

**BOARD OF SELECTMEN MEETING
November 14, 2023
MINUTES**

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

5:00 Open Meeting with the Pledge of Allegiance

5:05 Pratt Pond Association:

Present: Joe Woodworth, Brett Kivela, Dwayne White, Sandy Heim and Tom Moran

Joe Woodworth stated he was the President of the Pratt Pond Association and the other attendees are board members.

The PPA has an issue with a resident building a secondary driveway over the dam (PPA property) and this has created several issues including erosion. Brett Kivela said the resident stated he had a driveway permit which after investigation, he does not. The Association tried to work with him stating he could use the driveway with some restrictions (can't plow snow toward the dam, no excavation, erosion controls, etc.). The resident refused and said he could utilize the driveway because his deed says he has access. The PPA wrote a letter asking him to stop working. He is also within 50 feet of wetlands and is going over the Pratt Pond Dam which has huge ramifications. They decided the best route was to come to the Board and ask for help.

The attached documents describe the depth of the issue.

The PPA also submitted the Town of New Ipswich Driveway Regulations with pertinent sections highlighted (also attached).

Gary Somero asked if DES had been called on this issue. Dwayne replied they had not. Gary said the State regulations regarding the dam is more stringent than the Town's. Shawn agreed the DES should be involved at some point.

Jason said we could do a cease and desist. Debbie said from what she remembered, that had to be through an attorney but she will check into it. Gary thought so too.

The PPA had material stored on the embankment and the resident moved it to put his driveway in. Dwayne and Joe said he hasn't used the driveway or done any work on it since the police were out there. The PPA isn't looking for any fines, they just want him to stop doing damage to the dam and PPA property.

Sandy said the State was there looking at the spillway and the dam. The PPA has to protect that.

Shawn said he understands where Jason is coming from wanting to look into the authority. Jason replied sometimes RSA's are quoted but aren't relevant. He is concerned about the authority to enforce and wants to confirm it.

Joe added the wetlands alone is a reason for a Cease and Desist. The resident needs to apply for a driveway permit and go before the ZBA for a variance or special exception. He also needs permission for a second driveway and would have to be able to prove a hardship to get it.

It was decided Debbie will consult the attorney regarding the Cease and Desist procedure and the authority to enforce driveway permit violations. Debbie will contact Joe with the answers.

Joe said the PPA tried to resolve this on their own but hit a wall so they thought they would ask for help from the Town.

5:40 Fire Department/Building Inspector-Gary Somero:

Gary said the 2002 truck should be in replacement cycle right now. He said if they can get the donated fire truck in the rotation, it would help with the CIP. The donated truck has had a lot of testing and passed them all. He is hoping to get a quote for the refurb of this vehicle so the fire department can do a warrant article for March.

Gary said he is also trying to get a draft warrant article together for the full time Fire Chief/Building Inspector position.

Gary said the generators are being picked up tomorrow.

Shawn asked how the Fire Department repairs are going. Gary replied they are moving forward and things are getting done. They are going to use the back building for the offices and the front building for training.

Gary also said building inspections are busy, a lot of generators, solar and renovations.

5:55 Non-public RSA 91-A:3, II (c)- Shawn made a motion to go into Non-Public under RSA 91-A:3, II (c). Lou seconded the motion and it passed unanimously. At 6:48, Shawn made a motion to return to public session. Jason seconded the motion and it passed unanimously.

6:50 Jim Coffey:

Jim Coffey stated the Board gave him a letter in response to his request regarding a certain property. Jim added, in the letter, the Board would look into it further if the resident hadn't gone to the ZBA by a certain date, it would be looked into the matter further.

Shawn replied the resident had gone to speak with the ZBA. He has spoken with the ZBA chair regarding this and Walker said if the BOS didn't order a Cease & Desist, there is nothing further the ZBA can do. He added in the Board's opinion, based on reports from the Code Enforcement officers over the past couple of years, there is no violation.

Jim replied the BOS is the enforcer. What he sees is the failure of the Board of Selectmen to enforce the Zoning Ordinance. He added he will be going to the ZBA with the Board's response and if he can get support, he will be taking this to court.

Shawn said the Board doesn't want to just go around and throw out Cease & Desists. They want to look into things before that is done.

Jim replied "you do understand the abutter to this property is serving tea". Shawn said we will not be getting into that.

Jim said he has gotten nothing from this Board.

6:50 Parks and Rec-Mindy:

Mindy said they had a formal rec meeting. She stated she needs to get in place which are her coordinators. She said she would like to have Jen Worth as an Event Coordinator with a stipend position of \$2,000 per year paid quarterly. She already works here and has a ton of experience.

As a Fundraiser Coordinator, she would like to have Heather Alix. This would also be a stipend position of \$2,000 per year paid quarterly. She's been doing this all along and hasn't been getting paid for it.

As a Sports Coordinator, she would like to have Josh Alix. This would be a stipend of \$3,500 per year paid quarterly and would oversee each of the individual Sports Coordinators and also the summer camps.

Mindy will be doing job descriptions for each of these coordinators. She will also be the liaison to Mascenic for school use requests.

The sports coordinators will be paid according to their sport (spring, summer, fall, winter).

The funds will be budgeted for 2024 and are listed as a #2 priority. If that doesn't work, they will take these funds from their Revolving Accounts.

Shawn made a motion to approve Josh Alix as Sports Coordinator, Heather Alix as Fundraising Coordinator and Jen Worth as Event Coordinator and the stipends as noted will be paid from the Rec Revolving Accounts. Lou seconded the motion and it passed unanimously.

Debbie left the meeting.

7:00 State Representatives:

Jim Kofalt and Shane Sirois did a presentation on government in New Hampshire and how you can make your opinions heard. See attached.

Jim stated our elected officials for the state government is made up of the following:

Executive Councilor is Dave Wheeler (1 of 5), Senator Kevin Avard (1 of 24) and the 3 State Representatives (Jim Kofalt, Shane Sirois and Diane Kelly). In the Senate & House, they are all assigned to different committees. Jim is on the Fish and Game Committee, Health and Human Services, a special committee on commissions and the Deputy Majority Leader.

Shane said he is the clerk for the Executive Department of Administrations which deals with Office of Professional Licensure and rule making.

Jim said a lot of people don't follow what's going on in Concord but the legislators need to know what people are interested in and hear from people. Jason asked if the public can be there when the House is voting on a bill. Jim replied they can. The public can sit in the gallery and can also watch it online. He added if someone from the district is going to be there, let one of the State Reps know so you can be introduced.

Jim said he wants to talk about how people can get involved.

The General Court is made up of the House (400 members) and the Senate (24 members). The Executive Council is very important because there are only 5 members. They approve judicial appointments, approve State contracts and appointments to agencies.

Jason asked how much the State Reps and Senate get paid. Jim replied \$100 per year. Jim added he wants people to be State Reps and Senators because they want to not for the pay.

Jim said RSA's are the laws that are passed by the legislature. The second body of law is the Administrative Rules. The agencies are authorized to create rules. He feels these rules should be created by representatives who represent the people not by a board.

Jim said they have a very short window to submit bills. They can only introduce legislation once a year. If the bill isn't signed off on, it's dead and would have to be resubmitted the following year. At the bill hearing, everyone has an opportunity to speak. They would like to hear more from residents. Shane added it's really impactful when residents testify. The committee votes on it then it goes to the House where it's voted on by them. If it passes, it then goes to the Senate. If it passes both, it then goes to the Governor. The bills filed in December probably won't get passed until September.

Gencourt.state.nh.us is a resource for viewing bills, their status, the text, amendments, etc. You can also see the votes. The only way to see who voted for what is by a roll call vote. Jim added it can be very confusing because the votes can be based on the context the vote is on (Inexpedient to legislate-ITL or Ought to Pass-OTP). The vote could be on tabling the motion or ITL. For example, there could be a really bad bill that the committee voted ITL so if you were against the bill, you would vote yes because you are voting on the committee recommendation, not on the bill itself. There was more discussion regarding scoring representatives' votes and how it works. When there is a bill that you would like to testify for and are unable to attend, you can sign up with your support or opposition to a bill.

There are links on the website for streaming video, YouTube channel and other items.

There are 2 forms of state government, Dillon's Rule and Home Rule. New Hampshire is a Dillon's Rule state which means cities and towns can do that which the State authorizes them to do and no more. Home Rule states can do whatever they want as long as it's not prohibited by the State.

Jim said residents should get on mailing lists for groups that represent things that they are interested in. You can write or email representatives that are on those committees. He added the reps are very accessible.

If there is something that matters to you and you want to make an impact, send an email to your rep. Some tips are be brief, be polite and be clear. If you are writing about a specific bill, let them know which bill it is so they know whether you want them to support it or not.

Shane said some mailers went out regarding bathroom practices happening in our schools by a group called Defend Our Kids. They are concerned about putting our children at risk. There have been a lot of female students that have left Mascenic.

The school board needs to act on what the community wants regarding the bathroom situation. Go to Shane's website, shanesirois.com for more information. It is really important that people who are concerned, reach out and have their voices be heard. Jim added there are more bills along the same vein in process right now. Jason said the rules keep stacking up. People are turning away from the principles this country was founded on. It was designed for self-governance which means self-discipline. People want rules now because it's too hard to self-govern.

