

SUNAPEE BOARD OF SELECTMEN
MEETING AGENDA
6:30PM Town Office Meeting Room
Monday October 31, 2022
Join Zoom Meeting
<https://us06web.zoom.us/j/83386192215>

1. REVIEW OF ITEMS FOR SIGNATURE:

CZC's:

PARCEL ID: 0125-0018-0000 44 White Shutters, Joseph & Amy Thomas

LAND DISTURBANCE BOND:

PARCEL ID: 0125-0018-0000 44 White Shutters, Joseph & Amy Thomas

PARCEL ID: 0112-0005-0000 39 Tilson Point Road, Sue Campbell

DRIVEWAY PERMIT:

PARCEL ID: 0238-0077-0000 77 Upper Bay Road, James Woodley

PROPERTY TAX REFUNDS:

PARCEL ID: 0148-0001-0000 Edgemont Road, Heath Revocable Trust

2. APPOINTMENTS

7:00PM-Jackie Smith-Presentation of Citizen Concern

7:10PM-Cariann Zandell-HR, Paid Time Off 2023 Changes

7:30PM- Fire Department

3. PUBLIC COMMENTS:

4. SELECTMEN ACTION

- Advisory Budget Reappointment- Linda Tanner
- Recreation Reappointments-Jesse Socci, Daniel Whitmoyer & Samantha Heino
- Review and Sign Representation Letter for 2021 Audit

5. TOWN MANAGER REPORTS

- December 26th Meeting (possibly rescheduled)

6. CHAIRMAN'S REPORT

The Sunapee Selectmen will be holding a non-public session under RSA 91-A:3II(b)--The hiring of any person.

The Sunapee Selectmen will be holding a non-public session under RSA 91-A:3II(a)--The dismissal, promotion, or compensation of any employee.

7. UPCOMING MEETINGS:

11/2-7:00PM-Conservation Committee, Town Meeting Room

11/3-6:30PM-Zoning Board Meeting, Town Meeting Room

11/4-8:00AM-All Day Town Budget Meeting, Town Meeting Room

11/8-5:30PM-Recreation Committee Meeting, Town Meeting Room
11/9-5:00PM-Energy Committee Meeting, Town Meeting Room
11/10-7:00PM-Planning Board Meeting, Town Meeting Room
11/11-Town Office Closed for Veteran's Day

October 31, 2022

To the Sunapee Town Manager and Selectmen,

This is a letter of concern regarding the property at 546 North Road, owned by Mr. William E. Leavitt of 8 Soonipi Circle, Unit #C. Prior address, Georges Mills, NH.

Concerns are:

1. North Road is zoned as Rural Residential
2. Land use of 546 North Road is classified as "one family residential"
3. Mr. Leavitt is operating a commercial Property Maintenance business at this location named Leavitt Property Maintenance LLC
4. Mr. Leavitt obtained the home and property at 546 North Road from his father Harold Leavitt upon his death in 2013, via a quitclaim deed signed off by his step brother Mr. Timothy Leavitt. The new deed to this property states that "property shall be used for residential purposes only."
5. Information regarding rural residential properties as understood:

- a. Opportunity for an in home, low impact commercial business is allowed if an exemption is granted by the Town of Sunapee.
 - b. An exemption to commercial business conducted on this property requires a town record of such.
 - c. The in home commercial business on the property is conducted by the inhabitant/s of this property. They must live at this address. Mr. Leavitt's home address is listed as 8 Soonipi Circle #C. The small house located at 546 North Road commercial business site appears unoccupied.
6. Mr. Leavitt currently employs several people in his commercial property maintenance business. Trucks and large maintenance equipment are housed at 546 North Road and come and go from this site. **This business site presents a danger and risk on several levels:** Some vehicles are old and decaying and possibly dripping oil and gas onto the ground. There are various falling down low structures on site. There is an old, dilapidated and crumbling vacant mobile home with copious litter and trash strewn about it. This poses issues of mice, rats and other critters probably living there. Curious Children who might

wander onto this property are at risk of harm. Home owner's wells around said property are threatened if gas and oil are leaking onto the ground and into the ground water system. One gallon of leaked gasoline into the soil puts one million gallons of ground water at risk. Fire is also a major concern with an unoccupied house surrounded by trucks and equipment containing gas and oil. Another issue is there are often multiple cars parked fully on the road surface in front of this property forcing drivers coming up the hill to drive on the wrong side of the road.

7. The existence of this dangerous, monumental eye sore located on North Road brings down the property values for those of us who take great pride in our homes and properties and treasure their existence. It is an embarrassment to the North Road community and to the town of Sunapee. No pragmatic property maintenance business owner would allow this situation to exist and continue because the words "Property Maintenance" are simply incongruent with this business property site.

