

AGENDA  
**Wolfeboro Board of Selectmen Meeting**  
**Wednesday, June 7, 2023, at 6:30 PM**

In-Person Session at the Great Hall 2nd Floor, 9 Union St. Wolfeboro

6:30 PM

**Chairman Brad Harriman calls meeting to order.**

**BoS members Present: Mr. Harriman, Linda Murray, Luke Freudenberg, Brian Deshaies; ABSENT – David Senecal**

**Staff: James. S. Pineo, Town Manager, Tavis Austin, Wolfeboro Planning and Development Director, Captain Mark Livie, Wolfeboro Police Department; Nate Nichols, WFD Deputy Chief; Christine Collins, Wolfeboro Parks and Recreation Director**

Mr. Harriman asks – need for Non-Public Session?

Mr. Pineo Yes, RSA 91-A:2b, hiring, c- reputation, e-legal.

**1. Consideration of Minutes**

i. May 17, 2023                      Regular Meeting

Mrs. Murray: Page 1, second line, “call meeting to order” – delete duplicate wording a few lines down.

Page 4- B. Deshaies (distinguish that it's Brodie Deshaies- top paragraph.

Page 6- 4<sup>th</sup> paragraph – “off-mike” comments – just delete.

**Mrs. Murray: Motion to accept May 17, 2023 minutes as amended. SECOND, Mr. Freudenberg;**

**APPROVED 4-0**

**2. Public Hearing(s)**

***USDA Grant public comment***

NOTICE OF PUBLIC INFORMATION MEETING TO BE HELD AT THE WOLFEBORO BOARD OF SELECTMEN MEETING at 6:30 PM, WEDNESDAY, June 7, 2023, AT THE Great Hall in the Wolfeboro Town Hall, 84 South Main St, Wolfeboro, NH 03894. A meeting will be held to acquaint the citizenry with a proposed photovoltaic solar array on the Wolfeboro Public Library. The goals of the meeting will be to present the plans on the solar array and a United States Department of Agriculture (USDA) grant, and to hear comments on such items as economic and environmental impacts, service area, alternatives to the project, or any other issue pertaining to the proposed project.

Joyce Davis representing Wolfeboro Public Library: update community and BoS on status of solar project and grant to help pay for the solar display and gather public comment. This is a requirement of the grant.

Background: library spends \$13,000-\$15,000 annually on electricity/heat. Plans in place for solar on roof to help relieve those costs. Feb. 13, 2023, library trustees authorized staff to move forward with solar project along with assistance of Wolfeboro Energy Committee and Municipal Electric Department to issue RFP for solar voltaic array for library roof and apply for grants to defray cost. RFP posted March 1, 2023 on town web site; ads in Union Leader and Granite state News. March 20, public opening of bids. Two proposals received. Team from Energy Committee, Barry Muccio, Municipal Electric, library trustee and Ms. Davis met twice; reviewed proposals, scored them and select awardee.

Committee selected Barrington Power as solar developer. Ted Van Sant believed to be available for technical questions; and Nancy Hirshberg (remotely) from energy committee can answer questions.

- Installation is a 76Kw solar array; generate an expected 82,000 kw of electricity in its first year; roughly 90% of building's current usage.
- 206, 370 watt panels and 3- 25 kw invertors; array will be black to match roof and mounted flush on southeast-facing side of roof – entrance side of building; opposite public safety building.
- Electrical conduit will run inside building and connect to the library electrical panel in basement.

- Lobby monitor will show in real time electricity being generated.
- Library looks forward to providing educational opportunity on the array.
- Panels -25 year warrantee; invertors expected to be replaced once over that 25 years/life of the system.
- Solar power generated expected to provide 90% of power needs; have the roof space to generate 100% of power needs but cannot do that since they are limited by MED net metering policy. Hope in future can install remaining solar capacity needed to cover 100% of power needs.
- System cost: \$170,745 plus 10% contingency planned = \$187,820 total cost. Plan for costs covered by grants and donations with 0-dollars from Wolfeboro taxpayers. Funds may include:
  - 30% by DirectPay – part of the inflation reduction act.
  - Applied for \$10,000 rebate from state of NH
  - Applied for United States Department of Agriculture (USDA) grant – community facility program– 55% of cost
  - Applied for library solar project grant from private corporation, EPSCO, that the library buys databases and magazines from.
  - Wolfeboro Library Foundation has committed funds to the solar project
- Fundraising/grant success will determine if/when project can move forward. If project successful, would reduce Wolfeboro taxpayers' burden and save town roughly \$250,000-\$375,000 over next 25 years.
- Thanks MED, energy committee, Nancy Hirshberg

Mr. Harriman opens public hearing: none. Mr. Harriman asks board members for comments/questions-

Mrs. Murray thanks library trustees, energy committee for project advancement. Solar project helped sell the public on the library project overall; glad it's going forward.

Mr. Harriman: concurs; goal was zero net on library net; close to achieving that.

Public comment:

Doug Smith, chair library board of trustees; Speaks to lack of a library director for many months; found the right person: Allison Rutley from Boston; long career with libraries down there; begins June 19, 2023.

Was a long process to hire her; public reception being planned to introduce her; thanks Linda Murray, liaison with BoS – for advice and guidance; John Sandeen, president library foundation, co-chair of search committee -for organization/updates during process. Judy Crossley, President Friends of Library- insights during the process. Joyce Davis, Jeannie Snowden, Laurie Pankowski for time during this process; staff stepped up to support the process.

Mr. Harriman thanks everyone and looks forward to project coming to fruition. Public hearing closed.

### ***Class VI Building Permit***

The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, June 7, 2023 at approximately 6:30 PM in the Wolfeboro Town Hall Great Hall, 84 South Main Street, Wolfeboro, NH to consider the application received from Jason & Renee Walsh for a building permit on the Class VI portion of New Garden Road, specifically Tax Map 255, Lot 3.

Jason & Renee Walsh: Mr. Walsh wants to apply for building permit along a Class VI road. State Supreme Court says purpose of 6741 is to prevent scattered and premature growth. Mr. Walsh says that is not the case here. There has been house on property since 1950s. Was approved by planning board; and believes all criteria A-G is met for Class VI road approval.

- 5 houses on the road; three before his property; two after his house.
- 1 permanent, year-round home got approval to build on Class VI road August 2016, Zach Pryor.
- Property on Mr. Walsh's property now should be grandfathered in
- An approved building permit would not result in an occasion to layout the road to a Class V road -which was a concern for many.
- The one PB member who voted no last month was worried about other permits being granted after us on a Class VI road; the member referenced future land use recommendation of open land space protection #4.

- There's a structure already on the property; it's not open land space. My approval should not grant access to other building permits on open space land.
- Not a case where clear cut is needed; or electricity brought in; cleared many years ago. Not asking for electricity – which does pass his property a half mile to a year-round home.
- Not asking for town water/sewer/ not adding driveway or changing water drainage or runoff. There are two driveways on property. Also old foundation and cabin highlighted on tax map.
- Unmaintained road is less than ¼ mile to Walsh driveway. PB member suggested the ¼ unmaintained town roadway is extension of driveway.
- Another PB member stated housing shortage in Wolfeboro; agrees. Walsh has lived here 35 years; teaches and coaches at Kingswood. Family here.
- Wants to building house in the woods with family. Hike, bike, enjoy nature. Will cost zero for town.
- Thanks town.

Mr. Harriman opens public hearing.

Suzanne Ryan: lives at end of Class VI road. Wants to protect scattered and premature growth.

Questions/coments for BoS-

How many Class VI roads in Wolfeboro?

Length of New Garden Road and how far in it will be?

16 Class VI roads in Wolfeboro; 45,153 feet of Class VI roads; 9-miles of Class VI roads. If every house needed 150-feet frontage on 9-miles of road and keep giving our building permits, we'll be looking at reclassifying these roads into Class V. That will be end of a remote area. Class VI roads have been part of legislative debate. They were originally just trails and paths; people built cabins; used for forestry; meant to be rural; not to be converted into year-round homes.

Refers to general court, August 9,1999 law- all Class VI highways are subject to gates and bars. May not be signs on some Class VI roads to caution public.

Has letter from town attorney, 2008, even if waivers are given and signed; you cannot waive third part liability on the town. (emergency services, school buses, etc.); REFERS to letter in the BoS file. (Mrs. Murray says she has the letter in her file.)

BoS in charge of work that's done on roads; have purview under RSA 236:9; unlawful for anyone to disturb any highway without written permission by the town or highway agent. Elephant in room- the bridge- what written authority is the board prepared to give to release liability for that bridge. (New Garden Road.)

Refers to case law- Shawn vs. Town of New Durham (town attorney also referred to that in letter on Class VI road)

Environmental sensitivity on Class VI roads- dirt roads. Lot owners keep up road; have they applied for maintenance on it. Grading, ditching; keep dust down. Reason that dirt roads are less traveled. Can have negative ecological effect on surrounding environment – erosion; sediment to streams, meadows and riparian areas (wetlands).

