

2023 Thornton Town Meeting Minutes

Tuesday, March 14, 2023

The polls were opened at Thornton Central School, located at 1886 NH Route 175, Thornton NH, at 8:00 am by Moderator John Piantedosi. The polls not to close earlier than 7:00 PM. Absentee ballots are to be cast at 1:00 PM.

Total number of voters on the checklist: 2001

New Voters on election day: 5

Total number of registered voters: 2006

Ballots cast: 1220

To the inhabitants of the Town of Thornton in the County of Grafton in said state qualified to vote in the town affairs and to act upon the following subjects:

Article 1: To choose all necessary officers for the terms stated:
The following elected positions are available for the **March 14, 2023**, Town Elections.

Select Board Member

Three-Year Term, Two Positions

Steven Babin 188
Bradford R. Benton 218

Library Trustee

Three-Year Term, One Position

Martha Humphrey 309

Cemetery Trustee

Three-Year Term, One Position

Geraldine A. Benton 327

Town Clerk

Three-Year Term, One Position

Anita C. Ross 315

Trustee of the Trust Funds

Three-Year Term, One Position

Richard Baker 322

Planning Board Member

Three-Year Term, Two Positions

David Levin 230
Nancy Decoteau 180

Overseer of Public Welfare

One-Year Term, One Position

Marianne Peabody 316

Article 2: Zoning Amendments

Zoning Amendment #1

Are you in favor of the adoption of amendments to the existing Town of Thornton Zoning Ordinance Telecommunications Facilities Ordinance, as proposed by the Town of Thornton Planning Board, as follows:

Add a new Section 1. Authority which alters the sequential numbering of subsequent Articles and adds the following language:

This ordinance is adopted pursuant to RSA 674:21. The Town of Thornton Planning Board is vested with the authority to administer this ordinance, and may grant conditional use permits, or waiver provisions of this ordinance to allow the site of wireless telecommunications facilities.

Amend newly numbered Section 4. Applicability, Paragraph A to read:

In addition to compliance with this Ordinance, all applications are subject to Site Plan Review by the Thornton Planning Board in accordance with the Thornton Site Plan Review Regulations and are subject to approval by the Thornton Board of Selectmen.

Amend newly numbered Section 4. Applicability, to delete Paragraph B.

~~B. All requests for a variance must to before the Zoning Board of Adjustment.~~

Amend the first sentence of the newly numbered Section 6. Use Regulations, introductory paragraph to read:

All wireless telecommunications facilities shall, in all cases, require a zoning compliance certificate issued by the Board of Selectmen and may be permitted as follows:

Amend the newly numbered Section 6. Use Regulations, Paragraph A. Existing Tower Structures: as follows:

Change reference from building permit to zoning compliance certificate.

Change reference from Section 6 to Section 8.

Amend newly numbered Section 6. Use Regulations, Paragraph C. to change the reference from Section 6.C. to Section 8.C.

Amend newly numbered Section 6. Use Regulations, Paragraph D. to read as follows:

D. Ground-Mounted Facility: A wireless telecommunications facility involving construction of a ground mount shall require Site Plan Review and require a conditional use permit pursuant to the provisions of this Ordinance.

Amend newly numbered Section 9. Monitoring and Maintenance, Paragraph B. to change reference from building permit to zoning compliance certificate.

Amend newly numbered Section 11. Application Procedure, Paragraph A. to read:

A. An applicant for a telecommunications tower must apply for a conditional use permit pursuant to the terms of this ordinance and for site plan review. If approved, the

Planning Board will make recommendations to the Board of Selectmen to issue a zoning compliance certificate.

Amend the first sentence of the newly numbered Section 11. Application Procedure., Paragraph C. to read:

- C. If the applicant is proposing to build a tower or other ground-mounted structure, the applicant shall submit written evidence demonstrating why no existing structure can accommodate the applicant's proposed facility.

Amend newly numbered Section 12. Waivers, Paragraph A. to read:

- A. Where the Planning Board finds that extraordinary hardships, practical difficulties, or unnecessary and unreasonable expense would result from strict compliance with the terms of this Ordinance, or the purpose of these regulations may be served to a greater extent by an alternative proposal, it may approve waivers to the regulations. The Planning Board shall not approve any waiver(s) unless a majority of those present, and voting shall find that all of the following apply:

Amend newly numbered Section 12. Waivers, Paragraphs B., and C.:

Replace all references to Zoning Board of Adjustment with Planning Board.

