

April 2009

# NEWBURY UPDATE

*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 post office, but we strongly encourage you to 'get your copy' at the town website: [www.newburynh.org](http://www.newburynh.org). To receive a copy via e-mail, send a request (and any comments or suggestions) to: [newburyupdate@gmail.com](mailto:newburyupdate@gmail.com).

## From the desk of the Newbury Board of Selectmen

*Jim Powell, Gary Budd, Dick Wright  
and town administrator Dennis Pavlicek*

### You are invited to Newbury's Volunteer Search

Stop by the town office for a few minutes:

Wednesday, April 8 7-8:30 p.m.  
Saturday, April 11 9-11 a.m.

Come by town office and see the wide range of  
volunteer opportunities we have for you.

There are enough to match your interests,  
your preference for time commitment,  
indoor vs. outdoor projects,  
from fun to serious to exciting

...and there's more in it for you than you may realize (see below).

### \*\*\*REFRESHMENTS & DOOR PRIZES\*\*\*

#### How does being a town volunteer... ...enhance your resume?

Volunteering gives you the chance to exhibit many traits and skills valued by employers such as energy, initiative, teamwork, problem solving, social responsibility and leadership. It is also an opportunity to develop new skills and strengthen others.

#### ...expand your social network?

Volunteering introduces you to new people, with personal and professional benefits. Studies show that social interactions and connections make you happier and healthier. Meeting and getting to know more people also helps you in business; it's another kind of 'web' connecting you to potential customers, sources and mentors.

#### ...improve your physical and mental health?

Research shows that people who volunteer just two hours per week have better physical health and are less depressed. Volunteers get a 'helper's high' by raising endorphin levels, which helps overcome negative emotions. It can boost immunity and reduce stress too. You can look up the details; studies abound. And there's the good old-fashioned benefit of healthy physical activity some of the volunteer opportunities offer.

#### ...help you live longer?

Researchers who followed almost 2,000 people over the age of 55 found that those who volunteered regularly had a 44% lower likelihood of dying during the five years of the study. Those who volunteered for two or more organizations had a 63% lower mortality rate than non-volunteers. Even exercising four times a week does not deliver that degree of life support.

#### Are you ready to build social capital?

Connecting individuals and organizations through civic engagement initiatives strengthens communities. They call it 'social capital.' And speaking of capital, areas with social capital, with engaged citizens, see it reflected in their property values.

Many hands make light work.

Are you ready to join in?

It's not just going to meetings;  
you could even give a few hours  
now and again.

Come see the variety of choices.

## UPCOMING EVENTS

Tue.	April 7	Planning board work session, see page 7
Wed.	April 8	Volunteer Search Open House, see page 1
Sat.	April 11	Volunteer Search Open House
Mon.	April 13	ZBA hearing, see page 7
Sat.	April 18	Town Road Clean-up
Sat.	April 18	Rabies Clinic & Dog Registration, see page 4
Mon.	April 20	Board of selectmen meeting, 6:30pm, town office
Tue.	April 21	Planning board hearing, see page 8
Thu.	April 23	Old Home Day meeting, 7pm, town office
Sun.	April 26	<i>We Remember Newbury</i> , see page 4
Mon.	April 27	Poetry Jam, see page 4
Thu.	April 30	Dog registration deadline, see page 4
Mon.	May 4	Board of selectmen meeting, 6:30pm, town office
Thu.	May 7	Historical society meeting, 7pm, town office
Mon.	May 18	Board of selectmen meeting, 6:30pm, town office
Sat.	May 23	Library book and bake sale, see page 4
Sat.	May 23	Beautification Committee plant sale, see page 3

### Time for spring cleaning (our roads, that is)

Earth Day is Saturday, April 18, and it's also, very appropriately, the day to grab some trash bags, hit the streets, and make Newbury clean and neat. There's plenty of trash from a long winter to give you a good sense of accomplishment after you clean up the roadsides in your neighborhood.

If you need more motivation, the selectmen will be out on Route 103 that morning, doing the first of their four annual pickups of 'their' two miles of the highway that leads people in to our town.

Their efforts are netting the town an additional reward. The road cleanup qualified as the town's participation in the "Litter Free NH" program, for which the New Hampshire the Beautiful group is giving the town a free Elm tree.

### Sidewalk moving along

The Newbury Harbor Pedestrian Improvements Project, more commonly (and narrowly) called the sidewalk, is making headway, as anyone driving on Route 103 in the town center likely has noticed.

Things are clipping along so quickly it's hard to provide an update that's timely. The contractor was working on drainage runs along the edge of the 103 pavement, and now has the go-ahead from NHDOT that work can begin on and adjacent to 103 so construction of roadway crossings is starting. Crews have also been working on excavating the pavement in the harbor parking lot and addressing drainage issues there. The area where the sidewalk will be laid has been cut out and base material is in.

Special attention is being paid to protecting the water quality, including a water quality treatment unit and more catch basins to be put in, some of which work is being done by DOT. The LSPA proposed a catch basin they are using that is designed so that incoming storm water is forced to flow in a circular pattern in the basin. The centrifugal motion helps remove sediment from the water.

Once spring is actually, not just technically, here work will also begin again on the pedestrian bridge. They want to complete the foundation work before the lake elevations begin to rise.

Some highlights of a new project schedule presented March 24 are: granite curbing installation on May 13-19, exposed sidewalk installation May 22-June 11, river stone pavers (by the harbor) May 18-June 5, landscaping through June, loam and seed June 12-25, finish paving and signage to complete the project by June 30. That's well ahead of Old Home Day on July 11, and in any event they were already ahead of schedule at press time.

## **Stimulus funding possible for Newbury**

[*Excerpt of a note from DES*] – The American Recovery and Reinvestment Act of 2009 (ARRA) is providing funding through the existing State Revolving Fund Loan (SRF) programs. The goal of these funds is to expeditiously fund eligible infrastructure projects that simultaneously will create jobs throughout New Hampshire, promote economic recovery and generate long-term benefits from infrastructure investments. Due to the need to expedite the process, the department is abbreviating the public review and comment period for both programs. The goal is to maximize funding from the ARRA not only through the SRF programs but other state and federal programs. Please note that the project priority lists are preliminary and may change as other state and federal ARRA funding becomes available.

