

Town of Groton
Select Board Work Session Minutes
January 15, 2019

In attendance: John Rescigno, Kyle Andrews, Ron Madan and Sara Smith (Administrative Assistant - AA)

John called the meeting to order at 4:00pm.

John motioned to go into non-public session pursuant to RSA 91-A:3 II (a) at 4:00pm, Kyle 2nd, so voted.

John motioned to return to public session at 4:45pm, Kyle 2nd, so voted.

John motioned to seal the non-public minutes, Ron 2nd, so voted.

Town Report Cover Photo

John submitted some photos for the cover of the town report. Sara shared this with the rest of the Select Board. The Select Board agreed on the chimney picture.

Floodplain Meeting

Jennifer Gilbert who is the Floodplain Management Program Coordinator for the New Hampshire Office of Strategic Initiatives and Karl Anderson from FEMA met with the Select Board regarding the Floodplain concern on Beaver Pond Road and for some training on what the Select Board is supposed to do in these cases.

The Town has very small zoning but we do have permitting in place. Jennifer mentioned that the floodplain ordinance shows map of the floodplain area so the Select Board need to keep that in mind when approving building permits. Usually it is building permits that bring these to the Towns attention but there are non-building developments such as excavation that the Town needs to keep an eye out for. Karl and Jennifer provided the town with a book on Flood Plain Development requirements and a handout which goes over the twelve key points and what the Town's responsibilities are.

Beaver Pond Road issue

It was agreed to talk about the Beaver Pond Road issue first. Sara explained that the Town sent Mr. Ethier a letter the end of last week and included the Flood Plain Permit Application. He should be receiving it any day now. Karl said that as he understands the issue is that Mr. Ethier raised the elevation of the road and has been moving stuff around which is development and he needs a permit to do so. The major thing to check for is if he is working in the flood way. Karl and Jennifer provided a map and went over that blue is the flood zone and the flood way has even higher standards because it has the most dangerous conditions and most dangerous waters. If he is working in the flood way as it appears, the Town needs to make sure he doesn't increase the flood heights. He can't cause flood waters to be higher than it was. Elevating the road could cause issues. Ron believes he has put in pipes to assist with the water flow. Karl mentioned that you are not allowed to change flood heights upstream or downstream. Ron also mentioned that this is a private road. Karl mentioned that it doesn't matter if it is a private road, he would still need a permit because of the flood plain. Before a resident starts the project, they have to fill out the permit application and they have to demonstrate that what they do will not affect flood heights. This would be a hydraulic study done by a hydraulic engineer. Karl explained that by doing this work you could be changing the floodplain map which affects others. People who weren't in the floodplain could be now due to changes.

John asked if any work is being done it should be stopped until we receive the permit application. They agreed that it needs to stop. Sara explained that this was stated in the letter that was send to him.

Going forward he will have to submit the permit application and a hydraulic study. Sara asked what happens if he doesn't comply and doesn't contact the Town. It was recommended that at that point the Town should reach out to their attorney for guidance on how to proceed.

John asked how we should handle the work that was already done. Karl mentioned that for unpermitted work the Town can have them take out what they did and put it back the way it was or they can do a retroactive permit for work that was already done but the Town would need the hydraulic study done. John asked how do we know how it was before to make sure it goes back to that. Karl said it would have to be to put it back to what the Town's recollection of it was. He will also need to have state permits such as DES permits to swap out the culverts, etc. Sara will follow back up with Amy at DES regarding this situation as both Sara and Jennifer mentioned that Amy has been involved and they believe has gone out there.

Bridge issue

John asked about the bridge by the Highway Department that the State put in. Jennifer said that was before her time but she believes it was put in by the state around 1996. John said that it has changed the water flow and there has been flooding at the Town Garage because of this. Kyle said the water used to flow over the road there so they put in the bridge in but when there is a storm there is so much water that it does flow through. Jennifer and Karl said the State should have submitted plans to the State and FEMA to show the changes. John asked if we can hold the state liable. Jennifer thinks it was in the flood way back then already. Jennifer said she will look at the historic map to see. Kyle said it was in the 100-year flood but now we have had flooding a lot the last few years. Jennifer mentioned a letter that was sent to Deb Johnson back in 2001 regarding the bridge. She said that she will email it over.

