/28/20. Mr. Eaton seconded. Unanimously approved by a vote of 5-0.**

**10 Approve Minutes**

11 **Mr. Eaton made a motion to approve the public minutes from 7/13/20 and 6/15/20 as**  
12 **written. Mr. Dumas seconded. Unanimously approved by a vote of 5-0.**

**13 BOS Reports from Assigned Boards/Committees**

*14 Budget Committee*

15 Mr. Sterndale said the town did a quick Q2 recap at the BC meeting. The school did a  
16 presentation at the BC as well. There seems to be a typical level of surplus for the school budget.  
17 BC elected officers and Tim Dabrieo was elected Chair. There will be a change to the schedule  
18 due to SB2 and that will be determined in the future.

*19 Planning Board*

20 Mr. Eaton said they met last Wed. The one case asked for a continuance and they did other  
21 housekeeping stuff.

*22 CIP*

23 Has not met yet. Mr. Sterndale said he has solicited projects from departments.

*24 300<sup>th</sup> Celebration Committee*

25 Mr. Eaton said he spoke to Steve Soreff. Mr. Dumas is setting up a zoom meeting with the 300<sup>th</sup>  
26 celebration committee for the future.

*27 Marston Property*

28 No update.

**29 Town Administrator Report**

30 Mr. Sterndale said the bigger pandemic grant came through at \$120k and the town will be able to  
31 spend the full amount on related expenditures. The paving projects will start on Labor Day week.

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Ledge Farm Road will be finished around the same time. Rec camp switched to full day camp and it is more successful. They may be able to extend camp for longer in the summer. They are waiting to decide about an after-school program till the school decides about school opening. The concert series is going well at the community center. Liar's Paradise car show is going well as well. Both are on Tuesday. The Watercross event was this past weekend. There were some food trucks there and they had an ambulance there as well. A detailed police officer was there; there was more people there than expected but no issues. Mr. Eaton and Mr. Morin went on Saturday. Mr. Morin said it was well organized. He said it does have a potential to grow larger. Two police officers will be necessary next year if they choose to continue. The VFW from Epping did a salute at the event. More bathrooms may be needed in future. Mr. Eaton said it seemed to be more than 250 people. The parking area could have fit an additional 100 cars. Mr. Morin suggested the group could meet the BOS in the future. Mr. Sterndale said they need a licensing process for the future for this type of event. This group has scheduled 2 more events for later this year and will ask the BOS in the future to approve. There is no fee for the license as of now as there is no fee schedule created from the BOS. The Watercross event may have to go before the planning board. Mr. Bartlett said he would be in favor of the 2 upcoming Watercross events. Teresa Bascom said that the law is 2 porta potties per 100 people. Mr. Bartlett asked about food trucks licensing. Mr. Sterndale said that they will need to firm up paperwork for that in the future. Mr. Eaton said they had fried dough, etc. at the event and he asked the event organizers to consider local vendors and sponsors in the future. Ms. Danis asked if they should approve the events separately. Mr. Sterndale said the licensing can be approved separately for the two events. After these next two events, the Watercross event will need to go through planning board. A licensing process will be developed through BOS as well. Mr. Morin said overall he thought it was a nice event. Mr. Sterndale said they did receive a couple of complaints about noise from Nottingham residents and someone across the pond in Epping.

**Appointments**

*Teresa Bascom*

See attached notes for Teresa Bascom's comments.

She spoke on the behalf of planning board about private roads. In 2019 Mooers Point Rd. was approved to be a town road if it met town's specs. It did not and was not approved as a town road. Ms. Bascom is disappointed that the BOS did not make provisions in the following year for how roads can become town roads. The subdivision regulations that the town has in place has a section where the private roads are addressed. It reads that before the road is accepted, the road must be paved. Neither North River Rd or Highland Rd are paved. These roads were accepted as town roads at the 2020 town meeting. Ms. Bascom continued to read from the subdivision regulations: the road has to be up to town specifications and standards. Ms. Bascom said these roads do not.

She requests deeds for these town roads. Someone needs to own the road in order to have it approved by the town. Ms. Bascom said it is not clear who owns these roads. She suggests

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71 having an inspection from an engineer to ensure it's suitable for two-way traffic. Also she  
72 suggests a safety inspection of these roads. Also she requests that these roads can and will be  
73 readily paved.

