

TOWN OF SANBORNTON
MEETING OF THE BOARD OF SELECTMEN
Sanbornton Town Office
573 Sanborn Road
Sanbornton, NH
5.25.2022 – 5pm

The Board of Selectmen convened in regular session. In attendance were: Town Administrator Trish Stafford, Chairman Jim Dick, Selectman Bob Lambert, and Selectman Brandon Deacon. Those in attendance recited the Pledge of Allegiance.

1. Public Comment – Lynn Chong asked if any members drove by the home on Prescott Rd discussed at the last BOS meeting; Selectman Dick stated that members have driven by and the area has been cleaned up. He explained that there was an issue with the location that the resident usually brings discarded items to and that is the reason that items had accumulated on the property, but the resident is not operating a junkyard from there and the items have been removed. The resident has since applied for a home occupation permit with the Zoning Enforcement Officer as the administrative part of the business does take place on the property.

2. New Business

a. Swearing in of new police officer – Police Chief Steve Hankard introduced Ben Davis who has been hired as a full-time officer on the Sanbornton PD. He has recently graduated from Plymouth State University and lives in Boscawen.

Selectman Jim Dick made a **motion** to accept the PAF for Ben Davis as full-time uncertified member of the Sanbornton Police Department at Grade 14, Step 1 effective May 29, 2022, increasing to Grade 15, Step 2 upon certification. Selectman Bob Lambert **seconded** the motion and the motion passed unanimously. Ben Davis was sworn in by Chief Hankard.

b. Recreation grant – Recreation Director Amanda Pelissier explained that her department received a grant in September and 25% of the grant must be used for employee incentives. She would like to provide employees with a \$300 bonus from the grant. Trish noted that she has discussed this with Peggy in Finance and she does not foresee any issues with payroll as a result of the bonuses.

Selectman Jim Dick made a **motion** to authorize the Recreation Dept Director to pay \$300 bonuses at the end of the school year for before and after-care employees, and at the end of the 7-week summer camp program for summer employees, to be paid from the NHHS Childcare Achieving Stabilization Grant. Selectman Bob Lambert **seconded** the motion and the motion passed unanimously.

c. Public Hearing: Appeals to Sanbornton’s Subsurface Disposal Health Regulations – **Selectman Dick opened the public hearing at 5:15 PM.** Sanbornton Health Officer Tom O’Shea explained that there are multiple septic systems that he has denied due to their non-compliance with the Sanbornton Subsurface Disposal Health Regulations. At 58 Threshing Mill Rd, owner David Kimball proposes to replace a failed septic system which is three feet longer than the current system but geographically the

system could not be placed anywhere else on the property. Tom stated that the 25-foot setback cannot be met and the old system is within ten feet of the property line, but the abutter is a Town road and not an actual person. He stated that a waiver for the new system would be appropriate. Engineer Bill Evans noted that the system does meet State standards which require only five feet between leach field and property line, but not Sanbornton's.

Mark Bergeron of 328 Black Brook Rd explained that he has had an old house torn down on this property and there was a steel tank used for septic. Two surveyors have both stated that the new septic system could only be located in one spot on the property which does not meet the setback requirements in the Subsurface Regulations. Tom O'Shea added that he recommends a coated tank due to the proximity between the system and a nearby stream. He added that septic designers are going by the State standards when they create these designs but the discrepancy between Sanbornton's regulations and the State regulations are the reason for these hearings tonight. Kevin Riley asked if the property owner has spoken to his abutters about this change; Mark responded that he has not heard from them but Selectman Dick noted that all abutters for all cases have been noticed. Tom added that he looks closely at plans to make sure that septic systems aren't located in an area that would slope down to a neighbor's well and that would not be an issue for this property.

Engineer Peter Stoddard explained that his clients at 110 Dr True Rd #2 are proposing a tear-down of an existing seasonal camp to replace it with a year-round home. The lot itself is 50 feet wide so the 25-foot setback cannot be met no matter where the septic system is placed on the property. The existing system is close to the water; the proposed system would be just under eight feet from the property line whereas the State standard is five feet. Tom asked if it would be possible to purchase land from the abutter to meet the setback and Peter responded No. Tom added that there is an alarm in place in this proposed system so that the owner could be alerted of any possible contamination. Peter added that he will still need a zoning variance as the septic system won't meet zoning requirements as well as not meeting the subsurface requirements.

Donna Ledgard stated that the voters of Sanbornton decided on setbacks for a reason and making exceptions for these is a concern. Selectman Deacon responded that residents in Sanbornton may have voted on an ordinance at some point but experts at the State level have decided that a different standard is adequate. Selectman Lambert stated that he is in favor of making changes to systems that will improve public safety.

Selectman Dick closed the public hearing at 5:49 PM. Selectman Dick explained that the process for septic system appeals is not well defined in the regulations and he believes the Selectmen should use the same set of questions that the ZBA uses to consider granting variances to the Zoning Ordinance. He stated that in every case he has heard tonight, the State standards were met though Sanbornton's were not. Audry Barriault asked if approval of these appeals would mean that the applicants do not need to go to the Zoning Board; Selectman Dick responded that the regulations in the Zoning Ordinance are different than those of the Subsurface Regulations so residents may still need a variance if they cannot meet the Zoning setbacks.

Selectman Jim Dick made a **motion** to approve the appeal for the septic design at 58 Threshing Mill Rd, Tax Map 21/Lot 31-6. Selectman Brandon Deacon **seconded** the motion and the motion passed unanimously.

Selectman Dick made a **motion** to approve the appeal for the septic design at 328 Black Brook Rd, Tax Map 21/Lot 60. Selectman Lambert **seconded** the motion and the motion passed unanimously.

