

**Center Harbor Board of Selectmen
Board of Selectmen's Meeting
Wednesday, May 16, 2018**

CALL TO ORDER: At 7:00 p.m. Chairman Harry Viens called the Board of Selectmen's meeting to order. Selectmen Richard Hanson and Richard Drenkhahn were present. State of New Hampshire Department of Transportation Bridge Design Administrator Robert Landry, HEB Engineers Vice President/Lead Structural Engineer Christopher Fournier, State of New Hampshire Representative Valerie Fraser, Janan Hayes, David Reilly, Shirley White, Maureen Criasia, Karen Ponton and Selectmen's Administrative Assistant Robin Woodaman were also present.

AGENDA REVIEW:

- **Bathroom repairs/renovations:** Mr. Viens reported the Selectmen have not received a list of repairs/renovations from Road Agent Jeff Haines and Parks & Recreation Director Sandy Frost; this discussion will be tabled until the Selectmen receive the information.
- **Request for Proposals - Morse Cemetery Gravestone Repair:** Mr. Viens reported no proposals have been received, but this matter will be discussed.

MEETING MINUTES:

- **May 2, 2018 Board of Selectmen's meeting minutes:** Mr. Viens motioned to approve the minutes of the May 2, 2018 Board of Selectmen's meeting as presented electronically. Mr. Drenkhahn seconded the motion. Mr. Hanson, who was not present at the meeting, abstained from voting. The motion passed.
- **May 9, 2018 Board of Selectmen's meeting minutes:** Mr. Hanson motioned to approve the minutes of the May 9, 2018 Board of Selectmen's meeting as presented electronically. Mr. Viens seconded the motion. Mr. Drenkhahn, who was not present at the meeting, abstained from voting. The motion passed.

APPOINTMENTS:

**STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION (NH DOT)
BRIDGE DESIGN ADMINISTRATOR ROBERT LANDRY:**

- **Mosquito Bridge project:**
 - **Consultant:** Mr. Landry reported the NH DOT does Part A for the design of a project up to the Selected Preferred option; this took a little longer than anticipated based on the great deal of public input. The Part A agreement had an expiration date of January 31, 2018. He reported, once the preferred option was selected, NH DOT began discussions with HEB Engineers on Part B efforts; normally this process takes nine months to complete; NH DOT hopes to have HEB on board by September - they are finalizing the scope of work.
 - **Timeline/schedule for design:** Mr. Landry reported the final design will begin in September 2018 with progress plans to 60% by the Spring of 2019, meetings with the small working group will be held in the Spring of 2019, the wetlands permits will be applied for in the Summer of 2019, a public information meeting

will be held in the Summer of 2020, the project will be advertised in October 2020 and the roadway will be closed in the Summer of 2021.

- **Guardrails:** Mr. Landry reported, once HEB is under contract, they will complete the look at the guardrail runs and layout the edge of the guardrail runs and outside edge of the shoulder. He reported T-101 guardrails were used on the design, as have many. Mr. Landry reported federal issues are still being working on; the FHWA deadline is December 2019.
- **Environmental issues:** Mr. Landry reported there are no concerns on environmental issues.
- **Preferred Design:** Mr. Landry reported the preferred design is a single span bridge that is set just behind the existing stone walls; this was shown at the last meeting.
- **Abutments:** Mr. Landry reported there are no abutment design changes.
- **Federal funding:** Mr. Landry reported federal funds will be used on this project.

PUBLIC INPUT:

KAREN PONTON:

- **National Police Week:** Ms. Ponton reported this is National Police Week and suggested the Police Department be thanked for their commitment and the good job they do. The Selectmen expressed their appreciation for the job performed by the Center Harbor Police Department.

SELECTMEN'S REPORTS:

MR. HANSON:

- **Heritage Commission (HC):** Mr. Hanson reported the HC will meet Thursday, May 17, 2018 at 4:30 p.m.

MR. DRENKHAHN:

- **Energy Committee (EC):** Mr. Drenkhahn reported the EC, the Holderness EC and Towns of Moultonborough and Sandwich will hold a "Button Up Workshop" Thursday, May 24, 2018. He reported there will be discussions on ways to improve the energy efficiency of your home.

UNFINISHED BUSINESS:

MUNICIPAL BUILDING PARKING LOT: Road Agent Jeff Haines submitted a memo reporting he gave Quantum Construction Consultants, LLC (QCC) Senior Project Engineer Jim Bouchard all the supporting documentation that had been previously done (as part of the Municipal Building renovation/addition project) for the reconstruction of the Municipal Building's rear parking lot. Mr. Haines recommended having Mr. Bouchard follow through with the design and bid documents, bid the project out and see what proposals are submitted. The Selectmen agreed with Mr. Haines recommendation and requested a Request for Proposals be generated.

