

MINUTES OF THE SELECTMEN'S MEETING - May 10, 1993

Present for the meeting which began at 7:00 p.m. were Selectmen Dodge, Johnston and Pimenta with Sandra Gendron taking minutes. Roger Lanctot, Weare Road, was also present to observe the goings on of a regular Selectmen's Meeting.

For the record and to update a conversation from the previous meeting Selectman Dodge stated that he had dug test pits over the weekend on the site where athletic fields were being constructed with Tim Cady (who worked for the engineering firm involved with the landfill closure) and John Halvatzes present. They dug down in several areas only to find clay and no water confirming that the stumps will be buried on site as originally planned.

Present for a scheduled Gravel Hearing at 7:30 p.m. was pit owner Clifton Wilson having requested his hours of operation be extended to include Saturday's from 8 a.m. to 2 p.m. Selectman Dodge reviewed the public notice and the list of abutters who had been properly noticed. For the benefit of Mr. Lanctot Selectman Dodge detailed the reasons necessitating the hearing.

Mr. Wilson responding to being asked why he was requesting the extended hours, stated he would like to begin to haul on Saturday's based on the continuing poor economy and his desire to accommodate the homeowner who working during the week would like to have gravel delivered for small personal projects when he was available to be there. He went on to explain that he owns a development in Weare and he would also benefit from the extended hours in that he might continue site work on the various lots as they are sold. He continued by stating that most of the gravel leaving his pit which borders the Town of Weare is slated for delivery in Weare, and since he owns most of the adjacent area the existing homes, with one new one under construction, will continue to be the only ones primarily affected by his operation. In this regard, he stated that he is very conscious of the neighborhood and considerate of them when gravel is being hauled.

Selectman Dodge stated that it has never been the policy of the present Board of Selectmen to extend Saturday hours beyond noon, and he, personally, would like to maintain this policy in the interests of remaining consistent. He continued by stating that Saturday hours were originally considered based on the reasons of Mr. Wilson's request specifically as they relate to the needs of the individual homeowner, and not to accommodate heavy duty commercial hauling. He contended that once granted, the Board may not be able to technically prohibit what he termed a "heavy duty commercial operation" on a Saturday, but he made Mr. Wilson aware that they would not be happy should this occur. Selectman Johnston suggested that if a project should come up involving more than the intended casual hauling of gravel on Saturday, Mr. Wilson should contact the Selectmen's Office to keep them abreast of what was going on.

The discussion returned to Mr. Wilson's original request that 2 o'clock was, in his opinion, reasonable. He went on to state that he has hauled on a Saturday before he was notified that this was not permissible under the terms of his present permit; and, in fact, only one or two loads were involved, not steady hauling. Selectman Johnston commented that since there were no abutters present, there could not be too much objection to the hauling that had taken place.

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Again, Mr. Wilson reiterated his consideration of the neighborhood when hauling gravel from the pit, and asked that consideration be given to his request that he be allowed to haul until 2:00 p.m. on Saturdays so that he might meet the needs of his perspective clients. He pointed out once again that most of the gravel leaving his pit heads towards Weare intimating little problem should be created for New Boston residents.

Selectman Johnston moved that an amendment be added to the present gravel permit for Clifton Wilson to include Saturday hours of operation from 8:00 a.m. to 12:00 noon, in keeping with all other permits which had Saturday hours of operation. This motion was seconded by Selectman Pimenta and voted unanimously by the Board of Selectmen.

