

## Chichester Board of Selectmen

### Minutes of Meeting

Tuesday September 6, 2022

**Members Present:** Richard Bouchard, Ed Millette, Stephen MacCleery and Jodi Pinard Town Administrator, Kristy Jobin Administrative Assistant.

**Members of the public:** Chief Wright, Chief Quimby, Russell Blaney, Zach Boyjajian, Craig Sykes, Donna Chagnon, Dan Schroth, Doug Hall, Stan Brehm, Ewen Mackinnon, Brady Jezewski, Kathy Doult, Keith Babb, Michael Williams, and other members of the public.

**Call to Order:** Mr. Bouchard called the meeting to order at 6:00 pm

#### **Library-**

Ms. Doult reported for the Library. The August used book sale was very busy and brought in \$726.00. The next used book sale is scheduled for September 17th, 9-1.

The Summer Reading has concluded. The new pamphlet for the Library has been published.

Upcoming programs include:

- Outdoor Family Movie Night: "Minions," this Friday, Sept. 9th, 7 PM. We will be showing it on our new 15' inflatable movie screen! There will be free popcorn and cold drinks, but attendees are asked to bring a chair. Call 798-5613 for more information.
- Story Time will begin on Tuesday, Sept. 20th, at 10:45 am. This classic weekly library event is designed for ages 3-5, but all are welcome!
- Stitched Bookmark Class: Talented library volunteer will be leading the class on Wednesday, September 21st, at 5:30. There is no charge for this class and all materials will be provided.
- New Hampshire's One-Room RURAL Schools (NH Humanities event) is coming up on September 26th at 6 pm at Grange Hall. The presenter, Steve Taylor, explores the lasting legacies of the one-room school and how they echo today. This is co-sponsored with the Heritage Commission.
- Music & Movement: Sept. 29th, Thursdays at 10:45 am: This lively, hands-on program is designed for ages 0-3, but all are welcome!
- Gary and Jackie Brandt Folk Duo (Jackie is a former New Christy Minstrel Singer) are coming to Grange Hall on October 5th at 7 pm.

#### **Police Department-**

Chief Wright stated that new taser cartridges need to be purchased to remain in compliance with standards. The expired ones will be used during trainings. The cost is \$700.00 plus shipping.

Mr. Millette made a motion and Mr. MacCleery seconded to purchase twenty (20) new taser cartridges out of the Police Detail Account. Roll call vote. Millette, aye. MacCleery, aye. Bouchard, aye. **Motion passes.**

#### **Fire Department-**

Chief Quimby stated that Ambulance 1 has been repaired and is back in service.

The SCBA system will be delivered within the next week.

Chief Quimby reported that the Fire Department remains busy with 61 calls for service in August.

Chief Quimby stated that the radio costs have gone up since the last purchase. He would like to purchase fifteen new radios as replacements. He also requested to purchase new PPE gear to replace out of date gear.

Mr. Bouchard made a motion and Mr. MacCleery seconded to expend \$12,772.52 out of the Fire Department PPE Repair/Replacement Trust Fund for the purpose of funding the cost of personal protection equipment for the Fire Department. Roll call vote. Millette, aye. MacCleery, aye. Bouchard, aye. **Motion passes.**

Mr. Bouchard made a motion and Mr. MacCleery seconded to expend \$23,123.98 out of the Fire Radio and Equipment Repair/Replacement Expendable Trust Fund for the purpose of purchasing an additional 15 Kenwood portable radios to replace fifteen obsolete portable radios for the Fire Department. Roll call vote. Millette, aye. MacCleery, aye. Bouchard, aye. **Motion passes.**

#### **Highway-**

Mr. Sykes stated that the new employee is working out very well.

Mr. Sykes reported that he was able to sign up the Highway Department for snow classes through UNH at no cost due to his participation as an instructor.

Mr. Sykes reported that the culvert is completed on Smith Sanborn Road. A 15' extended culvert was installed with rip rap and ditches extended.

The shim and overlay bid will be sent out next week.

The first rounds of signs have been ordered to comply with state regulations.

Mr. Sykes reported that he is going to Liberty International to see the new truck and check on the progress.

Trimming on the smaller roads are being completed.

Mr. MacCleery asked Mr. Sykes if he had a plan to repair the rock coming through the pavement on King Road.

Mr. Sykes stated that there are also three more coming through the pavement. He is working with Busby to see if that is something that they can repair. He stated the road may need to be dug up to pull the rocks out.

Mr. Millette stated that if Busby is not able to get to it before winter than he would recommend checking with other companies. He stated his concern for safety with plowing and drivers once the snow falls.

Mr. Sykes reported that he may need to spend additional highway block grant funds to complete the shim and overlay in the Harvest Road subdivision.