Selectman Dick made a **motion** to approve the appeal for the septic design at 110 Dr. True Rd #2, Tax Map 11/Lot87. Selectman Deacon **seconded** the motion and the motion passed unanimously.

d. Committee appointments – Selectman Dick made a **motion** to approve the application and appointment of Sam Swartz for regular member of the Master Plan Committee with a term expiring March 31st, 2023. Selectman Deacon **seconded** the motion and the motion passed unanimously. Trish stated that Kyle Orde is interested in being an alternate member on the Planning Board; Planning Board Chair Andy Sanborn stated that no formal vote was taken but there was consensus amongst member to have Kyle join as alternate. Selectman Dick made a **motion** to appoint Kyle Orde as alternate member of the Planning Board with a term expiring March 31, 2025. Selectman Deacon seconded the motion and the motion passed unanimously.

e. Discussion with HealthTrust representatives regarding employee FSA – Trish explained that the Board had discussed the option to increase the limit for FSA contributions but there are issues with the cards getting flagged or turned off for purchases that she believes should be allowed. Selectman Dick added that he does not believe there is a town employee that has not had their card turned off at some point. Andrew Struth from HealthTrust stated that there is often not enough information to pass through the card at eye doctor or dental offices so often a receipt is required; a receipt must be turned in within a certain time frame or else the card is shut off. He added that employees should be getting notified via email if receipts are required as well as warned if the card will be shut off. Trish stated that another issue is the timing of funding the HRA versus when funds are available in the FSA. Representatives offered a training session for employees; Ray Masse recommended recording this for any future new employees to take advantage of.

f. Johnson Rd gravel pit concerns – Mary McMahon explained that she has written a letter of concern to the BOS regarding the gravel pit; the gravel pit was approved based on having gravel hauled from one company out of the pit and directly on to I-93 but now it appears to be open to the public. She stated that she is not sure the ZBA would have approved the application if this had been known. She also asked if a water truck is on the property as stipulated in the ZBA approval and asked if the permits obtained by the property owner are legal. Selectman Dick responded that they have obtained all their permits and made their bonds, but noted that the actual site plan did not say only one company would haul the gravel though this was mentioned by the agent at meetings. There was also mention that there would be no crushing on site but there does appear to be a crusher on the property. He explained that these items are being discussed with legal counsel because they were discussed at meetings as part of the application process but not formally written on the plan.

Selectman Dick confirmed that the site plan did say a water truck needed to be available on the property and used to mitigate dust. He stated that the Zoning Enforcement Officer needs to go see if a water truck

is on the premises and make sure that a concrete pad for refueling of equipment is in place; refueling of trucks is not allowed on the property. Selectman Dick added that the Town is still actively looking for a company to monitor the gravel pit. Mary asked if ZBA members receive training; Selectman Dick responded that the BOS should have more oversight with town boards in regards to training but ultimately these boards are made up of volunteers and these types of cases do not come along often. Trish stated that she has found a document regarding gravel pits that could be used for the Master Plan and will send to Andy Sanborn.

Julie Lonergan asked the BOS to require all boards and committees to record their meetings. Selectmen agreed that this is a good idea to provide transparency. Audry asked if this includes the smaller subcommittees such as the Town Park Committee and Selectman Dick responded Yes. Audry added that the Old Town Hall will be used for all meetings soon and it is nearly impossible to get a good recording in that space; Selectman Dick responded that he is discussing audio equipment possibilities for Old Town Hall with someone right now. Selectman Dick made a **motion** to require all town boards, commissions and committees to record their meetings electronically and to make the recordings available for posting to the public within five business days effective June 1, 2022. Selectman Bob Lambert **seconded** the motion and the motion passed unanimously. Trish noted that it takes a while to get the audio files loaded to the website because the software is old but she will handle this and can look into other options.

3. Old Business - None

Selectman Deacon left the meeting at 7:25pm

4. Town Administrator's report - Trish stated that she has distributed a letter to BOS members from the residents of Tower Hill Rd regarding the road conditions.

Selectman Dick made a **motion** to request that the Trustee of the Trust Fund reimburse the General Fund in the amount of \$12,912 from the Town Building Improvements CRF for services by HL Turner for the new town office construction. Selectman Lambert **seconded** the motion and the motion passed unanimously.

Trish stated that she needs to notify the utilities company that the BOS will be putting flags up on the poles this weekend.

5. Select Board reports – Selectman Lambert stated that the Recreation Dept is busy with programming; Welfare Director Siri Gaydos is getting up to speed and has just completed more training. She will be meeting with the BOS once a month to provide department updates.

Selectman Dick explained that the Conservation Commission is doing a mailing of their recent newsletter; they are contracting with an outside company to do the mailing at a reasonable price. The building progress is moving along at the new town office building and windows should arrive next week.

Selectman Deacon returned at 7:35pm. He stated that the Master Plan Committee has discussed adding a Public Safety chapter; other priorities for the update include Vision, Land Use, Housing and Implementation. The Planning Board recently reviewed and approved a site plan application for

MillTuck Creamery on Rte 127; they also had a conceptual consultation with Gordon Craig of Den Brae Golf Course about adding housing on the golf course property. The Old House workshop had several people attend and it was very informative.

6. Select Board signatures – The Board of Selectmen signed a check in the amount of \$12,200.43 for GMI Asphalt and for \$5,795.43 for Atlantic Recycling Equipment.

7. Approval of meeting minutes – Selectman Dick made a **motion** to approve the BOS minutes of 5/11/22 with any corrections. Selectman Deacon **seconded** the motion and the motion passed unanimously.

Meeting adjourned at 7:53pm. The next meeting is scheduled for Wednesday, June 8th at 5:00pm.

Respectfully submitted,

Audry Barriault, Secretary

Selectboard Clerk: _____
Approval Date 6.8.2022