



**TOWN OF THORNTON  
BOARD OF SELECTMEN**

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

Approved on: 4/29/15  
BOS Initial: MS  
Rec'd by Town Clerk on: 4/29/15  
Town Clerk Initials: JFK

**Board of Selectmen Meeting Minutes  
April 15, 2015**

**4:30 P.M. Chairman Paul-Hilliard opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.**

**ROLL CALL:** Chairman John Paul-Hilliard, Roy Sabourn, Vice-Chairman, Selectwoman Marianne Peabody, Selectman Brad Benton and Selectman Jim Demeritt.

**STAFF PRESENT:** Tammie A. Beaulieu, Town Administrator and Jessi Fleury, Board Secretary.

**PAYROLL MANIFEST**

**MOTION: "To approve a payroll manifest dated 4-17-2015 in the amount of \$19,107.38."**

Motion: B. Benton  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 5- Yes, 0 - No

**VENDOR MANIFEST**

**MOTION: "To approve a vendor manifest dated 4-17-2015 in the total amount of \$42,243.90."**

Motion: M. Peabody  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5 - Yes, 0 - No

*Minutes*

**MOTION: "To accept Board of Selectmen public meeting minutes of April 1, 2015 as amended."**

Motion: M. Peabody  
Seconded: R. Sabourn  
Discussion: None.  
Motion Passes: 4- Yes, 0 - No      Abstained: J. Paul-Hilliard

**MOTION: "To approve a welfare manifest dated 4-18-2015 in the amount of \$107.98."**

Motion: J. Paul-Hilliard  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 4- Yes, 0 - No      Abstained: M. Peabody

**MOTION: "To accept a ZCA #2015-03 for a new single family home for Paul and Laurie Mooney, PID 6/6-9-11 on Highland Drive."**

Motion: M. Peabody

Seconded: R. Sabourn  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**MOTION: “To approve the proposed contract with the White Mountain National Forest for the use of the Thornton/Campton Transfer Station in the amount of \$400.”**

Motion: R. Sabourn  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

*Yarding Lane - Driveway Permit*

R. Sabourn explained that K. French, Surveyor informing him that in order for applicants to obtain a driveway off of Yarding Lane, the wetland scientists have requested that the applicants receive permission from the town to place some fill in the cul-de-sac area that is partially in the wetlands area. R. Sabourn does not see detriment to the town in signing this request. The Board agreed to sign the request for the

**MOTION: “To approve Chairman Paul-Hilliard to sign the request for fill placement in the wetland area off of Yarding Lane as requested by the State.”**

Motion: R. Sabourn  
Seconded: J. Demeritt  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

*ZBA Appointment*

The Board discussed an appointment request received from Christopher Hodges for the Zoning Board of Adjustment. The Board signed the appointment.

**MOTION: “To appoint Christopher Hodges to the Zoning Board of Adjustment.”**

Motion: J. Demeritt  
Seconded: R. Sabourn  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

*Request for Reimbursement*

The Board reviewed a request to the NHDOT from the Town for reimbursement in the amount of \$79,587.80 for the design bid phase of the Covered Bridge Road bridge replacement.

**MOTION: “To approve a letter to be sent to Nancy Mayville at NHDOT to request reimbursement to the town for \$79,587.80 (80% of the design bid phase portion of this project).”**

Motion: R. Sabourn  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**ACTION FOLDER**

**MOTION: “To approve a request to release an excavation/intent to cut bond in the amount of \$311.00 for Shirley and Jerel Benton, operation # 14-449-O2T.”**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**MOTION: "To approve a request to release an excavation bond in the amount of \$18.00 for Dirt Design operation #14-449-08E."**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**MOTION: "To accept the median stumpage value received from the NH Department of Revenue."**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**MOTION: "To approve current use penalties for Steven Shaughnessy, 'True Lane' for PID 9/1-3-01 in the amount of \$3,050.00, PID 9/1-3-04 in the amount of \$3,050.00, PID 9/1-3-05 in the amount of \$3,050.00, PID 9/1-3-06 in the amount of \$3,050.00."**

