

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. To receive a copy via e-mail, send a request (and any comments or suggestions) to: newburyupdate@gmail.com.

UPCOMING EVENTS

Wed.	Jan. 20	Filing for town offices opens, see page 2
Mon.	Jan. 25	Board of selectmen meet, 6:30pm, town ofc
Mon.	Jan. 25	Public hearing on flood plain maps, see p. 1
Fri.	Jan. 29	Filing for town office ends, see page 2
Tue.	Feb. 2	Last day for petitioned warrant articles
Mon.	Feb. 8	Board of selectmen meet, 6:30pm, town ofc
Mon.	Feb. 8	Budget hearing, 7pm, town ofc, see page 2
Tue.	Feb. 16	}Feb. vacation programs from the library
Thu.	Feb. 18	}and recreation dept., see pages 3-4
Sat.	Feb. 20	Winter Festival, see page 3
Mon.	Feb. 22	Board of selectmen meet, 6:30pm, town ofc
Mon.	Feb. 22	Last day to post warrant, budget
Thu.	Feb. 25	Roosevelt & Portsmouth Peace Treaty, pg. 3
Mon.	Mar. 8	Board of selectmen meet, 6:30pm, town ofc
Tue.	Mar. 9	Town meeting voting, 1-7pm, town office
Wed.	Mar. 10	Business portion of town meeting, see pg. 2

From the desk of the **Newbury Board of Selectmen**

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

Wild Goose

In November the Newbury Board of Selectmen met with George Campbell, commissioner of the NH Dept. of Transportation, to discuss the selectmen's concerns about the safety of access to the proposed Wild Goose boat ramp site.

On Dec. 28 Campbell sent a letter to the selectmen; its contents follow:

"I am writing in follow-up to our meeting on Nov. 9 regarding the proposed boat landing at Wild Goose on Lake Sunapee in Newbury. I appreciate your efforts in holding the meeting. It was helpful to hear your concerns and to visit the site. From a number of perspectives the proposal would appear to be difficult, but doable.

"I view the Dept. of Transportation's role in the approval process as being somewhat subsidiary to that of other state and federal agencies. The issue of vehicular safety is real and will be addressed as the overall approval process unfolds. Some additional widening along NH103 or other measures to increase drivers' awareness and reduce motorists' risk would appear to be appropriate. The Dept. of Transportation will continue to work with the town and regional leaders and with the NH Fish and Game Dept. to assure traffic safety.

"Again, I appreciate the town's very real interest in the project and await further discussions as the project moves forward. If you have any questions of me, please call or write."

The letter copied Gov. John Lynch, executive councilor John Shea, state senator Bob Odell, state rep Ricia McMahon and Glenn Normandeau, director of Fish & Game, among others.

Intent to cut – On Dec. 14 selectmen signed an intent to cut for Susan Powers and Jane Grant (map/lot# 045-219- 192) and a timber tax levy for map/lot #027-040-425 in the amount of \$80.

New trail set – With agreement of the town and other abutters the snowmobile trail behind the town office has been shifted 30 feet to accommodate changes made when the parking lot was expanded.

2010 Budget Hearing, Feb. 8

Draft warrant inside – see pages 2-3

Winter Festival, February vacation programs

See pages 3-4, Recreation & Library

Blodgett Landing WWTF project

The December issue of *Newbury Update* had extensive information on the special town meeting called regarding the Blodgett Landing wastewater treatment facility upgrade project.

With that available for reference if needed, suffice it to say that, following presentations and discussion at the public bond hearing and special town meeting on Dec. 16, the single warrant article passed with a unanimous paper-ballot vote of 47-0.

The minutes of the bond hearing and special meeting are available at the town office.

With the state go-ahead that followed the meeting, a contract with Neagley and Chase Construction Company Inc. was signed on Jan. 14 for the Blodgett Landing project. Stantec Engineering will schedule a pre-construction meeting once the contractor submits a schedule to determine when N&C expects to begin work on the site.

Another thank you – After the 'wood chuck' day in November Newbury had a tidy supply of firewood ready for those in need and still some logs left should more need to be split. Well, there aren't so many logs anymore, which is why the board of selectmen would like to thank Paul Francoeur for taking personal initiative to make a huge dent in the pile of logs, single-handedly converting them into two impressively large piles of woodstove-ready pieces.

Newell Road delay – Following discussion with residents of Newell Road at their meeting of Dec. 14, selectmen decided to put off the grinding and paving of the road. The plan had been to grind it this year and pave the next. Some residents prefer both to be done the same year, in part because the ground-up surface is hard on their horses' feet. Selectmen will reconsider the road work planned for 2010.

