

**SUNAPEE SELECTBOARD
MEETING MINUTES
TOWN OFFICE MEETING ROOM
Monday, February 12, 2024, 6:30 p.m.**

Present: Selectboard Chair Carol Wallace; Selectboard Vice Chair Suzanne Gottling; Selectboard Josh Trow, Jeremy Hathorn, and Frederick Gallup

Present via Zoom: Allyson Traeger, Land Use and Assessing Coordinator

Also present: Town Manager Shannon Martinez; Emily Wrenn. Short-Term Rental Coordinator and Executive Assistant

1. CALL SELECTBOARD MEETING TO ORDER

Chair Wallace called the meeting to order at 6:45 p.m.

2. REVIEW OF MINUTES

MOTION to approve the minutes of the January 8, 2024, Select Board meeting as amended made by Selectboard Member Trow, seconded by Selectboard Vice Chair Gottling.

Mr. Trow noted for Article 39, the word "from" in the title should be deleted. In the narrative for Article 42, in the sentence, "Chair Wallace explained that Mr. Trow vetted," change "Mr. Trow" to "Mr. Boone."

A roll call vote was taken. Motion carried 3-0-2, with Selectboard Member Hathorn and Selectboard Member Gallup abstaining.

MOTION to approve the minutes of the January 22, 2024, Select Board meeting as presented made by Selectboard Member Trow, seconded by Selectboard Vice Chair Gottling. A roll call vote was taken. Motion carried 3-0-2, with Selectboard Member Hathorn and Selectboard Member Gallup abstaining.

3. REVIEW OF ITEMS FOR SIGNATURE

CZCs

- Parcel ID: 0232-0018-0000 - 46 Depot Road - Landladies 46 LLC.
- Parcel ID: 0127-0035-0014- 28 Overlook at Indian Cave- Todd & Karen Honan

LAND DISTURBANCE

- Parcel ID: 0122-0017-0000- 232 Garnet Hill Road- 234 Garnet Hill Rd, LLC.

DEMO PERMIT

- Parcel ID: 0122-0017-0000- 232 Garnet Hill Road- 234 Garnet Hill Rd, LLC.

SIGN PERMIT

- Parcel ID: 0129-0074-0000-552 Route 11 unit 3- J&F Realty

AFTER THE FACT

- Parcel ID: 0232-0018-0000 - 46 Depot Road - Landladies 46 LLC.

SHORT-TERM RENTAL CZCs

- Parcel ID: 0238-0001-0000 – 115 Timmothy Road – Jennifer Gray
- Parcel ID: 0138-0007-0000 – 25 Stagecoach Road – Jessica Stocker
- Parcel ID: 0237-0009-0000 – 18 Harding Hill Road – Jason Mills
- Parcel ID: 0210-0041-0000 – 11 Dobles Road – Sheryl Rich-Kern

CURRENT USE APPLICATION

- Parcel ID: 0140-0022-0000 – 68 Burkehaven Lane – Compass Point LLC.
- Parcel ID: 0237-0029-0001 – 102 Brook Road – Mayo Trust of 2010

ABATEMENT

- 0114-0066-0000 - Mary B. Ivey Trust Agreement - 114 Fairway Drive
- 0121-0020-0000 - Pierre Lessard & Sarah Harris- 45 West Shore Road

USE OF FACILITIES

- Lake Sunapee Cruising Fleet requesting use of the Safety Services Building from 9am – 12pm on 05/18/2024 for their annual skippers' meeting.

MOTION to approve the Consent Agenda as presented made by Selectboard Member Hathorn, seconded by Selectboard Member Trow.

Mr. Trow clarified the identity of the owner of 102 Brook Road.

A roll call vote was taken. Motion carried, with Selectboard Chair Wallace abstaining from the Current Use Application at 68 Burkehaven Lane and Selectboard Member Gallup abstaining from the Demo Permit and Land Disturbance.

4. APPOINTMENTS

7:00 p.m. Meeting with Derek Ferland, Sullivan County Manager

Derek Ferland appeared before the Board to present an update on the gateway sign project. He reviewed the background as to how this project was conceived and where it stands. He has met with the DOT and is currently meeting with municipalities to understand their regulations and requirements. The next step will be to contact landowners for permission to install the signs. The final step will be to install the signs, which ideally will occur in 2024.

Mr. Ferland shared the prototype of the sign design, which will be 4 feet by 6 feet and constructed of aluminum. He described the proposed locations on Routes 103 and 11, which the Board discussed. The signs will be maintained by the DOT.

The Board thanked Mr. Ferland for his presentation.

7:30 p.m. Meeting with Water and Sewer Commission

Dave Bailey, Water and Sewer Department Superintendent, and Commissioners Doug Gamsby, Jim Williams, and Charlie Hirshberg met with the Board to discuss erecting a solar array. They have obtained quotes and are discussing whether the array will power only the wastewater plant or feed power into the grid.

Warrant Article 40 was written for a five-year contract, but they are concerned a solar company will not be receptive to this length of contract, preferring something longer. Mr. Hirshberg noted the rate structure is based on a certain time commitment, a longer period, like 25 years. Ms. Martinez explained the contract would be between the solar company and the Select Board and would need to meet specific requirements. There must be an out clause, for example.

The Board discussed the benefits and challenges of a 25-year contract as opposed to a 5-year contract.

Mr. Gallup asked if there is an urgency to move forward due to the grid's capacity, which was mentioned by Mr. Brown, a resident who lives off the grid. Mr. Bailey said as this will be a smaller array, he does not believe it will be a major issue.

Mr. Gallup asked if they will lose any of the bidders if a Warrant Article is presented next year to enter a 25-year contract. Mr. Trow explained the Board cannot guarantee a 25-year contract without a separate Warrant Article. And there is always the possibility that the Town would vote the warrant down.

The Board discussed how the wastewater plant can use the land where it is located, and whether this land is leased from the Town. If the land is leased, the lease could be modified. If the Water and Sewer Commission owns the land, the Board would not need to be involved. They agreed this needs to be determined. Mr. Bailey said if the array only powers the plant, it would not be a money-making arrangement and thus not involve the Selectboard Board. The Selectboard Board discussed land being removed from the Town Forest in the past and the original intention for this land.

Doug Hanson, a resident, said the Energy Commission went through this process years ago. He said the power can only be used onsite; state laws do not make it financially feasible to put power into the grid. He said the project only benefits people who are on water and sewer. The Energy Commission ended the process as the plant needed to expand and the land where the array was going to be located would be lost.

The Selectboard Board discussed the difference between the Energy Commission's work and the current project. They agreed they should consult the individuals involved in the Energy Commission to obtain any information that might be useful.

The Selectboard agreed they are not opposed to this project moving forward. They will obtain language from counsel to create a renewable five-year contract for the Commission to present to the entities to gauge their interest. This will be incorporated into the RFP (Request for Proposal), which the Commission will design.

Mr. Hirshberg asked if the solar companies are not willing to enter a five-year contract, would the next step be to create a Warrant Article for a longer time? Ms. Martinez said yes, but there would need to be more to it. The Town can, through the Selectboard, enter a five-year lease and can make extension periods possible.

Chair Wallace said a proposal is needed from the solar companies. Mr. Gallup noted the Warrant Article needs to be voted on in March. The Board needs to know if the solar companies would be amenable to five-year leases. Chair Wallace said the Commission should identify what they need, as an RFP will be required. Depending on whether the Town can benefit from the power generation, they can decide if a larger array be installed.

Chair Wallace also asked the Commission about water quality and PFAS so that the Board can determine if they should join the class-action suit. She also asked what the plans are to mitigate PFAS. Mr. Bailey said they did PFAS sampling on the drinking water a few years ago and found none. However, there was PFAS in the sludge; they will be sampling again soon. Chair Wallace asked them to share this information when it is available and suggested the Town join the class-action suit.

Doug Hanson suggested an energy subcommittee be created that reports to the Board to deal with energy issues in Sunapee. The Board discussed this idea.

5. PUBLIC COMMENT

Chair Wallace asked for public comment.

Catherine Bushueff (online) said she is thrilled solar is being discussed and she supports the Town moving forward on this. She noted Clean Energy New Hampshire has energy circuit riders to help municipalities work on clean energy projects. She will send the contact information for the energy circuit riders' supervisor to Chair Wallace.

Chris Whitehouse said he is pleased to see "outstanding items" listed on the agenda. He said if he doesn't attend meetings, his suggestions are not followed up on. He asked who puts items on this list and said citizens should be able to add items. He said in the deliberative session, there was a comment about giving the Fire Department a donation to hire employees and he did not see how that would be legally possible.

Doug Hanson asked if the Board has sent a formal letter to the DOT regarding evaluating traffic safety on Route 11. He said he has done so, and cited the accidents and the difficulty he has pulling onto the road. He said traffic calming measures are needed. Mr. Gallup said letters have been sent over the years regarding various issues and they rarely receive a response. He noted the state occasionally conducts safety studies, and sometimes the Town receives reports and recommendations. The Board could enquire as to when the next safety study will be conducted.

Christine Corey asked if Warrant Article 21 will be left with the new verbiage as part of the minutes of the January 8th meeting. She said the verbiage was not part of the January 8th agenda, although the PowerPoint was. Ms. Corey noted that during the Public Comment discussion at the last meeting, it was noted that the Selectboard would not reply to emails and individuals needed to appear in person. She said that is not always feasible, and individuals might not want to appear, so she asked that this be reconsidered.

Ms. Corey said the individuals who signed the petition warrant article were disappointed that their issue will not be on the ballot. They thought their signatures would guarantee that it would be on the warrant. She said it was disingenuous of the Board, as they did not want the public to have a say on reexamining going back to a hand count. She said the Board sabotaged the warrant article on purpose and the people will remember that.

Chair Wallace closed public comment.

6. SELECT BOARD ACTION

Review of warrant articles and final Selectboard recommendations (*see comprehensive list of warrant articles at the end of the minute packet*)

The Board reviewed the warrant articles that were amended at the deliberative session:

Article 21

Clarifying language was added.

