

APPROVED

Town of Grantham - Board of Selectmen Regular Meeting Minutes July 22, 2009

The regular meeting of the Board of Selectmen was called to order at 4:58 p.m. on Wednesday, July 22, 2009 by Chairman Harold Haddock Jr. The meeting was held in the Grantham Town Building, Jerry Whitney Memorial Conference Room at 300 Route 10 South.

Present: Chairman Harold Haddock Jr.; Selectman Constance Jones; Selectman Warren Kimball; Town Administrator Becky Newton, Esq.; Administrative Assistant Melissa White; Zoning Board Chair Conrad Frey; Todd Cartier; Tanya McIntire; Building Maintenance Supervisor F.R. Osgood; Joey Holmes; Rick Anderson; Simon Mayer; Eastman Community Association Board of Directors President Maynard Goldman

ADMINISTRATIVE

For Approval/Signature – **APPROVED**

- ✓ Building Permit Applications:
 1. M/L 216-098-000; 58 Draper Mill Road; *New Home*
 2. M/L 206-002-000; 295 Frye Lane; *Shed & cellular antenna addition*
- ✓ Plodzik & Sanderson Audit Questionnaire
- ✓ Letter to NH DOT requesting a crosswalk on Route 10
- ✓ 2008-09 Vacation payout request; Joseph Newcomb – 3 hours
- ✓ 2008-09 Vacation payout request; Jeffrey Hastings – 2 hours
- ✓ Property Tax Refund (*due to overpayment*):
 1. M/L 222-269-006; 36 Barn Owl Overlook - \$1,947.11
- ✓ Motor Vehicle Refund Request (*due to calculation error*) - \$477.00

APPROVAL OF MINUTES

- ✓ Chairman Haddock requested any changes to the regular and non-public meeting minutes of July 8, 2009. There being none, a motion was made by Selectman Kimball to approve the regular and non-public meeting minutes of July 8, 2009 as written; second by Selectman Jones. **Unanimously approved.**

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APPEARANCES

➤ Zoning Board of Adjustment (ZBA) Chair Conrad Frey: Mr. Frey discussed the Farmer's Market that was to be held on Friday, July 24, 2009 in the parking lot of the church. Mr. Frey stated his interest in the matter was that at the Board of Selectmen's meeting on May 13, 2009, Tanya McIntire was to have consulted the ZBA and didn't. Mr. Frey stated the following in known:

1. This is not a Town sanctioned event.
2. Farmer or Community Markets are not included anywhere in the Zoning Ordinance as a permitted use.
3. Emails had been exchanged between Tanya McIntire and the Planning Board and the Planning Board had signed off stating that nothing was being constructed and a site plan review was not necessary.
4. There were concerns expressed by the Planning Board, Board of Selectmen and the Police Chief on safety issues as the market's location on Route 10 would be held during the Friday rush hour.

Mr. Frey recommended the following:

1. The community market could go on as planned without violating the Zoning Ordinance if it is viewed as a "Yard Sale". However, the Zoning Ordinance specifies that no more than three yard sales may be held by an individual or organization in any one year. The Zoning Ordinance on sign usage would also have to be followed.
2. Recognizing that this is not a Town sanctioned event, find out if it would be possible to have some Police presence at the event to minimize traffic and safety concerns.
3. If this type of market is to be continued in a future year, have it be a Town sponsored event held at the Town Hall parking lot. This would eliminate Planning and Zoning Board issues as well as safety concerns. A conceptual plan of such a proposed event should be presented to the Board of Selectmen no later than early May.

Chairman Haddock asked if the event was a "Yard Sale". Mr. Frey clarified the event could only continue if it is called a yard sale; that the Farmer's/Community Market would be a business entity within a rural residential district which is not permitted.

Chairman Haddock stated the main concern is with safety and the traffic on Route 10.

Selectman Jones asked if the market could be held at the Recreation Park property. Mr. Frey said yes.

Selectman Kimball stated his concern is with the traffic as well and asked Mrs. McIntire to consider moving the market if problems arose.

Mrs. McIntire discussed the planning process and safety concerns (see Selectmen's minutes from May 13, 2009) and stated that Eric Healey from the NH Traffic Bureau had said temporary crosswalks were not an option; that a mid-section, intersection crosswalk was possible after they conducted a site inspection. Mrs. McIntire stated that

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the Town would have to maintain the crosswalk; that she specifically asked about the requirement of sidewalks and he (Mr. Healey) said sidewalks were not a criteria for crosswalks.

Mrs. McIntire continued that traffic would be controlled with signage and support from the Police Department; that access to the stream would be reduced by placement of the tables; parking would be at the Library, Sugar River Flooring and the residence of Allen Walker.

Selectman Kimball reiterated his concern with Route 10 traffic and requested Mrs. McIntire consider moving the event if safety and traffic became a problem. Mrs. McIntire said she would.

Selectman Jones clarified that if the event stays at the church parking lot it has to be a yard sale and can only be held there two more times. Mr. Frey confirmed that.

Mrs. McIntire asked if the Town was opposed to having Activities Director Laurie Field help with the event. Chairman Haddock said no. Chairman Haddock stated it was his understanding Director Field did not want it to be part of "Our Town" activities.

The Board of Selectmen gave permission for Mrs. McIntire to hold the "Yard Sale" at the church parking lot with the understanding that she notify the Selectmen's Office with the exact dates it will be held.