Hearing on flood plain maps – There will be a required public hearing to discuss the new flood plain maps revised by FEMA. The hearing will be held on Monday, Jan. 25, at 7 p.m. in the town office meeting room. The flood-plain designation impacts availability of national flood insurance and building regulations specific to affected areas. Copies of the maps can be viewed at the town office.

Sign permits – On Dec. 14 selectmen approved a sign permit for Margaret Morris, map/lot 007-556-159, and decided a sign permit application for the Rolling Pin would not be approved until the Rolling Pin went to the planning board for a site plan review for a change of use (it is a second business in one location).

On Jan. 4 Janet Crocker submitted a sign permit application for her newly opened store, *Crocker's Coffee Shop*. Selectmen approved her request and discussed a lighted 'open' sign that Crocker wanted to put in her window. The zoning ordinances do not allow lighted signs in the window.

NEWBURY TOWN MEETING

Newbury positions open for election

The town of Newbury will be accepting candidate filings for town offices from Jan. 20 through Jan. 29. The following positions are open:

- Board of Selectmen – 3-year term
- Moderator – 2-year term
- Trustee of Trust Funds – 3-year term
- Library Trustee – 3-year term
- Cemetery Trustee – 3-year term
- Planning Board – 3-year term (2 openings)
- Zoning Board – 3-year term (2 openings)
- Zoning Board – 2-year term (1 opening)

Interested candidates can file at the town clerk’s office. Office hours are Monday 1-7 p.m., Tuesday–Friday 8 a.m.-noon and 1-4 p.m. and on Friday, Jan. 29, 8 a.m.-noon and 1-5 p.m.

Absentee ballots

Absentee ballot requests must be addressed to the town clerk in writing. Absentee ballots will not be available until mid-February, but requests may be submitted anytime soon.

2010 budget hearing – Monday, Feb. 8

The hearing on the town budget and warrant articles for the 2010 town meeting will be held on Monday, Feb. 8 at 7 p.m. in the town office meeting room.

The following draft version of the 2010 town warrant is provided for your information in preparation for the hearing.

The February issue of *Newbury Update* will carry an in-depth review of each budget line item and warrant article in advance of town meeting on March 10.

DRAFT

Town Warrant - 2010

THE POLLS WILL BE OPEN FROM 1:00 p.m. TO 7:00 p.m.

To the inhabitants of the Town of Newbury in the County of Merrimack in said state qualified to vote in the town affairs:

You are hereby notified to meet at the Town Office Building in said Newbury on Tuesday, the ninth (9) day of March, next at one of the clock in the afternoon, to act upon the following subjects:

1. To choose all necessary town officers for the ensuing year.

The Town shall recess the business portion of the meeting until Wednesday, March 10, 2010, at 7:00 p.m. at the Mount Sunapee Spruce Lodge -- second floor -- off Route 103 in Newbury.

2. To see if the Town will vote to raise and appropriate the sum of \$3,205,990 for general operations:

ANNUAL BUDGET	2009	2010
DRAFT		
1. Executive	\$178,522	\$184,256
2. Elections	4,802	7,494
3. Financial Administration	440,795	444,292
4. Legal Expenses	23,000	23,000
5. Personnel Administration	2,800	3,600
6. Planning	46,726	47,121
7. Zoning	13,006	13,172
8. General Government Bldg.	53,271	51,892
9. Cemeteries	25,610	25,140
10. Insurance	52,100	57,750

11. Other General Govt.	14,000	13,600
12. Police Department	450,288	468,306
13. Fire Department	159,875	162,641
14. Forest Fire	1,053	1,038
15. Code Enforcement	28,813	29,308
16. Emergency Management	4,413	4,263
17. Highway Maintenance	578,780	552,995
18. Highway Reconstruction	232,000	195,000
19. Street Lighting	14,600	14,500
20. Transfer Station	284,805	294,807
21. Health Agencies	33,616	34,403
22. Welfare	22,894	22,869
23. Information Booth	6,689	6,542
24. Parks & Recreation	77,648	65,961
25. Library	85,494	87,325
26. Conservation Commission	1,495	1,577
27. Historical Society	1,000	1,000
28. Tax Anticipation Notes	100	100
29. Sewer Department	137,440	155,422
30. Bond/Note Principal	165,000	165,000
Bond/Note Interest	49,000	40,750
31. Safety Communication Svcs.	34,045	30,866
32. Capital Outlay	0	0
TOTAL:	\$3,223,680	\$3,205,990

