

BOARD OF SELECTMEN MEETING

June 27, 2023

MINUTES

Present: Shawn Talbot (Chair), Jason Somero, Lou Alvarez and Debbie Deaton (Town Administrator)

4:00 Site Visit-Old Beaver Road:

The Board walked Old Beaver Road along with Peter Somero, Peter Goewey and several residents to view the condition of the road and infrastructure. This was for potential acceptance by the Town. It was noted there is no top coat and the paving is very thin in spots.

Residents: Pat Benoit, Marcus Bredeson, Bernie Satterfield, Deirdre Daley, Pat Lackwitz, Ray Christian, Maryann Hughes, Dennis Howe

5:15 Open Meeting in the Town Office with the Pledge of Allegiance at 5:00

5:20 Old Beaver Road discussion:

Dee Daley had done research regarding the history of the Oakwood Common subdivision (Old Beaver Road). She read a brief synopsis of her research (attached). In April of 2005 the ZBA granted a special exception and a variance for dimensional controls and a wetlands crossing. The wider part of the road to be 20' wide with 2' shoulders and the narrower part to be 18' wide with asphalt to minimize the impact on the wetlands.

The subdivision then went before the Planning Board. The NH DOT regulations were presented at that time which allowed the 18' width. The Planning Board noted that the road was going to be private with no guarantee of town acceptance.

The original owner of the subdivision went bankrupt and it was sold. Due to that and the ever changing boards, the history has been lost.

In 2017, the subdivision established an HOA for maintenance of the road. They had hired JDK Paving for this. The members of the Oakwood Common HOA hope that the Town will accept the road.

Shawn asked Peter if there were any other deficiencies in the road other than the pavement thickness and the width. He added the culverts were good and with all of the rain we had, it didn't cause any damage to the edges of the road, etc. and the culverts were good.

Peter said if we accepted the road now, it wouldn't be this good in the spring because of the weight of the Town trucks. He recommends waiting until the spring, then mill, add 2" base coat & 1" top coat to the road once it's accepted. He thinks the road should be cored and has some testing done prior to acceptance.

Dee added the HOA has funds that can be used. Debbie asked Peter what he would estimate for the cost to mill, base and top coat. Peter replied between \$75,000 and \$100,000. There was some discussion on a betterment charge for the residents so the HOA doesn't have to pay all of that up front and the Town doesn't have to absorb the entire cost. The HOA has a meeting soon and will discuss this possibility and get back to the Selectboard. Dee added there are a lot of people on that road that are on fixed income. The residents in attendance thought that would be fair.

Pat Benoit said the residents pay approximately \$600 per year for plowing and maintenance. Dee said any more than that would be a big ask for them.

Dee feels there should be a shared responsibility because the Town approved the width, etc. Jason agreed.

Shawn said he would love to get this done and work together to find a solution. The HOA will have their meeting to discuss possibilities and Debbie will look into Betterment taxes and potentially a process for

accepting a road with deficiencies. The HOA will meet with the BOS on August 8th at 7:00pm for further discussion. Shawn asked Debbie to put it in the Monadnock Ledger for a Public Hearing.

6:05 Peter Somero:

Jason asked Peter if he was feeling comfortable with his "DPW Director in Training" role. He replied he was excited about it and feels very supported.

Peter asked about the RC Club at the Transfer Station. Jason and Shawn responded there is a process though the State that the club has to go through before the Town can approve anything.

6:20 Jim Coffey & Earl Somero:

Mr. Coffey stated he had written a letter to the BOS a few years ago regarding 445 Turnpike Road running a business out of this property without ZBA approval. He added he has never received a written response to this and will now be going to the ZBA to dispute the lack of response to his letter. The fact remains this person is continuing to do business from the residence. Shawn replied the Code Enforcement officer has been out there a few times and found no violations.

Jim added this person has also been illegally excavating. Earl added he thinks the excavated material is being sold. Not to mention, the excavation is a safety hazard.

Shawn said if there are violations recorded, he would like to see them. Lou said he had the information and will forward it to Debbie for disbursement.

Jim reiterated, this person has a registered business with the State of New Hampshire and is running it out of this property. This person lives in Greenville so it can't be a home business.

Lou said he will ask Gary to get permission to go on this property and Tim Somero has contacted DES. He added a Cease and Desist was sent to Mr. Malerba but he stated he didn't receive it. Lou will send out the information he has to the Board.

Shawn said there seem to be a few issues here...Jim's complaint of no response to his letter, alleged DES violations, excavation violations, etc. If this is getting worse, it should be looked at again. Debbie will inform the Code Enforcement officer. Earl requested the Code Enforcement officer contact Earl as well.

6:50 Round Table Discussion:

- There was some discussion of putting legal line items in the ZBA and Planning Board budgets as opposed to having it under the BOS budget. There was also discussion about having the admin wages broken into each department instead of under the BOS budget.

- The Board discussed the letter Jason had written to Governor Sununu. No one sent any comments to Debbie so nothing was sent to Jason. Lou said we represent the people of this Town and feels we don't know what the people of the Town really wants. He wrote his own letter and suggests we encourage the people of the Town to each write a letter. Lou wrote his own letter and sent it.

Jason said he has written several letters to the Governor and gets a "rubber stamped" letter in return. He thinks the letter on Town letterhead would have more of an effect. He would not be opposed to changing the verbiage saying this letter does not represent the view of the residents and the Selectmen have taken it upon themselves to write the letter.

Jason will update the letter so Debbie can put it on letterhead and send it to the Governor with Jason and Shawn's signatures.

- Jason asked if we have an ordinance regarding what people can have in their yards and if not, should the Board get involved in talking to the resident. Shawn said we don't. He added, as long as there is no potential for environmental contamination, more than 2 unregistered vehicles or any violations per our Zoning

Ordinance or any other ordinance, we shouldn't be directing people on what they can and cannot have on their property. Where do we draw the line?

Jason will talk to the Code Enforcement Officer regarding a few properties that were brought to his attention to make sure there are no code violations.

- Shawn said the Vertex Cell Tower was approved by the Planning Board. They changed the entrance from Old Peterborough Road to Old Rindge Road. He added part of the approval was getting the permission of the Selectmen to put a driveway on a Class VI road (Old Rindge Road). Shawn added if we receive anything from Vertex/Attorney, it needs to go to the Board.

7:57 Non-public RSA 91-A:3, II (I):

At 7:57 Shawn made a motion to go into non-public session. Jason seconded the motion and it passed unanimously. At 8:20, Jason made a motion to return to public session. Shawn seconded the motion and it passed unanimously.

At 8:23, Shawn made a motion to adjourn. Lou seconded the motion and it passed unanimously.

Respectfully submitted,

Debbie Deaton
Town Administrator

Minutes approved by BOARD OF SELECTMEN

Shawn Talbot, Chairman: 

Jason Somero: 

Lou Alvarez: 

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