Planning Board reviewed application two weeks ago; reads criteria from notes BoS has from planning board. Says PB did NOT go through this.

People on Class VI road can go to town meeting and ask for Class V road which town would have to fund. Cannot afford more Class V roads; can barely afford the ones we've got.

Suggests board should review all the criteria and speaks AGAINST granting the conversion of the cottage to a year-round home.

Mr. Harriman asks for BoS comments/questions:

Mrs. Murray: one thing hard about this is all we got was the waiver. We got none of background information; class V road down to Walsh building. Went out there and drove; there is a sign that it's a Class VI road-not maintained; over 3000 feet. Sent a letter to try to find out; heard from Planning Board that you said the town plowed down just about to the property. Got no response on exactly where the town turned around.

Asked for a memo from the MED about taking an electric truck over the bridge because I'm assuming you're going to want electricity for the new house. Have no description of the new house; how many bedrooms/baths. Have a picture of the old cabin.

Went to our policy –

1. Condition of road- on the waiver #3- will be responsible for maintaining access to real property at a minimum width of 12 feet with two four-foot shoulders. That is NOT the width of the road there. Assuming you'll have to do a lot of work on this road.

2. Construction standards: cutting and clearing – I have no idea what you're going to cut and clear.
3. I also asked for width of the town's right-of-way; I do not have that. No way of telling where this will fit.
4. Definition Class VI road is an unmaintained town road. Town cannot do any work on it.
5. Condition of connecting Class V section of road; Pleasant Valley Road/New Garden Road can handle your house- no trouble with that.
6. Effect on municipal service: My big problem is a town vehicle going over that bridge. We have no information on the bridge; no idea on weight capacity; last time inspected; could not get anything from electric department taking a MED vehicle over bridge. That leads me to vote no on allowing this to happen. Waiver you signed is for you; and you take a cement truck or truck filled with building material and bridge falls in, town would be liable for that. I cannot answer questions about grading or drainage; width of right-of way getting the road to 20-feet – no information from you on how you'd do that and what your costs might be.

Summarizes that the main thing is effect on municipal services and getting an understanding of what you're doing about width of road and how that will change that area.

Other houses down there – furthest house other side of Kathleen Rankin – these are hunting cabins. Ms. Rankin got her house in there; no record she signed any waiver; that she went through this Class VI policy. I've been on the board 18 years; After I got on the board we did set a policy for when the town would put electricity on a Class VI road. Electric department has to come to us. Yours is an old hunting cabin and so was the Pryor's. We're really changing the use of those buildings from hunting cabins to year round houses; demand on the bridge concerns me. I will not support this with all the unanswered questions.

Mr. Walsh: Believes they meet the criteria A-E – A condition of road; B- connecting road; We're looking at solar power; There is electricity that runs all the way down; I believe that's a non-issue. D- issue of permit- Believe since we have a structure on property so no new property would be built on open land spaces. E- We drive there all the time. We have our own address; won't affect master plan. States he hoped Mrs. Murray would abstain saying she owns property on New Garden Road.

Mrs. Murray: I do not own frontage on New Garden Road. My husband gave that land to the NH Forest Society.

Mr. Walsh: as to the bridge – there are logging trucks that go over the bridge all winter long. Bridge structure is sound to my knowledge.

Mrs. Murray: has no knowledge of the condition of bridge whether it's an electric truck your cement truck – whatever is used to build the house. We do not know about construction of a 20-foot (wide) road down there which is what you've signed off on this waiver that you're going to maintain. I don't see it there; don't understand how it can go on the right-of-way.

Mr. Deshaies asks Mr. Pineo: any way highway department can look at the bridge to determine strength, age, etc.? Also wants to see (attorney) Mark Puffer's document about Class VI roads before we go forward. Not against a permit; just need more information.

Mr. Pineo: Two Class VI bridges were just evaluated. Document received a week ago. DPW director reviewing it. Cannot speak now to its technical aspects. As to attorney Puffer, will do some research on that unless Linda Murray has it in her file.

Mr. Deshaies: can we have Steve Randall, DPW look at the road; check widths, town right-of-way; proper drainage; environmental issues?

Mr. Pineo: Not incumbent upon public works to perform that work. Had bridges evaluated for emergency access. Two years ago had incident with fire apparatus did go across a bridge, leading to this study conducted. Cannot do any more than that regarding road condition and what it would take to lead to a standard.

Mr. Harriman: Would require residents down there to hire an engineering firm to determine rating on a bridge; load limit, etc. Could be a few thousand dollars.

Mr. Deshaies: Should they have an environmental engineer look at drainage and other issues.

Mr. Harriman: my opinion is that's going beyond our responsibilities. We're looking at the safety aspects; MED maintaining power lines; fire rescue.

Mr. Freudenberg: Did the planning board get something different than this?

Mrs. Murray: PB got waiver only.

Mr. Freudenberg: That's how they made decision?

Mrs. My understanding- they knew we had the policy; emailed policy to BoS; we should have had that; have problem with waiver; way bigger than the road that's there and why would you sign it; wouldn't keep a road like that.

Nate Nichols, Wolfeboro Fire Department, deputy chief: We have a policy – no fire apparatus will be taken over that bridge (New Garden) currently – until we know what the rating is. We'll try to mitigate any incident we can with a pickup truck and chief's car. That's the answer.

Mr. Harriman: different opinion/approach- Road now as Class VI; power going down beyond Walsh's place. Barry Muccio/MED has accessed that and in the future. Existing cabin there now. Reality, family could move in and establish fulltime residency without coming to us. They are looking to upgrade. Not adding new dwelling- upgrading one. My opinion, people have properties like this all through town. They should have right to build and make improvements upon property. They should get together with neighbors and have some work done for their own peace of mind to make sure bridge is safe and adequate for emergency vehicles, etc. Back to PB meeting a couple weeks ago, I abstained [from vote] since I knew we'd would be considering that here. Questions came up; vote 4-1; two abstentions; PB sent along some concerns/suggestions. Even with master plan guidance on Class VI roads, majority PB did favor the project. You have to look at each project individually; should not open up the floodgates for all of them. Evaluate individually. I am in favor of this one here for reasons I've stated.

Mr. Freudenberg: agrees with Mr. Harriman. Would help everyone, some simple things pertaining to this project: dimensions of cabin; pictures of cabin; revisit the road width as Mrs. Murray brought up; how the road will play into the project – make sure that what you wrote is feasible. Once again, trying to work with neighbors to help get an engineer about assessing bridge/lifespan/weight capacity of bridge, etc. Would be helpful to BoS with more information – and then come back to BoS. You may have a time frame in mind. But these things take time. Class VI road-unusual situation. Have to look at projects individually. Wolfeboro does have a lot of people coming; town expanding and growing. Need to be sure it's growing in the right way. Look at plans individually. Since there's a cabin there already, I'd support this plan.

Mr. Deshaies: My experience, took three years to build my house; various special use permits and long series to get it done. I'm in a neighborhood near downtown. I would be happy if we knew what the bridge was for in case they have to run power lines/need truck or firetruck. Bridge could fail at any time with logging trucks, etc. Would want to make sure bridge is safe.

Mr. Harriman- public hearing still open; more comments/questions?

Suzanne Ryan: who built the bridge?

Mrs. Murray: Town did not build it; assuming somebody Kathy Rankin hired. She's the one person who's on the other side.

Mrs. Ryan: no town record or permission?

Mrs. Murray: Ms. Rankin came to town once asking that town repair bridge; town said no.

Mrs. Ryan: Don't forget third party liability letter.

Mrs. Murray: I have it in my file.

Mr. Harriman- public hearing still open; closes public hearing. Board – what would we like to do? I would not be opposed if it were contingent upon getting some additional information about the bridge, or something we talked about.

**Mrs. Murray: Or continue this to the next BoS meeting; public hearing is still open and it gives them [Walsh] an opportunity to bring in what they want for the property.**

**MOTION; Mr. Deshaies So moved; that's a SECOND Mr. Freudenberg.**

**Mr. Harriman; motion by Mrs. Murray; second by Mr. Freudenberg to continue this to our next meeting.**

**Mrs. Murray: And see if we can get some of the information that people would like to have to make a decision.**

**Mr. Harriman: That would be JUNE 21; two weeks from tonight. More discussion? APPROVE 4-0.**

This issue continued to the next meeting [Mr./Mrs. Walsh] come up with some of the answers to questions you heard tonight. If you need more time, we can address it that night.

Mr. Deshaies: we'll have more information from Mr. Pineo about the survey done on that bridge.

Mr. Pineo: correct.

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Mr. Deshaies asks about MMRG permit applications.

Mr. Harriman: Apologies; should have announced beginning of meeting; neither one will be heard tonight.

Mr. Pineo: applications withdrawn.

