

Newbury Update is published by the Town of Newbury to offer residents a view of the town government operations and activities. Copies are available at the town office, library, transfer station and old town hall, but you're encouraged to get your copy at the town web site: www.newburynh.org or to receive a copy via e-mail, send your request (and any comments or suggestions) to: newburyupdate@gmail.com.

UPCOMING EVENTS

(details within issue)

- Sept. 15 Tour of cemeteries
- Sept. 16 Roadside clean-up day
- Sept. 17 Poetry Jam at library
- Sept. 18 Wellness workshop: diabetes
- Sept. 22 Boating safety class
- Sept. 29 Fall Fling 5K and Foliage Festival
- Oct. 6 Boating safety class
- Oct. 15 Author Geoffrey Davis at library
- Oct. 22 Poetry Jam at library

NEEDED: BUSY PEOPLE

Newbury is in urgent need of busy people. That's who you're supposed to go to when you need something done, the adage says.

To save space, rather than including a recruitment pitch in each article, be it known that the town's boards and organizations need volunteers. All of them.

Please call Dennis Pavlicek at town office – 763-4940 x204 – if you'd like to find out more about the possibilities. If there's enough interest, a recruitment event might be held. Let's hope.

Boating safety classes – New dates have been scheduled for boating classes in Newbury, after the NH Marine Patrol had to cancel the summer sessions when their officers ended up being too busy to instruct. The four new sessions each will be held at the town office building.

Saturday	Sept. 22	9 a.m. – 5 p.m.
Saturday	Oct. 6	9 a.m. – 5 p.m.
Mon & Wed	Nov. 12 & 14	6 p.m. – 9:30 p.m.
Tues & Thur	Dec. 11 & 13	6 p.m. – 9:30 p.m.

Call the NH Marine Patrol at 267-7256 with any questions or to sign up for one of the sessions. There is a \$10 registration fee.

Important note: Beginning next year, everyone over 16 years old must have a Safe Boating Certificate from this course. The certificate is good for your lifetime. This year, anyone age 16-50 must have the certificate in order to operate any boat over 25hp.

Clearing the view – At press time the selectmen had their third roadside clean-up cancelled by rain. It was pushed off a week to Sunday, Sept. 16. They clear the roadside along Rte. 103 from Village Rd. to Rte. 103A. There are other roads in town that could use the occasional pick-up, and it's a safe bet the litterers won't do it. The selectmen would like to thank those who help, and encourage those who haven't yet.

Summer information meeting – This year's meeting on July 28 drew about 20 people, way up from other years possibly because it was timed right before the second town center visioning session. A range of topics were raised from the floor. Some addressed questions about specific roads and private-road maintenance issues. Old Home Day was complimented, but parking got discussed. Several Blodgett Landing residents were present and asked for an update on the sewer project.

When asked if appraisals have just been updated, Dennis Pavlicek reported the appraisals were done last fall and a statistical update probably won't be done again for five years. The only changes to appraisals should be due to building permits, or updates or corrections to the property cards.

Asked what happens if a taxpayer does not pay his taxes, Pavlicek stated that if taxes are not paid by the due date, an interest charge of 12% is incurred and after the second notice it increases to 18% interest and a lien is placed on the property. After two years of not paying taxes, the town initiates action to take the property by tax deed.

Another individual stated his concern over the rise of taxes in Newbury. He said there are many people in town that have had camps on the lake for generations that simply cannot afford to keep them anymore. It was pointed out that with the recommended budget and articles presented at town meeting, the tax rate would in fact have gone down. Voting at town meeting is a key element. Also, nearly 75% of the total tax bill is from other entities – state, county and schools. Individual tax bills are also a result of property values, which are driven by the real estate market.

An attendee asked the town's position in issuing building permits and whether a moratorium is possible. In fact there has been a decrease in building permits in town, and there must be a substantive reason to impose a short-term limit. In addition, there is a significant planning process that one must go through to subdivide in Newbury.

Blodgett sewer update – The collection / distribution system work is basically done but for the paving that was scheduled for after the summer season. Town administrator Dennis Pavlicek said that this portion of the project came in just under budget. The engineers are still working on the design for the pump systems, to go out to bid this fall for a start-up as soon as possible. It is possible the design work for the amphidrome will be ready to go to bid late fall, for construction next year. Prior to going to bid, the designs must be approved by the state, a requirement of the special loan rate the state made available for the project.

This year's sewer tax bill is \$1,011 per hook-up. The increase in this year's sewer tax bills comes in part from built-in 1.0% interest on the project loan, water testing costs, and employee costs associated with more hours year-round for the Blodgett system operator. Last year's bills were \$896, up \$11 from the previous year.

The annual debt service on the renovation project, once it's added, will be about \$600 for each of the 145 hookups that share the system's cost. That debt will be paid off in 20 years.

During the repair work on the lines, Stantec found there are seven properties that have leaking systems. Letters will be sent to those property owners.

Supplement on visioning, Fishersfield, town ordinances – A supplement to *Newbury Update* will be published in several weeks to better cover the status of Fishersfield, the input from the town center visioning sessions, the sidewalk project, and the updated town ordinances. It should even have some artwork. It will be emailed to those on the electronic subscription list, and copies will be available in the holders with the regular issue at the transfer station, library, town office and old town hall.

Old Home Day – Feedback has been positive overall on Newbury's second Old Home Day, and constructive comments are being incorporated into planning for next year's event.

