

**TOWN OF ENFIELD
ENFIELD BOARD OF SELECTMEN
MEETING MINUTES OCTOBER 3, 2022**

TIME: 6:00 PM
LOCATION: Public Works Facility & Zoom videoconference
74 Lockehaven Road, Enfield

PRESENT

Board of Selectmen: John W. Kluge, Erik Russell, Kate D.P. Stewart

Administrative Staff: Ed Morris, Town Manager; Rob Taylor, Land Use & Community Development Administrator

Members of the Public: Emily Curtis, Recording Secretary; Barbara Jones, Bob Cusick, Dr. David Beaufait, Daniel Amero

CALL TO ORDER

Mr. Kluge called the meeting to order at 6:00 pm.

APPROVAL OF MINUTES –September 19, 2022

Ms. Stewart made a motion to approve the September 19, 2022, minutes as printed. Mr. Russell seconded. Vote unanimous in favor of the motion (3-0).

BOARD REPORTS

Members of the Board of Selectmen (BOS) gave updates regarding their respective committee assignments.

TOWN MANAGER’S REPORT

Mr. Morris presented the following updates to the BOS:

- He thanked the Old Home Days Committee for their organization and execution of the Old Home Days weekend. He also extended his gratitude to the businesses and organizations that supported the event.
- He noted that there is an ongoing Fairpoint Communications abatement request, and he has been contacted by an attorney who has indicated that Fairpoint will be appealing their tax assessment. Mr. Morris noted that there was a settlement for previous years, but Fairpoint is continuing to appeal for current assessments. He added that there are a group of towns who are following up with the attorney, and he believes it is in Enfield’s best interests to follow up with them as well.
- Tim Green will speak at the Budget Committee meeting on October 4th, and he will review the 2021 audit. After Mr. Green’s presentation, the BOS and Budget Committee will review the current 2022 budget as well as goals for the 2023 budget year.
- He is working on a lease agreement to be brought forward to the BOS for the space being utilized by First Light Fiber in the DPW. The agreement would be a multi-year lease which will include a monthly payment, an agreement to submeter for the power that they utilize for their equipment.
- The work on the Community Building roof should begin this week and the Community Building will remain usable while it is in progress. He noted that metal roofing and 50-year shingles were taken into consideration for the roof, but it was deemed that the 50-year asphalt shingles would be the best solution.

- Upcoming events:
 - The primary Halloween event will be held on Saturday 29th from 3-6pm at Huse Park. It will include a Trunk or Treat, carnival games, and a haunted house. If you would like to make a trunk or donate candy, please contact Kevin Marker at recreation@enfield.nh.us
 - Trick or treating times on Halloween night will be 5-8pm. Police will be out near Shaker Hill and Union Street, and residents are welcome to put their porch light on to welcome trick or treaters. There will be no town sponsored events that evening.

With no further comments or questions, Mr. Kluge moved on to the next agenda item.

BUSINESS

Introduce Proposed Short Term Rental Ordinance

Mr. Morris presented a draft of a potential ordinance for discussion. He stated that the ordinance originated when Mr. Aylesworth was the town manager, and he was working with Rob Taylor to develop it prior to his departure. Mr. Morris stated he has reviewed the information with Mr. R. Taylor, and while there have not been a lot of issues in the town, there have been a lot of cities and towns across the country that have had problems with short term rentals. He stated that this is a proactive discussion to see if the town should follow through on developing and finalizing such an ordinance.

Mr. Kluge stated that he supports the idea, and he has seen where short-term rentals have an impact on communities.

Mr. Morris stated that one issue did occur in town where a short-term rental was congregated by many more people than were supposed to be there and there was a septic system failure. He noted that there are many short-term rentals around the lake, and having the registry makes it so the town can work with the property owners to designate the parking spaces and number of people that should be present.

Mr. R. Taylor stated that lower Shaker Village has regulated their short-term rentals to be no shorter than 30 days.

Ms. Stewart stated that she sees the ordinance as a tool and not a punitive measure.

Mr. Russell inquired about the ordinance process and stated that he wasn't aware of current regulations for bed and breakfasts or inns and wanted to make sure those were accommodated. He stated he is hesitant to add fees associated with the ordinance.

Ms. Stewart stated that the proposed annual fee of \$50 is very low and makes it so other taxpayers are not subsidizing it.

