

Town of Hampton Falls

PRESENT: M. J. Caruso, Chairman; F. J. Ferreira, Jr., Selectman; E. N. Small,
Town Administrator; L. A. Ruest, Administrative Assistant

PUBLIC HEARING ON THE LCHIP GRANT AND HURD FARM EASEMENT: Conservation Commission members T. Beattie, T. Devouton and Karen Ayers were present. M. J. Caruso opened the public hearing. T. Beattie provided an overview of the work completed through the Rockingham County Conservation District and state and federal agencies. Hampton Falls has joined Hampton in this effort and is looking to obtain a conservation easement for two parcels comprising of 23 acres along the Taylor River. This parcel is basically wetland; however, acquisition would preserve open space, wildlife and protection to the river. An appraisal was prepared. The Commission did not agree with the appraisal and offered \$12,000 (of which \$3,000 is for survey work) as counter to the \$22,000. M. J. Caruso confirmed that the intent is to secure an easement only (to include language of rights to use for certain purposes). K. Ayers noted that the use has been for hunting, fishing, hiking, etc. She added that there is passive recreation use on the Hampton side. Counsel is currently reviewing the easement deed the Town will ultimately hold in conjunction with the Trust for Public Lands.

Hearing no further comments or questions, M. J. Caruso closed the public hearing. E. N. Small will check with counsel as to whether this hearing was properly noticed. This matter is continued to the Board's meeting of March 2 for vote of a full Board.

FRANK DEPETERS – SANBORN ROAD LOT: Frank and Jane Depeters were present. Mr. Depeters explained that he has entered into a contract to purchase Map 6, Lot 4 on Sanborn Road. Approvals have been received from the Zoning Board and Planning Board to build one house. He identified the proposed location for the house and indicated that he is seeking consideration of the Board to allow placement of a driveway and power lines across town-owned land, rather than from the frontage area of the lot. Mr. Depeters noted that the requested location would reduce disturbance of wetlands and allow for a straight access for emergency purposes. It would also address a concern raised by a neighbor of lights shining into his home.

He referred the Board to a copy of the plan showing the two proposed driveway locations. He also identified the parcel area owned by the Town. Review of the deed relating to the town-owned parcel took place. Specific restrictions were placed on this gift of land to the town. The Board considered this request, however, could not allow it given the deed restriction of "shall never in any fashion be built upon." M. J. Caruso stated that the Board does not have the latitude to consider this request. He also noted issues of insurance/liability and the need for counsel to review. He further stated that the Depeters do have access without disturbing town land. This decision relates to the request for power lines as well. Mr. Depeters thanked the Board for its time and consideration.

• **OLD BUSINESS**

REVIEW AND APPROVAL OF PREVIOUS MINUTES:

MOTION: To approve the minutes of the February 2 meeting as written.

MOTION: F. J. FERREIRA, JR.
SECOND: M. J. CARUSO

FINANCIAL REPORTS-GENERAL FUND BALANCE: E. N. Small reported a general fund balance of \$1,056,000.

WEBSITE READY FOR DISPLAY ON ELECTION DAY: It is anticipated to have the Town website up and running on Election Day for voters to see.

TOWN SEAL: This matter will be added to the next agenda.

TOWN REPORT AND DISTRIBUTION OF SAMPLE BALLOTS: The Town report is close to completion and is expected to be turned over to the printer on Friday.

OBSERVATIONS ABOUT THE TOWN'S DELIBERATIVE SESSION?: The Board's observations were that the deliberative session went well.

WELCOME TO HAMPTON FALLS LETTER: This matter will be added to the next agenda.

RESIDENCE IN COMMERCIAL ZONE RSA 75:11-V: Due to a transfer of ownership, the listing of properties for recording will be revised and resubmitted for signature.

2004 AUDIT OF THE TOWN'S FINANCIAL RECORDS: A copy of the final audit for 2004 was provided to the Board. This is also printed in the Town Report.

STATE OF NH FINANCIAL REPORT (MS-5) FOR YEAR ENDING 2004: The Board signed the MS-5 report as prepared by Plodzick and Sanderson.

ALTERNATES FOR THE BOARD OF ADJUSTMENT – CHERRY CASE POSTPONED TO MARCH 24: Attorney M. Beliveau has informed that the Cherry case has been postponed to March and expressed the need to appoint additional alternates to the ZBA.

LGC PROPERTY LIABILITY TRUST'S PROPERTY APPRAISAL PROGRAM: Town buildings have been assessed as part of this program. A report is to follow.

NFPA 101 LIFE SAFETY TRAINING IN CONCORD – FEB 15 & 16, WITH BUILDING INSPECTOR: The Building Inspector and Fire Chief have attended this training.

FROST BAN: R. B. Merrill is to inform the Board of the need to post for the frost ban. The Board signed the posting notice.

WM PROPOSED NEWSLETTER FOR HOUSEHOLD TRASH AND RECYCLABLES: E. N. Small requested the Board review this proposed newsletter to residents and inform of any changes. Applewood Drive did not receive trash pick up last Friday.

OPEN SPACE INITIATIVE: Notice to temporarily dissolve this committee has been mailed to Open Space and Conservation Commission members.

OTHER

- **NEW BUSINESS**

LOCAL GOVERNMENT CENTER REGIONAL DINNERS- INN OF HAMPTON, FEB 24- WHO'S GOING?: F. J. Ferreira, Jr. and S. C. Volpone, Jr. indicated they wish to attend.

RULES FOR THE CABLE SCHOLARSHIP – WHO IS ELIGIBLE, ETC.: T. Beattie reported that the Helen Batchelder Scholarship Committee has set up guidelines for eligibility. They have been updated over time to address who is paid and when. E. N. Small suggested contacting the Charitable Trust to have them review the guidelines and report back to the Board. The Board approved.

SEACOAST METROPOLITAN PLANNING ORGANIZATION JAN 31 LETTER TO TED TOCCI: A copy of this letter was provided to the Board for information purposes.

NEW ACCOUNT REPRESENTATIVE- RISK MANAGEMENT – PROPERTY LIABILITY: As a result of reorganization, a new representative will be coming to introduce himself.

HISTORIC MARKER AT THE TOWN COMMON: The Board reviewed a proposal to place a historical marker relating to the first town meeting of the town on the Common. The Board approved.

DOLLARS DIVERTED- EDUCATION FINANCE REFORM IN NH – BRIAN GOTTLLOB/DAPHNE KENYON: Information regarding this study was provided to the Board.

NEXT SELECTMEN'S MEETING – WEDNESDAY, MAR 2, 2005, 7:30 A.M., TOWN HALL

**MOTION TO GO INTO NONPUBLIC SESSION
AT 7:09 PM TO DISCUSS PERSONNEL,
AND WELFARE**

**MOTION: F. J. FERREIRA, JR.
SECOND: M. J. CARUSO**

**MOTION TO SEAL THE MINUTES AND GO
OUT OF NON-PUBLIC SESSION AND ADJOURN
AT 7:15 PM**

**MOTION: F. J. FERREIRA, JR.
SECOND: M. J. CARUSO**