

North Berwick Board of Selectmen Minutes October 18, 2016

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
OCTOBER 18, 2016**

Present: Chairman Galemmo, Selectman Cowan, Selectman Hall, Selectman Johnson, Sr., Selectman Johnson, Jr.

Also Present: Dwayne Morin, Qiana Qualls. William Houston, Sofie Larsen

Chairman Galemmo called the meeting to order at 6:30 pm.

1. Pledge of Allegiance

2. Public Hearing – General Election Referendum Questions – 6:35 pm – Postponed Until October 25 at 6:35 pm

Chairman Galemmo stated that they will postpone this Public Hearing until next Tuesday, October 25, 2016.

3. Review and Approve Minutes of October 4, 2016

Selectman Cowan motioned to approve the minutes of October 4, 2016 as written. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

4. Public Input

There was no public input at this time.

6. New Business:

A. Conservation Commission: Discussion with Commission on Projects

Dwayne Morin stated that the Board likes to meet with the different Committees to review the things that they are working on. They are meeting tonight with the Conservation and Agricultural Commission to review the information on the trails that the townspeople approved at the last Town Meeting. They are going to need to apply for the Project Canopy Grant to help with any costs for the new trails. Dwayne stated that the Commission has been meeting with the Great Works Regional Land Trust in an effort to create a trail system that will connect. Dwayne brought the picture of the map of the proposed trails up on the projector for everyone to see. He stated that the trail would go from their parking lot on Lebanon Road, through their site, through the Parker Conservation Easement site and then into the Town property. He showed them where they would have to build a couple of bridges to cross a small stream and across the Negutaquet River. Dwayne stated that regarding the Town parcel, the Conservation Commission and the Great Works Regional Land Trust Stewardship representative took a walk around it to figure out

where the best location for trails would be. Dwayne also pointed out on the map where there are already some trails constructed, where the easements are and where the potential trails would be. Selectman Cowan asked what the existing trails looked like and how wide they were. Dwayne stated they are just hiking trails that are about 10-12 feet wide. There is not gravel or anything on them. They are just natural trails.

Dwayne stated that on one part of the trail, there is a part of a road that was discontinued back in 1932. There is no public easement so we would need to gain permission from the property owners in order to utilize it. He also stated that we have opportunity for access off of Maple Street. Dwayne said that it is limited on there because it is only half of the road. We have 25 feet of access on Maple Street. He stated that they could talk to the property owner in that area as well about getting permission for additional access. If they could get permission for an additional 25 feet, that would be helpful. It would be nice to have a small parking lot in that area. Chairman Galemmo asked how big of a parking area they would need. Dwayne said that it would be similar to what they have up on Lebanon Road.

Chairman Galemmo asked about how long the trail would be. Dwayne stated that they hadn't really calculated it but the Great Works Land Trust representative thought it would be about 3 miles. Sofie Larsen stated that she thought it was closer to 4 or 5 miles. Selectman Cowan asked who would talk to the property owner, Mr. Fogg about the easement. Dwayne said he could contact him or he could have Dave Parker talk to him because he knows him pretty well.

Dwayne stated that he has talked with Project Canopy Coordinators and they have not released the grant yet. They are looking at releasing it sometime in November with the applications due in January. Dwayne stated that the Conservation Commission had stated that they would like to do something similar to what Old Orchard Beach did. They would do trail development, some planning of the property, and put out placards along the trail. Sofie said that they had walked the grounds and there are some areas that are rough or marshy. Their concerns were that when you get into swampy land in the summer, it will be very buggy and you are also affecting some habitats. We would also need more secure footings along these areas and this is more challenging to construct. She stated that they went a different route that passed by some pretty stone walls. This was a better route because it shows off some of the history and avoids the swampy land. You get a view of the swampy areas but you are not in the swampy area.

Selectman Johnson, Jr. asked if they were going to use any backhoes to construct the trails or will it all be done by hand. She believes that it will be mainly done by hand. Dwayne stated that it wouldn't be too bad because this land was originally harvested years ago because the owners were planning on building a subdivision. However, they never paid their taxes so the Town took it over.