Mr. Morris stated that the draft ordinance can be presented to the Planning Board at their next meeting. He noted that he was not sure if the ordinance would be ready for voting on at the 2023 Town Meeting, but it is still worth moving forward with the process.

Ms. Stewart stated that she would rather see the registration be based on a rolling basis and not just around the holiday season.

Mr. Morris stated that, for administrative management purposes, it is beneficial to have a registration due at one point in the year instead of on a monthly basis.

Ms. Stewart stated that she would support another department to be responsible for the approval process and have the BOS as a resource for an appeal process.

Mr. Russell stated that the land use boards, such as the Planning Board, would be an appropriate place as it deals with how people are using their property.

Mr. R. Taylor stated his agreement that it may be more appropriate under land use, such as zoning and compliance.

Ms. Stewart stated that the document should be reviewed to ensure it is giving reference to the current regulations and she recommended that there should be a concise list, such as a bulleted visual tool, which may be able to assist with communications.

Mr. Morris stated that he would post the draft online to receive feedback and bring the proposal and feedback forward to the Planning Board.

Members of the BOS expressed their support for the next steps.

With no further comments or questions, Mr. Kluge moved on to the next agenda item.

Discussion about creation of a committee for Johnston Beach property

Ms. Stewart stated that, based on past committee formations, having two ex officio members, in this case the Town Manager and Recreation Director, would be a great foundation, and we should accept applications from the public as we have in the past for the remainder of the member body.

Mr. Russell suggested that there are other groups which may have beneficial feedback and experience, such as the Master Planning Taskforce, the Conservation Commission, and the Recreation Department and Recreation Commission.

Mr. Kluge stated that there are some limits to how large a committee can be, and seven seems to be the maximum number.

Ms. Stewart supported initiating some minimum standards in the interim, including having police patrol the area, and have signage to relay expectations as aligns with other town park rules and regulations.

Mr. Kluge supported getting signage for the area sooner rather than later.

Mr. Russell recommended surveying people in town and making a basic recommendation and provide a timeframe of around 6 months and would blend into the budget schedule should needs arise.

Members of the BOS discussed the scope of work that will need to be established to give to the committee, including if the property should be retained by the town or sold, what the primary use would be for the space if kept, how to access the space, what should be provided to the public as far as amenities, and what to do with the buildings. They noted that the committee will not be responsible for planning how to execute those elements and the cost determinations would be made by the town, and Mr. Morris would provide costs when presenting the committees findings and recommendations to the BOS.

Mr. Morris stated that he would like permission to get the trailer off the property, but no other buildings on the property are condemned or a safety risk and in need of immediate attention. He recommended keeping Shakoma Beach and Johnston Drive property as separate points of conversation.

Daniel Amero wished to speak to concerns about the Johnston Drive property as his mother is an abutter who resides in Lebanon.

Mr. Kluge stated that the discussion regarding the space took place at a previous meeting and Mr. Amero is welcome to bring his thoughts forward to the public meetings that will be held by the committee.

Mr. Kiley stated that, if we are talking about next year CIP should plan into the 2024 budget.

Members of the BOS and Mr. Morris discussed the timeline for decisions and possible associated costs based on the timeline of six months being set for the committee.

Members of the BOS agreed that the committee should consist of five members of the public and two ex officio, including one member from Master Planning. Members also agreed that listening to abutters is important, but as is practice with any town or land use activity, it is expected that abutters recuse themselves from decisions. It was noted that abutters are welcome to attend the public meetings but as aligns with land use and zoning practices, will not serve on the committee itself.

With no further discussion, Mr. Kluge moved on to the next agenda item.

Discussion about Strategic Planning

Mr. Morris stated that a strategic planning was brought forward during Mr. Aylesworth's time as the town manager, and he would like to revive the effort. He presented an example of a Strategic Plan with creating the goal of having it in place next summer. He stated that he requested input from other department heads and noted that information would ideally be presented at a retreat to be held for members of the BOS and the Budget Committee. He added that it would be important to focus on having the Master Plan finalized before moving forward as well as to have the two new members of the Selectboard, as approved at 2022 Town Meeting, on board prior to the retreat. He stated a goal of having the retreat next summer would be ideal. He recommended having an outside person to guide the process and conversation and requested feedback from members of the BOS.

Mr. Kluge stated that having an outside person can be helpful to develop thoughts and discussion and he would be in favor of having someone.

