

**Town of Groton  
Selectmen's Meeting Minutes  
August 24, 2010  
7:00pm**

**In Attendance: Miles Sinclair, Kyle Andrews, Christina McClay, Pamela Hamel (AA)**

**Audience Members Present**

Miles called the meeting to order at 7:05pm.

The former Town Library building site visit date is September 13 at 5pm.

**Miles made a motion to approve the minutes as written, Kyle 2<sup>nd</sup>, so voted.**

**Up Dates**

The Board announced that 2 properties were deeded for back taxes owed.

**Old Business**

Mr. Cross addressed the Board. He said grant funds have been awarded for soil conservation, habitat improvement and road stabilization for his property. This work should begin within the next 1½ to 3 weeks. The remaining clean up (removal of slash and water bar) to the Class VI portion of the road will take place at that time. He has the option to put in a rolling water bar at his own expense; however, he expressed concern that ATVs and other vehicular traffic would damage the road. The Board's position is the same: a Class VI road is a public way and any change in status needs to be brought before the Town at Town Meeting via a petition warrant article.

Marilyn Lieto requested permission to campaign at the Transfer Station. This is done traditionally in many towns. She would also like to place yard signs on the road in front of the Town House. The Board gave her permission to campaign at the Transfer Station. They do not know if placing signs on Town property is allowed. Lou Lieto volunteered to contact the Attorney General's office to inquire.

The Local Auditor's position will be posted until Friday, September 24. This is an appointment until the March elections. A copy of the form which comprises the report that must be filled out and filed by the auditor is available in the Selectmen's office. Pam will contact the Local Government Center to confirm that this appointment is covered under the Town's insurance.

**New Business**

Dave Leone addressed the Board regarding two matters. First, he said in 2008 he had applied for a building permit to construct some cabins for his campground and was denied by a prior Board. He was told that he needed to go before the Zoning Board of Adjustment (ZBA) to get a special exception. He also received a letter from the Town's attorney stating the same. Recently he found out that T-Mobile and New Hampshire Electric Coop (NHEC) both received building permits from the Selectmen after going before the Planning Board. He does not feel that he was treated fairly as they were given the option of appearing before the Planning Board and he was not. He expressed concern that the then Chairman of the ZBA indicated that cabins do not belong at a campground. He also reported that when Bob Whitmore wanted to put up a storage building at the Palermo Mine in 2006 he was required to get a special exception. Miles responded that although Mr. Leone feels he was not treated fairly, he was treated in the

same manner as Mr. Whitmore. As the current Board members were not in office when he filed his 2008 building permit application, they were not familiar with the attorney's reasons why a special exception is required. Kyle pointed out that when they were approached by T-Mobile and NHEC; both of these companies were told by the Board of Selectmen that their request would need to be heard by the ZBA first, then the Planning Board. T-Mobile forwarded their request ZBA who then met to discuss the request and it was determined that a special exception was not needed. NHEC met with the ZBA and the same determination was made. Both companies then met with the Planning Board. He noted that Mr. Leone never met with the ZBA. Mr. Leone admitted that he did not know that both companies had gone before the ZBA prior to meeting with the Planning Board. He made a formal request to meet with the ZBA. As for giving building permits to T-Mobile and NHEC, the Board did not state whether or not the ZBA's decisions to not require a special exception and the Planning Board's decisions to not require site plan review were correct decisions as they are only now becoming aware of the Attorney's reasoning for requiring these. Regardless, what is important is to go forward making the right decisions based upon the Town's Ordinances. Miles also mentioned that these Board members are all lay people, not experts, and that the courts recognize this.

