



TOWN OF THORNTON BOARD OF SELECTMEN

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

Approved on: 5 May 21
BOS Initial: JSMM
Rec'd by Town Clerk on: 5/5/21
Town Clerk Initials: Don for TC

Board of Selectmen Meeting Minutes April 21, 2021

2:30 p.m. Chairman Roy Sabourn 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: Chairman Roy Sabourn, Vice-Chairman Joseph Monti, Selectwoman Marianne Peabody, Selectman Brad Benton, and Selectman Peter Laufenberg.

STAFF PRESENT: Debra Shepard, Town Administrator; RA John Kubik, Chief Defosses, Chief Miller, Transfer Station Manager Steve Chiocca, Kerrin Randall Office Assistant

OTHERS PRESENT: Julie Piehn, Dan Boynton

OTHERS PRESENT VIA ZOOM: Candace Andrews, Bill DeLeo, Bob McCabe

MOTION: "To approve the Board of Selectmen minutes of April 7, 2021 as amended."

Motion: J. Monti

Seconded: M. Peabody

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Peter Laufenberg – yes.

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

MOTION: "To approve the Board of Selectmen nonpublic minutes of April 7, 2021 as presented."

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – yes, Peter Laufenberg – yes.

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

Manifests

MOTION: "To approve the payroll manifest dated 4/23/2021 in the amount of \$30,291.19."

Motion: P. Laufenberg

Seconded: B. Benton

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joseph Monti – abstained, Peter Laufenberg – yes.

Motion Passes: 4 – Yes, 0 – No Abstained: 1

MOTION: "To approve the vendor manifest dated 4/23/2021 in the amount of \$546,464.09."

Motion: M. Peabody

Seconded: B. Benton

Discussion: None



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Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – abstained,
Joseph Monti – abstained, Peter Laufenberg - yes.

Motion Passes: 4 – Yes, 0 – No Abstained: 1

MOTION: "To approve the welfare manifest dated 4/23/2021 in the amount of \$25.00."

Motion: R. Sabourn

Seconded: P. Laufenberg

Discussion: None

Roll Call: Marianne Peabody – abstained, Brad Benton – yes, Roy Sabourn – yes,
Joseph Monti – yes, Peter Laufenberg - yes.

Motion Passes: 4 – Yes, 0 – No Abstained: 1

MOTION: "To approve the LCJ Holdings, LLC. manifest dated 4/23/2021 in the amount of \$4,370.03."

Motion: R. Sabourn

Seconded: J. Monti

Discussion: None

Roll Call: Marianne Peabody – abstained, Brad Benton – abstained, Roy Sabourn –
yes, Joseph Monti – yes, Peter Laufenberg - yes.

Motion Passes: 3 – Yes, 0 – No Abstained: 2

Consent Agenda

1. Timber Tax Warrant for Tyler Phillips, PID 7-2-24, 115 Mt. Woodlands Road
Total Yield Tax: \$28.00
2. Notice of Intent to Excavate, James and Patricia Sanborn, PID 16-6-8, Rte. 49.
3. Gravel Tax Levy, James and Patricia Sanborn, PID 16-6-8, Rte. 49.
Total Gravel Tax: \$69.60
4. Gravel Tax Levy, Duane Johnston, PID 6-6-7 and PID 15-4-24, Laundromat Road; FA
Crane, PID 15-4-31, Rte. 3; Shirley and Jerel Benton, PID 10-3-41, Cross Road; Shirley
and Jerel Benton, 10-14-3, Stone Dam Road. Total Gravel Tax: \$647.68
5. Gravel Tax Levy, Leigh Johnston, PID 15-4-30, Laundromat Road and PID 15-4-69, Rte
3.
Total Gravel Tax: \$115.00.
6. Abatement Request – Bethcat Inc., P6-7-1, Rte. 3
Assessor recommends abatement be denied.
7. Abatement Request – Karen R. Bowie Trust, PID 8-8-1, Mill Brook Road
Assessor recommends an abatement in the amount of \$593.25.
8. Abatement Request – Barbara A. DeBonis Trust, PID 16-1-8LS13, 28 Linkside Drive
Assessor recommends abatement be denied.
9. Abatement Request – Kevin Flynn, PID 18-4-1, 283 Sandwich Notch Road
Assessor recommends an abatement in the amount of \$653.58.