## **Blodgett Wastewater Treatment Facility**

The possibility of federal stimulus funding was very good news for the Blodgett Wastewater Treatment Facility (WWTF) project. Originally the state was going to fund 30 percent of the \$1.7 million over the 20-year life of the state revolving loan. Now it's among the projects removed from the governor's budget for FY 2010/2011.

[*Cue the stimulus program.*] In February a pre-application was prepared and given to DES regarding possible stimulus funding for the Blodgett facility, specifically the work to upgrade the physical plant itself, and we have a good shot at getting 50 percent of the almost \$900,000 cost. The federal funds come through as a state revolving fund loan, with the state forgiving half. The 50/50 split through the SRF helps the state spread the federal money further.

The sewer project is on the preliminary list posted by DES of water and sewer projects to be funded. The fact that the project is so close to being 'shovel ready' was a point in its favor. DES is holding a hearing on April 3, after which project standings on the list could change. Another source of change is that some towns will have to hold special meetings to get the SRF loans approved by voters. That will not affect Newbury as we already voted on the funding when the entire project began.

## **Bridges on Village and Sutton roads**

The firm of Dubois & King has been conducting a preliminary study of the work needed on the Village and Sutton road bridges, as required by the state when state funds are involved. On March 23 a public hearing on the results of those studies was held, as required by NH Dept. of Transportation.

Bob Durfee and Ryan Barnes of Dubois & King made a presentation and took questions and comments from the selectmen and residents. On the Village Road bridge, which is red-listed by the state, seemed to present no issues or challenges for the engineers. The recommendation for this project is to detour traffic rather than to build a temporary bridge. The bridge would be closed about 6 months. They would like to begin work in October.

The Sutton Road bridge drew more discussion. The engineers' recommendation is to raise the road 1.4 feet to accommodate the dimensions of the new bridge and to meet various state and federal requirements. The span is 10 feet longer as well.

It was determined that a temporary bridge would be needed during construction, since selectmen didn't want a five-mile detour for the time period involved. A long detour is of great concern especially for safety services. Durfee responded to a question that the weight limit on the temporary bridge would be the same as for the regular bridge.

Some questions couldn't be fully answered at this stage in the process but would be addressed better in the next phase which is design and engineering. The whole process is defined by the state, with its review and approval at each stage. It's somewhat comparable to taking a conceptual plan before the planning board before going to the time and expense of preparing a fully designed plan to present for approval.

After hearing the concerns at the public hearing, the engineers' next step was to report their findings to the state.

At the end of the public hearing, the selectboard decided to have Dubois & King continue with the design phase for the Village Road bridge with an accelerated schedule in order to have a better chance for receiving federal recovery funds. They will pursue a regular-paced schedule for the Sutton Road bridge. It was mentioned that before reconstruction can occur, photos and research on the historical details of the bridges must take place.

## **Stimulus funds possible for Village Rd. bridge**

The Village Road bridge replacement may be eligible to be part of the federal stimulus package because it is red listed and the project is ready to go this year. The state DOT recommended Newbury pursue the federal funds on this bridge given the budget problems it's facing, with more projects promised funds than it can necessarily cover.

On March 23, Powell and Pavlicek attended an informational meeting where DOT discussed the stimulus package. After that meeting the town sent the Dept. of Transportation a letter of intent to pursue American Recovery and Reinvestment Act (ARRA) funding for the Village Road bridge project. It included Dubois-King's tentative schedule for this project: engineering study is completed, anticipate completing engineering design and permitting by Aug. 3; plans and specifications for bid documents ready by Aug. 3, with advertising for bids by the end of the month. Awarding of construction contract and beginning of work would be targeted for Oct. 15, with construction expected to be complete by July 30, 2010.

## **Wild Goose & proposed boat launch**

On Feb. 23 June Fichter of the LSPA presented to the selectmen a proposed joint press release regarding the shoreland impact permit issued to Fish and Game for work at the Wild Goose site and the appeals filed against the permit. Powell, Wright and Budd all expressed approval for publication of the press release.

Wright acknowledged that the direct parties involved are all aware of the conflict that this project will present, as well as the importance of noting the responsibilities of DRED and Fish & Game separately.

To ensure that the governor and the public are well informed of the impact that this project would have on the Town of Newbury and Lake Sunapee, the selectmen decided to invite Executive Councilor John Shea to attend one of their meetings.

On March 9, Powell explained to Shea that there is much concern in Newbury for the proposed Wild Goose boat launch plan.

Residents have many concerns and the biggest concern of the board of selectmen is with safety issues. The floor was opened for an informal discussion on the project with the dozen residents present.

Wright mentioned that the original purpose of this site was to be a launch for car-top boats, to which Nancy Marashio agreed. Plans changed after the site was given to Fish and Game. Deb Benjamin said that the optimal number of boat launches on Sunapee is 3 with there actually being 5; the optimal number for Winnepesaukee is 48 with the actual being 4. Steve Winter said that the project was in direct violation of the same shoreland protection act that the state has enacted to prohibit certain activities near the lake. He noted that documentation of the sale of the property from DRED to Fish and Game has vanished.

Walt Goddard said that the original proposal by Fish and Game was a car-top ramp. Barbara Freeman said that this project goes against the town ordinances, especially the lighting that would be involved at this location from dusk to dawn. June Fichter said that she had an opportunity to read the state access plan. She said that in the original studies done, it was determined that a double launch should have 30 acres of space. The Wild Goose area is only three acres, so by their own documentation the Wild Goose plan does not meet their own recommendations. Councilor Shea said that he would go check out the Wild Goose site and get back to the town.

At press time, Pavlicek reports that Fish and Game's application for a wetlands permit from DES is still in process. DES must hold a public hearing as part of that process and the town has not yet been notified of a date for that hearing.

**For the record** – On March 23 the board of selectmen voted to keep James Powell as the chairperson. It was also decided that the paper of record for posting of town notices would continue to be the *InterTown Record*.

**Old Home Day planning under way** – Anyone interested is invited to join the planning for Old Home Day at the meeting on Thursday, April 23, at 7 p.m. in the town office meeting room.