DRAFT

3. To see if the Town will vote to raise and appropriate the sum of \$169,000 to be placed in the following capital reserve funds: (Recommended by the selectmen)

Fire equipment	\$ 55,000
Highway equipment	\$111,000
Ambulance	\$ 3,000

4. To see if the Town will vote to raise and appropriate the sum of \$40,000 to be placed in the following existing RSA 31:19-a maintenance expendable trust funds previously established: (Recommended by the selectmen)

Docks	\$12,000
Town office equipment	\$ 6,000
Town buildings	\$ 7,000
Milfoil control	\$ 5,000
FD personal protection	\$10,000

5. To see if the Town will vote to raise and appropriate the sum of \$85,000 to renovate the Vets Hall. The renovation will include: insulation, sheetrock, electrical, heating, septic hookup, ADA access, windows, bathroom and kitchen facilities.

6. To see if the Town will vote to raise and appropriate the sum of \$40,750 to purchase a new chipper and authorize the withdrawal of \$37,250 from the highway equipment capital reserve fund and a trade-in amount of \$3,500 for the old chipper. (Recommended by the selectmen)

DRAFT

7. To see if the Town will vote to raise and appropriate the sum of \$26,350 for the purchase of a new fire pump and necessary modifications for the fire boat.

8. To see if the Town will vote to raise and appropriate the sum of \$160,000 for the purchase of a new mini-pumper for the fire

department and to authorize the withdrawal of \$160,000 from the fire department capital reserve fund. (Recommended by the selectmen)

9. To see if the Town will vote to raise and appropriate the sum of \$100,000 to complete the restoration of the Center Meeting House.

10. To see if the Town will vote to raise and appropriate the sum of \$12,000 for fireworks at the Old Home Day celebration. Said sum will be offset by donations in the amount of \$10,000.

11. To see if the Town will vote to appropriate the sum of \$1,900 to be placed in the cemetery maintenance trust fund and authorize the transfer of \$1,900 from the December 31, 2009 undesignated fund balance for this purpose. Said sum represents the sale of cemetery lots in the prior fiscal year. (Recommended by the selectmen)

12. To see if the Town will vote to adopt the provisions of NH RSA 72:61 through 72:72 inclusively, which provide for an optional property tax exemption from the assessed value, for property tax purposes, for persons owning real property which is equipped with solar-energy systems, wind-powered energy systems or wood-heating energy systems intended for use at the immediate site. Such property tax exemption shall be in the amount equal to 100% of the assessed value of qualifying equipment under these statutes up to a maximum of \$5,000 for each solar-energy system, wind-powered energy system or wood-heating energy system.

13. To see if the Town will vote to accept all of Chapin Way in the Angel Hawk subdivision. Subject to approval by the board of selectmen. (By petition)

FAMILY SERVICES

Overwhelming response

Once again I would like to extend a special thank you to everyone who helped in any way with the holiday plans for those in need. This year there was an overwhelming response.

Call if you need wood

Wood is available for those with a need; contact Gail Bostic at 763-4940. The criterion for receiving the wood is that you must qualify for fuel assistance.

Food pantry donations

Due to the increase of requests for the food pantry, donations of food will be accepted at both the Newbury town offices and the Newbury branch of the Lake Sunapee Bank.

--Gail Bostic, family services director

Teddy Roosevelt's Nobel Prize:

New Hampshire and the Portsmouth Peace Treaty

The Fells is offering a free community program on Thursday afternoon, Feb. 25, exploring the events that led to America's first Nobel Peace Prize and placed New Hampshire on the world stage.

Teddy Roosevelt chose Portsmouth to be the site for the 1905 peace treaty negotiations to end the Russo-Japanese War (sometimes called 'World War Zero'). This program, presented by Roosevelt scholar Charles Doleac, explores Roosevelt's multi-track diplomacy that resulted in the Portsmouth Peace Treaty and earned Roosevelt America's first Nobel Peace Prize in 1906. Doleac's remarks will be illustrated with an exhibit of historical photographs.

The free program is sponsored by the NH Humanities Council. It begins at 4 p.m., Feb. 25 in the meeting room of the Newbury town office. Reservations are not required.