*[Mr. Harriman: other issues/permits also withdrawn- noted in minutes below]*

#### ***WITHDRAWN Alcohol Permit -***

*The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, June 7, 2023 on or about 6:30 PM at the Wolfeboro Town Hall Great Room, 84 South Main Street, Wolfeboro, New Hampshire to consider the application for an issuance of an Alcoholic Beverages Permit to Moose Mountain Regional Greenways to host a fundraiser at the Abenaki Lodge.*

#### ***Unanticipated Funds -Grant Funding***

The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, June 7, 2023 at approximately 6:30 PM in the Great Hall of the Wolfeboro Town Hall for the acceptance of unanticipated funds for an amount awarded that is greater than \$10,000 in accordance with RSA 31:95-b, relative to a grant from NH DOJ in the amount of \$34,608.63 for COVID-19 AAPRA funds for the purchase of a drone, overtime, and protective gloves.

Capt. Mark Livie, WPD: acceptances of the \$36,000; \$15,000 for overtime; plus about \$15,000 drone purchase to help PD/FD operations and training for drone; protective gear.

Mr. Harriman: opens public hearing; closed. Board members questions/comments.

Mr. Freudenberg: Do you capture the drone in your hand, like a bird? Is that what's gloves are for?

[laughter]

**MOTION Mrs. Murray: to accept a grant from NH DOJ in the amount of \$34,608.63 for COVID-19 AAPRA funds for the purchase of a drone, overtime, and protective gloves. SECOND Mr. Deshaies. APPROVE-4-0**

The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, June 7, 2023 at approximately 6:30 PM in the Great Hall of the Wolfeboro Town Hall for the acceptance of unanticipated funds for an amount awarded that is greater than \$10,000 in accordance with RSA 31:95-b, relative to a grant from NH DOJ in the amount of \$65,000 for expenses provided by the Wolfeboro Police Department to assist in the NH DOJ Drug Task force project.

Captain Livie: have been getting this for several years; grant funding from DOJ.

Mr. Harriman: opens public hearing; closes hearing; Board questions/comments?

**MOTION Mr. Deshaies to accept a grant from NH DOJ in the amount of \$65,000 for expenses provided by the Wolfeboro Police Department to assist in the NH DOJ Drug Task force project. SECOND Mr. Freudenberg. APPROVE 4-0.**

The Wolfeboro Board of Selectmen will hold a Public Hearing on Wednesday, June 7, 2023, at approximately 6:30 PM in the Great Hall for the acceptance of unanticipated funds for an amount awarded that is less than \$5,000 in accordance with RSA 31:95-b, relative to grant monies not to exceed \$3,127 to the Town of Wolfeboro to be used for the Lakes Region Household Hazardous Product Facility hazardous waste collection contractor.

Sarah Silk: Site Coordinator Lakes Region Household Hazardous Product Facility since 1990; Many years of DES grants; last grant for July 2021-June 2022, \$2600. Currently in fiscal year 22-23 now. This grant July 2023-June 2024, \$3127- based on population of 12,310 – combined population of all member communities household hazardous – includes Alton/Wolfeboro. We get \$.25.4 (cents) for each of population. Not much – it helps. Busy days.

- 2020-21- open during COVID
- Alton-195 households; 20 Wolfeboro; 401
- 123 nonmembers came = 719 households: no grant assistance from those from away.
- 2021 Alton- 184 people; Wolfeboro 424 households; 125 non-members = 733. A lot of cleanouts during those two years. Events with Lakes Region Planning commission; some towns did not participate – increased people coming to our facility.
- 2022- Alton 179. Wolfeboro 428; 79 nonmembers.

Come for authorization – and **specific MOTION the state of NH would like:**

***BoS to authorize James Pineo, Town Manager to enter into contracts or agreements on behalf of Wolfeboro with the state of New Hampshire and any of its agencies or departments and further authorized to execute any documents which may in his or her judgement be desirable and necessary to affect the purpose of this vote.***

Mr. Harriman opens public hearing. Closes hearing.

**Mrs. Murray makes MOTION (just read)- BoS to authorize James Pineo, Town Manager to enter into contracts or agreements on behalf of Wolfeboro with the state of New Hampshire and any of its agencies or departments and further authorized to execute any documents which may in his or her judgement be desirable and necessary to affect the purpose of this vote. SECOND Mr. Deshaies.**

Mr. Harriman: discussion?

Mrs. Murray thanks Sarah Silk for works she's done on hazardous waste. How many years?

Mrs. Silk: 1990-2023. 34<sup>th</sup> year; great support from Alton/Wolfeboro Solid Waste facilities and joint boards Alton/Wolfeboro.

**APPROVE: 4-0**

***Temporary Event Permit applications***

Mr. Harriman- item **removed from agenda.**

i. *The Wolfeboro Board of Selectmen to consider a temporary event permit for Moose Mountain Regional Greenways to host a Mountain Bike Fest at 390 Pine Hill Road (Abenaki) on September 23, 2023, from 7:00 AM to 4:00 PM.*

ii. The Wolfeboro Board of Selectmen to consider a temporary event permit for NH TBF Elite Series to host a bass fishing tournament on July 12, 2023, at 6:00 AM in the area of 21 Railroad Ave (Back Bay dock area). Permit #2023-53.

Mr. Harriman: no one here to present this; new event.

Mrs. Murray: assuming we let them know they needed to come to BoS meeting. Will be 15 boats.

Mr. Harriman: bass fishing tournament running out of Back Bay.

Mr. Deshaies concerned about 6 a.m. with 15 cars pulling 15 boats other people showing up. Be sure trailers stowed to not block parking area.

Mr. Harriman: close to the Glendon Street parking lot to park trailers.

Mr. Deshaies: by July 11, that Glendon Street lot, there are trailers left there. That area is usually full. They might have to take them down to Filterbed Road. Hopefully they know where that is so there's no issue in the parking lot.

Mrs. Murray: Mr. Pineo – are we using Filterbed Road or Pop Whalen prior to construction?

Mr. Pineo: Island residents back at Pop Whalen.

Mrs. Murray: Perhaps give them a map with trailer parking space locations?

Mr. Deshaies: that's fine.

Mr. Harriman: states under 4-f list of potential damages reviewed by applicant, public works director, parks and recreation director in advance of submittal. No damage expected.

Mr. Pineo: also received authorization from NJ Fish and Game.

Mr. Harriman: OK with this with contingency that we provide them information/map for parking/additional parking down there.

**MOTION Mrs. Murray Move to issue temporary event permit for NH TBF Elite Series to host a bass fishing tournament on July 12, 2023, at 6:00 AM in the area of 21 Railroad Ave (Back Bay dock area). Permit #2023-53. Town will provide a map and directions on how to go to Pop Whalen to park boat trailers. SECOND Mr. Deshaies. APPROVE 4-0.**

### 3. Bulk Vote

A. Weekly Manifests

i. May 19, 2023 \$ 545,787.85

ii. May 26, 2023 \$ 91,343.17

iii. June 2, 2023 \$ 2,297,357.53 (includes school payment)

B. Current Use Applications/ Updates

i. Stoneham Rd

Tax Map 89-1 cu 12 & A-10

ii. 231 Pork Hill Rd

Tax Map 8-1, 8-1-3, 8-1-4

iii. 75 Pork Hill Rd

Tax Map 6-1

C. Property Tax Refund/Abatements

i. 15 River Street

Tax Map 204-87 \$1,410.43

ii. Camp Bernadette

Tax Map 220-19 \$ 1,086

D. Intent to Cuts/Warrants

i. 693 Gov. Wentworth Hwy

Tax Map 182-10, 11 196-6, 197-4 \$1,206.30

ii. 765 Browns Ridge Rd

Tax Map 63-12

iii. North Wakefield Rd

Tax Map 91-1,2,3, & 4

E. Exemptions/Credits



## F. Raffle Permits

i. Mr. Harriman remove/WTHDRAW - Moose Mountain Regional Greenways MOTION to remove from consideration. Mrs. Murray. SECOND Mr. Freudenberg. APPROVE 4-0.

## ii. Great Waters Music Festival

MOTION -balance of the BULK VOTE A-F Mr. Deshaies. SECOND Mr. Freudenberg. APPROVE 4-0

## 4. Board/Committee Appointments:

N/A

## 5. New Business

**A. Approval: Execution of Loan Agreement and Certificate of Vote for bond**

Kathleen Carpentier, Finance Director, Wolfeboro: asking for vote and execution of loan agreement/certification of vote; loan agreement \$8 million; 20-year repayment to fund approximately half of public safety building renovation and expansion; and fund sewer expansion project for Forest and Varney Roads. Both projects approved in March vote.

Loan agreement includes maximum interest cost rate – 4.25%; first payment 2024.

BoS vote needed to authorize issuer to enter into the loan agreement with and to sell its bond to the bond bank. Certificate includes proposed resolutions – ***reading into record which procedurally needs to happen:***

Be resolved and under pursuance to the Municipal Finance act chapter 33 and NHRSA as amended, the NH Municipal Bond Bank Law chapter 35:A, NHRSA as amended in other laws, in addition thereto, and to votes of the issuer duly adopted on March 14, 2023.

