

Dec. '07-Jan. '08

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 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.

This is an abbreviated issue of *Newbury Update* covering December and January and tacked on to the special issue covering the upcoming town meeting. This will keep you current with some town activities until the next regular issue, after town meeting.

Don't forget, every registered voter in Newbury is a voting member of the town's 'legislative body' that on March 11 and 12 will elect officeholders, decide on proposed amendments to our building regulations and zoning ordinance, and vote on the budget and other warrant articles that will determine, among other things, our tax rate. Please attend. Democracy takes some effort.

In addition to ongoing budget reviews and preparation of the warrant, other items addressed by the board of selectmen have included:

FEMA FUNDS – A public hearing was held Dec. 10 to authorize the expenditure of funds received from FEMA for the April 2007 flooding as well as from 2006, an unexpected bonus. There was no public comment and the vote was unanimous to allow the authorization.

PURCHASES PURSUED – Purchase authorizations were signed on Dec. 10 for a thermal-imaging camera (purchased through grants) and snow tracks for the new Kubota and rescue skid for the fire dept., and various Fishersfield items including: chain-link fencing, irrigation system, soccer goals, set of bleachers, a kiosk, a 30' fiberglass flagpole and hardware for the tennis, basketball and volleyball courts.

EASEMENT REVIEW – The board of selectmen reviewed a conservation easement brought forward by Suzanne Levine, in cooperation with ASLPT. The town counsel has reviewed and the board unanimously approved this easement.

FIRE DEPT. – On Dec. 10 Fire Chief Henry Thomas reviewed a matrix that outlines the rates of pay for fire department personnel and their job title descriptions. These new pay rates and titles will be put into effect on January 1, 2008. On January 8, Gary Budd, Dick Wright and Dennis Pavlicek attended a fire department meeting to answer any questions or address any concerns with the changes; none were raised. They were informed the fire dept. membership had discussed and voted on the new job descriptions and pay scales.

VOLUNTEER VACANCIES – The veterans memorial committee is still in need of members. There are currently only two.

The energy committee is doing better but would welcome more. Consider attending one of its meetings to see if it might be a fit for your talents or interests.

These are only two of a multitude of opportunities available in town to enrich your life with more experiences and accomplishments. To find out more, please call Dennis Pavlicek at 763-4940 x204, or email him: townadmin@newburynh.org.

RENOVATION STUDY – Last year's town meeting voted \$9,500 for a renovation study of the three town-owned buildings in South Newbury. On Dec. 17, Bill Weiler of the historical society and Chris Lizotte of Sheerr McCrystal Palson Architecture presented the selectmen with that report. They discussed several projects they would like done to the Sherman building, South Newbury Town Hall, and the Grange Hall. Lizotte reported that the findings show that the Sherman building is in the best shape, the town hall is in pretty good

shape with a sagging floor and the Grange was in the toughest shape with lots of rot and a sagging floor. There also appears to be a water channel under the Grange that is contributing to the rotting floor. Lizotte stated that all of the buildings are structurally okay. Estimated costs for the repairs in the report for all three buildings were in excess of \$1 million.

Jim Powell said that he would like to see a group of people come up with a plan to begin to slowly refurbish these historical buildings. Weiler will sit on the committee and make a timetable of the various projects. Powell asked Weiler if he thought we needed to refurbish all three of the buildings. Weiler suggested refurbishing the town hall as it could hold plays, shows and concerts. It will need bathrooms and strengthening of the floors. Sherman hall is the smallest, but does not require a lot of work. The Grange is the biggest building with the most amount of work. Lizotte suggested that all the trees behind the buildings should be cut back. It was decided to start with this project. Powell asked Weiler to make a list of general maintenance that can be done in the meantime. Powell will begin to ask people to sit on the committee.

SIDEWALK STATUS – The engineers for the sidewalk project, KVP Partners, will come to a March selectmen's meeting with the final design to be submitted to the Dept. of Transportation. The select board carried over unspent grant money for this project from last year.

TRANSFER STATION STUDY – On Jan. 28, Elizabeth Ashworth, a civil engineer with experience in solid-waste management, reviewed her report on the transfer station. She said that the facility works really well and could be even better with a few small changes. Among her suggestions: Now that the compost is gone, the co-mingled container should be moved, as well as the compactor. The metals ramp needs to be rebuilt; it's too low for the container. The appliances could be better managed, as this area is very visible from the road. The burn pile is creeping forward; it needs to be pushed back more. There is still some confusion on how to recycle. Perhaps more or better signs could be useful, such as having examples attached to the signs. Ashworth also mentioned that an assistant is also needed at the transfer station. She would like to see recyclables in one area. Plastics could be moved to the building, baled (better with a horizontal than vertical baler) and then shipped in a trailer.