Sofie stated that she spoke with Jan Santerre, who coordinates the Project Canopy Grant. She did state that the application that is online right now is the 2015 one. Jan did state that it hadn't changed too much for the 2016 application so we can browse through it to get an idea of what they are looking for. Ms. Santerre did tell Sofie that the application can be filled out online. She also stated that the purview of the Canopy Grant is educational so what they can help with is signs and kiosks. They will also cover consultations so we could bring a consultant out to help

us pick the best trail for the most diversity. We could also get an artist to design signs or maps for the trails. Dwayne stated that he would also like to apply for a Day Foundation Grant for trail construction, parking lot construction and bridges. Selectman Johnson, Jr. asked if Impact fees could be used for this as well. Dwayne stated that it could be but they would have to bring it before the town for a vote. Dwayne said that he would like to use as little of the Town's money as possible. He would like to try and get a \$25,000 grant to help pay for what cannot be done with volunteers. He stated that Great Works Land Trust has met with Civil Consultants to get a proposed design and estimate for the bridges that need to be constructed.

Selectman Johnson, Sr. asked if they were just walking trails or if they could be used for cross country skiing in the winter. Sofie Larsen stated that she feels that would be a great idea but she doesn't think that there should be motorized vehicles such as snowmobiles and four wheelers. She said that this is definitely something that needs to be addressed down the road. William Houston asked if bicycles would be allowed. Dwayne said that they could probably allow mountain bikes. Chairman Galemmo stated that he feels that they can tear up the ground pretty badly too and go pretty fast. It might not be a good idea especially with families walking the trails. Sofie Larsen said that she has hiked with her kids on Mount Agamenticus and they do allow bikes on certain parts of the trails. She stated that the bikers are generally respectful and she has never had any issues.

Chairman Galemmo stated that if they are going to do brochures, he would also like to see other areas of the town included, such as the Canoe Launch. He would like to see a town walking trail that would have historical signs along the walk.

Dwayne stated that he did speak to the Day Foundation about the project to see if there was some interest and he said that they were very excited about it. Selectman Cowan said that they could probably get high school students to help with the project and it could go towards their community service hours. William Houston stated that he has talked with a Boy Scout leader about it and they would be interested in helping out as well. Sofie said that she has connections with the Upward Bound program at the High School. These are at risk youths that do community service and a lot of learning through doing projects. She said that they have done some trail work with Great Works Land Trust in the past. Dwayne said that the more people and organizations that get involved the better the project will be. Selectman Cowan stated that they can also use some of these volunteers to maintain the trails after they are constructed.

Chairman Galemmo asked if the Commission had any other things that they were working on. Sofie said that they have heard from some townspeople that they would like to keep chickens on their property. The Commission has put something together that would allow residents to have domesticated chickens. Dwayne stated that they are already allowed in all of the zones except for one. Sofie stated that they were not able to tell for sure when they reviewed the Ordinance. Dwayne said that the only zone it wasn't allowed in was the Village Center which is the downtown area. Dwayne stated that if somebody wants chickens, they need to get a permit from the CEO. Sofie said that one of the issues that the residents have is that they have to get a permit. They would prefer to not have to do that. Dwayne said that the only reason that people need to get a permit is because of the rooster problem that they had in the past. He reviewed the Land Uses for Agriculture: Livestock issues in the Ordinance. They are as follows:

Village Center	NO
Village A,B	CEO
Resource Protection	CEO
Shoreland Lim Resource	CEO
Shoreland Stream	NO
Shoreland General	NO
Residence Districts	CEO
Farm/Forest	YES
Commercial District	CEO
Commercial II	CEO
Industrial Dist.	CEO

Dwayne said that the definition of Livestock in our Ordinance does include poultry.

William Houston stated that it is just more limiting for the residents to have to get a permit. He stated that the presentation that they put together is more of a guideline to encourage agriculture in our community. The guidelines allow 6 chickens for up to one acre so this would not affect run off. Selectman Cowan asked if there were any limits right now. Dwayne said that they have a limit for our Wellhead Protection District which states what the poultry limits are. The limits for this is 139 chickens per acre and he said we don't want that. Mr. Houston agreed and said that they made it 6 because they just want to promote personal use. Chairman Galemmo asked if there was a cost for the residents. Dwayne said there was none. The only reason that they required one is to ensure that somebody had looked at it. Chairman Galemmo asked if the CEO had the right to turn down a request. Dwayne said that he can but the applicant then has the option to go before the Planning Board and ZBA. Selectman Cowan asked Dwayne if applicants are asked if they will have roosters as well as chickens. Dwayne said that they are and it will state so on the permit.

Chairman Galemmo said that it would be possible to say that they can have 6 chickens in these zones but if you want more, you need to go to the CEO. Dwayne said that it would be possible. He stated that these guidelines are a good idea. Selectman Johnson, Sr. stated that they have quite a bit of restrictions listed including the housing for the chickens. Dwayne stated that if they are going to build any kind of structure, they will need to see the CEO for a permit.

