

TOWN OF RUMNEY  
PLANNING BOARD  
MINUTES

August 27, 2013

The meeting was called to order at 7:03 pm by Chairman Kathy Wallace.

Present were Dan Kimble, Kathy Wallace, Carl Spring, Jerry Thibodeau, alternate David Saad sitting for Rob Ayer and alternate David Landseadel sitting for Brian Flynn. David Coursey joined the meeting at 7:20 pm.

1. The minutes for the July 30, 2013 meeting were approved with minor corrections by a unanimous vote. David L., David S. and Jerry T. abstained from the vote. It was questioned if the NCC decision to have Tara Bamford attend the September work meeting was by a vote or consensual. It was consensual.
2. The Clerk reported the trailer (second dwelling unit) on Tax Map # 13-05-13 has been removed as per the subdivision stipulation on August 30, 2011.
3. Ken Knowlton requested further confirmation from the Board as to enforcement policy. Was the Board willing to go to court if necessary to gain compliance to the Boards regulations, waivers, etc. It was discussed at length and whether court and legal fees can be recouped. Can liens be added to the tax bills? Carl made a motion "in persistent cases the Board will follow thru with the appropriate legal action". Dan seconded the motion. David S. questioned if this motion applied to a current situation or was generic. This motion was a generic Board decision and did not apply do any current problems. A unanimous vote followed.
4. Tax Map #12-8-8-1 David Saad and Jerry Thibodeau recused themselves from this issue. In reviewing the Board's stipulations for extending a waiver on this property for two years, it was noted the time frame for completion of the list was August 2012 with the waiver expiring in August 2014. This has not been done and the yearly septic pumping continues to be necessary. Carl made a motion "to have Ken Knowlton follow through with legal action on this property to enforce the conditions set forth in Ken's letter to the property owner on August 8, 2012". Kathy W. seconded the motion. Voting in favor of this motion were Carl S., Dan K., David L., Dave C., and Kathy W. Speaking as a citizen, David S. questioned if the waiver is up in one year and the second trailer is removed, would we take legal action or would the conditions no longer exist. It is the Board's consensus that if the trailer were removed our issue will be resolved.
5. The Board's fee schedule was discussed. Presently the waiver/merger fee was less than the charge from Grafton County Registry of Deeds. After discussion, Dan made the motion "to change the fee to Grafton County's fees plus \$10.00". A unanimous vote was taken. This will eliminate the need to adjust this amount if and when G.C. changes their fee.
6. Recuse procedure and reasoning was reviewed and discussed. Two examples of the need for recusal, per the NH Town & City, July/August, were reviewed – "when an official has a conflict

of interest with respect to a specific matter or when the official is biased and cannot act impartially.” Recusal of Rumney School District board members and Select Board members who are also Planning Board members was also discussed.

7. Carl S. questioned a property with rental available – had been approved by the Board years back.
8. Carl suggested any purchases made by the Board be preapproved. The Clerk handles the purchases which consist of postage and printer cartridges and felt preapproval by the Board was not necessary. Also, the need to purchase either of these items would occur between meetings. It was agreed to show the Board the monthly budget and explain any expenses.
9. Buck lot line adjustment – no one was present to address this and due to the unusual situation, it was tabled. The Clerk will contact the surveyor.
10. CNHA – Carl recused himself and sat as public. The approved Alteration of Terrain permit was received from NH DES for the excavation pit/quarry. David S. questioned if the state had any problems with the proximity to the Baker River. The state felt the Baker River was beyond the yardage of concern. Carl speaking as the public questioned two points – 1. Can we verify the quantity of material removed from the pit? 2. With violations in place why did the state not follow thru with the Board’s concerns? He further requested a state inspection be done at the pit as an abutter has a problem with the inspection done earlier this year and feels R. Arey needs to recuse himself from future pit problems as the blaster currently is working with Mr. Arey to protect the Polar Caves. The Chair stated the original letter to NH DES will be reviewed and a letter will be sent questioning any unresolved violations and why they were not addressed. Several Board members asked to accompany a state inspector to gain knowledge of what is addressed with the inspections.
11. The Chair reminded the Board of the September work session, that Tara Bamford will be present and will have reviewed the entire subdivision regulations to make suggestions for needed changes.
12. The meeting adjourned at 9:10 pm.

Respectfully submitted,

Diana Kindell  
Clerk