Subsequent to Mr. Wilson's leaving at approximately 7:45 p.m. two abutters arrived not realizing the hearing would be over in such a short span of time, to express their objection to the granting of Saturday hours. They were Wendy Montplaisir, property owner on Middle Branch Road and Jackie LaBelle, a tenant in property currently owned by Camille Ainsworth also on Middle Branch Road. Selectman Dodge explained that the hearing had taken place as scheduled and properly noticed with no abutters present. Having no objections to the request of Mr. Wilson, Saturday hours of operation had been approved by the Selectmen from 8 a.m. to 12:00 noon keeping these hours consistent with those of other operating gravel pits. However, he continued, this amendment does not serve as carte blanche for Mr. Wilson to do what abutters might find as objectionable, and if they had concerns the Board would listen. Mrs. Montplaisir stated that she was concerned with the noise disturbance that the large trucks caused as well as the speed of the vehicles. She went on to state that she had lived in the area for three years and had not once noted police presence, again citing speed as her primary issue noting that it was not limited to the large trucks; however specifically they were her immediate concern. She continued by stating that in her opinion the trucks disrupt an already poorly maintained road. Ms. LaBelle spoke up stating she had young children alluding to the issue of speed and expressing her concern with the dust generated by the large trucks.

Selectman Johnston contended that speed could be deceiving due to the noise and rattling of the large vehicles. Selectman Dodge stated that these concerns would be relayed to Mr. Wilson to ensure that he be kept mindful of the speed of these trucks, further commenting that the legal speed currently is 35 mph which the Board is in the process of investigating the requirements which would allow this to be legally reduced.

Ms. LaBelle inquired as to the prospects of having the road paved with the Selectmen responding that this was not in the present scheme of things. Mrs. Montplaisir again mention the lack of police visibility leading to further discussion on the staffing of the New Boston Department and how and when the State Police might respond to a given incident. During the course of this discussion Selectman Dodge commented that the damage to the roads was done predominantly by cars that drove at excessive speeds as opposed to the large trucks. These large vehicles could cause road damage during the spring of the year as the frost was leaving the ground, and Selectman Dodge contended that this was the reason the roads were posted limiting the weight at that time of year.

Once again, Selectman Dodge stated that Mr. Wilson would be advised of their concerns which he felt would be heeded based on the discussion with Mr. Wilson during the hearing. Selectman Johnston mentioned at this time that the Saturday hours were granted based on regular casual hauling, and Mr. Wilson had agreed to contact the office should any other situation arise so that a special exception might be noted.

The Selectmen instructed Sandra Gendron to contact Mr. Wilson to state the above discussed concerns, this was done with Mr. Wilson agreeing to be mindful of the speed of the vehicles again contending, as he had done during the hearing, that he had been and would continue to be considerate of the neighborhood with regard to the issues caused by gravel removal from his pit.

Prior to the next scheduled hearing, the Board reviewed and signed the agreement with the FDIC which would post funds for the completion of Lincoln and Foxberry Drives.

A Temporary Trailer Hearing was scheduled at 8:30 p.m. upon the request of Jay Marden owner of a building on Rte. #114 which was being renovated necessitating the use of an temporary office trailer while said renovation took place. In attendance was Stephen Klotz, tenant of the building, for whose use the renovation was taking place. He was accompanied by Michelle Sarette, a personal friend of his. Selectman Dodge reviewed the public notice and noted the abutters who had been duly notified. Jay Marden had called in leaving the message that he was detained in Concord, could not attend the hearing, but wanted it noted for the record that he was in favor of the request. Selectman Dodge also reviewed the application which had been submitted, asking Mr. Klotz to explain what his intentions were.

Mr. Klotz began by stating that he had a trailer he would like to use both as storage space for his carpentry tools and as a temporary office space while the building was being renovated. Selectman Johnston inquired as to whether Mr. Klotz intended to add on to the existing structure, to which Mr. Klotz responded that he did once the initial project was complete. Selectman Johnston continued by asking if the addition was reflected on the site-plan submitted to the Planning Board. Mr. Klotz stated that it was; however, only to the extent that the space had been left on the site-plan which was under review by the Planning Board, and that he intended to apply for the permit for this project once he had his site-plan reviewed the following evening by the Planning Board and accepted, which he felt confident would be the case since he contended that he had met all the necessary requirements.

Selectman Dodge asked if this were the same trailer that he had to remove having prematurely located it on the site without proper permits. Mr. Klotz responded that he had bought one trailer exclusively for storage and a second one that could be set up for use as a temporary office.