Motion: R. Sabourn  
Seconded: J. Demeritt  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**MOTION: "To approve Intent to Cut applications for James Ingram PID 7/2-13-28, Beverley Shaw PID 11/1-9, Mary Robertson PID 18/9-1. All taxes are current."**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**MOTION: "To approve five Intent to Excavate applications for L. Johnston PID 15/4-30 (grandfathered lot), L. Johnston PID 15/4-69, Jim Sanbourn PID 16/6-8 (grandfathered lot), Shirley Benton PID 10/3-41, Dwayne Johnston PID 15/4-24 (grandfathered lot). All taxes are current."**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

*Property Tax Credits and Exemptions*

**MOTION: "To deny the following requests for veteran's exemption: Robert Lawson PID 12/2-3 due to not meeting the service time requirement of the RSA 72:28, Gregory Kriebel PID 17/19-16 due to not meeting residency requirements, and Charles Bourret PID 7/2-7-14 due to not meeting the service time requirement of the RSA 72:28."**

Motion: J. Demeritt  
Seconded: R. Sabourn  
Discussion: Chairman Paul-Hilliard asked how accessible the requirements are to veteran exemption applicants. TA Beaulieu explained that the exemption requirements and service times are easily found in the RSA and are very specific.  
Motion Passes: 5– Yes, 0 – No

**MOTION: "To approve the following exemption requests: Richard Talon PID 17/14-39F5 for a veteran's exemption, Jamie Stickney PID 10/3-4 for a veteran's exemption, Barbara Sellingham PID 10/4-3 for a blind exemption for \$15,000, and Robert and Catherine Jones PID 10/9-2 for a \$30,000 Elderly exemption."**

Motion: J. Demeritt  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**MOTION: "To approve a Veterans Exemption for \$500 for William Dowling 12/7-48 and to deny an elderly exemption for William Dowling for PID 12/7-48 due to not meeting income requirements."**

Motion: J. Demeritt  
Seconded: M. Peabody  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

*Annual Exempt Status Request*

TA Beaulieu informed the Board that the office staff has sent reminders to the United Methodist Church to submit the annual exempt status request to the town by the deadline of April 15, 2015. The request has not been received. The Board discussed contact information for the personnel at the church and agreed to discuss this organization at their next meeting. R. Sabourn requested that the church contact be called this evening to request a signature on the application before the end of the meeting.

**MOTION: "To approve charitable organization status for Hubbard Brook, PID 6-5-8 and the West Thornton Grange PID 10/3-46."**

Motion: J. Demeritt  
Seconded: R. Sabourn  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

*Application for Current Use*

The Board reviewed an application for current use for Tyler and Heather Phillips PID 7/2-22, PID 7/2-12, and PID 7/2-24 for a total of 15.94 acres, with 14.44 acres being in forest land all other current use category.

**MOTION: "To approve an application for current use for Tyler and Heather Phillips PID 7/2-22, PID 7/2-12, and PID 7/2-24 for a total of 15.4 acres."**

Motion: J. Demeritt  
Seconded: R. Sabourn  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

*MS-232*

The Board reviewed the MS-232. TA Beaulieu informed the board that the MS-232 has balanced and the form has been submitted.

**MOTION: "To approve and sign the MS-232."**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**MOTION: "To approve an abatement for elderly deferral for James & Sharon Avery PID 10/7-7 figure in the amount of \$5,686 for the full 2014 tax year."**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

### **Town Admin Reports**

*New Agenda – suggestion to start at 4:30*

The Board reviewed the agenda start time to 4:30 from 5:30. After discussion, the Board agreed to begin the work session portion of the meeting at 5:00p.m. and to shorten the work session to 45 minutes.

### *Support fee*

The tax collector is requesting approval for an additional support fee for the tax kiosk in the amount of \$250 that would allow taxpayers to receive paperless notifications from Avitar Associates and creating an option for taxpayers to receive tax bills electronically.

**MOTION: "To approve the \$250 pdf paperless notification option as requested by the Tax Collector."**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

### *Tax Deferral process*

TA Beaulieu summarized RSA 72:38a pertaining to the tax deferral process. The Board agreed that they do require an annual authorization process to be sure that qualifying factors are met for elderly exemptions and deferrals.

### *Health Trust Premium Benefits*

TA Beaulieu informed the Board that the health insurance benefit premiums have decreased this year. TA Beaulieu asked that the Board sign the contract for employee benefits with NHMA-Health Trust. TA Beaulieu is looking into different insurance options for the town due to the anticipated "Cadillac tax" for health benefits. TA Beaulieu explained that she is not sure at this time if the tax will be payable by the employer or the employee. She is looking into other options for the Board to consider that will still be beneficial for employees and for the town.