The comments included: two serving lines for dinner to speed the process; the possibility of having the "Forever Locked" moose exhibit on display; a Fish & Game presentation; more volunteers to help events run more smoothly, including clean-up help, and perhaps

holding most activities at Fishersfield Park in concert with a dedication.

Selectmen also determined that parameters should be in place for commercial companies that want to set up tables during Old Home Day. It was decided that next year commercial groups can set up tables for a pre-determined fee.

Selectmen thank the Old Home Day committee and everyone who took part for their efforts this year, as everyone really came together to make this a fun-filled day in Newbury.

Moose plate grant – Newbury received one of 19 grants this year from the NH Dept. of Cultural Resources funded by the Conservation License Plate or “Moose Plate” program. Newbury’s grant of \$10,000 was awarded to conserve and microfilm more than 500 pages of the town’s earliest existing book and town records. It’s called Book C and contains early vital statistics – births, deaths and marriages.

Bald Sunapee outbuildings – At their meeting on Aug. 13 the selectmen opened the four sealed bids submitted for the demolition and removal of the large shed on the town-owned property at Bald Sunapee. They awarded the work to John Petrowski who bid \$1200. The other bids were October Builders - \$3000; KA Stevens & Sons - \$3075 and NH Landworks - \$3350.

The greenhouse at the property will be dismantled sometime this fall and relocated to Fishersfield Park for use at the proposed community garden.

Park 10 lots sold – On Aug. 13 selectmen opened the sealed bids received for the four town-owned lots in Park 10 off Rte. 103. Property transfer will be by quitclaim deed. The bids received were:

1) Map/lot #031-764-094 (0.33 acre): awarded to Peter Metsch for \$2,500. Other bids: James & Loretta Myles - \$1,325; Paul Clark - \$800; Brad Laclair - \$150

2) Map/lot #031-775-211 (0.06 acre): awarded to Paul Clark for \$200. Other bids: Brad Laclair - \$150; Bruce Clark - \$66

3) Map/lot #031-788-301 (0.12 acre): awarded to Kate Aleskiewicz for \$1100. Other bids: Paul Clark - \$400; Brad Laclair - \$150; Maureen Clement - \$50

4) Map/lot #020-055-210 (0.20 acre): awarded to Brad Laclair for \$1500. Other bids: Jason Amenda - \$1176; Michael MacDonald - \$603; Paul Clark - \$100

Bridge aid hastened – The state Dept. of Transportation informed the town in August that it has just doubled the funds it was going to spend on bridge replacement for the next two years. Newbury had two bridges on the aid list, scheduled for work in 2013, but the state would like to move us up to 2009 (the state fiscal year starts July 1).

We could either do the Village Road bridge or also do the Sutton Road bridge at the same time. The selectmen agreed with Dennis Pavlicek’s recommendation to do both at the same time as we would likely get a better price with engineering and construction firms bidding and working on both at once. He expects there would be savings on mobilization for the surveying and engineers’ time, trips and travel. The construction firm awarded the contract could do one and then head to the other and the movement of equipment would be minimal, for mobilization savings there as well. We’d even save on the advertising.

There is already approximately \$105,000 in the capital reserve for this project and with \$25,000 payments in 2008, 2009, and 2010 we could well have enough for the town’s 20% share for both bridges, with the hoped for savings.

Pavlicek anticipates that if we started the engineering bid process late this year, we should have the engineering done by the fall of 2008 and we could then start the bid process in the winter of 2008-

2009 when contractors are more likely to be hungry for work and we would probably get a better price. The project could start after June 30, 2009.

Meetinghouse money – At their Aug. 13 meeting the selectmen agreed to transfer \$75,000 to the Center Meeting House board for its renovation. The money was approved by voters at the March 2007 town meeting. The CMH board has met their committed donation goal of at least \$300,000 prior to the transfer.

Reverse 911 – The local towns, including Newbury, working to set up a Reverse 911 system have found a New Hampshire vendor to do the work for a lower cost. It will be set up through New London dispatch. Charges will be on a per-call basis, so the expected low use will mean a low fee.

Dennis Pavlicek said they hope to have it implemented no later than the end of October. It will include an 800# module which allows the town to have a toll-free information hotline for people to call for information in an emergency, keeping other lines free.

Illegal cutting? – Dennis Pavlicek reported that a member of the Conservation Commission said she found some illegal cutting in town. Paul Lacasse, code enforcement officer, looked into this and agreed that it may be in violation of the Shoreland Protection Act. He passed along the information to the state DES for its review and action if appropriate.

TRIM insurance – The selectmen committed to signing an agreement for the 2008 workers’ compensation and liability health insurance through the Local Government Center (formerly NHMA) and agreed to the resolution. Under the new TRIM program, rates won’t go up more than 9% per year, which is a plus in light of the recent trend of insurance costs for liability, workers’ comp and health insurance.

The water’s fine – Dennis Pavlicek reported on July 30 that the water testing at the Newbury beaches on Lake Sunapee were all normal. Readings for E. coli are done by the state Dept. of Environmental Services 3-4 times over the summer. For Newbury, testing is done in Blodgett by the dock and at the harbor. While Newbury had good readings, other beaches on the lake did have some E. coli-related closures this summer.

Update update – The selectmen reaffirmed guidelines for the content of *Newbury Update* following recent inquiries. It was agreed that no advertising would be allowed in the publication and that the sole purpose of the newsletter is to recap official town board meetings and department information.

RECREATION COMMITTEE

What an exciting summer it’s been for Newbury Recreation. We have wrapped up another tremendous summer concert series at Newbury harbor. Thank you to the many businesses and organizations that support these fun, family events.

