

**TOWN OF HEBRON, NH
TOWN MEETING MINUTES
MARCH 13, 2012**

The meeting was called to order by the moderator, Peter Carey, at 7:05 pm. Official ballot voting for town officials and zoning amendments closed at 7:00 pm. Following the Pledge of Allegiance, the moderator introduced town and election officials and then read aloud the meeting rules to the audience.

(Note: The original wording of articles is in *italics*; amendments are in *italics* and **bold**; and results are in **bold**).

ARTICLE 1: *To choose all Town Officers for the ensuing year by official ballot. The polls will open at 11:00 a.m. and close at 7:00 p.m., and the business meeting will commence at 7:00 p.m. on Article 10 and the following.*

The results of voting for town officials (Article 1) are recorded separately.

ARTICLE 2: *Are you in favor of the adoption of Amendment No. 1 as proposed by the Hebron Board of Selectmen for the town Zoning Ordinance, as follows: To amend ARTICLE II: DEFINITIONS, by adding the following definitions of Building Height, Grade Plane and Grade:*

Building Height means the vertical distance from Grade Plane to the average height of the highest roof surface.

Grade Plane means a reference plane representing the average of the finished ground level adjoining the building at all exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the Building and the Lot line or, where the Lot line is more than six (6) feet from the Building, between the Building and a point six (6) feet from the Building.

Grade means the finished ground level adjoining the building at all exterior walls.

*Reference: International Building Code, or as amended.
Approved by the Planning Board.*

ARTICLE 3: *Are you in favor of the adoption of Amendment No. 2 as proposed by the Hebron Conservation Commission for the town Zoning Ordinance, as follows: To amend ARTICLE II: DEFINITIONS, by replacing the current definition of Designated Brooks with the following:*

*Designated Brooks means the following bodies of water: Cockermouth River, Cilley Brook, Fretts Brook, Wise Brook, Tannery Brook, Georges/Bog Brook, Favor Brook, Ross Brook, Trout Brook, Stoney Brook, Glines Brook, Whittemore Brook, Hardy Brook, Mowglis Brook, Onaway Brook, and Sleepy Hollow Brook (as shown on Water Resources Hebron, NH map dated January 2012).
Approved by the Planning Board.*

ARTICLE 4: *Are you in favor of the adoption of Amendment No. 2 as proposed by the Hebron Conservation Commission for the town Zoning Ordinance, as follows: To amend ARTICLE II: DEFINITIONS, by replacing the current definition of Designated Brooks with the following:*

Designated Brooks means the following bodies of water: Cockermouth River, Cilley Brook, Fretts Brook, Wise Brook, Tannery Brook, Georges/Bog Brook, Favor Brook, Ross Brook, Trout Brook, Stoney Brook, Glines Brook, Whittemore Brook, Hardy Brook, Mowglis Brook, Onaway Brook, and Sleepy Hollow Brook

(as shown on Water Resources Hebron, NH map dated January 2012).

Approved by the Planning Board.

ARTICLE 5: *Are you in favor of the adoption of Amendment No. 4 as proposed by the Hebron Board of Selectmen for the town Zoning Ordinance, as follows: To amend ARTICLE IV: GENERAL PROVISIONS, replacing the current language on IV.A Height with the following:*

A. Height. No building or structure, or part thereof, shall exceed thirty-five feet (35') in Height as measured from the high point thereof to the average natural or graded permanent ground level at the wall of the structure nearest to and below said high point, provided, however, that this provision as measured from the average finished Grade at all exterior walls. This provision shall not apply to television and radio antennae, lightning rods, cupolas, steeples, chimneys or parts of buildings designed exclusively for agricultural, non-residential uses.

Approved by the Planning Board.