Selectman Johnston asked what Mr. Klotz' timeframe might be to start his proposed addition, with Mr. Klotz responding that he intended to have the proposed addition completed within twelve months.

Selectman Dodge commented that this entire project had started as

remodeling the existing building and had grown considerably with Mr. Klotz being consistently ahead of the process in terms of using the building. Mr. Klotz alluded to having been open to sell flowers over Mother's Day Weekend. Selectman Dodge contended that this was not "the point", going on to state that Mr. Klotz was asking something more to be granted with regard to his project and to date he had not followed any portion of the process as it was intended, continuing he stated that his concern was with the past performance of Mr. Klotz. Mr. Klotz again stated that he was requesting a temporary trailer to be used for twelve months.

Selectman Dodge asked if plans for the addition were ready, to which Mr. Klotz responded only to the extent of the allusion on the site plan. Selectman Dodge stated that these plans would be part and parcel of the requirements of the temporary permit and that he must proceed forthwith with the addition. Mr. Klotz stated that he would be starting a four foot addition off the rear of the existing building which would be part of the office. Selectman Dodge asked if with the completion of this proposed addition, would the need for the temporary trailer be eliminated to which Mr. Klotz agreed that it would, further commenting that this added space would become the office until such time as a proposed larger addition would be done. Selectman Dodge asked if the trailer would be removed, with Mr. Klotz indicating this would be the case since the trailer is leased by him and not owned. Selectman Johnston indicated that the main concern of the Board of Selectmen was that the temporary trailer be used properly and that it not be used if there was to be no immediate addition to the existing structure, abuse of this permit, he contended would further irritate everyone involved.

Discussion turned to the use of the trailer and Mr. Klotz clouded the issue by stating that it would be used in part for storage, further stating that he had, under the terms of the site-plan, permission to site two storage trailers, and that this trailer could be left as storage. Selectman Pimenta asked, if the trailer was to be used as office space, could it also be used to store materials. Selectman Johnston commented that it could be used pretty much as Mr. Klotz pleased. Selectman Dodge attempting to clarify the issue stated that the proposed trailer would be used first as an office space, with the storage of some tools, and asked if he would be storing any items that would be sold in conjunction with the retail business to which Mr. Klotz replied that it was too small and basically he would not.

Selectman Dodge inquired as to whether Mr. Klotz had applied for the building permit to add on the proposed four foot area. He responded that had not yet applied. Selectman Dodge continued by asking, if his site plan was approved by the Planning Board, "will you apply for the building permit", wanting it stated in the record that the permit would be applied for within a reasonable length of time with full intentions of starting construction. Mr. Klotz replied that the permit would be applied for within thirty days. He went on to ask the Selectmen if there was a specific spot on which the trailer, if granted, should be placed stating that it would have to be outside the require fire lanes, etc. He continued by stating that he would like to place it at the end of the proposed employee parking area and have the employees park for the time being where the storage trailers will eventually go. Selectman Johnston commented that he could not take up the employee parking area or the fire

ness. Mr. Klotz pointed out the distance that electricity would have to run. Selectman Dodge suggested that the specifics of the location of the temporary trailer, if granted, might be worked out at the site review scheduled for the following evening with the Planning Board. Selectman Johnston who would be in attendance agreed with this suggestion. Selectman Dodge stated that an appropriate site for the trailer to be located would be determined at the site plan review by the Planning Board. Selectman Pimenta wanted it noted that Mr. Klotz stated he would apply for the permit to do the four foot addition within thirty days.

Selectman Dodge cautioned Mr. Klotz not to open his doors for business until his proper permits were in place. Selectman Johnston moved to grant the temporary trailer permit as requested for twelve months noting that Mr. Klotz would apply for the permit within thirty days as noted above, this motion was seconded by Selectman Pimenta and voted unanimously by the Board of Selectmen.

