

SUNAPEE BOARD OF SELECTMEN  
6:30PM Town Meeting Room  
Monday, July 24, 2017

Present: Josh Trow, Chairman, Suzanne Gottling, Vice Chairman, John Augustine,  
Fred Gallup and Donna Nashawaty, Town Manager.

Absent: Shane Hastings

Chairman Trow opened the meeting at 6:30PM

**REVIEW OF ITEMS FOR SIGNATURE:**

**MOTION TO APPROVE THE FOLLOWING CZC's:**

**Parcel ID: 0125-0001-0001 31 Seven Hearths Lane, Brian Garland & Sharon Thielicke.**

**Parcel ID: 0145-0007-0000 361 Edgemont Road, Todd & Susan Hermanson.**

**Parcel ID: 0133-0107-0000 33 Maple Street, Anthony Lenhart.**

**By Selectman Gallup seconded by Selectman Gottling. Unanimous.**

**MOTION TO APPROVE THE FOLLOWING DRIVEWAY PERMIT:**

**Parcel ID: 0233-0024-0000 3 Jeffrey Drive, Thomas & Pamela Rice.**

**By Selectman Gottling, seconded by Selectman Gallup. Unanimous.**

**MOTION TO APPROVE THE FOLLOWING SIGN PERMIT:**

**Parcel ID: 0129-0076-0000 546 Route 11, J & F Realty (Dunkin Donuts).**

**By Selectman Gallup, seconded by Selectman Gottling Unanimous.**

**MOTION TO APPROVE THE FOLLOWING PROPERTY TAX ABATEMENTS:**

**Parcel ID: 0137-0016-0000 37 Harbor Hill Road, Sunapee Harbor View, LLC.**

**Parcel ID: 0114-0006-0004 19 Brown Hill, Mark Brunelle.**

**By Selectman Gottling, seconded by Selectman Gallup Unanimous.**

**MOTION TO APPROVE THE PROPERTY TAX REFUND:**

**Parcel ID: 0118-0036-0000 41 Burma Road, James & Sheri Riter.**

**By Selectman Gallup, seconded by Selectman Gottling. Unanimous.**

**PERMIT TO EXCAVATE:**

**Parcel ID: 0138-0026-0000 108 Stagecoach Road, LJM Construction (Eversource).**

**By Selectman Gottling, seconded by Selectman Gallup. Unanimous.**

**APPOINTMENTS**

7:00PM Lease/Option to Purchase Agreement

Donna Nashawaty stated that at the last meeting the Board reviewed the items that were changes by the Attorney from the previous document. The Property Disclosure that was signed when the property was listed was inserted as Attachment A. **Motion to authorize the Chairman to sign the Lease/Option to Purchase Agreement with the Historical Society for the old Abbott Library by Selectman Gallup, seconded by Selectman Gottling. Unanimous.**

**SELECTMEN ACTION**

•Donna Nashawaty explained that SB38 (anticipated additional funds for roads and bridges) has been approved and the checks are being cut. The Town of Sunapee will be receiving 104,429.79.

Unanticipated Revenue over \$10,000 requires a public hearing. Donna Nashawaty recommends that the Board set a public hearing for the next scheduled BOS meeting, which is Monday, August 7<sup>th</sup>. **Motion to hold a public hearing at the Monday, August 7<sup>th</sup> BOS meeting at 7:00PM to accept the unanticipated revenue by Selectman Gallup, seconded by Chairman Trow. Unanimous.**

•Administrative Order by Consent-Sunapee Wastewater Treatment Facility

This afternoon Donna Nashawaty received the Administrative Order by Consent from David Bailey, Water & Sewer Superintendent, who agrees with the stipulations in the order.

**Motion to authorize the Town Manager to sign the Administrative Order by Consent Gallup Gottling Unanimous.**

•Resignation-Aaron Simpson, Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC).

**Motion to accept the resignation of Aaron Simpson from the UVLSRPC and have the Town Manager send a letter appreciation for his ten (10) years of service of by Selectman Gallup, seconded by Selectman Gottling. Unanimous.**

• Three (3) Year Appointment-Randall Clark, UVLSRPC

**Motion to appoint Randall Clark for a three (3) year term on UVLSRPC by Selectman Gottling seconded by Selectman Gallup. Unanimous.**

•09/24-Lake Sunapee Chowder Challenge, Sunapee Harbor

**Motion to approve the Use of Facilities from Sunapee PTO for the Chowder Challenge to be held on September 24<sup>th</sup> in the Harbor by Selectman Gallup, seconded by Selectman Gottling. Unanimous**

•Memo from Scott Hazelton re: Culvert Maintenance

The following is the text of an email Scott Hazelton sent to the Town Manager regarding the questions Selectman Gallup asked at the last meeting about culvert maintenance. Selectman Gallup asked that it be included in the minutes.