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10. Current Use Application – Benjamin Harrison, PID 8-14-7, Sullivan Drive.
11. Elderly Exemption Application – Susan M. Rossley, PID 10-3-43, 136 Cross Road.
12. Veterans Tax Credit – Elizabeth Soukup, PID 6-9-49, Rte. 175.
13. Veterans Tax Credit – Jonathan Demler, PID 7-2-13-29, 34 Cals Hill Road.
14. Veterans Tax Credit – James Giragosian, PID 10-1-3-7, 24 Point of View Drive.
15. Veterans Tax Credit – Francis Lajeunesse, PID 11-1-276, 41 Mtn. River East Rd.
16. Veterans Tax Credit – Everett Johnston, PID 11-5-4, 176 Sunrise Hill Road.
17. Veterans Tax Credit – Fred Gunter, PID 12-6-1, 142 Tamarack Road
18. Veterans Tax Credit – Gene Cornelius, PID 16-7-60, 25 Upper Mad River Road
19. Solar Exemption – Christine Valdes and Thomas Manter, PID 15-1-41, 109 Banjo Dr.
20. Solar Exemption – Emily Eynon, PID 17-4-18, 13 Sugar Run.
21. Charitable Exemption - Thornton United Methodist Church, PID 10-5-2, 20 Church St.
22. Charitable Exemption – Hubbard Brook Research Foundation, PID 6-5-8, 25 Dobson Hill Rd.
23. ZCA 2021-25, Linda and Vincent Gillis, PID 15-4-6A, 23 Granite Ledge Road
Description: 12x16 Shed.
24. ZCA 2021-27, Kevin Dorsey, PID 15-4-11-15, Fraser Road
Description: 44x30 SF 3-Bedroom House.
25. ZCA 2021-28, Bruce and Catherine Parker, PID 17-19-15-3, Rte. 49
Description: 16x20 bedroom addition.
26. ZCA 2021-30, Matthew McDermott and Crystal Thomas, PID 15-1-43, 125 Adams Farm Rd.
Description: Demo old deck, add 18x16 lower deck and 16x10 higher deck.
27. ZCA 2021-31, Mary Johnson Trust, PID 11-1-91, 40 Covered Bridge Rd.
Description: 16x10 Screened in porch addition.
28. ZCA 2021-32, Noah and Lydia Buck, PID 15-1-50-11, Centennial Way
Description: 38x28 SF 3-Bedroom House.
29. ZCA 2021-33, Courtney Lins and Ryan Kempson, PID 7-2-13-38, Cals Hill Road
Description: 32x24 SF 2-Bedroom House and 20x22 Garage.

MOTION: "To approve the consent agenda as presented."



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Motion: M. Peabody
Seconded: J. Monti
Discussion: R. Sabourn suggest that Board members sign the consent agenda items as they review them, ahead of the meeting.

J. Monti stated having the consent agenda together at the beginning of the week to review was a huge help. J. Monti thanked TA Shepard for having the materials prepared ahead of the meeting.

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

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

Consent Agenda approved for April 21, 2021.

TA PRESENTS:

TA Shepard reviewed a culvert request from DOT. R. Sabourn stated he reviewed the letter and prepared comments back to DOT. The Board agreed to respond to DOT with R. Sabourn's comments.

TA Shepard stated an email was received regarding the telecommunication ordinance, asking that it be reviewed and updated; the last update was in 2001. J. Monti asked that a copy of the email be forwarded to the Chair of the Planning Board.

TA Shepard stated a letter from Jeremy and Cher Duffield was sent to the Board regarding the Vertex Tower Assets, LLC cell tower; the ZBA also received a copy. R. Sabourn asked that a copy of the email be forwarded to the Chair of the Planning Board.

TA Shepard reviewed the fire department quarterly and stated the ambulance fees and revenues were using the old percentages from last year. She stated the error was caught early enough to not disrupt the 2021 totals, and a check would be sent to the Town to make up the difference.

TA Shepard stated the American Rescue Plan Act will be going into effect soon; NH Municipal has been a great resource and is working with the federal government to bring information to all municipalities as it becomes available. At this time, it is estimated the Town of Thornton will receive \$251,066.14. TA Shepard stated the funds received must be spent by December 31, 2024, and NH Municipal is recommending towns start thinking and planning on how to spend the funds.

Dan Boynton, Campton Selectman stated Campton is thinking about obtaining better communications for the fire department by improving existing communication towers utilizing those funds which will help improve local internet and emergency services.

TA Shepard stated the Town was alerted to a possible second living unit on a 6-acre piece of property; the town assessor was sent out to review and did find a second living unit on the property. It appears it is being used as a long-term rental unit. She stated a tax card has been created for the second unit, but there is no 911 number, no ZCA on file, and no proof of septic or well permits.



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R. Sabourn asked when the Zoning Compliance Officer position will be advertised. TA Shepard stated it will be advertised within the next week with an anticipated start date of July 1, 2021.

The Board agreed that concerns with the property will be given to the Zoning Compliance Officer when this position is filled for their review and action.

TA Shepard stated the Cable Franchise Agreement is due to expire on April 23, 2021 at midnight and asked how the board wanted to proceed. TA Shepard suggested a three or six month extension. Discussion followed.