Under Articles 11 and 13 of the warrant for such annual meeting of the issuer, there be and hereby is authorized the issuance of \$8 million bond of the issuer. The bond which is being issued to the issuer to finance structural replacement expansion and renovations and equipment replacement to the public safety building, \$7 million. And two, engineering and install and sewer extension on Forest Road in the area of Carry Beach and Varney Road in the area of Friend Street, \$1 million.

The bond shall be dated as of its date of issuance shall be in such numbers and denominations as the purchaser shall request. Shall mature in accordance with the schedule set forth in exhibit A, to a certain loan agreement, herein described as the loan agreement. Shall bear a net interest cost rate as defined by the loan agreement of 4 ¼% per annum or such lesser amount as may be determined by the majority of the board. The bond shall be substantially in the form set forth in exhibit B to the loan agreement and otherwise shall be issued in such manner and form as the signatories shall approve their execution thereof.

Resolve that the bond shall be sold to the Bond Bank at the par value thereof, plus any applicable premium. Resolve that in order to evidence the sale of the bond, the treasurer of issuer and a member of the board are authorized and directed to execute, attest and deliver in the name and on behalf of the issuer, a loan agreement in substantially the form submitted to this meeting which is hereby approved with such changes therein not inconsistent with this vote and approved by the officers executing the same on behalf of the issuer. The approval of such changes by said officers shall be conclusively evidenced by the execution of the loan agreement by such officers.

Resolved that all things heretofore done in all action heretofore taken by the issuer, and its officers and agents in its authorization of the project to be financed by the bond are hereby ratified, approved and confirmed.

Resolved that the clerk and the signers of the bond are such hereby authorized to take any and all action necessary and convenient to carry out the provisions of this vote including delivering the bond against payment thereof.

Resolve that the useful life of the projects being financed are in excess of 20-years.

If the board is so willing, board can make a motion to authorize the issuer to enter into a loan agreement with it and sell its bond to the Bond Bank. The Wolfeboro Board of Selectmen also adopts attached resolutions related to this bond as read at the meeting on June 7, 2023, and authorizes the chair to sign the loan agreement for \$8 million.

**MOTION Mrs. Murray-so moved; SECOND Mr. Deshaies. APPROVE 4-0**

**B. Approval: Commercial Vessel Landing Permit- Dive Winnepesaukee Mail Boat**

Sandy McKenzie, operating the U.S. Mail Boat 57 years. Partnership with Dive Winnepesaukee, which owns the board; Mr. McKenzie leases it to reliver mail to islands on lake.

Mr. Harriman-questions from board? Entertain MOTION?

**MOTION Mrs. Murray move to grant a Commercial Vessel Landing Permit to Dive Winnepesaukee Mail Boat; and we have the insurance policy. SECOND Mr. Freudenberg. APPROVE 4-0**

**C. Commercial Vessel Landing Permit-Ambrose Marine Construction barge;**

Mr. Harriman: no one here from that company. Straightforward.

Mrs. Murray – nice they're coming in and paying fees.

Mr. Harriman: yes; fee paid; certificate of insurance. Motion?

**MOTION Mrs. Murray- to grant a Commercial Vessel Landing Permit to Ambrose Marine Construction barge. SECOND Mr. Freudenberg. APPROVE 4-0**

**D. Mr. Harriman - Commercial Vessel Landing Permit- The Dive**

Betsy Sullivan, one owner of The Dive; 6<sup>th</sup> season; wants to do public cruises out of Wolfeboro.

Mr. Harriman: First time coming into Wolfeboro Town Docks?

Ms. Sullivan: no. We have come into the Dive shop dock once for a wedding. We always do our cruises through Wolfeboro. Nice place for us to come.

Mr. Harriman: Do you have a schedule?

Ms. Sullivan: have an idea; want to see what other boats' schedules were before anything specific set.

Mr. Harriman: OK

Mr. Freudenberg: We have M/S Mt. Washington in and out; that schedule easy to determine.

Winnepesaukee Belle sold to CruiseNH (Mt. Washington) a nighttime cruise Thursdays/Fridays + weddings/events. Would this be nighttime or afternoon.

Ms. Sullivan- yes. We do have private event in Wolfeboro Friday during day – not to docks. Unknown what's in future. People contacting us for cruises; access by land for non-boaters.

Mr. Deshaies: Another options- Wolfeboro Corinthian Yacht Club. Approach their membership/commodore. They have a long gas dock; closed after 5 p.m. or 6 p.m. You could work an arrangement with them. How high is boat off water? Concerned how people get on and off at the Mount dock.

Ms. Sullivan: we're very buoyant. We have a gangway. Have pulled into many public docks the last five years with no problem. Safe; depends on water level; drops during year. Never have had issues loading/unloading.

Mrs. Murray: Has picture. Has concerns. Where would you put gangplank?

Ms. Sullivan: It's on the bow. You're looking at port side.

Mrs. Murray: You'd come in head-on?

Ms. Sullivan: Yes; don't touch dock; we have spuds; we're a barge.

Mrs. Murray: At commercial dock, you'll be across Smith River?

Ms. Sullivan: yes.

Mrs. Murray: And block Smith River while you load?

Ms. Sullivan: yes. Captain apologizes- could not be here for this because of an accident. He worked for marine patrol many years; been on the lake for years; can dock anywhere; he's former Coast Guard.

Mrs. Murray: has concerns; maybe have them come in a try to dock and see how it works. Luke [Mr. Freudenberg] you know the dock better than anybody.

Mr. Freudenberg: Captain Jamie? Length is 70-feet; I don't think they'll completely block the river. Not opposed to have them come in and give it a try.

Mrs. Murray: Would like to make sure before we grant permit – that you can come in and get a gangplank and doesn't block up Smith River. You come in, load and go.

Ms. Sullivan we do not tie up anywhere.

Mrs. Murray: We would not OK your sign tonight; will check; we have not gotten all the signs since we've done the Town Docks. We may have to do that. But it says here "public cruises." You'll come in on a schedule for public cruises like the Mount?

Ms. Sullivan: yes, ticketed events.

Mrs. Murray: so you'd come in at 5 p.m. to pick up people in Wolfeboro – for example.

Ms. Sullivan: Don't have a schedule; thinking more 7 p.m.

Mrs. Murray: People can get on the boat; buy a ticket.

Ms. Sullivan : or buy a ticket ahead of time.

Mr. Freudenberg: Winnepesaukee Belle used to do a Thirsty Thursday cruise. I think they're just trying to fill a void when the Belle left.

Mr. Deshaies: Asks that patrons of Dive for any daytime cruises to park at Glendon Street back lot.

Ms. Sullivan: Cruises could be 2 ½ to 3 hours. Sure think [on parking at Glendon lot]

Mrs. Murray: You're going to cruise on the lake; you won't anchor in Wolfeboro Bay.

Ms. Sullivan: no.

Mrs. Murray: Just want everyone to know this. As long as you get to the dock safely – that's only concern.

Mr. Pineo: Width of The Dive?

Ms. Sullivan: 20-feet.

Mr. Harriman: says understanding length/width and commercial dock, The Dive wouldn't be blocking Smith River; plenty of room to get out from Back Bay.

Mrs. Murray: Thinking of Smith River Race with canoes and kayaks and M/S Mount Washington there; we're screening and yelling for everyone to move over. That's why we might want to take a look at the space.

Mr. Deshaies: Does gangplank have to be ADA compliant?

Mrs. Murray: It's not our boat.

Mr. Deshaies: It's our [town] dock.

Mrs. Murray: don't know regulations. It seems like it's their vessel – they would be required.

Mr. Pineo: [shows Google Earth image on projector/screen] punched in 70'x20' square to give you an idea of what that might look like at Town Dock/commercial dock based on their information.

Mr. Freudenberg: That's the angle they'd have to come in; keeps them pretty far out.

Mr. Deshaies: looks OK; as long as your ramp works. How high is the front of the barge out of the water?

Ms. Sullivan: two feet.

Mr. Freudenberg: High changes depending on the height of the lake. Now it's probably 7 ½ ' down to the water. I've seen how their apparatus operates. They don't touch the dock. They drop their spuds; they're off the dock; they don't tie up. Pretty zero impact. Just make sure where you're dropping the gangplank, it's not damaging/scratching the dock. Mount Washington scratched our dock a little bit. When I used to drive the Winni Belle years ago and we came into Wolfeboro Bay, the music level aboard was brought way down: you want passengers to disembark as fast as possible. And as a courtesy for the later hour on the bay (8, 9, 10 p.m.) into Town Docks.

Mr. Harriman: other questions?

Mrs. Murray: wants to hold up on the signage until railings up and take a look.

Mr. Harriman: act on approval of landing; then address sign once we know we have the space there.

Mrs. Murray: yes. And then decide on signage for the new dock.