Ecology Camp at The Fells was a rousing success in its first year. For the six attendees tromping through the hills and fields around the Hay estate, many strange bugs, gorgeous wildflowers and the occasional deer track were there to capture the imagination.

The Recreation Dept. also hosted its first round of instructional courses in fly casting. The introductory courses were very successful in this first go-around. We will host this class again as well as some more advanced courses. We are also looking into the possibility of a fall fishing trip. If you’re interested please contact Travis at 763-4940 x210 or travis@newburynh.org.

The recreation committee's Dunk Tank at Old Home Day was again a popular event. (On my first official outing as recreation coordinator I spent 30 minutes in the tank and figure I hit the water about 100 times.) Our sale of T-shirts and sweatshirts showed a profit of \$300, and the tank cleared \$184, which goes into the recreation revolving fund.

Wellness Workshop

The next session in the series of free informative workshops on wellness issues will be held Sept. 18 and the topic is Getting to Know Diabetes with diabetes educator Monica Valovic. The workshops are held at the town office from 6-7 p.m. More are being scheduled; watch for notices and check the town website for the latest.

Other Fall and Future Plans

In conjunction with the Bradford elementary school, Newbury Recreation will be hosting a fall outdoor adventure program. This after-school program, held at The Fells, had tremendous attendance last fall and we hope that will continue through to this year.

Another program along these lines that we are looking to offer in the future is an introduction to family hiking and camping. Many people have never set up camp before or spent multiple days independent of running water and other facilities. This is a great way to have family bonding time while on longer trips such as the many longer trail systems here in NH.

Some winter activities that we are looking at putting into place this year will be a town skating rink, a winter festival and a chapter of the Bill Koch Youth Ski League (BKYSL) for cross country. This is a learn-to-ski program for ages 4-13. We have received pledges of support from New England Nordic Ski Assoc. and the central NH division of BKYSL. The program would be centered at the exciting new Fishersfield Park.

FALL FLING & FOLIAGE FESTIVAL – Sept. 29

Newbury Recreation would like to announce the Fishersfield Fundraising Campaign. We will be doing a series of major fundraising events in order to outfit our amazing new facility with the athletic and recreation equipment that is needed.

Our first fundraiser is the Newbury Fall Fling 5K Road Race and Fun Walk, and the Newbury Fall Foliage Festival. All this will take place on Saturday, Sept. 29. The Fall Fling 5K is being sponsored by Outspokin' in Newbury harbor. Registration forms are available at the town office and Outspokin', as well as at www.newburynh.org. The run starts at 9 a.m. from in front of Outspokin' down Rt. 103 to the Lakewood Manor loop and back to the town dock. The festival follows from 10 a.m. – 2 p.m. at Bald Sunapee with crafts, food, flea market (spots for \$10), kids' games, local organizations and a tour of Fishersfield Park. For donations or sponsorship opportunities please contact me.

--Travis Dezotell, 763-4940 x210 or travis@newburynh.org

NEWBURY PUBLIC LIBRARY

Our librarian, Rosie Johnson, reports the summer reading programs went well and the wrap-up pizza party was a big and well-attended hit. The new Fun with French program drew 21 children who never heard Delphine Hill speak anything but French as they enjoyed stories and activities.

Watch for more family fun in October, decorating pumpkins with food. Photos from last year's party reveal an interesting range of results are possible, from artful to humorous. Details will be posted at the library.

The Young Adult Summer Reading Wrap-up had eight attendees, who read a combined total of more than 20,000 pages from June to the first week in August. YA librarian Janet Rucker said they reaped reading rewards with a silent auction sponsored by the Friends and

private donations. Newbury Quick Stop donated pizza to complete the celebration.

Johnson tapped Megan Clark McDaniel, a library assistant with some grant experience, to apply for a Libri Foundation grant earlier this year, and they recently received word of its acceptance. The Libri Foundation identifies its mission as: 'donating quality children's books to rural public libraries.' It offers grants that match 2:1 a local sponsor's gift to a library. The Friends of Newbury Public Library designated \$350 for the application, which means the grant is for \$1,050 worth of children's titles, roughly 70 books. Johnson anticipates an open house when the books arrive later this fall.

The adult book discussion series is in need of a discussion leader if anyone is so inclined. In the meantime, local author Geoffrey Davis will read from and answer questions about his book, *The Game of Their Lives: the untold story of the World Cup's biggest upset*, on Monday, Oct. 15, at 7 p.m.

After a summer hiatus, the Poetry Jam is starting up again, with the first two scheduled for Sept. 17 and Oct. 22, both Mondays, at 7 p.m. if you'd like to share and discuss your original poetry.

And the library is still looking for volunteers.

CEMETERY COMMISSION

The chain-link fence along the frontage of Lakeside Cemetery was replaced in August with granite posts and chain fence, a project approved at town meeting.

A reminder that there will be a walking tour of Newbury cemeteries on Sept. 15, at 1 p.m. Meet at the Newbury town office. The tour is done in conjunction with the NH Old Graveyard Assoc. There will be a business meeting of the commission at 9:30 a.m. followed by talks from Mary Bachelder on the various graveyards and Chuck Crickman updating his research on the Simon tomb. All are welcome. For more information call John Warren at 938-2960.