Pavlicek mentioned that recycling has gone up seven percent this year, mostly in plastics and metal cans, and increased paper and cardboard. Ashworth said the traffic flow is good but would be better with a greeter telling people where to go, so as to stop the traffic stopping in strange places. Selectmen asked her to return in a few months once they've had time to consider alternatives.

FISHERSFIELD

On Dec. 10 Dick Wright reported on the status of work at Fishersfield Park, including that the highway dept. would plow through to the building during the winter, two motion spotlights will be installed on both ends of the building and Hayes & Hayes was finishing up the deck and waiting for a garage door to come in. In mid-January, the roof was finished.

The selectmen also looked at a map of Fishersfield on Dec. 10 and drew a line dividing up the recreation and forestry areas of the Fishersfield property, after discussions with the conservation commission. The conservation commission will manage the town forest, per vote of last year's town meeting.

To keep the money available for the park project in 2008, the selectmen carried over \$110,888 to be used for fencing, paving courts, septic installation, electric hookups, etc.

Selectmen reviewed several bids for fencing, selecting Springfield Fence in the amount of \$27,375. A breakdown of the included costs: 2 sides of soccer field at 397 feet and 4 feet high; 170 feet of 10-foot-high chain-link fence for volleyball court; 210 feet of 10-foot-high chain-link fence for basketball court, and 360 feet of 10-foot-high chain-link fence for tennis court.

2008 DUMP STICKERS

The transfer station stickers for 2008 are in and can be picked up at the town office from Donna Long, administrative assistant, or Linda Plunkett, town clerk. Please have your old sticker, your license plate number, your vehicle registration or proof of residency.

DOG LICENSE / RABIES REMINDER

Dog licenses will be due by the end of April, so now is a good time to check your dog's rabies vaccination expiration date in case you need to schedule a visit to the vet.

RECREATION COMMITTEE

In mid-January the Newbury Parks and Recreation Department opened a skating rink for everyone to try some good old-fashioned pond skating. It's on the pond beside the safety services building (adjacent to the intersection of Routes 103 and 103A). The main rink is approximately 80 x 60 ft. There are also some winding trails through the pond and marshy area. The pond is lit by some soft floods and has the feel of moonlight skating in the evening. Parking is available by the safety services building as well as at the town offices. Skating is at your own risk and the recreation committee politely requests that children wear helmets.

Newbury Parks and Recreation also introduced a "Learn to X-C Ski Program." The lessons were held in Fishersfield Park for youth and adults on three consecutive Sunday afternoons in late January and early February. Lessons were \$5 each.

NEWBURY PUBLIC LIBRARY

Come to the Wildlife Encounters ZOO! This is a completely hands-on program featuring mammals, reptiles, amphibians, invertebrates, and maybe a bird! The encounter begins at 2 p.m. on Tuesday, Feb. 26, at the library. The target audience is preschool – grade 5. All are welcome to attend. Snacks will be provided.

The book discussion group is reading "Middlesex" by Jeffrey Eugenides for its Monday, March 3 program. Greg Johnson will lead the discussion, which begins at 7 p.m. Join the group for a book discussion and free refreshments. Books are available for checkout at the library's front desk.

Preschool story hour continues every Wednesday at the library at 10:15 a.m. Children and their parents may enjoy stories and related activities. Everyone is invited.

For more information on any of these programs call the library at 763-5803. The website is newburylibrary.net.

Following are *very* brief notes on meetings and hearings of the land use boards. You are encouraged to read the full minutes of ZBA and planning board meetings/hearings, available at the town office.

ZONING BOARD OF ADJUSTMENT

On Nov. 19 a hearing for the Ashworth-Hafer Trust (for property located at 195 Mountain Road, seeking a special exception to permit operation of a pet care facility out of residence) was continued to Jan. 28. The applicant withdrew the application prior to that date.

The ZBA had no other meetings in December or January.

PLANNING BOARD

The planning board spent several meetings reviewing its proposed amendments to the building regulations and zoning ordinance. At a public hearing held on Jan. 2 the only change that drew public comment and questions was the storm-water management ordinance. Full minutes of the hearing are available at the town office. A brief review is included on page 5 of this publication.

Master Plan Update

The board has also spent time reviewing drafts of the remaining chapters of the master plan, including responding to input from the Nov. 3 public forum on land use. In addition to land use issues, goals & recommendations, board members are addressing the historic chapter, conservation plan and implementation chapter. Once these are completed, the board will schedule a public hearing, possibly in March or April. More on the master plan update will be included in future issues of *Newbury Update*.