Amend newly numbered Section 15. Savings Clause to read:

If any provision of this Ordinance is found to be unenforceable or unlawful by a Court of competent jurisdiction, such finding shall not be construed to invalidate the remainder of the Ordinance.

Recommended by the Planning Board

YES = 272

NO = 87

Article passed.

Zoning Amendment #2

Are you in favor of the adoption of amendments to the existing Town of Thornton Zoning Ordinance Floodplain Development Ordinance, as proposed by the Town of Thornton Planning Board, as follows:

Amend Section II: Establishment, second paragraph to read:

The following regulations in this ordinance shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its "Flood Insurance Study for Grafton County, NH" dated February 20, 2008, as amended, together with associated flood insurance rate maps dated February 20, 2008, or as amended, which are declared to be a part of this ordinance and are hereby incorporated by reference.

Amend Section VI: Certification, Paragraph 1. to read:

1. The as-built elevation (in relation to Mean Sea Level) of the lowest floor (including basement) and include whether or not such structures contain a basement.

Amend Section VI: Certification, Paragraph 1.a. to read:

- a. If the structure has been flood-proofed, the as-built elevation (in relation to Mean Sea Level) to which the structure was flood-proofed.

Amend Section IX. Special Flood Hazard Areas to delete all references to 100-year flood elevation and replace it with Base Flood Elevation.

Amend Section IX. Special Flood Hazard Areas, Paragraph 6.c., third sentence, to read:

A minimum of two flood openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

Amend Section X: Variances and Appeals, Paragraph 2 to change the reference from RSA 674:33, I(b) to **RSA 674:33, I.**

Amend Section XI: Definitions to add the following definitions:

“Base Flood Elevation” (BFE) means the elevation of surface water resulting from the base flood.

“Flood Opening” means an opening in a foundation of enclosure walls that allows automatic entry and exit of floodwaters. See FEMA “Technical Bulletin 1, Openings in Foundation Walls and Walls of Enclosures.”

Amend Section XI. Definitions to delete the definition of “Functionally Dependent Use”.

Amend Section XI. Definitions to delete the existing definition of “Substantial Improvement” and insert the following:

“Substantial Improvement” means any reconstruction rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Amend Section XI. Definitions to delete the incomplete sentence "Additional Sections Required", which follows the definition of "Water Surface Elevation."

Recommended by the Planning Board.

YES = 263

NO = 100

Article passed.

Saturday, March 18, 2023

Thornton town Meeting convened at Thornton Central School on Saturday, March 18, 2023, at 10:00 am to act on the remaining articles of this warrant.

VOTERS PRESENT: 77

The Town Meeting was called to order at 10:00 am by Moderator John Piantadosi. Mr. Piantadosi announced that the local Boy Scout Troop 58 would be posting the colors for the first time this year. Scout Master Anita Ross gave the orders to present and post. The Scouts then lead the reciting of the Pledge of Allegiance. Mr. Piantadosi congratulated the candidates who won their races in the Town Election and asked them to remain after the adjournment of the meeting to take their oath of office. A reminder was made that there were Town Reports available at the entrance of the meeting as well as a Thornton Library patron survey on the table in the back. This was followed by introductions: Town Clerk Anita Ross, Town Administrator Desiree L. Mahurin, Selectman Roy Sabourn, Vice-Chairman, Selectwoman, and (acting as Chairman in the absence of Brad Benton) Marianne Peabody, Selectman Peter Laufenberg, and Selectman Joseph Monti. Assistant Moderator Kenneth Wolff, Supervisors of the checklist, Cindy McAuley, Clarissa Palmer, and (at the entrance) Mary Pelchat.

Motion: To entertain a motion to disperse from reading the warrant in its entirety.

Moved: Voter

Seconded: Peter Laufenberg

Discussion: None

Motion carried by unanimous vote.

Motion: To allow out of towners to speak, but not be allowed to vote.

Moved: Voter

Seconded: Voter

Discussion: None

Motion carried by unanimous vote.