PARKS & RECREATION

Recreation Committee: Inge Lee, Jane Pratt, Marilyn Hill, Jennifer Morris Sweet, Gail Bostic, Katie Seabury, Mark Cashin, Monica Valovic, John Valovic

February vacation program – Feb. 16 & 18

This two-day program is geared for ages 7 - 12 and limited to 16 children so please register early. The cost is \$32 for both days and forms are available by Friday, Jan. 22, in the library, at KRES at Bradford and on the town website. There will be a three-day sign-up window from Feb. 1-3 for Newbury children only; any slots still open will be first come, first served.

Transportation from the park to the town office will be provided. Snowshoes are required for Tuesday morning; some will be available but contact Travis Dezotell ahead of time. He can be reached at 763-4940 x210 and travis@newburynh.org.

Tuesday, Feb. 16

9:00-11:30 – The day starts at Fishersfield Park with the *Life in the Cold* program run by Siskin Ecological Adventures (siskinea.org) Dress warm for two hours where you'll set up a base camp and camp stove, take forays into the forest to learn survival and tracking, build a snow shelter and start a single-match fire.

11:45-12:30 – Bag lunch in the town office meeting room

12:30-2:00 – Over to the library for Science Magic (see page 4)

2:00-3:00 – Recreation program TBD

3:15-Pickup – Movies at the town office

Thursday, Feb. 18

9:00- 11:30 – Newbury Winter Olympics at Fishersfield Park

11:45-12:30 – Bag lunch in the town office meeting room

12:30-2:00 – Over to the library for a program TBD

2:00-3:00 – Recreation program TBD

3:15-Pickup – Movies at the town office

Winter Festival – Feb. 20

Family fun in the forest is scheduled for this year's Winter Festival on Saturday, Feb. 20. Starting late morning until 2 p.m. at Fishersfield Park there will be lots of winter outdoor activities. Catch the ice fishing demonstration on the pond. Circle the pond on your ice skates. Bring your sleds and snowshoes and enjoy the snow, then warm up at the bonfire (maybe bring a bag of marshmallows...). Some snacks will be offered and you're encouraged to bring your own as well for a picnic in the snow.

NEWBURY PUBLIC LIBRARY

Library trustees: Liz Tentarelli, Pam Ritchie, Pat Sherman.

Friends of NPL: Liz Moul, Paula Falkowski, Ken Tentarelli, Mickey Noyer, Jackie Keegan, Suzanne Levine, Diana Morris

Library hours: Sunday 12- 5 p.m., Monday 12-8 p.m., Tuesday-Thursday 12-5 p.m., Friday closed, Saturday 10 a.m.-2 p.m.

Poetry Jam

Check at the library for the date of the February session.

Book Discussion

The next book discussion is set for 7 p.m. on Monday, March 1, and features Katherine Dunn's novel *Geek Love* (think carnival freak). The unusual setting and characters should generate intriguing conversation, which will be led by Peter Bradley.

Seeking computer upgrade proposals

The library is seeking proposals for an upgrade to its computer system network. Bidders may obtain details on the website which can be accessed through the town website, newburynh.org. Proposals will be accepted until February 5, 2010.

Programs for February vacation

Librarian Rosie Johnson is coordinating with recreation coordinator Travis Dezotell on two days of programs during school vacation. On Tuesday and Thursday, Feb. 16 & 18, the action is at the library from 12:30 - 2:00 p.m. The program for Thursday is still being set, but check out what's in store on Tuesday:

Science Magic – Feb. 16

Here's how the Boston Museum of Science describes its traveling program called Science Magic: "Ever wonder how magic tricks really work? This program investigates the science behind the 'magic' of several classic magic tricks. You might learn how to snatch a tablecloth without disturbing the items on top, make a balloon fireproof and use electromagnetism to defy gravity. For the grand finale, our educator will demonstrate how science can make it safe to lie down on a real bed of nails."

The program, which is sponsored by the Friends of Newbury Public Library, will begin at 12:30 on Tuesday, Feb. 16.

BEAUTIFICATION COMMITTEE

We begin this New Year with many thanks to the residents of our town. Our wreath sale was the most successful yet, due to all the local businesses that purchased wreaths and our many customers. Now it's on to planning our Spring Plant Sale on May 29 at the Velie Playground area.

The January meeting was called to order by our new chairman, Judy Healey. Two beautiful Peace Lily plants were given to the outgoing chair, Joy Nowell, and NBC's founder, Diana Morris. First order of business was the ham and bean supper at Mt. Sunapee on March 10, town meeting night. The tables at Spruce Lodge will be filled with ham, beans, coleslaw and rolls prepared by NBC members. We are asking the voters to please bring dessert.