MOTION to recommend Warrant Article 21 made by Selectboard Member Gallup, seconded by Selectboard Member Gottling. A roll call vote was taken. Motion carried 4-0-1, with Selectboard Trow abstaining.

Article 22

The Board discussed whether the budget is adequate to cover adult and senior programs and youth programs. Ms. Gottling clarified that the Recreation Director is an exempt position.

MOTION to recommend Warrant Article 22 made by Selectboard Member Trow, seconded by Selectboard Member Hathorn. A roll call vote was taken. Motion carried unanimously.

Article 39

Clarifying language was added. Mr. Trow asked if it should be on the ballot in the future to create the ability to have funds to receive payments for special details.

MOTION to recommend Warrant Article 39 made by Selectboard Member Trow, seconded by Selectboard Vice Chair Gottling. A roll call vote was taken. Motion carried unanimously.

Article 41

Clarifying reimbursement of expenses and adding clarifying language.

MOTION to recommend Warrant Article 41 made by Selectboard Member Gallup, seconded by Selectboard Member Hathorn. A roll call vote was taken. Motion carried unanimously.

Article 42

MOTION to recommend Warrant Article 42 made by Selectboard Member Trow, seconded by Selectboard Vice Chair Gottling.

Mr. Trow noted the point of the deliberative session is to modify articles, if they stay within the subject of the original articles. He hoped that anyone with the impression that an article cannot be changed is now clarified of this misunderstanding. The only articles that cannot change are Planning and Zoning.

Doug Hanson asked if the Board changed this article. Mr. Trow said he made the motion to change the article and the legislative body approved it.

Lisa Hoekstra asked why the Moderator is part of this. Mr. Trow said the Town Moderator is a common election official and is present on election day.

A roll call vote was taken. Motion carried unanimously.

Article 43

MOTION to recommend Warrant Article 43 made by Selectboard Member Trow, seconded by Selectboard Member Hathorn. A roll call vote was taken. Motion carried unanimously.

7. TOWN MANAGER REPORT

Fire Department Letters

Ms. Martinez said there was a request to send thank you letters from the Selectboard to the fire departments that supported the fire. This is being done.

Town Office Closure

Ms. Martinez noted the Town Offices will be closed on Monday for the holiday. They will be closed Tuesday through Friday for furnace work, although staff will be working, and available online and via telephone. They will also be rethinking the layout of the upstairs and the meeting room.

Administrator Permission

Ms. Martinez presented a letter for signature giving her permission to be an administrator for the Town's grant portfolio.

Conservation Commission Work

Ms. Martinez hopes to chip away at a long list of finance-related tasks, now that budget season is over. She will be working with the Conservation Commission to tackle several matters that have been pushed off for much too long. The Conservation Commission and other boards have been patient; however, it is time to pay attention to more pressing matters—such as deeds and easements. She noted there are three deeds that need to be put right. She has been asked to work on one specifically, and she will work with the Conservation Commission on the other two. This will incur legal costs, which the Commission will help to cover.

She said the Conservation and Cemetery Commissions have been patient. However, there are deeds that are not clear regarding cemeteries that must be taken care of. She wanted to ensure the Board had no concerns about this project. Chair Wallace asked for clarification as to what Ms. Martinez will be doing and she explained.

Tree Cutting on Town Property

Ms. Martinez reviewed a situation regarding a property owner who approached the Conservation Commission about cutting trees and was given permission to do so. It has evolved into the property owner asking the Town to remove the trees, although the Town has determined the trees are not hazardous. The property owner is now threatening legal action. She asked if the Board would like different action to be taken; however, they support the actions currently being taken.

RFPs

Ms. Martinez updated the Board on RFPs, saying more should be coming up. She explained specialty woodwork is needed, and asked Mr. Hathorn to speak with Dexter's Inn and serve as the go-between on this. They are piloting releasing an RFP with the School for mowing services. The RFP for the compensation study is being drafted and should be out next week.

Highway Safety Committee

Ms. Martinez reported the Highway Safety Committee is coming back to life. She asked the Board to appoint Jim Dutille and Bob Hall as members. She said Mr. Gallup is the Selectboard representative and noted the other members. Jen will coordinate the meetings, draft the agendas, and ensure the agendas and minutes are posted on the website.

MOTION was made by Selectboard Member Gallup, seconded by Selectboard Member Trow, to appoint Jim Dutille and Bob Hall as members of the Highway Safety Committee. A vote was taken. Motion carried unanimously.

North Shore Road

Ms. Martinez said there is legal action occurring regarding closing North Shore Road from Perkins Pond to the water. The Town has not been formally notified of this. Although the Town does not own the road, it was accepted as an emergency lane. The Town is an abutter. She said the Town might need to consult counsel regarding this issue. Mr. Gallup noted there is the potential for the road to no longer be an emergency lane and not be maintained at that level by the Town. Emergency services might not be able to navigate the road, if it is not properly maintained. He said they need to see if any conversation regarding the emergency lane situation is entered into testimony. Ms. Martinez said the highway director would not feel comfortable approving a driveway permit to the existing home to enter on the blind highway, so the Board might be pulled into this situation.

Emily Wrenn

Ms. Martinez announced that Ms. Wrenn is going to take on her thesis, so her role will be minimized.

Warrant Article Process

Ms. Martinez reviewed the process that is followed when creating and approving warrant articles. She explained that regarding the Fire article, if the subject matter and dollar amount did not change, a special hearing was not required. The articles were made legal when the Board signed the warrant. If the change was discussed and disclosed at the public hearing, it is legal. It is common practice for articles to be reviewed first at the public hearing, then by counsel and DRA, before signing the official warrant.

Christine Corey asked if Article 21, with the change, was brought before the Board for them to give their recommendation prior to the deliberative session. Ms. Martinez said the Board saw the article when they signed the warrant. She said the law is clear that petition articles can only be changed at deliberative session.

8. SELECTBOARD MEMBERS' REPORT

Mr. Trow asked if there is an updated map of Sunapee's current use. He has a map from 2008 and is curious to know how it has changed. He noted there is a benefit to have land in current use from a tax and land preservation perspective. He said it appears that over 50% of Sunapee is in current use and it is important to know how much land is actively in true conservation versus effectively in conservation. Ms. Martinez noted there is a cost to the Town for mapping. She offered to provide a copy of the NRI, which provides useful information.

Ms. Martinez said there was a recommendation during a Community Conversation that the Conservation Commission and the Select Board meet at least once a year. Chair Wallace

asked when the next Community Conversation will be held and Ms. Martinez said February 16th and 22nd.

9. OUTSTANDING ITEMS

Use of Harbor: Boat Renovations

Ms. Martinez shared this information as an attachment to the minutes and in the Selectboard Reading File

After Action: Prospect Hill Fire

Ms. Martinez noted they will schedule the After Action for the Prospect Hill Fire and reviewed what the Board would like to be covered.

Trask Brook Road Closure

Ms. Martinez reported Trask Brook Road has been closed, and the highway team has posted signs.

Short-Term Rental Registration Platform

Ms. Martinez reviewed the breach of security situation with GovOS. She is confident the Town is going to switch over to OpenGov. Ms. Wrenn will build the process and take over the messaging campaign. Ms. Traeger and her team will manage the process. She said the flow of information is easier in OpenGov. If Ms. Wrenn is successful, the software price should be reduced next year and they will switch to a more streamlined platform with multiple Town applications. Chair Wallace noted her disappointment that the software did not live up to their expectations.

10. RESPONSE TO PUBLIC COMMENT FROM JANUARY 22, 2024, BOARD MEETING

Chair Wallace responded to the following issues:

- Chris Whitehouse indicated he was concerned the Town was not advertising in the InterTown Record, but in other papers. This is a matter of cost. However, they are open to using whatever makes the most advertising sense.
- Regarding documentation of mileage, mileage is being tracked.
- John Augustine raised an issue regarding the Town Manager's annual review. The Select Board will meet in a non-public session after this meeting to discuss this. The review will be given by Chair Wallace at a date yet to be determined.
- John Augustine asked why the Livery is not considered a short-term rental. It does not meet the definition as per the Planning Board.
- John Augustine raised an issue regarding Steve Marshall and how many grants he has done, and what the results of those are. The Board will ask for an update from the Police

Department. Ms. Martinez noted Mr. Marshall has been brought in to be the Police Department's Accreditation Manager. He is working on grants separately; he is not the Town-wide grant writer.

- Lisa Hoekstra raised an issue regarding site plan review requirements for owners not in residence. For owners not in residence of a single-family home with an additional room for rent, site plan review is not required. If it is a two-family home, this gets more into site plan review.
- Chair Wallace apologized for not redacting the person's name in the GovOS security breach issue.
- Request of review of complaints in non-public. The Board has not chosen to take this on. If there are complaints, an appointment should be made to discuss them in public.

11. UPCOMING MEETINGS

- February 14th, 1:00pm: Conservation Commission - Dewey Woods Meadow Review
- February 20th, 6:00 to 8:00pm: Recreation Community Forum
- February 20th, 8:00pm: Recreation Committee
- February 26th, 6:30pm: Selectboard Meeting
- February 27th, 5:00pm: Abbott Library Trustees

12. NON-PUBLIC SESSION

MOTION was made by Chair Wallace and seconded by Member Hathorn to enter into non-public session at 9:45pm per RSA 91-A:3, II (a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted. A roll call vote was taken. Wallace – aye, Gallup – aye, Hathorn – aye, Trow – aye, Gottling – aye.

13. ADJOURNMENT

The meeting was adjourned.

Respectfully submitted,

Beth Hanggeli
Recording Secretary

Article 21:

Shall the town raise and appropriate the sum of \$67,500 to expand the per-diem staffing of the Fire Department from two 8-hour weekday positions to a single 24-hour, 7 day per week coverage? This sum covers 9 months of wages, and these positions will continue to be part time and non-benefited. If approved, it is intended that these positions will remain as part of future operating and default budgets.