Ron Stanley asked if there were any bills going on right now to do with Veterans. Jim replied there is one concerning spouses being able to keep Veteran license plates after the Veteran is deceased.

8:45 Round Table Discussion:

- Jason said he and Peter had driven some roads and there is a stop sign where Poor Farm Road meets West Binney Hill. Jason said he thinks Poor Farm Road should have the right of way and West Binney Hill should have the stop sign due to the amount of residents each road serves.

Shawn said he also noticed the stop sign at Locke Road and North Road has the same situation. The lesser amount of traffic has the stop sign and wondered if there was a speeding issue. Jason wondered if it was because it was a bus stop.

Jason said he and Peter removed the stop sign at the exit of the stop sign. This will be discussed at next week's meeting.

- Jason said he will be attending the Road Committee meetings.

- Jason mentioned he has 3 people interested in the Patriotic Committee. He would like to have a meeting before the end of the year if possible. The DPW is responsible for the flags by default. He feels the Patriotic Committee should be responsible.

Jason will talk with Ollie Niemi to see when we can schedule a meeting. He added if anyone is interested to please contact him.

- Jason said Prime Roofing would be interested in leasing part of the old highway garage property from the town while they are constructing their building for 2-3 months. They will have approximately 6 Con-Ex boxes. Shawn added we had refused before when a resident asked to park a tractor trailer truck there due to the ongoing research for the Brownfield Grant.

- Jason said he would like to touch base on the Public Hearing from last Tuesday. He said for him, it's about the 2014 warrant article. Shawn added, according to the legal advice, the Board has every right to do it but he wants to go by what the people want, which is why we had the public hearing. Lou asked if there was a cost analysis done when the sheriff's department was covering when we had a reduced staff. Jason said there

was. Shawn added it wasn't an option, the sheriff's department isn't equipped to cover for our Police Department.

Jason said he wishes there was more direction given to the Board. The Police and the DPW had a lot of support. He and Becky had a lot of back and forth and he can see where she was coming from. Shawn mentioned someone had said something about not having a member of the Supervisors of the Checklist but we weren't looking to take a formal vote, they were looking to see what the public opinion was regarding this. He doesn't think there seems to be much resistance to the Board acting on it because if there was a hot issue that everyone wanted to weigh in on, the room would be filled, which has happened in the past.

Shawn added he is truly torn between the warrant article and acting on what is needed to hire and retain employees.

- There was some discussion regarding the budget, wage scales and warrant for 2024. No decisions were made.

- Lou said he has had complaints regarding the IT firm that we use. He asked if we should get quotes for a new company. Shawn said that has to be driven by the Town Administrator and Department Heads. They should be coming forward with proposals.

- Shawn said he was appointed to the Advisory Budget Committee for the school. He added the SAU business office creates the budget and submits it to the School Board and ABC. He mentioned all of the numbers are grouped together and not a lot of detail such as how many teachers there are at each school, how much the salaries are, etc.

- Shawn brought up the option of a Cease and Desist for 445 Turnpike Road and the museum. He continued by saying he heard from Walker (ZBA Chair) stating if the BOS doesn't issue a Cease and Desist for these 2 issues, it's a dead deal at the ZBA level. The Board of Selectmen are the authority to enforce these issues.

Lou said he has a business at his home and he had to get a special exception. Shawn said in his mind, if there aren't any "customers" coming and going from your property for the business, you probably don't need to go to the ZBA.

Walker said it isn't the ZBA's job to go find issues, they enforce the Zoning Ordinance by granting/denying special exceptions and variances. If a Cease and Desist is issued, it would come from the BOS.

Shawn said the letter from the BOS asked Mr. Malerba to go before the ZBA to ask if there is a need for a special exception or a variance. Jason read an email with the letter sent to Mr. Malerba. Shawn said he didn't think the letter we sent was worded that way. Debbie will provide copies of the letters sent to Mr. Coffey and Mr. Malerba. The Board will discuss this further next week.

- Jason said he has very little motivation to go after the museum. Lou said the ZBA has a list of all of the businesses allowed without having to go before the ZBA. Jason said he would like to see this list.

- Lou asked about the sign for the Mobil Station. He gave the background by stating they had a white sign with the gas prices on it. That sign got replaced with an electronic sign. The post and the Mobil sign were still the same but the price section was changed to electronic. They are now replacing it with a sign that will toggle between cash and credit. According to the ZBA, they never got a variance in 2019 when they changed it. The Mobil representative said they did get one. Dave Lage said they need to get a variance for the old sign and the new sign shouldn't be a problem. Shawn said they were issued a building permit for the sign in 2019 and didn't direct them to the ZBA which should have been done. He went on to say their concern is if the ZBA doesn't grant the variance for the 2019 sign. Lou said the ZBA just said to submit the variance. He added there are no applications to the ZBA but there is an approved building permit.

Shawn said the Board can either have Gary issue the building permit or do a Cease and Desist. Lou said we should consult the lawyer to see if because the building permit was issued and approved in 2019, it is an

implied variance and they shouldn't need to go before the ZBA for a variance. Shawn read and will forward an email received from NH Signs.

Jason said he's fine with the museum and the sign. However, in the case of 445 Turnpike, if we told someone we would issue a Cease and Desist, we need to do it. He wants to see the actual letter that was sent before any action is taken.

- Shawn mentioned the Planning Board has discussed changing the Zoning Ordinance. They want to come up with more creative ways to add flexibility to people's property.

At 10:45, Jason made a motion to adjourn. Shawn 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: 

Pratt Pond Association (PPA) owns and is responsible for a dam that was transferred to PPA from Greenville Mills in 1959. The PPA dam consists of the spillway, the crest (where Lower Pratt Pond passes over), the earthen berm both on the water side and the back side, and the full embankment along the sides of the dam and Pratt Pond stream. The embankment prevents seepage through the dam and requires protection and maintenance. The property is articulated in Boundary PLAT (Plan #37885 Drawer #176) dated November 1, 2013.

Recently an abutter has excavated the dam embankment and installed a horseshoe driveway (a second driveway) crossing over the embankment. Excavation was performed without a permit, without landowner permission, and after a formal request from PPA on August 28, 2023 to refrain from further modification and/or use of this property as a driveway, the abutter continues to prepare this property for use as a driveway (including the recent relocation of material being used for dam erosion mitigation).

His horseshoe driveway violates the following New Ipswich zoning ordinances (*Zoning Ordinance – Town of New Ipswich, N.H., Amended March 13, 2018*):

D. Wetlands and Surface Water Conservation Overlay District:

4a: The abutter excavated the dam property, altered the surface configuration with addition of fill, and built the driveway on private property

4b: The driveway is within 50 feet of wetlands setback. The zoning ordinances specify that no structure may be constructed within 50 feet to any wetland or to the reference line of any surface water body. The property is within 50 feet of both the Pratt Pond Brook, and Pratt Pond.

H. Driveways

1. A permit must be obtained from the Board of Selectmen before any driveway entrance, exit or approach to any highway within the town...

Article XII: Controls

- A. Dimensional Controls. *****Minimum setback in feet from edge of driveway to property line:
20. Currently the abutter has placed his driveway on the dam property (within boundary).

The driveway also does not comply with the New Ipswich Driveway regulations (*Town of New Ipswich Driveway Regulations, Adopted 03/03/2021*):

Section I: Authority. Pursuant to the authority granted under the New Hampshire Revised Statutes Annotated 236:13 the Town of New Ipswich Planning Board hereby adopts the following regulation for driveway access to Town Roads, public and private. Hereafter, no driveway shall be constructed without compliance with this regulation.

Section IV: Permit. Anyone desiring to construct, alter or relocated a driveway ... must obtain a permit from the Board of Selectmen or their designee.

Section V: Permit Process (B). The application for a Driveway permit must be accompanied either by evidence that the Driveway will not impact a Wetlands or Wetlands buffer...