ASSESSING OFFICE

Assessor Norm Bernaiche and his assistant, Kris McAllister, continue the process of confirming the data on property cards. They have finished checking veteran exemptions against the qualifications established by the state, and are now working on condos and current use. Not all condos are built to plan, so where the plan was the data source, they need to measure the actual square footage in the units. For current-use properties, letters were sent to the property owners to ensure files are complete with application, map and current-use description for proper classification.

The next property classification for data verification has not been chosen yet, but Bernaiche said affected people will be notified by letter that the assessors will be in the neighborhood and will be asked to call to set up an inspection. Where no appointment has been made, assessors will knock on the door. If no one is home, they will only measure the outside. Note that our assessors carry an official town photo-ID badge. For properties posted with No Trespassing signs, their policy is to respect owners' right to post their property, and the assessors will send a letter or call to arrange a visit.

Bernaiche said he will be doing monthly reporting to the town administrator and selectmen on any valuation changes, changes in building permits and the like.

Check your property card

He suggests property owners check their property record card information. Assessing data is available on the town website, newburynh.org, and copies are at the town office. There is a computer terminal for public use in the town office lobby as well. If you find an error, a correction can be made to your current-year tax bill. Since corrections are not retroactive, it's worth checking each year, he suggests.

TOWN CLERK / TAX COLLECTOR

Tax Collector Linda Plunkett sent out the sewer bills for Blodgett's Landing at the end of August. Payment of the \$1,011 per hook-up is due by Oct. 1.

She's doing a good business in hunting, fishing, boat and OHRV licenses. Dog licenses aren't as positive; about 125 late dog license notices were sent recently.

Be advised that motor vehicle registration fees went up \$6 per year as of Aug. 1. That's for the state portion; the town portion has stayed the same for years. Linda is looking at options to allow use of debit cards at her office. In the meantime, if you aren't paying cash you'll need two checks, one each for the state and the town portions.

Grant for Vital Records

Town Clerk Linda Plunkett reports receipt of a \$10,000 grant from the state Vital Records Preservation Fund. Part of the grant covered a professional assessment and recommendation of what record-preserving tools were needed. The largest are two fire- and water-proof locking cabinets for the town clerk's office. There is also a HOBO data logger to track temperature and humidity in the office. It can be plugged into the computer to graph the results and adjust the office's 'climate' if necessary. It's serious business to preserve and protect birth, death and marriage records, including UV light filters and archival-quality sleeves and binders, even special packing boxes to decrease the handling of the documents.

TRANSFER STATION

For each ton of trash we have to haul we pay \$62 plus trucking. Each year we have roughly 600 tons of trash, and have been recycling more than 100 tons.

While each can out of the wastestream saves the town money, more would be even better. Whatever your motivation, ecology or economy, you are encouraged to recycle. Many who use our transfer station still do not.

Some people recycle, but without using the right receptacle, so the town has to resort to paying someone to go through the receptacles and separate out the tin/plastic, glass and aluminum. Please take the small effort to put recyclables in the properly marked receptacle.

In response to requests from residents, the transfer station is again accepting clean used oil. Oil will only be accepted when Churchill Heselton is there to examine and accept the clean oil, so be sure to call the transfer station at 763-2289 to make sure he is there or to make an appointment with him.

HIGHWAY DEPT.

Highway administrator Calvin Prussman reports a constructive summer season, including chip seal on Province Road, replacing culverts around town, and cleaning up storm damage. Fabric was put down in a couple areas with a history of bad mud in the spring. Rollins Road will also be getting geotextile fabric, a total of 3,300 feet from the end of the pavement up past Bartlett Road. That will be followed by 1,800 tons of 1-1/2" ledgepak and 900 tons of 3/4" ledgepak. The work should be done by the second week of September, weather permitting. Scheduled for the second half of September are culvert replacements in Winding Brook and Mountainside. In addition, Newell Road is scheduled for grinding this fall. Mowing was finished the end of August; one side of town is done each year. And yes, the highway crew will soon be readying the equipment for winter's challenges.

After deliberation and a public hearing on the topic, the selectmen decided to relocate funds in the highway budget originally designated for grinding and paving half of Baker Hill Rd. The money instead is being used to repair storm damage on multiple gravel roads. There was severe damage to Bartlett, Province, Winding Brook and Rollins roads in the spring. Selectmen explained at the public hearing that

these roads need to be fixed and they would like to table the Baker Hill paving this year and use the \$175,000 appropriated for these repairs. The improvements to Baker Hill are being pushed back a year; half to be done in 2008, the rest the following year. The board is trying to keep the tax rate stable and in doing so, must do a little at a time.

At the Aug. 27 selectmen's meeting Prussman reported that all the fabric is at the site for the Rollins Road repairs. The work on Winding Brook Rd., since it requires excavation equipment the town does not own, had been put out to bid. The board opened four sealed bids for that work; the winning bid was RHM Construction for \$15,000. Stone Face Excavating, BHL Excavation, and KA Stevens were to be notified of the winning bid.

Residents of Perry Court were invited to the selectmen's meeting on Aug. 27 to discuss options to improve the drainage on the private road to alleviate flooding problems it causes in Blodgett Landing. The selectmen would like the residents to come together to meet with the highway administrator so that he can give his opinion on what needs to be done and the property owners can get together to hire a contractor to do the work.

This is one of several problems with private roads and new home building, particularly on Grace Hill, that the selectmen have been addressing on a case-by-case basis.

On another issue of concern to residents in South Newbury village, selectmen have asked Prussman to explore with the state a possible agreement that would allow the town highway vehicles to use the state's adjoining property to reach the garage facility. The state has a driveway in an area in the village less populated than the route currently used by the highway dept.