**Seeking supporters of fireworks** – The town is asking for donations to help pay for the fireworks on Old Home Day. A letter has been sent to area businesses, and individuals will be approached as well.

**Signs in town** – The selectmen are working with the planning board to make changes to the sign ordinance so that it's easier to understand as well as realistic and relevant to sign function. The selectmen have given input to the planning board on some of the issues and concerns that have come to their attention, not the least of which is temporary signs. The new regulations are in the process of being reviewed by the planning board.

**Boatslips permitted** – The town has received the wetlands permit, good for five years, for additional boat slips in the harbor. The intention for now is to just keep the option open.

**Members appointed** – The selectboard signed several appointment letters on March 9. For the conservation commission: Deane Geddes as a member and Bill Annable and Frank Perrotta as alternates. Appointed to the newly formed Pay As You Throw study committee were Diane Jones, Ted Jones, Walter Greenwood, Linda Powell, Brian Bostic and Sue Riley. Wayne Whitford was reappointed as health officer and Dennis Pavlicek as deputy health officer.

**Town volunteers need to make it official** – If you were elected or appointed to a town board, committee, commission or the like you need to be sworn in by the town clerk. Just stop by the town clerk's office, sign the appointment letter she has filed, take a short oath and you're official. Those who assumed their memberships a bit ago but were never sworn in should also stop by and close the loop, even well after the fact.

## HIGHWAY DEPARTMENT

Highway administrator Cal Prussman reports that the new truck approved at town meeting has been ordered and should arrive by June. The outfitter has ordered the equipment for it and we should see the completed truck late summer.

The highway crew has started cleaning up roadsides from winter. Prussman said they've been finding a lot of the debris from the ice storm is still frozen in the snow so they are getting what they can now and will have to go back for the rest when it is unfrozen.

Prussman posted the roads the second week of March, putting a six-ton weight limit on any vehicles. Call Prussman between 7-7:30 a.m. at 938-5494 about exemptions. He anticipates the roads will be posted until the beginning of May.

Cal Prussman discussed the heaves on Baker Hill with selectmen at their March 23 meeting. It was decided to fill the heaves, compact it and go from there. There was discussion on the paving of Fishersfield Road and the sweeping to be done this spring. It was decided that the only roads that will be swept are those in Blodgett's and South Newbury Village.

## Newbury Beautification Committee

At their April 1 meeting the members of the NBC shared reports on several projects and upcoming activities.

The ham-and-bean supper at town meeting served 90 people, and NBC president Joy Nowell said they are glad more people are coming to enjoy sharing a meal and visiting before the business of the evening starts. Next year they'll be sure to have mustard on hand for those who want a sandwich during the meeting. The best news from the evening? They picked up five new members at dinner.

On April 25 the group will gather at Fishersfield Park at 9 a.m. to clean up the half mile of trail the group adopted. Nowell pointed out they grabbed the *first* half mile to save hauling their tools too far.

Springtime of course means the defining activity of the Newbury Beautification Committee – filling barrels, window boxes and hanging baskets with flowers and plants and distributing them all over town. It happens just before the plant sale because it's part of the same plant order. Nowell said that with Memorial Weekend falling so early this year (May 23 is the sale), some of the town plantings will be kept out of harm's way until the weather is more reliably warm.

### Those flowers around town will need watering...

There will be a lot more planters around town this year, including 10 new ones at harbor, and a total of 10 hanging baskets with the new light posts. It explains why the NBC is trying to recruit more waterers.

You don't need a green thumb to water plants; it's very simple and you will receive easy instructions. Each watering spot around town has been assigned a captain who signs people up to do, say, a particular week each month. You can trade off time with others if your plans change. Any help would be appreciated. Call Joy Nowell at 938-6054 for more information.

### Order compost bins now

The NBC is again gathering orders for compost bins which they order through Merrimack County for the at-cost price of \$45. They are easy to use, come with instructions and are great for your gardens.

If they don't receive at least 20 orders they will provide information on ordering the bins direct from the county.

The NBC will be taking orders at the volunteer events on April 8 and 11 (see page 1), or speak with an NBC member. They plan to have the compost bins for pick up at the plant sale on Sat., May 23.

### Plant sale – Saturday, May 23

Yes, Memorial Weekend is early this year but the NBC will be ready for the annual plant sale on Saturday, May 23, 9 a.m. – 1 p.m. at the Bald Sunapee property (in front of the playground). Stop by and pick out your annuals, perennials, herbs and vegetables and grab the gardening items you need at the NBC tag sale. When you're done you can swing by the library for the book and bake sale.

### Help move the daffodils

In early June the NBC will be back at Fishersfield Park, this time to transplant daffodil bulbs from behind the town office. The celebration garden will move to the park to make way for the expansion of the parking lot. The 1,000 daffodils will bloom, then once they die down the bulbs (not necessarily all of them) will be forked up and replanted at Fishersfield. Clearly this will be a job for many hands, so please watch for the announcement of daffodil moving day and join us.

## FAMILY SERVICES

### Winter wood program warmly received

As family services director for Newbury, I would like to thank everyone who helped in the winter wood program. The people who volunteered to cut, stack and deliver wood to Newbury residents with a need this winter. This program benefitted approximately 12 families in need this cold, cold winter.

This was an extremely beneficial program that I would like to see put into effect again next winter.

A special thanks to all, *Gail Bostic, family services director*

## TOWN CLERK

### Dogs need to be registered by April 30

Town clerk Linda Plunkett reminds dog owners that their dogs must be licensed by April 30, and dogs' rabies vaccines must be up to date.

You can fill out the form at the town clerk's office or download the form off the town website and mail it in with the fee (amounts are indicated on the form). As proof of your dog's current rabies inoculation, be sure to include the rabies tag number and expiration date (on the tag from your vet). If you choose the mail-in route, the license tag will be mailed back to you (please include a stamped, self-addressed envelope).

As noted on the forms, the fee schedule for licensing dogs is: puppies (3-7mo.) \$6.50, male or female \$9.00, neutered male or spayed female \$6.50, owner over 65 - \$2.00.

