

Barbara Campbell_____

John Allen_____

Frank DiFruscio_____

Board Of Selectmen Meeting
August 24th, 2021
UNOFFICIAL UNTIL APPROVED

Present: Barbara Campbell, Chairman; John Allen, Selectman, Frank DiFruscio, Selectman

Attendees: Hank Benesh, Julie Atwell, Julie Hoyt, Kevin Bennett, Emily Benson, Keith Bradley, Dale Purdy, Darlene Ference, John Little, Frank Benesh, Fred Tompkins, Chris Bridge, Jum Lewkowicz

1. Public Hearing:

- a. Public hearing called to order at 3:30 P.M.
 - b. The Board accepted local fiscal recovery funds from the State of New Hampshire for a total of \$90,033. **Selectman DiFruscio moved to accept the funds, seconded by Selectman Allen. Motion approved unanimously.** The Board encouraged the public to consider and suggest potential uses for the funds, which would not need to be allocated until 2024.
 - c. **Selectman Allen moved to adjourn the public hearing, seconded by Selectman DiFruscio. Motion approved unanimously.** Public hearing adjourned at 3:32 P.M.
2. Regular meeting called to order at 3:32 P.M.
 3. Chairman Campbell led the attendees in reciting the Pledge of Allegiance.
 4. **Carter Notch Inn:** The Board discussed the classification(s) of the Carter Notch Inn. Through discussion of the zoning ordinance and the Short-Term Rental ordinance, the owners of the Inn agreed to submit an application for a Conditional Use Permit to operate their lodging in the rural residential district.

5. Approval of Minutes:

- a. Minutes from the August 10th regular meeting were reviewed. **Selectman Allen moved to approve the minutes, seconded by Selectman DiFruscio. Motion approved unanimously.**
- b. Minutes from the August 10th non-public meeting (91-A:3 II (e)) were reviewed. **Selectman DiFruscio moved to keep the minutes sealed, seconded by Selectman Allen. Motion approved unanimously.**

6. Update on Action Items:

- a. Benesh Driveway: The Board continued discussion on the Benesh driveway permit application from the previous meeting (see item 4.a). Selectman DiFruscio emphasized that construction could not be performed upon common land, as proposed in the application and therefore reasoned that he could not approve the application. Chairman Campbell and Selectman Allen agreed with Selectman DiFruscio's decision. **Selectman Allen moved to deny the application, seconded by Selectman DiFruscio. Motion approved unanimously.** The Board arranged to resolve further discussion between the involved parties through legal counsel.
- b. Class VI Waiver: There were no updates to this matter at time of meeting.

7. For Selectman Discussions and/or Motions:

- a. EMD Update: Emergency Management Director Emily Benson was recognized to provide updates on statewide responses to COVID-19. She stated that the town website's resource links were updated to provide current information and recommendations. She emphasized that there were no plans for mandating vaccinations but encouraged everyone to continue common sense safety practices.
- b. Tent Requirements for Seasonal Events: The Board received a request from Eagle Mountain House to raise the sides of a tent for a daytime event. In response, Chairman Campbell considered whether the Board ought to update their policy to permit raising of tent walls if no amplified music would be featured. However, Selectman Allen suggested that, because such requests were few and far between, the Board could continue to consider them on an individual level rather than amending the policy. Fred Tompkins was recognized to ask whether the noise ordinance specified a maximum volume tolerance level at a certain distance from the source of the noise. Chairman Campbell answered that the ordinance did not specify a maximum noise-distance tolerance level. Selectman Allen suggested refining that point of the ordinance, and Chairman Campbell agreed.
Selectman Allen moved to approve the request to raise the tent walls at

the Eagle Mountain House event, seconded by Selectman DiFruscio. Motion approved unanimously.

- c. Trustees of the Trust Funds - Corrected Withdrawal Request: The Board corrected a request for withdrawal made at the previous meeting (see item 5.e). The withdrawal of \$122,000 from the Highway Heavy Equipment Capital Reserve Fund 0068 would cover a purchase (invoice #51-123439, dated August 16th, 2021, for Nortrax), not a lease, for a new loader vehicle. **Selectman Allen moved to approve the corrected withdrawal request, seconded by Selectman DiFruscio. Motion approved unanimously.**
- d. Request for Street Light Removal: John Little was recognized to explain his request for removal of a street light on his property on the corner of Stem Turn Hill Road and Switchback Way. Both road agent Pat Kelley and building inspector Kevin Bennett examined the street light and found no reason not to approve its removal. **Selectman DiFruscio moved to approve the removal of the street light, seconded by Selectman Allen. Motion approved unanimously.** Following this vote, the Board advised John to work with the town office to contact New Hampshire Electric Co-op to arrange for the removal.
- e. Cemetery Lot Agreement: The Board considered a lot agreement for Village Cemetery lots 748-D and 748-E proposed by Alissa Prince. **Selectman Allen moved to receive the funds for the agreement, seconded by Selectman DiFruscio. Motion approved unanimously.**

8. Short-Term Rentals (STRs):

- a. New:
 - i. Kady, Gary R. - 630 Town Hall Road: **Approved.**
 - ii. Lord, Sarah - 100 Main Street: **Approved.**
- b. Pending:
 - i. Zerveskes, Troy and Kelly - 30 Red Barn Road: No updates were available at time of meeting.
 - ii. Thigpen, Matthew Collin - 18 Iron Mountain Road: No updates were available at time of meeting.
 - iii. Caldwell - 200 Tin Mine Road: An improper advertisement for the property was changed to conform to the regulations. Therefore, no violation notice was sent.

- iv. O'Brien - 7 Hurlin Drive: The property owner was operating a STR without filing an application for a Conditional Use Permit. **Selectman DiFruscio moved to send a violation notice to the property owner(s), seconded by Selectman Allen. Motion approved unanimously.**

9. Upcoming Meetings: The Board confirmed the following dates and times for their upcoming meetings:

- a. September 14th at 3:30 P.M.
 - i. Emily Benson recommended that the Board continue to host Zoom meetings regularly at their upcoming meetings. The Board agreed to the request.
- b. September 28th at 3:30 P.M.

10. Public Comment: Public attendees did not express any public comments for non-agenda discussion.

11. Other Business: **Selectman Allen moved to adjourn the meeting, seconded by Selectman DiFruscio. Motion approved unanimously.**

Meeting adjourned at 4:09 P.M.

Respectfully submitted by Will Reisig