

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

Tuesday, June 11, 2019

Town Hall Annex

6:30 PM

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

Meeting called to order by Ezell at 6:30 PM

- **Public Comment**

- **Christine Robidoux said she had attended a Southwest Region Planning Commission meeting two weeks ago in Antrim and it was good to hear the common challenges being faced across the region. Robidoux said there is more to the issue than building more homes and that she is still gathering more information on ways to attract families to Temple.**

- **Old Business**

- **Marsh litigation**
 - **Alan Marsh of 32 West Road addressed the SB that he “had no idea how we got here” and that he and John Jackson-Marsh disagree with the town’s position as outlined in the Notice of Violation served on them by the Hillsborough County Sheriff in May. He told the SB that the “ball is in your court.” Ezell responded that the SB is acting on abutters’ complaints and on the advice of town counsel they need to proceed with litigation. The SB permitted abutters to address the board. Scott Hecker of 71 Hill Road explained that water quality is his concern. He submitted to the SB photographs of their pond showing an oily sheen atop the water surface. Hecker said he is concerned about his 11-foot deep surface well that is down slope from the Marsh property where machinery sits outside and that he is going to ask the Souhegan Watershed Association to conduct water quality testing. He said he supports the town moving ahead with the Marsh litigation. Hecker said he has been referred to the NH Department of Environmental Services to discuss their concerns about possible contamination of his water by the Marshes. Ivy Bibler of 71 Hill Road said the issue is beyond their concerns and that the town is a steward of the land. She said they have installed a water purification system for their home, but that the situation still makes her “shake” since their property sits above the aquifer. Alan Marsh said that oily sheen seen in the photo can happen for a number of natural reasons and argued that his property doesn’t drain toward the Hecker-Bibler property and isn’t part of the aquifer recharge area. John Kieley of 37 Holt Lane said the town has dealt with junkyards before and, though people are friends with the**

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

Marshes, the state has developed laws to combat junkyards. He said there can be a couple of different approaches to dealing with junkyards; when landowners refuse to follow laws, the town has to spend money and time to address. Kieley said a couple of streams on his property feed onto the Bibler-Hecker property and he hasn't encountered such a sheen. He said aquifer contamination can pose a very expensive problem for communities. He said a number of neighbors appreciate the SB taking this situation seriously and that the Marshes continue to bring in new equipment. Ezell reminded the public that the SB is making its case as a zoning violation. Hecker told the SB that despite Alan Marsh's contention, the property drains to his pond, the sheen is not a natural occurrence and their property sits above the aquifer. Alan Marsh assured the SB the amount of petroleum in the equipment is minimal and asked people to "not blow this out of proportion." Ivy Bibler asked Alan Marsh if he would be willing to open his property to inspection, which he said he wouldn't. He said an earlier visit about storage trailers had brought them to this point. Gail Cromwell said the SB then had been concerned about trailers and was shocked to see all the machinery during a past site visit. Kieley said it doesn't take much pollution to contaminate an aquifer and that the town needs to be concerned. Marsh said people need to understand that the equipment is a collector's hobby and is not for profit, and that he and John Jackson-Marsh belong to a hobbyist organization. Ezell reminded the crowd that it would be up to the town conservation commission to act on water issues. Connie Kieley of Holt Lane said she could appreciate the hobby, but that Marsh should take it someplace else if zoning does not allow it on West Road. She added that it is shocking that Alan Marsh and John Jackson-Marsh are continuing to bring in new equipment after having been denied a zoning permit. Connie Kieley asked about timing of the lawsuit and Ezell said the final notice violation had been delivered on May 16 – giving the Marshes 30 days to comply. He said the SB next have to sign a formal pleading to be filed in superior court. Clifton-Waite said he would contact town counsel Bill Drescher about execution protocol.

- Delta Vision Plan
 - Ezell addressed the recent offer to the town to subscribe to a new health benefit, a Delta Dental vision plan. He said Delta Dental has partnered with another group to offer this to municipalities, and that the partnership negotiates discounts with eye doctors. He said he has heard that most physicians have dropped these types of plans because of the low reimbursement rate. He said it is probably not worth using.
- Municipal Building