Failure to license your dogs is a violation of RSA 466:1 and subjects you to a \$1.00 monthly penalty and civil forfeiture of \$25 after May 31, 2009.

### Rabies Clinic for Dogs and Cats – April 18

Plunkett plans to be on hand to register and license your dog in South Newbury on April 18. There is a rabies clinic scheduled that Saturday from 9-11 a.m. (rain or shine) in the parking lot of the Friendship House at the corner of Village and Sutton roads in South Newbury.

Dr. Claire Timbas will be administering rabies shots to dogs and cats. The fee will be \$12 per shot. Please bring a previous rabies certificate or dog license, if available.

The event is sponsored by the South Newbury Union Church.

## HISTORICAL SOCIETY

[www.newburyhistorical.org](http://www.newburyhistorical.org)

*Board of Directors: Robert Morris, Margie Weiler, William Weiler, Alice Lynn, Mary Thayer, Shelly Candidus, Deane Geddes, Dennis Pavlicek, Barbara Steward*

### We Remember Newbury: Wind, Fire & Ice

The Newbury Historical Society invites you to attend the first in a series of "We Remember Newbury" programs. These programs are designed for area residents to learn about, share and enjoy significant happenings that have impacted our town and area. We welcome you to renew your family stories and share with your neighbors.

Our first program will be presented by Dave Anderson, director of education for the Forest Society. His topic will be "Wind, Fire and Ice" and will address natural disasters in Newbury and our Lake Sunapee Region. Remember the hurricane of '38? ... the fire on Mt. Sunapee in '47? ... the ice storms of recent memory?

Come and enjoy these open forum meetings and reminisce with your friends about memories of past events in our area.

Sunday, April 26 at 2 p.m.  
Newbury town office building  
Refreshments will be served.

## NEWBURY PUBLIC LIBRARY

*Newbury Public Library Trustees: Liz Tentarelli, Pam Ritchie, Pat Sherman. Friends of NPL officers: Liz Moulton, Ken Tentarelli, Mickey Noyer*

At the March 23 meeting of the library trustees, Liz Tentarelli was named chair; Pat Sherman treasurer and Pam Ritchie secretary. The next trustees' meeting is Monday, April 14, at 4 p.m. in the library. The public is welcome.

### April is Poetry Month

Celebrate with us on Monday, April 27 at 7 p.m. for an evening filled with poetry readings about poetry. This event is moderated by award-winning poet and Newbury resident Dianalee Velie. Bring your original poems to read; limit two per person.

### Book Discussion for April

You are invited to a discussion of *Cold Comfort Farm* by Stella Gibbons on Monday, April 6, at 7 p.m. in the library. A hilarious parody of D. H. Lawrence and Thomas Hardy's earthy novels, the entertaining *Cold Comfort Farm* is very probably the funniest book ever written according to *The Sunday Times*. This book discussion will be led by Sandra LeBeau of Colby-Sawyer College. Books are available to borrow from the Newbury Public Library courtesy of the NH State Library's Bookbag program. April's book discussion is sponsored by the New Hampshire Humanities Council.

### Donate a book

People who purchase a new book from Morgan Hill Bookstore in New London and donate it to the Newbury Public Library after reading it will receive a 20 percent discount on the book. Details of the program are available at the store.

### Youth programs a big hit

During February's school vacation week, Grand Wizard Gregory McAdams magically entertained 31 children, Kathleen Stowell shared how animals handle winter with 21 children and parents were impressed by the programming. Eight teens shared pizza while they helped plan the summer reading program. Librarian Rosie Johnson advises parents that the library will be scheduling two sessions to work with students on completing book reports from their required summer reading list, which will be due come September.

### Reading for pennies

The Penny-a-page reading program is under way. Look for charts where young readers will list pages they've read, and donate pennies to sponsor them to keep this going. The growing piles of pennies are motivation to the children and a donation to our library when the program ends in December. In fact, adults can raise funds too by getting sponsors for their own pages read.

### Library Friends plan book/bake sale

The Friends are planning the annual Memorial Weekend book and bake sale, set for Saturday, May 23, from 9 a.m. – 1 p.m. It's our largest fundraiser of the year so mark the date on your family calendar. It will run concurrent with the NBC plant sale.

If you are spring cleaning your book shelves and have books to donate, the library's basement storage area is ready to be used again, so books are being accepted now, with thanks.

Friends president Liz Moulton said they are also preparing an appeal letter for tax-deductible contributions to help purchase books and support programs to keep up with the growing number of people using the library.

Anyone who would like to get involved with the Friends is more than welcome. Please inquire at the library.

## PARKS & RECREATION

The First Newbury Winter Festival was an exciting success with at least 125 people attending the free sledding event at Fishersfield Park. The event took place on an amazingly warm and sunny Saturday in February with people riding sleds all around the hills surrounding the trout pond, which was just a short walk into the park interior.

People of all ages came out and enjoyed the day, the huge bonfire and the free hot chocolate and warm cider. There was a snowshoe tour of the lower historic farmstead area detailing some of the stone walls and an existing cellar hole from one of the original farm buildings. The hiking trails and pond picnic area were a delightful surprise to many who were first-time visitors to Fishersfield Park. It was very exciting to spend a winter day outdoors with this many people from the community.

We are now working on the warm-weather programs and hope to see even more of you out there.

--Travis Dezotell, recreation coordinator

## ASSESSOR'S OFFICE

### Town website now offers more data with digital mapping

Tri-Town On-Line GIS\* is now live. The towns of Newbury, New London and Sunapee have partnered with Cartographic Associates of Littleton and Sustainable Map Solutions of Epping to bring the towns' digital mapping to the public. It is available on each of the three towns' websites (for Newbury: [newburynh.org](http://newburynh.org) on the assessor's page).

Some of capabilities include the ability to view parcels with aerial photography, verify ownership, create lists of abutters, measure both distances and areas, perform queries on comparable sales and find a parcel's address and owner if you know its location. Just click on the location and you can find out all about the property. The digital photos on the site are of a parcel-based map.

The hope is for town departments, boards, commissions, real estate professionals and citizens to use the site to conduct inquiries and perform town business while the town maintains transparency by providing access to the records.

