

**Wolfeboro Board of Selectmen
Meeting Minutes
March 4, 2009**

Members present: Chairman Linda Murray, Vice-Chairman Sarah Silk, Kristi Ginter, Dwight Devork and Dave Senecal

Staff present: Town Manager David W. Owen, Director of Planning and Development Rob Houseman, Code Enforcement Officer Audrey Cline and Past & Present Recording Secretaries Amelia Capone- Muccio and Diane Simpson

Chairman Murray opened the meeting at 7:00 PM in the meeting room of the Wolfeboro Public Library

Non-Public Session RSA 91-A: 3 II

Mr. Owen stated there is a matter of a BLA settlement that the Board might wish to discuss in a non-public session.

Consideration of minutes

- **February 18, 2009**

Chairman Murray stated that she wanted to add a sentence to page 7 after the first paragraph under the 2009 Voter's Guide: "Mr. Owen provided the Board with new tax impacts for 2009 bonded warrant article. He explained that the 5-year bonded tax impact had been used rather than the 20-year bonded tax impact. The Voter's Guide will use the 20-year tax impact."

Member Sarah Silk moved the Wolfeboro Board of Selectmen to accept the minutes of February 18, 2009 as amended. Kristi Ginter seconded. Members voted, Dwight Devork arrived after the vote, and being all in favor, the motion passed.

Public Input

None

Public Hearings

- **Temporary Event Permit**

Brewster Academy to hold the On the Green I Arts and Crafts Festival on July 11-12, 2009 (set-up July 10, tent removal July 13) from 10:00 AM-5:30 PM (4:00 PM on Sunday) at Brewster Academy.

Chairman Murray opened the Public Hearing.

Doug Fallon, Director of Summer Programs at Brewster, joined the Board for discussion and stated that it is the same as last year except that it is for 2 days rather than 3 days as it had been last year. Proceeds in their entirety go to Wolfeboro/Tuftonboro Scholarship Fund for Wolfeboro/Tuftonboro students.

Being no others to speak for or against the permit, Chairman Murray closed the Public Hearing.

Member Silk reminded Mr. Fallon that Fire Department requests that tents be fire resistant. Insurance expired on February 19, 2009 and therefore, a new insurance certificate would need to be presented to town manager prior to the event.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the Temporary Event Permit Application for Brewster Academy to hold the On the Green I Arts and Crafts Festival on July 11-12, 2009 from 10:00-5:00 PM (Sunday til 4:00 PM). Kristi Ginter seconded. Members voted and being all in favor, the motion passed.

Brewster Academy to hold Christmas in July Arts and Crafts Festival on July 25-26, 2009 (set-up July 24, tent removal July 27) from 10:00 AM – 5:00 PM (4:00 PM on Sunday) at Brewster Academy.

Chairman Murray opened the Public Hearing.

Doug Fallon, Director of Summer Programs at Brewster, joined the Board for discussion and stated that it is the same as last year except that it is for 2 days rather than 3 days as it had been last year.

Being no others to speak for or against the permit, Chairman Murray closed the Public Hearing.

Member Silk reminded Mr. Fallon that Fire Department requests that tents be fire resistant. Insurance expired on February 19, 2009 and therefore, a new insurance certificate would need to be presented to town manager prior to the event.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the Temporary Event Permit Application for Brewster Academy to hold the Christmas in July on July 25-26, 2009 from 10:00-5:00 PM (Sunday til 4:00 PM). Kristi Ginter seconded. Members voted and being all in favor, the motion passed.

Brewster Academy to hold the On the Green II Arts and Crafts Festival on August 15-16, 2009 (set-up August 14, tent removal August 17) from 10:00 AM – 5:00 PM (4:00 PM on Sunday) at Brewster Academy.

Chairman Murray opened the Public Hearing.

Doug Fallon, Director of Summer Programs at Brewster, joined the Board for discussion and stated that it is the same as last year except that it is for 2 days rather than 3 days as it had been last year. Proceeds in their entirety go to Wolfeboro/Tuftsboro Scholarship for Wolfeboro/Tuftsboro students.

Being no others to speak for or against the permit, Chairman Murray closed the Public Hearing.

Member Silk reminded Mr. Fallon that Fire Department requests that tents be fire resistant. Insurance expired on February 19, 2009 and therefore, a new insurance certificate would need to be presented to town manager prior to the event. Mr. Fallon clarified that all permits are for 2 days rather than 3 days this year.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the Temporary Event Permit Application for Brewster Academy to hold the On the Green II Arts & Crafts Festival on August 15-16 2009 (set-up on August 14, tent removal August 17) from 10:00 AM-5:00 PM (Sunday til 4:00 PM). Kristi Ginter seconded. Members voted and being all in favor, the motion passed.

