

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

Tuesday, April 23, 2019

Town Hall Annex

6:45 PM

Select Board members present: G. Willard, B. Ezell, and K. Caisse

Meeting called to order by Ezell at 6:45 PM

- **Public Comment**

- **Tedd Petro asked the SB to be attentive to the needs of workforce housing. Ezell said the topic could be an agenda item next meeting.**
- **Christine Robidoux commented that public comment should be taken at times during meetings other than the beginning, since there are topics that audience members are not knowledgeable about and need to ask questions. She mentioned a past meeting when discussion of the MS-232 and 636 forms took place. Ezell said a question or point of information can always be raised during the meeting.**
- **Christine Robidoux asked about the status of the town website upgrade. Ezell said the conversion has been paid for and that there had been a delay in seeing the updated website fully implemented.**
- **Christine Robidoux asked about the recent vote to take trust fund money for repair of a failed pump on tanker 1. Caisse explained that \$4,116 would be taken from the emergency fund for the pump failure since the repair is not a typical annual maintenance cost. Discussion of the timing and suitability of tapping the emergency fund for this repair. Robidoux estimated that the early withdrawal would probably cost a couple of hundreds of dollars in interest.**
- **Connie Kieley asked about status of the Marsh property enforcement action. Ezell explained that he had tried to contact town counsel William Drescher earlier in the day, without success. Caisse said the first step is to have counsel notify the Marshes of their violation and allow them 30 days to respond. Kieley commented that the matter has been ongoing for more than 2.5 years. Discussion of merits of a site inspection, and the role of the Conservation Commission in the matter. Caisse stressed that the matter would not be resolved quickly.**
- **Connie Kieley asked why the SB had voted to make the Zoning Board of Adjustment the appeal body on building permits. Ezell explained that although the decision had been on the 2019 Town Warrant and voted affirmatively, the SB wanted their decision on the record.**
- **Connie Kieley asked about the status of parking outside the Town Hall, and Caisse said that he and Fire Chief George Clark's discussions with the Congregational Church had not been able to move forward and would be scheduled soon.**

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- Nicole Concordia asked about the lack of SB minutes and agendas on the town website. Clifton-Waite explained that he had not been forwarding recent documents due to the site upgrade. Concordia added that additional historical town information would be good to have on the town website and that she had been in touch with Betsy Perry about information at the town offices. Ezell said the updated website would be better organized and feature more information. Caisse said the SB had tried for several years to task an individual with this challenge and welcomed Concordia in that role.
- **Old Business**
 - Fish Road Property Matter
 - Attorney Jason Rimers, representing Mr. Richard Fressilli of Fish Road, introduced himself to the SB. Ezell briefly reviewed the history of the Desrosiers' shed, involving a non-permitted shed that violates setbacks that the owner was denied a building permit for and which he never appealed to the Zoning Board of Adjustment. Mr. Fressilli first complained about two years ago. Rimers added that the shed was not permitted and would need a variance to be built. Rimers asked the SB to enforce the zoning ordinance by filing for a court injunction and explained that it was the SB duty to enforce the law and not wait until the property is sold to require the shed to be torn down. He described the shed as an eyesore and that the town would be entitled to attorneys' fees and penalties from the court. Ezell agreed that the shed is a clear violation of the zoning ordinance, but that town counsel William Drescher had spoken with the SB and the SB is going to use its power of discretionary enforcement to not proceed with litigation at this time, since the SB doesn't want to incur additional legal fees and that the violation is minor compared with other situations in town. Ezell told Rimers that only if multiple abutters complained and if there was a clear and present danger, would the SB reconsider its position. Ezell motioned that the SB use its power of discretionary enforcement to not pursue a zoning case against Mr. Desrosiers, Willard second, all in favor. Tedd Petro chastised the SB for not acting and Ezell likened the situation to a police officer who has discretion in who he pulls over for speeding. Ezell said were the situation to change, the SB would reconsider its position. Ezell said he understands that the property is on the market and that if it sells the shed would need to be demolished and that expensive and lengthy litigation would not improve the situation which will eventually be remedied. Willard commented about previous SB decisions to not act on local zoning. Ezell called the room to order after several people spoke at once. Ezell asked Rimers to keep the SB informed of any additional information.

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- **New Business**

- Solar Tax Exemptions

- **Ezell explained that the applications request permanent tax exemptions on the solar power arrays erected by Honey Hastings and Sean Radcliffe at their homes. The two applications were submitted after the April 15 deadline. Ezell motioned to accept the two applications as presented, Caisse second, all in favor.**

- Committee Reports

- **Ezell updated the SB on the Planning Board's discussions regarding affordable housing and that there has been public feedback about the difficulty buying homes in Temple due to the minimum acreage requirements and the limited supply of housing. He added that the problem is that builders won't build inexpensive homes on three-acre lots. Christine Robidoux asked for a point of information and noted that she serves on the River Center Advisory Committee and would like to share additional housing information with the Planning Board. Ezell said it would not be the planning board's intention to welcome mobile home parks or condominium developments**
 - **Willard reported Road Agent Kent Perry and highway personnel Tim Fiske had presented a five-year paving plan, which he shared with the SB. The SB awaits the 10-year plan for review. The plans will be shared with the Budget Advisory Committee. Ezell reviewed some of the upcoming 2019 paving projects.**
 - **Willard noted that Tedd Petro hadn't signed up previously for reappointment to the Capital Improvements Plan Committee, and there is an open seat. Caisse motioned to reappoint Petro to a three-year term, Ezell second, all in favor.**
 - **Caisse reported on the joint loss review at the Wilton Recycling Center and the extensive list of items to be addressed, from an unmarked fuse box to replacement of roof overhangs. He reported that the center is doing well overall.**
 - **Caisse reported on the ambulance advisory committee and that the chiefs of Temple, Lyndeborough, Greenfield and Wilton would be meeting on May 7 to bring their SOPs into perspective. The ambulance association has decided to charge Wilton rent for the facility and that the approximately monthly \$749 fee will accompany a one-year lease.**

- Building Permit Approval

- **SB members signed off on the building permit for Jeanne Whitcomb's new home construction on Colburn Road, in wake of the recorded lot line adjustment and approvals by the state of septic and subdivision plans and**

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local inspector approvals. Clifton-Waite confirmed the building fee had been received and he would sign the permit application.

- Minutes
 - **Caisse motioned to accept the minutes from the March 26 SB meeting as amended, Ezell second, all in favor.**
- Vouchers
 - **SB circulated vouchers for signature.**
- Other Business
 - **Ezell noted a recent news article that reported Chesterfield (population 3,500) had inked a deal with Consolidated Communications to place fiber throughout the town for \$2.5 million and a bond of \$1.8 million to be paid for by subscribers with zero cost to the town. Ezell noted that this idea might be worth looking into.**

Meeting Adjourned: 7:53 PM. Motioned by Caisse, Ezell second, all in favor.

Next Select Board Meeting: Tuesday, May 14, 2019, at 6:30 PM in the Town Hall Annex.
Meeting minutes respectfully submitted by Paul Clifton-Waite, Assistant to the Select Board.