

Minutes of Public Hearing/Selectmen's Meeting

1 May 2007

Members present: R. Stephen Leighton, Chairman, JoAnn Brown and Lynn Sweet.

Amanda Dumond (Foster's Daily Democrat), Carol Reynolds Johnson, George Johnson, D. Williams, Vera Boals, Nancy Loch, Christine Bane, Don Clifford, James Forsythe, Stephanie Gray, Tina DiVirgilio, Alan DiVirgilio and Corinne DiVirgilio, were among those in attendance.

The public hearing was called to order at 6:00 P.M.

Notice of the hearing was published in Foster's Daily Democrat and posted at the Post Office and the Town Office.

This public hearing is being held to present an ordinance in accordance with NH RSA 231-A:4: Regulation of Public Use of Little Niagara Road Class A Trail. The purpose of the proposed regulation is to restrict the trail to pedestrian travel only. The ordinance would be enforceable by local law enforcement officers.

Before entering into any discussion on the above, a motion was made, seconded and voted to temporarily delay the hearing until later in the meeting, due to the large number of people attending to address other concerns.

At this time, residents of Webber Road presented their concerns regarding the damages caused to their road by the recent storm, cost of the repairs and process to make application for assistance through FEMA. A copy of a letter from Police Chief Young (also Emergency Management Director) was provided to those present, advising that "FEMA would not secure funds for any Class VI road through the Town of Strafford" and "individuals living on a Class VI road could apply directly for assistance". He also noted that after taking the police vehicle up to Webber Road and coming in from the Jo Al Co end, his assessment is that "the road is passable for any Town emergency vehicles" and "There are no homes that emergency personnel would be unable to get to". The residents cited problems getting fuel trucks to deliver, as well as the weight of fire trucks and emergency vehicles compared to a cruiser. Board was in agreement to have the Fire Chief, Road Agent and Scott Young inspect again to verify that these vehicles could get to all homes on the road. Although they may have access now, the residents were concerned about access to these homes during the winter months. The Webber Road access was the one most commonly used in the winter. The question was raised and the Board noted that there is no plan in place for winter emergency access if needed. They would have to address that situation if and when it happens. The residents would like to have the Town take over the care and maintenance of the road. Mr. Leighton noted that this is not allowed by law. He did mention the petition process for a "Special Town Meeting", if they wished to pursue that avenue. There was discussion regarding the petition process, however more clarification is needed regarding the actual process and time frame involved should they request a Special Town Meeting prior to the

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next Annual Town Meeting held in March. It was noted that their petition should also include an appropriation for the cost of the repairs and maintenance, as that additional money would have to be raised to fund this article if passed by the voters. Board also recommended that the residents try to work with FEMA first (using figures based on cost of only necessary repairs, possibly upgrading the culvert to avoid this problem in the future), and not using the figures to upgrade to Class V road specifications, as there appeared to be some confusion. It was noted that although there are 11 families served by this road, they are aware that it is a Class VI road and they are responsible for the maintenance. Residents noted problems with the number of people willing and unwilling to contribute and there are some without the means to contribute. Reference was made to a prior Town Meeting (ref. 1998) where this road received a conditional approval, subject to the work being done by the abutters and then approval by the Road Agent and/or the Selectmen. One resident mentioned the assessments of the properties located on the Class V portion, compared to the Class VI portion. Board is of the opinion that the Class V portion is appropriately assessed higher, however will ask assessor to review the assessments of the properties involved. Drainage and run off problems on the end of Jo Al Co (in the vicinity of the Boals' property) were discussed. Selectmen will ask the Road Agent to inspect to determine what can be done to address this issue. There was further discussion suggesting the residents check with the National Audubon Society and New Hampshire Fisheries regarding possible funding through grants to help with replacement of their culvert as they may support the installation of a "glass bottom" culvert as fish do not like to travel through standard culverts. Soil Conservation Services in Epping might be able to help them with engineering, costs, etc. Residents are going to be meeting with FEMA to start the application process. Group did express how grateful they were for the what the Town was able to do on the "emergency lane".

At this time the public hearing to present an ordinance in accordance with NH RSA 231-A:4: Regulation of Public Use of Little Niagara Road Class A Trail to restrict the trail to pedestrian travel only, was resumed. It was noted that the surrounding property has one owner and he is in favor of this restriction. This will still remain a public way, however, the bridge is out. After a short discussion, the public hearing was closed.

A motion was made, seconded and voted to adopt this ordinance as presented effective this date. Ordinance was signed by Selectmen.

Alan and Tina DiVirgilio and Corinne DiVirgilio attended to discuss their concerns with the Strafford Pallet business next door. This has been ongoing for 14 years. Mr. Leighton explained why there may be differences because of the association with wood or wood products (agriculture). Board has been having him in on a regular basis to update them on his progress in cleaning up the front area. The number of unregistered vehicles on site, noise of diesel engines on

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trucks running all day long, trucks backing into road, the condition of the old mobile home and smell (septic or dead animal?), possible fire hazard, environmental protection concerns, were all discussed. Reference was made to possibility of fencing area in. Selectmen will ask Police to verify the number of unregistered vehicles on the property. Board will ask John to come in to discuss clean up progress and concerns. Board will also review information from prior court document and agreement to clean up area as stipulated.

Chris Bane attended to report recent discussion of the Facility Needs Committee and possibility of the Town selling the existing Town Office to the School for \$100,000., in lieu of purchasing a modular. Mr. Witcher feels an office & site work could be built for \$400,000. Town could use the \$100,000. realized from sale, combined with the \$300,000. remaining in the CRF established for this purpose and be able to "move rapidly to build the Town Hall portion". There was a general discussion. The need to have the Fire Department "on board" with the idea was stressed. Procedural and legal issues must be researched for this purpose.

There were general questions regarding growth and zoning ordinances.

An observance was made regarding damages from the recent storm and road closures. The need/importance of marking both ends of any closed roads was stressed (regardless of location).

Don Clifford discussed building permit process, fees and the requirement for a certified plot plan. Stephen Leighton explained process and why certified plot plan was required after foundation or slab is constructed (to verify location of the construction). Board will discuss fees with Building Inspector.

With regard to the Facility Needs Committee, Chris Bane thanked the Board and noted that all were working well together and hopefully this will be successful.

Board reviewed request from Ed Cournoyer for permission to draft a letter to the State requesting their assistance (man hours) with us supplying the materials, for the purpose of repairing/replacing the dock on Water Street. It would be similar to the way they worked with the Town to provide the boat launch. He cautions that they may not be able to, but would like to ask the question. Board was in agreement that he could pursue this.

Motion was made, seconded and voted to deny a request for abatement on Map 23, Lot 18 owned by Paul Longueil, based on appraiser's recommendation (due to lack of timely filing and insufficient supporting data).

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Correspondence was read. Bills and checks for payment were reviewed.

A letter will be sent to Mr. Carter, along with a form to be completed for a building permit renewal and advising the fee to be submitted.

It was noted that Chief Scott Young (Emergency Management Director) will be meeting with representatives from FEMA on Friday, May 11th in Rochester, New Hampshire.

There being no business before the Board, a motion was made, seconded and voted to adjourn. Meeting adjourned at 8:45 P.M.