Minutes of the Roxbury Selectmen meeting May 14, 2018

In attendance: Selectmen Mark Funk and Jim Rousmaniere; Donald Lussier of the City of Keene Public Works Department and Scott Brough of Gannett Fleming, an engineering firm; residents Frank Messerschmidt and Tyler Arlen; John Miner of the Ridge Skippers Snowmobile Club

The meeting opened at 6:30 p.m. with a presentation by Scott Brough and Donald Lussier regarding the City of Keene’s plans to upgrade the Woodward Pond Dam in response to a letter of deficiency that had been issued by the state. Lussier advised that the letter of deficiency did not reflect any apparent material problem with the dam that holds back the city’s major drinking water reservoir but rather new state design standards. The dam, 380-feet wide and 17 feet high, was brought to its current height in 1910. The upgrade will involve the addition of a 2-foot-high reinforced concrete wall atop the existing structure, but the size of the impoundment will not change since the water level of the reservoir will not change. It was explained that the project will likely be undertaken in the spring of 2020 and will entail up to 8 months of construction. Construction access to the site will be via Dillingham Road. Among planned visible alterations, in addition the raising of the top of the dam by 2 feet, will be the relocation of Woodward Pond Road to the top of the dam structure, a considerable addition of rip-rap and the replacement of existing culverts with a box culvert. Lussier reported that discussions with appropriate state officials regarding minimizing the impact of the project on wildlife will be undertaken.

Lussier also updated the selectmen regarding the Babbidge Pond Dam upgrade. He reported that water level in the reservoir will soon be lowered by 6 inches per day to a total of 3 feet to allow for construction work. The dam-related discussion ended at about 7 p.m.

Frank Messerschmidt appeared in response to a letter from the selectmen to Norma Catar regarding her property on Houghton Ledge Road, which is the subject of a planned deposit of excavated material from the state of New Hampshire’s Route 9 upgrade project. The letter directed Ms. Catar to make a presentation to the town’s zoning board of adjustment due to the extraordinary amount of fill that was said to be involved. The letter stated that her presentation to the zoning board of adjustment should describe the planned work and include a map of the affected parts of her property.

Messerschmidt asked for help understanding the letter’s citations of articles from the town’s zoning ordinance; the selectmen directed him to the town website on which the zoning ordinance is posted. Messerschmidt explained that he envisions “only 1 or 2” truckloads of fill being deposited on his property off of Houghton Ledge Road; selectman Rousmaniere reported that he had been informed directly by state transportation officials early in the month that they understood that 10,000 cubic yards were to be deposited on the Houghton Ledge Road property – a volume that apparently would involve more than 600 truck trips. Selectman Funk said that if the planned work involves only 1 or 2 truckloads, then no presentation to the zoning board of adjustment would likely be required.

Messerschmidt presented a drawing that he said illustrated how the planned use of fill would not result in water being forced onto abutting property. He was advised that the letter to Ms. Catar called for a map that showed where fill would be deposited, and he was advised to include such a map in any presentation to the zoning board of adjustment. Messerschmidt again said that he envisions only 1 or 2 truckloads of fill being involved; he reported that he did not know the basis or origin of any report that the planned project involved 10,000 cubic yards of fill.
John Miner of the Ridge Skippers Snowmobile Club inquired about a recent communication to the selectmen from the Society for the Protection of New Hampshire Forests regarding a disputed road on the Taves Reservation in the northeast part of town. The selectmen offered to make a copy of the correspondence – which asserts that no such public right-of-way exists – and forward same to Miner.

Tyler Arlen reported that he is ready to begin mowing the Four Corners Park.

Selectman Rousmaniere explained that he had been notified by the state Department of Revenue Administration that the selectmen had not properly signed the budget and warrant that was posted on Feb. 19 in advance of the March 13 Town Meeting. Accordingly, he explained that the selectmen must take steps to remedy the situation, as is described below and will be posted on the town web site and on the bulletin board at Town Hall:

NOTICE OF PUBLIC MEETING JUNE 4, 2018

At 7 p.m. on Monday, June 4, the Roxbury Selectmen will hold what is formally called a Procedural Defect Meeting that addresses an oversight that occurred in February, 2018. The oversight involved not publicly posting a properly signed cover page for the budget and warrant that were to be considered at the March 13 Town Meeting.

Accordingly, the selectmen will hold a Procedural Defect Meeting in accordance with RSA 31:5-b. The warrant article to be voted on will read: "To see if the town will vote to ratify the results of the March 13th annual meeting even though the posting requirements were not met."

A properly signed copy of the warrant will be posted at Town Hall and a link to a digital copy of the document will be provided.

-- The Selectmen

The selectmen signed a building permit that had been submitted in connection with some planned changes to a cell tower in town.

The selectmen directed a homeowner to the town zoning ordinance for possible application for a variance for a building project.

The selectmen took receipt of a notice of insurance coverage for a private rental of Town Hall.

The minutes from the meeting of May 7 were approved.

The manifest was filled out and signed. There being no further business the meeting was adjourned at 8:40 p.m.