

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
April 12, 2017

I. Call to Order:

Selectman Douglas called the meeting to order at 6:02pm.

II. Introduction of Members Present:

Selectman Mark Schultz and Selectman Fred Douglas were present. Chairman Lee Mayhew was not present and attended a MACC Base meeting at the same time in Milford.

Town Administrator Russ Boland Administrative, Assistant Dawn Griska and Recorder Kathleen Humphreys

Public/Media Present: Jessie Salisbury from the Milford Cabinet; Bob Rogers, Planning Board; Tom Christenton, Planning Board and ZBA, Ginny Christenton, Cemetery Trustee; Mike Decubellis, Planning Board and Conservation Committee; Sharon Akers, Conservation Commission; Kurt Berna, Conservation Commission.

III. Appointments:

6:05pm Jennifer Czysz, Nashua Regional Planning Commission (NRPC)

NRPC was present to facilitate a multi-board wetlands discussion. Ms. Czysz provided handouts that included: "Wetlands Protection in New Hampshire" dated Nov. 8, 2016; "Wetlands Protection" chapter 2.4 from Innovative Land Use Planning Techniques; "Guide to New Hampshire Timber Harvesting Laws" by UNH Cooperative Extension; "Method for Inventorying and Evaluating Freshwater Wetlands in New Hampshire" dated Dec. 2016 and an outline of topic points. The Planning Board will have access to this material.

The meeting began by recapping the discussion from November 2016. The goal is to protect natural resources, have good stewardship and protect the community.

Topics discussed were:

Inventory

Protection (easement/fee simple)

Prime Wetlands Designation

Wetlands Ordinance

Wetlands Buffer

Timber Harvesting Best Management Practices

Enforcement

The process for Prime Wetlands Designation was reviewed.

Recent changes in the law for wetlands buffers was discussed and debated. There is no longer the 10 foot buffer approval process at the State level. Lyndeborough does not require a wetlands buffer or setbacks and some members present felt that opens the town up for potential damage. The difference between wetlands and prime wetlands was discussed.

A Community Zoning chart that showed what some communities require for buffers was provided in a handout. Lyndeborough has an ordinance. Model ordinances were in the handout to review.

Timber Harvesting Laws from New Hampshire Coop Extension has an informative section on law enforcement. Guidelines and when code enforcement is required was discussed. The Town Forester can be a valuable resource.

Timber Harvesting Best Management Practices as they pertain to water quality and wetlands resources is the only time when there are mandated for timber harvesting to filed with DES. The basil area needs to be maintained and temporary hauling roads need to be removed at the end of the season. When to file for a full DES Dredge Permit was discussed when there is a subdivision or changing to a permanent hauling road when converting land or timber harvesting was discussed.

Other strategic assistance can be timber tax monitors who are people who keep eye out for reports or notice field or tax payment made for timber harvesting. For example, an assessor who might notice timber harvesting or see reports. Road agents and the police department can be eyes on the ground. In addition, during a Planning Board site plan walk there is permission to be on the property, once there is permission the Board can look for signs and conduct an inspection.

Resource: Page 34, spells out red flags or trigger points when to call DES with issues. Rangers with the DES have full enforcement authority for basil areas, alteration of terrain, timber tax concerns. They are resources at the State level to call when the town sees violation.

All attendees were asked to place multiple votes on their priorities listed below.

Priority Ratings on impact and feasibility:

INVENTORY – This was updated in 2009 and was placed outside the chart.

PROTECTION – High impact, low feasibility because of cost.

PRIME WETLANDSs – Low impact, low feasibility

WETLAND ORDINANCE – This should be put in the ordinance.

WETLAND BUFFERS – This is important. High impact, low feasibility.

TIMBER BMPs - They are non-negotiable for wetlands quality. It was selected to go at the bottom outside the chart.

ENFOREMCENT – Low impact, low feasibility.

QUESTIONS REMAINING:

- Can use existing mapping system to ID wetlands?
- Can the town regulate forestry in a town wetland buffer?
- Can agriculture fertilizer be applied in a wetland buffer?
- Need to further discuss wetland definition/what might be included in an ordinance.

The Boards were encouraged to overlay mock buffers of different sizes and see what happens and what the build out looks like with different approaches of structure ordinances. This is the type of debates to have when crafting an ordinance.

