

# **SUNAPEE BOARD OF SELECTMEN**

## **MEETING MINUTES**

6:30PM Town Office Meeting Room

Monday, March 20, 2023

Join us on Zoom: <https://us06web.zoom.us/j/86066395397>

### **Meeting Began At 6:50PM**

In attendance: Josh Trow, Vice Chair Sue Gottling, Selectman Jeremy Hathorn, Selectman Fred Gallup, and Chairman Carol Wallace; Other: Shannon Martinez, Town Manager

### **1. Election of Officers & Committee Appointments**

- **Board of Selectmen:**
  - Chair: **Motion by Selectman Gallup to nominate Selectman Wallace as Chair. Chairman Trow seconded. All voted in favor.**
  - Vice Chair: **Motion by Selectman Gallup to nominate Vice Chair Gottling. Chairman Trow seconded. All voted in favor.**
- **Capital Improvement Program Committee:**
  - Town Manager Martinez opened the discussion by asking the board to share more history on the evolution of the Capital Improvement Program Committee. She went on to reference the original 2015 warrant article. She also referenced the Capital Improvement Program Committee composition documentation. Selectman Gallup gave a brief history of the Capital Improvement Program (CIP), the involvement of the Planning Board, and the role that the citizen plays on the committee—that role being the most critical. **Selectman Gallup volunteered to remain as a part of the Committee.**
- **Crowther Chapel**
  - Town Manager Martinez opened the discussion by referencing the email and previous commentary from John Augustine, former Dexter's Inn owner. Chairman Wallace asked if there is a role or outline as to which committee each board member is selected. Selectman Trow answered that is just personal preference or personal interest. Chairman Wallace suggested to follow Mr. Augustine's advice to reach out to the current owners of Dexter's Inn.

**Selectman Hathorn offered to follow up with this and to report back.**

- **Firewards**
  - **Selectman Trow will continue his appointment on this board.**
- **Highway Safety**
  - A meeting is held two to three times a year—more if necessary. The committee focuses on concerns about intersections, crosswalks, blind curves, etc. The committee is comprised of the Police Chief, Highway Director, a Citizen at large, and a Board of Selectman Representative.

**Selectman Gallup will continue to serve on this board.**

- **LSPA**

- Chairman Wallace discussed how she would like to see information shared between the Board of Selectmen and the LSPA. The Board of Selectmen would like to continue with current representatives. The Board of Selectmen would like for those representatives to come and provide periodic updates to the Board.

Selectman Trow asked if someone could reach out to (Becky and Dave) to ensure they want to continue their appointments.

- **Planning Board**

- **Vice Chair Gottling will continue to serve on this board.**

- **Scenic Byways**

- Selectman Gallup spoke to the request for funding that has halted the progress on this committee.

**Selectman Gallup volunteered to serve on this committee.**

- **School ABC Representative**

- Check with the school. They may have changed the composition of their committee.

- **Joint Assessing**

- **Selectman Hathorn will serve on this committee.**

Vice Chair Gottling will stand in when necessary.

- **UVLSRPC**

- **Selectman Trow will continue to serve on this committee.**

He has requested that we appoint a secondary member as well. This will be considered after looking into the bylaws.

- **Deputy Town Clerk**

- Selectman Trow spoke to the deputy's performance and noted there have not been any complaints. **Chairman Wallace made a motion to appoint Ian Lawson as the Deputy Town Clerk, seconded by Selectman Hathorn. All voted in favor.**

- **Trustee of Trust Fund**

- Town Manager Martinez gave background that John Berger was written in and declined the 3-year appointment, however, Mr. Berger did offer to serve for another year.
- **Motion by Selectman Trow, seconded by Selectman Gallup. All voted in favor.**

## **2. REVIEW OF ITEMS FOR SIGNATURE:**

### **CZC's:**

Parcel ID 0106-0041-0000 776 Jobs Creek Road, Robert & Marlowe Almeida

Parcel ID 0132-0037-0000 73 Lower Main Street, SR Lower Village LLC

Parcel ID 0203-0007-0000 Granite Ridge Road, Dave & Shelley Enderson

Parcel ID 0238-0037-0000 11 Wilderness Park Road, Alan Drury

**Motion by Vice Chair Gottling, seconded by Selectman Trow. All voted in favor.**

**PERMIT TO EXCAVATE:**

Parcel ID 0126-0021-0000 111 Garnet Hill Road, Nick Robart

Parcel ID 0211-0011-0000 1106 Route 11, Michael & Elizabeth Lemieux

**Motion by Selectman Trow, seconded by Selectman Hathorn. All voted in favor.**

**PROPERTY TAX ABATEMENT:**

Parcel ID 0129-0039-0012 39 Dowd Lane, Michael & Page Oristano

**Motion by Selectman Hathorn, seconded by Selectman Gallup. All voted in favor.**

**3. APPOINTMENTS**

- **7:00 PM – Public Hearing – FEMA**

Scott Hazelton spoke to the event that led to the Town receiving this grant. Namely, the 2021 flood event that damaged the bridge. The total cost of project repairs was \$23,000. FEMA awarded a \$20,700.00 reimbursement grant. Vice Chair Gottling asked if this was everything that could be granted. Mr. Hazelton answered affirmative. The fabric was viewed as a “mitigative” element.

**Motion by Selectman Gallup to accept the grant money from FEMA, seconded by Selectman Hathorn. All voted in favor.**

**Motion by Selectman Gallup to move the monies to the Bridges Capital Reserve Fund, seconded by Vice Chair Gottling. All voted in favor.**

- **7:10 PM – Joshua Boone, Tax Collector – Deed Notices**

Joshua Boone, Town Clerk/Tax Collector, read the four properties to be deeded this year. He asked the board their opinion of the chance of waiving any of these notices. Selectman Gallup spoke to the property owned by Mr. Pignataro. Chairman Wallace asked about the April 2021 due date. Mr. Boone responded that this is the date when the lien is officially noticed, it is a state mandate to allow for two years to be paid. Mr. Boone made the board aware that deed notices will be sent April 12 to let the taxpayers know that the deadline to pay is May 15.

**4. PUBLIC COMMENT:**

- Robin Saunders, 46 Burma Rd, noted appreciation for the work that went into the warrant articles. She continued to speak to the short-term rental ordinance and her concern with the Board’s decision to allow current rentals to continue without going through the special exception process (for rural residential). She doesn’t feel like it marries with the spirit of the ordinance.
- Ann Bordeianu, Maple St, commended the selectboard for providing an avenue for the community to provide input into shaping the Short-Term Rental process.
- John Augustine, 296 Nutting Rd, questioned the inclusion of court case documents in the agenda packet. He asked who decides to include items in the agenda. Selectman Trow answered that the agenda is created by the Town Manager and Chairman of the Selectboard. He mentioned that the CIP committee was created to work in coordination with the Advisory Budget Committee. Mr. Augustine continued that this committee was to build a plan for the capital reserves.

- Lisa Hoekstra, 25 Maple St, commended today's short-term rental question-and-answer session. She noted that she felt like not having zoom left out a critical stakeholder group. She spoke to the Housing Appeals Board case and noted that she is open to speaking to anyone, privately, about the case.
- John Galloway, Fire Chief, addressed the failed warrant articles. He voiced concern that there are still calls going unanswered. Since January 1<sup>st</sup>, there have been 14 calls unanswered. Chief Galloway expressed that this is a life safety issue. The department will continue to do their best to serve the town but that this is a precarious position for the town to be in. He spoke to the plans to work with the Firewards to address this issue moving forward. He wanted to make sure the Board of Selectmen understood the gravity of the situation and the need to continue to work together to find a solution to unanswered calls.

## **5. SELECTMEN ACTION**

- **Sign Transfer Station Agreement with Springfield**
  - **Motion by Selectman Gallup, seconded by Selectman Hathorn. All voted in favor.**
- **Use of Facilities – Dan Murphy, Coastal 6 Bassmasters – September 9, 2023**
  - **Motion by Selectman Trow, seconded by Selectman Gallup. All voted in favor.**
- **Approve 2023 Pay Table**
  - Town Manager Martinez prefaced that every year following the town vote, the board is presented with the pay table to include COLA if the proposed budget passes. She continued that there have been changes to job titles and job descriptions. Some of the job descriptions are completely new and some are merely updated. She asked for clarification on how the job description approval process unfolds. Selectman Trow spoke to the history of the changes, it was standard that functional changes are expected to be approved by the board. Town Manager Martinez mentioned that the job descriptions can be sent prior to the next meeting. Selectman Trow recommended including the job descriptions and pay table at the next selectman meeting.
- **MS232**
  - Town Manager Martinez stated that this is the outline of the appropriations as voted.