Floodplain information to know

Karl mentioned that the book he brought for the Town they also teach a class on which takes a week. The major points of the book are on the two sheets which Karl and Jennifer went over that has the 8 steps for floodplain development review gives the steps the Town can use on how to properly review a floodplain permit application. It is geared towards a building but does give steps to follow.

- Step 1: Is it development: Ensure that it meets the NFIP/local ordinance definition of development
- Step 2: Is it in the Floodplain: use the map to make sure that it is not in the floodplain
- Step 3: Permits: All development needs a permit in the flood zone. If someone comes in with a permit for building, etc. we need to check the flood plain and see if floodplain permit is required. Anyone that is in the plain is grandfathered so if there is just an improvement and not a new building, they do not need to do this. However, if it is 50% or greater than it would have to be a permit. FEMA has a map online and you type in address and it will help locate the property and let you know if it is in the floodplain. This can be found at <https://msc.fema.gov>. Also, if the Town is ever not sure they can reach out to Jennifer's office with questions.
 - Construction requirements: The program was to address buildings, house barns etc. and has less rules about fill and other development. New buildings need to be anchored and made with flood resistant materials. It also gives specific guidelines.
 - Certification: You will need certification to show proof that it meets standards. An elevation certificate is something a surveyor would fill out; this would help decide if it meets requirements and is good for documentation. It is strongly recommended that the FEMA Elevation Certificate be used.
 - Utilities: Electrical, heating, ventilation, plumbing, AC, etc. must be located above the BFE or be protected from flood waters.
 - Other permits: All other necessary permits must be received by federal and state agencies.
 - Floodway: No fill, new construction, substantial improvement and other development is allowed within the regulatory floodway.
- Step 4: Substantial improvement & Substantial damage: Check to see if the project includes new buildings or a substantial improvement of an existing building.

- If it equals or exceeds 50 percent of the market value of the structure before the start of the construction then it is considered Substantial improvement.
- Substantial damage is damage where the cost to restore the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- Step 5: Base Flood Elevation: Obtain the base flood elevation at the site.
- Step 6: Lowest Floor Elevation: Review the construction plans to make sure the lowest floor of the building is built to, or above the BFE.
 - Basements: Basements are not allowed in flood zones. A walk out basement is not considered a basement in this case.
 - Lowest floor: generally speaking the lowest floor needs to be above flood elevation. Every foot you go higher the less insurance which is also great for safety
 - Enclosures/crawlspaces: would be basements which are not allowed. You can build an enclosure but has to be flood resistant. The space below the lowest floor can only be used for storage, building access or parking. They have to have flood openings.
 - Zone A with no BFE: Groton doesn't have any so we don't need to worry about this.
- Step 7: Inspections: Make site inspections to ensure the project is being built accordingly to the permitted plans.
- Step 8: Record Keeping: Keep all pertinent records for completed projects and denied permits forever.

Manufactured Homes and Recreational Vehicles: Manufactured homes need to meet same standards and recreational vehicles have to be highway ready such as camper or RV. These must only be on site for fewer than 180 days and licensed for highway use or meet the manufactured home requirements.

Other items

- One big takeaway is that if something comes up just call Jennifer or Karl and they will help us.
- Jennifer will let the Town know of some flood training that she has coming up.
- Groton only has one flood insurance policy in the Town and out of flood plain.

Mapping Issues

In the last work session, the Select Board asked Sara to send the latest email about mapping concerns to Avitar. Sara did send it over and Avitar responded with the following: *"We would be happy to investigate further, however, our contract is only to maintain the maps as they were and make changes/updates given to us by the town. We can construct a proposal, that would more than likely be hourly based, to have us look into it. My recommendation would be to first check with Plymouth and compare perambulation data. Then check with the surveying company for their notes and input. Then maybe talk with owner of the lot for any information they may have. A lot (pun intended) could have happened between that map at the Library of Congress and now. Unfortunately, because of that survey and state laws, it holds highest legal authority over how that map looks. Certainly, an interesting situation."*

It was agreed to table this until after budget and Town Meeting. Sara will put this on the agenda as an item to follow up on.

Budget

Sara printed an updated budget from all of the meetings. The following were areas that needed to be revisited from the other budget meetings:

- Election- Computer Maintenance /Software: it was agreed to lower this to \$1500
- Assessing: We ended up having to pay some of 2018 out of 2019 due to amounts and being over so maybe we should increase this to \$15,000. It was agreed to increase this especially if we are going to be charged for mailings.

- Treasure- Mileage: It was agreed to leave this as it is.
- Health Insurance: Sara pointed out that Bubba went with a 2-person plan so this changed the amount of this.
- Cemetery Site work- River Road Cemetery: Elizabeth never got the Select Board the contract or other information to encumber the funds so we will need this on the budget next year. It was agreed to lower this to \$1000.00.
- Grants: Due to the grant to update the hazard mitigation plan we needed to increase this line for the costs.
- Fire Contracted Services- Hebron: Sara explained that due to the meeting with Hebron she increased this line. It was agreed that we have to do this, there is no way around it.
- Lakes Region Mutual Aid: They gave us an estimate of about \$11,700.00 so it was agreed to put this as \$12,000.00.
- Maintenance of Parks: it was agreed to leave this at the \$1,500.00 so we can stain the pavilion.
- Day away program: The Select Board previously voted against budgeting any money for the day away program. Sherry Nelson dropped off a write up about the program for the Select Board to review. The request was for \$1,500.00. It was agreed to hold off for this year.
- Bridge House: We received a request from Bridge House requesting a donation of \$2,000.00. It was agreed to hold off for this year.

Warrant Articles

The Select Board went over the warrant articles that were submitted so far and the list Sara made. The following were discussed regarding warrant articles:

- The operating budget will have to be updated if we make any changes to the budget. The Select Board recommends this article 3-0.
- Sara created a warrant article requesting to establish a new Capital Reserve Fund for "Grants" and to put the \$184,000.00 into it if we are awarded the Grant for the three larger culverts on Sculptured Rocks Road. The Select Board agreed that this needs to be presented to the Town this year. The Select Board recommends this article 3-0.
- Finishing North Groton Road: There was a warrant article to finish the work that was done last year that was submitted by the Highway Department and Road Committee. The Select Board agreed that this needs to be presented to the Town this year. The Select Board recommends this article 3-0.
- There was another Warrant article submitted for North Groton Road to work on the road from Halls Brook to where the Town originally started the road project. This was also submitted by the Highway Department and the Road Committee. The Select Board agreed that this should wait until next year.
- FEMA: Due to the October 2017 Storm damage, the Town will get FEMA funding. FEMA only covers 75% so our 25% would be \$123,529.88. We have already spent some of this so Sara and Bubba did some research and we only need to raise \$86,000.00. The Select Board agreed that this needs to be presented to the Town this year. The Select Board recommends this article 3-0.
- Excavator: Bubba submitted a warrant article for an excavator which will use some money from the Heavy Equipment Capital Reserve Fund. The excavator is \$85,000.00 but we have \$55,000.00 in the CRF. The Select Board agreed that this should wait until next year.
- Truck: Bubba submitted a warrant article for a new Truck with plow and wing for \$90,000.00. There is currently a little over \$13,000.00 in the CRF that we could use or leave there. We have put a lot of money into the Dodge. Sara and Bubba worked together to see how much we have put into the Dodge and in 2018 the Town put over \$7,000.00 into repairs and over \$3,000.00 to contracted services for help plowing while the truck was down. The Select Board agreed that we have put a lot of money into it but with the rest of the warrant articles being higher and just getting a truck last year, they agreed this should wait until next year.
- Last year we talked about putting all of the CRF into one warrant article since we do them every year.

- Last year it was agreed to not put any requests in to put money into the Perambulation Capital Reserve Fund. It was agreed to leave this out again this year.
- Last year it was agreed to not put any money into the Fire and Equipment. It was agreed to leave this out again this year.
- Police Cruiser: It was agreed not to put any money into this since we do not know the future of the Police Department.
- Public Works: Sara put \$25,000.00 for now but wasn't sure if the building committee was submitting anything. The Select Board agreed to leave this at \$25,000.00 this year.
- Disaster Relief: It was agreed to put \$5,000.00 in this year.
- Electronic Equipment and Software: This was created last year and we put \$5,000.00 into it. It was agreed not to put money into it this year but to put some money next year.
- Atwell Orange Brook Bridge: It was agreed to only put \$2,000.00 into it this year since it is brand new but for maintenance, we will need to continue to have some money in this account.

The Select Board recommends this article 3-0.

- The Transfer Station submitted a warrant article for a used backhoe for \$30,000.00. The Select Board agreed that this should wait until next year.
- The Highway Department and Road Committee decided to change the wording on the Groton Paved Roads Warrant Article to be Groton Roads and they requested to put \$25,000.00. It was agreed this needs to be presented to the Town this year. The Select Board recommends this article 3-0.
- Charlie Coursey gave a quote of \$10,000.00 for the demolition of the old library and old Town Office building. The Select Board agreed that this should wait until next year.
- We got a quote to fix the basketball court and it will cost \$9,000.00. The Select Board agreed that this should wait until next year.
- The Old Home Day Committee submitted a warrant article for fireworks for \$2,500.00. The Select Board agreed that this should be presented to the Town this year. The Select Board recommends this article 2-1.
- The Groton Historical submitted a warrant article for five signs and posts for the Town Pound which will cost \$1,350.00. The Select Board agreed that this should be presented to the Town this year. The Select Board recommends this article 2-1.
- Voting Booth: Should this be a warrant article or increase the budget for supplies/advertising election? Tony got a quote and it is about \$1,141.00. It was agreed to add this into the budget.
- We received the request from the Groton Historical Society for the same amount as last year of \$1,000.00. The Select Board agreed that this should be presented to the Town this year. The Select Board recommends this article 3-0.
- We received the request from NLRA for the same amount as last year of \$1,000.00. The Select Board agreed that this should be presented to the Town this year. The Select Board recommends this article 3-0.
- Sara created a warrant article for the Police Department to abolish it and about contracting services but we will know more after the January 15th meeting. The Select Board agreed that this needs to be presented to the Town this year to let the Town vote on it. The Select Board recommends this article 1-2.
- Sara is waiting on information from Waste Management with costs but in the meantime added the warrant article as discussed to stop recycling. It was agreed to put this on the warrant but once we have the costs it will help the Select Board vote in favor or not.
- The library submitted the usual warrant article for the contract with Hebron Public Library. The Select Board agreed that this should be presented to the Town this year. The Select Board recommends this article 3-0.
- There was a request from NH Lottery for the Town to put Keno on its warrant. The Town doesn't have anywhere that this would take place so this is not going on our warrant.

- We talked about the roof and the carpet for the Town House but we have over \$41,000.00 in the Town House Capital Reserve Fund that can be used. The companies that looked at the roof said we have about 5 years. The carpet is up to us when we want to do it. It was agreed not to put these on the warrant this year and we can take it out of the Capital Reserve Fund if needed.

Meeting

Sara mentioned that we should schedule another meeting before the February 5, 2019 public hearing. On that day we have a 4:00pm work session with June Garneau and then the public hearing at 6:00pm. It was agreed to meet on January 31, 2018 at 4:00pm.

Having no other business to conduct, Ron motioned to adjourn at 6:56pm, John 2nd, so voted.

Respectfully submitted,

Sara Smith
Administrative Assistant