Kingswood Regional High School Cross Country Team to hold the Muddy Moose Trail Run on April 25, 2009 from 7:00 AM-3:00 PM starting and ending at Kingswood Regional High School.

Chairman Murray opened the Public Hearing.

Fergus Cullen, cross-country coach for KRHS, stated that this is the 10th annual race and is unchanged from past years.

Member Silk said it was noted there was a comment from Fire/Rescue that they are not to block access to buildings and driveways. She asked if private property owners had given their permission to use their property particularly those who had tornado damage and if trails are available. Mr. Cullen replied that the trails are passable since the snowmobiles have been using them. Notice of the event is in the paper and he noted that it would be difficult to notify each property owner. Chairman Murray asked if one of the trails was the logging area on her property. Event planners need to double-check that trail before that event.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the Temporary Event Permit Application for Kingswood Regional High School Cross Country Team to hold the Muddy Moose Trail Run on April 25, 2009 from 7:00 AM-3:00 PM starting and ending at Kingswood Regional High School. Kristi Ginter seconded. Members voted and being all in favor, the motion passed.

North Medford Club to hold the Lake Winnepesaukee Relay Race on September 26, 2009 from 9:00 AM-3:00 PM beginning at the Alton Town Line, Route 28 with a baton exchange at the High School to Route 109A, with a baton exchange at Abenaki continuing to the Tuftonboro Town Line.

Chairman Murray opened the Public Hearing.

Fergus Cullen spoke to the permit on behalf of the North Medford Club. Again he was reminded that there was a comment from Fire/Rescue that they are not to block access to buildings and driveways. It was noted that last year there was a conflict on that date with another event. This year they have made their application first, so there should be no problem.

Member Sarah Silk moved the Wolfeboro Board of Selectmen to approve the Temporary Event Permit Application for the North Medford Club to hold the Lake Winnepesaukee Relay Race on September 26, 2009 from 9:00 AM-3:00 PM beginning at the Alton Town Line, Route 28 with a baton exchange at the High School to Route 109A, with a baton exchange at Abenaki continuing to the Tuftonboro Town Line. Kristi Ginter seconded. Members voted and being all in favor, the motion passed.

Bulk Vote

A. Applications for Property Tax Refunds/Abatements

Approvals

Abatement/Refund 15	Tax Map 217, Lot 32-6 Tax Map 217, Lot 32-7
Abatement/Refund 8	Tax Map 142, Lot 10-12

B. Property Tax Credits/Exemptions

Approvals

224 Sewall Road	Tax Map 241, Lot 39
45 Kings Pine Road	Tax Map 205, Lot 23
21 Birch Hill Estate Rd.	Tax Map 177, Lot 10-56
819 Center Street	Tax Map 101, Lot 9

485 Forest Road	Tax Map 199, Lot 24
17 N. Wolfeboro Road	Tax Map 23, Lot 4
5 Brummit Court	Tax Map 218, Lot 20

C. Notices of Intent to Cut Wood or Timber

Standard Road	Tax Map 216, Lot 24
Brackett Road	Tax Map 249, Lot 11-1
Haines Hill Road	Tax Map 58, Lot 2

Member Silk would like to remove Abatement/Refund 15 and Abatement/Refund 8 from the bulk vote with the request for some additional information.

Member Devork noted spelling on one of the roads under Intent to Cut Wood or Timber: Standard should be Stanard.

Member Senecal questioned Silk's request for more information. She informed the Board that the tax cards (32-6) were confusing and she wanted more clarification, as she didn't understand the reasoning i.e. original value. She didn't have issues with 32-7 as that one was pretty clear-cut.

Chairman Murray did have questions on 32-7 and didn't have an opportunity to speak with Dave Wiley beforehand. She was unaware of what has happened since abatement was denied in April 2008 talking about the total value of the building and having the value divided up to the present time. The number of units in the condominium was discussed and Murray wanted clarification as to the figures then and what is on the card now. It was noted that the owner is asking for the abatement on the square footage of the units.

The other one questioned already had an abatement in 2007 and member Silk wanted to compare that denial to the present request and the Board didn't have that information.

Member Devork noted that there is no sale price on the January 25, 2007 transfer and it should be a matter of record on the card and also with the assessment value on the property since it was 2007 when property was evaluated.

Member Sarah Silk moved the Wolfeboro Board of Selectmen approve the bulk vote starting with B. Property Tax Credits and C. Notices of Intent to Cut. Dwight Devork seconded. Members voted and being all in favor, the motion passed.