**Motion made by Selectman Gallup, seconded by Selectman Hathorn. All voted in favor.**
- **Review and Sign Osgood Property Deed**
  - **Motion made by Selectman Trow to approve the Osgood Property Deed Transfer, seconded by Selectman Gallup. All voted in favor.**

## **6. TOWN MANAGER REPORTS**

- **Dock Issues**
  - Town Manager Martinez opened the conversation by prefacing that this is the time of year when the Town and the Fentons discuss the terms and conditions of the dock lease. She noted that, to date, the rental monies collected have been deposited into the General Fund. That said, there are critical repairs that need to be made. Is it possible to create a revolving fund so that some of the rental monies go toward paying for the repairs? She also asked for guidance in terms of how to structure the lease agreement and partnership moving forward. Selectman Hathorn asked why the

repairs haven't been completed. Town Manager Martinez responded that there has been a delay on finding professionals to conduct assessments and to move the work forward. Selectman Gallup stated that to move forward with this, there would need to be a warrant article to move the income from the docks to be put towards the maintenance of the docks. He continued that a document be drafted to view the updates recommended for the lease agreement would be helpful. Selectman Trow recalled that the contract included an engineer to provide insight into the limitations of the dock with the larger boat. Selectman Trow mentioned that the concept is there that the dock needs to be upkept while holding accountable the party that may have caused the damage, whether it be the boat size or age of the dock. Vice Chair Gottling asked if we had followed up with the request for an engineer. Town Manager Martinez answered negative and continued that these issues can be moved forward based on the current guidance. Scott Hazelton spoke to the need for the engineering study to be completed to understand what is needed to repair the dock.

- **Bridge Funding Opportunity – NHDOT**

- Scott Hazelton spoke to the Bridge Aid Program that has recently opened, for the Trask Brook Road Bridge. He stated that the funding for this would be put into a 10-year plan, reaching out to 2027. Mr. Hazelton continued to say that this may change over time and come to include other bridges. Selectman Trow spoke to the concern that this funding may not make it in time. Mr. Hazelton agreed that then the town would need to prioritize the projects.

- **Hydro Account Update**

- Town Manager Martinez stated that she feels they may have made a mistake in moving the hydro monies last year. Money had been moved without the Town Manager approval but with the Treasurer's approval. Town Manager Martinez stated that this money should not have been moved by the Treasurer; instead, it should have been proposed as a warrant article. Selectman Trow asked what the purpose was of moving this money. Town Manager Martinez answered that the purpose of this fund was to repay the General Fund for the cost of Hydro maintenance and other costs. Selectman Trow stated that it was never clear how the money moved from the Hydro Fund. He referenced the language of the original warrant article in the 1986 Town Report, Warrant Article 38. Selectman Trow stated that the approval of the budget should include the cost of the Hydro personnel costs, based on the language in the warrant article. Town Manager Martinez asked whether the interpretation changed when the town shifted to being a SB2 town. Selectman Trow responded that this could be the explanation. The board recommended to verify with the New Hampshire Municipal Association.

- **Short Term Rental Registration Process**

- Town Manager Martinez stated that the article passed regarding short-term rentals. Prior to the Board of Selectmen meeting, an informal Q&A was held with interested community members.
- The Town's internal team met after the 14 March vote to discuss what additional questions it had for the Board now knowing that the article had passed.
- Question: How many years back can one go to demonstrate that the property had been rented?
  - Selectman Trow responded that the Town should follow the same principles that apply when "grandfathering"-two years prior to show the history of use.
- Chairman Wallace stated that the option of grandfathering undermines the spirit of the ordinance that was passed. Selectman Gallup agreed that it should be based on the longevity of activity rather than proof of the most recent activity. He continued that properties that have been renting for years should be considered. Selectman Trow disagreed that the length of renting the property should be considered, due to the changing of neighbors or perspective of renting.
- Question: If a house sells, does the process follow the property rather than the homeowner.

- Peter White, Planning Board Chair, clarified that this would be at the discretion of the Selectmen.
- Selectman Trow answered affirmative. If the property sells, the new owner will have to follow the process as outlined in the ordinance.
- Question: Because the warrant article for a full-time fire chief failed, how will life-safety inspections be handled?
  - Selectman Trow answered that this would be a decision for the Firewards to contemplate. Chairman Wallace asked if it was possible to outsource the inspections. Chief Galloway answered that per the RSA, the Fire Chief must sign off on all inspections. Scott Hazelton offered the option that the homeowners perform the inspections for the time being, until a better solution is found. He also stated that it would be hard to have a third party perform the inspection, then expect the Fire Chief to sign off on this inspection. Selectman Hathorn asked if the Chief could then do these inspections and bill the town. Chairman Wallace agreed that the Fire Chief could be hired outside of the Chief duties to be the Fire Inspector.
- Question: Should the Town establish a maximum number of persons per house?
  - “Occupancy shall be limited to two persons per approved bedroom plus one additional person per unit.” Chief Galloway stated that at 16 occupants, by the fire code, the property is considered a motel.
  - Chairman Wallace confirmed to follow the ordinance as stated.
- Vice Chair Gottling asked about the consideration of children. Town Manager Martinez stated that in the ordinance that passed includes children in the count.
- Question: Shall the Town allow Short-Term Rental properties to host events?
  - Selectman Trow stated that the Town should not limit any “typical” uses of a residential home. He continued that the noise ordinance will come into effect should a large event get out of control.

#### • **Housing Appeals Board – Hoekstra Case**

- Town Manager Martinez noted the update earlier in the meeting. Namely, the HAB denied the request for a rehearing. The Zoning Board’s decision continues to be upheld.

### **7. CHAIRMAN’S REPORT**

- Selectman Trow asked about the molasses salt. Town Manager Martinez noted that Mike Martell, Highway Foreman, gave a complete rundown at the last Community Conversation with the Town Manager. The session was recorded and can be found on the website. Scott Hazelton answered that the presentation represented the results and stated that it is going well.

**Motion to enter nonpublic at 09:37PM under RSA 91-A:3 II(a)-- The dismissal, promotion, or compensation of any public employee or the disciplining of such employee made by Chairman Wallace seconded by Selectman Trow. All voted in favor.**

**Motion to exit nonpublic at 10:06PM RSA 91-A:3 II(a)-- The dismissal, promotion, or compensation of any public employee or the disciplining of such employee made by Selectman Trow seconded by Vice Chair Gottling. All voted in favor.**

### **8. UPCOMING MEETINGS:**

3/21-7:00PM- Recreation Committee

3/30-5:30PM- Water & Sewer Commissioners

SUNAPEE BOARD OF SELECTMEN  
MEETING AGENDA  
6:300M Town Office Meeting Room  
Monday, March 20, 2023  
Join us on Zoom: <https://us06web.zoom.us/j/86066395397>

1. Election of Officers & Committee Appointments

2. REVIEW OF ITEMS FOR SIGNATURE:

- CZC's:  
Parcel ID 0106-0041-0000 776 Jobs Creek Road, Robert & Marlowe Almeida  
Parcel ID 0132-0037-0000 73 Lower Main Street, SR Lower Village LLC  
Parcel ID 0203-0007-0000 Granite Ridge Road, Dave & Shelley Enderson  
Parcel ID 0238-0037-0000 11 Wilderness Park Road, Alan Drury
- PERMIT TO EXCAVATE:

Parcel ID 0126-0021-0000 111 Garnet Hill Road, Nick Robart

Parcel ID 0211-0011-0000 1106 Route 11, Michael & Elizabeth Lemieux

- PROPERTY TAX ABATEMENT:

Parcel ID 0129-0039-0012 39 Dowd Lane, Michael & Page Oristano

3. APPOINTMENTS

- 7:00 PM – Public Hearing – FEMA
- 7:10 PM – Joshua Boone, Tax Collector – Deed Notices

4. PUBLIC COMMENT:

5. SELECTMEN ACTION

- Sign Transfer Station Agreement with Springfield
- Use of Facilities – Dan Murphy, Coastal 6 Bassmasters – September 9, 2023
- Approve 2023 Pay Table
- MS232
- Review and Sign Osgood Property Deed

6. TOWN MANAGER REPORTS

- Dock Issues
- Bridge Funding Opportunity – NHDOT
- Hydro Account Update
- Short Term Rental Registration Process
- Capital Improvement Program Committee
- Housing Appeals Board – Hoekstra Case

7. CHAIRMAN'S REPORT

8. UPCOMING MEETINGS:

3/21-7:00PM- Recreation Committee

3/30-5:30PM- Water & Sewer Commissioners

**NONPUBLIC:** The Board of Selectmen may enter a nonpublic session, if so voted, to discuss items listed under RSA 91-A:3, II

# SIGN-IN SHEET

## BOARD OF SELECTMEN MEETING

DATE: 03/20/2023

PETER WHITE.

STAGECOACH RD.



## **NOTICE OF PUBLIC HEARING**

### **Town of Sunapee, NH**

**Acceptance and Expenditure of Unanticipated Revenue from  
State of NH- Division of Homeland Security and Emergency  
Management**

Pursuant to RSA 31:95-b, the Selectmen of the Town of Sunapee will hold a Public Hearing on Monday, March 20, 2023, at 7:00PM in the Town Office Meeting Room, 23 Edgemont Road, Sunapee NH to hear public comment on the acceptance and expenditure of unanticipated revenue in the amount of \$20,700.00 from State of NH- Division of Homeland Security and Emergency Management. Any persons wishing to be heard on this matter are invited to attend the hearing and make their opinions known.