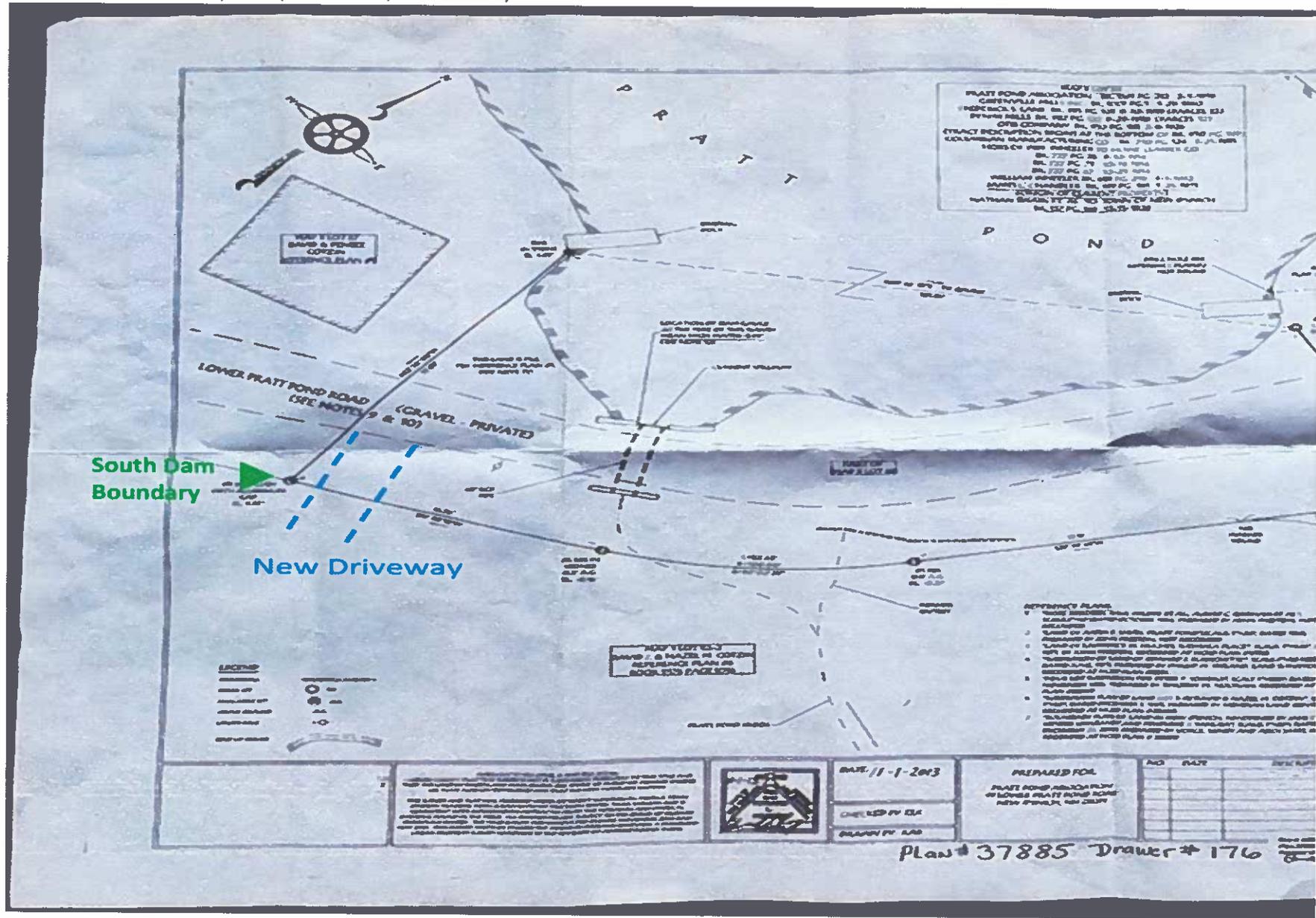
Section VI: Driveway Construction & Design Standards (K). Any driveway impacting a wetland or wetlands buffer shall have all permits required by the State and Town...

Section VIII: Location and Number of Driveways

- A. Location. The driveway entrance for any lot shall be located along the frontage of the lot. The driveway passes over the PPA dam (private property) before accessing Lower Pratt Pond Road
- B. Driveways shall be limited to one per residential lot, except where the Selectmen or their designate has determined that a second driveway is warranted. Note that the abutter has a paved driveway that provides access to all buildings on the property.

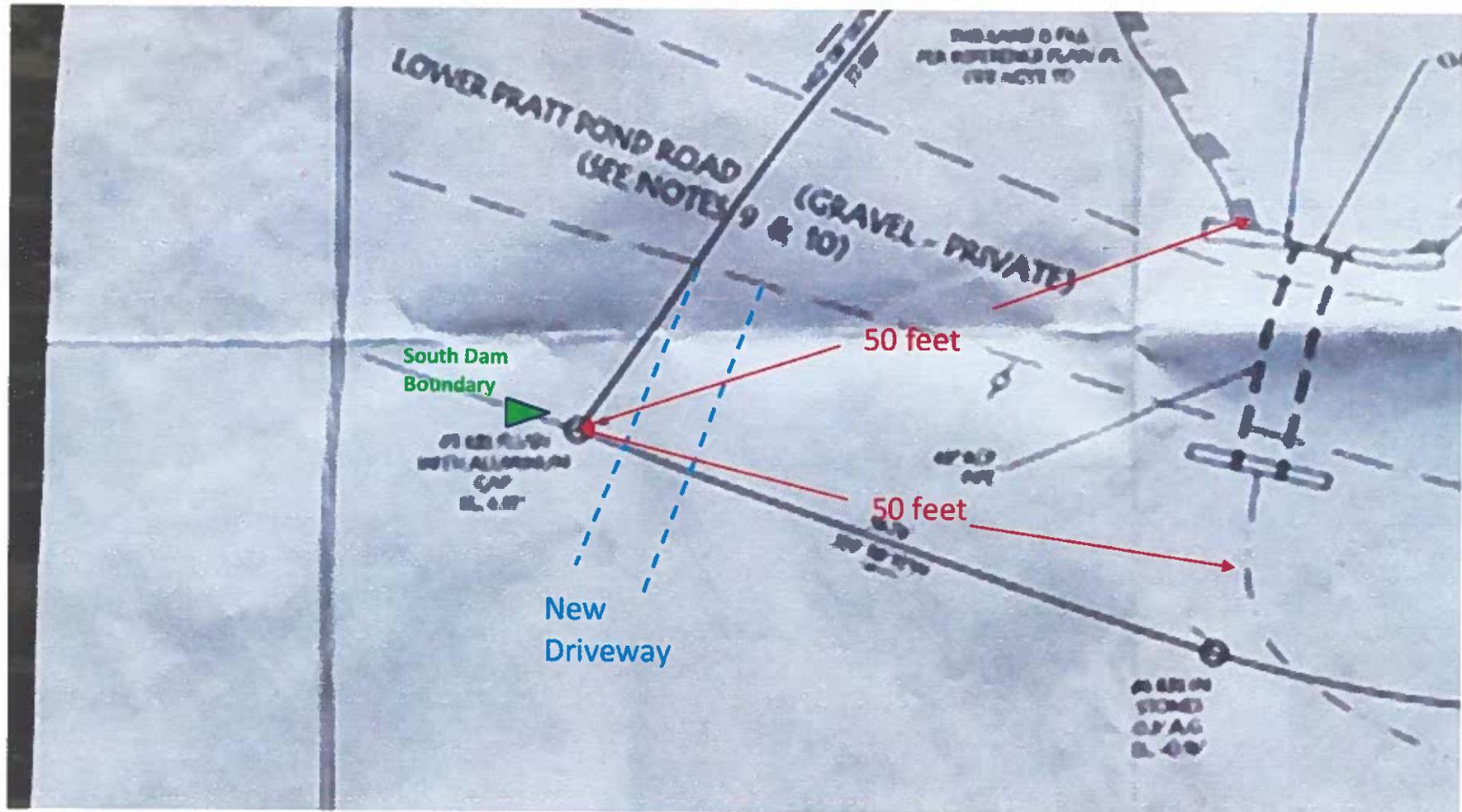
PPA requests the New Ipswich Board of Selectmen issue an immediate cease and desist. In addition, should the abutter apply for the Town permits, the Board of Selectmen (or their designee), the Conservation Commission, and the Zoning Board must take into consideration the potential impact to the PPA dam, the proximity to wetlands (within the setback), and a lack of hardship pushing the abutter to creating a driveway at this specific location. PPA is not obstructing the abutter's access to Lower Pratt Pond Road (an existing driveway is in place), and PPA would not impose any restrictions on an additional, permitted driveway provided it is not within the wetlands setback, nor within 20 feet of the PPA dam boundary as shown in Boundary PLAT (Plan #37885 Drawer #176) dated November 1, 2013.

Pratt Pond Dam Boundary PLAT (Plan #37885, Drawer #176)



New, second (horseshoe) driveway installed on PPA dam embankment

South corner of dam boundary, new driveway location shown, distance from wetlands (50 feet from Pratt Pond, and 50 feet from Pratt Pond Brook).

