



**TOWN OF NORTH HAMPTON, NEW HAMPSHIRE  
NORTH HAMPTON SELECT BOARD MEETING**

**APRIL 26, 2021 7:00 PM**

**NORTH HAMPTON TOWN HALL**

***Approved May 24, 2021***

SELECT BOARD MEMBERS PRESENT: Chairman Jim Maggiore, Vice Chairman James Sununu, Selectman Jonathan Pinette

ALSO PRESENT: Town Administrator Michael Tully, Deputy Fire Chief Mark Cook, Recreation Director Joe Manzi, Deputy Police Chief Frank Daly, Conservation Commission Chairman Lisa Wilson, Forest Technician Nate Corbran, School Business Administrator Matt Ferreira

**AGENDA**

Chairman Jim Maggiore welcomed everyone to the April 26, 2021 North Hampton Select Board Meeting and called the meeting to order at 7:03 pm, followed by the Pledge of Allegiance.

Chairman Maggiore said they were coming from Non-Public with no decisions made and no votes taken.

**Motion:** To seal the Meeting Minutes of the Non-Public Session of April 26, 2021.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

**Vote:** Motion approved by a vote of 3-0

**First Public Comment Session**

*In order to assure the public has the ability to comment and share ideas during the Public Comment portion of the meeting we have arranged the ability to include live phone calls and email during the meeting:*

*Call 603-758-1447; email [jmaggiore@northhampton-nh.gov](mailto:jmaggiore@northhampton-nh.gov)*

No Public Comments

***Disclaimer –These minutes are prepared by the Recording Secretary within five (5) business days as required by NH RSA 91-A:2, II. They will not be finalized until approved by majority vote of the Select Board.***

***A recording of the meeting can be found at: [http://www.townhallstreams.com/towns/north\\_hampton\\_nh](http://www.townhallstreams.com/towns/north_hampton_nh), and a DVD recording is available at the North Hampton Town Administrative Offices, 233 Atlantic Avenue, North Hampton, New Hampshire 03862.***

**Consent Calendar**

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- 5.1 Payroll Manifest of April 15, 2021 in the amount of \$76,885.88
- 5.2 Payroll Manifest of April 22, 2021 in the amount of \$79,904.45
- 5.3 Accounts Payable Manifest of April 15, 2021 in the amount of \$112,040.07
- 5.4 Veterans Exemption
- 5.5 Elderly Exemption
- 5.6 Cemetery Deed
- 5.7 Intents to Cut Wood or Timber
- 5.8 Tax Abatements

**Motion:** To approve the Consent Calendar as presented

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

**Vote:** Motion approved by a vote of 3-0

**Correspondence**

*Copies of all Correspondence will be attached to these minutes.*

*Correspondence from Tim Harned, April 12, 2021*

Chairman Maggiore read the correspondence from Mr. Harned in full regarding the proposed timber harvest on town-owned land and questioning whether it is in the best interest of the Town and what the impact of a tree harvest will have on the biodiversity and overall health of the land.

**Committee Updates**

Selectman Pinette said the *Economic Development Committee* has not met and the next meeting is scheduled for May 5, 2021.

Chairman Maggiore said the *Heritage Commission* has a *Sub-Committee* to discuss a walkway in front of the Stone Building and there is the potential for the Select Board to waive the policy of getting 3 quotes for work done as they are working cooperatively with Library contractors and with DOT. Town Administrator Tully said it would save money not having to call in another contractor to do the curb cut.

Chairman Maggiore said the *Water Commission* has not met and is continuing to work on legal issues.

Vice-Chair Sununu said the *Budget Committee* met last week and appointed 2 new members: Andrew Raucci and Chuck Gallant and discussed topics that may come up during budgeting sessions.

**Public Hearing**

**8.1** To Consider the unanticipated Revenue in the Amount of \$6,269.05 Awarded to the North Hampton Fire Department for a Thermal Imaging Camera and Accessories

Deputy Fire Chief Mark Cook said the Fire Department has received a grant from Fire House Subs Public Safety Foundation to replace an aging thermal imaging camera with state-of-the-art equipment which will enhance their capabilities.

