

May 28, 2013
Selectmen's Meeting/Approved Minutes

Present: Selectmen: R.P. McGinnity Chairman, C. Moser, B. O'Grady & A.A. Milkovits
Also present: Treasurer Pat Letourneau & 2 residents

Agenda:

Meeting opened at 7:30 PM. The check manifest was reviewed and approved.

Appointments:

1. Joshua Garfinkle, tenant at 47 Gilman Hill Road, met at the Board's request to discuss the sign he erected at this property that may be in violation of the town's sign ordinance. There were also questions on the number of businesses listed on the sign as they relate to home based businesses per the town ordinance. Chairman McGinnity explained the issue with Mr. Garfinkle's sign – it measures about twenty-four square feet, which exceeds the sign ordinance. Mr. Garfinkle has two options: either change the sign or apply for a variance to the sign ordinance. After some discussion, Mr. Garfinkle stated that he will seek a variance to the sign ordinance. Next, Selectman Moser explained the ordinance for home businesses: the allowed uses and uses by Special Exception. Mr. Garfinkle stated that the property is used for agriculture, horse boarding, etc. with two employees, which would be compatible to the ordinance. He has recently removed the boarding horses and now has some of the Shriner group's horses at the property. The property on Gilman Hill Road is the corporate headquarters in NH for all the other businesses listed on his sign. He's a management consultant, feed broker for feed vendors, accountant and more. He stated that most of the companies are physically located in Georgia. After more discussion, the Selectmen determined there was not a zoning issue as it seems to fall within the Ordinance and does not require a Special Exception and/or Site Plan Review. The Board emphasized that if circumstances change the owners of the property would need to get a Special Exception. The Board felt that based on Mr. Garfinkle's willingness to come forward that he may keep the sign for now and the Board will accept in good faith that he will apply as soon as possible to the Board of Adjustment for a variance. Robert Bergeron, neighbor, was present and spoke highly of Mr. Garfinkle. Selectmen were reminded that Mr. Bergeron is also a member of the Board of Adjustment. Selectman Moser suggested that Mr. Bergeron should recuse himself at the B.O.A., as a neighbor and abutter. Before Mr. Garfinkle left, Building Inspector Wilson reminded him that he needed to apply for a Building Permit for a building that is already up. Mr. Garfinkle has not delivered plans for the building as requested months ago. There was some discussion among those present on whether the building was temporary and if it needed a permit. Since the building is 350 square feet and has electrical it does need a permit according to Mr. Wilson. Selectmen agreed with the Building Inspector and Mr. Garfinkle was told to contact the Building Inspector for a permit.
2. Gerard Anderson applied to be on the Planning Board. There was a question on whether he is a Mason resident or not as his mail is going to a house he owns in Greenville. This will be verified with the Town Clerk.

May 28, 2013
Selectmen's Meeting/Approved Minutes

3. Eric Anderson, Deputy Building Inspector – met with the Board as requested to discuss his becoming the Building Inspector. He has worked with Mr. Wilson for nine years on an as needed basis. Mr. Anderson is interested in the position but is concerned for the time commitment. Since he has his own business, he would only be able to conduct the town business mornings and evenings. The Selectmen would encourage Mr. Anderson to seek out any municipal courses for the inspection and code enforcement work. They also advised him to contact the abutting towns and speak with their Building Inspectors for practical help and information. Selectman Moser stated that he would speak with Jim Schultz, New Ipswich to see if he would be interested in helping out. Mr. Anderson will also consult with former Building Inspector Wilson for information on procedures. A motion was made, seconded and voted in the affirmative to appoint Eric Anderson as Building Inspector and Deputy Health Officer for one year.
4. Mary McDonald, 9 Old Ashby Road, met concerning the requirement for a hearing before the Historic District Commission for her proposal for building a shed on her property. Selectman Moser explained that the hearing by HDC to approve the aesthetics in keeping with the historic district. Because of the proposed placement of the deck there is a variance setback issue. Selectman Moser explained the difference between the two hearings of the HDC and the B.O.A. Mrs. McDonald feels that a joint meeting could be done as there are not specific guidelines for the HDC. Selectman Moser objected to having a joint hearing as these are two different boards. This would raise a question on enforcements. It would be difficult for Selectmen to appeal the BOA decision and for the BOA to appeal the Selectmen's decision acting as the HDC. After more discussion, the Selectmen decided that was not in the town's best interest to have a combined HDC and BOA hearing on the McDonald's shed. The Board will however move toward either re-establishing the Historic District Commission or at the very least set minimum standards for the Historic Preservation District which can then be upheld.