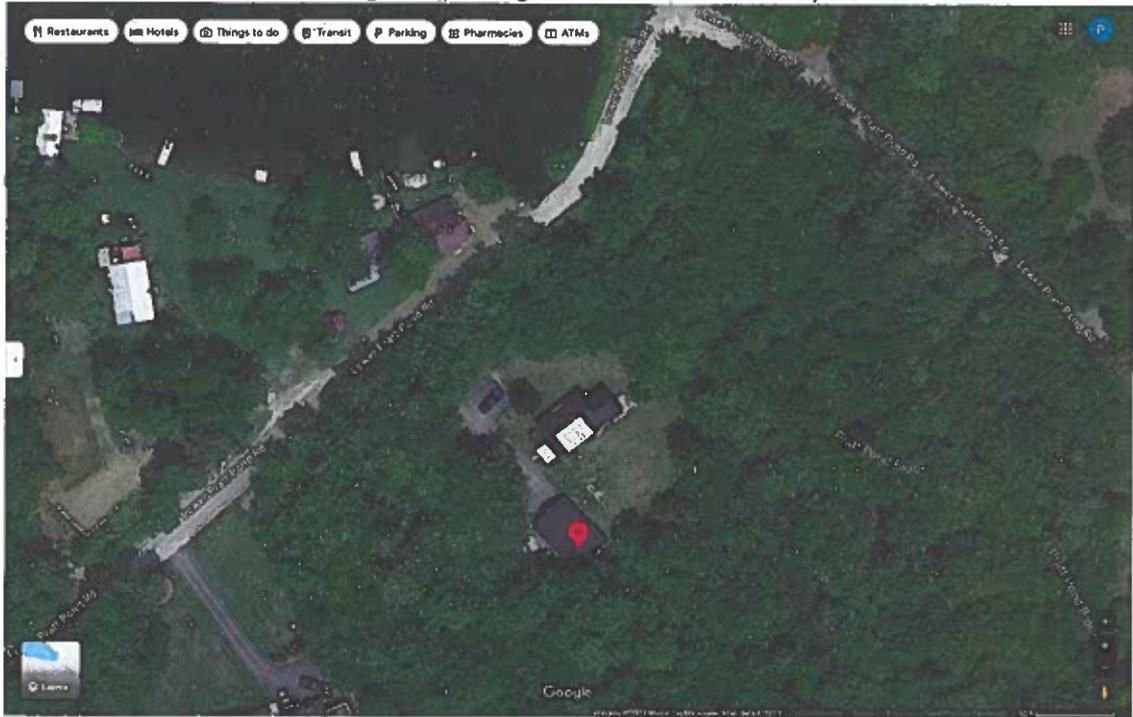


Current Picture

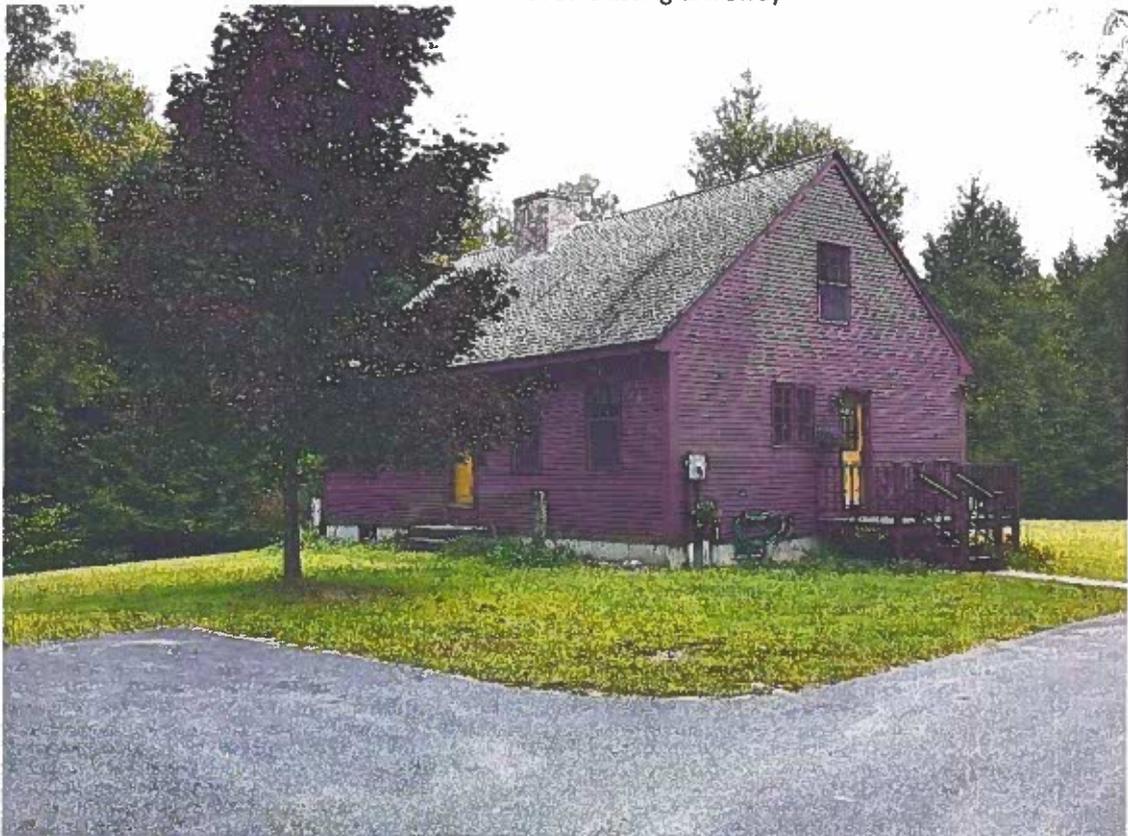


Pictures prior to the driveway

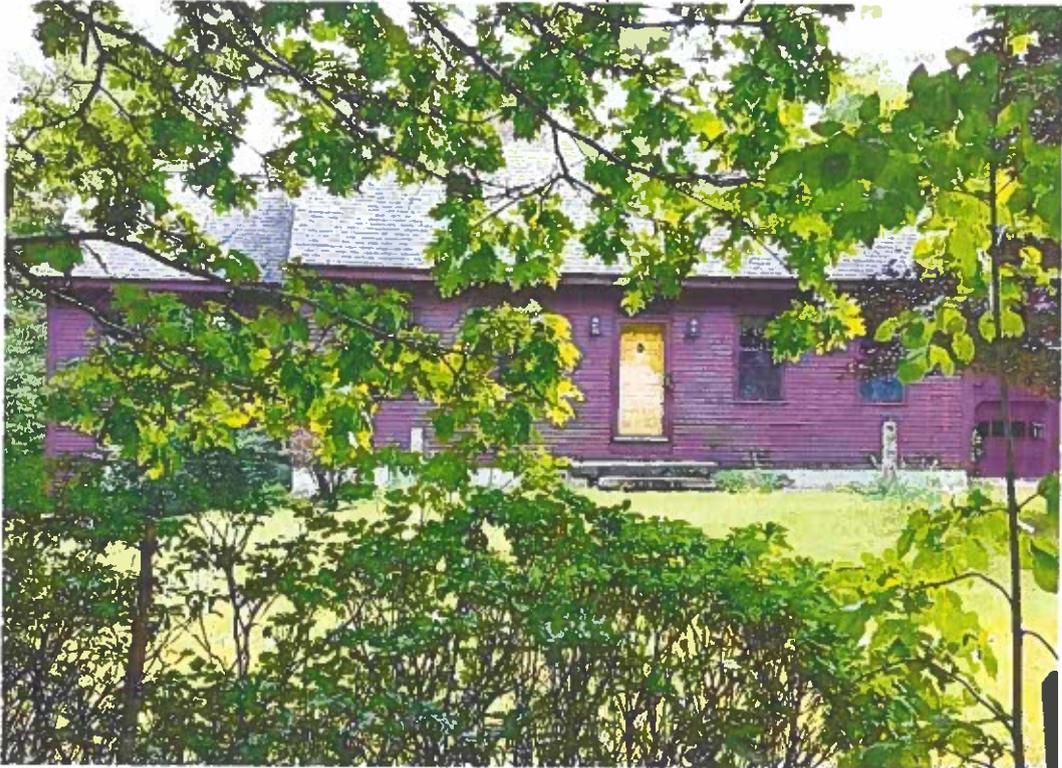
Google Maps Image: No horseshoe driveway



From RedFin: Paved existing driveway



From RedFin: Front Lawn (no driveway)

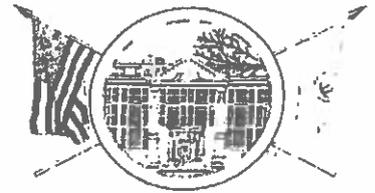


From RedFin: Note post and rail fence to keep people off the lawn. No horseshoe driveway



TOWN OF NEW IPSWICH

661 Turnpike Rd New Ipswich NH 03071



TOWN OF NEW IPSWICH DRIVEWAY REGULATIONS

RESIDENTIAL

Adopted 03/03/2021

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SECTION I: AUTHORITY

Pursuant to the authority granted under the New Hampshire Revised Statutes Annotated 236:13 the Town of New Ipswich Planning Board hereby adopts the following regulation for driveway access to Town Roads, public and private. Hereafter, no driveway shall be constructed without compliance with this regulation.

SECTION II: PURPOSE

This regulation applies to the construction of new Driveways on single lots of record and to the construction of shared driveways or relocation of an approved driveway in a subdivision. The intent is to ensure safe sightline, drainage, access, public safety and integrity of Town Roads. Inasmuch as driveways, entrances and access points are, in effect, intersections and therefore require certain controls as to size, location and construction in order to provide safe and efficient access to property fronting on the public way, as well as surface drainage in and around said driveways, this regulation is enacted for the purpose of such control.

SECTION III: DEFINITIONS

- A. Access Point: An opening that provides access to a lot for vehicles during construction and is closed when all on-site work is completed unless it is the Driveway Entrance.
- B. Driveway: A public or private roadway providing primary access for vehicles from either a Highway or private street to a dwelling, structure, business, parking area, or facility that is used on a regular basis. A driveway is considered a structure.
- C. Driveway Entrance: The junction of the Driveway with a Highway or private street.
- D. Highway: As defined in RSA 229:1

SECTION IV: PERMIT

Anyone desiring to construct, alter or relocate a driveway or to create an Access Point must obtain a permit from The Board of Selectmen or their designee. The application and fee for the permit is available at the Town Office and on the Town website (www.townofnewipswich.org).