Article 22:

Shall the town vote to appropriate the sum of \$58,000 to increase the Recreation Director's role from part-time to full-time to enhance our community's services for all members of the community to include more programming to bolster the health and wellness of Adults and Seniors within the town. This initiative will expand the position from 34 to 40 hours per week to allow the Recreation Director to manage the planned improvements and to increase self-funded programming. This budget covers nine months of wages and benefits. If passed, this change will become a permanent part of our operating budget, ensuring ongoing improvement in our recreational offerings.

Article 39:

Shall the Town vote to clarify language from the 2008 Town-approved Public Safety Revolving Fund, making it known that the fund is for use by the Sunapee Police Department in connection with special detail services for businesses, groups, and individuals requiring specialized traffic control, highway construction, crowd control or other security in accordance with RSA 31:95-h?

The Town may deposit into the fund all or any part of the revenues from fees, charges, or other income derived from activities or services supported by the fund, and may expend money from the fund to pay expenses related to such activities and services. Money in the fund may accumulate from year to year and is not considered part of the Town's general surplus. All moneys in the revolving fund must be in the custody of the Town Treasurer, who shall pay out the same only upon order of the governing body. No further approval of the legislative body is required for the use of the funds.

Article 41:

Shall the Town adopt the provisions of RSA 31:95-c to restrict 100% of revenues from drug asset forfeitures by the Sunapee Police Department to expenditures for the purpose of primarily meeting expenses incurred by the Sunapee Police Department in connection with drug-related investigations? Such revenue and expenditures shall be accounted for in a special revenue fund to be known as the Drug Asset Forfeitures Special Revenue Fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of the revenue.

Article 42:

Shall the town instruct the town clerk and the moderator to investigate the purchase of a new ballot counting device to be used for counting votes at each election?

Article 43:

Shall the selectmen consult with the town clerk and the moderator before purchasing a new ballot counting device?

SIGN-IN SHEET

SUNAPEE SELECTBOARD MEETING

DATE: February 12th, 2024

Christine Cary

Lynn Arnold

John Gosselin

Jesse I. Finkel

Umbudum (Bordeianu)

Derek Ferland

Doug Gansby

Patty Horsiba

Sunapee

Maple St.

Maple Street

Sullivan County

54 North Rd

25 Maple St.

SUNAPEE SELECTBOARD MEETING AGENDA

Monday, February 12th, 2024, 6:30PM

TOWN OFFICE MEETING ROOM

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

- 1. CALL SELECTBOARD MEETING TO ORDER**
- 2. REVIEW and APPROVE JANUARY 8th & 22nd MINUTES**
- 3. REVIEW OF ITEMS FOR SIGNATURE**

CZC's

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4. APPOINTMENTS

- 7:00 PM Meeting with Derek Ferland, Sullivan County Manager
 - 7:30 PM Meeting with Water and Sewer Commission
-

5. PUBLIC COMMENT

6. SELECTBOARD ACTION

- Review of warrant articles and final Selectboard Recommendation
-

7. TOWN MANAGER REPORT

- North Shore Road
 - Tree Cutting on Town Property
 - RFP
 - Highway Safety Committee
-

8. SELECTBOARD MEMBERS’ REPORT:

9. OUTSTANDING ITEMS

- Use of Harbor: Boat Renovations (see attachment in minutes, Selectboard Reading File)
- After Action: Prospect Hill Fire
- Trask Brook Road Closure
- Short-Term Rental Registration Platform

10. UPCOMING MEETINGS:

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

APPLICATION FOR USE OF TOWN OF SUNAPEE FACILITIES

Area (Circle One): BenMere/Bandstand – Coffin Park - Dewey Beach - Georges Mills Harbor –
Safety Services Building--Sunapee Harbor-Tilton Park

Name of Organization:

LAKE SUNAPEE CRUISING FLEET

This Organization is: Non-Profit – Political –Private (N/A for profit companies)

STEVE BERNIER FLEET SECRETARY

Name of Duly Authorized:

Mailing Address:

125E PARK SHORES CIR APT 218
VENO BEACH FL 32963

Daytime Phone:

603-533-4738

Evening Phone:

FUNBOAT23@GMAIL.COM

I/We hereby apply for permission to use the above circled Town facility on:

Event Date:

MAY 18, 2024

Time: From:

9 AM

To:

NOON

Please describe the complete details of the event:(If advertising please include ad or flyer)

*include a list of outside vendors that will be part of your event.

OUR ANNUAL SKIPPERS MEETING

NO OUTSIDE VENDORS / ADS OR FLYERS

I/We acknowledge understanding the following restrictions:

- (1) If this event will likely bring more than 50 people or 20 cars to the area, the applicant must first submit this application to the Chief of Police. The Chief of Police may require the applicant to hire police officer(s) for crowd or traffic control.
- (2) I/We agree to abide by the Town of Sunapee's Recreation Area Ordinance, which controls conduct and uses of this area.
- (3) The applicant shall indemnify and hold the Town of Sunapee, its employees, agents, and representatives harmless from any and all suits, actions, claims, in equity or at law, for damages asserted by any attendees at such function, or other third parties, resulting from the use of the premises, or from

the food and beverages served at the above-described function. In addition, in the event that the town is required to respond to any claims of any nature arising in connection with the function or the applicant's use of the premises, the applicant agrees to pay to the Town all costs, fees, charges and attorney's fees which may be incurred by the Town concerning such claims.

I/We plan on 30 # of people and 20 # of vehicles attending our event.

Signature of Responsible Individual

St. Bernier

Date 1/18/24

[Signature]
Approved by Chief of Police

Date 1/23/24

of Officer(s) will be assigned to event at applicant's expense.

[Signature]
Approved by ~~Recreation~~ Director (if applicable)
BFC

Date 1/25/2024

[Signature]
Approved by Fire Chief (if applicable)

Date 2/6/24

[Signature]
Approved by Highway Director (if applicable)

Date 1-30-24

[Signature]
Signature of Approving/Denying Authority (Chairman of the Board of Selectmen)

Date 2/12/24

Insurance: At least ten (10) days prior to such scheduled function, the applicant shall furnish to the Office of the Sunapee Board of Selectmen written confirmation that the applicant has secured adequate liability insurance covering the event in an amount not less than \$300,000.

***Suggested \$50 contribution for non-residents**

**NO ALCOHOL ALLOWED ON TOWN PROPERTIES WITHOUT A
ALCOHOLIC CONSUMPTION ON TOWN PROPERTY PERMIT**



Sullivan County... The Place To Bel

“Welcome to Sullivan County”

Gateway Sign Project

Sunapee, NH

Derek Ferland, County Manager

February 12, 2024



Overview



Sullivan County...The Place To Bel

- Background
- Current Status / Planning Process
- Photos
- Questions?



Background



Sullivan County... The Place To Bel

- “Welcome to Sullivan County” signage idea emerged from regional branding/identity project
- Concept shared publicly—widespread support
 - Commissioner updates to Select Boards
 - Discover Sugar River Region public meetings
 - Online contest to help design sign
- Extensive coordination with NHDOT
 - Compliance with MUTCD



Current Status / Planning Process

Sullivan County... The Place To Bel

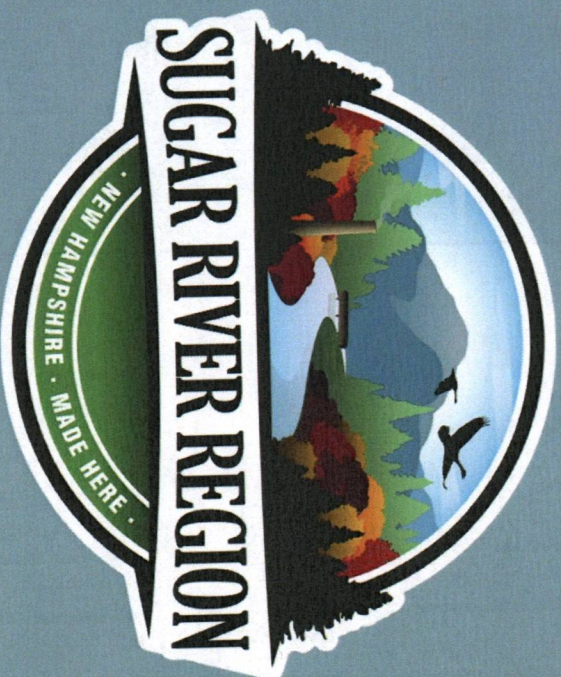
- 3-step process
- Step 1: Develop Initial Plan
 - **Locations:** State highways that enter Sullivan County
 - **Sign Design:** Concept designs by SHS Art Honor Society; online poll for public input on sign design elements (shape, color, layout)
- Step 2: Refine the Plan—Coordination/Approval with:
 - NHDOT (compliance with MUTCD)
 - Municipalities (Select Boards, Planning/Zoning, etc.)
 - Landowners
- Step 3: Execute the Plan
 - Obtain all necessary permissions/approvals
 - Complete maintenance agreement with NHDOT
 - Procure & install signs (hopefully in 2024)