Robert L. Quinn  
Commissioner

# State of New Hampshire

## DEPARTMENT OF SAFETY Division of Homeland Security and Emergency Management

[www.nh.gov/hsem](http://www.nh.gov/hsem)



Robert M. Buxton  
Director

February 22, 2023

Town of Sunapee  
23 Edgemont Rd.  
Sunapee, NH 03782

On October 4, 2021, FEMA declared a Major Disaster (FEMA-4624-DR-NH) for the State of New Hampshire due to severe storm and flooding, which occurred on July 29-August 2, 2021. This authorized the Public Assistance Grant Program (CFDA # 97.036) for eligible applicants within all New Hampshire counties. The Town of Sunapee currently has one project under this disaster that has been deemed eligible for reimbursement. A check or direct deposit to your financial account will be sent ***separately*** for **\$20,700.00** representing the federal share of the total approved eligible costs of your awarded projects.

This project is being paid out at 90% Federal cost share in accordance with the presidential memorandums: [“The Consolidated Appropriations Act of 2022 Bill Signed: H.R. 2471 | The White House”](#) issued on March 15, 2022, cost share was announced by FEMA on March 18, 2022 [FEMA Announces 90/10 Cost Share Adjustment | FEMA.gov](#). The Federal Government will reimburse 90% of project costs, eligible applicants will have a 10% cost share of recovery projects submitted for reimbursement.

Included in this correspondence are the following documents for your files:

- **Award Summary Sheet**
- **Project Report:**
  - **PW 39 – Grants Portal Project 667671**

### **Required Forms:**

Click the link(s) below to complete additional required documentation upon receipt of award from the State.

- [Project Certification and Completion Report](#)

### **Required Subrecipient Risk Assessment and Monitoring:**

Federal law requires that the State of New Hampshire complete a risk assessment and subrecipient monitoring for all entities that receive Federal funds. At this time, the Town of Sunapee is considered a Low Risk Subrecipient. A Subrecipient's risk is based on previous performance in the Public Assistance grant, results of previous audits, staff turnover, project complexity, and cost within the current disaster.

Subrecipients with a Low Risk require no additional monitoring.

If there are any questions, please contact Danielle Duggins, Public Assistance Coordinator, for assistance at (603) 271-7593 or [Danielle.R.Duggins@DOS.NH.GOV](mailto:Danielle.R.Duggins@DOS.NH.GOV). All correspondence should be directed to this office.

***Note: This has been sent to all points of contact listed within the FEMA Grants Portal for your organization.***

Sincerely,

A handwritten signature in blue ink, appearing to read "R. M. Buxton".

Robert M. Buxton  
Director, HSEM



New Hampshire Department of Safety  
Division of Homeland Security and Emergency Management

Public Assistance - CFDA #97.036

Award Summary Sheet

| Subrecipient Summary |                 |               |                 |
|----------------------|-----------------|---------------|-----------------|
| Disaster             | FEMA-4624-DR-NH | Funding Code  | 12320000-500574 |
| Subrecipient         | Town of Sunapee | Activity Code | 23DR4624PA      |
| Vendor Code          | 177483-B001     | Total Payment | \$20,700.00     |

| EMMIE PW #39 v0   Grants Portal Project 667671 |                |                               |                       |
|--|----------------|-------------------------------|-----------------------|
| Type of Work                                   | Permanent      | Work Category                 | C - Roads and Bridges |
| % Cost Share*                                  | 90%            | CRC Net Cost                  | \$23,000.00           |
| Invoice Number                                 | 4624PA2023P039 | Federal Share                 | \$20,700.00           |
| Type of Project                                | Small          | Period of Performance (POP)** | 07/29/2021 -4/4/2023  |

- [Bill Signed: H.R. 2471 | The White House](#)- Consolidated Appropriations Act 2022
- [FEMA Announces 90/10 Cost Share Adjustment | FEMA.gov](#)

*\*\*The POP start date is based on the incident start date, not the declaration date.. The end date reported above aligns with the most recent bulk POP update from FEMA and may be before the work was completed. No action is required and an extension request is not necessary at this time. In the event that this circumstance changes, the PA staff at HSEM will contact the Subrecipient.*

## Award Information

The information below is listed as a requirement of 2 C.F.R. § 200.331. The remaining information required by this law is located within the award cover letter and/or tables shown above.

- 2 C.F.R. § 200.331(a)(1)(iii) – Federal Award Identification Number (FAIN): 4516DRNHP00000001
- 2 C.F.R. § 200.331(a)(1)(xii) – R&D Grant: This award is not a research and development grant.
- 2 C.F.R. § 200.331(a)(1)(xiii) – Indirect Costs: N/A
- 2 C.F.R. § 200.331(a)(6) – Terms and Conditions of Subaward Closeout:
  - Project Certification and Completion (PC&C) Report: This [online report](#) is completed through the HSEM Resource Center for each project and confirms that the work is completed and all Federal dollars associated with the grant award have been spent on eligible items. A link to the report is included in your Public Assistance Award email.
  - Federal Funding Accountability and Transparency Act (FFATA) Form: This [online form](#) is completed through the HSEM Resource Center for each project that has a total Federal share of \$30,000 or more. A link to the form is included in your Public Assistance Award email, if applicable.
  - Quarterly Progress Report (QPR): This [online report](#) is required quarterly for all large and Category Z projects and provides a status update on the project(s). Subrecipients who are required to complete this report will be notified each quarter that it is due.
  - Quarterly Subrecipient Monitoring Reports: This [online report](#) is required quarterly for any Subrecipient that is considered to be medium or high risk in the Public Assistance Program. A Subrecipient's risk is based on previous performance in the Public Assistance grant, results of previous audits, staff turnover, and project complexity and cost within the current disaster. Subrecipients who are required to complete this report will be notified each quarter that it is due.
  - Reimbursement Requests: Any Subrecipient who has a large project with work left to be completed and/or a Category Z project must submit a reimbursement request to receive Federal funds after the project is obligated. A link to this [online form](#) will be provided as needed.
  - Record Retention: All Subrecipient's are required to maintain any and all documentation related to the project(s) completed using FEMA funds for a period of three years from the date of disaster closeout. Record retention dates will be provided by the State of New Hampshire as disasters are formally closed.
  - Reporting: Per 2 C.F.R. 200.343(f) and 200.329, Subrecipients are required to report any real or personal property purchased using federal grant dollars on an annual basis for a period of three years, after which reporting will be required every five years.

STATEMENT OF REMITTANCE

| VOUCHER<br>NUMBER | INVOICE<br>NUMBER | DESCRIPTION                 | CONTACT INFORMATION                         | DATE     | AMOUNT    |
|-------------------|-------------------|-----------------------------|---|----------|-----------|
| 5602032           | 4624PA2023P039    | NHDOS PORTAL PROJECT 667671 | (603) 223-8094 Louis.V.DeCandido@dos.nh.gov | 02/22/23 | 20,700.00 |

If you have further payment questions, reference the contact information provided next to the line item in question.

TOTALS: \$20,700.00

INFORMATION MESSAGE

Questions On Your Payment?

Please use the contact information provided above in the fourth column from the left.

Page 1 of 1

State of New Hampshire  
Office of State Treasurer  
25 Capitol Street - Rm. 121  
Concord, NH 03301

State of New Hampshire  
Vendor Payments

Bank of America  
Concord, NH

02/23/23

2331917

DIRECT DEPOSIT ADVICE

PAY EXACTLY VOID VOID VOID VOID VOID VOID VOID VOID

\$ \*\*\*\*20,700.00

NON-NEGOTIABLE

PAY TO THE ORDER OF  
TOWN OF SUNAPEE  
Treasurer  
23 Edgemont Rd  
Sunapee NH 03782-2513  
177483

## Department of Homeland Security Federal Emergency Management Agency

### General Info

|                                 |                                   |             |    |                            |                                   |
|---------------------------------|-----------------------------------|-------------|----|----------------------------|-----------------------------------|
| <b>Project #</b>                | 667671                            | <b>PW #</b> | 39 | <b>Project Type</b>        | Work Completed / Fully Documented |
| <b>Project Category</b>         | C - Roads and Bridges             |             |    | <b>Applicant</b>           | Sunapee, Town of (019-75060-00)   |
| <b>Project Title</b>            | Sunapee - Trask Brook Road Bridge |             |    | <b>Event</b>               | 4624DR-NH (4624DR)                |
| <b>Project Size</b>             | Small                             |             |    | <b>Declaration Date</b>    | 10/4/2021                         |
| <b>Activity Completion Date</b> | 4/04/2023                         |             |    | <b>Incident Start Date</b> | 7/29/2021                         |
| <b>Process Step</b>             | Obligated                         |             |    | <b>Incident End Date</b>   | 8/2/2021                          |

### Damage Description and Dimensions

The Disaster # 4624DR, which occurred between **07/29/2021** and **08/02/2021**, caused:

#### Damage #1197622; Trask Brook Road Bridge

##### General Facility Information:

- **Facility Type:** Roads (No Culverts)
- **Facility:** Trask Brook Road
- **Facility Description:** Gravel road
- **Approx. Year Built:** 1980
- **Location Description:** 78 Trask Brook Road, Sunapee, New Hampshire 03782
- **Road Type:** Gravel
- **GPS Latitude/Longitude:** 43.36622, -72.12437
- **Width (ft):** 20
- **Number of Lanes:** 2

##### General Damage Information:

- **Date Damaged:** 7/29/2021 to 8/2/2021
- **Cause of Damage:** Flood

##### Road Damage:

##### Site 1 (GPS coordinate 43.36622, -72.12437):

- backfill, Gravel backfill around culvert, 3 FT long x 3 FT wide x 4 FT deep, erosion due to flooding, 100% work completed.