HISTORICAL SOCIETY

An architect from Sheerr McCrystal Palson has been hired for the renovation study of the three town-owned buildings in South Newbury. The survey has been done and the report is in the works.

The Newbury Historical Society held its annual meeting July 29 with a program by Ron Garceau. "The Steamboat Era on Lake Sunapee," attended by well over 60 people.

The next meeting of the society is Nov. 1, at 7:30 p.m. in the town office building. Everyone is invited to attend and join in the discussion.

HEALTH OFFICER

Newbury Health Officer Wayne Whitford reminds residents that even though the summer is ending, the threat of insect-borne illnesses continues through the first major frost at the end of September or beginning of October. There have been human cases of Eastern Equine Encephalitis (EEE) in parts of New Hampshire this year and the threat is not over yet.

People should use caution when outdoors in the early evening, using insecticides and covering exposed skin as much as possible. Complete information on EEE and other insect-borne illnesses and precautions to take is available on the Health Officer's page of the Town of Newbury website: www.newburynh.org.

--Wayne Whitford

EMERGENCY MANAGEMENT

Volunteers are still needed to for the Community Emergency Response Team (CERT) that would be called on to help in the aftermath of a weather, health or other type disaster. You only need attend one of the two-day training courses being offered this fall. If anyone is interested they should call Paul Groulx, Newbury's emergency management director (paulg@newburynh.org or 763-4803) for the latest course schedules.

The selectmen recently authorized an agreement that makes the town office a designated shelter with the American Red Cross.

Groulx explained that if there was a disaster in town, the townspeople would use the town office as a shelter and the Red Cross would base its assistance and efforts from there.

POLICE DEPT.

Aaron Sparks was sworn in as full-time patrol officer for the Town of Newbury by the town clerk on Aug. 27 at the board of selectmen's meeting. He's a familiar face, having worked part-time for Newbury in 2000. Sparks brings 7 years' experience as a certified officer, in Bradford and most recently Gilmanton.

Chief Bob Lee reports the Old Home Day event went off 'without a hitch.' Despite the crowds, the traffic, the all-day time span and the number of events, not a single incident was reported the entire day.

Traffic accidents for the first six months of the year are down 38.5%. With a rise in the amount of traffic, Chief Lee said it says a lot for how people are taking more responsibility behind the wheel (the traffic sign and enforcement efforts aren't hurting either). Crime is down in all areas as well, making us a safer and more enjoyable place to be.

FIRE & RESCUE DEPARTMENT

The Newbury Fire and Rescue Department continues to have a very busy year. As of the end of August, the department had exceeded the number of calls for the entire year of 2006 and is definitely headed for a record year in 2007.

As the call volume has increased, the number of firefighters has actually been decreasing. In July, long-time members Bob and Linda Messenger, both firefighter/EMTs, retired from the department. Several other members have also left the department over the last year.

This presents a need for new members, which the department is actively recruiting. If you have emergency medical or fire-fighting experience, and would be interested in serving the Town of Newbury we would be very interested in talking to you. If you would like to become a member of the Newbury Fire and Rescue Dept., even if you do not have experience, please stop in and fill out an application. Meetings and training are held on Tuesday evenings from 7 to 9 p.m. at the safety services building. Additional information on the department is available on the website: www.newburyfd.org.

More federal grants

In early August, the Newbury Fire and Rescue Dept. was notified by the US Dept. of Homeland Security that it was one of the 2007 awardees under the Assistance to Firefighters Grant Program. This program is open to fire departments throughout the country through a competitive application and selection process. It provides funding for equipment the departments would not be able to obtain through normal municipal department budgets.

In the application, the fire department must demonstrate a need for the equipment and show how the equipment will enhance the safety and effectiveness of the department and benefit the community.

Applications are first judged on meeting the strict federal criteria and then evaluated by a panel of firefighters from throughout the country. Only a small percentage of the fire departments that apply are awarded a grant. As with most federal grant programs, the town of Newbury will fund a portion of the equipment purchase costs. [Note: The matching funds were already included in the 2007 budget.]

The grant that was applied for and was awarded is to purchase equipment to enhance the department's rescue and communication capabilities. A major part of the funding will go towards the purchase of a hydraulic rescue tool and associated rescue equipment.

With the increasing number of motor vehicle accidents that the department responds to and changes in vehicle construction

materials, the hand tools that had been used are no longer effective in providing rapid rescue of people who may be trapped in a vehicle.

Another tool to be funded by the grant that will bring technology to the department is a thermal imaging camera. These tools enhance the safety of the firefighters and protect property by quickly identifying the location of a fire that may be burning within the walls of a building. The camera can also be used to locate people who may be lost in the woods or trapped in a collapse.

The grant will also fund a radio repeater that will allow the department, when responding to an emergency, to communicate with the dispatch center or other emergency vehicles in parts of the town where radio reception currently is poor.

The equipment is expected to be received in the fall, at which time training will be conducted with all department members. Once the training is completed the rescue equipment will be put into service on the Newbury Fire and Rescue Dept. trucks.

This is the second Assistance to Firefighters Grant that the town has received. In 2005, a grant funded the purchase of new fire-fighting gear and self-contained breathing equipment (SCBA) for the department. With the two grants, the department will obtain over \$100,000 in emergency equipment at no cost to the taxpayers.

