

SUNAPEE BOARD OF SELECTMEN  
6:30PM Town Meeting Room  
Monday, November 3, 2014

Present: Frederick Gallup, Chairman and Suzanne Gottling, Vice-Chairman, Shane Hastings, Joshua Trow, and Donna Nashawaty, Town Manager

Absent: Emma Smith

Also Present: See Sign-in Sheet

Chairman Gallup opened the meeting at 6:30PM

**REVIEW OF ITEMS FOR SIGNATURE:**

**Motion to approve the following CZC's, with an exception to hold the Kathleen Griffin permit until additional payment is received and Beletsky permits until driveway permit is conditionally approved:**

Parcel ID: 0133-0099-0000 15 Maple St. Ann & Ovid Boldeiana

Parcel ID: 0125-0010-0000 40 Jobs Creek Rd. Richard Wolken

Parcel ID: 0120-0023-0000 312 Jobs Creek Rd. Donald & Gabrielle McCree

Parcel ID: 0115-0025-0000 21 North Shore Rd. Barbara & Dominic Tripoli

Parcel ID: 0133-0051-0021 9B Indian Cave Richard & Gwen Jefferson

Parcel ID: 0149-0012-0000 699 Route 103 Kathleen Griffin

Parcel ID: 0235-0023-0000 Fox Run Rd. Alex & Ellina Beletsky (3 building permits)

**By Selectman Gottling, seconded by Selectman Hastings Unanimous**

**Motion to approve the following Sign Permit:**

0131-0029-0000 93 Lower Main St. Albee Automotive

**By Selectman Hastings, seconded by Selectman Trow Unanimous**

**Motion to approve the following Land Disturbance Bond:**

Parcel ID: 0115-0025-0000 21 North Shore Rd. Dominic & Barbara Tripoli

**By Selectman Trow, seconded by Selectman Gottling Unanimous**

**Motion to approve the following Intent to Cut:**

Parcel ID: 0238-0057-0000 & 0238-0058-0000 Sioux Path Joseph Adams

**By Selectman Gottling, seconded by Selectman Hastings Unanimous**

**Motion to approve the following Veterans Property Tax Exemptions:**

Parcel ID: 0238-0059-0000 29 Sioux Path Anthony Cusanelli

Parcel ID: 0148-0003-0000 1 Lochly Rd. Fred Heineman

**By Selectman Hastings, seconded by Selectman Trow Unanimous**

**Motion to approve the following Driveway way after review from Road Agent:**

Parcel ID: 0235-0023-0000 Fox Run Rd. Alex & Ellina Beletsky

**By Selectman Trow, seconded by Selectman Gottling Unanimous**

## APPOINTMENTS

7:00PM Steve Jesseman- Mount Royal Academy

Chairman Gallup stated at last month's Highway Safety Committee meeting, the committee was approached by Steve Jesseman, who represents Mount Royal Academy. Mr. Jesseman wanted to know what could be done regarding the school growing, which has created a parking issue. Chairman Gallup met Mr. Jesseman at Mount Royal Academy. After batting around ideas, one of the ideas was to make use of the old Route 11 right-of-way that the State abandoned in the 1950s in favor of the new road. Mr. Jesseman did some research with the State and discovered it was a three (3) rod wide road. One of the scenarios that Mr. Jesseman came up with was a parallel parking lot that would be for the staff and/or anyone at the academy all day. Chairman Gallup stated that the school is doing well and looking to expand to serve more students. The Brooms have asked the Town to consider if there was any way they could enter into an agreement to sell the two (2) parcels of the Dewey Woods that are on the west side of Route 11. Chairman Gallup said there are some hurdles that would need to be conquered before this could happen. Mr. Jesseman is here tonight to get a feel from the Board if this is a viable option or not. Mr. Jesseman wanted to make a couple of comments; the right-of-way is paved about twelve (12) feet and overgrown. The school would cut the trees back on the east side, it's too steep on the west side; put some gravel on top, so they could park on it safely. At the end of the right-of-way, the school would like to encroach on the Dewey Woods property to use as a turn-a-round. The traffic would enter from the school property, not Seven Hearths Lane, so it would not appear to be a public way. This proposal would get the parking off Seven Hearths Lane, which was the major concern. Mr. Jesseman went on to say, that the school knows about the restrictions on the Dewey Woods property, but in five (5) years, the school has gone from ninety (90) students to two hundred & thirty (230) students. The desire is to put a new building for the high school and new athletic fields. Right now, the school allows the Town to use their gymnasium and facilities, which would continue. Chairman Gallup sees this as having more facilities for the Town's recreation programs. Chairman Gallup is looking to the Board to see whether they would to pursue this, the Brooms understand that there is a possibility that it cannot be accomplished, but are looking for a vote of confidence from the Board to try to make this happen. Donna Nashawaty stated that letters were sent in October of 2013 to the two (2) direct descendents, John and Benjamin Dewey regarding the Town selling the two (2) Dewey Woods lots to Mount Royal Academy with specific stipulations. Donna Nashawaty received copies of emails, one to George Dewey, the other to Morgan Dewey from Nick Dewey, opposing the sale of the two (2) Dewey woods properties to Mount Royal Academy. Morgan was going to talk to John and Benjamin regarding this issue at a family reunion that was to be held this past summer. Concisely, this is the biggest piece that could be a problem. The Deweys wanted the property to be used for public use and benefit as a public park and forest reserve. These properties are in the Town Forests. The Conservation Commission stated they did not want any part of it, if there was opposition to it and if the NH Society of Forests got involved. Donna Nashawaty cautioned the Board that no part of the right-of-way without some clear checking should end up on this land, without permission from the NH Society of Forests. Chairman Gallup's question to the Board; do they think there is enough merit to the proposal to push forward and try to find out if this can happen.