We are here

Welcome to

**Sullivan
County**

Est. 1827



TOWN OF SUNAPEE

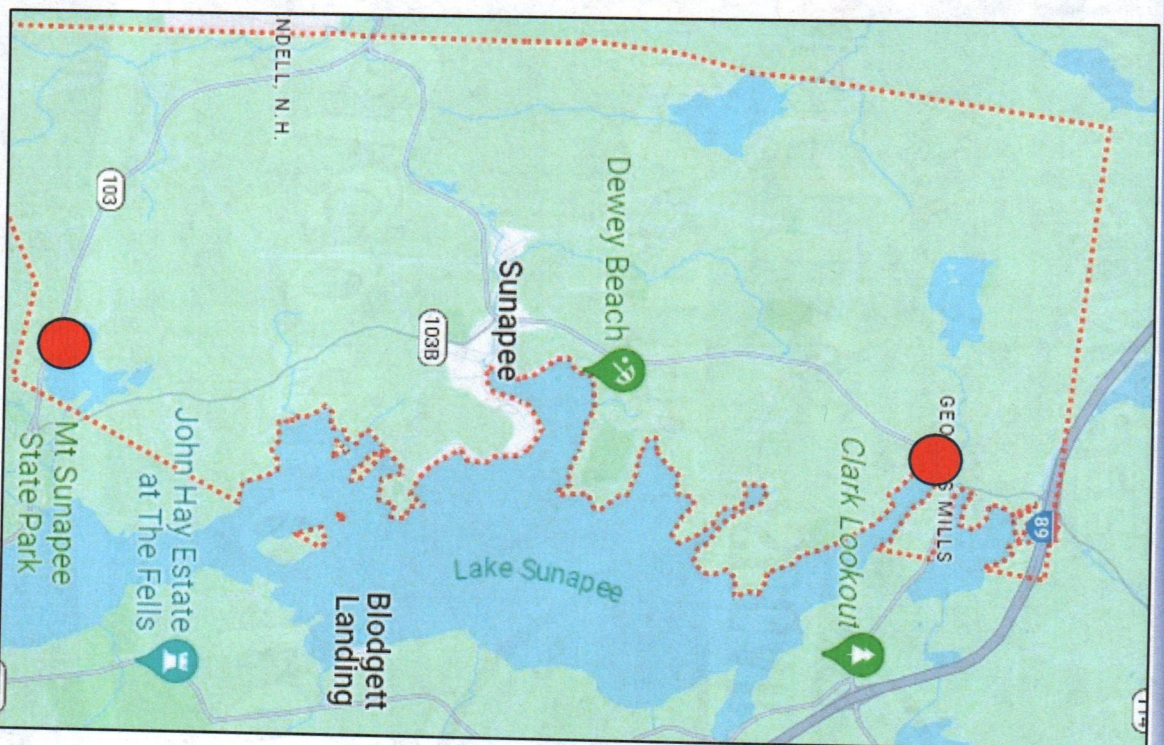
Est. 1781



Proposed Locations (Map)



Sullivan County... The Place To Bel



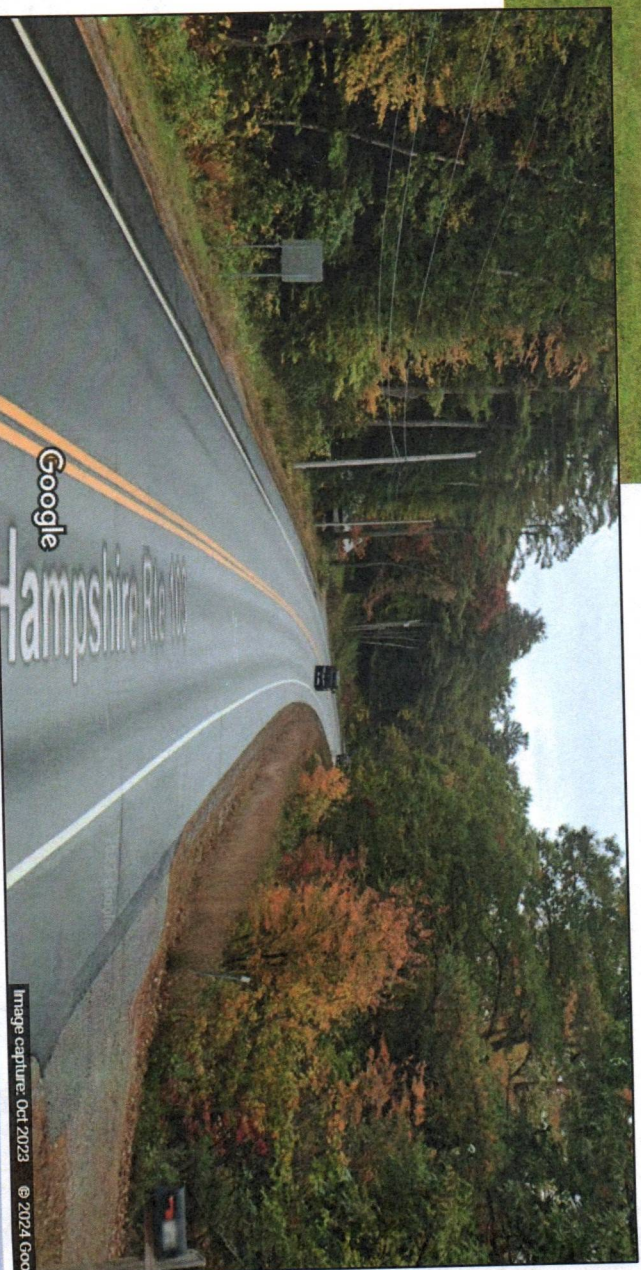
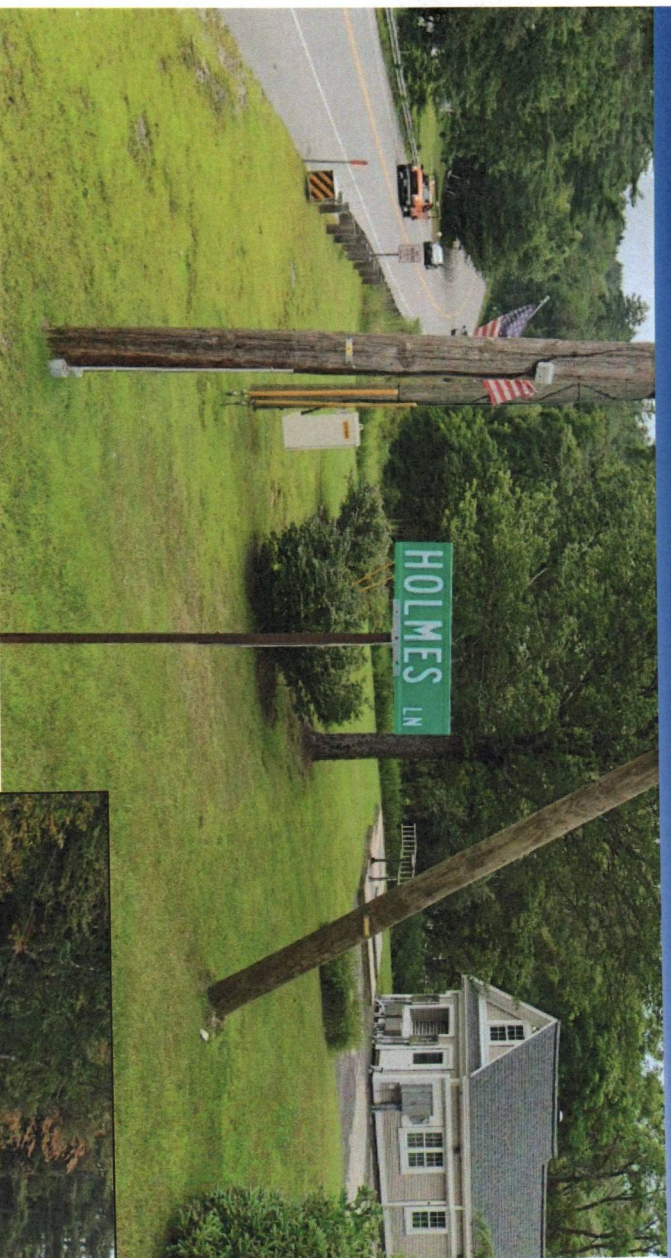
All Day, Every Day, We Make Life Better



Proposed Locations (Photos)



Sullivan County...The Place To Be!

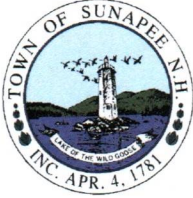




Questions?



Sullivan County... The Place To Bel



TOWN OF SUNAPEE

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

February 9, 2024

Andover / East Andover Fire Departments
169 Main Street
Andover 03216

To the firefighters and staff of the Andover / East Andover Fire Departments,

On behalf of the Town of Sunapee, we thank your department for responding to the Prospect Hill structure fire on January 18th and 19th. The scale and duration of the fire demanded an incredible amount of coordination and effort between all those who contributed their services the evening of the fire, throughout the night, and over the course of the following days. Despite the tragedy of this event and the difficult period of healing and rebuilding that lies ahead for those residents impacted by the fire, we are incredibly fortunate that no lives were lost or serious injury to any residents of the building. Without the support we received from our mutual aid partnerships, the consequences of this fire may have had a much higher, and far more irreplaceable cost.

Collectively, we received the services of twenty-four Fire Departments from across New Hampshire, and the joint response ensured that we had the necessary resources to extinguish the blaze, protect surrounding structures, and to provide firefighters with adequate time to rest and recover. It is this community response that reassures us that when an urgent situation arises, we can lean into the support of neighboring departments, and offer ours in turn. To all who provided us with aid throughout this fire, you have our deepest thanks.

Sincerely,

Town of Sunapee Selectboard

MV Mt Sunapee II Winter Renovation Timeline

Preferred Location: Sunapee Harbor Parking Lot

Tentative Timeline: Start = 2/5/2023

Projected Launch: Friday, 04/12/24

Definite Launch**: Thurs, 5/2/24

** Launch window due to potential weather and temperature issues. Our goal is to have it in the water as early as possible due to additional inspections and an early cruise season.