##### Site 2 (GPS coordinate start 43.36622, -72.12437; GPS stop 43.365637, -72.123578):

- Surface, gravel surface and base, 300 FT long x 20 FT wide x 1.5 FT deep, erosion due to flooding, 100% work completed.

### Final Scope

1197622 **Trask Brook Road Bridge**

## Work Completed

The applicant utilized contracts for the repairs to Trask Brook Road Bridge to restore this facility to its pre-disaster design, function and capacity (in-kind) within the existing footprint.

### Contract:

#### Site 1 (GPS coordinate 43.36622, -72.12437):

- A. Replaced Gravel backfill around culvert, 3 FT long x 3 FT wide x 4 FT deep.

#### Site 2 (GPS coordinate start 43.36622, -72.12437; GPS stop 43.365637, -72.123578):

- B. Replaced gravel surface and base, 300 FT long x 20 FT wide x 1.5 FT deep.

1. Road and culvert repair – Hansen Bridge – Contract: \$22,000.00

#### Work Completed Totals

1. Contracts - \$22,000.00

**Work Completed Total: \$22,000.00**

### **Project Notes:**

1. All costs for work completed were reviewed and validated by the FEMA CRC. See attachment labeled **667671 - DR4624NH - DVS Summary rev 230119.xlsx**
2. \$1,000.00 of construction cost have been removed from the "in-kind" contract costs for the inclusion of installing geotextile fabric which is a mitigation cost.
3. The GPS coordinates have been reviewed and validated.
4. For Maintenance Record, see attachment **2019 through 2021 Highway Operating Budget.xlsx**
5. Existing gravels were removed from the bridge surface to approximately the midline of each culvert pipe and laterally away from each culvert pipe by approximately 10-feet. the annual space between the culvert pipes and the concrete headwall on the upgradient side was sealed with concrete. Then geotextile fabric and crushed ledge material was placed and compacted in approximately 3-lifts up to the original elevation of the gravel that existed prior to the event, thus restoring the bridge to its original condition with the geotextile fabric being added for increased bearing capacity and to prevent a similar situation from occurring during future flood events.
6. Geotextile fabric was added between the lifts of crushed ledge material that were replaced to reconstruct the bridge.
7. The Town of Sunapee does not have a written Procurement Policy. Due to the urgency of getting this bridge opened back up before the winter months and because this is a connector road between the Town of Sunapee and the Town of Newport, the Town selected HEB Engineers and Hansen Bridge to assist with the project. HEB Engineers and Hansen Bridge were prequalified by the Town approximately 3-6 years ago to assist the Town with bridge and boat launch reconstruction and/or replacement projects respectively, and both had assisted the Town with the design, permitting and construction of three other bridges in the Town over the last decade.
8. Source of fill: 335 Plainfield Road W. Lebanon, NH 03784.
9. No work was done on the embankments of, or in the brook that flows through the twin 6-foot culvert pipes that constitute the Trask Brook Road Bridge. The repair was limited to the gravel surface over the top half of both culvert pipes, and to the interior side (roadway side) of the west concrete abutment.
10. FEMA will not approve PA funding that duplicates funding or assistance provided by another federal agency.

## 406 HMP Scope



|  |  |              |        |          |                  |
|--|--|--------------|--------|----------|------------------|
| Applicant Name   | Town of Sunapee                        | GM Project # | 667671 | HMP Date | January 19, 2023 |
|  |  |              |        |          |                  |
| Site Name  | Trask Brook Road Bridge                |              |        |          |                  |
|  |  |              |        |          |                  |
| DR-  | 4624                                   | - NH         | D#     | 1197622  |                  |
|  |  |              |        |          |                  |
| HMP Writer and Title:  | Timothy S. Jackson, HM HPA Crew Leader |              |        |          |                  |
|  |  |              |        |          |                  |
| This HMP is based on the following Grants Manager project report, see attachment.  |  |              |        |          |                  |
| PRJ_Report_667671_20230119.pdf   |  |              |        |          |                  |
|  |  |              |        |          |                  |
| Select Work Completed Status:  | Work Completed                         |              |        |          |                  |
| <h2>I. Related Damaged Items to be Protected</h2>  |  |              |        |          |                  |
| <p>During the declared incident period of July 29, 2021, through August 2, 2021, the applicant was impacted by excessive rainfall and flash flooding resulting in the following damaged items that will be mitigated. As a direct result of this event, material washed out from around the concrete pipes and eroded some of the gravel road and included damages described in the DDD.</p> |  |              |        |          |                  |
|  |  |              |        |          |                  |
| Total repair cost of damaged elements being protected by the HMP at this site* =   |  |              |        |          | \$ 22,000.00     |
| *Before Cost Estimating Format (CEF) factors if a large project.   |  |              |        |          |                  |
|  |  |              |        |          |                  |
| Comments:  | Applicant provided costs.              |              |        |          |                  |

## II. Hazard Mitigation Proposal (HMP) Scope of Work

Mitigation consists of the placement of geotextile fabric approximately 50'L X 18'W between each lift of gravel.

The mitigation measures will reduce the risk of future damage at this site by reducing the chance of earthen material being eroded away and causing loss of road section during a flooding event.

## III. Hazard Mitigation Proposal (HMP) Cost: Worksheet

- Reference and attach a detailed, itemized cost estimate and/or CEF.

A. Cost of items if the HMP is approved= \$1,000.00

B. Cost of items deducted from the repair scope of work (SOW)= 0.00

C. Net Hazard Mitigation Cost (before CEF factors) = \$1,000.00

D. Is there a CEF? No

E. Net Hazard Mitigation Cost (after CEF factors)= Insert Amount C. x F.

F. What is the CEF ratio (CEF Total Cost/Base Cost)? Insert Ratio

|  |  |                |                       |
|--|--|----------------|-----------------------|
|  |  |                |                       |
| Comments:  | Applicant provided costs.                    |                |                       |
|  |  |                |                       |
|  |  |                |                       |
| Hazard Mitigation Proposal Cost: Summary   |  |                |                       |
| Net Hazard Mitigation Cost =   | \$1,000.00                                   |                |                       |
|  |  |                |                       |
|  |  |                |                       |
| See attachment(s).   | Project 667671-DR4624NH-Trask Brook Road.pdf |                |                       |
| Attach CEF document.   |  |                |                       |
|  |  |                |                       |
| Comments:  | Applicant provided costs in PDF noted above. |                |                       |
|  |  |                |                       |
| <h2>IV. Cost Effectiveness Calculation</h2> <p>(Net HMP Cost/Total Repair Cost of the damaged portions of the facility for which the mitigation measure applies) x 100</p> |  |                |                       |
|  |  |                |                       |
|  | \$ 1,000.00                                  | / \$ 22,000.00 | x 100 = 4.55 % = 100% |
|  |  |                |                       |
| The Benefit-Cost Analysis (BCA) ratio is   |  | N/A            | = 1.0                 |
|  |  |                |                       |
| <h2>V. HMP Cost-Effectiveness</h2> <p>The mitigation measures meet the cost effectiveness criteria based on:</p>   |  |                |                       |

Mitigation measure is listed in Appendix J and is within 100% of the total eligible repair cost of the facility or facilities for which the mitigation applies.

In accordance with FEMA Public Assistance Program and Policy Guide (PAPPG) V4 June 2020, Chapter 8. Section IV and Appendix J. Section 1.B "for the purpose of erosion control...." The mitigation staff has determined that the proposed mitigation meets the criteria identified above and is cost effective, technically feasible and appropriate for the damages, this mitigation measure does not exceed 100 percent of the eligible repair cost and is considered to be cost-effective.

## VI. Compliances and Assurances

For 'work to be completed,' this HMP is for estimating purposes only. If the site's final placement and configuration are different than the preliminary estimate, the Applicant should submit a change in scope request. This HMP is subject to further review prior to award.

The Applicant is responsible for final design, placement, configuration, procurement, permits and compliance with all regulatory codes and standards.

Eligibility and funding for the mitigation at this site on this project will be subject to the compliance of all environmental laws, regulations, and executive orders applicable to the site(s).