We will add layers as the information becomes available such as town parks, conservation lands, hiking trails, aquifers and many other areas of interest. It will have uses internally such as by the highway department to manage road maintenance, culvert repair and replacement and street sign inventory. The fire department would consider uses such as mapping water sources, inventory of hazardous sites / materials, pre-plans and evacuation plans in case of certain types of disasters.

\*Geographic information systems (GIS) capture, store, analyze, manage and present data that refer to or are linked to location. In the strictest sense, the term describes any information system that integrates, stores, edits, analyzes, shares and displays geographic information. In a more generic sense, GIS applications are tools that allow users to create interactive queries (user-created searches), analyze spatial information, edit data, maps, and present the results of all these operations.

We hope you find the site useful. If you have any questions, please do not hesitate to contact the assessor's office with any questions you might have.

*Norm Bernaiche, tri-town assessor*

## FIRE & RESCUE DEPARTMENT

### New Tanker Truck

Newbury Fire & Rescue's new tanker truck has been delivered and is now in service for the community. The truck was purchased from Valley Fire Apparatus of Bradford, who manufactured the tanker body which was mounted on a Kenworth chassis. The new tanker has a 2,000-gallon water tank and a 500-gallon-per-minute pump. It

replaces the department's 1978 International tanker, which could only carry 1,200 gallons of water and did not have a pump. In addition to the tanker's fire duties, the truck was built to meet the National Fire Protection Association (NFPA) new standards for highway safety lighting and markings and will respond to motor vehicle accidents and other highway emergencies. The tanker will provide an additional area of safety for the emergency personnel to work and carries the US Dept. of Transportation required traffic signs and cones. Department members have completed training on the new tanker and the new highway safety requirements. The new tanker can be seen at the Safety Services Building on Tuesday evenings.

### Outside burning needs a permit

With most of the snow now gone from the yards, many Newbury residents are wondering how to get rid of the branches and other storm debris from the December ice storm. For those with a small amount of debris, the transfer station brush dump is likely the best solution.

Residents with a considerable amount of brush may be considering burning the waste in their yards. Newbury Forest Fire Warden Dave Smith reminds all residents that state law requires a permit from the forest fire warden for all outdoor burning. You can contact Dave Smith (938-5925) or one of the deputy wardens for a permit application. There are certain requirements for the issuance of a permit and a summary of the state regulations are as follows:

### NH Division of Forests and Lands Fire Permit Rules and Regulations

A written fire permit shall be *summarily suspended* if any of the following fire permit restrictions are violated, and an official notice or a summons may be issued to the violator for the following:

- if a fire is kindled or material is burned between the hours of 9 a.m. and 5 p.m. unless it is actually raining, except for category I and IV fire permits.
- if a fire is kindled which is in non-conformance with the permit information provided for by RES 5601.04(b) for a category 1,11,111 fire or RES 5601.05(b) for a category IV fire.
- if a fire is kindled or material is burned during unfavorable weather conditions (wind, lack of precipitation, or other factors increasing fire hazard) or when a proclamation closing the woodlands is in force.
- if a fire is kindled or material is burned when specified assistance or suppression equipment is not present to control the fire.
- if the permittee fails to keep the fire under control or if the Director, Division of Forests and Lands, or his authorized agents or the Forest Fire Warden feel that the material being burned is causing an unusual hazard endangering life or property or both.
- if the material being burned violates any state law, rule, local ordinance or New Hampshire Department of Environmental Services rules regarding open burning.
- if an open fire is left unattended at any time prior to it being completely extinguished.
- except for public and private camp or picnic sites, if fires are kindled and material burned closer than 50 feet from any structure and if provisions are not made to prevent a fire from spreading to within 50 feet of a structure unless the fire is a category I fire in which case it shall not be closer than 25 feet from any structure.
- Fire permits shall not be issued to individuals who have had more than two open-burning violations, or any grievous violations, within the past 7 years.

### Category I, II, III, IV Fire Permits

- Category I, II, and III fires may be kindled only with written permission of the landowner or the landowner's agent and with a written fire permit issued by the forest fire warden or the warden's authorized agent in the town or city where the fire will be kindled.

- Category IV fires may be kindled only with written permission of the landowner or landowner's agent and with a written fire permit issued by the forest ranger and forest fire warden or the warden's authorized agent in the town or city where the fire will be kindled.
- A gas grill or charcoal fire in a container up and off the ground kindled by the landowner or with the landowner's permission does not require a written fire permit.

### **GIS Mapping**

In a cooperative effort with tri-town assessor Norm Bernaiche, members of the Newbury Fire & Rescue Department along with town, highway and public safety officials from Sunapee and New London recently attended training on an online GIS system for the communities. The web-based global information system (GIS), which was originally designed for assessors, provides maps showing every street, business and residence in the town.

The advantage for the fire and rescue department is that it enables the fire and medical responders to search for the location of an emergency call by address or by the owner's name. Although the Town of Newbury enacted an ordinance, over ten years ago, requiring street numbers that are visible from the street on every property in Newbury, there are still many homes that do not have address signs.

The lack of street address signs delays the response to medical calls and although the GIS mapping does not solve the lack of street numbers problem, it will assist in finding a person in an emergency. The maps will also be used in identifying hydrants and water sources for firefighting, medical helicopter landing zones and special hazards.

### **Training**

The winter months are an important time for fire and rescue training. With several new members in our department, training is an important time to provide the basic training to enable them to function as a part of the team. With the cold snowy weather, most of the training involves classroom and regional training programs.

Several of the firefighters are currently enrolled in the NH Dept. of Fire Standards and Training's 188-hour Firefighter I Program, which is being held evenings and weekends over several months at the New London Fire Department. Two members attended and received certification in the Ice Rescue Technician program. Medical personnel have attended a number of continuing education classes held throughout the area and will be attending the professional development classes at the annual EMS Conference at Mount Sunapee in April. Training has also been held on the new tanker operation, incident command, emergency scene safety, self-contained breathing apparatus. More is scheduled to be held on medical reporting systems, propane emergencies and clandestine laboratories.