**MOTION Mr. Freudenberg- move to issue a Commercial Vessel Landing Permit- The Dive to come into Town Docks for coming season. Then we will look at signage for The Dive when we have a better handle on signage at Town Docks. SECOND Mrs. Murray. Mr. Harriman – discussion?**

Mr. Deshaies: How will they notify us about The Dive schedule?

Mrs. Murray: If we have that schedule – a week ahead of time, give us the schedule.

Ms. Sullivan: I'd like a set schedule; easy for staff, too. Where can I find other schedules?

Mrs. Murray: Rest of the boats come into a lower dock.

Mr. Freudenberg: Sophie C may come in once during the season – that's random. The Dive schedule could be on chamber web site.

Mr. Deshaies: Friday night, August 11, the dock will NOT be available. Event planned.

Ms. Sullivan: OK.

**Mr. Harriman: Motion by Mr. Freudenberg; Second by Mrs. Murray for The Dive landing permit; signage and schedule will follow. APPROVE 4-0**

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E. Appointment: Boy Scout Troop #165 permission to sell water during the 7/4 parade.

Mrs. Murray: we've granted this every year. No problem with this.

Mr. Harriman: agree.

**MOTION – Mr. Freudenberg Move to waive the Town's Hawkers and Peddler's licensing permit for the Boy Scouts to sell water during the 4th of July parade (rain date 7/5). SECOND Mr. Deshaies. APPROVE 4-0.**

F. Approval: Permission for Boy Scout Troop #165 member to do a project on town property.

Blake Sandlin, Working on Eagle project who is doing a kiosk sign project at Abenaki this summer as suggested by Parks and Recreation Director Christine Collins. Take down the old trail map sign; replace with long-lasting kiosk with metal roof so they can post events, etc. And a sign at top of Abenaki rope tow leading skiers to each trail. Indicating difficulty of each trail.

Mr. Harriman: sounds like a great project. Questions from the board?

Mrs. Murray: sounds like a great addition to Abenaki.

Mr. Harriman: agrees; with new trails and intersection with cross country trails.

**MOTION Mr. Deshaies - Move to grant permission for Boy Scout Troop #165 member to do a project on town property building a kiosk with trails map and difficulty listed. SECOND Mr. Freudenberg. APPROVE 4-0.**

G. **WITHDRAWN:** Permission to use Town property for Water Ski Club in Back Bay

H. Approval: **Permission for NH State Police Marine Patrol for vessel space.**

Mr. Pineo: Capt. Davey, NH State Police contacted Mr. Pineo about using Town Docks space for a marine patrol vessel. In your packet, vessel dimensions.

Capt. Brendan Davey, Field Area One Commander NH State Police and Marine Patrol; has jurisdictional authority over the inland and coastal waters of state of NH of more than 10 acres and responsibility to investigate all boating accidents resulting in damage over \$2000 or injury or death. Considering size of Lake Winnepesaukee we had in 2008, 22 parttime marine patrol officers who patrolled lake seasonally. This year, 22 parttime marine patrol officers for the entire state of NH; we're hiring – and want to keep NH the safest state in the nation. Pleased to be part of marine patrol mission. 20- islands in Tuftonboro; 27 Wolfeboro; around that number in Alton.

We have troopers who assist Marine Patrol. Point of request is that if we stage a boat here – eastern shore of the lake so state police/marine patrol does not have to launch from HQ in Glendale then boat to Wolfeboro. I can get to Town Docks in a few minutes. Ability to respond to emergencies will be

advantageous. And Wolfeboro PD will not have to go out on fire boat for an incident - then fire personnel not exposed to potentially dangerous incident.

On Wolfeboro's busy dock it's good to show public that it's a safe, enjoyable experience. Addressed the parking questions. My presumption is the cruiser will be there when I get back. Will park appropriately to get to patrol boat.

Marine Patrol boat will be used for routine patrols and emergencies with state police, marine patrol who live on the eastern or northern/southern side of Lake Winnepesaukee. This would be more effective on the water.

Yes, we will look for violators. Part of mission is explaining laws/rules. Sometimes there is a fine/ticket – sometimes it's about education and safety.

Mrs. Murray: have a spot for it G + F dock; town electric boat got hit twice last year. We can put you right in that dock. Maybe it'll be safer.

Capt. Davey: We have a 'nerf' coating so it may survive boaters who did yours in last year. Vessels are called Ambars by Silver Ships; specific patrol boats; have the inflatable and rugged exterior to hull.

Mrs. Murray: We can work out dock space; I'm for it.

Mr. Deshaies: For it.

Mr. Freudenberg: with the state police vessel and MED's new landing craft boat, I think those two docks will be dedicated to commercial/municipal only – with mail boat.

Capt. Davey: That would be ideal.

Mr. Freudenberg: Dock posts need to be marked.

Capt. Davey: this is experimental. Do not profess to know the regularity of our going out there would be. Commander lives well north of the lake on the eastern side. I'd propose to him that he make that his commuter over to Glendale once in a while.

Mr. Deshaies: What would dock space be called?

Mr. Freudenberg: F is electric; nothing behind it now; that's where potentially where marine patrol would go. Dock G has mail boat and fire boat. As long as they mark the post, people won't park there. We did not have signage out at one point. As soon as the fire boat went out, people would roll in and park in the fire boat space; fire boat would come back and there'd be no dock space. Posts have to be marked.

Capt. Davey proposes stringing a line up across F + G docks with sign restricting parking.

Mr. Pineo: Deputy Chief Nichols has already sized up a lot of this. He can work with Capt. Davey, work with Bruce, highway department as far as lettering – get this done quickly.

WFD Deputy Chief Nichols has handle on size of boats, etc.

Deputy Chief Nichols: mailboat will stay where it is; slide MED boat back and place marine patrol boat where MED boat has been on dock F. We measured it; everything will fit.

**MOTION – Mr. Deshaies: move to authorize the NH State Police Marine Patrol to park a vessel on dock F for the 2023 season. SECOND Mrs. Murray. APPROVE 4-0.**

Mr. Harriman: welcome to Wolfeboro.

Mr. Pineo: When will the vessel be arriving?

Capt. Davey: Will communicate with you; WPD/WFD and agree to a good time in the next few weeks.

Mr. Pineo: wonderful.

**I. Approval: Solar Farm PILOT agreement**

Mr. Pineo: BoS has received documents requested. Legal counsel worked with us on purchase power agreements provided legal opinion. Andrew Keller from NH Solar Garden is online for questions. You have documents requested.

Mr. Harriman: None of power will benefit Wolfeboro; will go to power co-ops into their systems. Concern about benefits to Wolfeboro to enter into an pilot program agreement for payment in lieu of taxes for facility to provide service to other towns and not to Wolfeboro. I'm on the fence on this one. Other board members? Questions/concerns?

Mrs. Murray: Thought we were going to be paid a certain amount a month; am I off on that?

Mr. Harriman: \$3500 per..

Mrs. Murray: kW- yes- come to us. We get payment for kilowatt hour; so the benefit to Wolfeboro is added revenue.

Mr. Harriman: Is this in lieu of taxes? Is that less than taxes on the improved property?

Mrs. Murray: When we do in lieu of taxes Jim [Mr. Pineo] am I correct – they do not pay school or county; they still pay the town?

Mr. Pineo: That's my understanding.

Mrs. Murray: Yes; plus the Kw hours.

Mr. Freudenberg: That's how it's written here; that's my understanding, too.

Mrs. Murray: We'll get our assessed value with the solar. The rest of the taxpayers have to make up the school and county. We still get our town rate; then we get the amount per Kw. Jim, where's that amount per kilowatt hour? Is that going to MED?

Mr. Pineo: Goes into general fund. That's where it would have to go.

Mrs. Murray: I'm fine with that.

Andrew Keller from NH Solar Garden [online] to comment: Concern about tax revenue; property owner in Great Hall audience. Current tax bill \$100 annually; we'll be increasing tax revenue to the town to \$14,000 a year. New income for town; little to no services needed from the town. This is how these projects are structured. Local and state permits in hand. Other issues will wrap up in 30-days or so.

Mr. Deshaies: land will also be used for farming?

Mr. Keller: correct. First project in NH history of this scale – Agri voltaic – dual purpose; Amanda and son will continue to farm the property; livestock around panels.

Mr. Harriman: other questions from BoS?

**MOTION Mr. Deshaies: Move to sign the solar farm pilot agreement, Second Mrs. Murray.**

**APPROVE: 4-0**

J. Discussion: Proposal to amend Tennis/Pickleball Court Rules

Mr. Pineo: Joe Santoro wants to potentially reconfigure pickleball/tennis courts to allow for greater pickleball play. Has information he wants to discuss for BoS to consider.

Joe Santoro: handouts to BoS for use of courts and layout of courts re: Foss Field. Apologizes for missing Mr. Pineo's June 2 deadline for handout material. Foss Field signage lacking at the courts. If signs are restored tensions would ease. Tensions are with visitors – not regular pickleball/tennis players at Foss Field courts. Regular users know rules; visitors do not. Explains scenario a few weeks back when players on one court played more than two hours; Were told a few times to move; they refused. There was no posted rule for this court – court #4. Requesting town restore two signs with court rules.