Selectman Gottling stated this was a complex issue and felt no immediate decision needed to be made, but what about the parking. Selectman Gottling said it sounds like the parking is the difficulty, does this plan interfere with the town owned land. Donna Nashawaty replied that the turnaround would. Selectman Gottling asked who owns the land on the other side and why the turnaround cannot go that way. Chairman Gallup walked out a little way and saw that the east side of the road is definitely an easier side to work on. The left side of the road is a private landowner, and Chairman Gallup is not sure the Brooms have had time to contact the landowner to see if the turnaround could go that way. Donna Nashawaty stated that she would like to see the survey and maps from the State DOT to determine if it is two (2) rod or three (3) rod road. Mr. Jesseman called the State, who looked it up and told him it was a three (3) rod road. Mr. Jesseman stated it will cost the school \$15,000 to develop this small parking lot. The school would like to be a part of the community and work with the community, but would also like to see some interest in helping them. Mr. Jesseman went on to say the school would like to expand. Mr. Jesseman spoke to his Attorney and in his opinion, the Dewey Woods property restrictions were written a long time ago, and the Town will not know unless they ask and approach them the right way. Donna Nashawaty asked if the Board saw the legal opinion letter in their packet regarding the use of old right-of ways, which in this case is the discontinued portion of Route 11, which would be governed by NH RSA 230:57. In further discussion, Donna Nashawaty stated that when Mount Royal Academy expanded from 175 students and teachers to 230 they never came back to the Planning Board to update their Site Plan Review. Selectman Gottling asked what the obligation was for Mount Royal Academy to come back to the Planning Board when they were going over the number of students for which the Site Plan was approved. In addition, Selectman Gottling is worried about the potential enrollment with the buildings they presently have now. Mr. Jesseman replied the school is at capacity, which is why there is the bottleneck. Donna Nashawaty replied that there is a bottleneck because the Planning Board only addressed the Site Plan with 175 students. Donna Nashawaty went on to say, that at some point, there should have been another Site Plan to address the new growth of 230 students and additional teachers, and where they were they going to park. Selectman Gottling stated that part of the reason for the parking problem is that the expansion went beyond what was approved. Mr. Jesseman did not think that was true. Donna Nashawaty asked if there was a parking problem, Mr. Jesseman replied that it depended on what time of day it was. Mr. Jesseman went on to say, that during the day there was no problem. The problem was during drop-off and pick-up times. After more discussion, Chairman Gallup asked if the Board was interested in looking further into whether this will work or not work. Donna Nashawaty suggested that there be two (2) separate issues. The first issue finding out about the class six (6) roads, and look for Mr. Jesseman to come back with a plan on a right-of-way that does not encroach on the Dewey Woods parcel. The second issue is how far the Board wants the Town Manager to go regarding the sale of the Dewey Woods parcels. Chairman Gallup asked if the Board wanted to pursue looking into the parking scenario. Selectman Gottling replied she thinks the school could pursue looking into it. Chairman Gallup stated that the Town is responsible for the road, and it is to the Town's benefit to do what it can to make this work to get the parking problems off the Town road. Selectman Hastings agreed that the school had to come up with a plan that did not involve Town property and probably should talk to the Planning Board regarding the new growth. Chairman Gallup asked the

Board if they wanted to see if this could happen or not. Selectman Trow and Selectman Hastings have no objections.

Selectman Gottling asked whose responsibility is it to figure this all out, the Town. Mr. Jesseman replied that he thinks this would be a joint effort between the Town and the school. As far as the parking goes, Selectman Hastings feels it worth talking to an Attorney. Selectman Trow thinks the Town stands to gain enough to continue what we can do. Chairman Gallup suggested that Donna Nashawaty contact the Town Attorney regarding the muskiness of the RSA regarding the class six (6) roads, and if it requires a warrant article or not. Donna Nashawaty included that would be to contain 100% of the parking in the right-of way. Donna Nashawaty said that because of the change from 175 students to 230 students, this might trigger a process regarding the property statement from Roger Landry, which might solve some of the problems if they were to go in front of the Planning Board again. Chairman Gallup thanked Mr. Jesseman and would get in contact with him.