#### **Parks and Recreation-**

Mr. Boyijian stated that the recreational trail program is making substantial progress. They have had a few good workdays and they are trying to get a good portion done before winter. He reported a section of a bridge is completed. There have been several deliveries of wood and gravel.

Chichester Central School asked to use the park for their soccer games which they are trying to accommodate and work out a schedule with CYA.

Trunk or Treat and the Haunted Walk will be at the Carpenter Park on Sunday October 23.

#### **Planning Board-**

Mr. Brehm reported that a seven-lot subdivision on Horse Corner Road came before the Board for a public hearing. It was continued to the October meeting. They are asking that the Town take over the Road when its completed. They will be putting in a cistern, as required by the subdivision regulations.

The Board is continuing to work on updating zoning ordinances.

#### **Other Business-**

##### **Proclamation-**

The Lions Club of Concord asked the Board to sign a proclamation to make the week of September 26<sup>th</sup> Childhood Cancer Awareness week in Chichester.

Mr. Bouchard made a motion and Mr. MacCleery seconded to adopt the last week of September Childhood Cancer Awareness Week in Chichester. Roll call vote. Millette, aye. MacCleery, aye. Bouchard, aye. **Motion passes.**

#### **Zoning Complaints and Updates-**

##### **Zoning Complaints-**

A resident made a complaint in writing regarding the number of Conex storage boxes on Route 4 on many business's lots.

After some discussion, the Board determined that storage boxes are allowed temporary storage and no violation was found.

### **19 Higgins Road-**

A complaint was made regarding a home business in the residential zone located at 19 Higgins Road. Mrs. Jobin stated that the business had not come before the Board to apply for a home occupation and not received any approvals. The Board directed that a letter be sent to the property owner requiring that an application be made to the Planning Coordinator no later than October 13<sup>th</sup> deadline to be on the agenda for the November meeting.

### **Zoning Updates-**

**K&B Crushing/200 Suncook Valley Road SPE, LLC.**

**200 Suncook Valley Road, Map 8 Lot 50**

**Keith Babb, Owner**

Mr. Babb came before the Board to discuss the letters he received from the Planning Board as well as the Select Board.

The Planning Board directed Mrs. Jobin to send him a letter stating that the large structure (Conex boxes with a hoop house top) on his property that should have been moved to the approved location, must be moved out of the right of way by August 14, 2022. The letter also indicated that if the structure were not moved to the correct location, that Mrs. Jobin would be recommending that the Board proceed with Site Plan Revocation.

Mr. Babb made an application to the Planning Board to amend the site plan to add the structure after receiving a notice that it requires a building permit as well as Planning Board approval. Mr. Babb went before the Planning Board and received conditional approval on November of 2021. Mrs. Jobin stated that to date the structure has not been moved to the approved location and the other conditions have not been met.

Mr. Babb stated that he does not believe he needs to be permitted for the structure and the Boards have no jurisdiction over the structure. He also stated that he did not feel that Mrs. Jobin had the authority to send him a letter because the Board did not vote on it and that according to RSA, he had two years to complete conditions.

Mrs. Jobin stated that a vote does not need to be made to send a letter, the Board directed her to do so. Additionally, the large structure does require permitting and an amended site plan. Mrs. Jobin stated that the RSA which he is referring to is NH RSA 674 :39 which gives owners protection from amendments to Town regulations and allows, unless specified in the approval or regulations, at least 24 months to begin active and substantial development or building, which does not apply in this case. The Chichester Planning Board Site Plan Regulations allow for 90 days for conditions to be met before approval lapses.

Mr. Babb stated that at the Planning Board meeting he did not allow a timeline to be given to move the structure due to him being short staffed and not having the resources to move it and he would like additional time to move it. He asked for an extension until spring, no later than April 31, 2023.

Mr. Millette stated that he was not comfortable with an additional eight months. He stated that he would be willing to extend it to December 31, 2022.

Mr. Williams, who accompanied Mr. Babb, stated that he did not believe that moving the structure was a condition of approval. He read from the Planning Board minutes, "Mr. Williams made a motion and Mr. Houle seconded to approve the updated site plan with the following conditions: the 100ft wetland buffer added to the plan and any Town Engineer authorization be completed for the structure. Motion passes."

The Board stated that the reason he went to the Planning Board was to specifically add the structure to his site plan. The Structure is not in the approved location which is a violation and is also still sitting in the State right of way.

Mrs. Jobin stated that at the Planning Board meeting in November of 2021, Mr. Babb stated that he could not move it until the spring due to the snow coming and told the Board he would move it no later than June of 2022. She stated that she spoke with Mrs. Babb regarding moving the structure in June of 2022, at which time she indicated they were doing their best to get it moved by end of July. Mrs. Jobin stated her concern with them moving it by the end of the year as they stated they could not move it last year due to the winter months.