Second part of request: suggested modifications to the rules if/when sign is installed. Two points.

1. Court #4 – current rule pickleball until 4 p.m. Then first come-first served. Wants 4 p.m. limit removed. If there are no pickleball players there, tennis players can use. Court #4 should be the predominant pickleball court. Have been keeping statistics. Last 10-days, 51 tennis players on Foss Field courts compared to 251 pickleball players. 83% of court use for pickleball. During the recent issue with court #4, tennis players refused to leave after more than two hours; 22 pickleball players were waiting.
2. Limitations in court policies: current – if someone on courts they can play 60-minutes; Propose reducing to 30-minutes. Pickleball game can be just 16-17 minutes. With 60-minute limit, creates big wait time for many people who might be waiting. Tennis players arrive and have to wait an hour. If it's a 30-minute wait, you may stay and play when it's your turn. Restricting time to 30-minutes is fair; And people can get back in line and play again.

Other part of handout is cosmetic court issues.

Mr. Harriman: appreciate handout; but need to review before making decision. Comment- 1<sup>st</sup> page with statistics May 27-June 4 – summer visitors have not arrived yet. Numbers will change. Need a full season of statistics.

Conflict on court #4- high school team was down there?

Mr. Santoro: does not expect a decision tonight because material only given to board this evening. Court #4 involved adults who should have known better. Occurred between 7:30 a.m.-9:30 a.m. Friday morning, late May.

Mrs. Murray: agrees rules signs should be posted at the courts. Tennis sets are longer. Tennis players would not be able to complete a set in 30 minutes. Pickleball OK for 30-minutes; Need to read material.

Mr. Santoro: Pickleball 30-minutes; Tennis 60-minutes OK.

Mr. Freudenberg: Courts 1,2,3 not used by pickleball?

Mr. Santoro: Court #3 used by pickleball players if no tennis players there. Courts 1-2 not striped for pickleball. Courts 3-4 transitional used for both. Town has painted lines on those courts for both pickleball/tennis. Getting rules signs up important when tourists really get here.

Christine Collins, Wolfeboro Parks and Recreation Director: Courts 1-2 designated for parks/rec programming; can be used for tennis. Court 3 can be tennis. Court 4 pickleball; transitions to tennis. Court 3 transitions – day tennis; night pickleball. Did put signs at courts temporarily since this was to be addressed at this meeting. We did have signs. Don't know where they went. After this meeting will figure out if changes are required.

Mrs. Murray: Do signs say hours for courts 1-2?

Ms. Collins: Signs indicate courts are designated for parks/rec programming; if not in use, open for tennis.

Mrs. Murray: If parks/rec program camp underway and I'm a tennis player, there's only one tennis court to play on?

Ms. Collins: yes. day camp hours usually 9 a.m.-3:30 p.m. Plus tennis-in-the-parks program. Not monopolized; but there are some set times. Believes there are still tennis players. Don't want to go pickleball crazy and leaving tennis players out.

Mrs. Murray: There's really only one tennis court available while day camp is going on.

Mr. Freudenberg: saw Tennis in the Parks sign to get more tennis players.

Ms. Collins: Yes – collaborated with USTA to bring more tennis in the parks – starting this summer with day camp.

Mr. Deshaies: research shows about 55-minutes for a three-game pickleball match; three-set tennis match is about 90-minutes.

Mr. Santoro: only play pickleball matches during tournaments. Recreational play daily it's about 16-17 minutes; you get off the court; others play. OK to keep 90-minute tennis time; So many pickleball players; wants to be sure everyone gets a turn.

Mrs. Murray: They can go to Pop Whalen [for pickleball].

Mr. Santoro: and pay.

Mrs. Murray: correct; there are courts there to play pickleball.

Mr. Deshaies: When you mentioned 251 players, was that unique players or repeat players? Tennis/pickleball players counted the same. If someone came five days, we counted them five times. Number of pickleball players in summer will grow; we have hundreds of pickleball players in the summer. As long as not interfering with tennis people we could have six courts with pickleball.

Mrs. Murray: There'd be zero tennis with day camp on two courts.

Mr. Santoro: We defer to Ms. Collins schedule. We're looking for flexibility on court #4. Now, anyone can take it after 4 p.m. Refer to the handout; current policy vs. proposed.

Mrs. Murray: Policy I have for pickleball 8 a.m. – 4 p.m.

Mr. Santoro: Then after that, first come, first served.

Mrs. Murray: I've gone down there; I very rarely see anyone playing pickleball after noon.

Mr. Santoro: Typically play 7:30 a.m. – 11:30 a.m. Then come back at night. Same for tennis players. Time limit is the trouble on court #4.

Mr. Harriman: Put this on the NEXT AGENDA – June 21; beginning of summer season and make decision on court rules/regulations.

Mr. Santoro: We'll continue to keep statistics. Thanks for your time.

Mr. Pineo: Do you have any contacts for tennis people?

Mr. Santoro: Tennis players are primarily organized by the Wolfeboro Racketeers. How they set up playing, I do not know. Seems they use the courts Monday, Wednesday, Friday mornings 7 – 10 – then they're gone. That's the only organized tennis group I know of.

Mr. Pineo: Please email me the name of a contact, Joe.

Mr. Santoro: OK. Pickleball players use Signup Genius.

Mrs. Murray: You can pay \$6 and play at Pop Whalen.

Mr. Santoro: Issues at Pop Whalen. Courts are too slippery. An elderly woman fell; went to hospital for stitches.

Ms. Collins: We did have a woman injured. But it was when she just arrived.

Mr. Santoro: She told be she was chasing a ball in a game.

Ms. Colins: That has been the only issue.

Mr. Harriman: We'll keep this on the agenda for June 21.

- K. Approval: Request to apply for CDBG grant to support 3rd phase of Harriman Hill project. Sal Steven Hubbard, Real Estate Development Director, Lakes Region Community developers. Third phase Harriman Hill, Beck Rd. Applying for CDBG funds to support that project., Can answer questions. You have information in your packet.
- Mr. Harriman: Is this the single family homes phase?
- Ms. Steven Hubbard: We were unable to make the single family homes project financially feasible. Now we're looking at a rental project.
- Mr. Harriman: So this is a different approach?
- Ms. Steven Hubbard: Correct.
- Mrs. Murray: Wish we'd known earlier. Wasn't the train museum the same type grant? I asked at that time. I definitely would have put it for this. That would mean the town would be applying for two CDBG grants.
- Mr. Harriman: That means some competition among ourselves.
- Mrs. Murray: I would put this one first since it's addressing housing. Not sure if anything has been submitted. This would be my first choice for us to support a government block grant.
- Mr. Harriman: I assume there'd be somewhere on the application to have an explanation.
- Mrs. Murray: I would like it. I don't know how far the railroad museum has gone but I would like to put them behind this in the order that the town wants.
- Mr. Harriman: We should probably approve this request for support to move forward; then we can address the competition part during the application process, I hope.
- Ms. Steven Hubbard: Donna Lane will be writing the grant. I'll check with her on the implication of two CDBG applications going in.
- Tavis Austin, Wolfeboro Planning and Development Director: ran into this in two other municipalities. City council put together a signed memo stating the two grants came in at different points and then clarify how you want to phrase it. Ultimately, it's up to CDGB. At least you'd have the ability to say we recognize there are two applications; here's our preference.
- Mr. Deshaies: Still 60 bedrooms?
- Ms. Steve Hubbard: correct



Mr. Deshaies: Talked with Kathy Barnard [Planning Board chair- she was unsure whether the 60 bedrooms were included in the recent survey of sewage treatment plant usage.

Mr. Austin: can't answer that. When Kathy and I were talking with Dave Ford, [former DPW Director] all of the allocation granted to Harriman Hill – sewer/water was included with the report. Harriman Hill has used only two-thirds of the allocation granted by the town. Don't know how that information was transmitted to the engineers. Harriman Hill only using two-thirds of its usage allocation. Phase three may not increase that.

Mrs. Murray: Your 'guesstimate' is that Harriman Hill Phase 3 was included.

Mr. Austin: correct. Key piece from my perspective – it's the same number of bedrooms; they've done the market analysis to come up with a more Wolfeboro compatible housing model from two-three bedroom homes to one-two bedroom rental units. That's the primary demand in the community. Smaller footprint overall; same bedroom count; same water-sewer use. A good change for the project.

Mr. Deshaies: These will be rentals, not condos?

Ms. Steven Hubbard: correct.

Mr. Deshaies: why not condos?

Ms. Steven Hubbard: There are very few subsidized financing sources in NH for homeownership projects. That's the problem we ran into with the single family home plan. That same issue would come up with condominiums. Tightening up the sight and connecting units, we could certainly make some inroads in that financial feasibility. We did not feel like the market was there for that product. We also know that there are very few resources to make homeownership affordable for first-time buyers. That's the market we were looking for.

