

**MINUTES**  
**BRISTOL BOARD OF SELECTMEN MEETING**  
**May 20, 2010**

**PRESENT:** Selectmen Jeff Shackett, Don Milbrand, Phil Dion, Joe Denning; Assessing Assistant Christina McClay

At 6:00 PM, in Chairman Alpers absence, Selectman Denning opened the meeting.

**Minutes**

Selectman Milbrand motioned to approve the May 13, 2010 minutes as presented, 2<sup>nd</sup> by Selectman Dion, and upon vote of all four members present, the motion was passed with an all in favor vote.

**Tax Deeding**

Town Clerk/Tax Collector Raymah Simpson explained that the tax deeding process was set to take place on May 17, 2010. Therefore, she presented a list of properties that were delinquent in taxes and scheduled for deeding. She recommended the properties that have had no response, or agreements in place be considered for deeding and explained that any property owner currently listed as in agreement would have the 2007 taxes paid in full with interest by December 31, 2010. Selectman Shackett advised the audience that the Town was not interested in taking property and would rather have taxpayers contact Raymah Simpson to work out an arrangement. Raymah further explained that she had prepared waivers for the Board of Selectmen to sign for any properties not deeded. Selectman Dion motioned to sign the prepared waivers, excluding six properties: (Map/Lot) 114-123, 203-179, 203-065, 211-022, 217-063, 214-048, which will be deeded by the Town Clerk/Tax Collector, 2<sup>nd</sup> by Selectman Denning and motion passed with an all in favor vote.

Selectmen Denning also updated the Board regarding the Board of Tax and Land Appeals (BTLA) case with Mr. Lemieux. He met with Mr. Lemieux regarding the Settlement Order and Mr. Lemieux has chosen to withdraw his appeal.

**Paving Update**

Highway Superintendent Mark Bucklin talked with one of the paving bids, GMI Asphalt. Mark stated that GMI was offering to lower the contract amount by \$1,000. He felt that they would do a good job and if the Board approved the contract that the Highway Department would not schedule anything until July or after to assist with the cash flow for the Town. Selectman Denning motioned to sign the contract with GMI, 2<sup>nd</sup> by Selectman Milbrand and motion passed with an all in favor vote.

Mark also discussed the Professional Services Agreement for the Transfer Station Improvements Preliminary Design with KV Partners. The agreement basically states what the Town has to do to verify space to relocate the Transfer Station, etc. Colin Brown has started a survey on the lot to locate the buildings and do topography of the area. This will be free of charge for the Town.

Selectman Shackett suggested that when Colin has completed the survey, the Town should send him a “thank you” for his services.

Selectman Denning motioned that the Board sign the Professional Services Agreement for the Transfer Station Improvements Preliminary Design with KV Partners and send a letter to Colin Brown upon completion of survey, thanking him for his service to the Town, 2<sup>nd</sup> by Selectman Dion and the motion passed with an all in favor vote.

### **Silver Shores Moorings Request**

The Silver Shores Cottages of Bristol Association, Inc. submitted a request for two additional moorings outside of the swim line at the Avery-Crouse Beach. Due to a transfer of staff, the Board was not given the application to review prior to the meeting and there was some confusion about the request for a public hearing, who asked for the hearing, who contacted the abutters, etc. Mr. Ray Nadeau spoke about his concern that the current mooring field is too spread out across the swim line and that it affects the enjoyment of the beach. He also feels that the Master Plan survey back in 1999 indicated that the protection of water, wetlands, etc., were a main point for residents and that this should be taken into consideration when the Board determines whether or not to grant this request.

At 7:00 PM, Sharon Lorah, President of the Silver Shores Cottages arrived. The public hearing notice issued by Silver Shores stated 6:00 PM, but Ms. Lorah had advised staff that she could not make it prior to this time. The Board went forward with Ms. Lorah’s presentation for the request for the additional moorings. Ms. Lorah explained that in the original agreement for Silver Shores moorings/dock with the Town was for eight (8) slips and four (4) moorings. Silver Shores started a dialogue with the State which gave them six (6) slips and then was further reduced to four (4) slips and six (6) moorings. Docks are not allowed to be longer than forty (40) feet and require three (3) feet of water for a boat to be placed. She stated that the State became involved with moving the original moorings out from in front of the Big Catch due to safety issues, thus spreading the moorings out along the swim line.

Selectmen Shackett expressed the concern of the Board with regards to adding any additional moorings out in the open space. Ms. Lorah explained that the moorings are required to have 50 feet of space between them and can be no further than 125 feet out into the water. This requirement doesn’t allow for any more moorings off to the side and the front proposed space is the only alternative. Selectman Shackett suggested that the Board and Silver Shores consider changing the shape of the current dock from an “F” shape to a “Double T”, moving the Town’s swim line by about 15 feet. Ms. Lorah indicated that Silver Shores previously requested this and the prior Board denied this request due to a large public outcry with regards to moving the swim line. Selectman Shackett felt that this suggestion was a compromise to what has been requested. After further discussion, Selectman Shackett requested that the Board review the information provided and the options available and continue this meeting to May 27, 2010.

### **Public Comments**

Andy O’Hara of Hemphill Road, Bristol, requested a moment to speak to the Board with regards to the boat dock now placed across from his property on West Shore Road at the Cummings Beach. He was very frustrated that his family has used this section of beach for approximately

thirty (30) years and that the Fire Department has recently constructed a dock for the fire boat. He inquired why the people across from the beach had not been contacted or notified that the dock was being placed there and why the Fire Department had chosen this spot. Fire Chief Yannuzzi clarified that the Fire Department viewed a list of Town owned property. The beach was a logical solution and each area of the beach was researched with a diver for the required depth of water. They applied for a permit in April 2010 and according to State requirements because the property was Town owned the only notification and required approval was to the Board of Selectmen.

Chief Yannuzzi assured Mr. O'Hara that the dock would be secured, appropriate signage installed and some type of gate or barring of entrance installed limiting access to the dock. He also stated that the boat would only be used for emergency responses. Selectman Dion stated he would go out to take a look at the dock and its location. Chief Yannuzzi further stated that the intent of the dock originally was to keep the boat out of the way, but if it becomes a safety issue/concern then they won't put it back there next year.

### **Zoning Board Request for Legal Representation**

The Zoning Board submitted a memo with regards to the request of the members to have legal representation at an upcoming Zoning Board Meeting. Selectman Denning stated that he didn't feel this was the way to go, but that the requesting Board was obviously nervous so this is a concern to him. Selectman Shackett felt that there are specific requirements for the petitioner to be able to justify the hardship in the rehearing and that the memo submitted by the Zoning Board makes the case seem "cut and dried". The legal budget is extremely low and the Town still has approximately 6 months left. The quote for just appearing at the meeting was \$480 and it is most likely that the fee for the legal will be close to \$1,000 by the time all is said and done.

Selectman Shackett suggests that going forward, regardless of the decision of the Board to allow representation, that each department/board have their own legal line to track the usage, etc.

After hearing all view points, the Board agreed to allow the Chairman of the Zoning Board and the Land Use Officer, Michelle Bonsteel to contact the attorney prior to the meeting, then listen to the case and not make a decision and then if needed to go back to the attorney for recommendation. Media Manager Ray Courchaine will tape the meeting and Assistant Christina McClay will get a copy of the DVD out to attorney within a day of the meeting. Selectmen Milbrand will talk to the Zoning Board and advise the process approved.

### **Selectmen's Items**

Selectman Dion discussed a request to place a "port-a-potty" on the Bike Path near the picnic area by the river. Christina McClay will price out the cost of an additional "potty".

Selectman Milbrand updated the Board on the Borough Road Bridge Project. He requested that Selectman Denning attend a meeting on Monday, in his absence. In addition, Selectman Denning will also get the Pemi-Pathway committee together for a meeting as the letter of intent has been signed and will be sent, and they feel that they need to keep the "ball rolling". Selectman Milbrand asked Shawn Sweeney for an update with regards to the Smith River Erosion Project. Mr. Sweeney is waiting on permission from the abutter in Hill across the way,

and the grant has been extended to next year as the majority of the project planning would need to be done during the dormant season. He also discussed a new downtown business that went before the Historic District Commission. There were questions about parking and the owners have been referred to contact the Police Department as there is an existing ordinance.

Selectman Denning updated Safe Routes to School (SRTS) for the Newfound Memorial Middle School (NMMS) project. The project has received the go ahead to hire engineer Colin Brown. Selectman Denning suggested that the Board go over the Street Lighting Project's plan and sit down with the Police Chief to review. The Public Hearing will be held on June 3, 2010 at 6:00 PM at the Town Offices. Assistant Christina McClay will get more updated information from Public Service of New Hampshire (PSNH) representative, Sue Blothemberg and bring that information back to the Board.

Selectman Shackett inquired on the Department of Transportation's (DOT) paving project. He wondered if the DOT asked for any assistance from the Police Department as he felt that the project had a huge impact on the community for the last three (3) days and police presence would have been beneficial. Selectman Shackett also would like the Board to follow up with the request from Hebron to be considered for contracting with Bristol to use the Transfer Station. Selectman Denning will contact and follow up with Hebron Town Officials.

**Other Items**

Chief Yannuzzi contacted the Alexandria Town Administrator, Christie Phelps, with regards to a request of the Alexandria Board of Selectmen to meet with the Bristol Board of Selectmen. Christie stated that per previous approval, the large rock at the Alexandria town line was moved approximately ten (10) feet leaving a bunch of stumps in the way. The Alexandria Board would like to keep the Bristol Board informed of the plan and process; therefore, they will be scheduled for May 27, 2010 at 6:00 PM.

At 8:20 PM, upon motion by Selectman Milbrand, 2<sup>nd</sup> by Selectman Denning, the Board voted to enter into a non-public session under RSA 91:A; Personnel, with an all in favor vote.

Respectfully submitted,

Christina McClay  
Assessing Assistant

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Rick Alpers, Chairman

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Jeff Shackett, Vice-Chairman

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Joe Denning, Selectman

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Don Milbrand, Selectman

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Phil Dion, Selectman