Selectman Cowan stated that under the section (a) for odor and noise it states that substances should not be perceptible at the property boundaries. Under the (b) section, it states, "Perceptible noise from chickens shall not be a disturbance to abutters.". She stated that there is a difference between "shall not" and "should not". She thinks that the language should be more consistent. Dwayne stated that the attorney will not like the word "perceptible" either because people's perceptions can be very different. Chairman Galemmo suggested that the Board first decide on whether they agree with the concept to allow the 6 chickens in these zones without obtaining a permit. The rest of the details can be worked on after. Qiana asked if they should go through these guidelines or can we just change the land uses in each of the zones from CEO to YES. Chairman Galemmo stated that either way, it will need to be go before the Town because it will

be a zoning change. It also needs to be brought before the Planning Board to get their feedback on it.

Selectman Hall motioned that the Board of Selectmen are in support of the concept of allowing residents outside Farm and Forest to be able to have a small number of domesticated chickens without a CEO permit for the details to be worked out by the Planning Board and the Conservation Committee.

Sofie Larsen said that one of the other discussions that they had was that they were very specific in excluding other poultry. Some poultry like Guinea Fowl can be very loud and annoying. That is why they specified it as *Gallus domesticus*.

Selectman Johnson, Jr. seconded the vote. VOTE: 5-0

Sofie Larsen stated that another thing that the Committee has been talking about is that they do not have a good idea of who the people in town are that are actually farming. They are not just talking commercial farming but anybody that is producing an agricultural product of any sort. They don't have a list or registry but it would be good to have an idea of who they were so we could do something like Farm Tour days or make a better effort to listen to what their needs might be. They are trying to figure out how to address this. They have talked about maybe getting some signs that said "Food Friendly Yard". They are looking at what Durham, NH is doing. They have Food Friendly Yards that encourage native pollinators, have bees, work without yard pesticides or produce food. They have a little sign and you can scan the code on your I-phone and you can map out all of the food friendly areas in town. This may be a way for people to start thinking about farming in town. Selectman Hall asked Sofie if they had a budget to work with. They have a \$500 budget. Sofie said that maybe they could also be present at the Mill Field Festival. She stated that they have been thinking of doing composting in town. Dave Parker had told her that this was something that had been discussed previously. Dwayne said that they used to sell composts but it didn't really go over well. Selectman Cowan asked how long ago that had been and Dwayne said it was about 20 years ago. Selectman Cowan said that she feels there has been a resurgence and interest in composting. Sofie said that she was referring more to having a place where people could bring their compost. Dwayne said that this would be a lot more difficult. He said that he tried this in another town that he worked at and it didn't work out. A lot of people like to hide their trash. Selectman Cowan was wondering if, with possible improvements to equipment, they could look into it again. The Conservation Committee could possibly do it as a fundraiser and it would put the initiative out there. William Houston asked if the Transfer Station would be able to take compost material. Dwayne said that they wouldn't be allowed to do it there. They would have to find a separate site. Dwayne said that it would also mean hiring additional staff and possibly buying new equipment. Selectman Cowan said that she likes the idea of people being able to purchase the composting equipment and doing it on their own.

Selectman Hall suggested that they mail out a survey to find out who does farm in the community. They could also find out who would be interested in composting and if any of the people that farm would be interested in people dropping off their compost to them. We could then map out where all of the farms are. He knows quite a few people that would be interested in

taking some of this organic waste. He asked Dwayne how much a mailing like this would cost. Dwayne said that when he sends out the newsletter it costs about \$1,500.00 but that is about 16 pages. This could be just one page that they fold in half. It would state what information they are looking for and maybe have a tear off section for the person to send back. This could possibly decrease the cost to about \$700.00. Chairman Galemmo said that it may be a good idea to send something out with self-addressed envelopes to ensure that they get a maximum response. Dwayne said that doing the self-addressed is a little tougher. He said that they could probably set up a link on the website that would allow people to respond there. Dwayne said that doing the self-addressed envelopes would cost about \$5,000.00. Qiana Qualls asked if Dwayne could also put something in the newsletter that comes out before the Town Meeting and Dwayne said they could do that. Chairman Galemmo suggested that they try to obtain the information in different ways. They could probably do something like a survey monkey for people to participate in. The more ways that you get the information out there the more responses they might get back.

The Selectmen told the Commission that they are doing great work. Dwayne said that they are meeting with the Planning Board in December and they can discuss the chicken guidelines with them at that time.