Selectmen reviewed the following:
Old Business:

1. Re: Minutes – Selectmen Meeting minutes from May 14, 2013 were accepted as amended.
2. Re: 2013 Warrant for first billing: signed earlier by the Board, for \$1,960,194.
3. Re: 2012 EQ Ratio - 111.1%. revised, median ratio is 109.8%
4. Re: Trestle work at Jackson Road/Volunteer Waiver Form – re-done by Garth
5. Re: Malouf issue – Selectman Moser consulted with town counsel on this matter. A consent agreement between the property owner and the Selectmen to revert the property to residential without a Special Exception could be recorded as such as the registry. However it seems that there are two dwellings (the office and house) on the property that could prevent the property from being reverted to solely residential. Selectman Moser will do more research on this issue.
6. Re: Microtime update – will be working on A.A.'s assistant's computer offsite.

May 28, 2013
Selectmen's Meeting/Approved Minutes

7. Re: Health Insurance Study Committee: After reviewing all the applicants for the committee, the following will be appointed: Employees: Fred Greenwood and, Aaron Thompson; Residents: Mary Wolfe, Patricia Mellilo, Shawn Jodoin, Jeff Babel and Maria Eaton. Appointments will expire December 31, 2013.
8. Re: Committee for Highway/Garage/Office - notices will be posted to solicit more volunteer members.

New Business:

1. E9-1-1 changes: Fire Chief Baker will provide the necessary information for the letter for the change of dispatch centers for E9-1-1.
2. Complaint on activities at 651 Starch Mill Road – young couple fixing trailer, has a year lease, and a building permit. Police Department and Building Inspector also received these anonymous letters of complaint about this property. PD had not received any previous complaints about activities at this property. No action will be taken on this letter.
3. State Septic Approval: Lombardo, lot E-31
4. State driveway Permit: Robinson, lot K-3
5. Question on current use: Potential buyer of property in Mason had questions on fencing and livestock on current use land. On the surface of the question there is not a problem with fencing livestock on current use land. More detail would be needed on the type of fence to answer accurately.
6. Police logs
7. From NRPC: letter welcoming Commissioner McGinnity as the new Commissioner for Mason replacing Selectman Moser.
8. Other:
 - Foreclosure Notice: Schaefer, lot K-10-2 , 403 Jackson Road
 - Bankruptcy Notice: Joseph Iodice, Hurricane Hill Road
 - Request from Granite State Children's alliance for \$500 from town budget. This will be filed for 2014 budget requests.
 - A.A. Milkovits will be taking some vacation days in the following two days.
 - Citizen complaint – verbally to Selectman Moser. No action was taken as the resident did not file any complaint to the Board at a meeting.
 - Other correspondence – Attorney Drescher has addressed his issues with the easement, specifically the hold harmless section. The Forest Society will cause the town to enforce the hold/harmless. Selectmen need to discuss sharing costs for enforcement with the Conservation Commission. No final decisions were made on this issue.
 - Letter from Steven Dunn about the quarry. Mr. Dunn has done over 20 dives at the quarry and feels very confident about what is in the quarry. He mentioned one log that could be an issue. He is willing to cut the log and eliminate the problem. Selectman O'Grady will contact Mr. Dunn and have him take care of the log problem.

Selectmen signed the following:

- Yield warrant for \$296.51: Martin Ruggiero, lot J-11-1
- Intent to Cut: Gerald & Judith Anderson, lots K-25, L-53 & 1-54

May 28, 2013
Selectmen's Meeting/Approved Minutes

Meeting adjourned at 9:22 PM.
Respectfully submitted,
Barbara L. Milkovits
Administrative Assistant