“Scott Hazelton’s memo to the Town Manager regarding the questions Selectman Gallup asked about the Highway Department’s culvert maintenance procedures, and about home owner’s driveway culvert maintenance responsibilities. Duane Abbott and I discussed Fred’s questions/comments this morning, and the following is in response to the questions, and is intended to hopefully educate everyone about the Highway Department’s catch basin, culvert pipe, and drainage component inspection and maintenance procedures. In general, the questions that were asked included what happens if a resident does not maintain their driveway culvert and a storm event washes out other resident’s driveway as a result, and what are the Highway Department’s procedures for maintaining the Town’s culvert pipes and other drainage infrastructure?”

At a Board meeting in 2014 (following the FEMA event of 2013?), we discussed driveway culvert installation and maintenance. At that time, the Highway Department was directed to follow RSA 236:13. Section VI of RSA 236:13 states that “If any such access is or becomes a potential threat to the integrity of the highway or its surface, ditches, embankments, bridges, or other structures, or a hazard to the safety of the traveling public, by reason of siltation, flooding, erosion, frost action, vegetative growth, improper grade, or the failure of any culvert, traffic control device, drainage structure, or any other feature, the commissioner of transportation or planning board or their designee may issue an order to the landowner or other party responsible for such access to repair or remove such hazardous condition and to obtain any and all permits required therefor. The order shall describe the hazard, prescribe what corrective action or alteration in the location or configuration of such access shall be required, and set a reasonable time within which the action shall be completed. Such an order shall be sent by certified mail, and shall be enforceable to the same extent as a permit issued under this section. If the order is not complied with within the time prescribed, the commissioner or planning board or their designee may cause to be taken whatever action is necessary to protect the highway and the traveling public, and the owner or other responsible party shall be civilly liable to the state or municipality for its costs in taking such action.” As of this date, we have not had to issue an order to any resident or home owner requesting that they maintain their driveway culvert. There have been a few instances that have occurred prior to and/or during a storm event which Highway Department staff members

determined that a driveway culvert had the potential to become plugged, and that a staff member(s) has cleared leaves and sticks from a driveway culvert so that the Town's roads would not be impacted.

Pertaining to specific inspection and maintenance procedures, approximately two years ago, the Highway Department implemented procedures which consist of conducting weekly "patrols" of all Highway Department routes (listed in the Winter Maintenance Policy). Patrols are also conducted prior to, during and following significant storm events. During the patrols, staff members travel over every road on their respective routes to observe the conditions of roadways, roadway shoulders, drainage components (culvert pipes, catch basins, drainage ditches), and trees/limbs that may need to be removed. During the patrols, staff member performs minor repairs such as removing leaves and debris from catch basin inlets, culvert inlets/discharges, and limbs from drainage ditches, and they document any major issues for prioritization and repair at a later date.

In addition to the aforementioned patrols, the Highway Department conducts the following inspections and maintenance of our drainage components throughout the year:

- Periodic inspection of all drainage components and maintains drainage components as necessary in the spring (during and after snowmelt);
- Removal of sediment and debris, and reshaping of drainage ditches to re-establish capacity and stabilization, throughout the summer (during periods of minimal rain);
- Driveway culverts are identified and their respective location are marked out on each road prior to summer mowing. If an obstruction is observed near the inlet or discharge of the driveway culvert that might damage the mower it is removed;
- A private vendor assists with the removal of sediment from the Town's catch basins and from pre-determined culvert pipes (in the late summer/early fall). Cleaning of the catch basins and culvert pipes is recorded by the staff member that assists the vendor, and is logged onto a spreadsheet that is based on the structures locations that are shown on the Town's GIS system, and others that may not be on the GIS system;
- Removal of leaves and sediment from drainage ditches during the fall using our leaf vacuum (after much of leaves have fallen).

With the aforementioned procedures that are regularly conducted, we were not aware of any driveway culverts or roadway culverts that had not been maintained, or that prevented the rain from a typical storm event from flowing through them. It is the home owner's responsibility to inspect their driveway culverts on a regular basis, and to repair their respective driveways and/or driveway culverts as needed or when they are damaged by a natural disaster or severe storm event. In the case that FEMA declares an "event" from a specific storm or series of storms (such as the one in 2013), it is my understanding that FEMA will participate in a portion of the cost of the repair to driveways and/or driveway culverts for damage that is received to private property. In the case of the storm on May 31<sup>st</sup>, being that FEMA did not declare an event, residents are encouraged to contact their respective home owner's insurance company to seek assistance in the cost of the repairs to damage to private property. The Town is responsible for repairing and improving its' infrastructure regardless of whether FEMA participates in the cost of the repairs.