Soil based zoning was discussed. Some members felt this helps keep density down.

The Wetlands discussion from tonight will be a topic on the Planning Board agenda.

IV. Community Forum and Public Comment:

Jessie Salisbury mentioned the Historical Society will meet on April 26, 2017. They are always interested in new members and new ideas. The agenda includes; relocation of Historical Society artifacts out the library and selling their extra chairs from Center Hall.

V. Decision Making Actions:

a. Consent Agenda:

AP Warrant 4/12/17

Payroll 4/12/17

Purchase Order #720, State Line Truck Service 3/29/17

Purchase Order #60642, RMon 4/11/17

Request to Approve Amended Veterans Tax Credit (was previously denied), Valliant

Request to Approved Veterans Tax Credit, Dunnick 4/3/17

Meeting Minutes 3/10/17

Meeting Minutes 3/22/17

Meeting Minutes 3/29/17

Meeting Minutes, Non-Public 03/10/17

Meeting Minutes, Non-Public 03/29/17

VOTE: Selectman Schultz made a motion, Selectman Douglas seconded to accept the consent agenda items. Motion passed 2-0.

b. Old/Tabled Business:

Investment Policy Annual Re-Adoption

Tabled until the entire Board is present.

c. New Business:

2017 Board Appointment Update

Letters went out to board and committee members who are entering a new term asking them to appear before the Selectman for the reappointment process.

d. Items not on Agenda:

Residents Tom and Ginny Chrisenton inquired about current use applications. They visited the town office on March 15, 2017 to put acres back into current use on a piece of land they purchased and the correct forms could not be located. They had their applications done prior to April 1, 2017. A lot line adjustment is before the April 20, 2017 Planning Board meeting and they would like the information available by then. T/A Russ Boland will investigate.

VI. Town Administrator Report

-T/A Boland was informed by the fire chief that Valley Fire Protection has gone out of business. Fire Chief Smith was instructed to have the fire department reexamine the mission of the proposed rescue vehicle.

-The sander on the 2009 Volvo has issues which can be repaired but due to the age and condition there are concerns it's not a financially feasible decision. It was discussed that the Highway Advisory Committee review the options.

-Eversouce sent letters informing residents they are doing work in Lyndeborough which will require a power outage on April 26, 2017 from noon – 2:00 p.m. This will affect the town office, school and village area residents. The Board suggested testing the LCS generator at this time.

-Burton Reynolds asked the Selectmen to consider sending a letter of support for the Bennington & Milford Railroad. He was informed that Pan Am is trying to take their rail rights away. T/A Boland will investigate and discuss this matter with Wilton.

Jessie Salisbury added there is the potential of the trains coming through again and Wilton is considering running the dinner cars again. She provided facts that each train load equals 100 trucks per day and Granite State runs four loads a day therefore that would equal about 400 trucks per day on the local roads hauling Granite State material instead of using the train.

-Police Chief Deware's son is looking for Eagle Scout Project and would like to consider building a shed at the Emergency Garage to store training equipment that is taking up floor space.

-T/A Boland signed and authorization blue bags for the upcoming street clean-up project.

-The Dam Bureau informed the town that the Glenly Cutter dam is now rated "high hazard" because of the floods of 2005 and 2007. It is reclassified and will be inspected every two years instead of four years.

-Uncollected taxes from last year equated to \$130,000K. This year it's at \$77,000

VII. Selectmen's Report

a. MACC Base Action & Agenda

No items to discuss.

b. Transportation Committee

No items to discuss.

c. Planning Board

No items to discuss.

d. Heritage Commission

Jessie Salisbury reported they will not use the EOC building for document storage.

e. Safety Complex & Other Options

Will met 4/13/17 at 7:00pm. Members were asked to have options to discuss

VIII. Information Items Requiring No Discussion
None

IX. Non-Public Session RSA 91-A:3II (a) Personnel
None

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 8:02pm.

Next regular meeting: April 26, 2017 at Citizens' Hall at 6:00 p.m.

Kathleen Humphreys, Transcriber

Chairman Lee Mayhew

Selectman Mark Schultz

Selectman Fred Douglas

APPROVED BY THE BOARD OF SELECTMEN ON APRIL 26, 2017