### HMP Notes

1. The mitigation proposal estimates were generated using the applicant's supplied costs. See attachment labeled Project 667671-DR4624NH-Trask Brook Road.pdf

Cost

| Code            | Quantity | Unit     | Total Cost  | Section   |
|-----------------|----------|----------|-------------|-----------|
| 9001 (Contract) | 1.00     | Lump Sum | \$22,000.00 | Completed |

|                            |             |
|----------------------------|-------------|
| CRC Gross Cost             | \$22,000.00 |
| Total 406 HMP Cost         | \$1,000.00  |
| Total Insurance Reductions | \$0.00      |
| CRC Net Cost               | \$23,000.00 |
| Federal Share (90.00%)     | \$20,700.00 |
| Non-Federal Share (10.00%) | \$2,300.00  |

## Award Information

### Version Information

| Version # | Eligibility Status | Current Location | Bundle Number              | Project Amount | Cost Share | Federal Share Obligated | Date Obligated |
|-----------|--------------------|------------------|----------------------------|----------------|------------|-------------------------|----------------|
| 0         | Eligible           | Awarded          | PA-01-NH-4624-PW-00039(25) | \$23,000.00    | 90 %       | \$20,700.00             | 2/15/2023      |

### Drawdown History

| EMMIE Drawdown Status As of Date | IFMIS Obligation # | Expenditure Number | Expended Date | Expended Amount |
|----------------------------------|--------------------|--------------------|---------------|-----------------|
| No Records                       |                    |                    |               |                 |

### Obligation History

| Version # | Date Obligated | Obligated Cost | Cost Share | IFMIS Status | IFMIS Obligation # |
|-----------|----------------|----------------|------------|--------------|--------------------|
|-----------|----------------|----------------|------------|--------------|--------------------|

## Subgrant Conditions

- As described in Title 2 Code of Federal Regulations (C.F.R.) § 200.333, financial records, supporting documents, statistical records and all other non-Federal entity records pertinent to a Federal award must be retained for a period of three (3) years from the date of submission of the final expenditure report or, for Federal awards that are renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report, respectively, as reported to the Federal awarding agency or pass-through entity in the case of a subrecipient. Federal awarding agencies and pass-through entities must not impose any other record retention requirements upon non-Federal entities. Exceptions are stated in 2 C.F.R. §200.333(a) – (f)(1) and (2). All records relative to this project are subject to examination and audit by the State, FEMA and the Comptroller General of the United States and must reflect work related to disaster-specific costs.
- In the seeking of proposals and letting of contracts for eligible work, the Applicant/Subrecipient must comply with its Local, State (provided that the procurements conform to applicable Federal law) and Federal procurement laws, regulations, and procedures as required by FEMA Policy 2 CFR Part 200, Procurement Standards, §§ 317-326.
- The Recipient must submit its certification of the subrecipient's completion of all of its small projects and compliance with all environmental and historic preservation requirements within 180 days of the applicant's completion of its last small project, or the latest approved deadline, whichever is sooner.
- When any individual item of equipment purchased with PA funding is no longer needed, or a residual inventory of unused supplies exceeding \$5,000 remains, the subrecipient must follow the disposition requirements in Title 2 Code of Federal Regulations (C.F.R.) § 200.313-314.
- The terms of the FEMA-State Agreement are incorporated by reference into this project under the Public Assistance award and the applicant must comply with all applicable laws, regulations, policy, and guidance. This includes, among others, the Robert T. Stafford Disaster Relief and Emergency Assistance Act; Title 44 of the Code of Federal Regulations; FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide; and other applicable FEMA policy and guidance.
- The DHS Standard Terms and Conditions in effect as of the declaration date of this emergency declarations or major disaster, as applicable, are incorporated by reference into this project under the Public Assistance grant, which flow down from the Recipient to subrecipients unless a particular term or condition indicates otherwise.
- The Uniform Administrative Requirements, Cost Principles, and Audit Requirements set forth at Title 2 Code of Federal Regulations (C.F.R.) Part 200 apply to this project award under the Public Assistance grant, which flow down from the Recipient to all subrecipients unless a particular section of 2 C.F.R. Part 200, the FEMA-State Agreement, or the terms and conditions of this project award indicate otherwise. See 2 C.F.R. §§ 200.101 and 110.
- The subrecipient must submit a written request through the Recipient to FEMA before it makes a change to the approved scope of work in this project. If the subrecipient commences work associated with a change before FEMA approves the change, it will jeopardize financial assistance for this project. See FEMA Policy No. 104-009-2, Public Assistance Program and Policy Guide.
- Pursuant to section 312 of the Stafford Act, 42 U.S.C. 5155, FEMA is prohibited from providing financial assistance to any entity that receives assistance from another program, insurance, or any other source for the same work. The subrecipient agrees to repay all duplicated assistance to FEMA if they receive assistance for the same work from another Federal agency, insurance, or any other source. If an subrecipient receives funding from another federal program for the same purpose, it must notify FEMA through the Recipient and return any duplicated funding.

## Insurance

### Additional Information

1/20/2023

Project Rework - No change to prior determination

The road(s), road rights-of-way, embankment erosion, bridges or culvert damage represented in this project are neither insured

nor insurable. No insurance relief is anticipated. No insurance narrative will be produced or uploaded into documents or attachments.

## FEMA Policy 206-086-1

### PART 2: Other Insurance-Related Provisions. (Sections 312 and 406(d) of the Stafford Act)

**A. Duplication of Benefits.** FEMA cannot provide assistance for disaster-related losses that duplicate benefits available to an applicant from another source, including insurance.

1. Before FEMA approves assistance for a property, an applicant must provide FEMA with information about any actual or anticipated insurance settlement or recovery it is entitled to for that property.
2. FEMA will reduce assistance to an applicant by the amount of its actual or anticipated insurance proceeds.
3. Applicants must take reasonable efforts to recover insurance proceeds that they are entitled to receive from their insurer(s).

No insurance requirements are mandated for the damages included in this project. Insurance requirements are specific to permanent work to replace, restore, repair, reconstruct, or construct buildings, contents, equipment, and vehicles (FEMA Recovery Policy FP 206-086-1).

Kenneth Johnson, Insurance Specialist CRC East

## O&M Requirements

There are no Obtain and Maintain Requirements on **Sunapee - Trask Brook Road Bridge**.

## 406 Mitigation

There is no additional mitigation information on **Sunapee - Trask Brook Road Bridge**.

## Environmental Historical Preservation

Is this project compliant with EHP laws, regulations, and executive orders?

Yes

### EHP Conditions

- Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.
- This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize funding.
- If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archaeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

### EHP Additional Info

There is no additional environmental historical preservation on **Sunapee - Trask**



## Final Reviews

### Final Review

**Reviewed By** PFEIFER JR, THOMAS J.

**Reviewed On** 01/23/2023 8:04 AM EST

#### Review Comments

TJP reviewed and approved

### Recipient Review

**Reviewed By** Duggins, Danielle R.

**Reviewed On** 02/10/2023 2:59 PM EST

#### Review Comments

Reviewed by Danielle Duggins

## Project Signatures

**Signed By** Hazelton, Scott

**Signed On** 02/10/2023



TOWN OF SUNAPEE  
TOWN CLERK & TAX COLLECTOR

**MEMORANDUM**

Date: March 20, 2023

To: The Board of Selectmen & Town Manager

From: Joshua P. Boone, Town Clerk & Tax Collector

Subject: Tax Deeding

Attached you will find a list of potential deeds for the 2020 uncollected liens.

**Please note: If I do not hear from you before the May 15, 2023 deeding date, I will assume that your desire is to deed the property to the Town of Sunapee. I will need a deed waiver signed by a majority of selectmen prior to this date for those properties you choose not to deed.**

If you have any questions, please let me know.

JPB

**TOWN OF SUNAPEE**  
**Filtered Unpaid Receivables Listed by Warrant**  
 Requested by jboone -- 03/20/2023

**Summary:**

| Warrant        | Invoices | Balance           | Unpaid Penalties | Interest          | Due As Of<br>03/20/2023 |
|----------------|----------|-------------------|------------------|-------------------|-------------------------|
| 2020L01        | 4        | \$4,395.84        | \$0.00           | \$1,162.19        | \$5,558.03              |
| <b>Totals:</b> | <b>4</b> | <b>\$4,395.84</b> | <b>\$0.00</b>    | <b>\$1,162.19</b> | <b>\$5,558.03</b>       |

**Detail:**

| Warrant                         | Current Owner                | Map Lot Sub          | Due Date | Balance           | Unpaid Penalties | Interest          | Due As Of<br>03/20/2023 |
|---------------------------------|------------------------------|----------------------|----------|-------------------|------------------|-------------------|-------------------------|
| <b>2020L01</b>                  |                              |                      |          |                   |                  |                   |                         |
|                                 | BLY SR, RICHARD H            | 000137 000011 000000 | 04/08/21 | \$1,178.22        | \$0.00           | \$284.71          | \$1,462.93              |
|                                 | CLOUGH, WENDY ANN & ALD      | 000233 000045 000001 | 04/08/21 | \$301.87          | \$0.00           | \$82.32           | \$384.19                |
|                                 | PIGNATARO, JR. 2022 TRUST, R | 000147 000005 000000 | 04/08/21 | \$2,149.98        | \$0.00           | \$586.33          | \$2,736.31              |
|                                 | SEALE III, EVERETT           | 000233 000009 000000 | 04/08/21 | \$765.77          | \$0.00           | \$208.83          | \$974.60                |
| <b>Total For 2020L01</b>        |                              |                      |          | <b>\$4,395.84</b> | <b>\$0.00</b>    | <b>\$1,162.19</b> | <b>\$5,558.03</b>       |
| <b>Totals for All Warrants:</b> |                              |                      |          | <b>\$4,395.84</b> | <b>\$0.00</b>    | <b>\$1,162.19</b> | <b>\$5,558.03</b>       |