5. Unfinished Business:

A. Public Works: Update on Projects

Dwayne stated that they are almost done with the graveling of Diamond Hill Road. They should be done by the end of this week or beginning of next week and be all set for the winter. Dwayne said that we are actually under budget because they didn't have to put as much crushed gravel down as they originally thought. It currently looks like we will be \$30,000 to \$35,000 under budget. This will just go towards next year's costs.

B. Budget FY18: Discussion on Budget for FY18

Dwayne said that he was still keeping this as an open agenda item.

Dwayne stated that they had their meeting for Communications yesterday and that part of the budget is not going up. They are staying flat at \$4,200.00.

Reminders: Next Board of Selectmen's Meeting – October 25, 2016 – Public Hearing for General Election Referendum Questions – 6:35 pm Municipal Building

Next Regular Selectmen's Meeting - Nov. 1, 2016 – 6:30 pm Municipal Building

6. New Business:

B. November Election: Sign Warrants

Dwayne said that they just needed to sign the Warrants for the liquor referendum.

C. Code Enforcement: Dangerous Building – 42 Nowell Street

Dwayne said that he is just providing the Selectmen with some information. This will be before the Board at the next meeting. He showed the Selectmen pictures of what the property looks like. The picture was taken in the spring and the mess is even worse now. He stated that they have received complaints from neighbors that they now have rats. It is a lot of trash outside the house. He stated that they have not been able to get inside the house but they were told that the inside of the house is just as bad and is totally uninhabitable. Every time the CEO goes over there, the owner always closes the door behind him and does not let him come in. We do not have the authority to go in without consent. When Roger went there about a month or so ago, it was because he received a complaint from a neighbor. The neighbor said that he woke up in the middle of the night to a rat in his house that came from that property. When Roger sent over, he said that he didn't see any rats when he was there but he did hear a lot of scurrying when he stepped on the stoop. The owner signed a paper stating that he would have it cleaned in a week. Roger actually gave him 2 weeks and when he went back it was worse than before. The owner told Roger to "Sue him". Dwayne said that they know that there is stuff in the garage as well but they have not been able to get into it. There is a lot of waste around the house. Because of the neighbor complaint and because of what he saw when he went back out to the property, Roger sent a certified letter out stating that he had 2 weeks to clean it up. The time is now up and nothing has changed.

Dwayne said that this now falls under the Dangerous Building. This allows the Board of Selectmen to hold a hearing. After the hearing, they would make a decision as to if it warrants that something needs to be done. The Code Enforcement Officer will be here to tell you what his findings are. We will also notify the home owner about the Hearing so they can be present to say what they may want to say. The Board will then make a decision and issue an Order. This Order would give the individual another set of time to clean it up. Failure to do so allows the Town to go onto the property, clean the property and whatever costs are associated with this, we would then assess a special assessment to the property to pay the town back. Selectman Hall asked if the owner was up to date on his taxes and Dwayne said that he was. Selectman Cowan asked if he lived there alone. Dwayne said that he did and also that he is very sick. Dwayne said that their main concern is the outside of the property because it is a health issue for other neighbors. Selectman Cowan asked what happens if he doesn't pay the fees assessed for the cleanup. Dwayne said that the town could take the property under the Tax Acquired Property Ordinance.

D. Public Works: Roofing of Salt/Sand Shed

Dwayne stated that they have been looking for people to work on the roof at the salt/sand shed. They only received one proposal from Hall Brothers for \$33,000.00.

Selectman Cowan motioned to approve the bid from Hall Brothers for the amount of \$33,000.00. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

7. Other Business – Executive Session – Poverty Abatement – Personnel

No other business at this time.

8. Review and Approve Warrants and Correspondence:

Warrant:	October 11, 2016	- \$ 25,261.32
Warrant:	October 18, 2016	- \$ 962,616.68

Selectman Hall motioned to approve the Warrant of October 11, 2016 for the amount of \$25,261.32 and the Warrant of October 18, 2016 for the amount of \$962,616.68. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

9. Adjournment:

Selectman Hall motioned to go into Executive Session at 8:05 pm, come out of Executive Session at 8:10 pm and adjourn the meeting at 8:10 pm. Selectman Johnson, Jr. seconded the motion. VOTE: 5-0

Respectively Submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Charles Galemmo

Selectman: Wendy Cowan

Selectman: Michael Johnson, Jr.

Selectman: Jonathan Hall

Selectman: Michael Johnson, Sr.