



Approved on: 3/18/19
BOS Initial: [Signature]
Rec'd by Town Clerk on: 3/18/19
Town Clerk Initials: [Signature]

TOWN OF THORNTON BOARD OF SELECTMEN

Town of Thornton • 16 Merrill Access Road • Thornton NH, 03285 • 603.726.8168

Board of Selectmen Meeting Minutes February 27, 2019

ROLL CALL: Chairman Roy Sabourn, Selectwoman Marianne Peabody, Selectman Brad Benton and Selectman Jack Gaites.

ABSENT: Vice Chairman John Paul-Hilliard

STAFF PRESENT: Town Administrator (TA) Debra Shepard, Jessi Fleury, Board Secretary

12:00 P.M. Chairman Sabourn opened the Thornton Board of Selectmen meeting with the Pledge of Allegiance:

MOTION: "To approve the payroll manifest dated March 1, 2019 in the amount of \$27,689.28."

Motion: J. Gaites
Seconded: B. Benton
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve the vendor manifest dated March 1, 2019 in the amount of \$210,098.14."

Motion: M. Peabody
Seconded: J. Gaites
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve the second payroll manifest dated February 15, 2019 in the amount of \$161.93."

Motion: J. Gaites
Seconded: R. Sabourn
Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve the welfare manifest dated March 2, 2019, in the amount of \$507.00."

Motion: J. Gaites
Seconded: R. Sabourn
Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: M. Peabody

MOTION: "To approve Board of Selectmen meeting minutes of January 16, 2019 as amended."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: B. Benton

MOTION: "To approve Board of Selectmen meeting minutes of January 30, 2019 as written."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: R. Sabourn

MOTION: "To approve Board of Selectmen meeting minutes of February 13, 2019 as written."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 3 – Yes, 0 – No

Abstained: R. Sabourn

ZCA

The Board reviewed the ZCA file.

MOTION: "To approve ZCA #2019-02 for PID# 11/4-31 for Gutry Family Trust for roof top solar panels."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To temporarily deny the proposed extension to ZCA #2016-51 for PID# 16/7-5 for Stephen Twohig for a 30x44 three-bedroom house until a new septic system design is approved and received from NHDES for the septic system."

Motion: M. Peabody

Seconded: B. Benton

Discussion: The ZCA was originally applied for in 2004, in 2015 a ZCA for the same project was approved by the Board with a 2-year expiration. In 2016 a new ZCA was approved for the same project with a 2-year extension. R. Sabourn explained that the septic system plan is now expired, and a new construction approval or an inspection should be received before the Board approves the ZCA. R. Sabourn suggested a temporary denial until a new septic plan is approved and to waive the ZCA fee for the future ZCA.

Motion Passes: 4 – Yes, 0 – No

MOTION: “To deny ZCA #2018-78 for PID# 18/4-3-1 for Clara & Benjamin Scrimshaw for ground mounted solar panels until the boundary lines can be surveyed.”

Motion: M. Peabody

Seconded: B. Benton

Discussion: R. Sabourn stated that the applicants are resubmitting an application due to the structure being too close to the property line on the original application. The new drawing moves the property line from what was shown on the previous application and suggests that the property owner may not know where their property line is located. The Board agreed that the property owner needs to have the location of the property line and the proposed solar array staked in order for the Board of Selectmen to determine that the setbacks have been met prior to the approval being granted.

Motion Passes: 4 – Yes, 0 – No

Enforcement Actions:

Zoning Compliance Permit Extensions

R. Sabourn discussed the ZCA permit process with D. Mahurin previously. The Board agreed that standard policy/practices should be established to define cost of permit extensions, length of extensions and how many extensions can be granted for one ZCA, and a potential approval of extension of application form. A draft ZCA extension form was submitted for the Board to review with a fee for \$50.00. The Board reviewed the proposed form.

Current ZCA applications are valid for two years from the date of approval. An approved extension is valid for an additional two years from the expiration of the original ZCA, provided the extension is requested prior to the expiration of the original application. The application must be for the same project as the original request.

It is suggested at the end of the extension period, if the applicant has not completed the project, then a they will be required to submit a new application and pay the ZCA fee again. The Board agreed.

After the Fact Application Fees

The Board discussed a penalty for after-the-fact ZCA applications. The Board agreed to double the original ZCA fee for after the fact applications. The Board agreed to include this on the next fee schedule hearing.

Goose Hollow Campground Enforcement Follow Up

R. Sabourn reminded the Board that a new septic design was requested in 2016, and this was never completed. D. Mahurin provided an update on enforcement status for the property. A new updated septic plan needs to be submitted or an official approval for use of the current septic system needs to be provided. Once this is completed, the ZCA needs to be filed by June 1, 2019, for unpermitted construction of a new bedroom that occurred in 2017. The ZCA fee will be double the original amount due to an after-the-fact application. If the property owner does not adhere to the requests by June 1, 2019, additional enforcement will take effect.

Agenda Items: (no public input unless approved by the Chairman)

1:30 Review of Equalized Assessment Ratio for 2018

TA Shepard presented the equalized assessment ratio for 2018. The overall equalization ratio for Thornton is 92.4%. This is the fifth year in the town's revaluation process. The Town has a revaluation scheduled for 2019 which will improve the ratio for next year.