Article 3: Shall the Town in accordance with RSA 72:28, II, readopt the OPTIONAL VETERANS' TAX CREDIT for an annual tax credit on residential property of \$500? The Board of Selectmen recommends this article (5-0). (Majority vote required)

MOTION: Voter

SECOND: Voter

DISCUSSION: Acting Selectboard Chairman, Marianne Peabody spoke to clarify this article. The only change was from standard (which is \$50) to optional (which is at the degression of the town) in the wording of the RSA. It was decided by the town, years ago, to have the amount set at \$500. Joyce Jardin asked about the eligibility for the tax credit within the households. Marianne Peabody stated that it would be for each Veteran in that household. Joyce Jardin also inquired about the cost to the town. Town Administrator, Desiree Mahurin clarified the town cost for the Tax Credit in 2022 was at \$98,000.

Motion on Article 3 was carried by unanimous vote.

Article 4: Shall the Town in accordance with RSA 72:28-b, readopt the ALL VETERANS' TAX CREDIT for an annual tax credit on residential property which shall be equal the same amount as the standard or optional veterans' tax credit of \$500 voted by the Town under RSA 72:28? The Board of Selectmen recommends this article (5-0). (Majority vote required)

MOTION: Butch Burbank

SECOND: William DeLeo

DISCUSSION: Butch Burbank asked for clarification on the difference of Articles 3 and 4. Selectwoman Marianne Peabody spoke to this clarifying that the difference was that in Article 3 the wording was changed. Whereas in Article 4 the wording shall read standard or optional. Joyce Jardin asked about the cost of \$98,000 if that was the total cost for all. This cost is for ALL veterans. Regardless of conflicts served and timelines. The way it was worded before would have restrictions on conflicts served, and timelines. With the new wording ALL Veterans regardless of Town Administrator, Desiree Mahurin stated that it was the grand total cost for all veterans in Thornton in all categories. The Town Administrator stated she did not have a breakdown of the costs separately for each veteran in all categories. But the total cost given was for all the veterans in the town.

Motion on Article 4 carried by unanimous vote.

Article 5: To see if the Town will vote to raise and appropriate the sum of ten thousand dollars (\$10,000) to be added to the existing Municipal Department Paving Projects Capital Reserve Fund for the purpose of future paving at the Transfer Station. The Board of Selectmen recommends this article (5-0). (Majority vote required).

MOTION: William DeLeo

SECOND: Butch Burbank

DISCUSSION: David Levin inquired as to why this became a priority, when there are other concerns regarding the transfer station such as additional dumpsters. Selectman Laufenberg address this stating that yes there are other concerns for the transfer station, in conversations with Campton that we share the Transfer Station with paving has been one of the top priority discussions among many. They want to start putting money into paving now. Paving falls into Capital Reserve funding, whereas the other concerns do not. Paving is not going to take place right away but will be done somewhere down the road. Capital funding cannot be used for additional dumpsters. Terry Penny asked about how much is put into each of the Capital Reserve Fund, she also would like how much money they were looking for regarding the paving. Selectman Laufenberg directed the question to pages 63 and 64 of the Town report, which gives a list of all the Capital Reserve Funds and the monies in each including the interest

and balances for the year. Selectman Laufenberg also stated that on page 19-22 that shows the CIP committee report that shows where all CIP monies go including balances, interests, and anticipated amounts over the next 10 years and what accounts they go into.

Motion on Article 5 carried by unanimous vote.

Article 6: To see if the Town will vote to raise and appropriate the sum of twenty-five thousand dollars (\$25,000) to be added to the existing Assessing Capital Reserve Fund. The Board of Selectmen recommends this article (5-0). (Majority vote required).

MOTION: William DeLeo

SECOND: Butch Burbank

DISCUSSION: None

Motion on Article 6 carried by unanimous vote.

Article 7: To see if the Town will vote to raise and appropriate the sum of seventy-five thousand dollars (\$75,000) to be added to the existing Highway Vehicle, Equipment and Major Maintenance Capital Reserve Fund. The Board of Selectmen recommends this article (5-0). (Majority vote required).

MOTION: Peter Laufenberg

SECOND: Butch Burbank

DISCUSSION: None

Motion on Article 7 carried by unanimous vote.

Article 8: To see if the Town will vote to raise and appropriate the sum of twenty thousand dollars (\$20,000) to be added to the existing Police Cruiser and Cruiser Equipment Capital Reserve Fund. The Board of Selectmen recommends this article (5-0). (Majority vote required).