## NOTICE OF INTENT TO EXCAVATE

RSA 72-B

RECEIVED

MAR 17 2023

(Assigned by Municipality)

For Tax Year April 1, 23 to March 31, 24

YR

TOWN

OP#

|  |  |   |  |  |   |  |  |   |   |
|--|--|---|--|--|---|--|--|---|---|
|  |  | - |  |  | - |  |  | - | E |
|--|--|---|--|--|---|--|--|---|---|

PLEASE TYPE or PRINT (If filling in form on-line; use TAB key to move through fields)

1. Town/City of: Sunapee
2. Tax Map/Block/Lot #: 0211-0011-0000
3. Name of Access Road: Rt. 11
4. Total Acreage of Lot: 5
5. Date of Permit per RSA 155-E:2: \_\_\_\_\_  
or \_\_\_\_\_ (Municipal Excavation Permit)
6. Date of Report, if required, per RSA 155-E:2, I (d): \_\_\_\_\_
7. Permit Number per RSA 485-A:17, if any: \_\_\_\_\_  
(Alteration of Terrain Permit)
8. Incidental Construction/155-E:2-a Exception: Check if YES ☐
9. Total Permitted Area (acres): 5
10. Excavation Area (acres) as of April 1: .75
11. Reclaimed Area (acres) as of April 1: 1.25
12. Remaining Cubic Yards of Earth to Excavate: 12,000
13. Type of Ownership:

☒ Owner of land☐ Previous owner retaining deeded earth excavation rights☐ Owner of earth or earth excavation rights on public lands  
(Fed., State, Municipal, etc) or, removes earth from public lands or right-of-ways

## 14. DESCRIPTION OF EARTH TO BE EXCAVATED DURING TAX YEAR

| EARTH TYPE     | ESTIMATED CUBIC YARDS (CY) |
|----------------|----------------------------|
| GRAVEL         |                            |
| SAND           |                            |
| LOAM           | <u>1000</u>                |
| STONE PRODUCTS | <u>5000</u>                |
| OTHER ( )      |                            |
| TOTAL          | <u>6000</u>                |

## 15. CHECK THE BOX THAT DESCRIBES THIS INTENT

- ☒ ORIGINAL WITH \$100 FEE  
(check payable to State of New Hampshire)
- ☐ ORIGINAL WITH NO FEE  
(excavation of 1,000 cubic yards or less)
- ☒ SUPPLEMENTAL WITH \$100 FEE  
(exceeding original estimate of 1,000 cubic yards or less)
- ☐ SUPPLEMENTAL WITH NO FEE  
(fee previously paid with original intent)

16. We hereby assume responsibility for reporting all earth excavated within 30 days of completion or by the end of the tax year, whichever comes first. (If a Corporation, an Officer must sign.)

Michael M. Lemieux

PRINT CLEARLY OR TYPE NAME OF OWNER

SIGNATURE (in ink) OF OWNER(S) OR OFFICER(S)

DATE SIGNED

Elizabeth A. Lemieux

PRINT SIGNATORY NAME (AND TITLE IF APPLICABLE)

SIGNATURE (in ink) OF OWNER(S) OR OFFICER(S)

DATE SIGNED

PRINT SIGNATORY NAME (AND TITLE IF APPLICABLE)

519 Jarvis Hill Rd.

MAILING ADDRESS

Claremont

CITY OR TOWN

NH

STATE

03743

ZIP CODE

Lemieux@Comcast.net

E-MAIL ADDRESS

603 542-0023

HOME PHONE (Enter number without dashes)

CELL PHONE (Enter number without dashes)

DATE INTENT SENT TO TOWN: 3-13-23

E-MAIL REPORT &amp; CERTIFICATE?

YES ☒ NO ☐

If NO, Report and Certificate will be mailed to the address above.

## TO BE COMPLETED BY MUNICIPAL ASSESSING OFFICIALS

Amount of Security Required \$ \_\_\_\_\_

Security Posted (Bond, Certified Check, etc.) \$ \_\_\_\_\_

## SIGNATURES OF MUNICIPAL ASSESSING OFFICIALS &amp; DATE

The Municipal Assessing Officials hereby acknowledge receipt of the Notice of Intent to Excavate and certify that:

1. All owners of record have signed the Intent;
2. If the land is in Current Use, the land use change tax shall be assessed on the non-qualifying land;
3. The form is complete; and
4. Any bond required under RSA 72-B:5 has been received.
5. The Tax Collector shall be notified within 30 days of signing the Intent pursuant to RSA 72-B:8

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

SIGNATURE OF MUNICIPAL ASSESSING OFFICIAL

DATE

FOR DRA USE ONLY

SIGNED ORIGINAL COPY - RETAINED BY CITY/TOWN

SIGNED COPY TO - OWNER, RETURNED BY MUNICIPAL ASSESSING OFFICIALS

SIGNED COPY TO - DEPT. OF REVENUE, MUNICIPAL &amp; PROPERTY DIVISION



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

## **MEMORANDUM**

To: Sunapee Select Board

From: Joseph Devarenne, CNHA, Assistant Assessor

Re: Abatement Recommendation

Date: March 17, 2023

---

**Oristano, Michael & Paige**

**39 Dowd Ln**

**Map 129-039-012**

The taxpayers recently purchased the property located at 39 Dowd Ln. The deed was recorded at the Sullivan County Registry on October 25, 2022. The Town initially missed the transfer of ownership, which resulted in the final 2022 tax bill being sent to the previous owner. Once the Town became aware of the error, the ownership was corrected, and the new owners paid the delinquent tax bill. Because the town initially missed the transfer of ownership, and the bill was sent to the wrong location, **I recommend abating the \$68.40 of interest and penalties that accrued because of the Towns error.**

---

Selectmen \_\_\_\_\_ Date \_\_\_\_\_

---

Selectmen \_\_\_\_\_ Date \_\_\_\_\_

---

Selectmen \_\_\_\_\_ Date \_\_\_\_\_

---

Selectmen \_\_\_\_\_ Date \_\_\_\_\_

---

Selectmen \_\_\_\_\_ Date \_\_\_\_\_

**TOWN OF SUNAPEE**

**P.O. Box 303  
Sunapee, NH 03782**

**TOWN OF SUNAPEE**

**Office Hours**

**M, Tu, Th, F 8am-4:30pm Wed 8am-12:30pm**

**(603) 763-2449**

**Tax Collector's Office Receipt**

**ORISTANO, MICHAEL AND PAIGE**

**PO BOX 4258**

**TEQUESTA, FL 33469**

**Paid By: ORISTANO, MICHAEL AND PAIGE**

**Receipt Number: 2023 000259**

**Receipt Amount: \$ 2,482.00**

**Check Number: 4712**

**Receipt Date: Thursday, March 16, 2023**

| Invoice       | Trans. Total | Principal | Int/Pen | Balance Due  | Owner                      | Parcel ID            |
|---------------|--------------|-----------|---------|--------------|----------------------------|----------------------|
| 2022P02036105 | 2,482.00     | 2,413.67  | 68.33   | <b>68.33</b> | SMITH, WILLIAM J & SUSAN M | 000129 000039 000012 |

**TOWN OF SUNAPEE**  
**Total Due for ORISTANO, MICHAEL AND PAIGE**

Interest as of 3/21/2023

Includes Only Unpaid Invoices

| Current Owner               | Warrant       | PID                  | Location   | Per Diem  | Principal | Int/Pen | Amount Due |
|-----------------------------|---------------|----------------------|------------|-----------|-----------|---------|------------|
| ORISTANO, MICHAEL AND PAIGE | 2022P02036105 | 000129 000039 000012 | 39 DOWD LN | \$ 0.0150 | \$ 68.33  | \$0.07  | \$68.40    |
| Totals :                    |               |                      |            | \$ 0.0150 | \$ 68.33  | \$0.07  | \$68.40    |



**TOWN OF SUNAPEE**  
23 Edgemont Road  
Sunapee, New Hampshire 03782-0717  
Phone: (603) 763-2212 Fax: (603) 763-4925  
Monday, Tuesday, Thursday, Friday 8-5; Wednesday 8-1

## TRANSFER OF FUNDS REQUEST

January 28, 2022

TO: Alan Doherty, Treasurer

FROM: Rita Donaldson, Finance Director

Please transfer from the Hydro account to the Town of Sunapee General Fund \$545,350.18, which represents the balance due as of 12/31/21.

Attached are details from the general ledger to support this amount.