The Fire & Rescue Department is always interested in recruiting new members and if you would like to join the department or find out more information please stop by the safety services building on any Tuesday evening to pick up an application.

*--Wayne Whitford*

## **EMERGENCY MANAGEMENT**

### **Ice storm response assessed**

A number of community sessions to solicit feedback on the response to the December ice storm were held by the NH Dept. of Safety Homeland Security and Emergency Management (HSEM). One of those forums was held on March 13 in New London, where public safety, emergency management and town officials from Newbury, New London and other area towns discussed what went well and what did not with the state and local response. HSEM Director Chris Pope led the session which included state officials from public utilities, the fire marshal's office, department of transportation, National Guard, forests and lands, state police and other agencies as

well as HSEM. The Federal Emergency Management Agency (FEMA) was also represented.

Much of the discussion focused on the time it took to restore electrical power to the communities, the fact that some residents were without power for more than a week and the lack of communication between PSNH and the towns. The head of the Public Utilities Commission explained that PSNH was overwhelmed by the statewide magnitude of the storm and the failure of its computer system. The number of outages far exceeded those in the 1998 ice storm and PSNH's worst-case scenario emergency plans. The state is working with all of the utilities to improve their severe-weather response plans.

Other concerns raised at the meeting were issues encountered with the sheltering and feeding of residents who did not have electrical power. Many communities had relied on the Red Cross for emergency sheltering, but with the widespread nature of this emergency, they were not able to assist, as was the case in our area. Regional shelters operated by the communities, such as the one set up in New London that accommodated several Newbury residents, worked well and the state will be working with communities on plans for these shelters in future emergencies.

Blocked roadways from fallen trees were not the problem in our area that it was in other parts of the state, with local highway departments and the state DOT doing a good job.

Communication between the towns and state emergency officials worked very well with daily telephone briefings for local emergency managers and an effective system for getting state assistance to the towns that needed it.

Director Pope applauded the local fire, police, emergency management and highway personnel for their hard work and long hours during the storm.

### **Reverse 911**

Newbury along with Sunapee, New London and other area communities continue to work together to establish a Reverse 911 system for the area. The system, which is used in many communities throughout the country, enables local public safety officials to contact residents by phone in the event of an emergency.

The system works well when a local evacuation is necessary but can also be used to provide information to residents such as the location of shelters during long-term events such as the ice storm. The State of New Hampshire has been discussing a statewide Reverse 911 system, but with the current economic situation in the state there is no money available to pay for the system and it has been put on hold.

Representatives from the towns met on March 25 for a demonstration of one of the commercial Reverse 911 systems that are available. Although the implementation of the Reverse 911 system in Newbury is still some time in the future the joint effort of the area towns will reduce the overall costs and enable us to find the best system for our needs.

*--Wayne Whitford, emergency management director*

## LAND USE BOARDS

Please note –

The land-use board sections first present topics the boards covered at work sessions and other administrative actions. This is followed by summaries of hearings, arranged by case numbers and date sequence within each case. In some cases these notes and summaries are from draft minutes. You are encouraged to read the full and approved minutes, available at the town office and the town website.

### ZONING BOARD OF ADJUSTMENT

*Katheryn Holmes, acting chair; Barbara Richmond, Steve Russell, Helen Wright. Alternates: Alex Azodi, Sue Russell*

As of March 10 there is an open seat on the ZBA. No candidates filed to run for the office; there were several write ins. The board will address the opening at its meeting on April 13 and select officers.

#### NEHSA application authorized by DRED

At the Feb. 9 meeting of the ZBA it was noted that in the application packet from NEHSA there was a letter from Commissioner Bald of the Dept. of Resources and Economic Development that gave NEHSA authorization to make application to the town for the purpose of constructing a new building.

***Joan Morena, for property located at 276 Rollins Road, seeks a special exception to permit part-time massage and therapeutic services as a cottage industry.***

[Morena contacted Newbury Update to clarify that her deed covenants do not require all 22 lot owners to approve her plans, as reported in the draft minutes of the Jan. 12 hearing.]

2/9/09 – The applicant sought a continuance as she was waiting for more responses from a letter sent out to lot owners of the subdivision. A request for a legal document to be recorded at the registry of deeds was also causing a delay. The board agreed unanimously to continue the hearing until March 9.

3/9/09 – Due to lack of a quorum, this hearing was continued until Monday, April 13 at 7:30 p.m.

### PLANNING BOARD

*Tom Vannatta, chair; Barbara Freeman, vice-chair; Travis Dezotell; Deane Geddes; Bill Weiler; Ron Williams; Jim Powell, ex-officio (Dick Wright, alternate ex officio). Ken McWilliams, advisor*

#### B&B - cottage industry or commercial use?

At the Feb. 17 meeting, Powell asked if the regulations are clear enough regarding what is considered a cottage-industry use, in light of the discussion regarding the B&B as commercial use or cottage industry [relative to the Wests' hearing on Feb. 17].

McWilliams said that it is clear, but since the previous owner had obtained an approval for a cottage industry, not a commercial use, the planning board needs to view this application as a cottage industry. The board may want to consider moving the B&B use listed in the commercial uses to a cottage-industry use.

#### Subdivision regs & issues – Recording deeds with plans

It was noted on Feb. 17 that town assessor Normand Bernaiche has identified a need for annexations and lot mergers to have new deeds reflecting the new lot-line descriptions recorded concurrently with the mylars. Also, there is no time frame given in which a subdivision is required to be recorded after a conditional approval is given.

The board will discuss these issues at its March work session.

#### Subdivision regulation amendments

On March 3 Vannatta informed the board that if anyone had any suggestions for subdivision amendments, they should forward them on to the board's advisor, Ken McWilliams.

### Sign regulations

On March 3 there was extensive discussion on the sign ordinance. Those interested should read the full minutes, either on the town website or at the town office. Issues included temporary signs and signs on premise vs. off premise.

Dezotell commented that the board needs to receive input from the business people in Newbury regarding the commercial sign needs in town. They should be invited to a work session to give input. Vannatta suggested that the Newbury business people be invited to the board's April work session.

