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**TOWN OF NEW HAMPTON  
BOARD OF SELECTMEN  
MEETING MINUTES**

Thursday, March 27, 2025

**MEMBERS PRESENT:** Present were Mr. Drake and Mr. Harvey.

**OTHERS PRESENT:** Town Administrator Mr. Davenport

**CALL TO ORDER:** Mr. Drake called the meeting of the Board to order at 6:00 p.m. and led the group in the Pledge of Allegiance.

**MINUTES:** Mr. Drake made a motion, seconded by Mr. Harvey to approve the minutes of 3/20/25 and non-public minutes of 3/20/25 (a) as corrected. Votes were unanimous

**APPOINTMENT: 6:30 pm: Mike Sharp** (arrived at 6:07 pm)

The Board agreed to hear from Mr. Sharp at 6:09 pm. Mr. Sharp said the Planning Board's denial of an extension to his Site Plan surprised him and reviewed some history on his project on Route 104, ie. the work he has done, including improvements to Route 104 and right-of-way to the Olszak property. He asked what he could do to move the project forward and to remove material from the site. He said the site is pad ready to subgrade and disagrees with the substantial completion definition since he's moved 75% of the material. He said they had hoped to begin reclaiming the western slope this spring. Mr. Sharp said he was never going to build, but just to sell the land to someone who might. Mr. Drake said he was at the Planning Board meeting when the application was denied an extension, and said Mr. Sharp had been given a lot of time to complete the project. Mr. Davenport said the issue is with removal of material that is not directly related to construction of something. Relative to substantial completion, Mr. Davenport said it is not based on money spent, but whether the overall project is substantially complete, and in this case, no construction has begun. It was recognized that putting in drainage and removing material did represent work done to the site, but the RSA requires additional improvements. Mr. Davenport said the Planning Board had the authority to determine whether the project is substantially complete. Mr. Harvey said the Selectmen don't have the authority to change the Planning Board determination when it comes to Site Plans. Mr. Drake pointed out that reclamation may be required after one year. Mr. Sharp asked how you reclaim a site that has ongoing development because the reclamation plan was based on removal of more material and Mr. Drake said he could amend his reclamation plan. Mr. Davenport advised that Mr. Sharp can reapply to the Planning Board for a new site plan but there must be a plan for construction, including submission of a building permit, and that any excavation is incidental to construction. Mr. Davenport said if the plan is only to make the property pad ready, the Planning Board would likely not be able to approve any new site plan because there would not be substantial construction in a reasonable time-frame. Mr. Drake recalled there was an individual whom Mr. Sharp was building the health focus facility for and Mr. Sharp said she went out of business prior to his 2019 approval. Mr. Drake pointed out the Planning Board did not know that, as Mr. Sharp did not tell them, so it was assumed a structure was going to be built. It was the consensus of the Board that Mr. Sharp would need to reapply to the Planning Board once he determines something that can be constructed, or to reclaim the excavated area.

**NON-PUBLIC SESSION:** At 7:19 PM, Mr. Drake made a motion, seconded by Mr. Harvey to go into non-public session under RSA 91-A:3 II(1) Legal matters. A roll call vote was held: Mr. Drake – Y, Mr. Harvey – Y.

**PRESENT:** Mr. Drake, Mr. Harvey, and Mr. Davenport.

**RETURN TO PUBLIC SESSION:** At 7:35 PM, Mr. Drake made a motion, seconded by Mr. Harvey to come out of non-public session and to seal the minutes for 5 years. Vote was unanimous.

Resident William Krueger was present. Mr. Krueger said he has someone helping with his building permit application, so he can come into compliance with the Town. He said he doesn't have electricity, uses generators, has a portable toilet, and is not living in the trailer. Mr. Davenport advised Mr. Krueger to include all structures on his building permit application and that the Town recently approved a zoning amendment which allows for

54 someone to live in a recreational vehicle while constructing a home. He said he has a cabin now. He is working on  
55 getting his energy code approval. Mr. Krueger left.

56  
57 **WORK SESSION:** The Board reviewed/signed manifests, invoices, requisitions, purchase orders and leave request  
58 forms.

59  
60 Mr. Harvey asked if Fire Chief Cathy was working on his list of personnel who were meeting the call/meeting  
61 requirements and Mr. Davenport said Chief Cathy would review this with the Board in 2 weeks.  
62 Relative to performing inspections at 191 Main Street, which still needs an Occupancy Permit, the Fire Marshall's  
63 office does not want to initiate an administrative warrant but agreed to be present for the inspection if the Town  
64 does one.

65 Mr. Davenport to follow-up on some overtime hours for Adam Schwab.

66  
67 The Board reviewed the following Septic Designs:

- 68 1. Flemming Family Trust; Blake Hill Rd; Map R1, Lot 2C; *approved by the Land Use Administrator.*
- 69 2. Richard Sharp; 338 Dana Hill Rd; Map R16, Lot 19; *approved by the Land Use Administrator.*

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71 **OPEN ITEMS DISCUSSED:**

- 72 • Hatchery Project – Mr. Davenport said he's received the signed documentation for the Hatchery Road  
73 bond.

74  
75 **ACTION & DISCUSSION ITEMS:**

- 76 ❖ Board signed MS-232.
- 77 ❖ Mr. Harvey made a motion, seconded by Mr. Drake to sign appointments for Wes Hays and Kate Bruning  
78 as regular Planning Board members and one for Richard Shea as an Alternate member. Vote was  
79 unanimous.
- 80 ❖ Board signed Report of Cut for Smith Family Joint Trust; Map R10, Lot 17, at \$1,955.38.
- 81 ❖ Board reviewed a letter to Joshua and Robi Tyrrell; 41 Gordon Hill Rd; Map R3, Lot 10A, relative to  
82 utilizing a recreational vehicle as a dwelling while constructing their home. The Board expressed concern  
83 with this being a situation that has existed for several months, without following the requirements. Prior to  
84 the zoning amendment approved by the voters, allowing for this use, there was the requirement for this to  
85 only be allowed by a Special Exception with the ZBA. Mr. Davenport to discuss with counsel.
- 86 ❖ Board signed Commerford Neider Perkins (CNP) General Assessing Contract.
- 87 ❖ Board approved Hawkers, Peddlers & Vendors License for the New Hampton First Responders  
88 Association.
- 89 ❖ Mr. Drake made a motion, seconded by Mr. Harvey to approve an Abatement at \$43.45 for Rob Rigby; 6  
90 Mari Dr; Map U9, Lot 7-35, for the 1<sup>st</sup> issue 2024 tax bill due to the prior owner's passing.
- 91 ❖ Board approved Hawkers, Peddlers & Vendors License; Traveling Texas Smoke Shack (Christopher Bell);  
92 368 NH Route 104; Map R11, Lot 11A.
- 93 ❖ FYI – Mitchell Planning Board letter advised that upon approval by the Planning Board for improvements  
94 to Baldwin Ave, a condition for a 2-lot subdivision, the Selectboard would have to approve the  
95 performance guarantee to ensure the improvements are made. Mr. Drake said the road is currently paved,  
96 so the cul-de-sac should be paved, to avoid breaking up of existing pavement.
- 97 ❖ FYI – Reminder letters to Religious, Charitable, & Educational Organizations requesting BTLA forms.
- 98 ❖ FYI – Copy of letter from security camera vendor apologizing for disposing of some equipment.
- 99 ❖ FYI – Report of Excavation for the Hallberg Family Trust; NH Route 132; Map R4 Lot 6; showing no  
100 material was excavated.
- 101 ❖ FYI – Copy of letter for Lauren & Jonathan Wentworth; 522 NH RT 104; Map R4, Lot 67; who were  
102 selling food items from a camper on their property without the required Hawkers/Peddlers license.

103  
104 **BUSINESS AFTER AGENDA WAS POSTED**

- 105     □ PD Highway Safety Grant (25/75): This had to be amended up to \$10,157.25, so a new motion is required.  
106         Mr. Drake made a motion, seconded by Mr. Harvey to accept the increased amount from the amended PD  
107         Highway Safety Grant and the Board also agrees to pay the additional \$1,185.75 match for this amendment  
108         out of the PD budget. Vote was unanimous and the Board signed the document.
- 109     □ Mr. Davenport advised that Michael Sharp has submitted an Intent to Excavate 30,000 cubic yards of sand  
110         from Map U17, Lot 55. Mr. Drake made a motion, seconded by Mr. Harvey, to deny the Intent to  
111         Excavate, as this site is not a permitted excavation site. Vote was unanimous. The Board asked Mr.  
112         Davenport if Mr. Sharp was allowed to take 1,000 cu. yds. of sand from the site for use at his homesite, and  
113         Mr. Davenport said he would find out from NHDRA. Mr. Drake pointed out that Mr. Sharp was told to  
114         cease and desist any of this activity.

115  
116     **OTHER BUSINESS:**

- 117         • Mr. Drake said the Highway Dept furnace blower motor has failed. It may be cost effective to utilize the  
118         tank out front. The Board discussed the option to convert to propane and install a new furnace. There was  
119         discussion of additional electrical work that may need to be done. Mr. Davenport said he would talk to  
120         Irving to get more information regarding a switch to propane heating.

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122     **PUBLIC COMMENT:** There was none.

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124     **NON-PUBLIC SESSION:** At 8:55 PM, Mr. Drake made a motion, seconded by Mr. Harvey to go into non-public  
125     session under RSA 91-A:3 II(b) Hiring. A roll call vote was held: Mr. Drake – Y, Mr. Harvey – Y.

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127     **PRESENT:** Mr. Drake, Mr. Harvey, and Mr. Davenport.

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129     **RETURN TO PUBLIC SESSION:** At 9:00 PM, Mr. Drake made a motion, seconded by Mr. Harvey to come out  
130     of non-public session and to seal the minutes for 5 years. Vote was unanimous.

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132     **NON-PUBLIC SESSION:** At 9:00 PM, Mr. Drake made a motion, seconded by Mr. Harvey to go into non-public  
133     session under RSA 91-A:3 II(a) Personnel. A roll call vote was held: Mr. Drake – Y, Mr. Harvey – Y.

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135     **PRESENT:** Mr. Drake, Mr. Harvey, and Mr. Davenport.

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137     **RETURN TO PUBLIC SESSION:** At 9:29 PM, Mr. Drake made a motion, seconded by Mr. Harvey to come out  
138     of non-public session and to seal the minutes for 1 year. Vote was unanimous

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140     **ADJOURNMENT:** At 9:29 PM, Mr. Drake made a motion, seconded by Mr. Harvey to adjourn the meeting. Vote  
141     was unanimous.

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143     Respectfully submitted,  
144     Pamela Vose