Chairman Maggiore opened the first Public Hearing at 7:23 pm to consider accepting funds from the Grant.

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**Motion:** To accept the unanticipated revenue in the amount of \$6,269.05 for purpose of a Thermal Imaging Camera and accessories for the North Hampton Fire Department.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

**Vote:** Motion approved by a vote of 3-0

As there were no public comments Chairman Maggiore closed the Public Hearing at 7:25 pm.

**8.2** To Consider the Acceptance of Unanticipated Revenue in the Amount of \$25,196 from the Department of Natural and Cultural Resources Bureau of Trails Recreational Trails Program for the Conservation Commission

Lisa Wilson, Chair of the Conservation Commission, said the Commission was pleased to receive this grant of \$25,196 with work to be completed in fall of 2021. The project was vetted by the New Hampshire Heritage Commission and received an historic review; the Trail will provide a recreational opportunity for the community and the public.

Chairman Maggiore opened the second Public Hearing at 7:27 pm to consider accepting funds from the Recreational Trails Program Grant.

As there were no public comments Chairman Maggiore closed the second Public Hearing at 7:28 pm.

**Motion:** To accept the unanticipated revenue in the amount of \$25,196 from the Department of Natural and Cultural Resources Bureau of Trails Recreational Trails Program for the Conservation Commission.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

**Vote:** Motion approved by a vote of 3-0

### **Report of the Town Administrator**

*A copy of the Report of the Town Administrator will be attached to these minutes.*

Report from April 10 to April 23, 2021: Town Administrator Tully said 20% of the Budget remains with 10 weeks remaining in the fiscal year; Fire Department has become a Paramedic Preceptor Site; Library working on details with Walkway Committee; Town Offices creating skeleton schedule for a design phase timeline; 7 monitor wells drilled on Town property for PFAS investigation; new phone system by beginning of June; Philbrick Pond Project moving forward with DES permits and goal of completing Phase I this fall.

Chairman Maggiore said the *Heritage Commission* participated in a walk-through at the Library and discussed the stone wall in front of the property relative to the new curb cut. Vice-Chair Sununu said once they come up with a plan, the cutoff for the walkway near the Stone Building will be clear.

### **Items Left on the Table**

#### **NEW BUSINESS**

##### **11.1 Discussion of Intent to Cut Wood or Timber at North Hampton School**

Chairman Maggiore said last year the Select Board received an "intent to cut" wood harvest on Town-owned School property and had 30 days to act which raised questions on the degree of scrutiny needed

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on public land considering biodiversity and impact on Wetlands. The Select Board made several attempts to get more information and did not approve the timber cut which expired with no action taken.

Nate Corbran, Forest Technician for Sweet Logging, said he will be in charge of multiple selective timber harvests in the Town for long-term management. He said the harvest at the Elementary School will not be a heavy cut and there will be no cutting in the Wetlands with the goal to improve forest health and make future harvests possible. He said they will be taking out low-grade product and leaving all saw logs and stumps on the on the 85-acre property. From an educational aspect he has offered his time to meet and speak with students and perhaps do a walk-through.

Questions: Vice-Chair Sununu said he reviewed a scope of work done last year by Mr. Corbran; more information was requested and provided identifying the different stands in there, kinds of trees, and how the forest would look before and after. He said it seemed beneficial if Mr. Corbran could come in and talk to students about forest management and said he was still in favor of going forward with this though he understood the concerns about biodiversity.

Selectman Pinette asked about selective cutting with regard to stumps and clearing of the ground. Mr. Corbran said no stumps would be removed and each tree would be excavated and laid down to be pulled out to a landing area. After harvest all roads are flattened, and problem areas fixed. Chairman Maggiore said DES needs to be involved in Wetlands issues and asked if Mr. Corbran had filed for a Forestry Statutory Permit by Notification, which he had.

School Business Administrator Matt Ferreira said he has been involved in this proposed project for over a year and there had been 2 prior harvests in that area. It was approved by the School Board after a presentation by Mr. Corbran and shifted to the purview of the Town. The School is still involved for student safety and the timing of the project. He said this project was overdue for forest health and includes improving the trail and removing hazards to ensure student safety from a liability standpoint.