The Highway Department's primary focus prior to, during, and following any storm event is public safety. Prior to a storm event, staff members conduct patrols and remove leaves, sticks, and other debris from drainage ditches, catch basin inlets, and culvert pipe inlets and discharges. During and following the storm event on May 31<sup>st</sup>, our primary focus was to establishing safe access over the Town's roadways and to re-establish access to and from all residents' homes which in some locations included repairing impacted driveway aprons and associated culvert pipes.

Repair of driveway culvert pipes helped re-establish flowage along the Town's roadside drainage ditches for other impending storms. As an update on the repairs, the culvert pipes that were impacted during the storm continue to be monitored, cleaned, and replaced by the Highway Department, and Ryder Corner Road, lower North Road and Perkins Pond Road will be resurfaced in accordance with the Board's approval during the third week of August (weather permitting).

The storm event that occurred on May 31<sup>st</sup> resulted with 4" – 6" of rain in approximately 45 minutes, primarily in the Sunapee Heights area. The majority of the Town's drainage components are designed to handle approximately 3.4" of rain in a 24-hour period, which is considered a 100-year storm event for our region. Unfortunately, the amount of storm water coupled with the steep topography, resulted with numerous culvert pipes with diameters up to 36" being surcharged, drainage ditches up to 4-feet +/- deep exceeding their capacities, catch basin being plugged or surcharged, and roadways being overtopped and/or severely eroded. In addition, the quantity and velocity of water that flowed along Ryder Corner Road, lower North Road and Perkins Pond Road caused thousands of tons of sediment, debris, large rocks, and boulders the size of basket balls to become dislodged and deposited down gradient. Most of the driveway culverts that were located on the steep sections of the aforementioned roads were damaged, dislodged, and/or destroyed at the same time.

Please do not hesitate to contact me if you have any questions, or if I can explain the Highway Department's procedures in more detail."

## CHAIRMAN'S REPORT

Chairman Trow thanked Selectman Gottling for filling in as Chairman at the last BOS meeting.

## TOWN MANAGER REPORTS

### •DRA Approval RSA 32:11

Donna Nashawaty reported that the Town received their letter approving the appropriation for emergency spending from fund balance. The money can't be spent until the Town spends all their budget appropriations. Donna Nashawaty said that the DRA was very helpful going through this process.

### •Summer Town Meeting

The Summer Town Meeting is Tuesday, August 1<sup>st</sup> at 7:00PM in the Town Office Meeting Room. The meeting will be kept to two (2) hours.

### •Webinar: "Running Effective Public Meetings" on Wednesday, 8/16 at noon.

On Wednesday, August 16<sup>th</sup> at noon there is a free webinar sponsored by the NH Municipal Association titled Running Effective Public Meetings. You will need to sign up for the event. Invitations were sent to all committees that hold public meetings.

### •Road Safety Audit - Process

On Wednesday, October 18<sup>th</sup> at 9:00AM the DOT will come to Sunapee to do the Road Safety Audit. A portion of the audit will include the consultants making a presentation about what the audit is and what they/we will be looking for. Then everyone in attendance will load into NH DOT vans and ride the corridor and conduct the audit with members of NH DOT and the consultants taking notes and recording the local input and concerns. Then everyone will reconvene in the meeting room to discuss what was seen and give any additional input or express other concerns. Board members are welcome to attend. The Highway Safety Committee, Mt. Royal and the School will also be participating. Anyone attending should let Donna Nashawaty know

As they need a head count for the vans.

•Two (2) bids have been put in the newspaper. One is the Fernwood South bid and the other is the Beach Dock bid. The dock bid closes on Tuesday, August 1<sup>st</sup> at 2:00PM and could be awarded at the Summer Town Meeting. Chairman Trow stated that it could be done at 6:45PM before the Summer Town Meeting.

### •Transfer Station Vending Machine

Donna Nashawaty reported that the Transfer Station Vending Machine has broken, but a process has been set-up so the residents can still purchase tickets at the Transfer Station. A replacement machine will be researched for next year's budget.

### •Tax Due Date Update

The last figure was 97% of taxes collected.

### •Zoning Administrator Position

Selectman Augustine asked how the transition was going with Michael Marquise filling in. Donna Nashawaty replied it has only been a week, but Michael Marquise is answering any questions by email and coming in once a week. Donna Nashawaty and Michael Marquise are working on a new job description.

**Meeting adjourned at 7:56PM**  
**Respectfully Submitted by,**  
**Barbara Vaughn**  
**Administrative Assistant**  
**Approved:**