Our meetings are the first Wednesday of the month, 9 a.m., in the town office meeting room. We welcome all new members.

--Sally Wollensak, NBC publicity

ASSESSING OFFICE

New on-line assessing and mapping information

The Town of Newbury has combined its interactive mapping and assessing information (tax cards) on to one website. This was done to provide on-line mapping as well as assessment information in the most cost-effective manner.

Many of you are familiar with accessing assessing information using Vision Appraisal. We have ended the on-line arrangement with Vision and have combined the assessing database with on-line mapping using a company called SMS (Sustainable Map Solutions). While we will continue to use Vision Appraisal for our in-house software, we will no longer use Vision's website for on-line data.

Newbury's website will be linked with similar data for the towns of New London and Sunapee, so you will be able to access information for all three towns in the same location. On the site it is referred to as Tri-Town, NH. You can go to any of the respective town web sites – www.nl-nh.com, www.newburynh.org or www.town.sunapee.nh.us – and proceed to the link to the Assessing Dept. Once there click the link to on-line or GIS maps ('GIS Weblink' on Newbury's site) and bookmark the page for future reference.

There will be two options available: you can choose to just look at assessment data on the tax cards or you can look at the maps (including aerial photos) along with the assessment data. The website allows you to query by owner name, property location and map/block/lot number or by clicking on the map and selecting a property.

The only drawback this new site has is there will be no building sketch. However, we will add an icon to the website that enables you to immediately e-mail town personnel who will e-mail you the sketch.

If you have any questions, please feel to contact me at assessor@nl-nh.com. Thanks for your cooperation.

--Normand G. Bernaiche, town assessor

HEALTH OFFICER

The media hype about the H1N1 flu pandemic has died down. Fortunately the influenza has been relatively mild and the predictions of a large number of people home sick from work and school has not materialized. Adequate H1N1 flu vaccine is now available for anyone who wants it from medical providers and even some pharmacies. The flu season continues and we encourage anyone who has not yet received their flu shot get their vaccination now. This is especially important for individuals under 25 and those with other medical conditions who are most susceptible to the flu. It does appear that the number of new cases has started to decline; however as H1N1 is a new strain no one knows if the disease will run in cycles and the number of new cases could rise again.

Much has been learned in dealing with the H1N1 influenza in the State of New Hampshire. The provision of influenza vaccine to thousands of residents was done effectively through the system of regional health districts. Only a couple of years ago there was no regional public health presence in most parts of New Hampshire, including the Newbury area. Three years ago health officers and emergency management directors from parts of Merrimack County and from Sullivan County started meeting to develop a regional health emergency plan. Fortunately most of the work on the regional plan had been completed when the threat of the H1N1 pandemic arose. The resources and procedures of the Greater Sullivan County Health District identified in the emergency plan were utilized to communicate important health information to area residents and to set up and operate the successful H1N1 vaccination clinics that were held in our area.

The Newbury Health Officer continues to provide information on H1N1 on a special page on the town website (newburynh.org). As always, other public health information can be found on the website's Health Officer page.

--Wayne Whitford, health officer

FIRE & RESCUE DEPT.

Note well: Ice thickness varies

Lake Sunapee has springs. Lake Sunapee has areas where streams flow in. Springs and streams make for thin ice. Thin ice is even more dangerous when it's disguised with a covering of snow. You could be walking or riding and suddenly find yourself dropping into 10 feet of water. The same holds true for other bodies of water.

The bottom line: If you don't know the lake, don't go out on the ice. If you do, be cautious.

DO YOU KNOW...

your detector's expiration date?

Failing smoke and CO detectors have been causing false alarms in Newbury recently. These detectors are going off because they are past their expiration date. Yes, detectors expire. The average shelf life is 7-10 years, but check inside your units where the date is usually stamped in the plastic or on a sticker.

Your fire department responders would appreciate everyone checking their home's detectors to make sure they're in date.

Paint fumes can also set off a false CO alarm, so when you're painting, be sure and cover the units with plastic or unplug them until the fumes are gone.

Only you can prevent false alarms!

More on detectors

If your smoke or carbon monoxide detectors need to be tossed, they should be sent back to the manufacturer for proper disposal because they contain hazardous material. They are not accepted at the transfer station or at the hazardous waste collection days.

As of Jan. 1, new construction must have carbon monoxide (CO) detectors hardwired in.

There must be a fire detector on each level and one in each bedroom now.

Are your neighbors' at risk?