1. If a driveway will be entering a state road, a State Driveway Permit must be obtained from the New Hampshire Department of Transportation prior to obtaining a building permit from the Town. A copy of the State Driveway Permit will be given to the Board of Selectmen or their designee. Any proposed alteration must receive State approval prior to the start of construction.
2. A permit shall be required when making a substantial change to an existing Driveway. Substantial change includes any alteration that would affect the use, location, size or grade of any Driveway or may cause the flow of water onto any public Highway or

private street. What constitutes substantial change shall be determined by the Board of Selectmen or their designee. No permit shall be required when paving an existing Driveway and no substantial change is proposed.

SECTION V: PERMIT PROCESS

- A. Prior to submitting a permit application for a Driveway or Access Point, the applicant shall clearly mark and flag the location of the proposed Driveway Entrance or Access Point with a centerline stake at the edge of the right-of-way (ROW). The applicant shall then submit a completed application to the Selectmen or their designee.
- B. The application for a Driveway permit must be accompanied either by evidence that the Driveway will not impact a Wetlands or Wetlands buffer or by a copy of a decision letter from The Zoning Board of Adjustment granting a variance to the New Ipswich Wetlands Ordinance. Evidence may consist of a reference to a Subdivision Plan or Site Plan showing the location of any wetlands on the site, or a determination from the Town Conservation Commission.
- C. The Driveway or Access Point can be installed only when a permit has been issued by the Selectmen or their designee.
- D. An Access Point shall be in place prior to the start of on-site activity.
- E. Upon completion of a driveway or a minimum of 14 days prior to the issuance of a Certificate of Occupancy by the Building Inspector, the Selectmen or their designee will perform a post-construction inspection and issue a Certificate of Compliance for the Driveway or Access Point. A copy of the Certificate of Compliance will be sent to the Code Enforcement Officer. A Certificate of Occupancy will not be issued unless a Certificate of Compliance has been issued by the Selectmen or their designee or a security is in place.
- F. Permits are valid for one year.

SECTION VI: DRIVEWAY CONSTRUCTION & DESIGN STANDARDS

- A. Residential Driveway Entrances are to be no less than 10'. A Driveway may be flared beyond the width of the Driveway at the Driveway Entrance to accommodate the turning radius of vehicles expected to use the particular Driveway Entrance. The maximum width at the property line is 25 ft. including the apron/flare.
- B. The Driveway Entrance shall be at an angle as close to 90 degrees to the Highway or private street as practicable. In no case shall the angle of intersection be less than 60 degrees.
- C. The Driveway shall be constructed so as to direct storm water runoff and debris away from the Highway or private street.

- M. The Board of Selectmen or their designee may require engineered plans that include topography, wetlands, grading, erosion control or other such details as considered to be necessary for the specific site.

SECTION VII: LOCATION AND NUMBER OF DRIVEWAYS

A. Location

1. The Driveway Entrance for any lot shall be located along the frontage of the lot, except where there is an easement for right-of-way recorded at the Hillsborough County Registry of Deeds.
2. The location of the Driveway Entrance or Access Point shall be selected to most adequately protect the safety of the traveling public.
3. Every effort shall be made to maintain the integrity of stone walls (RSA 472:6). Any portion of a stone wall which is part of a boundary marker and is removed by the creation of an Access Point shall be reconstructed when the Access Point is closed.
4. For corner lots, where feasible, the Driveway Entrance or Access Point shall be located on the less traveled way.
5. All season safe site distance shall be required as defined in the NH DOT Driveway Regulations.
6. The location of Driveway entrances must be shown on subdivision plans. Multiple options may be shown and indicated as such.

B. Driveways shall be limited to one per residential lot, except where the Selectmen or their designee has determined that a second Driveway is warranted and can be safely accommodated. A scale drawing indicating the features necessitating the second Driveway must be submitted for the Selectmen or their designee to make a determination. A second Driveway may be granted for the following conditions:

1. It is necessary for access to a secondary use or structure.
 2. The physical constraints of the lot, including natural features, unusual lot shape, size or elevation change necessitates the second Driveway.
 3. It is necessary to allow handicapped access for an individual who is a permanent resident of the property.
 4. Where a horseshoe driveway is proposed and approved by the Selectmen or their designee, a second Driveway Entrance is permitted.
- C. During construction the public right-of-way shall be cleared daily of debris such as mud, stone, earth and all construction supplies, vehicles and equipment. Said maintenance of the Driveway Entrance or Access Point shall be the responsibility of the permit applicant.

SECTION VIII: SHARED DRIVEWAYS

- A. As a condition of subdivision approval, the Planning Board may require a shared driveway for two or more (but not more than four) properties. The Planning Board may consider any of the following reasons in determining whether to require a common driveway:
 - 1. To minimize entries onto highways or private streets.
 - 2. To improve sight distances where they might otherwise be too short for safe entry onto the public road.
 - 3. To avoid locations where steep slopes preclude or make difficult the construction of a safe driveway.
 - 4. To take advantage of an existing highway or private street.
 - 5. To avoid wetlands.
 - 6. Any other site specific condition indicating a shared driveway as the prudent choice.

- B. Depending on the length of the shared driveway and other site conditions, the Planning Board may require: passing and turning areas.

- C. With respect to the shared property line, shared driveways constructed under this provision need not comply with the setback requirement of Article XII, Section A of the Town of New Ipswich Zoning Ordinance.

- D. A Shared Driveway Agreement shall be drafted prior to approval of the permit. This agreement shall include the following information and may be reviewed by the Town attorney at the applicant's expense:
 - 1. The Parties involved
 - 2. Responsibility for maintenance (winter plowing, upkeep, etc.)
 - 3. Responsibility for improvements (resurfacing, paving, etc.)

- E. Shared Driveway agreements shall be recorded at the Registry of Deeds before a permit is issued.

- F. In the case of a common driveway shared by 3 or more dwellings, the driveway shall be named and signage displaying the name must comply with the Town of New Ipswich regulations related to Shared Driveways.

SECTION IX: MAINTENANCE RESPONSIBILITY

- A. Temporary and permanent erosion and sedimentation control shall be provided before, during and after construction, in accordance with the best management practices as described in the "New Hampshire Stormwater Manual" (NH Department of Environmental Services 2008) as amended.
- B. The applicant, or their grantees, successors and/or assignees served by the Driveway shall be responsible for the maintenance of the Driveway, drainage structures, signage and sight distance impediments on their property.
- C. The Department of Public Works may also specifically maintain the following drainage structures:
 1. Drainage systems within the highway limits, serving existing State Highways and constructed for the purpose of controlling Highway and surface water run-off and;
 2. Catch basins, manholes or other specified connecting drainage structures constructed at the end of cross Highway culverts or parallel culverts serving the State Highway system.

SECTION X: EASEMENT AND SECURITY

- A. The Selectmen or their designee may require security to guarantee the proper construction according to the requirements of the permit.
- B. All driveway aprons shall be paved or bonded to be paved prior to the issuance of a Certificate of Occupancy. From April 1 to September 30 the driveway apron shall be paved prior to the issuance of a Certificate of Occupancy. Driveway aprons that cannot be paved between October 1 and March 31 shall provide the Town with a bond for paving prior to the issuance of a Certificate of Occupancy. All bonded driveways shall be paved between April 1 and July 1 of the following spring. Arrangements shall be made with the Selectmen or their designee to schedule.
- C. If a security is deemed necessary, the applicant shall submit an itemized estimate of the cost to complete the Driveway to the Selectmen or their designee, who shall determine the required amount of the security. The security shall be provided to the Selectmen to be held in an escrow account and released upon issuance of a Certificate of Compliance.
- D. Failure to complete construction within one calendar year from the date of posting of a security may result in the calling of the security, unless specifically extended by the Selectmen or their designee for a period of 1 additional year.
- E. Funds may be withdrawn from the security by the Town of New Ipswich to complete the driveway according to these regulations and the issued permit.

SECTION XI: WAIVERS AND APPEALS

- A. Upon written application, the Selectmen or their designee may waive any of the design requirements for Driveways when it is shown that strict compliance would cause undue or unnecessary hardship, so long as such waiver does not result in the likelihood of injury to the public health, safety or welfare.
- B. Any applicant or abutter aggrieved by the regulations herein or a decision made by the Selectmen or their designee in regards to a waiver request shall appeal that decision to the Zoning Board within 30 days of the waiver being granted.

SECTION XII: SEPARABILITY

The invalidity of any provision of these regulations shall not affect the validity of any other provisions.

SECTION XIII: ENFORCEMENT

The New Ipswich Board of Selectmen, or their designee is charged with the power and authority to enforce the provisions of these regulations. Any person who violates these Regulations may be punished by a fine of \$275 for the first day of the violation and \$550 for subsequent violations pursuant to RSA 676:17. In the alternative, any violator may be subject to the penalties by RSA 236:14. In addition, the person responsible for the violation shall be liable for the cost of restoration of the road to a condition satisfactory to the Selectmen.

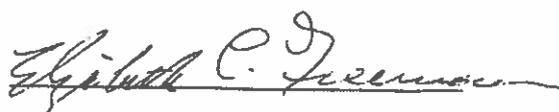
SECTION XIV: AMENDMENT

These regulations may be amended by the Planning Board following a noticed public hearing on the proposed amendment. All amendments will take effect upon approval by a majority of the Planning Board and filed with the Town of New Ipswich Town Clerk.