ARTICLE 6: *Are you in favor of the adoption of Amendment No. 5 as proposed by the Hebron Board of Selectmen for the town Zoning Ordinance as follows: To amend ARTICLE IV: GENERAL PROVISIONS, replacing the current language of IV.D.4 Signs with the following:*

4. Temporary signs which advertise fairs, auctions, private sales or special events in Hebron shall be permitted for one (1) month before the event and shall be removed within two (2) days after the event. Signs are not to be placed on Town property without the approval of the Selectboard.

Approved by the Planning Board.

ARTICLE 7: *Are you in favor of the adoption of Amendment No. 6 as proposed by the Hebron Planning Board for the town Zoning Ordinance as follows: To amend ARTICLE IV: GENERAL PROVISIONS, replacing the current language of IV.N.3 with the following:*

3. All Buildings or any parts thereof shall be sited within the Usable Land.

ARTICLE 8: *Are you in favor of the adoption of Amendment No. 7 as proposed by the Hebron Planning Board for the town Zoning Ordinance as follows: To amend ARTICLE IV: GENERAL PROVISIONS, replacing the current language of IV.N adding the following:*

4. An area of Very Steep Slope totaling no more than 10,000 square feet may be altered for construction purposes (e.g. driveways, wells, septic systems) using best management practices for erosion control. No disturbance of areas of Very Steep Slope with Highly Erodible Soils (as determined by an Order 1 soil survey stamped by a licensed soil scientist), shall be allowed unless by Special Exception.

ARTICLE 9: *Are you in favor of the adoption of Amendment No. 8 as proposed by the Hebron Conservation Commission for the town Zoning Ordinance, as follows: To amend ARTICLE IX: WETLANDS PROTECTION OVERLAY DISTRICT (WPOD), E. DEFINITIONS, by replacing the current definition of Vernal Pool with the following:*

4d. Vernal Pool: A body of water, typically seasonal, that provides essential breeding habitat for certain amphibians and invertebrates, does not support viable fish population, and meets the criteria established by the New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program, Identification and Documentation of Vernal Pools in New Hampshire, rev 2004, or as updated. Vernal pools are recognized for their functional and biological values as high quality wetland habitats.

Approved by the Planning Board.

The results of voting for the zoning amendments (Articles 2-9) are recorded separately.

ARTICLE 10: *Curtis Mooney moved and John Dunklee seconded the motion to see if the Town will vote to raise and appropriate the sum of Eight Thousand Dollars (\$8,000) to extend the Hebron Cemetery fence 120 feet west. This will leave approximately 40 feet open at the west end of the fence. The sum to be added to the Cemetery Expansion Capital Reserve Fund. Recommended by the Selectmen.*

Curtis Mooney spoke to the motion and reviewed the location of the cemetery and the expansion. This article is to extend the fence line into the new section of the cemetery. Mr. Mooney reviewed the proposed "No Animals" or "Unauthorized Vehicles" sign which will be installed at the cemetery entrance. Bruce Barnard asked if the new section of fence will continue along the current fence line. Mr. Mooney stated the selectmen will hold a public hearing to review the location of the proposed section of new fence. Mr. Barnard informed the audience the current fence line follows the cemetery boundary line behind the church and store.

The article passed by voice vote.

ARTICLE 11: *John Dunklee moved and Everett Begor seconded the motion to see if the Town will vote to raise and appropriate the sum of Ten Thousand Dollars (\$10,000) for the Gazebo Programs. Four Thousand One Hundred and Seventy Two Dollars (\$4,172) to be raised by taxes, Three Thousand Eight Hundred and Twenty-Eight Dollars (\$3,828) from fund balance, and Two Thousand Dollars (\$2,000) from Donations and Grants. Recommended by the Selectmen.*

Everett Begor spoke to the motion and reviewed the proposed summer 2012 Gazebo Program schedule. The Gazebo Committee conducted a survey in 2011 and as a result of the survey, a few changes will occur. The concerts will still be held on Saturday nights, but the programs will begin at 6:00 p.m. The committee has created an email distribution list for those interested in receiving notices regarding the programs. Family Fun Day will occur earlier this year (8/11/12) so as not to conflict with any Old Home Day celebrations in surrounding towns. No discussion occurred.