Weiler advised the board of a recent court case in 2007 *Carlson's Chrysler vs. City of Concord* in which the court ruled that a town may execute its zoning power solely to enhance aesthetic values. This court ruling is critical for Newbury since Newbury is in the heart of a beautiful part of the state.

#### Conditional approvals for subdivisions

On March 3 the topic of conditional approvals for subdivisions came up, and it was noted that we are going into a time when the board will be getting some subdivisions that languish for a long time. McWilliams said that the problem is that the regulations don't say anything about how long a developer can take to meet the conditions of approval. Some conditionally approved subdivisions are sitting and doing nothing.

Weiler said that Newbury does not have a rule regarding meeting conditional approvals and time commitments. The board should think about setting a time limit to meet conditions of approval to maintain consistency with the limits on building.

Wright said that when a developer begins a subdivision, they usually log the land first. The logging road then becomes the subdivision roads. The regulations should be stronger regarding logging and subdivision roads. The owner/developer should come to the town at the time they log if they know they will be seeking a subdivision/development approval of that land.

Weiler said that subdivision Art. 4.1 Road Construction addresses that issue:

***Subdivision Article 4.1 Road Construction:*** *No subdivision Road or road for any other purpose shall begin to be constructed on land where a subdivision will be proposed before an application for subdivision is approved. The cutting of trees shall be construed as evidence of the beginning of road construction. The board reserves the right to seek a cease-and-desist order, and to make relocation a condition of approval. See Sections 5.1 and 5.2.*

#### Board officers chosen

At its March 17 meeting the board voted unanimously for Tom Vannatta as chair of the planning board, Barbara Freeman as vice-chair and Ron Williams as an alternate member for three years, the term to expire in March 2012.

#### April 7 work session on sign, subdivision amendments

The planning board's next meeting will be a work session on April 7 beginning at 7 p.m. at which the board will meet with business owners about sign regulations, review draft amendments to the sign regulations and review draft amendments to the subdivision regulations.

*Summaries of recent planning board hearings, some from draft minutes. See official minutes at town office*

#### CASE 2004-006: Angel Hawk Subdivision – J. Gould aka Advanced Conception Property Development, LLC – Development Agreement

The planning board continues to deal with issues relating to this subdivision. Those interested should read the full minutes, available

at the town office, of the meetings where the topic was discussed. It was a topic on Feb. 17 and March 17.

**CASE 2008-010: Annexation – Bradley LaClair – Park 10 Road – three lots into two lots**

3/17/09 – The board accepted as complete the application for a final hearing for an annexation of three lots into two lots to be accessed off Park 10 Road. LaClair would like to build a house on each of the two resulting lots.

The right-of-way known as Spring Street will not be the access to these lots. There is a new, proposed access on the southerly side of the lots that will be used. Since Spring Street will not be used and is only a paper road, it will be divided down the middle and each half given to its respective abutter. Most of the streets indicated on the tax maps are not actually built.

Asked to clarify the placement of Park 10 Road on the survey plan, Roger Rodewald, agent for LaClair, explained that Park 10 Road is not a subdivision road; it was built in the path of least resistance and is actually an encroachment on several lots, including LaClair's. It is an existing problem that will probably never be solved.

Abutter Patricia MacDonald had concerns regarding access to her property. She said that LaClair's proposed plan merges two parcels that abut either side of a right-of-way/paper road known as Hemlock Street that leads to her property. She is concerned that if the merger takes place, her land will become inaccessible.

McWilliams stated that when property is annexed, it does not erase any existing rights-of-way, nor can a person build or block a right of way. LaClair stated that Hemlock Street is an existing right of way that will remain open.

LaClair asked whether, if the annexation goes through, the lots will be buildable. Freeman stated that if the setbacks and other regulations and requirements can be met, then they are buildable.

In light of various issues raised, Vannatta stated that the board is not in a position to make a decision this evening; more information is needed. He suggested that this hearing should be continued to April, at which time it would be helpful if the surveyor could join the meeting. The board voted to continue this hearing until April 21 at 7:30 p.m.

**CASE 2008-021: Final Site Plan Review – Joan Morena – 276 Rollins Road – cottage industry - massage therapy business**

2/17/09 – The hearing continued from Jan 21. McWilliams provided a letter from Morena to the board that was dropped off prior to the meeting, giving Sandy Ippedico permission to represent Morena at tonight's hearing. The letter does not ask for a continuance.

Freeman commented that without Sandy Ippedico present or a letter asking for a continuance, the board has no choice but to not hear the application or continue the hearing.

Weiler commented that additionally, there are no documents such as a site plan or narrative to support the application. Consequently, Morena needs to re-apply to the planning board and follow all requirements outlined in the regulations.

3/3/09 – Vannatta reported on a telephone conversation he had with Morena about why she has to begin her application for site plan review all over, per the board's decision. He explained to her that the planning board cannot hear her application until she has received a special exception from the ZBA.

**CASE 2009-001: Conceptual Site Plan Review – Cottage Industry – B&B – George & Linda West – 348 Route 103A**

2/17/09 – The Wests discussed their plans to convert a private residence into a three-bedroom bed & breakfast. Among other topics, the board reviewed the requirements of cottage industry vs. bed & breakfast in the zoning ordinance and decided that the Wests need to

comply with the requirements of cottage industry, as per the decision by the zoning board of adjustment.

Freeman advised them that the final site plan that the board is going to sign needs to have all of the criteria per Article 13.8.

McWilliams advised the Wests that if they want to have a final site plan review hearing in March, they need to have their completed application in to the town by Feb. 24 in order to meet the deadlines for a March 17 hearing.

**CASE 2009-001: Final Site Plan Review – George & Linda West – Bed & Breakfast – 348 Route 103A**

3/17/09 – The board accepted the application as complete. Linda West explained that the bed & breakfast is currently under construction, and they anticipate 20 weeks to completion. They hope to open for customers at the end of the summer. There are proposed three bedrooms with accommodations for breakfast and light lunch meals. Kitchen will be for guests of the bed & breakfast only. Discussion included lighting, parking and septic. The board unanimously approved the site plan as presented with two pages.