Discussion ensued with Roger Lanctot as to how an individual might become involved in the process of local government. Roger inquired as to how long each of the Selectmen had been in office. Having given that information, Selectman Dodge reviewed some of the duties of the Planning Board and the fact that one of the Selectmen served as a representative of the Board of Selectmen on the Planning Board on a revolving basis. He went on to describe the site-plan review process and the criteria thereof. He continued by describing, having been asked by Mr. Lanctot, how an individual homeowner might apply for a proposed addition with the Building Inspector as opposed to the process of Mr. Klotz who was establishing a commercial business, and he gave Mr. Lanctot some of the history of the Klotz scenario.

Mr. Lanctot brought up for discussion some issues he had with the Police Department stating he had called them to come and shoot a raccoon who was tearing shingles off the roof of his home late at night. Selectman Dodge pointed out that the Police Department would not act upon such a request based on the issues of liability that would be raised. Mr. Lanctot contended that he had gotten conflicting information from the Police Department and did not see his request as one outside the scope of police service. Again, Selectman Dodge pointed out that the major concern with acting on such a request would be one of liability, pointing out that times had changed from those when Mr. Lanctot commented a police department would have accommodated such a request.

Next in to see the Board of Selectmen was David Wilson, Mason Drive, Alex Noftger, Laurel Lane and arriving after the meeting had started was Peter Beers, Laurel Lane. David acting as spokesperson complained that the condition of Laurel Lane now that it had been graded was worse than prior to the recent grading. He contended that the road surface was extremely rough causing unnecessary abuse to vehicles and the fill that had been used contained too many large rocks. He went on to state that Peter Beers had called Road Agent Lee Murray to complain about the condition of the road with regard to the grading, and Peter told David that Lee said he would speak to the grader operator. Again, David reiterated his contention that the current method of maintaining the dirt roads was a waste of money.

Selectman Johnston stated that he had been on a portion of Laurel Lane

with Road Agent Lee Murray and Selectman Pimenta on the previous Friday evening and agreed that there were an excessive number of rocks exposed in the traveled roadway. He stated that when the road had been raked subsequent to grading then quite possibly one pass with the rake, if that was all that was done, was not sufficient. He did note that the road was crowned and smooth enough but, again agreed that there were many rocks that he estimated were 1" to 1 1/2" in size. David immediately disagreed with the estimate of the size of the rocks contending that they were larger. Selectman Pimenta asked when material had been added to Laurel Lane. David stated that when material was added it contained too many large rocks, which he stated, was the type of fill the grader operator liked to use during springtime when muddy prevailed conditions, leaving an excessive number of large rocks to be dealt with. Discussion continued with Peter stating that he had offered his services and that of his loader to pick up the excess rocks and material once the grader operator had pulled them to the center of the road, and further that he had favorably commented on the crown of the road, but noted that there was a need for new material. Discussion ensued on the continued use of gravel with too many large rocks and the redistribution of these rocks when the road was repeatedly graded, the contention being that these rocks would have to be removed in order for the road to be less rough after grading.

David asked if there was any road money specifically dedicated to the maintenance of dirt roads contending they were all terrible and realizing the issue of time and money was a factor. He maintained that for those living on Laurel Lane it was a road that had to be traveled and could not be circumvented as some roads might be depending on where one resides, stating that the time had come to remedy and asked "Is Lee in charge?"

Selectman Dodge in response to David's statements alluded to having an issue with the Road Agent not accepting Peter's offer of his loader. He stated that Lee had basically left the grading and raking responsibility to his grader operator; however, he agreed that something could have been worked out with Peter. David then commented on having an issue with what he perceived as Lee's attitude, stating that he had complimented Lee on the job done this past winter on the roads and received what he construed as a sarcastic remark from Lee.

Alex Noftzger commented that the condition of the road caused damage to vehicles and of concern to him was motorcycles and the danger caused by the present condition of the road with so many rocks exposed. Selectman Dodge inquired as to how long it had been since the road had been graded and raked with the response being generally agreed upon as Wednesday or Thursday of the previous week. David commented that the dirt roads in general need upgrading, and discussion ensued on the need for processed material on these roads.