➤ Building Maintenance Supervisor F.R. Osgood: Supervisor Osgood informed that the trash can the town maintains at the Park & Ride is being abused; that bags of household trash are being dropped off. The Board of Selectmen requested Osgood continue maintaining the trash can and update the Board if the problem continues. Selectman Jones felt that the next bag of household trash that is found there be gone through and fine the person it belongs to. Administrator Newton stated a sign could be added that says "No Household Trash; Violators will be fined".

Osgood informed the orange truck should pass inspection soon and asked if it didn't pass inspection if another truck could be purchased. Selectman Jones asked if the Tahoe at the Fire Department could be used. Osgood will follow-up with Fire Chief Mike Benoit.

➤ Emergency Management Director (EMD) F.R. Osgood: EMD Osgood stated he would like to hold a Health Fair (like he has done in years past) but is concerned with the H1N1 flu; that the Grantham Point of Distribution (POD) might have to be activated. Chairman Haddock requested EMD Osgood continue to plan the Health Fair.

➤ Recreation Park – Athletic Fields Member Rick Anderson: Mr. Anderson informed quotes have been received to move the ball fields out of the 250' shoreline area. Brian Hastings submitted a quote for approximately \$16,000 for site work only (not including loam and seed); United Construction quoted approximately \$50,000; Stevens Construction did not respond to the request for a quote.

Mr. Anderson stated the Recreation Park – Athletic Field committee would like permission to use Brian Hastings; that Mr. Hastings can start the middle of August 2009. Mr. Anderson estimated that in approximately a year and a half the fields would be ready to play both soccer and baseball on.

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Chairman Haddock requested a written estimate with a start date be obtained from Brian Hastings.

Selectman Kimball made a motion to spend up to \$16,000 for the site work of the baseball/soccer fields; second by Selectman Jones. *Unanimously approved.*

Mr. Anderson asked if a groundbreaking ceremony could be planned. The Board of Selectmen granted permission for the committee to plan a ground breaking ceremony of the ball fields.

CORRESPONDENCE

- Sullivan County Nutrition Services (SCNS): The Board of Selectmen received an invitation from Sullivan County Nutrition Services to their 4th Annual Senior Appreciation BBQ on Thursday, August 13, 2009. The Board of Selectmen are unable to attend; Administrator Newton will notify SCNS.
- Eastman Community Association (ECA): A thank you was received from ECA for use of the conference room for their monthly Board of Directors meetings during construction of the new recreation facility at South Cove, use of Town Hall for their quarterly Council meetings, and the 2008 staff Christmas luncheon.
- NH Department of Environmental Services (DES): A letter was received from the NH DES informing a complaint was received on a property in Grantham alleging some work has been done in a wetland area. The Conservation Commission received a copy of the letter as well.
- CLD Consulting Engineers: A letter was received from CLD explaining that two underground septic tanks and two concrete pads will be installed at the Eastman Sewer Company Pump Station at West Cove 'A' Condominiums. The area of disturbance will not exceed 4000 square feet and will be located outside of the 50 foot shoreline protection water buffer.

OLD BUSINESS

- Lightec Energy Audit: The Board of Selectmen received information regarding the energy audit. The approximate fee is \$750 for all of the buildings. Selectman Jones requested Administrator Newton contact the Municipal references and invite Lightec owner Jim Grady to the next Selectmen's meeting.
- Crosswalk Request: A letter was sent Mr. William Lambert at the Traffic Bureau requesting a crosswalk be placed on Route 10 in the vicinity of the Post Office and Grantham Fire Department.
- SAU Trailer Donation: An estimate was received from Field & Sons Transportation for \$8,512.50 to move the modular classroom. Administrator Newton informed there is a new law that requires trailers to be on a concrete pad; which would be an additional cost. Administrator Newton will obtain more quotes.

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- Recreation Park Building Water Damage Repairs: Selectman Kimball informed the area has been insulated; the drywall will be completed soon.
- Columbarium: Selectman Kimball is still looking for more information. Selectman Jones stated the company in Newport, NH would charge approximately \$9,700 for the granite, China grey columbaria; Bahama blue was approximately \$12,000.

OTHER

- Eastman Community Association Board of Directors President Maynard Goldman: Mr. Goldman asked for an update on the legal issue that was discussed in the Board of Selectmen's meeting, non-public session on July 8, 2009. Chairman Haddock stated an update will be provided within a week.
- Board of Selectmen Meeting scheduled for August 12, 2009: The Board of Selectmen meeting scheduled for August 12, 2009 has been cancelled (due to two members being out of town).

NON PUBLIC

In accordance with RSA 91:A:3, II on a motion by Selectman Kimball, second by Selectman Jones, after proper vote 3-0, the Board entered into Non-Public session at 5:52 p.m. to discuss a legal issue. Present were: Chairman Harold Haddock, Selectman Constance Jones, Selectman Warren Kimball, Town Administrator Becky Newton, Esq., and Administrative Assistant Melissa White.

Following proper vote, the Board returned from Non-Public session at 6:07 p.m.

ADJOURNMENT

There being no further business, Selectman Kimball moved to adjourn, second by Selectman Jones; ***the Board voted unanimously to adjourn at 6:08 p.m.***

The next Selectmen's Meeting is scheduled to be held on **Wednesday, August 26, 2009** at 5:00 p.m. in the Grantham Town Building; Jerry Whitney Conference Room at 300 Route 10 South.

Respectfully submitted,

Melissa M. White
Administrative Assistant