Some years back the street numbers on some roads were changed to standardize the numbering system with E-9-1-1. Some houses are still marked with the old numbers, which could mislead emergency responders into turning around, thinking they overshot their destination.

Other people just haven't gotten around to posting their house number yet. You don't know frustration until you're a firefighter searching for a house with a fire or medical emergency in the middle of the night and can't quickly find the house.

Please post your house number. If you aren't sure of your house number, check at town office on your tax card.

CONSERVATION COMMISSION

Katheryn Holmes, chair; Eric Unger, vice-chair; Bill Annable, Chuck Crickman; Deane Geddes, Suzanne Levine, Frank Perrotta

The information below is taken from minutes of the conservation commission's meetings of Dec. 8 and Jan. 12 (draft). You are encouraged to read the full and approved minutes available at town office.

Comprehensive shoreland protection act

On Dec. 8, Crickman shared the PowerPoint presentation from the NH Dept. of Environmental Services (DES) on the (CSPA) titled "Investment in the Future." It covered a general discussion on water quality and gave detailed examples and explanations on all of the issues that surround shoreland development and preservation. These included examples of poor shoreland development, vegetated buffers, erosion control fences, rain gardens, CSPA protection of streams, waterfront buffer areas, the "unaltered state" requirement, impervious and pervious surfaces, storm water management, description of the shoreland impact permit and lists of what does and does not need a shoreland impact permit. More information is available at the DES website (des.nh.gov).

Commission members discussed the 'grandfather' clause that allows building in the buffer zone, rain gardens and the positive impact on erosion control and runoff, and landscape design firms that embrace erosion control as a standard element in all landscape plans.

Wetlands/shorelands

At the Dec. 8 meeting Geddes reported on reviewing the DES minimum-impact expedited application for Barbara Oldman, 936 Route 103A. A contractor is proposing to remove and dispose of the deck system, lift and support the wall of the boathouse, remove the rocks and replace two cribs. There will be no change in size, dimension, location or type of construction.

At the Jan. 12 meeting the following were discussed:

-- New England Handicap Skiers Assoc. (NEHSA) proposed new lodge and parking area above beginner area. Geddes informed the group that he is a member of NEHSA. Holmes remarked that she is very concerned about this site as it is directly above Beck Brook. The board spent considerable time reviewing the site plan for the construction site.

-- Town of Newbury, bridges on Village Road and Sutton Road; package signed off by Dennis Pavlicek, town administrator.

-- Dec. 21, granted to John Greenwood, 48 Lake Ave., a wetlands and non-site-specific permit to permanently remove an existing 6 ft. x 18 ft. seasonal dock and install a 4 ft. x 36 ft. seasonal dock on Lake Sunapee.

-- Jan. 5, granted to Mark & Inna Moore, 34 Echo Cove Road, a DES wetlands and non-site specific permit to remove a 2 ft. x 16 ft. section from an existing deck then construct a 6 ft. x 30 ft. piling pier and 10 ft. x 6 ft. walkway connected to an existing 6 ft. x 30 ft. crib pier

extending from the remaining 22 ft. x 10 ft. deck located over the bank and water surface. Install a piling supported boat lift, season boatlift, 2 seasonal personal watercraft lifts, and a 14 x 30 ft. seasonal canopy on an average of 218 ft. of frontage on Lake Sunapee.

Intentions to cut (timber)

-- Susan Powers/Jane Grant, Pleasant View Road, 50,000 feet of white pine on a 30-acre parcel.

-- Peter V. Moore, South Road/Morse Lane, 25,000 feet of white pine, 5,000 feet of hemlock, 5,000 feet of oak on a 30-acre parcel.

-- Stephen Puksta, 4 Edgemont, remove two trees due to decay.

DES communications

The following communications from DES with the commission were reviewed at the December and January meetings:

-- Nov. 5, from agent for Barbara Oldman Trust, 936 Route 103A, a minimum-impact expedited application to replace top layers of crib timbers to create a state-approved silt curtain surrounding existing boathouse, tax map # 15, lot # 164-265; Dec. 7, to Barbara Oldman, a notice of administrative completeness minimum-impact expedited application, wetlands file #2009-0284; Dec. 21, to Barbara Oldman, a request for more information.

-- Nov. 6, to Laura W. Marks, 225 Bay Point Road, a shoreland impact permit 2009-02538, impact 30,536 square feet to replace existing house with larger one, tax map/lot # 6 / 091,183.

-- Nov. 13, to Town of Newbury, an issuance of alteration of terrain permit 0054, regarding wastewater treatment facility upgrade, tax map 16, lots 155,264 & 273.