MV Mt Sunapee II Removal Timeline

Start Date	Start Time	Project	Overseer:
Mon, Feb. 5	Noon	Parking lot coned off and available for load in of materials.	Josh - Town of Sunapee
	2:00 PM	Sunapee Interior Deconstruction	Jeff - I do That
	3:30 PM	Remove ballast and supplies from boat and move boat forward.	Tim

Tue, Feb. 6	8:00 AM	Crane and lifting harness setup. Diver marks where red line should be?	Jeremy - Lawson Crane
	8:00 AM	Ground tarping and plywood for blocking.	I Do That
	8:00 AM	Blocking and Stands Setup. (Provided by Jon)	Jon - Arrigoni Marine Movers
	9:15 AM	Boat craning to parking lot. Boat placement and blocking.	Jeremy Jon
	Noon	External Hull 3D Mapping	Ryan - OAR Scanning
	Noon	Containment setup planning	Andy - NE Blasting
	Noon	Sunapee Interior deconstruction	Jeff - I do that
	TBD	Tentative prop shaft inspection and removal??	Peter Hill
	4:00 PM	Perimeter Fence installed	Chip - Sunapee Cruises

Wed, Feb. 7	8:00 AM	Containment Area Setup	NE Blasting
	8:00 AM	Port Engine Removal	Lee - TMS Diesel
	TBD	Sunapee Demo	I Do That
	TBD	Additional laser 3D mapping?	OAR Scanning

Start Date	Completion Date	Project	Overseer:
Wed, Feb. 7	Wed, Feb. 21	Sandblasting	NE Blasting
Thu, Feb. 22	Fri, Mar. 1	Hull Inspection and Testing	Village Forge
	Wed, Mar. 20	Hull Repair	Village Forge
	Wed, Mar. 20	Hull Anchor Holder and Door Channel	TBD
Thu, Mar. 21	Wed, Apr. 3	Hull Painting (Exterior and Interior)	
Thu, Apr. 4	Tue, Apr. 9	Prop Shafts Installed	
Wed, Apr. 10	Thu, Apr. 11	Engine, Generator, and Fuel Tank Loaded	TMS Diesel
Fri, Apr. 12	Sun, Apr. 14	Boat Launched!	Lawson Crane
	Mon, Apr. 15	Construction Completed / Permanent Weight in Place!	I Do That
Thu, Apr. 11	Mon, Apr. 15	Cintas Fire Inspection	Cintas
Mon, Apr. 15	Tue, Apr. 30	Stability Test Window - 2 day process	TBD
	Wed, Apr. 17	Sunapee Inspection Ready (clean bilge, engines and generator installed, everything hooked up and working)	
Thu, Apr. 18	Fri, Apr. 19	Marine Patrol Inspection	Marine Patrol
Tue, Apr. 30		Shakedown Cruise	
Sun, May. 5	Sun, May. 5	First Cruise!!	

TOWN OF SUNAPEE TOWN WARRANT

TO THE INHABITANTS OF THE TOWN OF SUNAPEE, County of Sullivan, in the State of New Hampshire, qualified to vote in Town Affairs:

You are hereby notified to meet in the Sunapee Middle High School Gymnasium, located on North Road, in said Sunapee, on Tuesday, the 6th day of February 2024, at 7:00 pm for the deliberative portion of the Annual Town Meeting, to discuss Articles 1 thru 16 and to discuss and amend, if deemed appropriate, Articles 17 through 43, hereinafter set forth. Final voting action on all articles shall take place by ballot on Tuesday, the 12th day of March 2024, at the Sherburne Gymnasium, Route 11, in said Sunapee. The polls shall be opened from 8:00 am to 7:00 pm.

Article 1: To choose all necessary Town Officers for the ensuing year.

1 Moderator	2 Year Term
2 Selectboard Members	3 Year Term
1 Town Clerk/Tax Collector	3 Year Term
1 Treasurer	1 Year Term
1 Supervisor of the Checklist	6 Year Term
1 Cemetery Commissioner	3 Year Term
1 Cemetery Commissioner	2 Year Term
1 Cemetery Commissioner	1 Year Term
3 Library Trustees	3 Year Term
1 Trustee of Trust Fund	3 Year Term
1 Trustee of Trust Fund	2 Year Term
2 Planning Board Members	3 Year Term
1 Planning Board Member	1 Year Term
2 Water & Sewer Commissioners	3 Year Term
2 Zoning Board Members	3 Year Term

Article 2: Shall the town vote for the adoption of Amendment No. 1, proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 1

Amend Section 2.10 – Zoning Map & Description of Districts, Section 2.30 – District Purpose and Description, Section 3.10 – Table of Dimensional Controls, Section 3.20 – Table of Dimensional Controls Overlayed, Section 4.10 – Permitted Uses – All Districts, Section 4.60 – Planned Unit Development, Section 4.80 – Workforce Housing Development, Section 5.30 – Signs – General Requirements - to create a new Georges Mills Village Commercial district within the same boundaries as the existing Village Commercial district but with different dimensional controls and uses.

Full amended text of Section 2.10 – Zoning Map and Description of Districts will be as follows:

GMVC	-	<i>Georges Mills Village Commercial District</i>
VC	-	Village-Commercial District
VR	-	Village-Residential District
MI	-	Mixed Use I District
MII	-	Mixed Use II District
MIII	-	Mixed Use III District
R	-	Residential District
RR	-	Rural-Residential District
RL	-	Rural Lands District

Full amended text of relevant portions of Section 2.30 – District Purpose and Description will be as follows:

Village-Commercial Districts – The Village-Commercial Districts in the Town of Sunapee are patterned after the typical New England Town Centers. These areas are characterized by the highest densities of land use and also contain the mix of land uses associated with village centers, including commercial, public, institutional, and both single-family and multi-family land uses.

In general, the two Village Commercial Districts are located in Sunapee Village (including Sunapee Harbor and Lower Village Area) and in Georges Mills (*the Georges Mills Village Commercial District*), and are further described as follows:

Georges Mills Village-Commercial District –

In Georges Mill Village, the *Georges Mills Village-Commercial District* is centered at a point at the intersection of Route 11 and Springfield Road and includes all the lands within a 600' radius of said point.

Village-Residential District –

In Georges Mills Village, the Village Residential District begins at the intersection of Springfield Road and Oak Ridge Road and goes due west 1200', thence southerly to the intersection of Route 11 and the northerly terminus of Jobs Creek Road, then east-southeasterly to the shore of Lake Sunapee, then northerly along the shore of Lake Sunapee to the arc which defines the *Georges Mills Village-Commercial District*, thence westerly/northerly/easterly along the arc which defines the *Georges Mills Village-Commercial District* to the intersection with Springfield Road, thence northerly along Springfield Road to the point of beginning.

Residential District –

In the area surrounding Georges Mills Village, the Residential District begins at a point where the Towns of Sunapee, New London, and Springfield meet and goes southerly along the New London/Sunapee town line to the northerly shore of Lake Sunapee, thence northwesterly to the northerly intersection of Route 11 and Jobs Creek Road, thence northwesterly to the end of Meadow Brook Road, thence northerly to the Springfield town line at a point 600' westerly of Stony Brook Road, thence along the Sunapee/Springfield town line easterly to the point of beginning. This district includes all the lands within the area described above with the exception of the above with the exception of the Village-Commercial, *Georges Mills Village-Commercial* and Village-Residential areas described above.

Full amended text for a portion of Section 3.10 – Table of Dimensional Controls will be as follows:

Add a column titled “Georges Mills Village-Commercial” with the following dimensions:

Minimum Lot Size = 0.5 Acres

Maximum Residential Density = 1 du/7,000 sf

Minimum Road Frontage = 75’

Minimum Front Setback (Rt 11, 103, 103B) = 75’

Minimum Front Setback (All other roads as defined in Article XI) = 40’

Side and Rear Setbacks for lots meeting or exceeding minimum lot size or lots which are not pre-existing = 10’

Side and Rear Setbacks for Pre-existing lots below minimum size – existing lots = 10’

Maximum Lot Coverage = 65%

Maximum Structure Height = 40’

Full amended text for a portion of Section 3.20 – Table of Dimensional Controls – Districts Overlayed will be as follows:

Add a column titled “Georges Mills Village-Commercial” with the following dimensions:

Minimum Lot Size (Shorelines) = 1.0 Acres

Minimum Lot Size (Aquifer) = 2.0 Acres

Minimum Lot Size (Wetlands) = 1.5 Acres

Maximum Lot Coverage (Shoreline Impermeable) = 45%

Maximum Lot Coverage (Shoreline Permeable & Impermeable Combined) = 65%

Maximum Lot Coverage (Aquifer) = 20%

Maximum Lot Coverage (Wetlands) = 0%

Full amended text for a Portion of Section 4.10 – Permitted Uses – All Districts will be as follows:

Georges Mills Village-Commercial District (GMVC)

Permitted by Right:

Accessory Uses

Bed & Breakfast

Inns

Home Business

Home Occupation

Single Family Dwellings

Two Family Dwellings

Multi-Family Dwellings (3 to 5 Units)

Municipal Buildings & Facilities

Museums & Galleries

Post Offices

Retail (Up to 2,000 SF/per lot)

Professional Offices and Clinics

Short Term Rentals Owner-in-Residence (STR-OIR)

Short Term Rentals Owner-Not-in-Residence
(STR-ONIR)

Permitted by Special Exception:

Restaurants (excluding Drive-in & Drive-Thru Restaurants)

Parking Lots up to 15 spaces

Full amended text for Section 4.60(B)(4) – Planned Unit Development – General Requirements will be as follows:

(4) Permissible Zoning Districts – A Planned Unit Development is permitted in the Village-*Commercial*, Mixed-Use, and Rural-Residential Zoning Districts.

Full amended text for Section 4.80(C)(5) – Workforce Housing Development – General Requirements will be as follows:

(5) A Workforce Housing Development is permitted in the Village-*Residential*, Mixed-Use, and Rural-Residential zoning districts.

Full amended text for Section 5.31 – Sign Regulations – General Requirements – Size will be as follows:

5.31. **Size.** Signs in the Residential, Rural-Residential, Rural Lands, and Mixed-Use Districts shall not exceed 48 square feet per side and total signage on any given lot may not exceed 96 square feet. Signs in the Village-*Commercial*, *Georges Mills Village-Commercial*, and Village-Residential Districts shall not exceed 24 square feet per side and total signage on any given lot may not exceed 48 square feet. Total signage includes any signs attached to the exterior of the buildings. Any structure or device used as a sign base or carrier will be considered in the square footage calculation.

Article 3: Shall the town vote for the adoption of Amendment No. 2, proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 2

Amend Article II, Section 2.30 – District Purpose and Description – Water Resources Overlay District – Shorelines - to add Otter Pond Brook to the list of protected waterways. The State of New Hampshire DES considers it a fourth-order stream similar to the Sugar River which is already named.

Full amended text of Section 2.30 – District Purpose and Description – Shorelines will be as follows:

3) Shorelines – The Shoreline Overlay District shall be defined as all lands within 250 feet of lakes and ponds greater than 10 acres, ~~and~~ the Sugar River *and Otter Pond Brook* (fourth order streams) as shown on the Shoreline Overlay District Map on file in the Office of the Planning Board *and available on the Town of Sunapee Geographic Information Systems (GIS).*

Article 4: Shall the town vote for the adoption of Amendment No. 3, proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 3

Amend Article III, Section 3.10 – Table of Dimensional Controls – Maximum Residential Density - to allow for a greater density in Village (Commercial & Residential) Districts by changing requirement to 1 dwelling unit/7,000 square feet of land area.

