

Town of Temple
Board of Selectmen

Minutes of Emergency Meeting, September 3, 2016

The Select Board held an emergency meeting on Saturday, September 3, 2016.

George Willard called the meeting to order at 7:30 p.m.

Present: Ken Caisse, Gail Cromwell, George Willard, Heidi & Paul Jordan

The purpose of the meeting was to discuss RSA 676:6 as it pertains to the building permit issued to Wendell Fisk on July 27, 2016 and the subsequent appeal of that decision. A draft letter to Mr. Fisk was discussed.

The ZBA had emailed the BOS on September 1 to advise us of the existence of the RSA. George stated that he had a telephone conversation with John Kieley, a former Selectman, to discuss whether it was the ZBA responsibility or that of the BOS. John Kieley advised that the BOS is responsible for enforcement issues and therefore it was the BOS responsibility. Gail said she had discussed with a selectman in Hancock who confirmed that their BOS handled the notifications and also that they had their building inspector involved in delivering the letter. We could do that or send a registered letter.

In the discussion, Ken said he did not understand the RSA and would not sign anything without legal advice.

The Jordans did not think the problem was an emergency and questioned also whether the RSA applied since it referred to a situation before any building had taken place. They felt that commencement was not the same as continuation.

Gail stated that it was important to inform Mr. Fisk before he went any further, to protect him, and also to protect the town. The town has the duty, whether the BOS or the ZBA, to inform him of what the law is. If we do not inform him, we are negligent.

George considered it unlikely that Mr. Drescher could be reached on Tuesday as he has stated how busy he is with court cases. It was agreed that Gail will email the NHMA on Tuesday morning to get their opinion and copy everyone. We will meet at 4 p.m. on Tuesday. The meeting adjourned at 7:50.

Respectfully,
Gail Cromwell