Adopted 03/03/2021

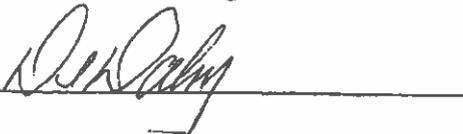


 John Schaumloffel, Chair

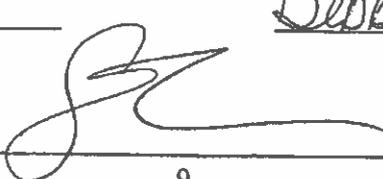














Making Your Voice Heard in Concord

2023





Your Representatives in Concord

Exec. Councilor
Dave Wheeler



Senator
Kevin Avard



Representative
Jim Kofalt

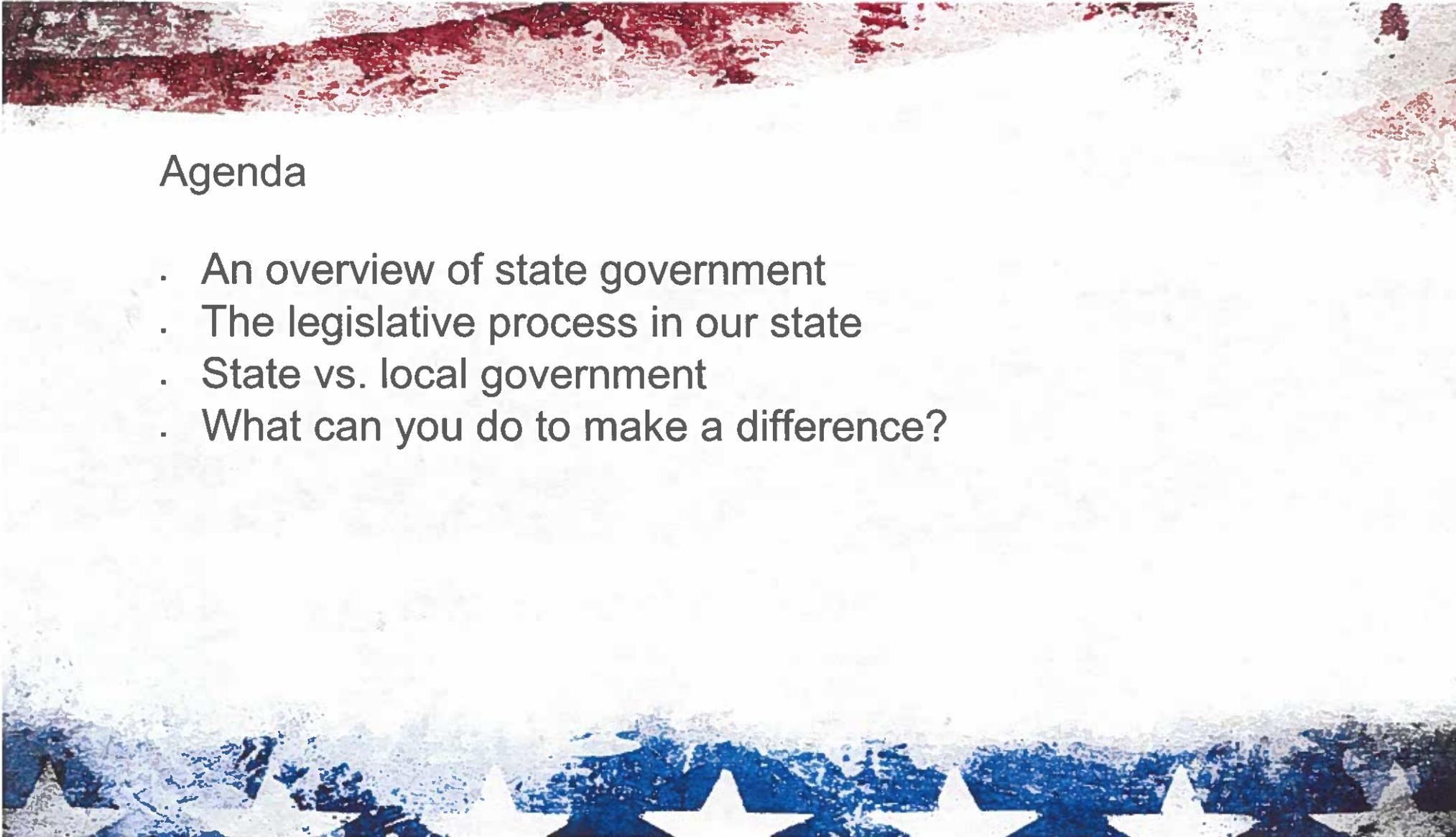


Representative
Shane Sirois



Representative
Diane Kelley





Agenda

- An overview of state government
- The legislative process in our state
- State vs. local government
- What can you do to make a difference?



Overview of NH state government





A High-Level View of NH Government

- “General Court” = Senate + House
 - House: 400 reps, each covering approx. 3450 people
 - Senate: 24 Senators
- Executive Branch – Governor & departments/agencies
 - AG is appointed, judges are appointed
 - Executive Council (5 people for the entire state!)
 - Approves judges & other Gubernatorial appointments
 - Approves all state contracts over \$10k





How NH is Different

- Governor's office is weak relative to other states
 - NH has no Lieutenant Governor
 - Citizen legislature – **YOU CAN KNOW YOUR REP!**
 - Salary is \$100/year (very different from other states!)
 - Campaign cost can be \$0, typical is \$3k (very different from other states!)
 - Regular people like you, not career politicians. Motivated by a genuine desire to make a difference.
 - Frustrated with DC? Focus on local & NH instead, where you can make a difference.
- 



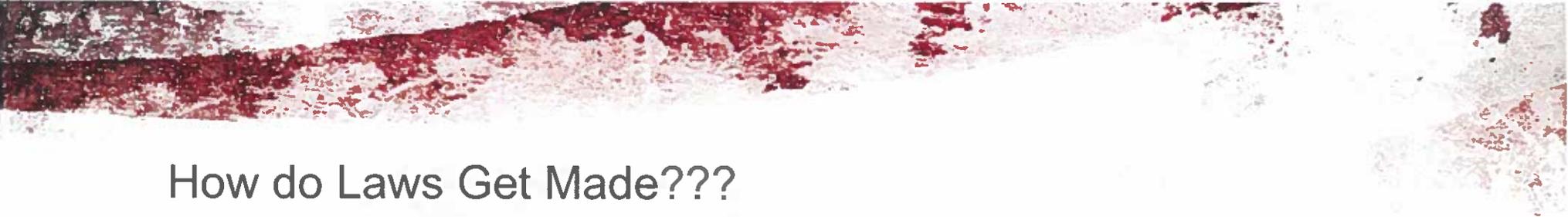
Who's your Rep?

- <http://gencourt.state.nh.us/house/members/default.aspx>
 - Districts
 - “Regular” state rep district
 - Floterial districts
 - Senate & Exec. Council districts are different
 - Elections every 2 years
- 



The legislative process





How do Laws Get Made???

RSA's: "Revised Statutes Annotated". This is statute, i.e. law passed by the legislature and signed (or at least not vetoed) by the Governor, (or vetoed & overridden)

Administrative Rules. This happens when the legislature delegates rulemaking authority, which has the effect of law.

- There is a review process by JLCAR (Joint Legislative Committee on Administrative Rules)
- Rules expire in 10 years, but may be renewed



The Legislative Process (simplified)

Legislator files a bill (LSR)

Short window of opportunity each year

Bill goes to committee

public hearing, then some action is taken... amendment, recommendation of OTP or ITL, or retain the bill

Floor vote

(if not retained in committee)

Process repeats in 2nd chamber
(if passed by 1st chamber)