-- Nov. 13, to the Town of Newbury, a shoreland impact permit 2009-02569, impact 2,530 square feet to replace an existing wastewater pump station and replace existing sewer force main lines on Bowles Road, tax map/lot # 16 / 307,273; Jan. 7, to Town of Newbury, a request for more information regarding file # 2009-02509, standard dredge and fill application, tax map/lot # 43 /ROW, 710-482, 729-474.

-- Nov. 17, to DES from John R. Greenwood, 48 Lake Ave., information supplied for a request for a waiver of Env-Wt 402.12; information supplied concerning abutter notification and information with respect to "full summer recreation level" of Lake Sunapee for proposed seasonal dock, map/lot # 16A / 324-426.

-- Nov. 19, 2009 to Newbury Station Boat Club, a request for more information on the standard dredge-and-fill application, file # 2009-02128, tax map/lot # 20 / 270, 364; Jan. 11, from Hodan Properties, Inc., managing agent for Newbury Station Boat Club, including support materials for wetlands file # 2009-02128.

-- Nov. 30, 2009 to Jennifer and Neal Richard, 66 Lake Ave., a shoreland impact permit 2009-02541, impact 1,997 square feet for the purpose of expanding a nonconforming structure, Newbury tax map/lot # 16A / 289-408.

-- Dec. 10, to The Fells, 456 Route 103A, a notice of administratively incomplete minimum-impact expedited application, wetlands file # 2009-02034, tax map/lot # 18 / 232-347; Dec. 16, from attorney regarding The Fells, a letter to DES indicating enclosure of original letter and attachment from NH Natural Heritage Bureau to complete the application; Dec. 21, to The Fells, a notice of administrative completeness minimum-impact expedited application; Jan. 4, to The Fells, acknowledging receipt of Dec. 18, letter requesting to withdraw application file # 2008-01796, tax map/lot # 18 /232,347.

-- Dec. 26, from J. Sisson, CSA, CSS regarding file # 2002 -00974, shoreland restoration of Deane Geddes property, Route 103, reporting the site as 100% vegetated.

LAND USE BOARDS

Please note –

The land-use board sections here 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 all cases these are very brief

summaries and in some cases are from draft minutes. You are encouraged to read the full and approved minutes, available at the town office and website.

ZONING BOARD OF ADJUSTMENT

Katheryn Holmes, chair; Helen Wright, vice-chair; Steve Russell, Barbara Richmond, Peter Fichter. Alternates: Alex Azodi, Sue Russell, Harry Seidel

The following information is taken from draft minutes of the ZBA meeting on Dec. 14.

Application Checklist

12/14/09 The board reviewed the current draft of the ZBA Application Checklist, made suggestions and directed the recording secretary to confer with the chair and discuss the suggested changes.

Summaries of ZBA hearings

Following are brief summaries of recent zoning board hearings from draft minutes. You are encouraged to use the full minutes, available at town office, for any reference.

Jeffrey & Bonnie Nester, for property located at 67 Old Post Road, sought a special exception to permit the construction of an accessory apartment on the second floor of an existing detached three-bay garage.

12/14/09 Mr. Nester introduced the care provider for his two special-needs children. She is a trained one-on-one para-educator at Kearsarge Regional High School. He said the apartment under question is for her so she can be available on site for the care of his two special-needs children.

Nester said he built his garage three years ago with the intent of putting an apartment above it. The proposed apartment will be 810 square feet, less than 50 percent of the total square footage of the existing garage. Nester's four-bedroom house is serviced by an existing septic system that was approved by the state for a six-bedroom house capacity.

Nester said his proposed apartment is intended as a one-person dwelling and will be used only as housing for the caregiver for his children. He added that the proposed apartment would not be viewed as an income-producing property.

The board voted unanimously to grant the request for a special exception from Paragraphs 5.7, 5.7.1, 5.7.4, and 5.7.8.

Jeffrey & Bonnie Nester, for property located at 67 Old Post Road, sought a variance to permit the construction of an accessory apartment in a dwelling that is less than 5 years old.

12/14/09 Mr. Nester said the proposed accessory apartment falls short of the five-year requirement under Paragraph 5.7.4 and he is applying for a variance from that requirement. He said the reason he wants a variance is because he wants to be able to use the proposed apartment as housing for the caregiver for his two special-needs children. He said the apartment would be ready one year from now, which is one year short of the five-year requirement.

The board voted unanimously to grant the request for a variance from Paragraph 5.7.4 because of hardship.