CENTER HARBOR INN:

- **Seasonal rental of boat slips and mooring:** The Selectmen received a copy of a letter from Planning Board Chairman Charley Hanson to Justin Cutillo of Center Harbor Associates. Mr. Cutillo met with the Planning Board of April 3rd to generally discuss his desire to expand the boat space rentals at the Inn to non-guests. The Center Harbor Inn is considered a prior non-conforming use in a residential zone, which makes expanding current non-conforming uses challenging. Mr. Cutillo was informed:
 - The October 1996 Decision by the Board of Selectmen cannot be modified without the approval from multiple boards. That Decision recognized that the Inn is allowed to rent/lease only three (3) dock slips to non-guests; the former owners of the Inn accepted that Decision by not appealing it to either the Zoning Board of Adjustment (ZBA) or the Superior Court.
 - The 1996 Decision erroneously allowed for seasonal rental of a mooring. RSA 270:67 (II) prohibits (and did back in 1996) renting/leasing of moorings. The Inn cannot rent or lease any of their moorings to non-guests.

Mr. C. Hanson explained that if the Inn would like to pursue expanding boat slip rentals to non-guests, they would need to get the Selectmen's approval of a modification of the 1996 Decision, ZBA approval (or a vote at Town Meeting to amend the Zoning regulations for the Inn's location) and Planning Board approval of a non-residential site plan review.

Mr. Viens asked how the Board felt about the possibility of the Inn renting more slips to non-guests. He reported he would support the Inn renting a total of seven with the first priority given to Center Harbor residents. He reported if Center Harbor residents rented the slips, their boat trailers would be stored at their residence and it would offer residents, who do not live on the water, access to the lake. Mr. Hanson reported the Inn is Town-friendly and he is inclined to go along with Mr. Viens suggestion to support seven rentals. Mr. Drenkhahn reported he will have to consider this more before making a decision. There was discussion regarding, even with the Selectmen's support, ZBA approval (or a vote at Town Meeting to amend the Zoning Ordinances) and Planning Board approval will be needed. Ms. Woodaman reported she asked Planning/Zoning Clerk Aimee Manfredi-Sanschagrin to research if towns around Lake Winnepesaukee allowed non-guests to rent boat slips from hotels/motels on the lake. She reported none of the towns allow it with the exception of Laconia; the Margate would be allowed to rent slips but would need additional permits from Laconia.

LAKES REGION PLANNING COMMISSION (LRPC):

- **Oil and propane vendor list:** The Selectmen received a list of oil and propane vendors who will be asked to submit proposals to LRPC for their oil and propane group rate request.

MUNICIPAL BUILDING HEATING SYSTEM REPAIRS: The Selectmen reviewed an invoice from Northern Peabody, LLC, in the amount of \$2,753.73, for additional repairs to the Municipal Building's heating system. Mr. Hanson suggested copies of the invoices for

repairs to the system be included in a letter to Bonnette, Page & Stone (the general contractor who oversaw the additions and renovations to the Municipal Building) requesting reimbursement for this expense; Mr. Viens and Mr. Drenkhahn agreed.

NEW BUSINESS:

REQUEST FOR PROPOSALS (RFP) – MORSE CEMETERY GRAVESTONE

REPAIRS: No proposals were received for the repair of gravestones damaged during the March 2017 storm. Ms. Ponton suggested contacting the New Hampshire Department of Historical Resources or the New Hampshire Preservation Alliance for possible recommendations.

THE MUG RESTAURANT:

- **Motorcycle Week permit:** Mr. Drenkhahn motioned to approve The Mug Restaurant's request for a temporary "Garden Dining Area" from June 8, 2018 through June 17, 2018 with the following conditions:
 - The total capacity will be 53 persons, excluding employees, per Fire Chief Leon Manville's "Permit to Operate a Place of Assembly"
 - Outside music will be allowed
 - Proper fencing will be required
 - Proper staffing will be required

Mr. Hanson seconded the motion and the vote was unanimous.

REQUESTS FOR INVESTIGATIONS: Code Enforcement Officer Ken Ballance submitted the following Requests for Investigations:

- A patio which was constructed in violation of shorefront setbacks, is encroaching on the abutting property and no permit was acquired. Mr. Ballance has been in contact with both property owners regarding correcting this matter. Mr. Viens reported there may also be an issue with the patio construction of the person who filed the request for investigation.
- Excessive tree cutting and disobeying deeded property covenants. The property owner received State approval for the tree cutting and enforcement of property covenants is a civil matter.