Chairman Maggiore opened the hearing to public comment.

Lisa Wilson said the Conservation Commission is concerned with work conducted in the Wetlands and asked if there was a need to cross the Little River. Mr. Corbran said they will need to cross the Little River as well as other streams. Ms. Wilson asked what DES recommends for protection of the vernal pool, and Mr. Corbran said they would not cut within 50 feet of the pool.

Ms. Wilson asked about the report from the New Hampshire Heritage Bureau, and. Mr. Corbran said they did not report any rare occurrences. Ms. Wilson said a preliminary done last week showed there were rare occurrences. She said in 2016 that area was designated by NOAH as a priority protection area for flood attenuation and pollution control. Chairman Maggiore read the letter from Ms. Wilson in full.

The letter stated that NH DES Forestry Statutory Permit by Notification (SPN) for timber cutting or logging requires that the applicant determine whether the area is located in a Primary Resource Area, and the Conservation Commission recommends the Select Board withhold approval of any future application until projects are reviewed by the Commission. The 85-acre area includes a section of Little River and sensitive Wetlands and is considered a priority resource area as defined by DES and in a protection priority area for water quality protection.

Phil Wilson of 9 Runnymede Drive asked Mr. Corbran what he was going to do about the “slash” and if he would smooth any roads or trails damaged. Mr. Corbran said they are a whole tree operation; the tree is cut, laid on hitches and the entire tree is dragged out; any debris over 4 inches in diameter will be picked up and “slash” will be mostly fine woody debris.

Tim Harned of Lovering Road said he is concerned about biodiversity, and the School has the opportunity for promoting biodiversity and everything that goes on in the forest for educational purposes. He said the Town should determine what they are trying to get out of the land to make it the most useful from an educational standpoint and said leaving the forest as it is gives the most in terms of biodiversity. He added that the Town has a Wetlands Conservation District which limits the number of trees to be cut in Wetlands and surrounding buffer areas and those ordinances are in place. He said the Select Board is setting the ground rules for how this property is going to be logged and can put forward constraints. He said he would like to see a plan made for this property and then contact UNH Cooperative Extension for advice on how to best accomplish that plan.

Mr. Harned asked in what season the harvest would be done, and Mr. Corbran said he planned a winter harvest for the best impact but with the school it would need to be when students were not there for safety reasons. He said it would take about a month and the entire harvest about 3 months. Town Administrator Tully said the Board does not yet have the application from Mr. Corbran but will review all information and comments and act when it is received.

Chairman Maggiore called for a short break in the meeting.

### **11.2 Discussion and Approval of Irrigation at Dearborn Park**

Recreation Director Joe Manzi said one of their goals for this year is to get irrigation at Dearborn Park to make improvements to the ball field. Two companies specced it out and gave prices: Rainscape Lawn Sprinkler Systems quoted \$7,820 based on 65 heads and Waterboy Irrigation, LLC. quoted \$9,650 based on 78 heads. Both companies made sure the water supply there was adequate for the project. Money for the project would be from the Recreation Revolving Account.

**Motion:** To approve the recommendation of Rainscape to install a sprinkler system at Dearborn Park in the amount of \$7,820 from the Recreation Revolving Account.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

**Vote:** Motion approved by a vote of 3-0

### **11.3 Discussion of Noise Ordinance**

Town Administrator Tully said they were looking at problems with construction noise outside normal hours of operation by neighbors. This is a collaboration between the Building Department and the Police Department to look at what we can do to create an ordinance that is enforceable and protects the serenity of our neighborhoods and this is the document they came up with. He said this is not the Public Hearing but a draft for the Select Board to make changes before it comes before the public.

Town Administrator Tully said Travis, Chief Mone, and Deputy Daly shared experiences with other communities they have been in, did research, and put together what they believe gives us the best protections going forward. Selectman Pinette asked about animals, specifically barking dogs.

Deputy Police Chief Frank Daly said there are specific State Statutes they would fall back on for barking dogs and they would take action under State Law. Vice-Chair Sununu asked who should be contacts if there are issues and Deputy Daly said call the Police and they can take action under this ordinance. Chairman Maggiore asked Deputy Daly to summarize the ordinance for the public.