Full amended text of a portion of Section 3.10 – Table of Dimensional Controls will be as follows:

Maximum Residential Density	Village Commercial	1 du/ 40,000 7,000 Square Ft.
	Village Residential	1 du/ 40,000 7,000 Square Ft.

Article 5: Shall the town vote for the adoption of Amendment No. 4, proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 4

Amend ordinance by deleting Article III, Sections 3.40(l) & 3.40(n) – Additional Requirements and Amending Article II, Section 2.30 – District Purpose and Description – Water Resources Overlay Districts and Add Section 4.34 – Steep Slope District – Specific Provisions - to create a new steep slope overlay district that will regulate construction on slopes exceeding 15%.

Full amended text of a portion of Section 2.30 – District Purpose and Description – Water Resources Overlay District will be as follows:

Water Resources Overlay Districts – This district is comprised of ~~three~~ four areas determined by naturally occurring phenomena. ~~This is an~~ These are overlay districts; ~~its~~ their boundaries are independent but contained within the ~~five~~ districts described above. The ~~three~~ four areas comprising the Water Resources Overlay Districts are:

4) Steep Slopes – *The Steep Slope Overlay District is defined as all those areas mapped having a slope of 15% and an elevation change of at least 20'. This map has a title of "Steep Slope Overlay District Map of the Town of Sunapee" and will be available in the Sunapee Planning/Zoning Office and available on-line as part of the Sunapee Geographic Information Systems (GIS). If the applicant does not feel that the mapping is accurate, said applicant may hire a licensed land surveyor or licensed professional engineer to complete an on-site topography to accurately show the slopes.*

Full new text of Section 4.34 – Steep Slope District – Specific Provisions will be as follows:

4.34 – Steep Slope District – Specific Provisions

A) The following standards shall apply to all construction on slopes between 15% and 25%:

- 1) An erosion control plan per the specifications in Section 4.33(B)(8)(a)(I) must be submitted to the Town of Sunapee for all land disturbance over 1,000 square feet. If the land disturbance exceeds 5,000 square feet in area, the erosion control plan shall be prepared by a New Hampshire licensed professional engineer and submitted to the Town of Sunapee.*

- 2) *Land clearing in excess of 100,000 square feet that does not involve land disturbance must have an erosion control plan by a New Hampshire licensed professional engineer and be submitted to the Town of Sunapee.*
- 3) *All temporary erosion control measures must remain in place until the site is stabilized.*
- 4) *A maintenance program for the above must be included and endure for the life of the project. It is the land owner's obligation to provide proof of adherence to this maintenance program on a regular basis and upon request by the Town of Sunapee.*

B) The following standards shall apply to all construction on slopes between 25% and 35%:

- 1) *An erosion control plan by a New Hampshire licensed professional engineer must be submitted to the Town of Sunapee if the land disturbance exceeds 200 square feet in area.*
- 2) *Land clearing in excess of 20,000 square feet that does not involve land disturbance shall have an erosion control plan prepared by a New Hampshire licensed professional engineer and be submitted to the Town of Sunapee.*
- 3) *Permanent stormwater control measures including retention areas, rain gardens, and/or infiltration structures must be designed by a New Hampshire licensed professional engineer and submitted to the Town of Sunapee for all projects with more than 2,000 square feet of impervious area.*
- 4) *All temporary erosion control measures must remain in place until the site is stabilized.*
- 5) *A maintenance program shall be part of the professional engineer's design and must be executed indefinitely. It is the land owner's obligation to provide proof of adherence to this maintenance program in conjunction with the professional engineer to the Town of Sunapee. A brief overview of the requirements of the maintenance program shall be filed with the Sullivan County Registry of Deeds.*

C) The following standards shall apply to all slopes greater than 35%.

- 1) *There shall be no land disturbance or construction.*
- 2) *All land clearing in excess of 10,000 square feet shall have an erosion control plan by a New Hampshire licensed professional engineer and be submitted to the Town of Sunapee. Forestry activities shall follow best management practices for erosion and sedimentation control.*
- 3) *A maintenance program for the above must be included and endure the life of the project. It is the land owner's obligation to provide proof of adherence to this maintenance program on a regular basis and upon request by the Town of Sunapee.*

Article 6: Shall the town vote for the adoption of Amendment No. 5 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 5

Amend Article III, Section 3.50(l) – Special Exceptions - to clarify language in subsections 4 & 5 on how this exception may be applied to the relocation of non-conforming structures.

Full amended text of Section 3.50(l) will be as follows:

- (l) The ZBA shall allow any legal structure, whether a pre-existing, non-conforming structure *due to a dimensional setback* or a structure approved by prior variance or special exception, ~~which presently non-conforming to one or more dimensional setbacks~~ to be relocated, reconstructed, modified, or replaced by a new structure having the same purpose and use, provided that
- 1) The proposed structure's non-conformity ~~shall be lessened as determined by its location further from to one or more property boundaries, or the water body, from which the dimensional setback the structure is non-conforming to is established~~ is reduced; and
 - 2) The proposed structures non-conformity shall not be increased as determined by its location closer to one or more property boundaries or the water body reference line, from which the dimensional setback the structure is non-conforming to is established; and
 - 3) The proposed structure is no higher than the greater of 25' from the finished grade at its highest point within any setback or the maximum structure height applicable to the existing structure that may have been permitted by a prior Special Exception or Variance approved the Zoning Board of Adjustment; and
 - 4) The *non-conforming, horizontal square footage of the* proposed structure is ~~of the same as or less than the non-conforming,~~ horizontal square footage of the existing structure, and
 - 5) ~~If the proposed structure is (a) in a water body setback and (b) widened relative to the existing structure on the side most closely parallel to the shoreline, the area directly behind and between it and the buildable area of the property is of no greater square footage than the comparable area associated with the existing structure~~ *Special exception 3.50(k) may not be used in conjunction with 3.50(l) for this application and may not be applied to the relocated square footage at any time in the future, and*
 - 6) If the proposed structure is non-conforming to a water body setback, it is at least 25' from the water body at all points where the structure is proposed; and
 - 7) ~~If the project is in the Shoreline Overlay District, a~~ A drainage and erosion control plan is prepared by a licensed professional engineer ~~shall be submitted with the special exception application as part of the application and~~ 8) Approval of a special exception under this provision is contingent upon receipt of and an approved Shoreland Water Quality Protection Act (SWQPA) permit ~~must be obtained prior to approval of the Certificate of Zoning Compliance, and~~
 - 9) 8) Approval of a special exception under this provision is contingent upon receipt of all state and local permits to ensure compliance with Article VII of this Ordinance ~~and any related permits must be obtained prior to issuance of the Certificate of Zoning Compliance.~~

Article 7: Shall the town vote for the adoption of Amendment No. 6 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 6

Amend Article IV, Section 4.33(B)(8)(b)(I)(1) – Shorelines – Specific Provisions - by applying the cutting exemptions listed in 4.33(B)(8)(b)(VII) to 4.33(B)(8)(b)(I)(1) and adding hazardous trees to the list of trees exempt from Planning Board review.

Full amended text of Section 4.33(B)(8)(b)(I)(1) will be as follows:

- (I) A cutting and clearing plan shall be subject to the approval of the Planning Board for the following:
 - (1) Cutting within the Natural Woodland Buffer of more than five (5) trees in any 12-month period or ten (10) trees in any 5-year period having a diameter of six (6) inches or more at a point 4.5 feet above the existing ground. Trees that are determined by an arborist, forester, or Selectmen's agent to be dead, diseased, *hazardous* or dying are exempt from this requirement provided this determination is filed with the Selectmen's agent. *Trees that are considered exempt in the construction area described in subsection VII below are also considered exempt from this section.*

Article 8: Shall the town vote for the adoption of Amendment No. 7 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 7

Amend Article IV, Section 4.33 – Shorelines – Specific Provisions – Erosion Control - to limit what land disturbance is allowable within the 50' shoreline buffer.

Full new text of Section 4.33(B)(8)(b)(VIII) will be as follows:

- (VIII) *The existing grade within the 50' shoreline setback must remain unaltered unless, as part of a construction project, retaining walls must be installed to stabilize a steep slope area. Any level areas created by these walls must be re-vegetated with native species. Patios and grassed areas may only be created in the 10' exempted area around the structure as noted in subsection VII. Dock construction and beach replenishment projects that are approved by the State of New Hampshire DES are exempt from this requirement. A 4' wide pervious path is exempt from this requirement. Land disturbance for planting of trees, shrubs or other native plant species is allowed provided that it is done by non-mechanical means.*

Article 9: Shall the town vote for the adoption of Amendment No. 8 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 8

Amend Article IV, Section 4.90 – Accessory Dwelling Unit - to allow for Accessory Dwelling Units to be placed in detached structures and require the owner to be in residence if the ADU is used for a short-term rentals.

Full amended text Section 4.90 (C) – Accessory Dwelling Unit will be as follows:

- 1) An ADU will be permitted in all districts by special exception. The special exception will be based on items 2-9 in this section and not the requirements found in Section 4.15 (Amended 3/10/2020)
- 2) Only one (1) ADU is allowed per single family dwelling unit.
- 3) Owner occupancy is required in the main unit or ADU
- 4) The ADU cannot be larger than 1,000 square feet. ~~It must be within or attached with heated space to the single family dwelling and there must be a connecting door between units~~
- 5) Setback dimensions for the ADU must meet the same guidelines as the single-family unit.
- 6) The ADU ~~addition~~ must comply with existing lot coverage standards as specified elsewhere in this Ordinance.
- 7) There shall not be more than 2 bedrooms in the ADU.
- 8) Septic designs and sewer hook-ups shall accommodate the number of bedrooms as required by Article VII of this ordinance.
- 9) Proper off-street parking must be provided per section 3.40(e) of this Ordinance.
- 10) *If an ADU is used as a short-term rental, the owner must be on the property during the time of the rental.*

Article 10: Shall the town vote for the adoption of Amendment No. 9 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 9

Amend Article IV, Section 4.95 – Short-term rentals - to confirm the maximum allowed occupancy and parking, and to stipulate what accessory structures are allowed to be used as short-term rentals.