MOTION: "To allow the Board to sign a 3-month extension of the Cable Franchise Agreement."

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: None.

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

Motion Passes: 5 – Yes, 0 – No

Abstained: 0

TA Shepard distributed the Hubbard Brook Scholarship applications (2) for the board to review. She asked the Board to have their recommendations back to her by April 30, 2021 to be formally voted on at the May 5, 2021 meeting.

TA Shepard stated a letter was received by an amateur metal detector who would like permission to go on Town property to search for items.

The Board discussed and they are not in favor of granting permission to search and dig for items on Town property.

TA Shepard stated the zoning compliance concern with the Monagle property has been addressed. Chairman Sabourn explained what he found in the file and discussion followed. It appears that with the dimensional waiver received from the ZBA several years ago relative to the two living units upstairs and with the zoning being Industrial Zone II, and the two units downstairs being used as short term rentals through AirBnB, this property is in compliance with the Town of Thornton Zoning Ordinance. The Chair will respond to the concerned citizen compliant in writing.

P. Laufenberg reviewed the following from the Planning Board:

- The Site Plan from Vertex Tower Assets, LLC was denied.
- A Site Plan for Old Sawmill Road for 42 rental units was reviewed and continued to the next meeting.
- Owl's Nest stated two (2) residential developments were being proposed later this year; 60 houses that will be for sale.

P. Laufenberg stated in less than a year the Town could be looking at over 100 new dwelling units. He stated he is meeting with Planner Menici to look at impact fees.

P. Laufenberg stated Owl's Nest has offered to give guided tours of the property to the Planning Board and BOS; Ms. Randall is working on scheduling and will get in touch with the Board.



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Agenda Items: (no public input unless approved by the Chairman)
3:30 p.m. Transfer Station Advisory Committee Presentation

Proposed ordinance

P. Laufenberg thanked the Transfer Station Advisory Committee for their hard work putting together the proposed ordinance; the Committee feels that it will help the transfer station reduce waste and increase recycling.

P. Laufenberg highlighted the following that were in the proposed ordinance:

- Asking children under the age of 12 stay in car for safety.
- Clear bag mandate to reduce trash and increase recycling.
- Commercial contractor waste permits. If a commercial contractor wants to dump job waste, they will need to seek a permit from town per job with fees. This will encourage contractors to get a dumpster, as the hopper gets full, and residents cannot dump their own construction waste.
- Limiting individual commercial trash haulers.
- Allowing for a transferable permit.
- Hours of operation changes
- Electronic Payments
- Overflow options
- Staffing
- Storage
- Guidance for Site Plan Review to include how trash will be dealt with; if a hotel is being built, they need their own disposal plan and not use the transfer station.

P. Laufenberg stated the proposed ordinance is a starting point to help with the concerns at the transfer station. Thornton, Campton, and Ellsworth all had representation on the Committee, and used data from similar towns to come up with the proposed.

Bill DeLeo stated the best way to see what is needed at the transfer station is to collect data.

Bob McCabe stated second homeowners need to be considered when decisions are made.

Transfer Station Manager Steve Chiocca thanked the committee for their work; he stated there are some items that he does not agree with. He stated he has a list of initial concerns that he will distribute.

Discussion followed. A joint meeting between Thornton, Campton, and Ellsworth was proposed.

R. Sabourn thanked the committee and TS Manager Chiocca for their work and for the discussion. Steve Chiocca will forward his concerns to the advisory committee and the BOS before the May 5, 2021 BOS meeting. At this time, TA Shepard will forward the TSAC proposed ordinance and memo to the Towns of Campton and Ellsworth for their review. The Thornton BOS will discuss this further at their May 5, 2021 meeting and will discuss when to schedule a joint meeting with the Towns of Campton and Ellsworth for further discussion.



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4:30 p.m. Paving Bid Discussion

R. Sabourn stated four (4) bids were received, but two (2) of the bidders stated they cannot cross the bridge to get to the proposed roads, as they are over 15 tons. He stated RA Kubik has a revised paving schedule that would allow for the bridge to be dealt with while other areas are paved.

TA Shepard stated if the BOS accepts the updated paving schedule, the four (4) companies that submitted bids will be asked to submit revised bids by Friday, April 30th, to be opened with RA Kubik and TA Shepard on Monday, May 3, 2021, with the BOS awarding the paving bid at their meeting on May 5, 2021.

MOTION: "To approve the updated paving schedule submitted by RA Kubik."

Motion: P. Laufenberg

Seconded: J. Monti

Discussion: None.

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

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

COVID 19 Discussion – Town Buildings

TA Shepard asked the BOS to consider leaving the Town of Thornton COVID 19 protocols in place until a later date even though the Governor's mask mandate recently ended. Governor Sununu's 'Safe at Home' measures are in effect until May 7, 2021 and many municipalities and businesses are waiting to see what the Governor's new plan will be at that time. Discussion followed.