Mr. Deshaies: knows couple looking at \$290,000 Wolfeboro home; they're of modest means; using FHA. Low down payment – and it's going well.

Ms. Steven Hubbard: When we were looking at single family detached housing which the market study indicated the market would want; these small, three bedroom houses ... first-time home buyers; young families would prefer to buy single-family detached houses with garages. When we started to do financing for that project, cost of infrastructure added into the cost of the house.. water, sewer, road and the houses – put the price point of those houses outside of the market we were trying to reach. This was a single-floor, ranch house; slab on grade for the garage for their 'stuff' – because no basement. Not really for cars. 1200-1400 square foot house no basement or usable attic, you need a garage. We could not make that project financially feasible. We pivoted to a rental project.

Mr. Harriman: **Motion to support application for Harriman Hill Phase 3 CDBG grant?**

**MOTION Mrs. Murray- so moved; Second Mr. Freudenberg Mrs. Murray: with memo clarifying the two applications. APPROVE 4-0.**

Mr. Pineo: Will get on it tomorrow.

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- L. **Approval: Adopt revised Town ordinance;** Chapter 112 Peace and Good Order Trash Receptacles. Tavis Austin, Planning Director- Re-write of a draft the board has seen proposing section 112-4 No person shall place a trash can or similar receptacle at curbside or roadside for more than 24 hours. The first red/version was 'overnight;' 24 hours was the re-write requested. If this is in line with what the board was thinking, there's a suggested motion at the bottom. You need to have a public hearing and that could move forward.

Mrs. Murray: Didn't want 'overnight;' because of animals getting into receptacles. With 24 hours, there's the same issue. You could do something like 6 p.m. until 6 a.m. the next day. Mr. Sims was concerned, wanted to put can out overnight; You could do 6 p.m. to noon the next day. And they are responsible for securing the trash can so animals can't get in. If animals get into the trash people are responsible for picking up the trash. That issue happened on Pleasant Valley Road. Animals got into trash; trash all over; police had to come and address it.

Mr. Sims having his can out overnight, no threat for animals. I think that was the issue with person on Pleasant St. Was thinking wording could be changed to make the person responsible for picking up trash or getting cans in at a certain time OR I would like to go back to NOT overnight.

**[Mr. Austin -mic not on- believe he's asking about hours of trash pickup municipal vs. private pickup]**

Mr. Freudenberg: between 6 a.m. – 9 a.m.

Mrs. Murray: My trash guy comes at 9:30

Mr. Deshaies: Make it 11. Make sure it says can has to be secured from animal intrusion and any litter must be picked up by the owner or they will be fined for littering.

[Mr. Austin mic not on]

Mr. Freudenberg: offers to keep first part and no trash to be left overnight.

[new mic batteries installed at podium]

Mr. Deshaies: what is littering ordinance? Fine?

Mr. Austin: \$50

Mr. Freudenberg: Part A- Linda said – No trash would be left overnight.

Mr. Austin: What's overnight?

Mrs. Murray: 6 p.m. – 6 a.m.

Mr. Austin: B- cans be secure from animal intrusion. And 112-4:c – Any refuse left on roadsides is the responsibility of the [property owner. And will determine wording on consequences/fines. I will work with enforcement so C reads to point to the appropriate section so tickets can be issued.

Mr. Freudenberg: Can we set a hearing?

Mr. Austin: Will get this written up. By the time notice is in newspaper, board will have seen and be able to review and comment on the proposed before it's available to the public for comment.

Mrs. Murray: Sounds like a good plan. When will we get this?

Mr. Austin: Between 6 p.m. and 6 a.m. the following day. [laughs] Early next week. Will do this first thing tomorrow.

Mrs. Murray: Will write down Monday.

**MOTION Mrs. Murray – to set a public hearing for first meeting in July – CHANGED to WED., June 28. Second Mr. Freudenberg. [note - there was no BoS vote on the motion.]**

Mr. Pineo: Question on that is July 5<sup>th</sup> (not here) or July 12 or June 28<sup>th</sup>?

Mr. Austin: June 28<sup>th</sup> would be fine- can get notice in paper in time.

**M. Approval: Schedule Public Hearing to update chapter 73 Hawkers and Peddlers Ordinance.**

Tavis Austin, Planning Director – Vendors wanted to be in different places around town. modified 73-4 to include “as otherwise permitted by the BoS through a special event permit.” This would authorize a special event permit. Went into 73-7 – current ordinance varies between push cart and cart; kept that similar all the way through. Because some requests to Amy were trucks/roach coaches, phrase down at 73-7G-H – modified to state cart or vehicle; carts and/or vehicles. And then permitted areas down to 73-8; inclusion of 73-8e – other town properties authorized by the Board of Selectmen.

I read that to say the selectmen do not have to say ‘yes.’ The selectmen MAY authorize it. Clarified 73-9 to include – a- “all licenses expire upon the expiration of the special event permit or otherwise at the end of the calendar year.”

Mrs. Murray: Why not on E- 73-8 – other town property, the Board of Selectmen MAY issue a special event permit.

Mr. Austin: ...”other town property as may be authorized.”

Mrs. Murray: When you write MAY – it makes it clear that we might or might not.

**N. Mr. Austin: That's why I brought it up. I'd be looking for a similar motion – probably for a public hearing on June 28 to update chapter 73 Hawkers and Peddlers Ordinance.**

**MOTION- Mr. Freudenberg: So moved. SECOND Mrs. Murray: Mr. Harriman: more discussion on this? APPROVE 4-0**

Mrs. Murray: While we're here - are there regulations for food trucks?

Mr. Austin: No regulations for food trucks in town.

Mrs. Murray: None of this applies to a food truck?

Mr. Austin: It could if food truck wanted to come in, I'd suggest the BoS look for state licensing for a food truck.

Mrs. Murray: I think we should have some kind of regulation/process for food trucks.

Mr. Austin: I believe that's what this update is doing. If you want to state what criteria they need to meet, that would be an application form. Or a policy and procedure on how to allow food trucks or vehicles.

Mrs. Murray: I would add "food trucks/vehicles."

Mr. Harriman: be specific.

Mrs. Murray: What we're having is – I want the words "food truck" "Cart-food truck or vehicle."

Mr. Austin: Food trucks have to have certain inspections to be food trucks in NH.

Mrs. Murray: This is indicating where they can go; where we will allow them in town. We have nothing that says that. Where you have no cart, food truck or vehicle – I would like 'food truck' there.

Mr. Harriman: I'd like food truck added.

Mr. Austin: So in 73-7 and 8 swapping the word vehicle/vehicles with food truck?

Mr. Freudenberg/Mrs. Murray: and/or

Mr. Austin: So no cart or vehicle and/or food truck.

Mrs. Murray: No – no cart, food truck or vehicle. All carts and/or food trucks and vehicles.....

Mr. Austin: You want to say NH-approved food truck?

Mrs. Murray: sure.

Mr. Deshaies: what about trailers?

Mr. Austin: Vehicles covers them all.

Mrs. Murray: all carts, food trucks or vehicles..should cover it.

Mr. Harriman: should cover take care of it.

Mr. Austin: ordinance gets into dimensions of vehicle; it may not be that size; I added 'if applicable.' I can make the changes and meet the deadline for the June 28<sup>th</sup> hearing.

#### **Discussion: Building permit fees <https://youtu.be/76k0U29JxNs?t=9444>**

Mr. Austin: This is the final time bringing this to you; simply looking at raising some fees – plumbing, electrical and gas – in line – adding \$30 administrative fee.

Mrs. Murray: went back to minutes because all we had was this. Looked at sheets.

Mr. Austin: There are multiple versions, yes.

Mrs. Murray: That's what we make decisions on. Looking back at sheets, the only towns that have administrative fees are Tuftonboro and New Durham. Moultonborough, Ossipee, Wakefield and Brookfield do not have administrative fees. No problem with plumbing, electrical, gas; In minutes, said "Chairman Senecal said he needed more information; he'd like to see all fees outlined on sheet of paper."

Mr. Austin: It's currently on the web site; can get the board a copy. Suggests recommended motion at bottom – striking #1 – and set a motion to set a public hearing for – pick a date – to hear the proposed amendment to building permit fees to amend plumbing, electrical and gas permit fee to \$50. It's not worth the \$30 to reinvent that again.

Mrs. Murray: That's the information we had. Looked from these minutes, everyone was OK with the \$50 for the fees.

Mr. Freudenberg: Just remove the first one [\$30 admin. fee].

Mr. Austin: That can be for June 28<sup>th</sup>

#### **MOTION Mr. Freudenberg: for a public hearing June 28, 2023, to hear the proposed amendment to building permit fees to amend plumbing, electrical and gas permit fee to \$50.**

Mrs. Murray: include at public hearing sheets will lay out with those amounts changed.

Mr. Austin: yes.