**2009 Newbury Town Meeting Results**

With 395 voters casting ballots, elected to town posts on March 10 were: selectman--Gary Budd, town clerk/tax collector--Linda Plunkett, trustee of trust funds--Claire Vannatta, library trustee (3 years)--Pamela Ritchie, library trustee (2 years)--Patricia Sherman, supervisor of the checklist--Albert Bachelder, cemetery trustee--Judith Healey, planning board (2 seats)--Travis Dezotell and Bruce Healey. The open seat on the zoning board of adjustment received several write-ins. The ZBA will address the issue, per state RSAs. Both of the amendments to the zoning ordinance passed.

When town meeting continued on March 11, there were 114 residents present to determine the town operating budget and other spending for 2009.

Proclamations were read and presented to Shelly Candidus, Al Bachelder and Mary Bachelder in thanks for their contributions to the town of Newbury.

The cut-to-the-chase version of the abridged results below of voting on the town warrant: The reduction of \$20,000 in Art. 6 will mean about three cents off the tax rate, making it virtually flat with last year. The town tax rate is \$3.41 per \$1,000 right now.

A brief recap of the warrant articles, for the record--

3. Annual budget of \$3,223,680, down \$2,993 or just less than one percent of last year, passed.

4. \$159,000 will be placed in capital reserve funds: fire equipment \$45,000, highway equipment \$111,000, ambulance \$3,000.

5. \$40,000 will be placed in maintenance expendable trust funds: docks \$12,000, town office equipment \$6,000, town buildings \$7,000, milfoil control \$5,000, fire dept. personal protection \$10,000.

6. Amended down to \$128,000 to expand the town office parking lot, connect the parking lot to Fishersfield Road, reconstruct and pave Fishersfield Road, and remove the oil tank that is buried in the safety services lot. The \$20,000 to conduct further studies for future uses of town center property was removed.

7. \$146,537 approved to purchase a six-wheel dump truck equipped with dump body and sander, \$141,537 from the capital reserve fund and a trade-in amount of \$5,000 for the 1986 Mack.

8. Voters approved discussing the merits of a "pay as you throw" program for household trash in the town. A committee has been formed.

9. \$3,000 approved to remove and replace the chain-link fencing at Chandler Cemetery on Route 103B by the traffic circle.

10. \$3,700 will be placed in the Cemetery Maintenance Trust Fund and authorize the transfer of \$3,700 from the sale of cemetery lots in the prior fiscal year.

11. Selectmen were authorized to enter into an inter-municipal agreement with the other seven towns to establish a consortium to share in the construction, operation and use of a broadband communications network.

12. Voters adopted special state provisions to appraise qualifying farm structures and land underlying them at lower rates.

13. Voters agreed to support working with the other towns within the Sunapee watershed to raise awareness and improve stewardship of water resources.

### **Gratitude for support of Newbury cemeteries**

I wish to thank all citizens of Newbury for their support during my 13 years of serving on the Cemetery Trustee Board. I was elected to the board in 1997 and became its chairman shortly after. With your help a great deal has been accomplished in this time.

Currently there are eleven cemeteries in Newbury, following the acquisition of three burial grounds in 1998. Throughout my tenure emphasis has been placed on access and boundary settlements wherever any conflicts might exist. Now, new fencing and gates have replaced barbed wire or inadequate fencing of the past. Many new trees and shrubs have added to the beauty of our properties.

Our newest cemetery, the Booth Sherman, at Newell and South roads, was officially opened in 2002. Additional land was granted by the Sherman family and a plot layout was designed for the entire acreage. In September of that year, we honored the Booth-Sherman family at the official opening ceremony. After the cemetery ceremony and speeches, a buffet luncheon was provided for all and awards made to the family for their service and generosity to the town.

Shortly after this festivity, we began work on the Marshall Cemetery, ultimately replacing the chicken wire with a country-style stonewall and adding an entrance gate. The following year the access road was repaved and extended into the Felton grant, which provided a turnaround at the top of the hill.

In 2006, we began plans to upgrade the Lakeside Cemetery as part of the ongoing beautification process in the center of town. After much discussion and study, we agreed upon the granite post chain and gate for the frontage area and new chain link for interior locations. Settlements were sought with abutters regarding a formerly leased area inside the cemetery and the west side boundary area. Following a complete survey of the cemetery in August of 2007, agreements were concluded with all parties and official boundary lines approved by the planning board in 2008.

Monument repair and cleaning work has been planned and executed nearly every year. We started in the Marshall cemetery, next came three years in South Newbury, one year in Chandler and finally this past year in Lakeside. Smaller cemeteries were incorporated into the main effort when possible. The policy has been to repair stones as much as possible but to refrain from greater expense involved in true restoration work. The only exception to the policy was the restoration work done on the Hepzibah Gillingham stone in August of 2005.

A mystery was resolved in 2005 when trustee research proved the identity of the soldier buried in the Sutton Cemetery to be that of Simeon Simons, a Revolutionary War veteran who served at Bunker Hill. The following year the Trustees applied for and received a military marker from the Veterans Administration and installed it at the grave site. Mary Eliza's name appears on the marker as she is believed to be buried with her husband.

The process of managing the sale, deeding and maintenance of all cemetery properties along with developing a set of cemetery regulations gradually led to the development of a computerized database system for all of our cemeteries. This system contains all of the information pertinent to cemetery lots, burials and deeds necessary to help administer lot sales, burials and associated functions such as the placement of veteran flags. Currently, photos of

monuments are being added to form a more permanent record of those as well.

Management of finances is a huge responsibility for the trustees. Sources of income are the annual operating budget, any applicable CIP funding, perpetual individual-care trust fund accounts and the General Maintenance Trust Fund. The trust funds are administered by the Trustees of the Trust Funds, but are expended only the cemetery trustees. Each year the trustees of the two boards work together to prepare a final report to the state.

At this time of departure, I thank all those individuals who served as trustees with me and the many people who have given their time and work for the cemeteries. All should be assured that your loved ones in our cemeteries will continue to have the concern and protection of this duly elected town body. I offer my hearty and continuous support to my successor, Paul Riley.

*Mary P. Bachelder*

*Retiring Chair of Cemetery Trustees of Newbury*

*March 17, 2009*

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