MOTION: William DeLeo

SECOND: Butch Burbank

DISCUSSION: None

Motion on Article 8 carried by unanimous vote.

Article 9: To see if the Town will vote to raise and appropriate the sum of one hundred seventy thousand dollars (\$170,000) to be added to the existing Fire Truck/Rescue Vehicle/Equipment and Major Maintenance Capital Reserve Fund. The Board of Selectmen recommends this article (5-0). (Majority vote required).

MOTION: William DeLeo

SECOND: Butch Burbank

DISCUSSION: Butch Burbank inquired if we were still splitting the cost with Campton and as to what was being purchased. Selectman Laufenberg explained that there is a formula used to figure out the costs shared between Thornton, Campton, and Ellsworth.

Motion on Article 9 carried by unanimous vote.

Article 10: To see if the Town will vote to raise and appropriate the sum of fourteen thousand dollars (\$14,000) for the purchase of approximately 1.18 +/- acres land in front of the Town's municipal buildings abutting Merrill Access Road and US Route 3. This article includes associated administrative, land surveying and utility easement preparation costs. The Board of Selectmen recommends this article (5-0). (Majority vote required)

MOTION: William DeLeo

SECOND: Butch Burbank

DISCUSSION: General discussion describing the project took place. Various concerns and clarifications were made. Ralph Bradley moved the question. The question was then voted on.

Motion on Article 10 Passed.

Article 11: To see if the Town will vote to raise and appropriate the sum of three million nine hundred twenty-three thousand thirty-nine dollars (\$3,923,039) to support town operations for the 2023 year. Said sum does not include special or individual articles. The Board of Selectmen recommends this article (5-0). (Majority vote required)

MOTION: William DeLeo

SECOND: Butch Burbank

DISCUSSION: Terry Penny presented an amendment to the article.

AMENDMENT: Amend the sum of \$3,923,039 to read \$3,622,899.98. This being a decrease of \$300,139.10.

AMENDMENT MOTION: Terry Penny

AMENDMENT SECOND: Donita Rardin

DISCUSSION: A discussion on how this would affect the taxes entailed. The Town Administrator clarified the concerns of tax increases.

Multiple comments were made and a discussion on how, if passed, this article would impact on the budget as a whole. Selectman Laufenberg stated that the selectboard would have to go back and decide on that. Selectman Monti remarked that if this passed it would also impact the Capital reserve Fund. Town Administrator Desiree Mahurin clarified that the use of money for the town operations is all calculated into the tax rate. George Humphrey moved the question. Terry Penny seconded. The moving of the question passed. The Article Amendment was then voted on.

Article 11 Amendment did not pass.

Discussion on the Original Article was continued: Steve Babin made a motion to change the number to \$3,9065.49.

A second was made by Bob Hatcher.

Selectman Monti spoke to this.

This motion was voted on and did not pass.

Article 11 as originally presented was then voted on.

The original Article 11 as read Passed.

Article 12: To see if the Town of Thornton NH will vote to accept Fraser Road and Holly Lane as town roads from the start of Fraser Road off of US Route 3, up and throughout the Fraser Road and Holly Lane Development back out and onto Route 3. This acceptance is to be final and effective only upon a vote of the Board of Selectmen, that the road has been constructed to current town standards, that the condition is acceptable to the Selectmen and the Road Agent, that there are no title deficiencies with the road ownership and that the town is given a satisfactory deed for such road. Any and all costs associated with the legal review by town counsel shall be reimbursed to the Town of Thornton prior to acceptance. **(Submitted by petition)**

MOTION: Butch Burbank

SECOND: William DeLeo

DISCUSSION:

Selectman Sabourn made a motion to amend the article on behalf of the board of selectmen. The amendment reads as follows:

AMENDMENT: To see if the Town of Thornton NH will vote to accept Fraser Road and Holly Lane as town roads ~~STRIKE: from the start of Fraser Road off of US Route 3, up and throughout the Fraser Road and Holly Lane Development back out and onto Route 3.~~ **ADD THIS:** Said roads are depicted on the plan of approved subdivision recorded at the Grafton County Registry of Deeds as Plan No. 12625. This acceptance is to be final and effective only upon a vote of the Board of Selectmen, that the road has been constructed to current town standards, that the condition is acceptable to the Selectmen and the Road Agent, that there are no title deficiencies with the road ownership and that the town is given a satisfactory deed for such road. Any and all costs associated with the legal review by town counsel shall be reimbursed to the Town of Thornton prior to acceptance. **(Submitted by petition)**

