

Selectmen's Meeting Minutes  
Monday, November 21, 2016

At the Selectmen's Meeting held on Monday, November 21, 2016 at 6:30 p.m. the following people were in attendance: Mark Lufkin and Peter Corey.

A motion was made by Peter Corey and seconded by Mark Lufkin to approve the minutes of the November 14, 2016 Selectmen's Meeting

Wendy Hersom arrived at 6:45 p.m.

Shane Morton & Sara Dunn attended the meeting to discuss their property at 43 Brown Street. They are here to file a request to unmerge their lots located at 43 Brown Street (Tax Map 103/Lot 067). Shane said they need to get the lot surveyed. The Town has been assessing it as one property and they get one property tax bill for the property. The Town can't find any records that they were ever voluntarily merged. Sara spoke with the Planning Board on Tuesday, and no documents could be found to show that these lots were voluntarily or involuntarily merged. The tax map shows it as one lot. Shane said the house has been there forever. Peter said once the lots are separated in to two lots they can do a lot line adjustment for two lots. Wendy said you can't make the lot more undersize than it already is. Peter said his understanding with the information received from Town Attorney, Christine Fillmore, if the Town cannot prove that the lots were voluntarily merged, we can't deny the separation of the lots. Wendy said she feels the only evidence of a voluntary merger are both the lots are described in a single deed. Wendy asked about water and sewer hook-ups. Shane said it appears the water/sewer goes in the basement through the house to the mobile home. Peter said he doesn't object from unmerging them as long as the utilities are separated and providing the lines create two saleable lots instead of having a lot line six inches from one house. There is about 16 feet between the buildings Shane said. The line between the neighbor's property is a fence. The driveway is on a line. If you split the difference between the two properties you have four feet on each side. Peter asked if there were outstanding taxes due on this property, and Sara said there is \$5,600 owed on it. Peter said he doesn't believe you can do a lot line adjustment on a property with outstanding property taxes. Sara said that is why they are here tonight to request unmerging the property. The Selectmen said they are agreeable with this as long as the two properties have separate water and sewer hook-ups. The utility connections will have to run from the main to each of the properties.

A motion was made by Peter Corey to unmerge the two lots conditional upon the two lots having separate utility connections directly to the Town main. Wendy doesn't think we can have conditions upon the un-mergers. Wendy explained that according to Attorney Fillmore a number of towns used to involuntarily merge lots that were contiguous lots owned by the same person whether with a formal policy or just by practice over time. That changed in 2011, and this is no longer permitted. There was a temporary option for people to get involuntarily merged lots un-merged into the separate lots they used to be. People have until 12/31/2020 to file a request with the Board of Selectmen. The Selectmen are required to do this as long as the lots were never voluntarily merged by any current or prior owner, and

the burden of proving that there was a voluntary merger is on the Town, not the owner. The Town does not have any proof that these lots were voluntarily merged. Peter said he would withdraw his motion.

A motion was made by Peter Corey, seconded by Mark Lufkin, and unanimously approved to un-merge the lots located at 43 Brown Street.

The Board said the owners will need to have a survey done of the lot and once the lots get separated the lots have to be compliant with all the conditions other lots have in town, which is two separate mains.

Shane and Sara stated they felt that the assessment on the property at 43 Brown Street is too high. The Board explained that there is an appeal form to fill out and submit and the assessor will review the assessment. Sara mentioned the Community Revitalization Tax Relief Incentive, Chapter 79-E, which gives tax relief to encourage property owners to fix up their properties as a means of encouraging growth of economic development. Sara and Shane said they have been trying to upgrade properties in the Town to make them better. The Board said if this is something they would like to have on the town meeting warrant, they would need to submit a petition warrant article signed by 25 registered voters of Whitefield.

Sondra Brekke asked about the airport budget, and Wendy said we are not discussing it tonight. Wendy said according to the Intermunicipal Agreement we have to do it in December.

A motion was made, seconded and unanimously approved to enter in to non-public session pursuant to RSA 91-A:3, II(c), matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. The Board entered into non-public session at 7:20 p.m. The Board adjourned from non-public session at 7:35 p.m.

Peter updated Mark and Wendy on the meeting he and Josh Welch attended in Concord last Wednesday at DES re: the sewer treatment plant upgrade project. Peter said there were five people representing DES present at the meeting as well as Dexter and Jon from Horizons Engineering. Dexter talked about what they have done so far in terms of the assessment. One good thing that was determined is that we are only about at 2/3 of our capacity. They have done testing on the types of nutrients and chemicals coming into the system and things are good with the exception of ammonia. It may mean in the future if they can determine the source of the ammonia, they can do a pre-treatment. They have a lot more testing of the influent to do before designing the actual treatment plant. There is not a lot of rainwater or storm water coming into the system. There used to be a septage receiving station at the plant at one time, and it is a real problem in northern N.H that plants don't take septage from local septic systems. The folks in Concord recommended including a septage receiving station. Peter said it is something we could get grants from Northern Borders for if we did decide to pursue it. Peter said it would be a money-making proposition. Peter said they also discussed that the rapid infiltration basins may not be the best route to pursue because you can't guarantee how long they will function and they will continue to change the requirements. Peter said DES is very happy that we are going ahead with the plan to upgrade the sewer treatment plant.

The meeting adjourned at 8:00 p.m.