Request from Assessor

Mr. Owen noted that the Board was familiar with the request since it was discussed at the last meeting when the contract assessor was at the meeting and introduced the proposal to the Board. Basically in lieu of discussing 15 appeals and settlements, he is requesting authority to be delegated the ability to negotiate these settlements without coming back to the Board for a vote of authorization on each one. There was talk of putting some limitations on that i.e., not to exceed a dollar figure on it. It would expedite the settlement process and Mr. Wiley does already have these arrangements with other Boards of Selectmen in several other communities where he works.

Member Ginter had no issue with it since that is why we pay Mr. Wiley for his expertise.

Member Senecal noted it centered on an amount not to exceed and he would like that put that into motion if that is what we decide to do.

Chairman Murray had a problem with not to exceed. She had hoped there was a percentage of a parcel, but didn't see a uniform amount that seemed to make sense to her. She would like it to come back to the Board for a review so the Board has a good understanding about it. This money is what comes to Wolfeboro.

Member Devork was not comfortable with the idea of giving full authority to one person or one firm that doesn't have a vested interest in the town's income. It is important that the Board of Selectmen does act as an oversight committee to review those applications for abatements and to understand why they are being done. It would be embarrassing to have an error on the assessor's part and for the Board to be responsible for those errors. He would like the Board to be the oversight committee to keep an eye on what gets passed.

Member Silk noted that the Board does have adequate time to look at the settlements. Doesn't feel comfortable at this point turning over her ability to screen the requests.

Member Devork noted that there is a safety in numbers of those looking at these requests for abatement.

Member Ginter asked if many are changed.

Chairperson Murray noted that some have been changed.

Member Silk noted that some are routine and some just have a few revisions and some are tricky ones.

Member Senecal noted he doesn't feel that he is an assessor. It isn't his job and that is why we are paying the assessor.

Member Ginter also felt this way also.

Member Sarah Silk moved the Wolfeboro Board of Selectmen do not sign the approval. Dwight Devork seconded. Members voted; 3 approved the motion and 2 opposed the motion. Motion passed.

Old Business

Chairperson Murray introduced Rob Houseman, Town Planner, who could not be present at the last meeting to review the flow charts and some of the Board's changes requested at the last meeting from the Planning Department. Audrey presented the Code Enforcement Flow Chart and there were changes and they have been made. They have been resubmitted to you as part of the packet. There were recommendations at the November 5, 2008 Board meeting and at the November 19 Board meeting. On page 9 and 10 due to the formatting, we ran out of room for page numbers, so we will do changes manually with a typewriter. Some of the formatting was lost on the edge. Mr. Houseman now asked for questions and comments from the Board.

Member Silk had a comment for Audrey. Audrey had made 3 changes and included the 30 days notification, she included the RSA and also included the zone violation log and took attachments and consolidated it down and referred to the specific sections of RSA 676. Nice job condensing the second page to make it less confusing. Appreciate the inclusion of page 10. Need to check page 5 as the ZBA seems to have printed out twice. Suggested that page 8 become page 5 and adjacent to Planning Board rather than the Zoning Board pages. Forms were not attached. Page 11: Responsibilities of the applicant. Add: It is the responsibility of the applicant to verify and obtain the most recent revision of the pertinent application form. This would give them a chance to get the most recent forms. Left over question: The form for the woodstoves.

Mr. Houseman replied that the woodstove form has always been on the building permit page.

Member Silk said that it had not been there previously. Also there was no sign permit form and one of the most frequently questions about permanent and temporary signage is where to find the permits; therefore, it might be helpful to have the form for temporary signage as well as permanent signage on page 3 under building permit.

Mr. Houseman said there is a requirement to have a temporary sign permit and they are free. They can add that to the page. Sign permits are different than temporary sign permits. There is one form where you check whether it is temporary or permanent. Reference has been made for applicant to get most recent forms. During past meetings, he didn't get the idea that his office was to include the most recent forms. Majority of Board had agreed not to attach them. He yielded to the board on that issue.

Ms. Ginter felt that the forms should not be attached. Applicants can go to the appropriate department or online to the form they need.

Chairman Murray asked if the forms were online.

Mr. Houseman said the majority of the forms are online. He felt that the Board did not want the forms attached to the document.

Ms Cline stated that there used to be a separate application for a woodstove, but now it is a building permit application. They do not need a form from Fire Department.

Mr. Devork asks which forms are not online and why are they not online.

Mr. Houseman replied: the Planning Board and the ZBA forms are currently not fully available online because they are part of the regulations themselves. They want applicant to get the whole document. One and two page forms online. ZBA forms have a narrative and purposely have not put them online. Criteria vary and he wants the applicant to come into town hall and ask questions.

Chairman Murray asked if there was a statement online that applicants should come to town hall and get full packet.

Mr. Houseman: Yes, we can address that when I meet with Brenda to update the website. My goal is to finish the project and get it concluded and have it available to the public.