False alarm policy

Newbury residents should be aware that any property that has a fire or security alarm that is transmitted to an alarm company central station needs to be registered with the Newbury Police Dept. Because of the increasing number of false alarms from these central station fire alarm systems, that are being sent to the Newbury Fire Dept., the department will now charge a fee for each false alarm received in excess of three in a calendar year. Fees will also assessed by the town for any false alarms received from unregistered central station alarm systems. Information on the alarm ordinance can be found on the Town of Newbury website: www.newburynh.org

Thanks for the support

The Newbury Fire & Rescue Department wishes to thank all the people who supported the department through the Summer Bingo and the annual auction and raffle.

--Wayne Whitford

CONSERVATION COMMISSION

At the July meeting the Conservation Commission reviewed the most recent draft of the natural resources inventory (NRI) addendum. Consultant Ann Poole said she expected the final draft of the NRI and the preliminary draft of the town conservation plan to be available by September. The goal of the plan is to create a basis for recommending what resources need to be protected.

ZONING BOARD OF ADJUSTMENT

Board Appointments

With the resignation of Betsy Soper, the ZBA needed to appoint one of the alternates to fill her position until the March 2008 annual town meeting election. Clay Rucker and Steve Russell were both nominated and each had two votes. On July 30, following common practice to break such a tie, a name was drawn from a hat. Russell won the draw and will fill the position until the March election.

At the ZBA Aug. 6 meeting, chair Elizabeth Ashworth stated for the record that she contacted each of the board members regarding appointing Barbara Richmond to the zoning board of adjustment as an alternate member. There were no objections and Richmond was sworn in.

The ZBA is looking for individuals interested in becoming alternates.

Recent ZBA Hearings

Stephen Remen, for property located at 23 Winter Lane, sought both a variance to permit construction of an addition within the 75-foot setback from an existing stream and an appeal to an administrative decision to appeal the board of selectmen's order to demolish an addition to an existing garage that was determined to be an encroachment upon the 75-foot setback from an existing stream.

July 16 – These hearings were continued from June 4 and at Remen's request were continued to July 30 so his engineer could complete work required by the board at the June 4 meeting.

July 30 – Due to the lack of board members present for this hearing, board chair Elizabeth Ashworth gave Remen the option of having his application heard by a four-member board or continuing to a later date in anticipation of the application being heard by a full, five-member board. Remen chose to wait, and the board voted to continue both Remen's hearings to Aug. 13.

On July 30 the board also discussed a request from Remen that the ZBA consider rehearing his request for an equitable waiver of dimensional requirement as was heard and denied by the ZBA on June 4. The board reviewed RSA 676 to try to determine if a rehearing should be granted. It was noted there was no new information in Remen's attorney's letter to support the request for rehearing, therefore the board cannot legally rehear the application. The board voted unanimously to table the discussion to decide on Remen's appeal to rehear the request for equitable waiver of dimensional requirement.

Aug. 13 – The variance hearing continued, with extensive discussion including review of regulations, erosion control and alternatives.

The board voted 4-1 to grant with conditions the variance on the completion of the construction of an addition on a preexisting garage that is within the 75-foot setback from Cunningham Brook with the existing site plan that shows temporary and permanent erosion control measures with the condition that stronger plantings be planted between the garage and the brook.

Remen's attorney informed the board that as a result of its decision, Remen would like to withdraw his request for an appeal to an administrative decision that was scheduled to be heard after this application. He also asked the board to stay Mr. Remen's request for a rehearing of the Zoning Board's decision to deny the equitable waiver of dimensional requirement until the 30-day appeal period has passed.

Chair Elizabeth Ashworth denied the request to stay the request for rehearing and informed the attorney that the board discussed the request for rehearing at its July 30 meeting and felt that the request for rehearing should be denied because there was no new information in the request to support a rehearing.

An abutter stated that she is not going to appeal the board's decision but would like to make it clear that the town needs to be more forceful in protecting its water ways. A board member noted that the board of selectmen and the planning board understand this problem and have tried to address the problem by requiring the property owner to sign the building permits. It is no longer permissible for the contractor to sign for permits. This policy should avoid future situations like this one.

Thomas & Lorraine Horne, for property located at 52 Fowler Mill Road, sought a variance to permit reconstructing and altering an existing 5' x 30' wood deck to be altered to a 12' x 30' screened-in porch of a pre-existing non-conforming building situated within the 75' setback.

July 23 – The Hornes wanted to put a concrete slab under their existing house that is currently supported by pilings, expand the deck

and convert it to a screened-in porch to be supported by pilings, and change the roof to extend over the whole footprint. The board did not address the slab and roof since they weren't asked for in the variance. The board voted unanimously to deny, giving reasons of hardship not being proven and making a non-conforming building more non-conforming. The applicant may appeal the board's decision within 30 days if there is new information to be considered.

John R. Snelling, for property located at Alsubet Court, sought a variance to permit constructing a home within the 75' shoreline setback.

July 23 – Two sheets of plans were presented, one for erosion control, the other the shoreline protection application and septic plan for DES. Snelling reported working with the Shoreline Bureau on the best way to treat the run-off. Part of that plan includes minimizing the cutting of trees and following through with a planting plan for permanent erosion control. The board noted that this is a small lot and recognized that it is a buildable, grandfathered lot that meets the septic and well criteria and has state approval.

The board voted 4 in favor, 1 abstention, to grant the request for a variance as presented.

Craig Sweitzer, for property located at 32 Highland Ave., sought a special exception to permit the transfer the use of an accessory apartment to an existing accessory building.