### *Complaints regarding Land Use*

TA Beaulieu informed the Board that the Police Department and Selectmen's Office have received complaints regarding land that is being used for living purposes without a dwelling. After researching, it has been determined that this is a lawful use of property and the town has no option for an enforcement action. Residents are upset with the PD and the Selectmen's office because they cannot take action as the town does not have an ordinance preventing this type of land use. The Board suggested that the home owner association can explore other options.

### **6:20 Kevin McGuire – Transfer Station Manager - Backhoe**

K. McGuire met with the Board to discuss the purchase of a backhoe for the Transfer Station. He explained that the combined town contribution is \$84,000 for the Towns of Thornton, Campton, and Ellsworth. K. McGuire stated that he does not need to expend this amount for a used backhoe. He has quoted some prices and asked the Board for permission to seek

assistance from the Road Agent in finding a used backhoe. The Board agreed that the Road Agent can assist him in looking for a used backhoe either through private sale or at an equipment dealer. TA Beaulieu explained that once the machine is agreed upon, the Board will need to submit a proposal for the Board to expend funds from the trust fund. R. Sabourn suggested that Campton, Thornton and Ellsworth meet jointly to approve the expending of those funds.

**6:28 PM Kevin McGuire – Transfer Station Manager – NH the Beautiful Grant Acceptance**  
TA Beaulieu explained that a grant was awarded to the Town for \$600.00 for the purchase of the storage containers. The Board thanked K. McGuire for applying for the grant on behalf of the town.

**MOTION: “To accept the grant for NH the Beautiful Grant Acceptance in the amount of \$600.00.”**

Motion: J. Demeritt  
Seconded: B. Benton  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**6:30 PM Tom Powers - \$6,000 Hazard Mitigation Plan Grant Request, Requiring a Public Hearing per RSA 31-95b.**

Tom Powers was not present. The Board agreed that it is important to meet with the Emergency Management Director and requested that T. Powers be contacted to reschedule the meeting.

**Jeff Noyes – Accessory Apartment Application**

*Present: Jeff and Michele Noyes*

The Board reviewed the criteria for the accessory apartment application received from Jeff Noyes. TA Beaulieu recommended reviewing the information to consider a consistent process for approving/disproving accessory apartment applications for consistency with current and future applications.

During the previous meeting, the board considered using the effective square foot area from the assessment card to determine square footage limits for accessory apartments. TA Beaulieu discussed this with the assessor and he disagreed with this approach. The board discussed a recommendation to calculate living space, using the perimeter area of the main living area and footprint of the dwelling, but not to include unfinished entry ways, deck, open and enclosed porches and crawlspaces. The board discussed using an effective basement area of 100% for finished basements and 50% for unfinished basements.

After extensive discussion, the board agreed that the current checklist needs to be modified to include additional factors that need to be met such as submitting a site plan with the application. R. Sabourn stated that he is working with N. Decoteau to improve the checklist to be more comprehensive for application consideration.

Chairman Paul-Hilliard welcomed the Noyes’s to the meeting and apologized for the lengthy discussion ahead of time. TA Beaulieu suggested that the board determine how they will calculate the square footage requirements for accessory apartments before approving or disproving the Noyes application so that each applicant follows consistent criteria.

The Board reviewed the application again. During the previous meeting, the Board did not make a decision on the application due to needing a back pocket septic design and they were not sure if the application met the 35% square foot requirement of the zoning ordinance because

the Board did not have a process to establish square footage requirements. The applicants have applied for the septic design and it is in process with the State. The Board also discussed the driveway permit status, and that the permit will need to be obtained from the State. TA Beaulieu suggested that this could be a condition of the approval.

J. Noyes provided copies of the footprint for apartment and noted that the builder has shortened the plans to allow for less square footage. Additional changes include a knee wall and tapered ceilings for the loft storage area. The Board discussed the detached storage area, and agreed that this is not living space and would not apply to the 35% requirement.

The Board agreed to use a 50% calculation for an unfinished basement to determine living area when reviewing accessory apartment applications. The board reviewed the square footage calculations provided by N. Decoteau. After additional conversation, the board determined the current total living space and with the accessory apartment the percentage of living area allowed for the accessory apartment meets the 35% zoning requirement using a 50% living area criteria for the unfinished basement.