The Board stated that they would like a written request to extend the timeline for moving the structure and that the structure must be moved no later than December 31, 2022.

The Board of Selectmen also sent Mr. Babb a zoning violation letter regarding the tiny home and fifth wheel camper with a deck that has been used as housing on Mr. Babb's lot located at 200 Suncook Valley Road.

Mr. Babb stated that he no problem removing the fifth wheel camper because he had been using it for inmates released from jail for work release which had not had good luck with due to their narcotic use. He wanted to keep the tiny house or park model for the elderly man that has been residing there.

The Board discussed with him that the zoning does not allow for campers/trailers to be used a residence and he would have to see approval from the Board of Adjustment.

Mr. MacCleery made a motion and Mr. Bouchard seconded to remove the camper/tiny home within 60 days.

Mrs. Pinard recommended to the Board that they be consistent and give a definite period to have the camper/tiny home removed and not be used for tenancy.

The Board discussed the timelines further.

Mr. MacCleery withdrew his motion.

Mr. Millette asked Mr. Babb how the people living in the camper and tiny home were utilizing facilities.

Mr. Babb stated that they are going inside the building to use the facilities.

The Board ordered that the fifth wheel camper must be empty with no one residing in it within 30 days or October 6, 2022.

The Board ordered that the tiny house be vacated no later than 60 days.

Mr. Millette made a motion and Mr. MacCleery seconded to remove tenancy of the 5<sup>th</sup> wheel camper within 30 days or October 7, 2022, and to remove tenancy of the park model/tiny home within 60 days or November 7, 2022, located at 200 Suncook Valley Road, Map 8 Lot 50, owned by Keith Babb of K&B Crushing. Roll call vote. Millette, aye. MacCleery, aye. Bouchard, aye. **Motion passes.**

The Board stated that if the tenant of the park model/tiny home needs assistance relocating, please call the Selectmen's Office.

**290 Dover Road-**

Mrs. Pinard stated that the Health Officer, along with the Fire Chief went to visit the property and were not able to make contact. They will be attempting to do so again soon.

**Cruiserparts, Dover Road, Map 3 Lot 25-**

Mrs. Pinard stated that the deadline had not passed, and she would have an update for the Board at the next meeting.

**CIP Department requests-**Mrs. Pinard stated that the CIP reports will be forwarded out to members of the budget committee and Board. Hard copies will also be available for pickup at the office. She recommended that the Board review the requests over the next few weeks and discuss it with the budget committee at the next meeting.

**Election Update-**

Mr. MacKinnon reported that the Primaries will be held next Tuesday, September 13, 2022, at Chichester Central School.

**Upcoming Elections:**

November 8, 2022, at Chichester Central School

March 4, 2023, School Meeting at Chichester Central School.

March 7, 2023, Town Elections at the Grange Hall. Town Meeting will be held on

March 11, 2023, Town Meeting at Chichester Central School.

**Dan Schroth-**

Mr. Schroth came before the Board to discuss some concerns he has.

Mr. Schroth offered the Board on some Hazardous Mitigation information and suggested to the Board that they investigate what Pittsfield has done.

Mr. Schroth also wanted to voice his concern regarding the atmospheric changes causing mass migration.

**Approval of Minutes-**

Mr. MacCleery made a motion and Mr. Bouchard seconded to approve the minutes from the August 9, 2022, meeting. Roll call vote. Millette, aye. MacCleery, aye. Bouchard, aye. **Motion passes.**

**Pound Road-**

Mr. Williams asked the Board what the status of Pound Road is.

Mr. Millette stated that the evidence reviewed suggested that the road continued straight and not through the adjacent residents front yard. The resident agreed to follow the map showing Pound Road continuing straight onto Center Road.

Mr. Williams did not agree and would like the issue to be resolved.

Mrs. Pinard will pass the information along to Town Council for review.

**Parks and Recreation-**

Mr. Millette made a motion and Mr. Bouchard seconded to appoint Amy Kane as a full member of the Parks and Recreation Commission. Roll call vote. Millette, aye. MacCleery, aye. Bouchard, aye. **Motion passes.**

**Adjournment:** Being no further discussion, a motion was made by Mr. MacCleery and seconded by Mr. Millette to adjourn the meeting at 8:12pm. Roll call vote. Millette, aye. Bouchard, aye. MacCleery, aye. **Motion passes.**

Respectfully submitted,

Kristy Jobin  
Administrative Assistant

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Richard Bouchard

Edward Millette

Stephen MacCleery