The article passed by voice vote.

ARTICLE 12: *Thomas Gump moved and John Dunklee seconded the motion to see if the Town will vote to establish a Capital Reserve Fund entitled "Assessment Services Contract Payment Fund" per RSA 35:3 and to raise and appropriate the sum of Thirteen Thousand Six Hundred Dollars (\$13,600) to be placed in the fund, further to name the Board of Selectmen agents of the fund. The purpose of the fund is to maintain level payment of these services over the contract period. Recommended by the Selectmen.*

Thomas Gump spoke to the motion and explained the selectmen have entered into a new five year contract through 2016 with Avitar, the town's current assessing firm. Assessing services will be billed on actual work completed. Services for the first year of the contract will cost approximately \$8,400 with the final year of the contract around \$45,500. No discussion occurred.

The article passed by voice vote.

ARTICLE 13: *Curtis Mooney moved and Thomas Gump seconded the motion to see if the Town will vote to raise and appropriate the sum of Seventy Thousand Dollars (\$70,000) to install a perforated drain pipe along the South side of Butternut Ridge Road, including paving. This is a two-year non-lapsing article. Recommended by the Selectmen.*

Curtis Mooney spoke to the motion and informed the audience where Butternut Ridge is located. Mr. Mooney reviewed the problems with the road heaving, cracking and buckling. Barbara Brooks inquired as to when the last time work was done on the road. Casey Kuplin, Highway Supervisor, stated some work was completed in 1998. Bruce Barnard, former Highway Supervisor, mentioned the road has been repaired on three different occasions. Mr. Barnard described some of the past and current problems with the road and asked Mr. Kuplin if the culverts were going to be replaced, what type of gravel would be

used and expressed concerns related to silting. Mr. Kuplin addressed Mr. Barnard's concerns and stated the culverts would be replaced. Mr. Kuplin mentioned the ditches are shallow at the bottom of the road and feels there is an underdrain problem with the road.

The article passed by voice vote.

ARTICLE 14: *John Dunklee moved and Curtis Mooney seconded the motion to see if the Town will vote to raise and appropriate the sum of Ninety- Six Thousand Dollars (\$96,000) to be added to the Capital Reserve Funds as follows.*

# 1. Police	\$ 6,000
# 2. Highway	\$20,000
# 3. Fire	\$25,000
# 5. Ambulance	\$20,000
#25. George Road Relocation	\$15,000
#27. Security Alarm	\$10,000

Recommended by the Selectmen.

John Dunklee spoke to the motion and explained this is the town's annual contribution to the specified capital reserve accounts. Mr. Dunklee stated the purpose of each account and mentioned the contribution to the Security Alarm account will fund installing alarms in other town buildings. The selectmen based the capital reserve accounts contributions on the Capital Improvement Program Committee recommendations.

The article passed by voice vote.

ARTICLE 15: *Thomas Gumpp moved and John Dunklee seconded the motion to see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of Town Offices Expansion and Refurbishment and to raise and appropriate the sum of One Hundred Thousand Dollars (\$100,000) to be placed in the fund. Recommended by the Selectmen.*

Thomas Gumpp deferred to Eleanor Lonske for an explanation of the article. Mrs. Lonske presented a brief history of Hebron and reviewed the population of Hebron over the past 212 years and the uses of some of the buildings around the common. Mitch Manseau of the Capital Improvement Program Committee (CIP) explained the CIP's recommendations for funding the renovations suggested by the town wide Community Charrette. Some of the monies for funding the renovations would be realized from savings within the general budget; i.e. reduction in the refuse costs and repayment of the beach loan. A public hearing along with a vote of the legislative body would be necessary for monies to be expended from this fund.

The article passed by voice vote.

