

# TOWN OF THORNTON

## November 21, 2007

### Selectmen's Meeting Minutes

9:00 AM The meeting was called to order.

Board members present: Arthur Gross, Jim Parziale and Roy Sabourn

Also present: Administrator Andrew (TA), Jim Demeritt, Giff Kriebel, Police Lt. Jack Foley, Road Agent (RA) Tom Dubey, and Lee Freeman at 10:55 AM

Selectman Sabourn stated he has drafted a hard hat policy. The TA has also received a draft of a safety policy from Primex the town's workers' compensation carrier. The NH Dept. of Labor inspector had recommended their policy and directed that if used the reference numbers should be changed to agree with the Dept. of Labor's numbering system. The Board will hold off action on the policy until they have a chance to review the Primex product.

Fire Commissioner, Jim Demeritt presented the board the 1<sup>st</sup> draft of the fire department budget. Selectman Gross thanked him for the information.

Minutes of the November 7 and 14, 2007 Selectmen's meetings were approved as amended with the attachment of Lee Freeman's faxes from the 9<sup>th</sup> and 13<sup>th</sup>. APPROVED (x3)

Selectman Sabourn reported that that Lee Freeman had called the office relative to the lack of plowing on Merrill Access Road. RA Tom Dubey stated that the dirt portion hadn't been plowed because it was misting and he thought that the snow would absorb some of the rain. Merrill Access Road had not yet frozen up. The board agreed with the thought process.

Mr. Demeritt had given the board some calculations and research questioning the costs of the town putting up its own sand. The RA responded that the town bought the land with the intent of having the sand worked up in house. The RA will review Mr. Demeritt's figures and report back to the board.

The board discussed an e-mail received from Plodzik and Sanderson concerning whether they would be conducting the 2007 audit. The TA confirmed that she had contacted Mr. Plodzik and confirmed that the town would be honoring the audit agreement in place including the 2007 audit.

The RA presented an preliminary engineering workup relative to the covered bridge on Covered Bridge Rd. The board will review the information prior to discussion.

Thornton Gore/Conley property - Selectman Sabourn reported that the trailer on the Conley property in Thornton Gore has not moved since the cease & desist order. There hasn't been any new activity on the property.

Mowing Tractor – Selectman Sabourn stated he checked the tractor by the Register of Deeds office. There is no price on the mower. It is a New Holland, TS100 with a Nomad mower and enclosed cab, 4-wheel drive, two blades in a boom measuring approximately 3 ½' x 4 ½'. The tractor appears to be in good shape. It has been there for a couple of months now. He gave the RA a phone number for follow up.

Mower charged to Police Department - Lt. Foley stated that when the town had contracted with MB Tractor, the price to rent the mower was \$2150/week. The mower was returned to the lack of vehicle registration and the board decided that the police department would pay. He inquired if it was the intent to have the police department pay for the usage or only that portion billed above the hours used. The bill was adjusted to \$845 for actual hours used. If MB Tractor had charged the balance of the contract that would be different. It is unfair for the police department to pay for mowing. Selectman Gross agreed that the intent was that the police department should not pay for usage, but should have been charged for idle time. Selectman Sabourn agreed that was his intent as well. The RA agreed that the 11 hours used should have been paid by highway budget.

Planning Board/Zoning Board of Adjustment – Mr. Demeritt stated that the two board are discussing many subjects. Zoning Ordinance enforcement as it stands should be done by the Board of Selectmen. The PB and ZBA members have talked and feel that taxpayers would be better served if the selectmen went to a 5-member board and installed a Land Enforcement Officer whose job would include verifying setbacks in construction situations with the enforcement authority or the officer could bring violations to the Board of Selectmen for enforcement. There was no consensus; the boards are kicking many ideas around and trying to work together to make it a better process and looking for the selectmen's thoughts and opinions. Selectman Parziale stated he personally can't see himself working outside to enforce ordinances or any other single person within the board. He can see if the town had somebody but not necessarily a 5-member board; possibly someone that could spend several hours a week for enforcement issues. Lt. Foley volunteered police assistance for enforcement whenever there is an issue. Selectman Parziale agreed and thinks someone with a badge would be a better enforcer. Mr. Demeritt stated his understanding that there are a lot of issues that need to be addressed and it will probably come down to dollars and cents. Selectman Gross stated he thinks the board has addressed the majority of the issues raised.. Mr. Demeritt stated that there are a lot of junk cars in town, and that is a problem that is seen by many now. Selectman Sabourn stated he has no strong feelings on a 3 or 5-member board and he doesn't think the addition of an enforcement officer is needed. Both issues should be put to the voters.

Selectman Sabourn stated he would like to bounce back to the PB a request to compile a list of some of the major violations and complaints the PB and ZBA have received. He continued that the preferred method would be to send those individuals a letter to start the

process to have them remedy the situation. It takes some time but letters and the threat of penalties do get people's attention. 80% of them will clean up the property because they don't want to get involved in a court action. The Building Inspector can't do setbacks with any accuracy without an instrument. One way to confirm setbacks is to require a certified foundation plan similar to septic as built plans. Mr. Kriebel stated that there are proposed changes in the zoning ordinance. One requires twice the setback requirements need to be verified once concrete is in place. Selectman Sabourn suggested maybe there should be some kind of foundation verification plan that has to be signed off by building inspector and if there is a question then a survey would be required of the property owner. Mr. Kriebel suggested it would probably be a good idea if the selectmen see the proposed changes for the zoning ordinance for their input. Selectman Sabourn inquired if the removal of top soil requirements had been revisited? NO. Mr. Kriebel suggested the selectmen bring forward through their representative. Mr. Demeritt noted that there is a lot on the table this year and deadlines are looming.

Selectman Gross stated a 5-member board of selectmen would be more expensive in the budget, but it would make it easier for 2 members to speak publicly. Selectman Sabourn stated that if there is an ordinance in place, it should be enforced, done away with, or revised so that it can be enforced. Mr. Demeritt stated that the ZBA has become busy and shouldn't be, but hopefully some of the revisions will make the ordinance easier to work with. Selectman Sabourn suggested that maybe the building permit process itself could be amended. Maybe building inspector could have some sort of conditional approval until after a foundation is placed. Mr. Kriebel stated that having the foundation placed 2x the width of the setback would flag a parcel that further work would be required to ensure compliance. Selectman Sabourn stated his thought that the eaves should not hang over and be within the setback area.

Selectman Sabourn asked if the Veit building permit application had not been submitted since they visited with the ZBA. It has not.

Selectman Gross complimented the Planning Board and Zoning Board for their efforts. Selectman Sabourn agreed continuing he has also seen more team effort even between departments and appreciates it.

Labor Dept Inspection – The RA reported that the compressor at the Highway Dept has been inspected. The inspecting company will send their report to the state. They will bill the town for the permit. George Cheney has fabricated a guard for the drill; none was available commercially. The RA has mailed a letter to Inspector Roy relative to the issues raised in the inspection report. The floor load that was mentioned was not included in the report. Selectman Sabourn stated most professional builders could give you a floor load based on the construction.

The RA inquired if he could bring Tim Collins on a week early for some of the work including bridge timbers, and working on trucks prior to snow plowing needs.

APPROVED (x3)

Selectman Gross inquired if the RA has heard from Karl Haartz? NO, but Mr. Haartz has paved his driveway without the recommended culvert at its base.

Signs– The RA reported that Stop signs are now installed on Hidden Acres Road, and the snowmobiling signs have been received and billed to the snowmobiling club.

Mill Brook Road – Mr. Demeritt suggested the large truck turn around at the top of hill so that it is sanded due to the bus stop at the bottom. Selectman Sabourn inquired if he meant at Ingram’s development? YES The RA stated his crew will cover the roads as fast as possible to make sure the area is sanded prior to bus activity.

Green Valley Motor Court – It was noted that there is still a sign up for rentals. Selectman Sabourn made a motion that a letter be sent requesting that the owner come to the Planning Board to illustrate that he is in compliance with the one dwelling per acre required of the zoning ordinance. APPROVED (x3). Mr. Kriebel inquired if they are suitable for winter habitation? Selectman Sabourn stated he thinks that new issues should be addressed as noted. There should be some mixed use locations allowed. There should be some owner rights if they are not damaging their neighbors. Maybe some items should be allowed. He continued that it appears the boards are on the same path. He asked if the PB/ZBA have looked at other zoning ordinances (from not too far away). YES, especially things like cluster zoning and frontage issues. Mr. Kriebel stated that most of the reading is that there is land held in common. They are looking at the whole ordinance and trying to make it clearer. Mr. Demeritt stated they are gathering information to help making an educated opinion. Selectman Gross thanked Mr. Demeritt and Mr. Kriebel continuing that they are going in the right direction.

10:21 The board adjourned to a work session to review manifests, and correspondence.

10:55 Lee Freeman joined the meeting and stated that Merrill Access Road has not yet been done and asked one of the board members to check the road. Selectman Sabourn stated the RA stated he had waited due to the ice but he understood that it was done. LF again stated that it has not been done. Selectman Sabourn stated he would check the road when he left the meeting. Mr. Freeman left, but returned to state that a sand truck had just gone by.

APPROVALS:

Intent to Cut:

9 1 2

V. Levasseur

11:37 It was moved to adjourn. PASSED (x3)

**The next scheduled Selectmen's Meeting  
Will be  
November 28, 2007  
9:00 AM at the Municipal Building**