

MINUTES OF THE SELECTMEN'S MEETING - May 14, 1990

Present for the meeting which began at 7:00 p.m. were Selectmen Mansfield, Johnston and Dodge with Sandra Gendron taking minutes.

Road Agent Lee Murray was not in for his regular Monday evening appointment at 7:00 p.m., but had requested that the board discuss a price he had received for installing new overhead doors at the Highway Garage, funding for which had been provided by vote of the 1990 Town Meeting.

Building Inspector Robert Milliard was in to discuss with the Selectmen revision of forms and building fees which he has been working on. He suggested that building permits might be posted weekly in the lobby and possibly published in a local paper. This would allow anyone looking for information to obtain it freely and not impose on staff time when requests are made. The Board agreed that if this would aid the efficiency of the department then they supported the effort.

Discussion turned to the timely issuance of building permits in New Boston. Bob is of the opinion that contractors have been spoiled in town and he feels he cannot accommodate a "walk in with application and walk out with permit" situation. The Selectmen supported Bob feeling that as long as he acted within a reasonable time-frame, he should feel comfortable that when a permit was issued any and all questions or concerns had been dealt with. This brought up the recent encounter between the building inspector and Frank Fillmore who had demanded an "on the spot" building permit and when the permit was not issued, demanded a letter from the Building Inspector stating the reasons why the permit was not issued. A letter was sent to Mr. Fillmore by the Building Inspector. Bob went on to say he would speak to the Planning Board regarding the issues presented by the Fillmore building permit request and then he would act on the permit, but certainly felt that no neglect had been displayed by the building department and the matter had been handled in a reasonable fashion to date. Selectmen Dodge explained the history of the request for a building permit by the Fillmore's and supported Bob for being extremely cautious and looking to the Planning Board for advice. During this discussion Dorothy Fillmore, who along with Frank and their son Jeffrey was present, asked for permission to speak and was denied. Further, during this discussion it was pointed out that under the new zoning adopted by ballot vote at the 1990 Town Meeting the building inspector has thirty days to act on a building permit. Even though Bob feels this might be an excessive amount of time, it is in the adopted ordinance.

Selectman Mansfield reviewed the circumstances of the Fillmore request for a permit and at this time recognized Dorothy Fillmore who once again requested permission to speak. Mrs. Fillmore stated that the building permit that was being requested was on a lot that was under contract and that in no way were they attempting to push a permit through. The Fillmore's had told the potential buyers that they could locate the house on the lot as long as it was in compliance with all the ordinances. Selectman Dodge took issue with Mrs. Fillmore's statements and stated that it was his understanding that Frank Fillmore had prior knowledge of the potential problems with the lot in question, Frank denied having such knowledge.

TJM
PJ
LWS

Discussion returned to the reason for the meeting with the Building Inspector and Bob presented a suggested building permit which he had reduced to two pages requesting that the Selectmen review and offer changes or suggestions. Bob will also be submitting to the Board of Selectmen at some future date a proposed new fee schedule, he explained that he had used the fees of seven surrounding towns to put together this new proposed schedule. Along these same lines Bob explained that in the Town of Weare, if any construction is started without benefit of a permit the fee is doubled. This imposes a penalty with no legal involvement.

Bob told the Selectmen that three letters had gone out regarding conversion of single family dwellings to two family without obtaining a permit. These will be followed up on accordingly.

Selectman Johnston asked Bob how he was coming along with establishing an inspection procedure for power hook-ups. Selectman Johnston stated the PSNH supports such an inspection to make sure that permanent hook-ups are necessary. Bob stated that it has been his previous experience to have such an inspection generally along with the rough inspection (which in the case of New Boston is the second inspection) and all agreed that this was necessary.