THEFT OF HIGHWAY GARAGE FLAG POLE: The Selectmen were notified of the theft of the Highway Garage's flag pole. Mr. Viens had asked Police Chief Mark Chase if the installation of security cameras and recording devices should be considered. Chief Chase reported there are security cameras on this property, but not by the flag pole which was by the road where people can get sand in winter. He reported the security cameras tapes will be reviewed in the event the subjects pulled in, or turned around, at the garage. Chief Chase reported each year during the budget process, he recommends including additional cameras and for DVR upgrades for the Highway Garage and Town Hall. Mr. Hanson motioned to replace the flagpole. Mr. Viens seconded the motion. Mr. Drenkhahn requested the flagpole have a light. The vote was unanimous.

GASB 75 REPORT: Mr. Drenkhahn motioned to contract with Jefferson Solutions, Inc. in the amount of \$3,450 for the GASB 75 Report – Actuarial Valuation for two years. Mr. Hanson seconded the motion and the vote was unanimous.

ADDITIONAL BUSINESS:

CENTER HARBOR CONGREGATIONAL CHURCH:

- **Use of parking lot:** There was discussion regarding Center Harbor Congregational Church allowing patrons of the Canoe Restaurant and guests of the Center Harbor Inn who have boat trailers to park in the Church's parking lot. Per Town Ordinances, parking should be on-site for the businesses. Mr. Viens reported the donations made by the businesses to the Church help the Church's finances.

HIGHWAY DEPARTMENT: Road Agent Jeff Haines submitted the following:

- **Notice of Proposed Tree Removal:** Mr. Haines reported on dead trees, which pose a hazard, on Piper Hill Road, a designated scenic road. Mr. Viens motioned to sign the "Notice of Proposed Tree Removal" for the removal of these trees. Drenkhahn seconded the motion and the vote was unanimous. Ms. Criasia reported the RSA's pertaining to tree removal on scenic roads excludes this notice requirement for trees that are dead.
- **Gas fuel pump:** Mr. Haines reported the gas fuel pump at the Highway Garage needs to be replaced. He reported the cost is \$1,532 and requested this be funded through the Highway Department's Truck or Equipment Capital Reserve Fund (CRF). Mr. Viens motioned to authorize the purchase of the gas fuel pump, at a cost of \$1,532, with funding from the Highway Department's Truck or Equipment CRF. Mr. Drenkhahn seconded the motion and the vote was unanimous.
- **Lakes Region Planning Commission (LRPC) Highway Funding Fact Sheet:** Mr. Haines submitted the Highway Funding Fact Sheet he received from LRPC's Technical Advisory Committee (TAC), of which he is a member. Mr. Haines requested the Selectmen's input on the "Municipal and Transportation Improvement Fund" section of the report; RSA 261:153, VI gives municipalities the option to add a maximum of \$5 to motor vehicle registration fees for use on municipal transportation improvements. Mr. Hanson reported he would be reluctant to add fees to motor vehicle registrations; Mr. Viens and Mr. Drenkhahn agreed. Mr. Drenkhahn reported, if additional funding is needed for transportation improvements, a warrant article could be voted on at Town Meeting.

STATE OF NEW HAMPSHIRE:

- **State of New Hampshire Department of Revenue Administration (NH DRA):**
 - **Reports of Intent to Cut Wood or Timber:** Mr. Hanson motioned to sign the following NH DRA "Reports of Intent to Cut Wood or Timber":

Dane Trust
Dane Trust

TML 216-21
TML 211-4

Mr. Drenkhahn seconded the motion and the motion passed.

CONSTRUCTION PERMIT APPLICATIONS: The Selectmen reviewed the following approved construction permit applications:

Wollinger
Dole

TML 103-17
TML 211-15.1

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:

KAREN PONTON:

- **Trees around the tennis courts:** Ms. Ponton reported there had been a past discussion regarding removing some trees that were around the tennis courts and asked if this had been done. Parks & Recreation Director Sandy Frost will be asked the status of the trees.
- **Boat trailer parking:** Ms. Ponton asked if the rear, dirt section of Heath's parking lot could be utilized for boat trailer parking. It was explained this may require Planning Board site plan approval as this would be an additional use of the property.

ADJOURNMENT: At 8:05 p.m. Mr. Drenkhahn motioned to adjourn the Board of Selectmen's meeting. Mr. Hanson seconded the motion and the motion passed.

Respectfully submitted,

Robin Woodaman
Selectmen's Administrative Assistant