Full amended text of Section 4.95 will be as follows:

For the purposes of this section, Short-term rentals shall include any single-family residence, two-family residence, or single-family residence with an additional room for rent. It shall not include bed & breakfasts, inns, or hotels/motels.

Short-term rentals shall meet the following standards:

- 1) Short-term Rentals Owner-in-Residence (STR-OIR) are allowed in all zoning districts. Short-term Rentals Owner-Not-in-Residence (STR-ONIR) are allowed in all the Mixed-Use Districts, Village-Commercial, *Georges Mills Village-Commercial*, Village-Residential and Residential Districts. They are permitted only ~~be~~ by Special Exception in the Rural-Residential District and prohibited in the Rural Lands District.
- 2) Occupancy shall be limited to two persons per ~~approved bedroom~~ *the number of bedrooms shown on the town assessing property card* plus one additional person per unit. *At no time shall a STR have an occupancy greater than 16 persons.*
- 3) The number of bedrooms used at the property must conform to the permit requirements from either the State of New Hampshire Department of Environmental Services Water Division Subsurface Systems Bureau (property on septic system) or the Sunapee Water and Sewer Department (property on municipal sewer).
- 4) Short-term rentals of single-family dwellings in their entirety (STR-ONIR) do not require Site Plan Review.
- 5) Short-term rentals with owners in residence (STR-OIR) do not require Site Plan Review.
- 6) Short-term rentals with owners not in residence (STR-ONIR) in either a single-family dwelling with an additional room for rent or a two-family dwelling requires Site Plan Review.
- 7) Short-term rentals that require Site Plan Review may apply via the Home Business requirements (Article V, Section D) in the Site Plan Review regulations.
- 8) Parking shall be 1 space/bedroom and a parking plan shall be submitted for review and approval. *The number of cars on the property during overnight quiet hours specified in the Sunapee Noise Ordinance shall not exceed the number of bedrooms in the STR.*
- 9) The exterior of the property must maintain a residential character.
- 10) Short-term rentals must comply with any registration process set forth by the Board of Selectmen.
- 11) A travel trailer, boat, *recreational vehicle, tent*, or other mobile enclosure shall not be used as a short-term rental. *These mobile enclosures shall also not be used to increase occupancy of the STR.*
- 12) Outside trash receptacles must be screened and meet the building setbacks in the district in which they are located.

Article 11: Shall the town vote for the adoption of Amendment No. 10 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 10

Amend Article IV, Section 4.95 – Short-term rentals - to limit the amount of time a short-term rental with an owner not in residence (STR-ONIR) may be operated to 120 days during a 12-month period.

The full new text of Section 4.95(13) will be as follows:

13) An STR-ONIR shall not be operated as a short-term rental more than 120 days in a 12-month period.

Article 12: Shall the town vote for the adoption of Amendment No. 11 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 11

Amend Article VIII, Section 8.21(h) – Certificate of Zoning Compliance – Permit - to reduce the threshold for requiring certificates of zoning compliance for interior renovations to \$15,000

The full amended text of Section 8.21(h) will be as follows:

(h) interior renovations in excess of ~~\$25,000~~ \$15,000 not included in (a)-(g) above (no fee will be required for a permit under this subsection)

Article 13: Shall the town vote for the adoption of Amendment No. 12 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 12

Amend Article VIII, Section 8.25 – Revocation or Lapse of Building Certificate - to extend validity of Certificate of Zoning Compliance to 24 months

The full amended text of Section 8.25(b) will be as follows:

8.25 Revocation or Lapse of ~~Building~~ Certificate of Zoning Compliance

- (b) *If a construction project for which a Certificate of Zoning Compliance has been issued is not substantially completed after 24 (twenty-four) months, the Selectmen or Agent shall, at the expiration of 12 months during which no earnest or substantial effort has been made to carry out the construction or alterations authorized in a certificate of zoning compliance, declare and send notice to the holder thereof that said Certificate has lapsed. Said Certificate may be reinstated provided new application and fees are submitted on application of the proposed user to the Selectmen or Agent. Reinstatement of the Certificate will be subject to the approval status of any previously issued Special Exception or Variance from the ZBA or Site Plan Review of the Planning Board.*

Article 14: Shall the town vote for the adoption of Amendment No. 13 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 13

Amend Article XI – Definitions – Marina - to update the definition of a Marina

Full amended text of Article XI – Marina will be as follows:

Marina – A waterfront facility whose ~~principal~~ use is the provision of publicly available services for the securing, launching, storing, servicing ~~or repairing or sales~~ of watercraft or other marine equipment. *A marina may include sales of watercraft or other marine equipment, however, a non-waterfront commercial business that sells watercraft or other marine equipment is considered a retail use and not a marina use per Article IV of this ordinance.* A facility for short-term docking that is ancillary to other land uses is ~~considered a commercial use and~~ not a marina.

Article 15: Shall the town vote for the adoption of Amendment No. 14 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 14

Amend Article XI – Definitions – Structures - to address what constitutes a temporary structure and require that they be on-site for no more than 90 days in a 12-month period.

Full amended text of Article XI – Structures will be as follows:

Structure – Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Structure includes but is not limited to a house, garage, deck, shed, building, swimming pool, billboard, pier or wharf. It shall not include a minor structure or landscaping feature such as a driveway, walkways, patios, rock walls and retaining walls less than 42” in height. *It also shall not include temporary structures provided they are not on site more than 90 days in a 12 month period, do not exceed 200 square feet and are placed to meet the zoning setback of the district they are located.*

Article 16: Shall the town vote for the adoption of Amendment No. 15 proposed by the Planning Board for the Town Zoning Ordinance as follows:

Amendment No. 15

Amend Article XI – Definitions – Structures, Minor - Amend Article XI – Definitions – Structures, Minor - to limit the number of platforms/stairs that can be considered minor structures and add bob-houses/ice-fishing shanties to the list.

Full amended text of Article XI – Structures, Minor will be as follows:

Structure, Minor – A minor structure is exempt from the terms of this Ordinance and shall not require a Certificate of Zoning Compliance. Minor structures shall include the following:

- (1) Fence measuring less than five (5) *feet* high from the ground surface provide that the fence is constructed in such a manner as to allow the fence owner the ability to maintain both the fence and fence owner's land, if any, on the neighbor's side of the fence.
- (2) Mail Box
- (3) Flag Pole
- (4) Dog House
- (5) Thirty-two (32) square foot open platform and associated stairs, which is no more than four (4) feet ~~of~~ off the ground and is used for access to a structure. *Only one of these platform/stair structures per lot shall be considered as a minor structure.*
- (6) Gym/swing sets for private residential use.
- (7) Pergolas (8'x10' maximum footprint)
- (8) *Bob houses or ice-fishing shanties that do not exceed 150 square feet*

Article 17: Are you in favor of the Town raising and appropriating the sum of up to \$100,000 (gross budget) for the preparation and revisions of a Watershed Management Plan for the Perkins Pond Watershed that will qualify the Town for federal and state funds ("the Project"); and to authorize \$100,000 of such sum to be raised by the issuance of serial bonds and notes under and in compliance with the provisions of the Municipal Finance Act (NH RSA 33:1 et. seq., as amended); to authorize the Town of Sunapee Selectboard to issue and negotiate such bonds or notes to determine the date, maturities, interest rate, and other details of such bonds or notes as shall be in the best interest of the Town; to authorize the Town of Sunapee Selectboard to apply for, accept, and expend any federal, state, or private funds that may become available in respect of the Project, including but not limited to the State Revolving Fund pursuant to RSA 486:14 established for this purpose, to reduce the amount that must be bonded or to pay debt service on such bonds or notes; and further to raise and appropriate the amount of \$2,000 for the initial debt service payment due in the upcoming fiscal year. It is anticipated that the Town will receive up to \$100,000 in principal forgiveness, with minimal or no impact on the tax rate. ***Recommended by the Selectboard.*** (3/5 Ballot Vote Required)

This warrant article does not affect the tax rate.

Article 18: Are you in favor of the Town raising and appropriating the sum of up to \$1,050,000 (gross budget) for the engineering, permitting, construction and installation of new water mains at five Route 11 crossings and on Lower Main Street, and for the design, engineering and permitting to replace water mains on High Street, Central Street and Route 103B (collectively, “the Project”), and to authorize the issuance of not more than \$1,050,000 of bonds or notes in accordance with RSA 33, the Municipal Finance Act; to authorize the Sunapee Selectboard to issue and negotiate said bonds or notes and to fix the date, maturities, denominations, interest rate and other details of said bonds or notes as shall be in the best interest of the Town, to authorize the Sunapee Selectboard to apply for, accept and expend any federal, state or private funds that are available in respect of the Project, including but not limited to the State Revolving Fund pursuant to RSA 486:14, to reduce the amount that must be bonded or to pay debt service on such bonds or notes? ***Recommended by the Selectboard*** (3/5 Ballot Vote Required)

This warrant article does not affect the tax rate.

Article 19: To hear the reports of the Sunapee Selectboard, Treasurer, Auditors, Committees, and/or other officers hereto chosen.

This warrant article does not affect the tax rate.

Article 20: Shall the Town raise and appropriate, as an operating budget, not including appropriations by special warrant articles, nor other appropriations voted separately, the amounts as set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein totaling \$10,116,713.76? Should this article be defeated, the default budget shall be \$9,520,702.95, which is the same as last year, with certain adjustments required by the previous action of the Town of Sunapee or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. ***Recommended by the Selectboard.***

This warrant article does affect the tax rate (estimated impact \$0.54) and is included in the estimated 2024 tax rate of \$2.44.