74 Mr. Morin said the people who live on these roads are town residents as well and the BOS is  
75 representing everyone. Ms. Bascom said these people chose to live on private roads that were not  
76 serviced by the town. Ms. Bascom does not believe the town should be using town money to  
77 fight legal fights over these private roads, find deeds for the private roads or bring these roads up  
78 to standards as the subdivision regulations has stated bringing roads up to standards is at the  
79 owner's cost. She said the subdivision regulations are for private roads as well. Ms. Danis said  
80 she does believe the BOS is at fault for not creating the standards and the BOS needs to develop  
81 standards. Ms. Bascom said perhaps they can create a subcommittee to discuss the private roads.  
82 Mr. Bartlett noted that provisions were approved for Mooers Rd at the 2019 town meeting. An  
83 attempt by the BOS to put provisions on the proposed accepted roads this year at town meetings  
84 failed. Mr. Morin said these were citizen petition warrant articles. Mr. Sterndale said this were  
85 legally binding citizen petition warrant articles. Ms. Bascom said if the town has a legally  
86 approved set of standards to meet, that petition would not pass the test. Mr. Sterndale said it must  
87 be a BOS standard. Ms. Bascom asked how they approve a road that they don't have a deed for.  
88 Mr. Sterndale said they are working finding the deed for these roads now and that is part of the  
89 reason why the BOS tried to make the amendment at the town meeting. The town meeting  
90 overrules the BOS standards. Mr. Eaton said now that we have SB2, it may be a different  
91 outcome in the future.

92 **Action Items from Last Meetings**

93 No action items from last minutes.

94 **Assessing**

95 **Mr. Dumas made a motion to approve intent to cut for the following:**

96 **Map 67 Lot 13 Report of Cut or Excavation, Map 67 Lot 2 S1 Report of Cut or Excavation**  
97 **and Map 66 Lot 66,1 Report of Cut or Excavation. Ms. Danis seconded. Unanimously**  
98 **approved by a vote of 5-0.**

99 **General Business**

100 *Highway and Comm Ctr Facility issues*

101 Mr. Sterndale said they have contracted a business to do air quality testing in the community  
102 center. The lights have been corrected in the community center per the fire inspection. Other  
103 items have been contracted to be fixed. The water at the highway shed comes directly through  
104 the river. A well is being dug so the highway shed has clean water. There were several quotes  
105 given to the BOS. Mr. Sterndale is finding out a bit more info before the BOS makes a decision.

106 **Review Action Items for Next Meeting**

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107 Permit process

108 **Non-Public per RSA 91-A:3 II (a), (b), (c), (d), (e), and/or (l) if required.**

109 **Adjourn**

110 **Mr. Dumas made a motion to adjourn the public meeting at 7:30pm and enter nonpublic**  
111 **per RSA 91-A:3 II (a). Mr. Eaton seconded. Unanimously approved by a vote of 5-0.**

112

113 **Mr. Morin made a motion to exit the non-public session at 8:15pm. Mr. Dumas**  
114 **seconded. Roll Call Vote: Dumas – Yea, Danis – Yea. Bartlett – Yea. Eaton – Yea. Morin**  
115 **– Yea.**

116

117 **Mr. Morin made a motion to seal the minutes of non-public session at 8:15pm. Mr. Dumas**  
118 **seconded. Roll Call Vote: Dumas – Yea, Danis – Yea. Bartlett – Yea. Eaton – Yea. Morin**  
119 **– Yea.**

120

121

122 **Mr. Morin made a motion to adjourn public meeting at 8:16pm. It was seconded by Mr.**  
123 **Eaton. Unanimously approved by a vote of 5-0.**

124

125

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Mr. Chairman & members of the board,

1st & foremost please know that I greatly respect your commitment to our town. I know you all receive a small 'salary' but I'm sure the headaches often outweigh that.

As you all know I've been a member of the PB & am currently on ZBA. What has been the biggest headache for us & the town @ town meetings has been Private Roads.

At last years (2019) mtg there was @ the end of a very long day a major discussion over the adoption of - I believe <sup>I believe</sup> Moores Road. Which are based on the current list is still private. The restrictions placed on it "meeting standards".

That said, I must say I'm hugely disappointed that in the ensuing 15 months you've not managed to address this issue enough to have



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Even the most basic of requirements in place to protect our town over legal battles on private road adoption. <sup>And what</sup> <sup>is the lawyer?</sup> - you are locked lost you did not even reference our towns submission regulations.

Guidance on Private Road

I have it here it's page 63 -

Just reading #1 & knowing that both those roads are gravel should have nullified the warrant article from consideration - As it says -

As is the case w/ #4 which reads -

I can not stress enough your duty to the town to get this done. At a minimum you must consider adopting these 4 statements

#1. A Clear Deed

#2. Inspection by engineers stating the road is safe for ↑ traffic 2 way

#3. A safety inspection stating there are no clear hazards

#4. It is or can be readily paved  
IAW Article 15.4 Sub. T.Y.