Aug. 6 – Sweitzer explained that he would like to convert the second story of his existing 24' x 24' garage into an accessory apartment after removing the old accessory-use cottage located at the top of his driveway, thereby transferring the accessory use of the old cottage to the newer space above his garage. Sweitzer explained details of how approval of this application will create a less non-conforming situation, including permanently removing a pre-existing non-conforming accessory cottage and not adding any new structures, which means less density.

The board voted unanimously to grant the application with the following conditions: 1. The cottage building is removed before the certificate of occupancy is issued for the accessory apartment above the garage, and 2. There may be no dwelling built in the future on the footprint of the cottage building.

Cindy & David Lapp, for property located at 103 Bay Point Road, sought two variances: to permit reconstruction of a home on an existing non-conforming lot situated within the 75' shoreline setback, and within the 15' setback from the side and rear property lines.

Aug. 6 – The applicants chose to exercise their right to present their applications in front of a full board, so the hearings were continued until Aug. 20. Both the Lapps' cases will be heard at the same time but the board will vote on them separately.

Aug. 20 – The Lapps purchased a home and want to repair and upgrade the house, which is currently only 12 ft. from Lake Sunapee. There are structural deficiencies throughout the house and a grass lawn from the house to the lake. The Lapps decided to tear down the existing house and construct a new home as far away from the lake as possible and bring back the vegetation that is natural to the area. There are several restrictions to this site. In 2000, a septic system was installed as far away from the lake as possible, which now governs where the new home can be placed on the lot. They have applied for a waiver from DES but it has not yet been approved or granted.

It was pointed out that for the ZBA's standpoint, it is a stronger case for the applicant if there is an approval from the state already in hand; otherwise the board is conditioning its approval on plans that do not exist. The board voted to continue the hearings and make the approval conditional upon the state's approval. Both hearings were continued until Aug. 27.

PLANNING BOARD

Land Use Application Fee Schedule

On July 17, the board addressed the fee for the conditional use permit, which was not included on the application when the form was created. The proposed fees are the same as those for the excavation permit applications. The fees are to be waived if the conditional use permit is noticed and heard with a related subdivision. The board voted unanimously to approve the land use application fee schedule as presented.

Capital Improvements Program

The CIP committee held meetings in August and early September with department heads to gather their input on projected plans for growth and development needs over the next six years. Discussions covered project type, rationale, cost estimates (including capital and impacts on operating, personnel and maintenance costs) and funding sources. Projects involve facilities, equipment and any other more sizable expenditures. The committee then assesses and classifies according to the urgency and need.

The purpose of the CIP is to aid the selectmen in their preparation of the annual budget for presentation at town meeting.

CIP committee members are Ivor Freeman (chair), Jim Powell, Tom Vannatta, Deane Geddes, Dennis Pavlicek and Ken McWilliams (advisor).

Master Plan Update

Tentative schedule – At its Aug. 7 work session the board and advisor Ken McWilliams discussed the tentative schedule to review the remaining master plan chapters. The goal is to review Natural & Cultural Resources chapter in September and Land Use chapter in October, then hold a public forum in November and publish the master plan in December.

The master plan chapters are as follows: 1 – Introduction; 2 – Vision; 3 – Regional Context; 4 – Community Facilities & Services and Recreation; 5 – Historic Preservation; 6 – Transportation; 7 – Housing; 8 – Natural & Cultural Resources; 9 – Land Use; 10 – Implementation. Community Characteristics, Conservation Plan and the Community Survey will appear in the appendix. Copies are available at the town office.

Historic Preservation chapter – The board reviewed the Historic Preservation chapter on Aug. 7. For the recommendations section, Jim Powell, ex officio for the selectboard, commented that the board of selectmen has been discussing the need for updating the history of the town from where the history done by Ernest Sherman left off in 1800. Members of the board were very supportive of this idea, and agreed to add ‘Lack of a complete history of Newbury’ onto the list of issues in this chapter.

It was suggested there should be some language in the regulations to protect the integrity of stone walls. There is some language in the subdivision regulations for developers to preserve the stone walls, but there is nothing in effect to encourage or educate property owners from disturbing them.

The board discussed the importance of protecting archaeological sites within the town. There is a source within the state to help locate archaeological sites. Once they are identified, the board may then require developers to identify them on their plans and try to preserve them. Chair Barbara Freeman commented that because there are not many historic sites, it makes it even more important to preserve what we have.

Alternates Needed on Planning Board

The planning board currently has no alternate members. Alternates attend hearings and meetings and if a quorum of full voting members is not present, an alternate is appointed as a voting member for that

meeting. Full members of the planning board are elected; alternate members are appointed by the board. It is a good way to become familiar with the board’s activities and operations.

Recent Planning Board Hearings

Conceptual Site Plan Review/Special Exception – Jim Dudley (Sunapee Outfitters, LLC) – old Sweet Patch Bakery at 43 Route 103

On July 17, Jim Dudley explained that he would like to lease the old Sweet Patch Bakery building for use of his retail business, Sunapee Outfitters, LLC. His business is to sell paddling sports equipment such as kayaks and canoes and related accessories. The main store is proposed to be at the Sweet Patch location for retail operations in conjunction with access to Lake Todd for launching watercraft and giving demonstrations of the watercraft. The business is proposed to be 90% retail and 10% food service for drinks and energy snacks. There will be no food preparation on site other than coffee, with a few café tables for limited customer seating.

A variety of issues were identified in discussion. They included permitted uses for the property, parking requirements and whether this use constitutes a change in use and thus different approval criteria. The board also will have to address the proposed use of a lot that accesses Lake Todd for business purposes. It was pointed out that the language in the shoreland district ordinance does not allow what is being proposed and town counsel should be consulted.