David Campbell, Lyndeboro Road, was in to discuss with the Selectmen an on-going problem he was having regarding burglaries at his home. He gave the history of these burglaries which have been occurring since 1970 and continue to date. The items stolen vary from minor to more expensive and include the plants, shrubs and bird feeders that decorate his yard. He feels extremely confident that the culprit is a neighbor but has yet to be able to obtain the proof necessary to file charges. He wondered what could be done knowing that the Selectmen could probably do very little, he did inquire as to how many vehicles one might have on their property before they were in violation of local ordinances. Selectman Mansfield stated to Mr. Campbell that in another case with regard to the accumulation of motor vehicles, the court has taken it under advisement claiming our zoning on the issue will not bear up in a court of law. Mr. Campbell's response was "why have it, throw it out."

Mr. Campbell went on to say he had installed a security system this year and it worked to the degree that the door was broken down; however, nothing inside appeared to be missing. The Selectmen were sympathetic to Mr. Campbell's problems, but could offer no answers. Mr. Campbell wanted the Board to be aware of his situation and wanted to present the facts personally.

Discussion with Mr. Campbell turned to road issues and the fact that when sand was used on the road not only in front of his home, but along the stretch before and after, it contained very large stones that ultimately ended up in his lawn. He claimed he had spoken to the Road Agent who allegedly agreed to pick them up and then never did. Mr. Campbell had in turn sent a letter and pictures to the Board of Selectmen and received no response. Mr. Campbell did compliment the Highway Department on their snow plowing efforts and their winter maintenance efforts in general.

He ended the meeting stating ~~he~~ his wife was scared to be alone at night

wondering who might be lurking outside, he knew that immediate answers were not available, but wanted the Selectmen to understand his dilemma.

Julie Stoddard, daughter of Roger Follansbee Tucker Mill Road, was in to discuss her building on a piece of land given to her by her father. Since the subdivision did not appear to be progressing whose road would give her the frontage necessary to become a building lot, she had contacted the Planning Board to see what she might do to be in position to build a home. It was suggested that she might get a deeded easement over her father's property to access the lot in question and then at the time the subdivision did proceed this easement could be removed. From the standpoint of having poles installed to provide electricity to her lot, this easement would be the more expensive route. If the power company could place the poles along the proposed roadway for the subdivision, fewer would be necessary and thus less expense involved. The Selectmen posed the possibility of the land being sold to someone else who might change the road location. Discussion ensued as to the distance Julie would be building from her father's home and the fact that she would have to have the permission of the landowner before any poles could be set. Her father was willing to sign over the easement if it would help the situation. The Selectmen were not opposed to whatever arrangements were made with Roger Follansbee and they felt it was not their concern how electricity was brought to this lot. Julie would not need a driveway permit with an easement from either her father or the developer. Selectman Dodge recommended that the Board not object to the proposed easement over the land of Roger Follansbee and Selectman Mansfield would bring the subject up for discussion at the Planning Board meeting the next evening.

Selectman Dodge moved that the Board enter an Executive Session at 9:10 p.m., with a second from Selectman Johnston, and a "yes" vote from all three when a roll call was asked for. The purpose being further discussion of personnel as it relates to the Police Department.

At 9:50 p.m. a motion was made by Selectman Johnston, seconded by Selectman Mansfield and so voted with all Selectmen responding "yes" to a roll call that the Executive Session be ended.

Fire Chief James Dodge was in to discuss Frank and Dorothy Fillmore's request for information relating to monies given to the Fire Department via the Planning Board by developers for fire protection. He asked the Selectmen if the time it took to research such information could be charged for since it was very involved. Jim had no problem supplying the records for Dorothy to research herself, but he is reluctant to give of his time since his position as Fire Chief is voluntary. Since the issues with the Fillmore's were becoming more complex and it was the feeling of the Selectmen that all Boards should be working under similar guidelines, a meeting would be set up with Town Counsel David Nixon to review the varying issues.

Claire Dane, Recording Secretary for the Planning Board was in seeking suggestions or comments for a report that would be submitted to the Planning Board on May 15, 1990 and would ultimately be given

to David Nixon for his review.

Checks were signed, mail was reviewed and the meeting was adjourned at approximately midnight.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sandra Gendron".

Sandra Gendron
Administrative Assistant