ARTICLE 16: *Suzanne Smith moved and Sheila Oranch seconded the motion to see if the Town will vote to raise and appropriate the sum of Two Hundred Twenty-Four Thousand Seven Hundred and Six Dollars for the first construction on the Newfound Pathway (\$224,706). One Hundred Thousand Dollars provided from a federal grant (\$100,000), Ninety-Five Thousand Dollars from foundation donation, in-kind work and value of easement (\$95,000) with Twenty-Nine Thousand Seven Hundred Six dollars (\$29,706) to be raised by taxes. This is a three-year non-lapsing article. Not recommended by the Selectmen.*

A written request was submitted to the moderator for a secret ballot. Moderator Carey explained the process for casting ballots.

Suzanne Smith deferred to Jan Collins for an explanation of the article. Mrs. Collins introduced Lelia Mellen from the National Park Service of the US Department of the Interior and engineer George Fredette. Permission was granted for Ms. Mellen and Mr. Fredette to answer questions and address the audience. Mrs. Collins reviewed the mission of the Newfound Lake Pathway Committee and the vision

for the proposed pathway which would target the most dangerous sections of Route 3A and North Shore Road. Several grants have already been received including a grant from the State of NH, Division of Resources and Economic Development. Ms. Mellen reviewed the grant received from the federal government. Mrs. Collins stated several landowners have either given permission or are close to granting permission for the pathway easement. Patrick Moriarty asked if the town is protected from liability related to the pathway, who would be responsible for the maintenance and why the selectboard did not recommend the project. Mrs. Collins addressed concerns relating to liability and maintenance issues. Curtis Mooney, selectman, reviewed photographs of the proposed pathway along Route 3A near Camp Pasquaney and expressed concerns relating to the topography (ledge and water) and the challenges of constructing a pathway in this area. The selectmen agree with the concept of a pathway but are concerned about the required matching funds, future costs and the “choke points” along Route 3A. Several residents pointed out the tremendous amount of usage by bicyclists, the Triathlon and runners and the need for a pathway. Mr. Fredette explained his firm engineered the Bristol Pathway and stated that there are ways to engineer the pathway around the topographical challenges. Mrs. Collins mentioned a number of grants are available for this type of a project. Bruce Barnard suggested the Pathway Committee might want to inquire if a non-profit such as the Newfound Lake Region Association might be willing to work with the committee to accept donations from private individuals and coordinate the financial aspects of the project. Vin Broderick, director of Camp Pasquaney, thanked the committee and stated Camp Pasquaney is enthusiastic about keeping the conversation with the Pathway Committee open, but the camp does have some concerns. Several residents inquired if someone was injured while using the pathway would special equipment be necessary to retrieve the injured individual(s). Linda Fischer of the Hebron Fire Department explained the fire department has a forestry truck and a snowmobile which could be used to retrieve the injured individual(s). John Dunklee moved and Ed Gempka seconded the motion to move the question. The motion to move the question passed by voice vote.

**Results of the secret ballot: Yes – 46; No – 53; 99 ballots were cast.
The article did not pass by ballot vote.**

ARTICLE 17: *John Dunklee moved and Thomas Gump seconded the motion to see if the Town will vote to raise and appropriate the sum of One Million One Hundred Seven Thousand Five Hundred Eighty-Three Dollars (\$1,107,583) to defray charges for the ensuing year. This article EXCLUDES appropriations made under all previous articles.*

John Dunklee spoke to the motion and informed the audience the current town portion of the tax rate is \$3.04. Mr. Dunklee mentioned the former Newfound Lake Marina property is now owned by the Newfound Lake Region Association (NLRA), a non-profit. The selectmen are currently working with the NLRA to draft a Payment in Lieu of Taxes (PILOT) for the town portion of the property taxes. Also, the town was reimbursed by FEMA for 75 percent of the cost for the damage which occurred to Pike Hill Road during Tropical Storm Irene.

The article passed by voice vote.

A true copy of action taken at the Hebron Town Meeting on March 13, 2012

Tracey Steenbergen
Town Clerk