Dudley was told that the board will have to get back to him after reviewing the original site plan regarding what exactly will be required in the application. The board planned to continue the conceptual as soon as the file can be reviewed, either August 7 or 21. (See hearing below)

CASE 1993-007: Site Plan Review – Sunapee Outfitters, LLC – Property owned by Mary Webb at 104 Route 103

Aug. 21 – Jim Dudley of Sunapee Outfitters, LLC was waiting for a determination from the board whether or not he is legally allowed to lease a piece of privately owned waterfront property for use in a retail business.

The opinion of town counsel and advisor Ken McWilliams was that basically the proposed use of the shorefront property would be a funnel use which is prohibited. Section 7.7 of the zoning ordinance talks about the access rights to the shoreland which says you cannot use a privately owned shoreland lot to gain access to shoreland for public use.

The town counsel was specifically concerned about the lease agreement and what the conditions would be if you were to submit a site plan review that involved the shorefront property. The board would have to get copies of all lease documents and send them to counsel to review to make sure the use does not fall under the definition of funneling.

The Sweet Patch property is separate from the shoreland lot and the business on that site is not a problem. It is the shoreland lot that makes a problem.

Dudley asked if everything else with the proposal was acceptable to the board at the 104 Route 103 site.

According to the approved site plan, there were two uses granted, bakery/restaurant and retail with adequate parking. The sense of the board was that the proposed change as presented from the Sweet Patch Bakery to Sunapee Outfitters, LLC does not require a site plan review hearing.

One board member asked if the land owner of the shorefront property could allow the Sunapee Outfitters, LLC to use the shorefront property without making it part of the lease agreement but as guests.

Board advisor Ken McWilliams cautioned that the townspeople passed the regulation stating that they do not want funneling. The users need to be really careful of the zoning ordinance.

Conceptual Subdivision/Annexation – Donna Seabolt – 440 South Rd.

July 17 – Donna Seabolt explained that the well that services her home is across South Road on the Bakers’ property. The heirs of Mr. Baker would like to sell the property known as the Star Gazer Farm and have offered the Seabolts an opportunity to purchase a portion of the farm relative to their well in order to secure the ownership of their water source. There are two buildings on the farm property. One building is a machine shop that housed an observatory. The second building is the ‘clubhouse’ that was used to sell golf supplies on the first floor with an apartment upstairs. The Seabolts’ well is under the clubhouse.

Mrs. Seabolt asked the board if annexation is allowed across a public right-of-way, and if so, how much land would be required for annexation if the clubhouse were to be included in the annexation and could the upstairs apartment in the clubhouse be used as a rental property.

She was informed that annexation across a public right-of-way is allowed. She was also told that there is no minimum acreage required for annexation; however, there is a density requirement per dwelling unit, which is affected by steep slopes and wetlands. A survey is also required.

Seabolt stated that they have three choices for the clubhouse: tear it down, leave it as is and unoccupied, or rent out the upstairs apartment. Ideally, they would like to be able to use the upstairs apartment as a rental property but will do whatever is allowed.

If the clubhouse is to be used as a rental property, then Minimum Lot Size/Density Requirement ordinance would have to be followed.

The board advised Seabolt to hire a surveyor to follow the subdivision/annexation requirements in the ordinance and come back to the board with an application.

Conceptual Minor Subdivision – Gloria Marzelli – Emily Lane

July 17 – Richard Marzelli, son of and representing Gloria Marzelli, explained that she owns a large home on a 29-acre parcel on Emily Lane with only 200 ft. of road frontage. Mrs. Marzelli would like to pass her large home onto her son Richard and his family and have a smaller house built for her on the same lot. Mr. Marzelli would

like to know what their options are to make this happen.

The board discussed different options and asked Marzelli if they have considered an accessory apartment attached to the existing house. Marzelli stated that the family has considered that option and decidedly prefers to build a separate but smaller home for Mrs. Marzelli.

The board advised Marzelli that the only way to legally build a second home on the lot is to create enough road frontage to meet the requirements for a simple subdivision. He will need to consider density requirements and determination of developable area, as in the ordinance.

Marzelli was also advised that when he submits the subdivision application to the planning board, he will be signing the application which states that he has read and understands the regulations.

CASE 1997-010: Site Plan Review – Captain’s 1st Choice - David Long – 546 Route 103

8-21-07 – Discussion was held to determine if a site plan review hearing is required for changes to an existing approved site plan. David Long’s plan to add a 10-foot wide covered porch to the front of the building is over the maximum expansion size allowed by the ordinance. He is asking for site plan review to not be necessary because it does not change anything that was in the original site plan

review except to make the building more appealing. The proposed porch addition is 900 sq. ft.; according to the site plan review regulations, the maximum allowed expansion is 500 sq. ft.

Questions came up about whether or not there had been a change in use from auction/function hall to retail, interpretation of the findings of an earlier ZBA hearing, and a sodium vapor floodlight that was not on the original site plan. The board also found multiple issues that need to be addressed as a result of this proposed addition.

It was noted that if the board decides a site plan review hearing is required, all issues can be addressed including those that were raised as concerns by the board this evening, such as lighting, set-up, parking, etc.

The board voted unanimously that a site plan review hearing should be required as a result of the proposed addition exceeding 500 sq. ft.

These are *very* brief summaries of hearings of the planning board and ZBA. You are encouraged to read the full minutes of ZBA and planning board meetings/hearings, available at the town office.

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