Article 21: Shall the Town establish the Sunapee Fire Department Personnel Expendable Trust Fund for the purpose of supporting the expansion of the Sunapee Fire Department to full-time coverage and raise and appropriate the sum of \$420,000 to be placed in the fund, the entire amount to come from an anticipated gift to the Town; further to name the Selectboard as agents to expend from the fund.

The intent of this article is to expand the department to one full-time fire chief, one full-time 24-hour, 365 days a year houseperson, and one 24-hour, 365 days a year per diem position. If approved, it is the intent that these positions will be included in future operating and default budgets after termination of the above fund distribution, which would have an impact on taxes in the future. ***Recommended by the Selectboard.***

Article 22: Shall the Town raise and appropriate the sum of \$58,000 to make the current part-time Recreation Director a full-time fully benefited position?

The current budgeted hours provide 34 hours a week. This will bring the position to 40 hours a week. This sum covers 9 months of wages and benefits. If approved, it is intended that this funding will remain as part of the operating and default budget for the future. *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.02) and is included in the estimated 2024 tax rate of \$2.44.

Article 23: Shall the Town raise and appropriate the sum of \$141,750.00 to be added to the Highway and Transfer Station Equipment Capital Reserve Fund previously established? (There is currently \$174,097.00 in said reserve fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.06) and is included in the estimated 2024 tax rate of \$2.44.

Article 24: Shall the Town raise and appropriate the sum of \$120,750.00 to be added to the Fire Apparatus and Equipment Capital Reserve Fund previously established? (There is currently \$721,332.94 in said reserve fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.05) and is included in the estimated 2024 tax rate of \$2.44.

Article 25: Shall the Town raise and appropriate the sum of \$105,000.00 to be added to the Town Road Bridges Capital Reserve Fund previously established? (There is currently \$164,616.52 in said reserve fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.04) and is included in the estimated 2024 tax rate of \$2.44.

Article 26: Shall the Town raise and appropriate the sum of \$26,250.00 to be added to the Used Highway Equipment Capital Reserve Fund? (There is currently \$43,478.82 in said reserve fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.01) and is included in the estimated 2024 tax rate of \$2.44.

Article 27: Shall the Town raise and appropriate the sum of \$52,500.00 to be added to the Highway Garage Infrastructure Improvements Capital Reserve Fund previously established? (There is currently \$101,466.16 in said reserve fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.02) and is included in the estimated 2024 tax rate of \$2.44.

Article 28: Shall the Town raise and appropriate the sum of \$50,000 to be added to the Town Buildings Maintenance Capital Reserve Fund previously established? (There is currently \$132,233.61 in said reserve fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.02) and is included in the estimated 2024 tax rate of \$2.44.

Article 29: Shall the Town raise and appropriate the sum of \$8,000 to be placed in the Milfoil Control Non-Capital Reserve Fund previously established? (There is currently \$10,923.23 in said reserve fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.003) and is included in the estimated 2024 tax rate of \$2.44.

Article 30: Shall the Town raise and appropriate the sum of \$4,200.00 to be added to the Cemetery Expendable Trust Fund previously established for the general maintenance and care of burial lots of the Cemeteries, and to authorize the transfer of said sum from the December 31, 2023, Unassigned Fund Balance? (There is currently \$75,193.84 in said trust fund.) *Recommended by the Selectboard.*

Note: The appropriation of \$4,200.00 is funded by the sale of plots.

This warrant article does not affect the tax rate.

Article 31: Shall the Town raise and appropriate the sum of \$10,000 to be placed in the Conservation Commission Fund previously established, to be used for conservation purposes in accordance with RSA 36-A? (There is currently \$239,189.13 in said fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.004) and is included in the estimated 2024 tax rate of \$2.44.

Article 32: Shall the Town raise and appropriate the sum of \$50,000.00 to be placed in the Veteran's Field Capital Reserve Fund previously established? (There is currently \$69,170.59 in said reserve fund.) *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.02) and is included in the estimated 2024 tax rate of \$2.44.

Article 33: To see if the Town will vote to establish Town Dock and Boat Launch Repair and Maintenance Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of repairing and maintaining the Town's docks and boat launches and to raise and appropriate the sum of \$200,000 to be placed in this fund; further to name the Selectboard as agents to expend from the fund. *Recommended by the Selectboard.*

This warrant article does affect the tax rate (estimated impact \$0.08) and is included in the estimated 2024 tax rate of \$2.44.

Article 34: Shall the Town raise and appropriate the sum of \$200,000 to purchase and equip a new roll-off truck for the Transfer Station, authorize the withdrawal of up to \$200,000 from the Highway and Transfer Station Capital Reserve Fund for this purpose (there is currently \$174,097.00 in said fund), authorize the sale or trade-in of the existing roll-off truck, and authorize the use of said trade-in or sale to reduce the amount withdrawn from said fund?

This article is contingent upon the town meeting's approval of Article 23, to raise and appropriate the sum of \$141,750.00 for the Highway and Transfer Station Capital Reserve Fund. If that article is defeated, this article will be void and no appropriation will be made. *Recommended by the Selectboard.*

Article 35: Shall the Town raise and appropriate the sum of \$20,700.00 to be placed in the Town Road Bridges Capital Reserve Fund to fund future bridge repairs, the entire amount to come from unrestricted fund balance. This represents the amount received from the Federal Emergency Management Agency (FEMA) as reimbursement for damages incurred in the 2021 flood event. *Recommended by the Selectboard.*

This warrant article does not affect the tax rate.

Article 36: Shall the Town raise and appropriate the sum of \$125,000 to purchase and equip a new dump truck for the Water & Sewer Department; authorize the withdrawal of up to \$125,000 from Water & Sewer Replacement Funds established for this purpose, authorize the sale of trade-in of the existing dump truck, and authorize the use of said trade-in or sale to reduce the amount withdrawn from said fund? *Recommended by the Selectboard.*

This warrant article does not affect the tax rate.

Article 37: Shall the Town raise and appropriate the sum of \$250,000 to construct a garage for the Freightliner truck at the wastewater treatment plant, by authorizing the withdrawal of \$250,000 from the Sewer Capital Improvement Fund in accordance with the official established purpose of this fund. *Recommended by the Selectboard.*

This warrant article does not affect the tax rate.

Article 38: Shall the Town adopt the ordinance proposed by the Selectboard, pursuant to RSA 31:39-c, to establish a system for the administrative enforcement of violations of town codes, ordinances, bylaws, and regulations and for the collection of penalties, to be used prior to the service of a formal summons and complaint? A copy of the proposed ordinance will be placed on file at the town clerk's office and will be available for voters at the meeting place at the date and time of both sessions of the annual meeting. *Recommended by the Selectboard.*

This warrant article does not affect the tax rate.

Article 39: Shall the Town vote to clarify language from the 2018 Town approved Public Safety Revolving Fund making it known that the fund is for use by Police, Fire, and Highway in connection with special events, special details, pistol permit fees, ambulance services, fire services, highway construction projects, and other public safety related projects in accordance with RSA 31:95-h?

Such funds may be expended for the payment of expenses and activities and services supported for the purposes for which the fund was created. Revolving money may accumulate from year to year and is not considered part of the Town's general surplus. All moneys in these revolving funds must be in the custody of the Town Treasurer, who shall pay out from the fund only upon orders of the governing body. No further approval of the legislative body is required for the use of the funds. ***Recommended by the Selectboard.***

**This article is per the recommendation of the 2021 and 2022 Audits.*

This warrant article does not affect the tax rate.

Article 40: Shall the Town adopt RSA 41:11-a, III to authorize the Selectboard to rent or lease municipal property for a term of up to 5 years without further vote or ratification of the town. Once adopted, this authority shall remain in effect until specifically rescinded by the legislative body at any duly warned meeting provided that the term of any lease entered into prior to the rescission shall remain in effect. ***Recommended by the Selectboard.***

This warrant article does not affect the tax rate.

Article 41: Shall the town adopt the provisions of RSA 31:95-c to restrict 100% of revenues from drug forfeitures to expenditures for the purpose of equipping of police cruisers and procuring police equipment? Such revenues and expenditures shall be accounted for in a special revenue fund to be known as the Drug Forfeitures Special Revenue Fund, separate from the general fund. Any surplus in said fund shall not be deemed part of the general fund accumulated surplus and shall be expended only after a vote by the legislative body to appropriate a specific amount from said fund for a specific purpose related to the purpose of the fund or source of revenue. ***Recommended by the Selectboard.*** (Majority Ballot Vote)

**This article is per the recommendation of the 2021 and 2022 Audits.*

This warrant article does not affect the tax rate.

Article 42: Shall the Town vote to adopt how the voters want to have their votes counted after each election.
(select one)

- * Paper Ballot – Dominion, closed source tabulating machine
- * Paper Ballot-VotingWorks, open source tabulating machine
- * Paper Ballot – Hand counted with verified count.

(This will not impact property taxes)

By Petition.

Not recommended by the Selectboard.

In 1999, the Town passed Article 20 granting the Town permission “to purchase a vote tabulating system for use by the Town and School District to tabulate votes in a timely and accurate fashion.”

Article 43: Shall the Town vote to adopt Petitioned Warrant Article 1 results, for either the VotingWorks tabulator or a Hand counting of the ballots, the Town government will Respect and adhere to the decision of the voters and purchase the VotingWorks tabulating machine if that was the decision of the voters or create procedures for hand counting of the voters ballots with verification, if that is what the decision of the voters.
(Select Yes or No). (This will not impact property taxes)

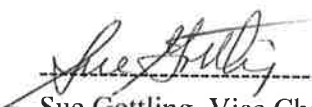
By Petition.

Not recommended by the Selectboard.

The choice of a ballot-counting device is the sole responsibility of the selectmen. The New Hampshire Secretary of State's office, in a message to election officials dated September 19, 2023, stated, "Please be advised that New Hampshire law requires the governing body [the board of selectmen] to vote to adopt a new device in a properly noticed public meeting and to send the Secretary of State a notice of that decision, clearly specifying which make and model of ballot counting device will be used in that town/city."

Signed by the Sunapee Selectboard on January 22nd, 2024

Carol Wallace, Chair



Sue Gottling, Vice Chair



Jeremy Hathorn



Josh Trow



Fred Gallup