

**Center Harbor Board of Selectmen
Board of Selectmen's Meeting
Town Meeting Day
Tuesday, March 13, 2018**

CALL TO ORDER: At 8:00 a.m. Chairman Richard Drenkhahn called the Board of Selectmen's meeting to order. Selectmen Harry Viens and Richard Hanson were present. Code Enforcement Officer Ken Ballance, Stephens Landscaping Representatives John Stephens and Mark Stephens, Planning/Zoning Clerk Aimee Manfredi-Sanschagrin and Selectmen's Administrative Assistant were also present.

AGENDA REVIEW:

No changes were made to the agenda.

MEETING MINUTES:

- **February 28, 2018 Board of Selectmen's meeting minutes:** Mr. Hanson motioned to accept the minutes of the February 28, 2018 Board of Selectmen's meeting as presented electronically. Mr. Drenkhahn seconded the motion. Mr. Viens, who was absent from the meeting, abstained from voting. The motion passed.
- **March 7, 2018 Board of Selectmen's meeting minutes:** Mr. Viens motioned to accept the minutes of the March 7, 2018 Board of Selectmen's meeting as presented electronically. Mr. Drenkhahn seconded the motion. Mr. Hanson, who was absent from the meeting, abstained from voting. The motion passed.

APPOINTMENTS:

CODE ENFORCEMENT OFFICER KEN BALLANCE:

- **24 Dew Point Lane:** There was discussion regarding outside work performed by Stephens Landscaping without a construction permit. Mr. Ballance reported the previous owner had also done work without a construction permit; he has pictures of the property when he inspected it for the certificate of occupancy. He reported this work was performed under the State Of New Hampshire "Permit by Notification" (PBN) for the installation of a dock; the Town does not receive copies of the PBN's. Mr. Ballance explained that other towns allow work based on what the State approves; Center Harbor's zoning ordinances are stricter than the State's. There was discussion regarding contractor's performing work in Center Harbor and the need to check on Town permitting requirements. Mr. Ballance reported the property owner has submitted a construction permit application, which he has denied; the property owner will need to file a variance application with the Zoning Board of Adjustment (ZBA). There was discussion regarding work Stephens Landscaping previously began on the Markley property without a Town permit; Mr. Ballance stopped the work. The Markley's applied to the ZBA, the ZBA allowed what had been constructed to remain in place because it would have been more destructive to remove the construction and the remainder of the project had to be redesigned.

STEPHENS LANDSCAPING REPRESENTATIVES JOHN STEPHENS AND MARK STEPHENS:

- **24 Dew Point Lane:** Mr. J. Stephens reported this project was the first project for Stephens Landscaping in Center Harbor; they abided by the State permitting laws, but did not know that Center Harbor required permits until after they had started the Markley project two years later. Mr. Drenkhahn reported he should have inquired about permits at the Town Office. Mr. Drenkhahn reported he is second-guessing the Town's contract with Stephens Landscaping, for landscaping services, when they break the rules. Mr. Drenkhahn and Mr. Hanson asked if Stephens Landscaping had performed any other projects in Center Harbor without Town permits. Mr. Viens explained a construction permit is required for any work with a value of \$1,500 or more and he explained there are shoreland requirements. Mr. J. Stephens reported he is embarrassed, doesn't want to embarrass the Town; it was their own fault for not knowing the Town's rules prior to the Markley project. Mr. Drenkhahn reported the property is going to be sold; however the property owners will need to file a variance application with the ZBA, which could result in lawsuits – he reported he finds this disturbing. Mr. Drenkhahn reported he hopes the ZBA denies the variance application otherwise property owners will do work and then apply for a variance. Mr. J. Stephens reported it is not their intention to set a precedence. Planning/Zoning Clerk Manfredi-Sanschagrin reported the completed variance application needs to be filed by March 22, 2018 at 12:00 noon for the ZBA's April 9, 2018 meeting. Ms. Manfredi-Sanschagrin reported the ZBA has another hearing scheduled for April 9th; she will check with the ZBA Chair to see if they can hold two hearings that evening.

Mr. M. Stephens suggested, because no other towns have landscaping permit requirements, this information should be posted on the Town's website to make homeowners aware of this.

PUBLIC INPUT: None

SELECTMEN'S REPORTS:

MR. HANSON:

- **Heritage Commission (HC):** Mr. Hanson reported the HC will meet Thursday, March 15, 2018 at 4:30 p.m.

MR. VIENS:

- **Conservation Commission (CC):** Mr. Viens reported the CC will meet Thursday, March 22, 2018 at 1:00 p.m. He reported the Squam Lakes Association (SLA) will present a program on invasive species.

UNFINISHED BUSINESS:

MUNICIPAL BUILDING HVAC PREVENTIVE MAINTENANCE AGREEMENT:

The Selectmen reviewed NPI Mechanical Contractors preventive maintenance agreement for the HVAC system in the Municipal Building. The Selectmen would like Dead River,

the company supplying the buildings heating oil, asked to submit preventive maintenance information.

NEW BUSINESS:

STEPHENS LANDSCAPING INVOICES: The Selectmen received pre-payment invoices from Stephens Landscaping for the 2018 landscaping services. Mr. Drenkhahn expressed his concern about the Town contracting for services with a company that does not follow the Town's ordinances. Approval of these invoices will be discussed at a future Selectmen's meeting.

MITCHELL MUNICIPAL GROUP, P.A. AGREEMENT: Mr. Drenkhahn motioned to enter into a fee agreement with Mitchell Municipal Group, P.A. for legal representation. Mr. Hanson seconded the motion and the vote was unanimous.

ADDITIONAL BUSINESS:

STATE OF NEW HAMPSHIRE:

- **State of New Hampshire Department of Revenue Administration (NH DRA)**
 - **NH DRA Application for Current Use:** Mr. Drenkhahn motioned to approve the following NH DRA Application for Current Use:

Maynard

TML 226-61

CURRENT BILLS PAYABLE: The Selectmen reviewed, and approved, the payroll and accounts payable manifests as presented.

GENERAL JOURNAL ENTRIES: The Selectmen reviewed, and approved, the general journal entries as presented.

PUBLIC INPUT: None

ADJOURNMENT: At 7:00 p.m. Mr. Hanson motioned to adjourn the Board of Selectmen's meeting. Mr. Viens seconded the motion and the motion passed.

Respectfully submitted,

Robin Woodaman
Selectmen's Administrative Assistant