



TOWN OF THORNTON BOARD OF SELECTMEN

Town of Thornton • 16 Merrill Access Road • Thornton NH, 03285 • 603.726.8168

Approved on: 3-24-21
BOS Initial: MR
Rec'd by Town Clerk on: 3/25/21
Town Clerk Initials: DR
in absence of TC

Board of Selectmen Meeting Minutes February 24, 2021

3:00 PM Chairwoman Marianne Peabody opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance.

This meeting was held via Zoom. The Zoom code was referenced on the posted agenda.

ROLL CALL: Chairwoman Marianne Peabody, Selectman Roy Sabourn, Selectman Jack Gaites, and Selectman Joseph Monti.

Vice-Chairman Brad Benton (arrived @ 3:30 pm)

STAFF PRESENT: Debra Shepard, Town Administrator

PUBLIC PRESENT: Peter Laufenberg, Tamra Ham, John Piantedosi, Chad Stocker, Phil Hastings, Steve Babin

Meeting Minutes

MOTION: "To approve the Board of Selectmen meeting minutes of February 10, 2021 as written."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – Yes.

Motion Passes: 4 – Yes, 0 – No

Abstained: 0

Consent Agenda

The Board reviewed the following consent agenda dated February 24, 2021:

1. Abatement for PID 6/9-8. Richard Kent/Nancy Cuggino, 22 Herbert Lane.
As a result of BTLA settlement - \$3,475.62 plus interest.
2. Abatement for PID 17/17-8, Richard Kent, 2 Snowood Drive.
As a result of BTLA Settlement - \$3,037.50 plus interest.
3. Notice of Intent to Excavate – PID 17/7-20. Route 49, Sunset Rock LLC
Stephen M. Brox, President.
4. ZCA 2021-07, Ryan, Matthew and Allison, PID 16/6-39, Sholan Road
Description: 59x35 4 BR SF home with attached 22x25 garage.
5. ZCA 2021-08, Lawson, Robert and Martha, 287 Orris Road
Description: Rooftop solar array.

MOTION: "To approve the consent agenda dated February 24, 2021 as submitted."

Motion: J. Monti

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – Yes.

Motion Passes: 4 – Yes, 0 – No

Abstained: 0

Payroll Manifest

MOTION: "To approve the payroll manifest dated 2/26/2021 in the amount of \$30,660.10."

Motion: J. Gaites

Seconded: R. Sabourn

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – abstained, Jack Gaites – Yes.

Motion Passes: 3– Yes, 0 – No

Abstained: 1

TA PRESENTS:

Hubbard Brook Scholarship

The Board had previously requested that TA Shepard inquire with Hubbard Brook to increase the scholarship amount currently at \$1,500. Hubbard Brook offered to increase the amount from \$1,500 to \$1,700. TA Shepard requested that they consider an increase to \$2,000. Hubbard Brook responded that the budget was set at \$1,700 for 2021 but will consider increasing the scholarship to \$2,000 in the fall of 2021 when they begin working on their 2022 budget. Chairwoman Peabody requested that the TA follow up on this in the fall.

LCJ Holdings, LLC – Owl's Nest

TA Shepard informed the board that the Agreement for Third Party Review between the Town of Thornton and LCJ Holdings, LLC for the escrow account has been signed by LCJ Holdings LLC and will be presented to the board for signature tonight. She also informed the board that the Professional Services Agreement for the third-party engineering between the Town of Thornton and Keach-Nordstrom Associates has also been signed by the engineering company and will be presented to the board for signature later in the meeting. The contracts were provided to the Planning Board Chair and Vice Chair., the Planning Director and the BOS for review prior to this meeting.

Ham Farm Property Discussion

Present: Tamra Ham, Steve Babin

Mrs. Ham stated that the family collects cars and that is their livelihood. She asked the Board how her family can still collect vehicles but remain in compliance with the town ordinance.

Chairwoman Peabody stated that her understanding was that the Ham's met with the Planning Board to discuss what is allowable on the farm property. Mrs. Ham stated that the property is zoned commercial and the family could erect an industrial storage building to house even more vehicles, however, she would like to know if there are any other options.

Chairwoman Peabody explained that in order to have a business at that property, she would need to go before the Planning Board. The town cannot allow the number of vehicles currently on that property without Planning Board approval. Mrs. Ham stated that they can meet with the Planning

Board for a Towing and Storage business, as this is an allowed use according to the town zoning regulations. Steve Babin believes that this property is located in a zone that allows auto repair and storage business.

Currently the property is being used as a residential farm without commercial activity. The Ham's had met with the Planning Board previously and discussed not changing the use of the property from residential to commercial. Steve Babin asked if the Zoning Board may hear a variance or special exception request to keep the property as residential but allow for eight personal vehicles on the property to prevent the Ham's from having to change the property use to commercial.

Mrs. Ham also discussed moving some of the vehicles to other properties in town that are owned by her family. Selectman Sabourn stated that although this isn't ideal, moving the vehicles would take her out of non-compliance on a temporary basis so that she can have some time to determine a more permanent solution. Selectman Sabourn reminded Mrs. Ham that if the vehicles located outside of the building could be moved inside or under roof cover, the board would be satisfied. He also suggested that Mrs. Ham meet with the Planning Director to discuss their options to mitigate the situation. Mrs. Ham stated that the vehicles cannot be moved with the amount of snow at this time but will move forward with the Planning Board in the meantime. Chairwoman Peabody stated that the process needs to begin and the Selectboard must be kept up to date on their progress with coming into compliance. Chairwoman Peabody expressed the importance of keeping the Board of Selectmen informed of her progress to bring the property into compliance.