8. There were rules and regulations enacted in 1965 by the State of NH to prevent occurrence of this type of land/home condition that threatens neighbors and communities. They are found under RSA 236, sections 111 to 129. Section 114 regarding “junky yard” was used by the Town of Sunapee in 2006 to protect the shoreline of Lake Sunapee and houses situated around it. Owners of homes there spoke out loud and clear that they wanted to keep both the lake and their homes pristine and safe from all of the above concerns. With previous use of RSA 236 section 114 we believe a legal precedent exist to further support our concerns at 546 North Road.

I have been trying to call attention to the problems at 546 North Road since February, 2021. I recently spoke with Mark Hathaway, Attorney for Sullivan County, for some clear direction. He informed me that this is a “zoning and land use regulation issue” and that Sunapee’s town manager and selectmen should seek out advice from Sunapee’s town lawyer. “Is Mr. Leavitt’s commercial property maintenance business located at

546 North Road violating Sunapee's municipal rules and regulations and does RSA section 114 apply here?"

In closing, we ask our new Town Manager and Town Selectmen to thoroughly investigate the property at 546 North Road and the commercial business located there to insure that our cherished homes and properties on North Road are kept as safe and pristine as those around Lake Sunapee.

We further ask that some movement on the resolution of this problem transpires within the next thirty days and that we receive written notice of all details and developments.

Thank you,

Signatures here

Jackie Smith 494 North Rd.

Ellen M. Sney 516 North Road

Alan J. Sney 516 North Road

M C [Signature] 559 North Road

Bing [Signature] 537 North Road

[Signature] 556 N. RD. ANNA MINER

[Signature] 556 N. RD CHRIS MINER

Nancy R. Chamberlain 455 North Rd.

Nike Moran, 493 North Road

Jay D. Zabel
16 Longfellow Rd



TOWN OF SUNAPEE
Post Office Box 717
23 Edgemont Road
Sunapee, New Hampshire 03782-0717
Phone: (603) 763-2212 Fax: (603) 763-4925

CERTIFICATE OF APPOINTMENT
TOWN OF SUNAPEE, NEW HAMPSHIRE

To, **Linda Tanner** of Sunapee, NH in the
County of Sullivan

Whereas, there is a vacancy on the **Advisory Budget Committee** in said town and whereas we, the subscribers, have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you **Linda Tanner** as a member of the **Advisory Budget Committee** of said town; and upon your taking the oath of office, and having this appointment and the certificate of said oath of office recorded by the town clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office, until another person shall be chosen and qualified in your stead. This term expires April 15, 2023

Given under our hands this the 31th day of October 2022

I, **Linda Tanner**, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the **Advisory Budget Committee** according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the State of New Hampshire. So, Help Me God.

STATE OF NEW HAMPSHIRE, ss.
SULLIVAN COUNTY

Personally, appeared the above-named **Linda Tanner** who took and subscribed the foregoing oath.
Before me,

Date _____ 20
Received and Recorded _____

Town Clerk



TOWN OF SUNAPEE

Post Office Box 717
23 Edgemont Road
Sunapee, New Hampshire 03782-0717
Phone: (603) 763-2212 Fax: (603) 763-4925

CERTIFICATE OF APPOINTMENT TOWN OF SUNAPEE, NEW HAMPSHIRE

To, **Samantha Heino**, of Sunapee, NH in the
County of Sullivan

Whereas, there is a vacancy on the **Recreation Committee** in said town and whereas we, the subscribers, have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you **Samantha Heino** as a member of the **Recreation Committee** of said town; and upon your taking the oath of office, and having this appointment and the certificate of said oath of office recorded by the town clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office, until another person shall be chosen and qualified in your stead. This term expires April 15, 2025

Given under our hands this the 31st day of October 2022

I, **Samantha Heino**, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the **Recreation Committee** according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the State of New Hampshire. So Help Me God.

STATE OF NEW HAMPSHIRE, ss.
SULLIVAN COUNTY

Personally appeared the above named **Samantha Heino** who took and subscribed the foregoing oath.
Before me,

Date _____ 20
Received and Recorded

Town Clerk



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Post Office Box 717
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CERTIFICATE OF APPOINTMENT TOWN OF SUNAPEE, NEW HAMPSHIRE

To, **Jesse Socci**, of Sunapee, NH in the
County of Sullivan

Whereas, there is a vacancy on the **Recreation Committee** in said town and whereas we, the subscribers, have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you **Jesse Socci** as a member of the **Recreation Committee** of said town; and upon your taking the oath of office, and having this appointment and the certificate of said oath of office recorded by the town clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office, until another person shall be chosen and qualified in your stead. This term expires **April 15, 2026**.