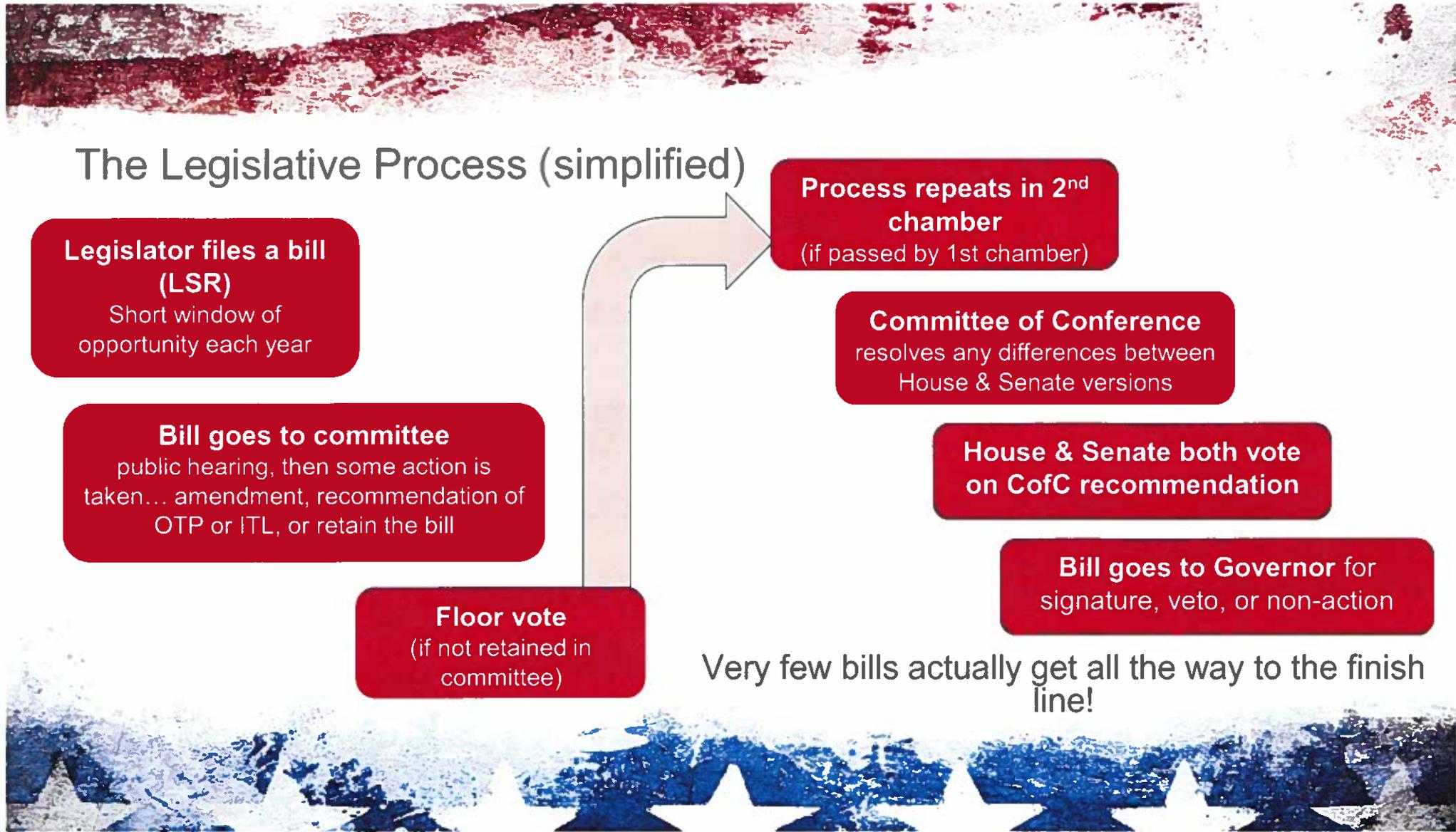
Committee of Conference

resolves any differences between House & Senate versions

House & Senate both vote on CofC recommendation

Bill goes to Governor for signature, veto, or non-action

Very few bills actually get all the way to the finish line!



How to get information about a bill:

<https://gencourt.state.nh.us/>

CURRENT BILLS

Find A Bill

Current Bill #

Separate with comma



[Quick Search](#)

[Current Bill Search](#)

[Advanced Bill Search](#)

NEW: [Subscribe to a Bill](#)

Bill Text Search

Text



Example: fiscal

SB272-FN

Bill Details

Title: establishing a parents' bill of rights in education

Sponsors: *(Prime)* Carson (R), Avard (R), Gannon (R), Gray (R), Birdsell (R), Jeb Bradley (R), Ruth Ward (R), Innis (R), Keith Murphy (R), Ricciardi (R), Lang (r), Abbas (r), Gendreau (r), Pearl (r)

LSR Number: 23-1062

General Status: HOUSE

House:

Committee: Education

Due Out: 6/1/2023

Status: INDEFINITELY POSTPONED

Senate:

Committee: Finance

Floor Date: 3/16/2023

Status: PASSED/ADOPTED WITH AMENDMENTS

Subscribed to SB272-FN

Docket

Bill Versions

Introduced (PDF)

As Amended by the Senate (PDF)

As Amended by the House (PDF)

Amendments

2023-1038S (PDF)

2023-1675H (PDF)

2023-1818H (PDF)

2023-1819H (PDF)

2023-1836H (PDF)

2023-1858H (PDF)

2023-1886H (PDF)

2023-1907H (PDF)

Hearing Reports

Sen Comm Rpt (3/7/23) (PDF)

Sen Hearing Rpt (3/16/23) (PDF)

Roll Calls

House Roll Calls

Adopt Floor Amendment 1819 (196-189)

Adopt Floor Amendment 1836 (198-187)

Adopt Floor Amendment 1675 (201-184)

Reconsider (184-201)

Bill Docket

- S Introduced 02/14/2023 and Referred to Education. **SJ 8**
- S ---ROOM CHANGE--- Hearing: 03/07/2023, Room 100, SH, 09:00 am. **SC 12**
- S Committee Report: Ought to Pass. 03/16/2023. **SC 13**
- S Sen. Carson Floor Amendment, # 2023-1038S, AA, VV, 03/16/2023. **SJ 10**
- S Without Objection, Sen. Avard Moved the Question, MA, 03/16/2023. **SJ 10**
- S Ought to Pass with Amendment, 2023-1038S, RC 14Y-10N, MA, OT3rdg, 03/16/2023. **SJ 10**
- H Introduced (in recess of) 03/16/2023 and referred to Education
- H ---CANCELLED--- Public Hearing: 03/30/2023 01:00 pm LOB 205-207
- H ---RESCHEDULED--- Public Hearing: 04/18/2023 10:00 am SH Rops Hall
- H Executive Session: 04/25/2023 10:30 am LOB 205-207
- H Committee Report, Without Recommendation 04/25/2023 (**Note** : RC)
- H FLAM # 2023-1818H (Rep. Merchant) AA RC 196-188 05/18/2023 **HJ 14**
- H FLAM # 2023-1819H (Rep. Merchant) AA RC 196-189 05/18/2023 **HJ 14**
- H FLAM # 2023-1836H (Rep. Merchant) AA RC 198-187 05/18/2023 **HJ 14**
- H FLAM # 2023-1675H (Reps. Merchant, Birdes, Coker, O'Hara) AA RC 201-184 05/18/2023 **HJ 14**
- H Reconsider Amendment 2023-1675H (Rep. Weber) MF RC 184-201 05/18/2023 **HJ 14**
- H FLAM # 2023-1886H (Rep. Hynes) AA RC 198-187 05/18/2023 **HJ 14**
- H FLAM # 2023-1907H (Rep. Hynes) AA RC 198-187 05/18/2023 **HJ 14**
- H Lay SB272 on Table (Rep. L. Turcott) MF RC 186-199 05/18/2023 **HJ 14**

How did your Reps & Senators Vote???

- You can look up votes by legislator, or by specific bills
- Not all votes are “roll call” votes
- Important to understand the motion: ITL, OTP, motion to table, motion to reconsider, etc.
- SIMPLER: scorecards from organizations like HRA score (House Republican Alliance), Americans for Prosperity (AFP-NH), Cornerstone, NH Firearms Coalition, NRA, etc.

House Roll Call taken on 3/22/2023

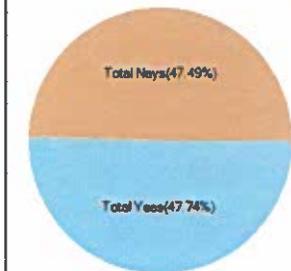
OTP - Vote Results (190) - (189)

All Votes

Abare, Kimberly(R) Hills. 1	Yea
Abbott, Michael(D) Ches. 6	Nay
Adjutant, Joshua(d) Graf. 16	Nay
Alexander, Joe(R) Hills. 29	Yea
Almy, Susan(d) Graf. 17	Nay
Ames, Richard(D) Ches. 13	Nay
Ammon, Keith(R) Hills. 42	Yea
Andrus, Louise(R) Merr. 5	Yea
Ankarberg, Aidan(R) Straf. 7	Not Excused
Aron, Judy(R) Sull. 4	Yea
Aures, Cyril(R) Merr. 13	Yea

Vote Break Down

By Party:	yeas:	Nays:
Republicans	187	2
Democrats	2	186



How to get information about sessions & committee hearings:

<https://gencourt.state.nh.us/>

CALENDARS & MEETING SCHEDULES

House

- [House Calendar \(PDF\)](#)
- [House Meeting Schedule](#)
- [House Streaming Video](#)

Senate

- [Senate Calendar \(PDF\)](#)
- [Senate Meeting Schedule](#)
- [Senate Streaming Video](#)

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Advance notice of all meetings/sessions

Video of House & Senate sessions

Video of Committee hearings



NH House of Representatives Committee Streaming

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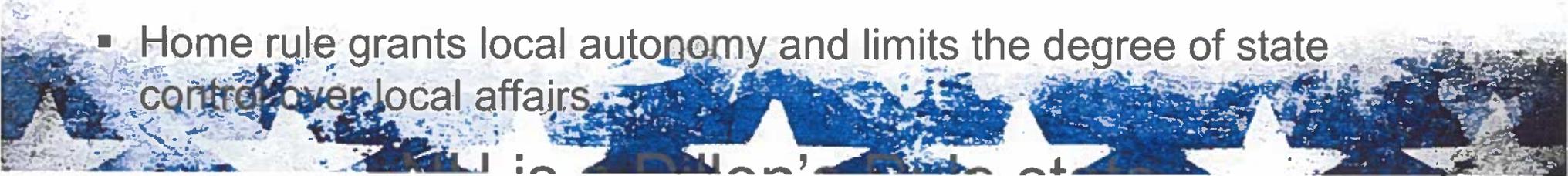
State vs. local government