Upcoming ZBA hearings

The ZBA is not meeting in January as there are no cases to hear.

PLANNING BOARD

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

The planning board did not hold a work session in January.

Summaries of planning board hearings

Following are brief summaries of recent planning board hearings from draft minutes, listed by case number. You are encouraged to use the full minutes, available at town office, for any reference.

Case 2008-010: Annexation-Brad LaClair-Park 10 properties two lots from three

12/15/09 The issues dealt with in this case don't lend themselves to useful summary. Anyone wishing to follow this case can read the full minutes, available at the town office. The case was continued to Jan. 19.

Case 2009-006: Conceptual Site Plan Review-Richard H. Wright-535 Route 103-Wrightway Landscaping for a greenhouse

12/15/09 Richard Wright said his plans include building a greenhouse and selling vegetables, plants, mulch, loam and peat moss along with a small retail store selling pots and gardening items.

Wright said he wanted clarification on several items in the site plan review regulations and discussion followed, suggestions made.

Vannatta said Wright can make application for a final site plan review when he has finished his research and is ready to appear before the Board.

Case 2009-007: Annexation-Walter & Marlene Graf-property on Baher and Cheney roads

12/15/09 The application for a final hearing for an annexation was accepted as complete with the condition of fee payment verification with the land use coordinator.

The application is for a lot-line adjustment between the parcel of land owned by Walter and Marlene Graf and that of Robert and Carol Von Ette. Before the annexation, the Von Ettes owned 15.15 acres on Cheney Road and the Grafts owned 90.94 acres. The Grafts are going to annex 13.69 acres to the Von Ettes with a resulting total acreage of 28.84 (parcel 'A').

A lot-line adjustment for the neighboring Epstein property has uncovered a ROW on Baher Road so the plan must be corrected to show that ROW is 25 feet off Baher Road. The dimensions will change as a result but parcel 'A' shall remain the same. One of the property lines will change and one of the acres will change as a result; the change is one-tenth of an acre.

The board voted unanimously to accept the annexation as presented with the conditions that a revised plan be submitted showing the right-of-way (ROW) and adjusted lot lines, and receipt of the deeds to each lot.

Case 2009-008: Conceptual for Major Subdivision-Peter Moore

12/15/09 The parcel of land is 555 acres and the proposal is to create three lots on the land on South Road, with the lot sizes varying from three to 13 acres. Each lot has more than the minimum required frontage. There are no further plans for subdivision on the remaining parcel of land.

Platt said he would like to waive some of the requirements for the big lot such as topo and wetlands. He said there is a 1972 boundary survey done on the 555 acres but he wants to concentrate on the three lots on South Road.

Moore discussed the property's history, saying the remaining 528 acres will continue to be used as a tree farm. He said he believes it is a wise thing to subdivide the three lots at this time and noted that the total frontage of the tree farm will be reduced.

Weiler said if Moore subdivides the three lots, the only access to the tree farm will be through Morse Lane.

Discussion included requirements for density calculations, non-development subdivision, development area, building sites, etc.

**Case 2009-009: Conceptual for Site Plan Review-Soaring
Goose/The Rolling Pin-104 Route 103**

12/15/09 Doug Webb, Jr. and Pamela Webb Gentile own the Sweet Patch building at 104 Route 103. Webb said there will be two tenants in the building and felt the planning board should be informed.

Freeman asked if any changes to the building are planned. Webb said there will be three doors: one for an entrance, one door to separate the two stores and one door in the rear of the building so goods can be delivered separately. He said The Rolling Pin store, an upscale kitchen/cooking retail store, is open and running. Webb said the site was a retail store in the past and its use has not changed.

Weiler said an amendment to the site plan should be required that shows all four sides of the building. Webb said he will take digital photos and submit them to the Board.

Freeman asked if a renoticing was required for making an amendment to an existing site plan. McWilliams said that under the town regulations this situation does not require a site plan review. He said the board is only asking Webb to update the file with current pictures of the exterior of the building.

McWilliams said Webb should update Section 10.11 Written Summary under Article X Application Requirements in the Regulations for Site Plan Review and submit that for inclusion in his existing file.

Upcoming planning board hearings

The following hearings are scheduled for Jan. 19:

7:15 – Continuation of Case 2008-010: Annexation- Brad LaClair-
for properties in Park 10.

7:30 – Conceptual – Baker Hill Golf Club.

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Published by Town of Newbury
PO Box 296, Newbury, NH 03255
Website: www.newburynh.org