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

- **Caisse asked about the status of the roll-top desk in the second story of the building, and asked Clifton-Waite to keep this and any other matter under Old Business until resolution. Clifton-Waite said he had notified Fire Chief George Clark that the fire department can claim the desk for rummage sale use.**
- **New Business**
 - **Cemetery Funding**
 - **Road Agent Kent Perry told the SB that the long-standing practice had been for former Road Agent Tim Fiske to act as subcontractor on burials and pay any helper. The town receives \$125 revenue for cremation and \$250 for full burial, with those fees going straight to the general fund rather than to the cemetery fund. Perry said he would like to see the revenue earmarked for cemeteries. He said the town averages 6-7 cremations a year. Gail Cromwell said there are two cemetery trust funds. Ezell motioned that any receipts for burials and cremations that the town receives be placed into the appropriate cemetery fund, Caisse second, all in favor.**
 - **Driveway Permit/Intent to Cut Packaging**
 - **Road Agent Kent Perry presented the SB with a set of Town of Lyndeborough applications for temporary and permanent driveways that he suggested be tailored to town use with timber cuts. Perry asked that the Road Agent be able to sign off on Occupancy Certificates. SB discussed changing the building permit to include a final inspection by the Road Agent for driveway inspection ahead of granting a Certificate of Occupancy. Discussion over bonding with driveway applications. Ezell asked that the two application documents be brought back as Old Business once amended for review.**
 - **Town Hall Rental Fee Waiver – Temple Democrats**
 - **Laura Lynch, chair of the Temple Democrats, explained the June 13 “Movie Night” event as a free event for local democrats and that the quasi municipal group is asking for a waiver of the special event fee. She said the group would also like to have the special event fee waived for upcoming “meet and greet” events with Presidential candidates. The SB asked the group to return on a case-by-case basis for future waivers. Caisse motioned to grant a waiver of the special event fee for the movie night, Willard second, all in favor.**
 - **Recreation Commission**
 - **Vivian Wills presented the SB with two letters of interest for serving on the recreation commission by past members Daniel Cournoyer and Katherine Fedorka. Caisse motioned to appoint Cournoyer and Fedorka to one-year terms, Willard second, all in favor. Wills said she is working with Town**

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

Treasurer Peter Allen to understand the commission's bank accounts and their parameters. Connie Kieley complimented the commission on past work, but said the commission had been previously lax with record keeping. Ezell reminded Wills of the state law for public meetings. Wills updated the SB on ongoing work.

- Proposed Highway Project with SWRPC
 - Gail Cromwell presented the SB with an overview of the Southwest Region Planning Commission Road Surface Management System project and a draft letter from the SB to authorize the SWRPC to proceed with an inventory of town owned and maintained roads. Cromwell said the free project is still in planning stages and that there is nothing for the SB to do currently. She said the highway department, Budget Advisory Committee, and the Capital Improvement Plan Committee will be involved before the SB is approached to authorize the SWRPC to act. BAC Chair Gary Scholl said he would like to discuss additional measures to smooth out the tax impact of long-term capital expenditures on roads. SB signed letter and gave to Scholl and Cromwell to hold until appropriate time for submission. Scholl and Cromwell to return at a July meeting for an update.

- Building Permits
 - SB signed building permits for the Jeta Grove Foundation, 28 Jessen Lane, for three new kuti buildings on Map 1A, Lots 1-3.

- Charitable/Religious Tax Exemption Renewals
 - Willard motioned to accept the recommendation from Avitar Associates to continue a religious property tax exemption for the Jeta Grove Foundation, 28 Jessen Lane, for Map 9A Lot 5, Caisse second, all in favor.
 - Willard motioned to accept the recommendation from Avitar Associates to continue a charitable property tax exemption for the Temple Historical Society, for Map 4, Lot 7 and Map 7A Lot 35-1, but not Map 7B Lot 22 for 12.5 acres of undeveloped land in Current Use and that does not qualify, Caisse second, all in favor.
 - Caisse motioned to accept the recommendation from Avitar Associates to award a 75% charitable property tax exemption for the Lukas Foundation for Map 6A Lot 2 at 37 Memorial Highway, Willard second, all in favor.

- Building Permit
 - SB reviewed building permit application by George Ellis, 51 Howard Hill Road, for Map 8 Lot 20, and questioned if the NH Dept. of Environmental Services approval had been given. Building inspector Will Wildes and health inspector

TOWN OF TEMPLE, NEW HAMPSHIRE

SELECT BOARD

MINUTES OF PUBLIC MEETING

Peter Caswell had signed the plans. The SB did not see any building plans accompanying the application. Clifton-Waite subsequently informed the SB that the full plans had been left in the town offices for review. SB said the application would be signed at the next meeting, June 25.

- Occupancy Permit
 - **SB signed Certificate of Occupancy for Hiram and Shayni Cutter, 679 West Road, Map 3 Lot 14.**

- Mansfield Library Raffle Permit
 - **Library trustee Rebecca Van Dam explained that the library this year is raffling off a ton of wood pellets (or cord of wood per library trustees post-meeting decision). Caisse motioned to sign the raffle permit application, Ezell second, all in favor. Ezell signed application.**

- Committee Reports
 - **Willard presented information from the recent site walk of Doug Guy Jr. property, DRG Autobody and Repair Services on NH Route 45, done for renewal of the business' junkyard license.**

 - **Ezell said the planning board had met last week and is holding a "community conversation" public hearing about affordable housing on June 18 at 7 p.m. at the Town Hall Annex and encouraged people to attend. He said the police board has not met recently and won't meet until August.**

 - **Caisse reported that Ambulance Advisory Committee (AAC) met with the Wilton Select Board and had a wide-ranging conversation on various matters and about expectations.**

- Minutes
 - **SB discussed the May 28 minutes. Willard motioned to accept the minutes from the May 14 SB meeting as amended, Caisse second, all in favor.**

- Vouchers
 - **SB circulated vouchers for signature.**

Meeting Adjourned: 8:16 PM. Motioned by Willard, Caisse second, all in favor.

Next Select Board Meeting: Tuesday, June 25, 2019, at 6:30 PM in the Town Hall Annex.
Meeting minutes respectfully submitted by Paul Clifton-Waite, Assistant to the Select Board.