Dillon's Rule vs. Home Rule

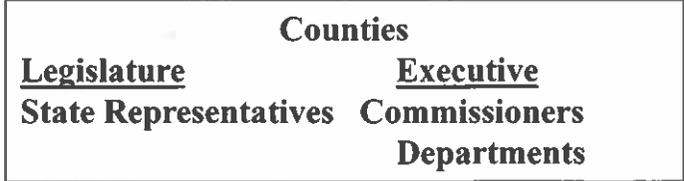
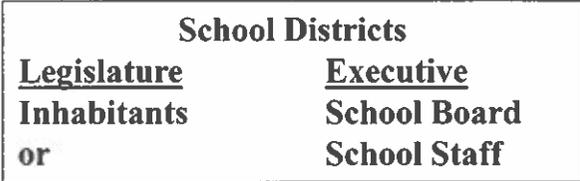
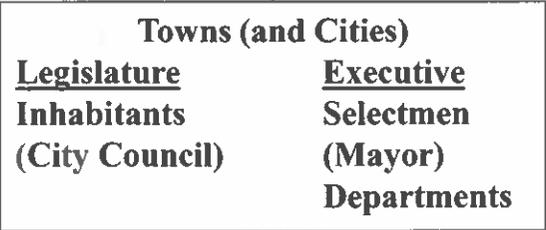
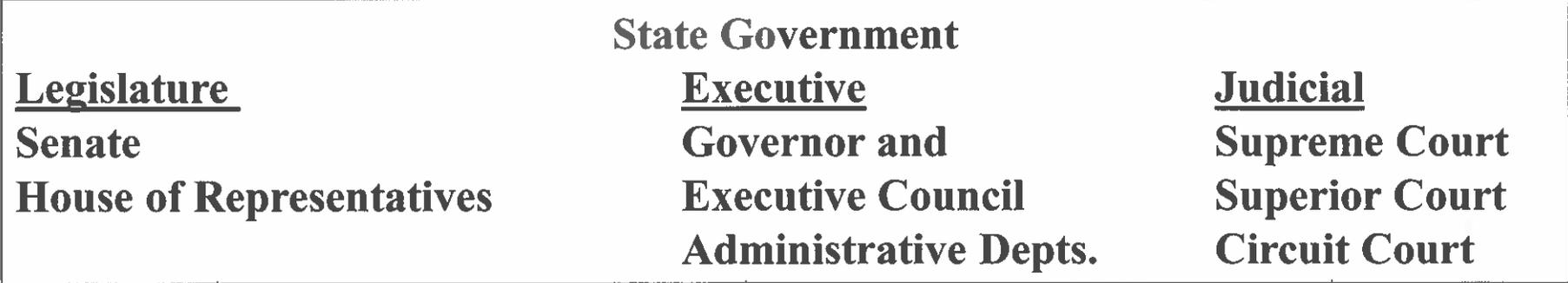
- State constitutions vary in the level of power they grant to local governments.
- **Dillon's Rule:** Cities & towns can only do what the legislature allows them to do.
- **EXAMPLE:** Legislature does NOT allow cities & towns to institute local gun laws
- If there is a reasonable doubt whether a power has been conferred to a local government by the state, then the power has **not** been conferred
- Home rule grants local autonomy and limits the degree of state control over local affairs



This is Dillon's Rule states



New Hampshire Government





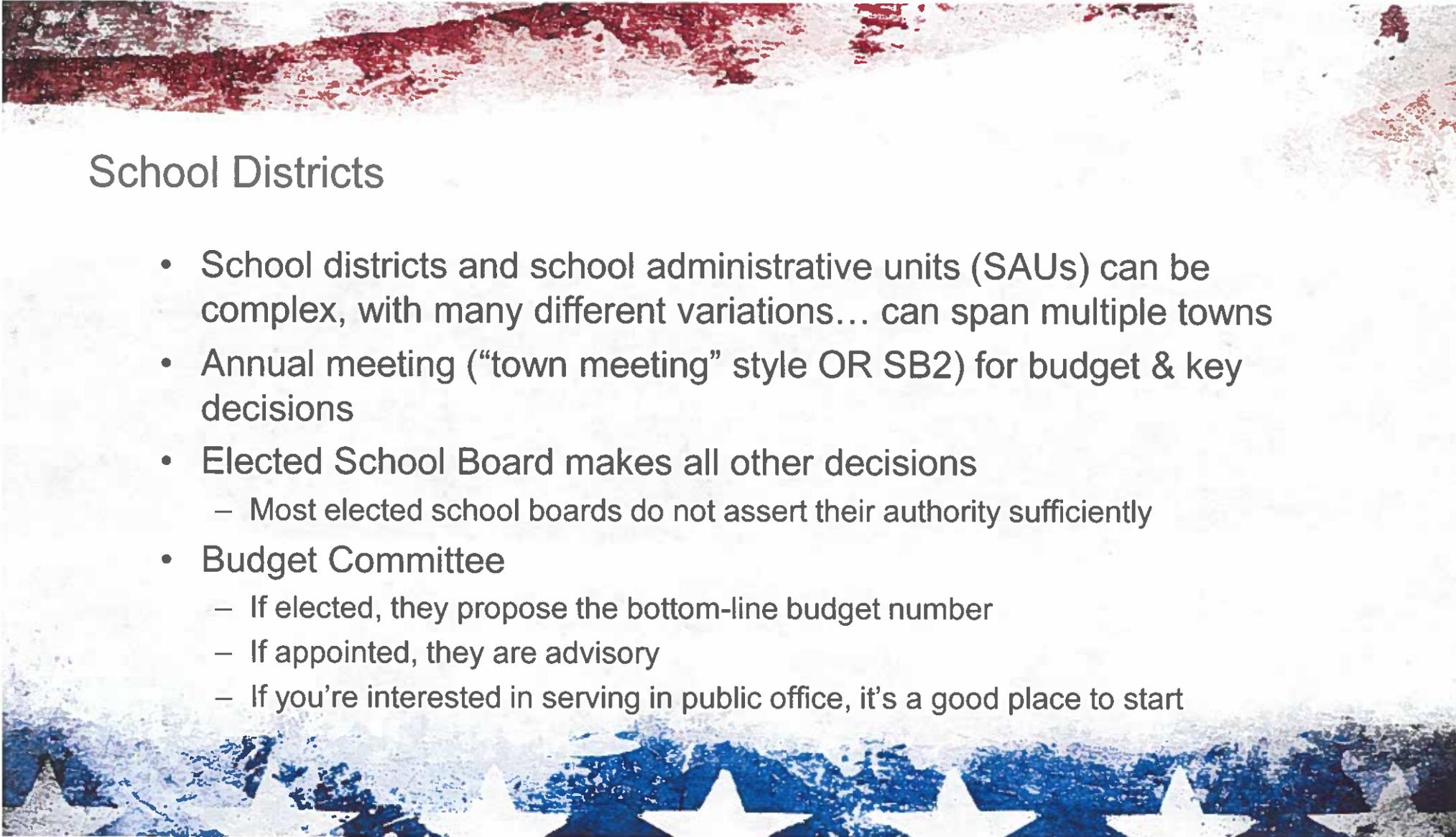
County Government

- County delegation (Legislative function, State Reps)
 - They approve the budget
 - Elected county commissioners (Executive function)
 - They propose the budget
 - Sheriffs, county attorneys (prosecutors), county jails, county nursing homes, agricultural extension, etc.
 - County taxes tend to be a smaller portion of overall property taxes
- 



City & Town Government

- Cities vs. Towns
 - City charter, Board of Aldermen vs. legislative body (town meeting)
 - Executive function: Mayor vs. Board of Selectmen
 - Elections in November (cities) vs. in March (towns)... usually
 - “SB2” vs. traditional town meetings
 - In a traditional town meeting, the people meet, debate, amend, & vote
 - In an SB2 town, people cast a ballot
- 



School Districts

- School districts and school administrative units (SAUs) can be complex, with many different variations... can span multiple towns
- Annual meeting (“town meeting” style OR SB2) for budget & key decisions
- Elected School Board makes all other decisions
 - Most elected school boards do not assert their authority sufficiently
- Budget Committee
 - If elected, they propose the bottom-line budget number
 - If appointed, they are advisory
 - If you’re interested in serving in public office, it’s a good place to start



Getting involved





Some Ways to Influence the Process

- GET INFORMED
 - Testify at a committee hearing
 - Write/e-mail/call reps on the committee
 - Write/e-mail/call reps when the vote is going to happen
 - GET TO KNOW YOUR REPS & SENATORS
 - LETTERS TO THE EDITOR
 - BLOGS (town or county focus, statewide coverage)
 - SOCIAL MEDIA/FACEBOOK GROUPS... talk to friends, family, neighbors, etc.
- 



Tips for Influencing Elected Officials

- Be brief, polite, and clear. Tell them exactly what you want them to do.
 - Do you live in the legislator's district? Make that clear.
 - Note the specific bill and reference it by title and number (e.g. SB239, "Parental Bill of Rights") whenever possible
 - Don't ask for something that the legislature can't do
 - Examples: national issues such as inflation, border security
 - Be aware of timing. Don't ask them to vote for or against a bill **AFTER** the vote has occurred.
- 



Q&A