---

Rita Donaldson, Finance Director

---

Shannon Martinez, Town Manger



# GL TRANSACTIONS BY ACCOUNT

ALL FUNDS Periods: 2021-12 thru 2021-12 Include: Balance Sheet - Revenues - Expenditures - Posted (Account Number Is Equal To 02-2080-10-001)

| Effect Date                                  | Period  | Batch ID | Trx | SL | Status | Post Date  | Posted By | Debit | Credit            | Description                                      |
|--|---------|----------|-----|----|--------|------------|-----------|-------|-------------------|--|
| <b>02 - HYDRO FUND</b>                       |         |          |     |    |        |            |           |       |                   |  |
| 02-2080-10-001 DUE TO FUND #1 (GENERAL FUND) | 2021-12 | 2 617    | J   | AP | P      | 12/06/2021 | JOANNE    | 0.00  |                   | End. Bal.: (545,350.18)                          |
| 12/03/2021                                   | 2021-12 | 2 617    | J   | AP | P      | 12/06/2021 | JOANNE    | 0.00  | 3,392.44          | Interfund Transaction - Do To                    |
| 12/03/2021                                   | 2021-12 | 2 617    | J   | AP | P      | 12/06/2021 | JOANNE    | 0.00  | 4,273.31          | Interfund Transaction - Do To                    |
| 12/07/2021                                   | 2021-12 | 2 829    | J   | GL | P      | 12/22/2021 | RDONALDSO | 0.00  | 835.84            | Payroll paid 12.07.2021                          |
| 12/14/2021                                   | 2021-12 | 2 833    | J   | GL | P      | 12/22/2021 | RDONALDSO | 0.00  | 764.10            | Payroll paid 12.14.2021                          |
| 12/21/2021                                   | 2021-12 | 2 834    | J   | GL | P      | 12/22/2021 | RDONALDSO | 0.00  | 673.54            | Payroll paid 12.21.2021                          |
| 12/28/2021                                   | 2021-12 | 2 847    | J   | GL | P      | 12/26/2021 | RDONALDSO | 0.00  | 629.29            | Payroll 12.28.2021                               |
| 12/31/2021                                   | 2021-12 | 2 919    | J   | AP | P      | 1/10/2022  | JOANNE    | 0.00  | 308.48            | Interfund Transaction - Do To                    |
| 12/31/2021                                   | 2021-12 | 2 919    | J   | AP | P      | 1/10/2022  | JOANNE    | 0.00  | 56.11             | Interfund Transaction - Do To                    |
| 12/31/2021                                   | 2021-12 | 2 919    | J   | AP | P      | 1/10/2022  | JOANNE    | 0.00  | 56.11             | Interfund Transaction - Do To                    |
| 12/31/2021                                   | 2021-12 | 2 893    | J   | AP | P      | 1/10/2022  | JOANNE    | 0.00  | 173.42            | Interfund Transaction - Do To                    |
| 12/31/2021                                   | 2021-12 | 2 893    | J   | AP | P      | 1/10/2022  | JOANNE    | 0.00  | 658.33            | Interfund Transaction - Do To                    |
| 12/31/2021                                   | 2021-12 | 3 164    | J   | GL | P      | 1/28/2022  | RDONALDSO | 0.00  | 227,979.43        | to correct transfer from Hydro Fund              |
| 12/31/2021                                   | 2021-12 | 2 987    | J   | GL | P      | 1/16/2022  | RDONALDSO | 0.00  | 664.42            | to accrue wages earned in 2021 paid 2022         |
| 12/31/2021                                   | 2021-12 | 3 165    | J   | GL | P      | 1/28/2022  | RDONALDSO | 0.00  | 600.00            | to record amount due to general fund warrant #18 |
| 12/31/2021                                   | 2021-12 | 2 919    | J   | AP | P      | 1/10/2022  | JOANNE    | 0.00  | 32.39             | Interfund Transaction - Do To                    |
| 12/31/2021                                   | 2021-12 | 2 919    | J   | AP | P      | 1/10/2022  | JOANNE    | 0.00  | 1,221.92          | Interfund Transaction - Do To                    |
|  |         |          |     |    |        |            |           | 0.00  | <b>242,319.13</b> |  |
| <b>02 - HYDRO FUND</b>                       |         |          |     |    |        |            |           |       |                   |  |
|  |         |          |     |    |        |            |           | 0.00  | <b>242,319.13</b> |  |
|  |         |          |     |    |        |            |           | 0.00  | <b>242,319.13</b> |  |

---

**MELINDA AND JIM LUTHER**  
**8 ATHERTON LANE, AMHERST, NH 03031**  
**603-801-4372 | MLUTHER1@MAC.COM**

March 15, 2023

Selectboard Chairperson  
Town of Sunapee

Dear Selectboard Chairperson:

We want to thank you for your efforts related to the legal use and regulation of short-term rentals (STR's) in the Town of Sunapee. The town has a long history of providing alluring accommodations appealing to a variety of vacation renters. The advent of STR's has allowed for a broad variety of accommodations for many travelers looking to enjoy the charm and beauty of our small town.

My husband, children, and I have owned a small vacation property in Sunapee since the fall of 2019. We spend all summer and as much time as possible in Sunapee each year. We were full-time residents for approximately 6 months during 2022 while our primary residence was listed for sale. We are not avid winter sports fans, so in January of 2020 we began renting our home under the tourist home ordinance, on a short-term basis, for people looking to take advantage of the ski and snow season. We quickly fell in love hosting families and others looking to enjoy our town. The vast majority of our renters are highly conscientious, respectful and take care of our home as though it was their own. Having our home occupied most of time also provides us with peace of mind and early awareness of any safety issues brought to our attention. The use of a platform such as Airbnb ensures that any guest with unwanted behavior is prevented from returning.

We are completely in favor of a registration process and sliding scale fee (based on home square footage), but after a careful review of the proposed paperwork and safety requirements, we would ask that the board take the following into consideration:

- Undue regulations above and beyond what is expected of any private homeowner puts significant burden on both the town and taxpayer/homeowner.
- Excessive regulation creates an undue workload for town employees and adds significant strain on our already town's limited fiscal resources.

- Requirements for STRs are not consistent with current town ordinances for all residents. Such as parking, limiting how many people per bedroom (which excludes families with small children), fire pit requirements, etc.
- Fire and safety codes have changed considerably in the past 10 years. Expecting all homeowners of STR's to comply with every current code and regulation is unrealistic and high expectation.
- Consider changing the requirement to current code only for any renovations or modifications of an existing STR.
- Consider grandfathering existing STR's or current Tourist Homes.
- Many other NH towns have minimal regulations for STR's (fire extinguishers, escape plan, emergency contact info posted). If those basic safety and fire regulations are not met, more inspections may be required by the Select Board.

My family is very invested in the town of Sunapee, we love the community, our neighborhood, and we seek to serve in any way we can to contribute to the welfare of our neighbors and town. We ask that the board consider STR regulation that is both realistic and straightforward. Thank you for your consideration. Please let us know if you have any questions.

Sincerely,

Melinda & Jim  
14 Maple Street  
Sunapee, NH 03782

RECEIVED

MAR 20 2023

TOWN OF  
SUNAPEE

March 15, 2023

Board of Selectmen  
Town of Sunapee  
23 Edgemont Rd.  
Sunapee, NH 03782

RE: Town & School Elections on March 14, 2023

To The Board of Selectmen:

I would like to express my extreme disappointment with the Board of Selectmen's irresponsible decision to hold the Town & School Elections on March 14, 2023, as originally scheduled, despite the onset of the Lake Sunapee Region's most significant snowstorm of this season that began on Monday evening, March 13<sup>th</sup>. The Board of Selectmen's decision to hold these Elections as originally scheduled put the residents of Sunapee and numerous Town employees in danger due to the extremely hazardous driving conditions that were prevalent throughout the day on Tuesday, March 14<sup>th</sup>.

The Town Offices were closed on Tuesday, March 14<sup>th</sup> due to the storm. Most area schools cancelled their Tuesday, March 14<sup>th</sup> classes. Most area towns that had also scheduled their local elections for Tuesday, March 14<sup>th</sup> - except for Sunapee - postponed them to a later date.

There was no candidate for office, no ballot Article so crucial on the Annual Town Election Ballot that the Sunapee Town & School Elections could not have been postponed for a few days, perhaps a week.

I suspect that the decision to hold the Town & School Elections on March 14, 2023, as originally scheduled, despite the storm, was due to one of the following reasons:

- a. Postponing the election may have been an inconvenience a few Town officers or employees.
- b. Holding this election despite the poor weather conditions would result in lower voter turnout, particularly amongst senior citizens. One could infer that a lower voter turnout might favor the election of certain candidates, and/or the passage of certain Articles.

I will work closely with other Town residents during the upcoming election cycle to ensure that those responsible for making such an irresponsible decision will not be re-elected to Town office.

Respectfully yours,



Joseph T. Twardy, Jr., CPA  
Principal



March 8, 2023

RECEIVED  
MAR 13 2023  
SUNAPEE

Board of Selectmen  
Town of Sunapee  
23 Edgemont Rd.  
Sunapee, NH 03782

***Re: Xfinity TV Programming & Service Changes***

Dear Chairman and Members of the Board:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. As part of that commitment, we want to inform you of programming and service changes occurring in your community, as further detailed below.