7:20PM-Scott Hazelton, Highway Director

•Scott Hazelton went over the condition of Nutting Road, particularly from Bradford Road to the NHDOT shed with Board. Scott Hazelton would like to do some improvements to alleviate the ground water issue and stabilize the road to have a more structured base for next year's paving. United Construction Corp submitted a proposal for \$61,200.25 to do the work. Scott Hazelton would like to use funds from the Paving of Dirt Roads Capital Reserve to do this project. Selectman Gottling asked if only one company was asked to submit a proposal. Scott Hazelton replied, he asked the contractor that he was most familiar with their work. Selectman Gottling also asked if this project fit the definition of the cash reserve. Donna Nashawaty stated that this was a paved road a year ago, but it would be up to the Board of Selectmen, who is the agents to expend, to determine if this truly is a paved road or a gravel road. After reviewing photos of the road, the Board determined that it was a gravel road. Selectman Trow asked if a public hearing would need to take place. According to the warrant article, it would. The public hearing would be held on Monday, November 17<sup>th</sup>. **Motion to schedule a public hearing on Monday, November 17<sup>th</sup> to expend the funds to make improvements to Nutting Road from the Paving of Dirt Roads Capital Reserve Fund by Selectman Trow, seconded by Selectman Hastings. Unanimous**

•Scott Hazelton presented a draft On-Call Policy for the Highway Department. The policy addresses "on-call" compensation to a Highway Department employee who maintains his or her availability within 20 minutes of the highway garage on the weekly basis during off-duty hours to address weather related emergencies and/or other highway department emergency related tasks. An employee's compensation for taking on-call status would be \$75.00 a week. If the policy were approved, it would be implemented after the first of the year. Selectman Hastings asked if this would be 52 weeks out of the year, Scott Hazelton replied yes. **Motion to approve the on-call policy as presented by Selectman Gottling seconded by Selectman Hastings. Unanimous.** (2hrs)

•Scott Hazelton presented the final draft of the Building Maintenance Capital Reserve Plan to the Board. Donna Nashawaty stated that each department head had used the annual maintenance numbers in their operating budget, which was being presented on Friday.

### **PUBLIC COMMENTS**

- Martha Roth stated she was very disappointed that Nutting Road was not paved when it was dug up this past spring. She is not happy with the road maintenance this summer. In addition, another concern is the speed vehicles travel on the road; she would like to see the speed limit reduced.
- Charlie Smith stated that there was an article in the Messenger regarding the SAU #43 in Newport is looking for a new office, further down in the article it states that SAU #43 has been receiving \$25,000 a year from Sunapee. Four years ago, Charlie Smith had a discussion with the Chairman of the School Board, who assured him there was only one more year left on the contract. Four years later, we are still paying \$25,000, which totals \$100,000. Chairman Gallup replied that Charlie Smith should talk to the School Board.
- John Augustine asked if there has been a change to the way Selectmen meeting minutes are upload. Barbara Vaughn stated that when she would upload the document sometimes the paragraphs would not line up; the only solution was to upload the document as a PDF. In addition, John Augustine gave the Board an update on the October 21<sup>st</sup> Harbor House Livery Meeting, which he wanted noted, was not attended by a member of the Board of Selectmen. Lastly, he asked if any decisions had been made on the old Abbott Library, which has been vacant for three weeks, and any update on how much the Historical Society has raised, the replied was no to both questions.

### **SELECTMEN ACTION**

- Motion to approve the Petition & Pole License on Bradford Road by Selectman Gottling, seconded by Selectman Trow. Unanimous**
- Motion to appoint Wilda DiGiovanni and Elizabeth Herder to the Thrift Shop Committee by Selectman Gottling, seconded by Selectman Trow. Unanimous.**

### **CHAIRMAN'S REPORT**

- Chairman Gallup reminded everyone to get out and vote.

### **TOWN MANAGER REPORTS**

- The Better Future Alliance quarterly meeting with the Board is December 15<sup>th</sup> at 7:00PM in addition, the expenses thru September 16th are \$35,734.
- The new tax rate is 15.18. The breakdown is as follows; town rate 3.28, local school rate 6.32, state school rate 2.45, county rate 3.13.
- The Atlantic Energy Renewal usage rate is .10290 per kilowatt-hour, the PSNH rate is .1044, the rates are guaranteed for 12 months.
- The Board reviewed the monthly summary report thru October 31<sup>st</sup>.
- The budget session agenda was revised, the session will start at 8:00am Friday morning.

**Meeting adjourned at 9:45PM**  
**Submitted by,**  
**Barbara Vaughn, Administrative Assistant**

**Approved:** \_\_\_\_\_

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**Frederick Gallup, Chairman**      **Suzanne Gottling, Vice Chairman**

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**Shane Hastings**                      **Joshua Trow**

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**Emma Smith**