Vendor Manifest

MOTION: "To approve the vendor manifest dated 2/26/2021 in the amount of \$363,775.97."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – abstained,
Jack Gaites – Yes, Brad Benton, abstained.

Motion Passes: 3 – Yes, 0 – No

Abstained: 2

Agenda Items: (no public input unless approved by the Chairman)

Election and Town Meeting Update – Moderator Piantedosi

Present: Moderator John Piantedosi

J. Piantedosi stated that he plans to use the same set-up for elections that he did for the elections in the fall. He has ordered more PPE for election workers and voters. He is working to create an efficient process that would reduce the number of voters in the building at one time due to COVID concerns.

The 2021 budget amount was discussed relevant to the March election. J. Piantedosi will discuss this further with the Town Clerk.

J. Piantedosi discussed the set up for town meeting to adhere to social distancing. Chairwoman Peabody stated that the Highway Department sets up for Town Meeting and suggested that he discuss this with Road Agent Kubik.

The Board discussed the sound system set up.

J. Piantedosi stated that a designated area needs to be established for those not wearing masks even though mask wearing is expected.

Review and Approve Zoning Compliance Officer Job Description

TA Shepard and Selectman Sabourn presented a final draft after reviewing suggested edits as submitted by Selectman Monti. Discussion followed.

MOTION: "To approve the Zoning Compliance Officer Job Description subject to the change to clarify verbal complaints are allowed from town officials."

Motion: J. Monti

Seconded: R. Sabourn

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – Yes, Brad Benton – yes.

Motion Passes: 5 – Yes, 0 – No

Abstained: 0

LCJ Holdings – Owl's Nest

Present: Phil Hastings, attorney representing Owl's Nest., Brian Lash, Steve Babin Planning Board Chairman.

Mr. Hastings explained that he has been before the Planning Board and wanted to update the Board of Selectmen as to the growth of Owl's Nest.

Brian Lash provided copies of their complete master plan for their review. Mr. Lash also provided a review of the current tax bill as well as projections for the next few years. Discussion continued on the future plans of Owl's Nest and the current Planning Board process. The following items were discussed: rentals and home ownership, recreational opportunities and buildings, special events including wedding venues, impact fees, town services, trash removal.

Mr. Hastings asked if the Board would like to preliminarily review building plans prior to the submittal of ZCA forms. The Board discussed the process, and that water and sewer needs to be approved by the State prior to the Board approving ZCA's. The Board agreed that prior review would not be a benefit to the developer or speed along the process.

MOTION: "To approve the Professional Services Agreement between the Town of Thornton and Keach-Nordstrom for third party review of applications submitted by LCJ Holdings, LLC, (Owl's Nest) The Chair of the Planning Board and Steven B. Keach of Keach-Nordstrom have already signed this agreement."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – Yes, Brad Benton – yes.

Motion Passes: 5 – Yes, 0 – No

Abstained: 0

MOTION: "To approve the Agreement for Third Party Review (escrow account) between the Town of Thornton and LCJ Holdings, LLC as presented. Brian Lash of LCJ Holdings, LLC has already signed the agreement

Motion: R. Sabourn

Seconded: J. Monti

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – yes, Brad Benton - yes.

Motion Passes: 5 – Yes, 0 – No

Abstained: 0

Town Warrant Article Discussion

Discussion followed relating to preparation for town meeting and discussion relative to town warrant articles. Selectman Sabourn volunteered to be the spokesperson for Article 2 relative to the Zoning Compliance Officer position. Selectman Monti volunteered to be the spokesperson for Articles 7 and Article 8. Based on the need to purchase cardiac monitors as recommended by Fire Chief Defosses, Article 7 will need to be amended from town meeting floor to be reduced from \$60,000 to \$25,000 and Article 8 will need to be amended to increase from 130,000 to \$165,000. This will allow for the funds to be available for the purchase of two cardiac monitors out of the CIP Funds in the amount of \$35,000.

The Board asked TA Shepard to follow up with Chief Defosses relative to additional information on the cardiac monitors and forward to the BOS members as soon as possible.

5:25 p.m. MOTION: "To enter nonpublic session under RSA 91-A:3, II (a, c, I)."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – yes, Brad Benton – yes.

Motion Passes: 5 – Yes, 0 – No Abstained: 0

5:48 p.m. MOTION: "To exit nonpublic session."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – Yes, Brad Benton- yes.

Motion Passes: 5 – Yes, 0 – No Abstained: 0

MOTION: "To approve the Town of Thornton Tax Collector contract as presented."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – Yes, Brad Benton – yes.

Motion Passes: 5 – Yes, 0 – No Abstained: 0

5:51 p.m. MOTION: "To adjourn."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No Abstained: 0

Respectfully submitted,

Jessi Fleury
Board Secretary

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Discussion: None.

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Jack Gaites – Yes, Brad Benton, abstained.

Motion Passes: 3 – Yes, 0 – No

Abstained: 2

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