Ms. Silk said some residents do not have access to computers and we need to have something available for them.

Mr. Houseman replied that everything is available 8 hours a day in town hall and they can engage with Audrey or Terry who will answer their questions.

Mr. Devork noted the level of care in the office and their help in simplifying the process. Asked about the RSA's and if they would be on the back of Code of Violations page. He felt including them would simplify the process.

Ms. Cline stated that they are very long and didn't know if they would be included in their entire text in the package.

Ms. Silk noted they have 4 RSA's listed.

Mr. Houseman said they would include them if they have the room and it is no added expense

Chairman Murray asked that the state website be put on the packet.

Mr. Houseman agreed they could be given the state url: www.nh.gov

Chairman Murray questioned the Code of Enforcement contact. Add a written abatement agreement so there is no misunderstanding with a phone conversation. She felt that a follow-up letter would eliminate any misunderstanding.

Ms. Cline noted that most abatement issues get a letter.

Member Sarah Silk moved the Wolfeboro Board of Selectmen approve the Permit and Land Use Approval Process Wolfeboro Guide including all suggestions from this meeting, Dwight Devork seconded. Members voted and being none opposed, the motion passed.

Town GIS Overview

Mr. Houseman gave a quick overview of the system on the Town of Wolfeboro website at the Planning Board's site. You can do a parcel search and do a number of queries. You can create an abutter list as well as a road list. All data is up-to-date. When you zoom into the parcel, accuracy is very high. We can add layers as needed. Creation of a layer does have a fee. Once created, there is no fee. At the present time, there are no public access computers in town hall for resident usage, but we can give them the help they need showing them how to use the system. Next purchase is a plotter for tax maps.

Any Other Old Business

Chairman Murray noted that the Massachusetts court did grant the town 3 new trustees to the trust fund: Edie Desmarais, Tim Bates and Tom Roberts.

She reminded everyone about voting on Tuesday, March 10 8am – 7pm at All Saints Episcopal Church, and thanked Dwight for his time on the board, as this is his last meeting.

Town Manager's Report

The RIB Project has attained substantial completion and the Department of Public Works sent a letter to the DES requesting that the sewer moratorium be lifted. Dave Ford has had a conversation with DES and they didn't see any barrier or issues to lifting the sewer moratorium.

We have received a letter from the Department of Transportation a week ago with their intent to resurface Route 28 from Alton Town Line to Route 109A this year. This is in response to all of the Board's efforts to get the state to focus on the need in Wolfeboro.

We met last Friday, February 27 with the U.S. Department of Agriculture, Rural Development Agency to listen to information about the funding that they are receiving from the Economic Stimulus Program for their programs and how and what they can assist communities with populations under 10,000 population. Greatest potential for Wolfeboro is for the sewer and water funding, with up to 45% grant assistance for those kinds of projects. We have already submitted grants to other agencies and we questioned if we could also submit to them. It was agreed that we could submit to both places and see who gives you the best offer.

Received a week ago the requests for proposals by the Public Utility Commission for Regional Greenhouse Gas Initiatives (RGGI). This money is available for energy conservation, reduction of the carbon footprint and to organizations in NH including municipalities. We may be submitting some projects there.

Committee Reports

Chairman Murray will be at the Wolfeboro Area Chamber of Commerce Quarterly Breakfast Meeting tomorrow at 7:30am.

Public Input

None

Press

Tom Beeler, Granite State News, noted there is an article in tomorrow's paper on Dwight Devork and a picture of Dave Owen on back page taken at the February 27 meeting he just spoke about. He questioned town policy on town liens (delinquency list). Mr. Owen shows 2 years of delinquencies and any prior amount. The tax collector is most knowledgeable about that. Mr. Devork noted that the town collects 12% interest on those overdue taxes.

Being no further business before the Board, Chairman Murray entertained a motion to non-public session.

Chairman Murray moved the Wolfeboro Board of Selectmen to non-public session RSA 91-A: 3 II to discuss the Cain Property Abatement at 8:30 PM. Sarah Silk seconded. Members voted Linda Murray-yes, Dwight Devork-yes, Kristi Ginter-yes, Dave Senecal-yes, Sarah Silk-yes, the motion passed.

The Board re-entered public session at 8:45 PM.

Chairman Murray announced the Board sealed the minutes of the March 4, 2009 Non-Public Session by a 2/3rd vote as required by law.

Member Dwight Devork moved the Wolfeboro Board of Selectmen to adjourn at 8:50 PM. Dave Senecal seconded. Members voted and being non opposed, the motion passed.

Respectfully submitted,
Diane W. Simpson
Diane W. Simpson
Recording Secretary