AMENDMENT MOTION: Peter Laufenberg

AMENDMENT SECOND: Marianne Peabody

DISCUSSION:

Selectman Sabourn made mention that there is no attempt to change the meaning of this article, the amendment is to clarify what is being asked to be taken over. Recently there was an extension to the roads that were asked to be accepted, but that is not what is being asked to be part of. It is the first portion of the roads that is being approved, not the last section. The amendment is to ensure that there is no question about what portion of the road is being accepted.

Amendment of Article 12 Passed

AMENDED ARTICLE TO READ: To see if the Town of Thornton NH will vote to accept Fraser Road and Holly Lane as town roads. Said roads are depicted on the plan of approved subdivision recorded at the Grafton County Registry of Deeds as Plan No. 12625. This acceptance is to be final and effective only upon a vote of the Board of Selectmen, that the road has been constructed to current town standards, that the condition is acceptable to the Selectmen and the Road Agent, that there are no title deficiencies with the road ownership and that the town is given a satisfactory deed for such road. Any and all costs associated with the legal review by town counsel shall be reimbursed to the Town of Thornton prior to acceptance. **(Submitted by petition)**

MOTION: William DeLeo

SECOND: Butch Burbank

DISCUSSION: None

Article 12 Passed as amended.

Article 13: All warrant articles submitted to the townspeople must contain a statement as to the impact of the article on the property tax rate of the town. The statement must explicitly state the dollar amount of the article and the increase in the property tax rate in terms of absolute dollars and a percent increase from the year before. (For example, "This will increase the town budget by \$50,000 and add \$1.86 to last year's property tax rate of \$18.65 which is equal to a 10% increase in your property tax bill.") This will be effective for all Town of Thornton warrant articles. The Board of Selectmen do not recommend this article (5-0). (Majority vote required)

MOTION: William DeLeo

SECOND: David Levin

DISCUSSION: A discussion took place with the main question being, why the selectboard was not in favor of this article. Selectman Monti and Selectman Laufenberg spoke about the reason why the Selectboard did not support this article.

Article 13 Did Not Pass

To transact any other business, which may legally come before this meeting.

Barbara Patterson spoke about having a post with a plaque for Phyllis Holbrook, Ken Robbins, and

Alonso Benton to be placed at Pine Grove Cemetery. She also spoke about the Town Library and the need of a new library building. Sally Davis and Myrtle Lewis expressed their concerns about recycling at the Transfer Station and on what the rules were for disposal of recyclables. Selectman Laufenberg spoke to her concerns.

Selectman Peabody recognized Selectman Roy Sabourn for his 16 years of service to Thornton. Selectwoman Peabody stated that the board of selectmen would like to take this opportunity to thank Roy Sabourn for his many years of dedication and service to the Town of Thornton as a Selectmen for the last 16 years. Prior to holding the position of Selectman, Roy was also a member of the Planning Board for many years.

Roy has been on the Board of Selectmen since 2007, during that time he was appointed Chairman 4 times by his peers. He had also been delegated to represent the Board as the Enforcement Official and the Ex-Officio Planning Board member.

Being a lifelong resident of Thornton as well as a licensed surveyor, he continuously offered a wealth of knowledge and information regarding the history and past events of our Town. During his tenure Roy attended multiple outside training sessions relative to municipal government to help acquire the technical knowledge to help perform his duties as a Selectman.

He has been instrumental in many important projects and processes through the years including but not limited to mapping updates, perambulation records, zoning compliance application processes and acquisition of grants.

Thank you, Roy, for all you have done for the Town of Thornton.
Enjoy your retirement!

Roy expressed his thanks to all.

MOTION TO ADJOURN: Robert Hatcher

SECOND: Carolyn Piantadosi

ADJOURNED: 11:42pm

Given under my hand and seal the 20th day of April 2023

Respectfully submitted,



Anita C. Ross

Town Clerk

Town of Thornton