Deputy Daly said this basically outlines parameters between 9:00 pm and 7:00 am, and for any construction creating a disturbance beyond those hours the Police would be able to arrive and take enforcement action. Currently they have to fall back on Disorderly Conduct Statute. This allows officers to deal with the incident as it is in front of them and issue a summons or warning. Beyond that it allows the Building Inspector to issue permits and set the time parameters.

Mr. Harned said the complaint received by the Planning Board for construction was busting up ledge on a week after week duration, even on weekends and he was not sure the time parameters set would alleviate that problem. Deputy Daly said for Town projects the hours are 7:00 am to 7:00 pm. Selectman Pinette asked about fireworks in the summer and Town Administrator Tully said the Town already has a Fireworks Ordinance. Chairman Maggiore asked if a control can be put on the length of a project based on noise level; Town Administrator Tully said currently there is no Noise Ordinance in place.

#### **11.4 Discussion of Economic Development Committee Charge**

Chairman Maggiore said the EDC was founded in 2013 with a specific charge and submitted a report this last year to the Select Board which was forwarded to the Planning Board with the Ironwood report; EDC now has 5 vacancies.

Vice-Chair Sununu said the charge from 2017 and the EDC Vision Statement of 2018 dovetails away from the committee charge of the Village Center and the conceptual project was not a generally productive exercise. He said he was not sure how EDC will move on from here before any evaluation from the Planning Board and said the charge is still relevant as written, and he is not prepared to appoint anyone to the EDC until they see the outcome of what the process yielded.

Selectman Pinette agreed with Mr. Sununu regarding the future of the EDC and waiting to hear from the Planning Board. Vice-Chair Sununu said after the long process the committee vote was split and a minority opinion was put forward with a different recommendation, and it is best to wait before appointing members. Chairman Maggiore agreed as well.

**Motion:** That the Select Board suspend continuation of the Economic Development Committee as a Sub-Committee pending response from the Planning Board from Ironwood submission they received.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

Town Administrator Tully said this leaves the EDC suspended until the Board takes further action. Vice-Chair Sununu suggested tailoring the pending appointees with others that might offer a different range of experience once the new charge is assigned to the EDC.

**Vote:** Motion approved by a vote of 3-0

#### **11.5 Appointments to Economic Development Committee**

*On hold until Select Board takes further action on the Committee.*

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### **11.6 Appointments to Conservation Commission**

Chairman Maggiore said the Chairman of the Conservation Commission submitted 2 names for appointment as regular members: Andrew Vorkink and Audrey Prior.

**Motion:** To appoint Andrew Vorkink and Audrey Prior as members of the Conservation Commission for 3-year terms to expire in 2024.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

**Vote:** Motion approved by a vote of 3-0

### **11.7 Discussion of Letter to W/S Development**

Vice-Chair Sununu said this a draft letter from the Select Board to Dan Hester who works for W/S Development, owners of Lafayette Crossing. Given their proximity to the Rail Trail they are willing to work with the Town on a way to provide public access to the Rail Trail with any activity a benefit to their businesses. Dan Hester recommended the Select Board send a formal letter to W/S Development requesting collaboration.

The Select Board agreed by consensus to forward the letter to W/S Development.

## **MINUTES OF PRIOR MEETINGS**

### **Approval of the Regular Meeting Minutes of April 12, 2021**

**Motion:** To approve the Regular Meeting Minutes of April 12, 2021 as presented.

**Motioned:** Vice-Chair Sununu

**Seconded:** Selectman Pinette

**Vote:** Motion approved by a vote of 3-0

### **Any Other Item that may legally come before the Board**

#### **Second Public Comment Session**

*Call 603-758-1447; email [jmaggiore@northhampton-nh.gov](mailto:jmaggiore@northhampton-nh.gov)*

Phil Wilson said regarding the EDC decision, he would have said to dissolve EDC and reconstitute when we are clearer about Planning Board issues, and for the Town to effectively pursue any approach to EDC they need to get through the pandemic and more thoroughly understand the changes that will result.

**Next Regular Meeting:** May 10, 2021

### **Adjournment**

Chairman Maggiore adjourned the meeting at 9:05 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary