

Town of Groton
Select Board Work Session Minutes
March 5, 2019

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

John called the meeting to order at 5:00pm.

Meeting with Laura Spector Morgan- Casey Kuplin building permit issue

There had been a lot of emails back and forth regarding Casey Keplin's building permit and the Select Board had asked that the attorney, Laura Spector Morgan, meet with them so they can all review everything together to make the best decision regarding the building permit. Casey is beyond frustrated with how long this is taking and feels that he is being treated differently.

Laura stated that this originally started in October of 2017 when he submitted a building permit to enclose the steel structure that was on the property. The Select Board approved but the Planning Board asked that they put a cease and desist on it because it was for commercial use. Then in January of 2018 he resubmitted it and said for agriculture use. Due to this, in February of 2018 the attorney assisted with drafting a letter regarding this. Then in October of 2018 a new building permit was submitted and we reached out the beginning of November with some questions and now there are three issues which have to do with frontage, new potential zoning and the flood plain ordinance.

Laura wanted to address the first issue first regarding RSA 674:41 and the frontage issue. She stated there are issues where the Select Board can issue a building permit no problem and this is when it is a Class V road with frontage. There are situations where it is a private or Class VI and have frontage so the Select Board can issue the permit with release of municipal liability for. This case is different since it doesn't have frontage on a Class V road, it only has a driveway that accesses class V road but is it a private road? If it is a private road then the release is okay but the deeded right of way does not allow this. She looked through all ordinances and regulations and there is no definitions of a private road or standards or anything that distinguishes the standards that a private road must be built to. She said that the Selectmen need to make a decision to decide if this driveway is a private road. She said they can decide it has been a deeded right of way for decades without any issues so they could consider it a private road according to RSA 674:41 1d. If it is considered a driveway, we cannot do it but since it a right of way and has always been treated as access it could be considered a private road. Laura said tonight the Select Board needs to decide if they are going to move forward with this deciding that as it's on a private road due to the deeded right of way. If they make this decision, they will still need to submit it to the Planning Board so they can discuss the frontage issue and provide their feedback to the Select Board. John and Ron agreed to consider it a private Road. Casey does not need the appeal from RSA 674:41 but still needs the release form that he already submitted. **John motioned to consider the driveway on Map 5 Lot 47 a private road under RSA 674:41 1d, Ron 2nd so voted.**

Laura will draft a letter to the Planning Board asking that they review this at their next meeting and provide comment to the Select Board. They will review to see if they think this property had adequate frontage and the Select Board doesn't need to go by their decision.

Next Laura wanted to discuss the flood plain concern. Sara showed her the map that was submitted that shows where the flood plain is and where he is building. Laura has reviewed the Flood Plain ordinance and by his maps he is outside the flood plain so he doesn't need to do the flood plain permit.

Laura says that RSA 676:12 says town cannot issue building within 120 days of town meeting. His was turned in before the date so this does not pertain to this.

John asked if it is legal for the Planning Board to review all building permits. Laura doesn't recommend this. If there are questions on any they could ask the Planning Board or the Planning Commission. Also, Laura mentioned that she would be happy to review them when needed.

Sara mentioned that it was brought up in the Planning Board meeting that Sara should have recused herself from this because she knows Casey. Sara explained she has never hung out and do not have a personal relationship but have many mutual friends and are friends on Facebook. Laura said that since Sara doesn't make decisions there is no need for her to recuse herself under any situation even if it was family.

March 12, 2019

Sara asked the Select Board for permission to close the office on March 12, 2019 to attend a meeting with Bubba for possible grant opportunity. This meeting would be in Whitefield with the Northern Border Regional Commission. We are not sure how long the meeting will take but if it doesn't take all day then Sara will be back to finish out her shift. John and Ron think that Sara should definitely attend with Bubba and are okay with her posting the office as closed that day.

Memo from Sara

Sara submitted a Memo requesting the following time off:

- Tuesday, April 23rd- Friday, April 26th
- Tuesday, July 16th-Friday, July 19th

The Select Board approved the time off.

Prep for Election / Town Meeting

- Sara already ordered the coffee, creamer, sugar, cups, plates, bowls and plastic ware for Elections and Town Meeting.
- Elizabeth is not going to be around to head up the food for Town Meeting like she always does. John will mention at the Select Board meeting that we will accept donations of food for the Town Meeting.
- We will need to ask someone to run the coffee machines. John and Sara will run it before and Gina said she would help out.
- Sara already talked to Gina and reminded her about elections and Town Meeting to make sure the big room is clean.
- We will reach out to Tony to see if he needs anything from the Select Board with assistance setting up or anything for the elections or the Town Meeting.
- On Election Day, Ron and John will be here all day. Ron is on the ballot so he cannot touch the ballots.

Discussion on Town meeting:

- Sara gave the wording for moving an Article - "Mr. Moderator, I move to accept Article ___ as written."
- The Select Board went over who is going to move, 2nd and present each Article.
- Article 3- Sara will have the grant information with her at this time.
- Article 4- Bubba will be prepared to speak to this if needed
- Article 5- Sara will have the FEMA numbers with her
- Article 7- Groton Roads- Bubba will need to be prepared to speak to any projects he will propose and answer any questions.
- Article 8- Gina will need to speak to this if there are any questions
- Article 9- Groton Historical Society has offered to speak to this
- Article 10- If needed Pam Hamel can speak on behalf of the Groton Historical Society

- Article 14- Norm can be prepared to speak to this if needed.
- Article 15- If needed Elizabeth can speak on behalf of the library
- Article 16- Operating budget
- Closing- point out dedication, thank everyone for bringing food, ask people to get involved in committees

John motioned to go into non-public session pursuant to RSA 91-A:3 II (a) at 6:10pm, Ron 2nd, so voted.

John motioned to return to public session at 6:25pm, Ron 2nd, so voted.

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

Meeting with Bubba on Highway Department Items

Bubba met with the Select Board to discuss the following items:

- The weld on the wing of the Dodge broke again. Charlie is coming tomorrow and they think they can fix it.
- The garage doors all have been weather stripped and the garage door openers have been installed and have made a big difference. Bubba got \$220.00 off the original price.
- Bubba was reading an article about LOS, level of service, which has policies about snow removal. Bubba will be working on that and will want Sara's help.
- Bubba went over the following plans for the year:
 - ditching and road work on Bailey Hill Road and North Fletcher Road
 - He is planning on cutting North Fletcher and Edgar Albert Road this year.
 - North Groton Road will be finished.
 - 2-3 culverts on River Road
 - Crack filling on previous road work that was done
 - He is getting prices to pave the mile on Sculptured Rocks Road that was ground up.
 - The roadside mowing needs to get done
 - He will get quotes to see about the 6wheeler being refurbished
- John said Slim said the dam on River Road is supposed to be worked on next year and there is concern that about the heavy equipment that they will be using.
- Sara helped Bubba sign up for courses through UNH one is the culvert maintenance training and then there were hard road to travel, and a gravel road class. Sara explained that it is half the cost for municipalities.
- Bubba will need to call Gary about some wiring at the Town garage.

Having no other business to conduct, Ron motioned to adjourn at 6:59pm, John 2nd, so voted.

Respectfully submitted,

Sara Smith
Administrative Assistant