The Board reviewed the zoning criteria a through h:

Does not alter the character or appearance of the principal dwelling unit as a single family residence. The Board discussed that this question is subjective.

*Vote: Meets Criteria – 3- yes , 2- J. Demeritt and R. Sabourn abstained.*

R. Sabourn requested if the Board could look at the project when it is completed to allow them to use this process to better future processes. The Noyes's agreed.

Only one accessory apartment is proposed per dwelling unit and/or lot.

*Vote: Meets Criteria - 5 – yes*

Exterior modifications of the building do not alter the character or appearance of the principal dwelling unit as a single family residence.

*Vote: Meets Criteria – 3- yes , 2- J. Demeritt and R. Sabourn abstained.*

Entrances or exits used to accommodate accessory apartment are located to the side or rear of the building.

*Vote: Meets Criteria - 5 – yes*

Accessory apartment has an area of no more than 35% of the primary dwelling, not to exceed the total of 750 square feet of living space.

*Vote: Meets Criteria - 5 – yes*

Property owner's domicile is on the parcel either in primary or the accessory apartment.

The board agreed that proof of residency must be submitted.

*Vote: Meets Criteria - 5 – yes*

No more than two bedrooms are in the accessory apartment.

*Vote: Meets Criteria - 5 – yes*

The apartment meets septic requirements of RSA 485a:38.

The board agreed to approve upon receipt of confirmation of an approved back pocket septic design.

*Vote: Meets Criteria - 5 – yes*

Adequate off street parking based on the number of bedrooms of the primary residence and the accessory apartments is provided.

*Vote: Meets Criteria - 5 – yes*

**MOTION: “To accept the accessory apartment application submitted by Jeff Noyes for PID with the condition that an approval confirmation is received for a 4 bedroom septic design from the State of NH, proof of new DOT change of use driveway permit, and use of similar windows with consistent roofing and siding with the original structure, and the applicants must sign a certification that they will meet all applicable local state and federal life safety codes, and provide proof of residency.”**

Motion: R. Sabourn

Seconded: J. Demeritt

Discussion: None.

Motion Passes: 5– Yes, 0 – No

#### **7:45 PM Chief Diamond – Grants Update**

*Present: Chief Rod Diamond*

Chief Diamond informed the Board that Lee Freeman donated a box of latex gloves, booties, and coveralls to the Police Department/town hall.

**MOTION “To accept L. Freeman’s donation for the noted items as received.”**

Motion: R. Sabourn

Seconded: J. Demeritt

Discussion: None.

Motion Passes: 5– Yes, 0 – No

#### **Stoneciphor and Clark Update**

The Board reviewed the updated proposal from Silvia Clark for the relocation of the Police Department firing range as requested at the previous board meeting. Chief Diamond and the Board of Selectmen agreed to submit the revised remedial plan as reviewed this evening. The Board agreed that they would like a letter to S. Clark from the Selectboard and signed by the Town Administrator confirming approval of the revised plan.

#### **Generator and EOC grant**

Chief Diamond informed the Board that he met with Stuart Anderson and Bryant Lehr from CCI to discuss the grants. The final project cost \$203,166; \$8166 will be the additional amount over the amount approved at the last meeting. If the department receives a 50% match the additional expense will be about \$4,000 that will need to offset by the town. Chief Diamond explained that the final cost includes architectural fees that were not included in previous figures and are now added into the Emergency Operation Center and the generator spreadsheets.

R. Sabourn questioned the increase in architectural cost for the generator portion of the grant. Discussion continued on the electrical cost for the generator.

**MOTION: “To amend the previous cap amount of \$195,000 to \$203,166 for the Generator and EOC grant.”**

Motion: J. Demeritt

Seconded: R. Sabourn

Discussion: R. Sabourn will discuss the financial explanation spreadsheet with the architects.

Motion Passes: 5– Yes, 0 – No

*Charitable Organization (continued)*

The church application was received during the meeting.

**MOTION: "To approve charitable organization status 10/5-2 for the United Methodist Church."**

Motion: J. Demeritt  
Seconded: R. Sabourn  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

BOS will meet Tuesday at 3:30 to sign the tax warrant.

**NON PUBLIC SESSION**

*Present: Chief Diamond*

**MOTION 7:40 PM "To enter nonpublic session under RSA 91-A:3, II (b).**

Motion: R. Sabourn  
Seconded: J. Paul-Hilliard  
Discussion: None.  
Roll Call: B. Benton – Yes, J. Demeritt – Yes  
R. Sabourn – Yes Paul-Hilliard – Yes M. Peabody – Yes  
**Motion Passes: 5 – Yes, 0 - No**

**MOTION 8:52 P.M.: "To exit non-public session."**

Motion: S. Morton  
Seconded: M. Peabody  
Discussion: None.  
**Motion Passes: 5– Yes, 0 – No**

**MOTION: "To make a conditional offer of employment to candidate #1 for full time employment at labor grade 8 step 5 and to make a conditional offer of employment to candidate #2 for part time employment at labor grade 6 step 2 for the Police Department."**

Motion: R. Sabourn  
Seconded: J. Demeritt  
Discussion: None.  
Motion Passes: 5– Yes, 0 – No

**SELECTMEN COMMENTS**

J. Demeritt stated that an area of Millbrook needs some fill. TA Beaulieu will inform the Road Agent.

B. Benton stated that he does not understand why the department needs seven police officers, four full time and three part time officers to make the office fully staffed. TA Beaulieu explained that the part time officers include two officers that are on call only and have limited hours throughout the year. The Board discussed the hiring status of the police department.

J. Paul-Hilliard asked that consideration be given to the Board enforcing posted weight limits on town roads. The Board discussed the need to protect town roads with enforcing road weight limits with exceptions during particular times of the day. TA Beaulieu will speak with the Road Agent and Police Chief regarding enforceability options.

**9:11 P.M. MOTION: "To adjourn."**

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Motion Passes: 5 - Yes, 0 - No

Respectfully submitted,

Jessi Fleury  
Board Secretary

Board of Selectmen  
April 15, 2015  
SIGN IN SHEET (Please Print)

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|----|-----------------------------------|----|
| 1  | <i>Kevin McEneaney</i>            | 26 |
| 2  | <i>Barbara + Maggie Patterson</i> | 27 |
| 3  |                                   | 28 |
| 4  | <i>Jeff + Michele Noyes</i>       | 29 |
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**TOWN OF THORNTON**  
**Selectmen's Agenda**  
**April 15, 2015**  
**4:30 PM**

**Public Input is not permitted throughout the Selectmen's meeting unless requested by the chairman of the board. Public forum is scheduled for the public to have a 5 minute discussion period. If the individual requires more than 5 minutes we request that you schedule as an agenda item.**

- 4:30 Pledge of Allegiance
- 4:30 P.M. Selectmen Work session
- Review documents in the following folders:**  
Payroll/Vendor Manifest  
BOS Motion/Sign Folder  
Signature Folder  
Action Folder reviewed by Board for presentation by the Town Administrator later  
Zoning Enforcement Folder  
Planning Director's Folder  
Minutes Folder  
Mail Folder – initial top right corner of each mail item to allow filing
- 5:15 P.M. Work session Closed
- 5:15 P.M. Selectmen motion and sign the payroll manifest  
Selectmen motion and sign the vendor manifest  
Selectmen motion and sign the minutes in the folder  
Selectmen process the work supplied by Nancy Decoteau in the Z.E. Folder  
Selectmen process the work supplied by Brian Regan in the Planning Director Folder  
(Items from above folders that require lengthy discussion will be reviewed after the agenda appointments)
- 5:30 P.M. Town Administrator presents Action Folder Items  
Town Administrator presents

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

- 6:00 Kevin McGuire- Transfer Station Manager – Backhoe
- 6:15 Kevin McGuire- Transfer Station Manager – New Hampshire the Beautiful  
Grant acceptance \$600.00
- 6:30 Tom Powers – Emergency Management Director- \$6,000 Hazard Mitigation  
Plan Grant. Public Hearing will be required per RSA 31-95 b
- 7:00 Jeff Noyes – Accessory Apartment Application
- 7:15 Chief Diamond – Grants Update
- 7:30 Non public RSA 91-A:3II (b) hiring Police Department

Board of Selectmen Item Discussions

**Public Forum**

Other business or non-public issues as needed pursuant to RSA 91-A: 3, II  
Residents may contact the Town Administrator to get placed on a future agenda.

\*The board may review decisions made during the meeting in public input, at the closing of the meeting, provided information that could result in an adjustment to a decision that was made during the meeting.