Much discussion ensued on the subject with regard to various roads and how maintenance and reconstruction had been handled with Selectman Dodge pointing out that in some instances there may be more than one way to acceptably handle an issue. One specific area that this discussion involved was the curve in front of Black Horse Farm.

Selectman Dodge agreed that all the dirt roads were in need of processed material, and that this need has not been built into the present budgets.

He further agreed that the pit from which Lee has been taking material does contain a great number of rocks and the continued use of this material can come back to haunt, a point at which he agreed we have arrived. David stated that if new proper material was placed on these roads then when the time came to pave the base would be there, and asked what could be done at this point. Selectman Pimenta asked what made up the summer maintenance portion of the highway budget, with Selectman Dodge responding that there was no plan in place to apply quantities of crushed gravel to long stretches of dirt roads. He went on to state that the need was more evident than ever before this year. Selectman Pimenta questioned as to whether our highway department had the equipment to do the necessary work with Selectman Dodge stating that they did. Peter commented that before crushed gravel were laid, the rocks would have to be removed. Selectman Dodge agreed that the rocks would have to be picked up so they would not be brought back to the road surface when it was graded. David asked, if based on what had been said with regard to budgeting, would nothing be done until next Town Meeting. He was told not necessarily, that the allocation of these projects was reviewed by both the Board of Selectmen and the Road Committee. David Wilson asked who the Road Committee was and was given the list of present members. Peter suggested that if no crushed gravel was available at this time then could the raking process be extended to include several passes over a given road. Discussion ensued on the raking and the fact that Lee likes to give vehicles the opportunity to pack down some of the exposed rocks once the road has been graded. The meeting ended with Selectman Dodge stating that the raking and removal of excess rocks can be dealt with and further stating that the Board of Selectmen recognize the need for more emphasis to be placed in getting new material on some of the dirt roads.

The Board discussed the issue that had been introduced previously by Police Chief James McLaughlin with regard to his taking the cruiser to his residence certain days during the work week and voted unanimously that although they saw benefits to his request they would not honor it at this time.

Louis Maynard, Mont Vernon Road, had submitted a written request that he be considered to be appointed to the Zoning Board of Adjustment as a alternate member. Sandra Gendron was instructed based on a majority vote of the Board of Selectmen to schedule him for an interview. (Dodge-no, Johnston-yes, Pimenta-yes)

Also based on a majority vote of the Board of Selectmen (Dodge-no, Johnston-yes, Pimenta-yes) Lloyd Hill was reappointed to the Zoning Board of Adjustment for a three year term. Sandra Gendron was instructed to contact Holly Bowen Clerk of the ZBA with regard to minutes which have not been available for all of the hearings held by the Board in 1992.

It is noted for the record that the Board of Selectmen along with Road Agent Lee Murray and Road Committee Members Richard Moody, George Daniels and George St. John walked the lower section of McCurdy Road on May 7, 1993 for the purpose of reviewing the condition of this section of the road having been slated for reconstruction.

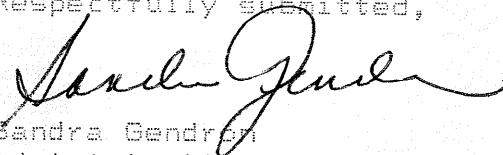
Sandra Gendron had discussed with Transfer Station Manager Bonnie Bethune and it was agreed that the June 15, 1993 meeting of the Solid Waste Committee would be an open forum to discuss the issues of mandatory

recycling aluminum cans, corrugated cardboard and newspaper which had been implemented on May 1, 1993. The Selectmen agreed that the business community would specifically be notified using a similar list compiled by Bonnie when she wrote to them with regard to the mandate, and further advertising of the meeting would be done via the community T. V. channel and the Goffstown News.

The Board selected their summer meeting dates. The Selectmen will meet on July 12th and 26th and on August 2nd, 16th and 30th resuming their regular every Monday evening schedule after Labor Day.

Checks were signed, mail was reviewed and the meeting was adjourned at approximately 11:00 p.m.

Respectfully submitted,



Sandra Gendron  
Administrative Assistant