Given under our hands this the 31st of October 2022

I, **Jesse Socci**, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the Recreation Committee according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the State of New Hampshire. So, Help Me God.

STATE OF NEW HAMPSHIRE, ss.
SULLIVAN COUNTY

Personally, appeared the above-named **Jesse Socci** who took and subscribed the foregoing oath.
Before me,

Date _____ 20

Received and Recorded _____

Town Clerk



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Post Office Box 717

23 Edgemont Road

Sunapee, New Hampshire 03782-0717

Phone: (603) 763-2212 Fax: (603) 763-4925

CERTIFICATE OF APPOINTMENT

TOWN OF SUNAPEE, NEW HAMPSHIRE

To, **Daniel Whitmoyer**, of Sunapee, NH in the
County of Sullivan

Whereas, there is a vacancy on the **Recreation Committee** in said town and whereas we, the subscribers, have confidence in your ability and integrity to perform the duties of said office, we do hereby appoint you **Daniel Whitmoyer** as a member of the **Recreation Committee** of said town; and upon your taking the oath of office, and having this appointment and the certificate of said oath of office recorded by the town clerk, you shall have the powers, perform the duties, and be subject to the liabilities of such office, until another person shall be chosen and qualified in your stead. This term expires **April 15, 2023**

Given under our hands this the 31st of October 2022

I, **Daniel Whitmoyer**, do solemnly swear that I will faithfully and impartially discharge and perform all the duties incumbent on me as a member of the **Recreation Committee** according to the best of my abilities, agreeably to the rules and regulations of the constitution and laws of the State of New Hampshire. So, Help Me God.

STATE OF NEW HAMPSHIRE, ss.
SULLIVAN COUNTY

Personally, appeared the above-named **Daniel Whitmoyer** who took and subscribed the foregoing oath. Before me,

Date _____ 20

Received and recorded _____

Town Clerk

**Town of Sunapee: Recreation Committee
Meeting Minutes for September 13, 2022**

- **In Attendance:** Steve Bourque, Charleen Osborne, Samantha Heino, Dan Whitmoyer, Tim Berube
 - **Guests:** Shannon Martinez: Sunapee Town Manager
- **Meeting called to order by Charleen at 5:34PM**
- **Meeting Ended: 7:19PM Motion made by Tim, Seconded by Charleen**
- **Two votes and no policy updates took place. The votes are highlighted below.**
- **See meeting minute attachments for handouts.**

Topic 1: Minute Approval

- The July 2022 minutes were unanimously approved. No August minutes to approve as no meeting was held.

Topic 2: Summer Events and Fireworks Recap

- Steve stated that Summerfest went well in its first season. Daytime was very successful, not as many participants in the evening. Could improve upon advertising.
- Shannon stated that there was a lot of positive feedback from the vendors that participated. Possibly have something in place for next year for people to cross Rt. 11 in a more safe manor. Community members stated that it was a great event, but possibly include more food trucks next year.
- Also – need to pay a little more attention to the date of the event as there was a few conflicts with other town events.
- The general consensus is that the committee would like to see the event continue – Charleen stated that as long as a sub-committee was formed to help take on the task of planning the event as the committee cannot take it on by itself.
- The fireworks weekend went well, great turnout at watermelon race. Charleen asked if we wanted to move Summerfest the 4th of July weekend. Steve stated that it is possible, and maybe we have it as a part of a whole week of events leading up to the fireworks.
- Charleen shared a little bit about the events that her hometown puts on the week leading up to the 4th, to help provide some ideas for a possible week of events leading up to the fireworks for Sunapee.
- Steve stated that there was some discussion with Bill about hosting it in the Harbor vs. Veterans Field. Charleen stated that we originally wanted to do it on Veterans Field because we wanted it to be more for the locals rather than vacationers, although all are welcome to attend. Sam and Tim stated that it is definitely more visible and will attract more people on Veterans Field.
- The beaches are now closed for the season, they all had great summers. Dewy Beach had a few weeks were they were slammed, but otherwise they were not super busy. No

major or new issues. Charleen asked if we will have repeat staff. Steve believes that some will return and some won't. He is guessing about 60% will return, including the person that led the swimming lessons.

- Georges Mills Beach was supposed to be used for camp, but they ultimately decided to continue to use Dewy. Part of the reason was because it needed to get cleaned up. While Steve was there working to help clean it up, he received about how nice that beach was.
- Summer camp went well. Steve said that all of the hard work to plan it all out certainly paid off. They made small adjustments as needed to the plan along the way. Overall it was a great structure. There were a few weeks that were challenging, but they were able to get through it.
- Steve stated that he would like to get the themes for the camp weeks rolled out ASAP before sign up so that families can ensure that they are signing up for themes that they are interested in.
- There was a question about numbers / staffing. Steve stated that they may play with the numbers a little bit and adjust the amount of kids by age to make it flow smoother, but overall it was okay. Steve also stated that there needs to be slightly better budgeting for camp. Shannon added to that and stated that we would like to have a better cutoff date for refunds due to the fact there were some folks that cancelled late, however at the time of the cancellation they had already planned for that child to be there, leading to unnecessary expenditures. Steve stated that during certain weeks they went through the whole waiting list.
- Town CPAs are still working through some of the numbers for camp to see exactly where we ended up. Steve has also been researching other camps in the area to make sure that we are competitive but also making sure that we can cover our bases.
- Charleen stated that if part of the funds for camp comes from taxpayers then Sunapee residents should have first opportunity to sign up for camp.
- Dan stated that there also may not be as many last minute drop outs next year because there won't be a possibility that camp will not occur as it was a possibility at the start of this summer.
- Steve stated that the scholarships worked well for summer camp.

After School Program

- Shannon stated that they did a rough budget and light advertising to see if the program was feasible.
- She stated that the Board of Selectmen would have to approve this program.
- Staff has been a large issue – there has not been enough viable applicants.
- It may be possible in the future to link a summer day camp director and an after school program director into one full time position.
- Various pay rates and other things were discussed to see if there would be a way to make the position attract more viable candidates.
- Steve stated that program content should be a breeze as there is plenty of activities from camp that can be incorporated.

- Steve also stated that he is also concerned about facility space and storage for an after school program.
- Tim made a motion to create and support a full time, year round position for the Summer Camp Director and the After School Program Director. Dan Seconded. Passed unanimously. (This probably will not be the case until next year).

Roles and Responsibilities + Membership

- There was brief discussion about terms. It is listed as 3 – 1 year terms, 2 – 2 year terms and 2 – 3 year terms. We currently only have 5 full times members and no one is on a 1 year term at the moment.
- There was a question as to if the alternates of Sam and Dan were officially brought to full time positions. It is believed that they were. Currently, there is no one in the alternate positions.
- Shannon briefly spoke about roles on the committee and what the committee is responsible for. It was decided to possibly table this longer discussion and have a longer meeting on November 8th.
- Shannon stated that we should create an updated spreadsheet to keep track of terms.
- The committee renewed Jesse's term that is up next month. Motion made by Charleen, seconded by Dan. Vote passed unanimously.
- Charleen stated in the past there was a sub-committee that was coming up with written roles and responsibilities, but it has not going anywhere. She stated that there is also some question and concern about what exactly Recreation is responsible for.

Fall Soccer and Activities

- Steve stated that he wants to look deeper into some of the reasons why there is not much participation at the younger grade levels for girls. Some may think that it is because they are only doing skills and drills rather than playing actual games.
- There was brief discussion about how fall soccer is going. Everyone seems to be enjoying it, however he stated that there has been some challenges dealing with the current contracted company. He stated that he is looking into a company out of Concord for a possible addition or replacement.
- The Pumpkin People contest will continue this fall
- The Carving contest should continue – going to have people reserve pumpkins
- Turkey Trot – Harding Hill is going to sponsor for the Maple Syrup again. The fee is going to slightly raise this season. We are planning to order less shirts this year because we have a lot of excess.

Facilities

- Dewy field is looking great, the lines have been cut and the infield growth is being maintained
- Steve is hoping to get Veterans done as well for the start of next season
- Still looking like Veterans is still the good location for the movable mound and bases
- Steve is also hoping to move the sheds to a better location as well as get conduit run for lights.
- There are multiple contractors that are willing to donate their services and time to make the above happen.

- There was some discussion about the fence and as to if it can be saved or repurposed – possibly even turn it into a fence for a dog park. Steve was going to look into possible grants and donations for this.
- Steve mentioned that the HS woodshop class was looking into a project that they could make new wooden signs for the fields and beaches.
- Veterans Field:
 - Steve made the recommendation that we move the skate park to Tilton Park to get more parking and space down at Veterans Field.
 - There was some more discussion about Phase 1 and what exactly can be done and what will be impacted.
 - Charleen stated that a warrant article would need to be written.
 - Charleen stated that we should really be pushing Veterans Field more and getting information out there. She stated that she was asked about it by someone in the community looking for information but there is nothing up on the webpage.