Mr. Harriman: SECOND to motion?

**Mrs. Murray: SECOND. APPROVE 4-0.**

Mr. Austin: there's a statute amended in this year's NH legislature that requires all towns to have all permit application fees posted. There's an 11x17 of all fees available online. It should be in every town; I'm polling them quietly in my off time. To check consistency to get information to try and make changes and we get differing information depending on who calls and who you get when you call.

Mrs. Murray: what we want for the public hearing is a sheet with everything listed; these new fees on it.

Mr. Austin: Existing fees – and proposed.

Mrs. Murray: perfect. That'll take care of it.

O. Approval: **Policy for consideration to accept a private road**

Mr. Pineo: After your input, took the policy and made adjustments in document [BoS has document] highlighted in red.

- Pg 1,1.2- ..costs be borne by the petitioner be paid to the town in cash or...
- Pg 2, 2.5-11: Town.. ensures 'as built plans comply with original subdivision plans;
- Pg. 2 2.5-12: Town..must be able to secure clear deed to the roadway and appropriate easements.
- Pg. 2, 2.6-4: copies of all stormwater management agreements
- Pg. 3, 4.1-1: a quorum of the Board of Selectmen must be present as recommended  
Took our closure motion. 5.1 reads BoS should make a motion to accept the name of the roadway under consideration subject to approval of a betterment assessment and the board not receiving any counter petition to conditionally lay out said road.

That is input I received from BoS April 29, 2023 meeting; minutes attached as is previous policy dated April 12. Anything I missed or that you want stricken or added?

Mr. Harriman: very minor – page 4, item 6 – condition in bold – conditional layout – should read existing private rights – not 'exiting' rights of way. Missing the 's' in existing.

Mr. Pineo yes.

Mr. Harriman: looking through everything, the minutes and everything there is OK.

Mr. Deshaies: Under Petitioner steps 2.5-11. "Town of Wolfeboro shall ensure as built plans comply with the original subdivision plan." Most of subdivision plans built in the 80s will not pass that litmus test. Most had deviations from existing plans.

Mrs. Murray: We need to know that. What we do with it is something different. This is the as built – We had one where it was so road is far off – we didn't take it. The road wasn't built where it was supposed to be built.

Mr. Pineo: Should we state "...shall compare and contrast 'as built' plans to original subdivision plans?"

Mr. Deshaies: Something to that effect. Most roads in 80s were not where they were supposed to be built; drainage, electrical, water lines in different places. If we do not want to accept any roads going forward, then that's a good statement. If we want to work with communities that maybe have a chance, we should lighten it a bit.

Mr. Harriman: Should we state, "Town of Wolfeboro shall ensure as built plans are provided to be able to compare with the original subdivision plan." Does that do it?

Mr. Austin: Part of purpose for as built is to determine what needs to be corrected to achieve the level the town is willing to accept. Brian's right; it goes beyond where the road is. Could be septic tanks I rights-of-way and the town doesn't want to the accepting part or all of someone's septic tank. The last time I went through this, they said we're tired of paying someone to plow the road we want the town to take it over. Once they found out how much of the road was deficient and cost of as built, they said we'll keep plowing. As built helps outline what has to be achieved or brought up the spec.

Mrs. Murray: If it's too far off, we need to know that.

Mr. Pineo: Brad, your statement was...?

Mr. Harriman: "Town of Wolfeboro shall ensure as built plans are provided to be able to compare with the original subdivision plan." Allows for town to have comparison.

Mr. Pineo: I can update that and get it to you electronically for review. Anything else?

*All members: OK with this.*

Mr. Pineo: Should we hold public hearing on June 28 for input?

All members: agree

**P. Approval: Capital Improvement Program Guidelines**

Mr. Austin: Same as last year; 12 last year; 11 this year; same order with the exception of #1. Jim and I spoke about this. It was suggested that we indicate that 'recall CIP projects are those of at least \$100,000 in cost.' There are new department heads or new to capital improvement program process, don't worry about this unless you're at \$100,000 or more.

Rest of them are the same as were recommended last year.

Mr. Pineo: noticed item #3 – following the public safety building in 2023 – I think we can strike that and call it good.

Mrs. Murray: agrees. And on #4 – phases; we got into an issue on the CIP, if it's a multiyear project and one year is not \$100,000...

Mr. Austin: It can still be in because if the overall project...

Mrs. Murray: so clarity will go to the CIP itself.

Mr. Austin: MED had one last year; \$454,000; \$50,000 was coming out of prior year. Goal is to focus the committee and department heads on what project costs; the breakdown gets sorted out later.

Mrs. Murray: #8- 'to focus buildings and repairs on asset management plans where possible.' I'd take that out. We don't have any asset management plan on any building. Would like that -tried to get it on facilities.

Mr. Austin: remove it? Just making a note.

Mrs. Murray: maybe #13 – 'to prioritize projects that address ADA compliance.' Because we can have sidewalks – not buildings. We had it in there last year and it went out. I think we need to comply with ADA in everything.

Mr. Austin: I'm hearing strike #8 – add #13 to say 'to prioritize projects that address ADA compliance.'

Mrs. Murray: add #13

Mr. Deshaies: 9-becomes 8.

Mr. Austin: will adjust numbers.

Mr. Austin: delete #8?

Mrs. Murray: no – I said, 'to focus on building maintenance and repairs to town facilities while continuing to ensure that they are ADA compliant.' Just remove asset management; add where possible. #13 – 'to prioritize projects that address ADA compliance.'

Mr. Austin: –[repeats updates requested]

**MOTION Mr. Freudenberg: to adopt 2023 Capital Improvement Program Guidelines as amended.**  
**Second Mrs. Murray. APPOVE 4-0.**

**Q. WITHDRAWN:** Request to expend funds from Dockside Docks Capital Reserve \$13,465.04

**R. Approval: Wolfeboro Waters questions for staff approval**

Mrs. Murray: committee has need for town staff to review projects in terms of surface water and water quality. We have 10 questions for department heads to make them think about water quality while doing a project. Requests approval to send to staff and town manager. Things to look at when doing a project.

Mr. Harriman: Looking to have this be a document attached to capital projects and forms to be filled out?

Mrs. Murray: Just hand it out to staff; if Jim wants to include this in their submittals, that's fine.

Wolfeboro Waters really wants them to ask these questions as they go to design projects.

Mr. Deshaies: only to department heads?

Mrs. Murray: department heads – who are responsible for projects. They can give it to staff. If Jim wants it as part of the submittal for CIP or capital projects fine; more of a process to have department heads think about water quality as projects are designed.

Mr. Harriman: no problem with this. Any other board questions/comments?

Mrs. Murray: Will work with Jim to get this out.

6. Other Business

Mr. Harriman: Next Meeting date July 5 – in conflict with July 4 parade and fireworks rain date. Locked into June 28<sup>th</sup> BoS meeting. Everyone OK with that?

Mr. Pineo: We will have a BoS meeting June 21 and the next one June 28. Motion that. And next BoS meeting after that July 19, 2023.

Mr. Harriman: two BoS meetings a week apart.

Mr. Pineo: Then three weeks off.

**MOTION Mr. Harriman: to have BoS July 5<sup>th</sup> meeting moved to June 28, 2023. Second Mr. Deshaies. APPROVE 4-0.**

7. Committee Reports

Mr. Deshaies: Police Commission meeting; met Stu Chase; Two trail meetings- Single track – 3 ½ hour hike through all Abenaki trails; other meeting about reconstruction of Stone Dust trail on bottom of Twister and implementation on new cross country ski snow-making equipment; attended Wolfeboro Heritage Awards – great event.

Mr. Freudenberg: chamber monthly meeting; Monday night ZBA meeting- did not get through all cases; another June meeting to cover phase 3 Harriman Hill.

Mrs. Murray: Library Trustees meeting; Wolfeboro Waters- water testing this summer. Swearing in of Chief Chase; Heritage Commission awards; Friends of Pop Whalen meeting; toured possible solar sites (with Brian) -Energy Committee – interesting. Chamber meeting; met with cross country ski group about snowmaking; looked at trails. Went to Memorial Day service – Luke there.

Mr. Harriman Planning Board- late night; May 31 Wolfeboro Community TV hosted the chamber social at their studio at high school. People got a tour. Did attend first Wolfeboro Waters meeting.

8. Town Manager's Report

Mr. Pineo: Attended similar meetings that were mentioned. Hectic few weeks. Getting into CIP season and about a month you'll be getting budget guidelines. Will be seeing you a lot for meetings and public hearings.

9. Questions from the Press – N/A

10. Public Input N/A

11. Mr. Harriman: motion to go into Non-Public?

**MOTION to go into Non-Public Session RSA 91-A. Mr. Freudenberg- so moved; Second Mrs. Murray. APPROVE 4-0.**

9:33 p.m.

Next Meeting dates: June 21, 2023 Regular Meeting  
June 28, 2023, public hearings  
July 19, 2023

Submitted by:

  
Brenda Jorett