Ms. Stewart agreed with Mr. Kluge and supported Mr. Morris' recommendation.

Mr. Morris stated that he would work the idea into the budgeting process for 2023.

Discuss financing option for connection fees

Mr. Morris stated that he was discussing connection fees with Mr. J. Taylor and inquired if there was a way to spread them out into payments instead of one lump sum. He noted that, per the current policy, Mr. Morris does not have the authority to do so himself and he presented an example from the City of Claremont, which allows up to a three-year repayment period. He requested the support and approval of the BOS to move forward with developing a payment agreement.

Mr. Kluge stated his recommendation to change the document to state "the city **will**" charge interest.

Ms. Stewart stated that we cannot use other taxpayer money to cover the administrative costs of implementation and a reasonable interest charge would be acceptable. She supported Mr. Kluge's recommendation and inquired if the property would have a lien and if it would be put in the registry of deeds.

Mr. Morris noted that those possibilities could be explored further. He stated that having such an option available would also be beneficial for larger projects in order to afford the initial costs associated with hooking up to the system.

Mr. Russell recommended having a standard agreement that should include a clause that the connection fees are required to be paid in full prior to the property being sold.

Mr. Russell made a motion to authorize the Town Manager to establish a payment plan not to exceed three years with property owners currently applying to connect to the forced sewer main along Route 4A, in anticipation of a future policy change authorizing such actions. Ms. Stewart seconded. Vote unanimous in favor of the motion (3-0).

Surplus Property

Mr. Morris stated that there are two properties, including a parcel of property on Methodist Hill and 1387 NH Route 4A, that the Town does not have explicit permission to sell. He stated that there are minutes that discuss the property, but they did not include a motion to support further action. He stated that the Planning Board, Zoning Board, Conservation Commission, and the Heritage Commission have been notified of the desire to sell the property and requested to bring any updates forward for further examination.

Ms. Stewart made a motion to authorize the Town Manager to sell Map 02 Lot 29 and Map 09 Lot 24 and hereby authorize the Town Manager or their designee to take such actions and execute all documents that may be necessary. Vote unanimous in favor of the motion (3-0).

ADMINISTRATIVE ITEMS

Timber Yield Tax (Lawrence, Pearce, Conway Timber)

September 6, 2022, Selectboard Non-Public Minutes (typo correction)

MS-535 Financial Report

Members of the BOS reviewed and signed documents as presented.

OTHER BUSINESS TO COME BEFORE THE BOARD OF SELECTMEN

Mr. Kluge requested any other comments or questions to come before the BOS.

Bob Cusick stated that, regarding the rental ordinance discussed, he would like to stress that one fifth of our revenue in this town comes from taxes along the lake and it should be looked at to determine if it could potentially diminish property values. He stated that certain limitations on occupancy are ok, and limitations on parking and other things that relate to neighbors are fine; but they should really think about how we execute the health and safety inspections. He noted that an inspection should not have to do with current building codes and requirements, and we need to approach things in the spirit of everybody working together.

Mr. Morris stated, to clarify, that there would not be any inspections related to building code enforcement. There would only be safety inspections related to fire extinguishers, exits, egress, etc.

Dr. Beaufait stated that, relative to the Johnston Drive property, the committee should be charged with engaging with the abutters and their points of view deserve a lot of respect. He stated we don't want to see this tear the community apart.

Barbara Jones stated that the buildings that exist now are an eyesore. She stated that the demolition of the buildings was put aside and should not be.

Ms. Stewart stated that if people see activity at the buildings that suggests people are breaking and entering then they should contact the Enfield Police Department.

With no further comments, members of the BOS moved on to adjournment.

INFORMATIONAL ITEMS – NO ACTION REQUIRED

- Forestry Statutory Permit-by-Notification 2022-02527 (Grafton Pond Land Trust)
- Shoreland Impact Permit 2022-01614 (MAPS CEPS LLC)
- Wetlands & Non-Site-Specific Permit 2022-01562 (MAPS CEPS LLC)

ADJOURNMENT

Ms. Stewart made a motion to adjourn at 7:13 pm. Mr. Russell seconded. Vote unanimous in favor of the motion (3-0).

The meeting was adjourned at 7:13 pm.

John W. Kluge, Chair

Katherine D. P. Stewart

Erik Russell
Enfield Board of Selectmen