**Band Internacional**

Effective March 31, 2023, Band Internacional is ceasing operations and will no longer be available to Xfinity TV customers. The programmer is unilaterally initiating this change and this change is beyond Comcast's control. The Brazilian 4 Pack international package will be renamed Brazilian 3 Pack and will include TV Globo, SportTV (formally PFC), and Record TV at reduced price of \$29.99 per month, plus applicable taxes and fees.

**The Weather Channel**

Effective April 11, 2023, The Weather Channel and The Weather Channel HD will move from the Limited Basic tier to both the Sports & News and Expanded Basic tiers. There will be no change in channel positions. The HD Technology Fee required to receive HD channels.

**GSN, Revolt HD, Tennis Channel, Travel Channel & TV Land**

The following changes will occur on April 11, 2023:

- GSN (Game Show Network) will no longer be available on the Digital Preferred tier but will be available on both the Expanded Basic and the Entertainment tiers. There will be no change in channel position.
- Revolt HD will no longer be available on the Digital Preferred tier but will be available on both the Expanded Basic and the Entertainment tiers. There will be no change in channel position. Revolt HD requires an X1 TV Box or compatible customer owned device.



The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



March 10, 2023

Compass Point LLC  
c/o Michael Jewczyn  
PO Box 595  
Sunapee NH 03782



**Re: Closed File**  
**Land Resources Management File Number: 2022-00708**  
**Subject Property: 68 Burkehaven Ln, Sunapee, Tax Map #140, Lot #22**

Dear Mr. Jewczyn:

On March 9, 2023, the New Hampshire Department of Environmental Services (NHDES) Land Resources Management Program conducted an inspection at the above-reference property (Property). The purpose of the inspection was to determine compliance with RSA 482-A, the New Hampshire Fill and Dredge in Wetlands law and applicable rules in response to a complaint of possible violations on the Property.

As a result of the inspection, NHDES determined no violations of the above-referenced statute and rules have occurred. NHDES is therefore closing enforcement file 2022-00708. However, NHDES reserves the right to reopen this matter upon receipt of conclusive evidence that a violation of RSA 482-A has in fact occurred.

RSA 482-A, the New Hampshire Fill and Dredge in Wetlands law, was enacted to protect and preserve wetlands and surface waters from despoliation and unregulated alteration. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit.

If you have any questions, please contact me at [Sephra.M.Michailides@des.nh.gov](mailto:Sephra.M.Michailides@des.nh.gov) or (603) 271-4056.

Sincerely,

Sephra M. Michailides  
Compliance Specialist  
Land Resources Management Program  
Water Division

cc: Sunapee Conservation Commission  
Sunapee Board of Selectmen

cc: Greg Grigsby, Gradient, PLLC  
Paul Goodwin, Watermark Navigation Systems  
Nick Robart, KVC Builders

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588  
TDD Access: Relay NH 1 (800) 735-2964



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.  
Commissioner

David Rodrigue, P.E.  
Assistant Commissioner  
Andre Briere, Colonel, USAF (RET)  
Deputy Commissioner

March 3, 2023

Joshua Trow, Chair of Selectboard  
Town of Sunapee  
23 Edgemont Road  
Sunapee, NH 03782



RE: NHDOT Bridge Funding Opportunity  
Sunapee Bridge #069/069  
Trask Brook Road over Wendell Brook

Dear Mr. Trow:

The New Hampshire Department of Transportation (NHDOT) is pleased to inform Sunapee that bridge aid funding is planned to be available for the rehabilitation or replacement of the above noted bridge.

As part of the upcoming Ten-Year Plan process, NHDOT will reduce the number of red listed bridges statewide with our available State and Federal bridge funds. Based on NHDOT bridge inspection data and this bridge's current poor condition, the above noted bridge is considered one of up to 65 candidates for funding. Our bridge aid programs are funded with 80% State or 80% Federal funds with the municipality responsible for the 20% local match. These programs are "reimbursement" type grants in which the municipality covers 100% of preapproved project costs initially and is subsequently reimbursed NHDOT's 80% share of eligible costs incurred.

Based on very preliminary data, NHDOT estimates the cost to rehabilitate or replace the above noted bridge is approximately **\$1,153,200.00**. The municipality's 20% share is estimated to be approximately **\$230,640.00**. The actual project cost and local share will depend on the design of the bridge, inflation, and other project related factors not possible to know at this time.

NHDOT is currently beginning the enrollment process for the bridge aid program for official acceptance in the next Ten-Year Plan cycle anticipated to be approved in the summer of 2024. Accepted Ten-Year Plan approved bridge projects will be programmed for construction in years **2027 thru 2032**.

Although we can't guarantee that funding will be available to enroll your project, we would like to know if your municipality is interested in applying for funds? This will allow us to better develop our local bridge aid program for the upcoming Ten-Year Plan cycle. **If Sunapee is interested or not interested in beginning the enrollment process with NHDOT for the above noted bridge, please check the appropriate response below and return a copy to me via my email noted below by April 15, 2023.**

X Yes, Sunapee is interested in applying for bridge aid funding for the above noted bridge, or

       No, Sunapee is not interested in applying for bridge aid funding for the above noted bridge at this time.

Shannon Martinez

Municipality Contact Name (print name)

scotth@town.sunapee.nh.us

Municipality Contact Email (print email)

Please note that checking "Yes" does not legally bind Sunapee to enrolling in the bridge aid program. We are simply looking for an indication that if bridge aid funding is available, that your municipality would be interested in pursuing a bridge aid project with NHDOT and that your municipality would work towards obtaining your local 20% match.

Thank you for your attention to this request and please call or email me with any questions. I look forward to working with you in the future.

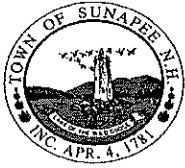
Sincerely,

*C.R. Willeke*

C.R. Willeke, PE  
Municipal Highways Engineer  
Phone # 603-271-6472  
[charles.r.willeke@dot.nh.gov](mailto:charles.r.willeke@dot.nh.gov)

cc via email: Shannon Martinez, Town of Sunapee  
Meghan Butts, Upper Valley-Lake Sunapee Regional Planning Commission





## TOWN OF SUNAPEE

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

### AGREEMENT FOR THE USE OF THE TOWN OF SUNAPEE TRANSFER RECYCLING FACILITY

This agreement is made between the Town of Sunapee and the Town of Springfield by their respective Boards of Selectmen. The purpose of this agreement is for the use of the Transfer Recycling Facility owned by the Town of Sunapee, by the residents and taxpayers of Springfield.

The Board of Selectmen of Springfield agrees to pay the Town of Sunapee \$120,465 in four quarterly payments of \$30,116. The total sum is 25% of the 2023 Transfer Station operating budget of \$595,854 (\$148,964) less \$28,499 which is 25% of the \$113,996 (2022 Revenue) received from the sale of recycled items and the sale of "open-top" tickets. This agreement is to be renewed annually.

\_\_\_\_\_  
Joshua Trow

\_\_\_\_\_  
Suzanne Gottling

\_\_\_\_\_  
Jeremy Hathorn

\_\_\_\_\_  
Frederick C. Gallup

\_\_\_\_\_  
Carol Wallace

\_\_\_\_\_  
*Richard B. Kendall*  
\_\_\_\_\_  
*Paul E. Guilman*  
\_\_\_\_\_

\_\_\_\_\_  
Date Approved

Board of Selectmen  
Town of Sunapee

\_\_\_\_\_  
*February 27, 2023*  
Date Approved

Board of Selectmen  
Town of Springfield

# THE STATE OF NEW HAMPSHIRE HOUSING APPEALS BOARD

Governor Gallen State Office Park  
Johnson Hall, 107 Pleasant Street  
Concord, New Hampshire 03301  
Telephone: (603) 271-1198  
TTY/TDD Relay: (800) 735-2964  
Visit us at <https://hab.nh.gov>



**Case Name:** Peter Hoekstra and Elizabeth Hoekstra v. Town of Sunapee  
**Case Number:** ZBA-2022-21

## ORDER

After review of Peter and Elizabeth Hoekstra's (together, the Applicant) February 22, 2023 Motion for Reconsideration and the Town of Sunapee's ("Town") objection to same, the Housing Appeals Board ("Board") RULES as follows:

The Board will only grant a rehearing motion "upon a showing that the board overlooked or misapprehended the facts or the law and such error affected the board's decision." See Administrative Rule Hab 201.32(e). Nothing in the Applicant's rehearing motion identifies any facts (as contained within the certified record) or law the Board overlooked or misapprehended that affected the decision in the instant matter.

In light of the foregoing, the Housing Appeals Board hereby DENIES the Applicant's February 22nd Motion for Reconsideration. The Housing Appeals Board's January 30, 2023 decision on the merits (Order Number 2023-007), suspended by its Interim Order dated March 6, 2023, is UNSUSPENDED and REINSTATED forthwith.

**HOUSING APPEALS BOARD  
ALL MEMBERS CONCURRED  
SO ORDERED:**

A handwritten signature in blue ink that reads "Elizabeth Menard".

Elizabeth Menard, Clerk

Date: March 17, 2023