Secondly, Mr. Leone said that while he was on the Board, the Town had received a letter which was passed along to the Health Officer regarding a possible septic violation at the Orland Stevens property on North Groton Road. He would like to know what became of that. He feels the Health Officer should be enforcing these things. He also pointed out that in 2005 Mr. Stevens had received a building permit for a deck but built a room instead. In an email Health Officer Chuck Stata said that the possible violation had been passed on to him and he had inspected the property. Although Mr. Stevens did not allow him inside he did inform him that he was pumping out the basement area that was currently under construction. This explained the water which was being drained from under the house into the street ditch. Mr. Stata inspected the area and found no violation. Helen Santoro said the first owner claimed the septic was a 55 gallon drum and that there is a flush toilet in the house. Miles responded that this happened on Mr. Leone's watch and it should have been dealt with then. Thus it would not be necessary that this be dealt with by the current Board. The Board pointed out that there are a few cases in Town that have been resolved due to the Health Officer and other cases that were given the okay by the Department of Environmental Services. **Kyle made a motion to refer this matter to the Health Officer and receive a written response, Miles 2<sup>nd</sup>, so voted.**

In 2000 the Town deeded Map 6 Lot 88 for taxes due. However, for some reason this change was not made in the computer and the former Tax Collector was having the Board abate the taxes each year. The Administrative Assistant secured a copy of the Tax Collector's deed from the Grafton County Registry of Deeds website. **Kyle made a motion to sign the abatement and correct the Town records to show the correct ownership of the property, Christina 2<sup>nd</sup>, so voted.**

The Town received some possible campaign literature from the Register of Deeds in the Town's monthly billing statement. **Christina made a motion to write a letter to the Attorney General's office and forward of copy of this possible campaign literature, Miles 2<sup>nd</sup>, so voted.**

John and Jennifer Fitzpatrick have chosen to withdraw their child from the Newfound School District (NFSD) and enroll her in Plymouth. They would like the Board to investigate any possibility of cost sharing; either having the entire amount or a portion allocated for their child to be transferred from NFSD to Plymouth. **Miles made a motion to table this until they can gather the necessary information, Kyle 2<sup>nd</sup>, so voted.**

The Board reviewed the 2010 MS-4 forms. These are estimated revenues for this fiscal year, and will be submitted to the Department of Revenue along with the MS-1 (Summary of Valuation).

**Christina made a motion to sign the 2010 MS-1, Kyle 2<sup>nd</sup>, so voted.**

The Board announced that they will be adhering to the Town's policy regarding Agenda items: anyone who wishes to have something on the Agenda must submit it in writing no later than noon the previous Friday.

**Miles made a motion to approve the Groton Historical Society's request to use the Town Hall on Sunday, September 12 for their annual meeting, Christina 2<sup>nd</sup>, so voted.**

Pam explained that while cleaning out some files she came across a building permit application and check for \$10 that was submitted by Robert Jackson in 2008. Mr. Jackson had asked the Board to keep the check while he secured the necessary wetlands permits to build a deck near his camp on Spectacle Pond. **Miles made a motion to return the Jackson's check, Kyle 2<sup>nd</sup>, so voted.** Once the Jackson's have all their paperwork in order they can re-apply and submit a new check for the building permit.

The Board announced that Anne Joyce has been appointed as the new Deputy Town Clerk/Tax Collector pending successful completion of a background check.

**Miles made a motion to send a letter of thanks to Venture Print for donating 5 large posters used to advertise Old Home Day, Christina 2<sup>nd</sup>, so voted.**

The Cemetery Trustees reported that a little over \$90 in donations came in from the supper they hosted the evening of Old Home Day.

Building permits are good for two years. The Board is still investigating 'vested interest'.

The Board announced that Police Chief Dickerson will be entering the 14 week Academy on August 30.

Dave Leone asked if the Town had a set rate for the use of equipment or local contractors for emergency work. The Board responded that this is put out to bid. They encouraged Mr. Leone to contact the Road Agent as he handles this.

**Miles made a motion to adjourn the meeting at 8:56pm, Christina 2<sup>nd</sup>, so voted.**

Respectfully submitted,  
Pamela Hamel  
Administrative Assistant