MOTION: "To approve the Equalized Assessment Ratio form from NHDRA for 2018."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

FEMA Update-Covered Bridge Road Bridge Berm

R. Sabourn and TA Shepard met with FEMA last week regarding the fire pond berm rebar project for Covered Bridge Road Bridge. After FEMA and NHDOT funds are received, the Town's portion of payment is expected to be \$5,500.00 of the total cost of project of \$55,000.

Roadway Excavation Permit - WEVD Water Main Repair

TA Shepard informed the Board that a Roadway Excavation Permit was granted for an emergency water main repair on Upper Snowood drive. The permit was granted to WEVD per direction from RA Kubik. The work has been completed and the RA will complete a final inspection in the spring. The Board reviewed the permit and approved granting final approval pending final inspection by the Road Agent in the spring.

Committee/Commission Reappointments

The Board asked TA Shepard to follow up with other committees to see if they have received any nominations.

MOTION: "To appoint Alisoun Hodges to the Conservation Commission for a term ending December 6, 2020."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To appoint Al Lewis to the Conservation Commission for a term ending December 6, 2021."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To appoint Joan Marshall to the Zoning Board of Adjustment for a term ending March 8, 2022."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Petition Warrant Article-Discontinuance of a Town Road

TA Shepard presented a letter for the Board's signature seeking reimbursement from Alfred Duguay for the cost of notifying abutters in relation to the Petition Warrant Article he submitted for the Town Warrant. NH RSA requires that the petitioner shall bear the cost of such notice. The total cost owed to the Town of Thornton is \$47.60.

Department of Environmental Services – Monitoring Wells

TA Shepard updated the Board that M. Peabody, Health Officer, Kevin McGuire, Transfer Station Manager and Steve Chiocca, Transfer Station Assistant Manager, after reviewing site plans, have determined that there is no drinking water well within 500 feet of MW4. TA Shepard presented a letter to the BOS for signature relative to the request from NHDES for confirmation from the BOS that there are no drinking water wells within 500 feet of MW-4. The Board is also in receipt of a copy of a similar letter submitted by Emory and Garrett confirming their findings as well.

Insufficient Funds Check Policy

TA informed the Board that the current policy relative to checks which are returned to the town for insufficient funds, etc. is to prohibit the town from accepting any more personal checks from that person for the period of one year. The BOS agreed going forward, if the same person bounces another check after coming off the list, they will be prohibited from writing personal checks to the Town of Thornton for any reason indefinitely..

MOTION: "The Town of Thornton will not accept any personal checks from any person who has had more than one check returned by the bank. The first time a person has a returned check, they will be prohibited from writing a personal check for one year. The second time the same person has a returned check, they will be prohibited indefinitely from writing a personal check for any town related business."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Email Complaints – Judges Road

TA Shepard informed the Board that numerous complaints were received from the same resident regarding the condition of Judges Road and the hill at Six Mile Bridge after a recent snowstorm. Complaints were received by TA Shepard, Chief Miller, RA Kubik and Fire Chief Defosses. All parties responded to the complainant and RA Kubik took the necessary steps to address the concerns.

School Meeting

TA Shepard is meeting with officials at the Thornton Elementary School on Thursday, March 7, 2019 with Selectman Benton and Selectman Sabourn to review the PA system in preparation for Town Meeting Day on March 16th.

Selectmen Presents

Selectman Benton received complaints regarding potholes. Selectman Benton responded that the potholes will be fixed once the weather improves.

Chairman Sabourn stated that the State of NH legislature is working towards COLA raises for all retirees that will not be funded by the State and will be passed onto the towns as well as other ideas that are costly and unfunded. The NH Constitution does not allow mandates to be passed onto the local communities for funding. He asked the BOS to allow him and TA Shepard to draft a letter to state legislators expressing the Board's concerns with the practice of passing costs down to towns and causing more burden at the town level of government. The Board was in support of this letter.

2:25 Non-public pursuant to RSA 91-A: 3, II (c-reputation and e-litigation)

2:25 p.m. MOTION: "To enter into non-public session under RSA 91-A: 3, II (c, e) reputation)"

Motion: J. Gaites

Seconded: B. Benton

Discussion: None.

Roll Call: Roy Sabourn – Yes, Marianne Peabody – Yes, Jack Gaites – Yes,
Brad Benton – Yes.

Motion Passes: 4 – Yes, 0 – No

3:53 p.m. MOTION: "To exit nonpublic session."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Motion Passes: 5 – Yes, 0 – No

MOTION: "To approve an elderly and disabled tax deferral application for PID #10/8-5."

Motion: M. Peabody

Seconded: J. Gaites

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

MOTION: "To approve a request from Irina Shubov of 2365 US Route 3, for a 90-day extension to bring this property into compliance with zoning ordinances."

Motion: J. Gaites

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

3:58 p.m. MOTION: "To adjourn."

Motion: B. Benton

Seconded: M. Peabody

Discussion: None.

Motion Passes: 4 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary