

**Board of Selectmen
TOWN OF CHESTERFIELD, NH
SELECTMEN'S MEETING MINUTES**

June 30, 2021

6:00 PM

Gary Winn called the meeting to order at 6:13PM. Also in attendance were Fran Shippee, Kelli Hanzalik, Alissa Thompson, and Jim Barey.

Suggestion Box-Winn read a suggestion submitted and signed by Lee Brockman about the Town Annex kitchen. The pilot lights for all the stoves are on and there is a heavy smell of gas; Brockman asked why this was as well as asking if there are any reservations that require the use of the kitchen. Winn stated there is no electronic ignition on the stove; the smell is due mainly to the fact that the pilot lights are burning with no ventilation. The Board of Selectmen had decided to leave them on continuously at a previous meeting.

Public Comment-Jeff Scott asked that the board speak up during the meeting.

Weekly Review

Code Tracker- The board discussed the division of demo permits on the second entry. Thompson noted that the project was on pause due to finding an endangered species.

Hanzalik noted the third entry was a question about the property being rented. Winn stated the use has changed from what it was; Shippee stated the idea is to go before the Planning Board.

Winn and Hanzalik noted changes to the fourth entry; Hanzalik noted there were less items sitting out as she had driven by.

Thompson noted that the fifth entry should be taken down as it has been resolved.

Financials-Winn noted the auditor was at the Town Offices last Wednesday. Thompson stated the auditor is still waiting on paperwork; they are working with ClerkWorks since there are reports that are not matching. Tricia Lachenal is working with the Town Clerk and the Deputy Town Clerk to find out why before going back to the auditor.

Winn stated the next Happenings that goes out should mention the precinct rate being missing on the June tax bill. Thompson noted it was a problem within Avitar and she needs to speak with Amy from Avitar to correct it.

Old Business

Marsh House Update-Winn stated the Planning Board has approved the site plan that New England Heritage gave to them. At this point it is a matter of completing the closing paperwork. Thompson verified that the board agreed with the paperwork that Ratigan reviewed. The board

discussed their most current copies of the Purchase and Sales agreements and any edits that still needed to be made; noting closing dates as well as the form the “surety” is going to take. The board continued discussion on this subject later in the meeting.

Guest-6:30PM-Jon McKeon-Code Violations-Jon McKeon attended, stating he wanted to speak with the Board of Selectmen about a few areas in town that need to be addressed as far as Code Enforcement. McKeon stated there are a few properties that have taken an enormous amount of time to be resolved on the Code Tracker. McKeon stated the violations that are most egregious are located on Route 9 and are neighbors to each other. McKeon noted they are non-compliant to the Planning Board’s site plans that were approved, and the problems have been exacerbated rather than relieved.

Custom Drive Shaft, has been re-zoned Commercial. McKeon noted when the site plan came to the Planning Board and it was approved, it was very specific that the only storage that has been approved be located to the North of the site. McKeon noted that right now and for the last four years, there seems to be storage all over the place including in the woods, in front of the building, along both sides of the building, as well as in customer parking. McKeon also noted that the Fire Department had a hard time getting up there through the random storage to respond to a call. McKeon stated the owner was given a violation notice and he would appear before the Planning Board to find a resolution; however he sent a representative, there was no resolution reached, and nothing has happened since. Shippee stated this property has been an issue for a long time.

McKeon continued, stating that the neighbor and second offender is the former Manny’s. McKeon stated there are similar problems with parking and display. McKeon noted this property was presented as 90% internet based sales and there would be no need for storage or display of items. McKeon noted that the offender should have planted vegetative screening; to the South there were some trees that were screening that the owner cut down. McKeon continued, noting that this offender has also gone before the Planning Board several times to seek resolution, but offenses keep occurring. McKeon stated he spoke with Beauregard a couple times on this situation. Shippee asked how many cars he was allowed to have; McKeon responded 65. Hanzalik confirmed that the owner stated the majority of his business was internet sales. McKeon stated this has not only been a recent problem, but a long and outstanding one. McKeon noted the first decision was made June 14, 2016. Hanzalik noted the first entry on the Code Tracker is dated March of 2020. Shippee asked what the Board’s next steps should be since the owner has no intent to comply with the Code. McKeon responded if the Board of Selectmen has exhausted all other avenues of resolution, the issue needed to go to court. Shippee asked if the Code Enforcement Officer were the only person who could speak with the owner. McKeon responded no, any of the Selectmen could.

McKeon opened discussion on Spofford Cabins LLC noting a tank that was placed without permit or consultation in the side setback, which is adjacent to the Town's property. McKeon stated that all the remodeling done on the first building was done without a permit and without inspection. McKeon continued, stating there is a lot of concern with renovations completed by the current owner. McKeon stated that Ted Athanosopolos (the previous Code Enforcement Officer) also had disagreements with the owner about Code Enforcement. McKeon stated a lot of public comment on this subject included the question of why the Board of Selectmen are not addressing properties that are currently out of compliance. Shippee asked if there were a list of properties that were not in compliance with the ordinance. McKeon stated he hoped that the board would already have that list. McKeon continued, stating that in looking at the amount of work that needs to be done; he believes the Building Code aspect of the Code Enforcement Officer position and the Building Inspector aspect should be separated into two positions. Shippee noted that to follow through with that suggestion the board would have to budget more funds for next year. McKeon noted this topic was up for discussion with previous Boards of Selectmen as well. Hanzalik noted there is increased activity in building and the longer violations go without being addressed, the more violations will occur, and it will look less favorably on the town. Hanzalik suggested meeting with Beauregard and seeing how his day is split between the Building and Code Enforcement aspects of the position. Winn stated the board needed what amounted to a "permit tracker." McKeon asked if there was a way to track Building Permits on the Code Enforcement website as they come into the department. The board discussed the possibility of running a report with all current permits that could be printed out of Avitar.

Guest-7:00PM-Michael Frank-Rescue Inc. Member-Winn stated that the Board of Selectmen looked at Frank's extensive resume and found it appropriate for the position. Shippee stated she was impressed by Frank's resume and asked if he had lived in town for a while. Frank responded a little over five years, noting that he is now retired which would allow him the time to dedicate to the position. Winn asked Thompson if she had any background on the time commitment the position called for. Thompson responded she would speak with Lachenal about further details. Frank noted he could meet the time requirements. Winn asked if Frank had any experience with Rescue Inc.; Frank stated no. Winn stated he feels someone with Frank's background would be a benefit to the Town and to Rescue Inc.

Frank asked if there were a representative for Keene Ambulance; the Town does not. Hanzalik noted that might be something the Board of Selectmen may want to investigate further. Hanzalik noted that the OEM Director position is open as well in case Frank was interested.

Fran Shippee moved to appoint Michael Frank to be the Town's representative to Rescue Inc. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

Winn noted there are documents that will need to be signed for swearing in. Thompson stated that she would contact Frank when the papers are ready.

Marsh House-The board continued discussing edits to the purchase and sales agreement, noting two sections that need June 30th added as well as discussing an escrow account required to hold the \$30,000 surety from New England Heritage.

Kelli Hanzalik moved to establish an escrow account for the Marsh House Cash Surety of \$30,000. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

Guest-7:30PM-Chris Lord & Julie Chickering

Fran Shippee moved to enter Non-Public session #1 under RSA 91-A:3, II(a) for the purposes of discussing matters pertaining to the dismissal, promotion, or compensation of any public employee. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

Gary Winn moved to seal the minutes from Non-Public Session #1. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

Guest-8:00PM-Keith Thibault from SWCS-Keith Thibault attended to speak further on the Southwestern Community Service (SWCS) Senior Housing proposal. Thibault stated the most common method for funding such a project involved the Community Development Block Grant. The Town can apply for up to \$1 million per year in Block Grant funds, and up to \$500,000 to support housing and public facilities such as this project. Thibault noted that other funding sources include Low Income Housing Tax Credit and Federal Home Loan Bank of Boston. Thibault continued, noting that there are income limits to this type of development for residents. Thibault stated that this project may take 10 or so years to complete depending on how quickly negotiations with the Town work out and SWCS does not want to build cheaply or ineffectively. Shippee asked if a survey were done beforehand on whether this was an asset to the community. Thibault stated yes, the state requires this to be done. Winn asked if SWCS operated the facility. Thibault responded yes, they do; some of this may get hired out in the future but there are not a lot of companies that offer this type of professional service, including that the investors would require a professional management firm to run the facility. Thibault stated there is one RSA that affects the program in regard to property taxes; on a project like this (only for tax credit projects) it limits the property tax that can be collected.

Winn asked if Thibault sees any issues with towns that do not have public water or sewer. Thibault stated it is not preferred but it works since this type of facility produces a proportionately small amount of wastewater.

Winn asked what sort of burdens are apparent as far as services. Thibault responded that this is considered independent living and there is little stress placed on municipal resources.

Shippee asked about preferred proximity to Route 9 for this type of facility. Thibault stated this might affect marketability of the facility; ideally the facility would be closer to a major roadway.

Shippee asked what minimum acreage is needed. Thibault responded approximately 3 acres. Winn asked what Thibault needed from the Town at this stage in the project. Thibault responded the Block Grant, noting nothing beyond whatever the Town wanted to do at this time. Hanzalik stated the venture would have to go before the Planning Board once it reached that stage but nothing before then unless the piece of land was Town owned.

Barbra Girs asked about minimum income limits for renters. Thibault responded SWCS do not want to set anyone up to fail, but the limit floor is "soft". Thibault confirmed that this is not subsidized housing, the renter is responsible for the rent, and not the federal government.

Ron Rzasa noted that the residents could go outside and beautify their surroundings at the facility, once completed and occupied. Thibault stated this is encouraged so the resident's quality of life is sustained. Thibault noted that residents are encouraged to form "resident councils" as well.

Rzasa and Winn discussed drafting a Memorandum of Understanding. Thibault stated this was optional but not necessary as they could not anticipate the block grant. Thibault reiterated that there is no formal decision making that needs to happen at this time.

Winn noted that there is a strong sentiment in the town that they would like to see this type of development occur so that they may remain living in the community. Winn continued, stating that he would like it noted for the record that the Board of Selectmen would like to continue discussing this project with the Economic Development Committee and SWCS.

Hanzalik asked Thibault his opinion on the increase in material costs. Thibault responded that SWCS are hoping prices will settle by that time and confirmed that the rent is not based on the construction costs.

Update Richard Diesl-Bennet Road-Thompson stated that she relayed the board's requests and Diesl responded he was going to involve his lawyer. Thompson noted Diesl had called Chris Lord as well and told him the same thing.

Winn asked if the abutters needed to be made aware of the potential construction. Thompson stated she told Diesl to write up exactly what he wanted to do and have all the abutters sign.

Winn stated that he would prefer whatever Diesl does with the runoff to be controlled and reduce runoff down to Route 63.

Petition for Beach Bathrooms-Thompson noted that Darlene Smith will be keeping the beach bathrooms open so that item may be removed from Tabled Until Future Date. Winn announced that Darlene Smith was hired as the Parks & Recreation Director.

Town Hall Annex-Shippee and Winn discussed purchasing four-foot-wide rolling cabinets for the Annex kitchen to be used for storage.

Hanzalik suggested that the pilot lights be turned off on the stove unless there is a reservation that requires them; then have a designated person turn the lights on and off for that specific reservation.

Barey requested that for Annex kitchen reservations, a stipulation be put into the rental

agreement that applications be turned in five (5) business days before the date of the event to accommodate turning the pilot lights on and off.

The board discussed what use the Annex kitchen should have and what equipment is needed to cater to that clientele.

The board discussed meeting with an L&G Propane technician to explain how to turn the pilot lights on and off and the possibility of selling and exchanging the current kitchen equipment for more cost effective and use appropriate items.

Inventory of Taxable Property-Winn stated the board has a choice of using this form or not using it; noting that the board has not used it in many years.

Gary Winn moved to not use the PA-28 form for 2022. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

Unknown Owner Property-Thompson noted this was brought to her by Ken Cook. These properties do not show any kind of ownership. Thompson suggested having a tax attorney investigate further or the Town takes over the property. Thompson noted these have gone for years without notice and there is no known owner that she can locate. Winn suggested asking Ratigan what the procedure is for taking over the property; questioning whether due diligence should be done to find the appropriate owner. Thompson stated she would contact Ratigan.

Abatements-the board discussed whether to abate certain properties.

Winn stated the first is the Beach Revocable Trust, being taxed for a building on the property that does not exist. Winn noted Marazoff has recommended to grant the request.

Fran Shippee moved to make an abatement for \$1,200 taxable value on the Beach Revocable Trust property. The motion was seconded by Kelli Hanzalik.

Discussion: Hanzalik asked why this is being brought up now and is the applicant asking for back taxes. Winn stated an abatement cannot be asked for until taxes are paid. This would only be for the 2020 taxes.

The motion passed unanimously by roll call vote.

Winn stated the second abatement request is for York Revocable Trust. Marazoff recommended correcting the acreage and abating the difference.

Gary Winn moved to grant an abatement of \$1,600 for the York Revocable Trust. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

Winn stated the third request is for James Hancock on Welcome Hill Road. Winn read the attached letter from Hancock stating his reasons for requesting an abatement due to Chesterfield School Policy in 2020 to 2021. Winn noted Marazoff recommended denying the request for abatement as the applicant did not address any issues with his property assessment.

Gary Winn moved to deny the abatement for James Hancock. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

Winn stated the final abatement was from Ricky Borgenson; requesting an abatement as the land was purchased with building potential and is not able to be used as such. Winn stated that Marazoff suggested further conditions and abating the difference of \$13,500 of the value. Shippee asked if this happens to everyone that buys a piece of property that is not buildable. The board discussed whether the value would decrease if a property were deemed not buildable. Hanzalik noted being nervous about setting a precedent.

Gary Winn moved to abate taxes in the amount of \$13,500 in taxable value for Tax Map 15//F016. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

Other Business-Thompson stated Anthony Martini Jr called to ask when the Board of Selectmen voted to not allow any further businesses in Spofford. Thompson explained that she responded it would depend on what kind of business it was, the location, as well as other factors. Martini stated that Ari Deihim at Wares Grove has started an AirB&B Yoga advertisement for Wares Grove. Winn suggested speaking with Deihim and verifying. The board discussed disallowing participants free admittance to the beach going forward, noting that the program should be by donation only and attendees need to pay admittance onto the beach.

Kelli Hanzalik moved to request that Ari Deihim remove the advertising for yoga sessions on the Wares Grove Beach from all platforms and allow the program to be by donation only; patrons must pay admittance to the beach. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

Thompson relayed a question from Wendi Chamberlin about having gently used game tables donated to Parks & Rec. The board discussed, noting that they would not have much room or use for the donations. Thompson will contact Chamberlin and relay the board's reasoning.

Gary Winn moved to release \$302.20 from the Highway Heavy Equipment Capital Reserve Fund for article #8, for equipment added to the new loader. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

Gary Winn moved to release \$7,500 from the Revaluation Capital Reserve Fund for warrant article #11, for statistical updates provided by M&N Assessing. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

Gary Winn moved to release \$12,150 for a deposit for the painting at the Historical Society, Police Department, and Town Annex coming out of the Town Building Maintenance Capital Reserve Fund for warrant article #14. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

Thompson noted John Fumicello's and Steve Laskowski's last days are tomorrow before retirement, asking if anything would be done for them in celebration. The board discussed different gifts to donate.

Gary Winn moved to give John Fumicello a \$100 gift card in honor of his retirement. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

Hanzalik noted there was a cyanobacteria bloom in Spofford Lake, stating that this bloom was very different from the last blooms with different colors, and it has already started dissipating. Hanzalik continued, noting that water samples have been taken, the NH Department of Environmental Services (NHDES) has put out an alert and test results are coming. Hanzalik stated that this bloom has dissipated but it is the true blue green variant.

Public Comment-Jeff Scott asked if everything was good to go regarding the Marsh House. Thompson stated Wednesday or Thursday would be the earliest that the paperwork would be completed.

Acceptance of Minutes-6/16/2021-Fran Shippee moved to accept the 06/16/2021 minutes as amended. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

6/16/2021-NP 1- Fran Shippee moved to accept the 06/16/2021 Non-Public Session #1 minutes as amended. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

6/16/2021-NP 2- Fran Shippee moved to accept the 06/16/2021 Non-Public Session #2 minutes as amended. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

6/16/2021- NP 3- Fran Shippee moved to accept the 06/16/2021 Non-Public Session #3 Minutes as amended. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

6/16/2021- NP 4- Kelli Hanzalik moved to accept the 06/16/2021 Non-Public Session #4 minutes as amended. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

6/20/2021- Fran Shippee moved to accept the 06/20/2021 minutes as amended. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

6/20/2021- NP 1- Kelli Hanzalik moved to accept the 06/20/2021 Non-Public Session #1 minutes as amended. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

6/23/2021- Fran Shippee moved to accept the 06/23/2021 minutes as written. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

6/23/2021-NP 1- Fran Shippee moved to accept the 06/23/2021 Non-Public Session #1 minutes as amended. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

6/23/2021-NP 2 -Fran Shippee moved to accept the 06/23/2021 Non-Public Session #2 minutes as written. The motion was seconded by Kelli Hanzalik and passed unanimously by roll call vote.

Adjourn

Kelli Hanzalik moved to adjourn the meeting at 12:18AM on 07/01/2021. The motion was seconded by Fran Shippee and passed unanimously by roll call vote.

Respectfully submitted,

Jim Barey
Board of Selectmen Secretary

Approved by:



Gary Winn, Chairman

7/23/2021

Date



Fran Shippee

7/28/2021

Date

Kelli Hanzalik

Date