MOTION: "To extent the Town of Thornton's current Covid 19 protocols until the second BOS meeting in May."

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None.

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

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

Policy Regarding Appointment of Board Members

J. Monti stated this policy is not needed; it is an overreaction to a one-time event.

R. Sabourn stated Town Counsel drafted the proposed language, and he feels it is necessary in case someone joins with a personal agenda.

P. Laufenberg stated the Board has the ability at anytime to not allow someone to join a board.

R. Sabourn confirmed that reason for denial on a Board does not need to be given. B. Benton agreed that the policy was not necessary.

No further discussion was had.

5:00 p.m. Special Events Public Hearing – Boogie and Blues

B. Benton recused himself from the Board.



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B. Benton explained that the event will run Friday through Sunday, 5:00 p.m. to 10:00 p.m. on Friday night, 11:00 a.m. to 10:00 p.m. Saturday night with fireworks ending by 11:00 p.m., and 11:00 a.m. to 6:00 p.m. on Sunday. Everything else will be the same as previous years. He stated all Covid 19 event protocols will be in place.

The Board agreed that final pre-event inspections will be completed by the Police Department, Fire Department, Emergency Management, and Health Officer on Thursday, August 19, 2021 at 6:00 p.m. Chief Defosses and Chief Miller agreed that they will attend as well to complete the pre-event inspection unless an emergency situation arises.

Public Hearing

No public input was received.

Selectman Discussion

The application was reviewed.

Health and Safety Checklists

Chief of Police

- Written recommendations were submitted to the file: yes, Chief Miller stated suggestions were made for minor schedule changes in Police coverage to reduce coverage hours on Friday night and add hours for Saturday night.
- Were event requirements met in previous years: yes
- Will an advance deposit for services be required: no

Fire Chief

- Written recommendations were submitted to the file: yes.
- Were event requirements met in previous years: yes
- Will an advance deposit for services be required: no

Health Officer

- Written recommendations were submitted to the file: yes, all needs have been met.
- Were event requirements met in previous years: yes
- Will an advance deposit for services be required: no fees are required

Emergency Management Director

- Written recommendations were submitted to the file: yes, the emergency plans are in place.
- Were event requirements met in previous years: yes
- Will an advance deposit for services be required: no advance fees are required.

The Board reviewed the following requirement criteria:

- a. The site is appropriate for the proposed use or structure: Yes
- b. The proposal is not detrimental, injurious, or offensive to the neighborhood: Yes
- c. There will not be undue nuisance or serious hazard to pedestrian or vehicular traffic: Yes
- d. Adequate and appropriate facilities will be provided to insure the proper operation of the proposed use or structure: Yes
- e. The site provides sufficient parking: Yes
- f. Adequate sanitation/toilet facilities and waste removal will be provided: Yes



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- g. All other required licenses (such as alcohol and food service licenses) have been obtained: Yes, these licenses will be received prior to the issuance of the special event permit.
- h. Neither the property owner nor the organization has failed in the past to pay any detail fees associated with past special events. No, all fees have been received.

Criteria has been met with the conditions as noted:

- Food licenses will be obtained before the final license will be distributed. No alcohol license will be needed.
- No additional requirements were submitted this evening by the Police Department, conditions set forth by Fire Department (see letter), any additional conditions required by the health officer will be submitted during the pre-event inspection, no additional requirements were submitted by the Emergency Management Director.

MOTION: "To approve the 2021 Boogie n Blues Festival Special Event License application with conditions as listed:

- The event will be held on August 20th, 21st, and 22nd, 2021
- Permitted hours of operation of the event are Friday, August 20th from 5:00 p.m. through 11:00 p.m. Saturday, August 21st from 11:00 a.m. to 11:00 p.m. with fireworks ending by 11:00 p.m. and Sunday, August 22nd from 11:00 a.m. to 6:00 p.m.
- The hours allowed for set up are August 16th-20th 8:00 a.m. to 10:00 p.m. and breakdown August 23rd-27th from 8:00 a.m. to 5:00 p.m.
- Pre-event inspection will be conducted by all emergency departments on August 20th, 2021 at 6:00 p.m.
- Recommendations from the Emergency Departments as specified in their letters.
- Food licenses will be obtained before the final license will be distributed."

Motion: J. Monti

Seconded: P. Laufenberg

Discussion: None.

Motion Passes: 4– Yes, 0 – No

B. Benton rejoined the board at 5:25 p.m.

5:26 p.m. MOTION: "To adjourn."

Motion: P. Laufenberg

Seconded: M. Peabody

Discussion: None.

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

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

Respectfully submitted,

Kerrin Randall
Office Assistant