CASE 1985-013: North Peak Village – Condominium Development – Route 103

Dec. 4 – Paul LaCasse, building inspector/code enforcement officer, asked the board's input on a building permit application for a deck to be constructed on one of the condominium units at North Peak Village. The deck would not be within the approved building footprint and would encroach into the common area.

The sense of the board was that if the North Peak Homeowners' Assoc. does not provide for additions and/or alterations, then the applicant will need to apply to the planning board for a revised site plan review and permission for encroachment into the common area.

CASE 1997-017: David Long – Captain's 1st Choice – 548 Rte. 103

Dec. 18 – Bill Weiler stated that Long has not done anything that was agreed to on the revised site plan review, but he has erected a light on top of the sign that shines in all directions contrary to what the board had asked. Jim Powell said that he will ask Paul LaCasse, building inspector/code enforcement officer, to look into it.

CASE 2003-011: Fieldstone Ridge Development – Pickman & Sons – Off Gillingham Drive

Dec. 18 – Bill Weiler asked the board to keep in mind the impact on wetlands when considering subdivision applications. He explained that the Fieldstone Ridge development has an impact of 47,000 sq. ft. on the wetlands, which is over four times the minimum required for mitigation by DES. He suggested that something be placed in the subdivision regulations that states that the board will not approve anything over 10,000 sq.ft. of wetland impact.

CASE 2007-013: John Hay Wildlife Refuge/Land of the USA, Minor Subdivision, Final Hearing, 456 Route 103A

Dec. 4 – The board accepted the application as complete and it was noted that the board reviewed most of the information submitted at the preliminary hearing in October 2007. The board voted

-----LAND USE BOARDS-----

unanimously to approve the proposed minor subdivision for the property located at Route 103A and Bowles Road.

CASE 2007-020: Conditional Use Permit – Peter & Erika Helprin – 611 Mountain Road

Dec. 4 – Barbara Freeman asked the board members to each try to make a site review of the Helprin property on Mountain Road. Helprin will be coming to the planning board in December for a conditional-use permit for a driveway at 611 Mountain Road.

Dec. 18 – The Helprins sought a conditional-use permit for a driveway located at 611 Mountain Rd. Helprin explained that everything is the same as the last meeting (on Nov. 6 the application had been denied) except that the proposed driveway has been moved out of the 50-ft. setback from West Branch North Brook.

After discussion and public input, Freeman delineated a driveway route on Helprin's plan that would be acceptable to the board and explained to Helprin that the board's position is that the proposed driveway needs to stay out of the 75-ft. wetland buffer area as much as possible and the wetland buffer should be staked off so that the building inspector/code enforcement officer has a point of reference for inspection purposes.

The board unanimously approved the conditional-use permit with conditions.

CASE: 2007-023: Conditional-Use Permit – Joseph Goodnough Revocable Trust – Bay Point Road

Dec. 18 – Goodnough sought a conditional-use permit for a new single-family residence located on Bay Point Road, two lots to be merged. The land has a significant amount of wetland. The applicant proposed merging these lots to create one lot of 1.24 acres. A three-car garage was also proposed.

Freeman commented that she is concerned for the water quality. In the past, the board has not allowed people to build outside of their building envelope. She stated that it is important to keep in mind that not all lots are buildable.

The conditional-use permit was denied because the proposal to construct a 4,503 sq. ft. home cannot be deemed a minimal impact and therefore does not fit the conditions for a conditional-use permit, and other alternatives of development on the site will have less encroachment in the 75-ft. wetland buffer.

Conceptual Site Plan Review – New England Handicapped Skiers Assoc. (NEHSA)

Dec. 18 – There is a proposal to relocate the NEHSA lodge and parking area. The actual building will be located over the town line in Goshen, but the driveway to that building will come off the main access road in Newbury. The NEHSA board is not sure where to start – with Goshen, Newbury or the state. The state has dictated where the driveway will be since that portion of the road is a state road.

To address the unique circumstances of the mountain the planning board created Art. XI – Mt. Sunapee Recreation District, that makes exceptions for development on steep slopes. The development that is referred to in the zoning regulations is specifically designated for ski slopes and trails, not buildings. Therefore a variance would be needed for development on a slope greater than 25% grade.

NEHSA is separate from Mt. Sunapee Resort; they are two separate lease agreements. Therefore, the Mount Sunapee master plan has no jurisdiction over NEHSA.

DES has given a verbal approval of the project. There is an option to pay a fee to the state in lieu of mitigation, which goes into the watershed fund.

Freeman advised that this project should come to the Newbury Planning Board before Goshen's reviews the building site because they cannot build a building without an access and parking.