

**Town of Chester  
Board of Selectmen Meeting  
Thursday, March 12, 2015  
Municipal Complex**

**FINAL Minutes**

**I. Preliminaries**

7:00 PM Call the Meeting to Order  
Roll Call  
Pledge of Allegiance  
Chairman's Additions or Deletions  
Public Comment (10 minutes)  
Approval of Minutes  
Round Table  
Non-Public  
Adjournment

*1.1 Call to Order*

Chairman Landau called this meeting of the Town of Chester Board of Selectmen to order at 7:06pm.

*1.2 Roll Call*

Selectmen present:

Jack Cannon  
Joe Castricone  
Joseph Hagan (arriving at 7:40 PM)  
Stephen Landau  
Richard LeBlanc (departing at 9:17 PM)

Members of the Public present, at various times:

Leroy Scott  
Fire Chief Richard Antoine  
Atty. Diane Gorrow  
Road Agent Mike Olsen  
Michael Willinsky  
Atty. John (Jake) Krupski  
Firefighters unknown to the minute-taker  
Matt Rittenhouse, Tri-Town Times Reporter

*1.3 Pledge of Allegiance*

Chairman Landau led the attendees in the Pledge of Allegiance.

*1.4 Additions and Deletions:*

Two non-public sessions were added to the agenda under 1.1 Call to Order: RSA 91-A: 3 II (c) – Legal and RSA 91-A: 3 II (a) (Reputation).

The Board would wait until Dr. Hagan was present before going into non-public session.

*1.5 Public Comment:*

54 Leroy Scott was concerned about ice that had not been removed from the roofs at the transfer station, fire  
house and school. He was aware that the Maintenance Supervisor was unavailable at this time  
56 (recuperating after surgery) but thought that the Board could do something about this, noting that at least  
one department had equipment that could handle the situation.

58 Mr. LeBlanc thanked people for their well-wishes, visits and help after his accident

60 **II. Old Business**

62 *2.1 Approval of Minutes:*

64 The approval of minutes was tabled.

66 **III. Round Table**

68 Mr Landau made the following announcements:

- 70 1. March 13, 2015: last day to post/publish notice for first hearing on proposed adoptions or  
72 amendments of zoning ordinances, historic district ordinances, or building codes if a second  
hearing is anticipated. (RSA 675:3 and RSA 675:7).
- 74 2. March 24: The Supervisors will hold a session for correction of the checklist (7 – 7:30 PM).
- 76 3. March 25: Public Hearing of the Planning Board (7:45 PM) to act on the following:  
78 a. Proposed zoning amendments to article 6 (open space subdivision)  
b. Amend 6.4 (definition of as-built; renumber subsequent definitions)  
80 c. In newly renumbered 6.4.4, insert "pre-existing"  
d. In subset 6.7.1, add a sentence requiring a minimum of 25 acres for a parent lot  
82 e. In 6.12.3, add new subsection 6.12.13.5 "as-built record drawings"
- 84 4. March 27: the last day to post/publish notice of final planning board public hearings on proposed  
adoptions or amendments to zoning ordinances, historic district ordinances, or building codes.

86 The Board reviewed the proposed front, back and inside pages of the Annual Report.

88 *Richard LeBlanc made a motion to approve the front, back and inside pages of the Annual Report as  
shown. Joe Castricone seconded the motion. Motion passed 4:0.*

90 There was a warrantee deed transferring a piece of property from an organization called "JAMPOL" (a NH  
92 limited liability business). The land is approximately 35.35 acres in Chester (Map 3 Lot 5-100 Conservation  
Area) to become Map 3 Lot 5-100 (512 Haverhill Road). This part of the subdivision process was checked  
94 by the land use attorneys; an email was sent to Chuck Myette in Conservation to address questions. The  
land was donated to the Town and would be inspected/monitored by the Conservation Commission. The  
96 process was accepted by the Planning Board and Conservation Commission and a public hearing had been  
held to address the easement. The Conservation Commission had voted to accept the property. The  
98 Selectmen signed the paperwork tonight.

100 There was a request to post the roads. The Board reviewed the letter that Atty. Diane Gorrow had written  
on seasonal weight limit with Atty. Gorrow.

102 RSA 231:191 authorizes the Selectmen to establish seasonal maximum weight limits for any Class 4, 5 or 6  
104 highway (portion) when the Road Agent determines that such highways requiring posting to prevent  
unreasonable damage or extraordinary municipal damage expense. Posting would include on the Website

106 and in the newspaper. Exemptions were for heating fuel delivery vehicles and vehicles delivering  
108 processed milk products. Exemptions were added for emergency/public safety vehicles, highway  
110 department vehicles, and school buses. Selectmen have the authority to grant exceptions for individuals to  
112 drive vehicles that exceed the maximum weight limitation; the name of those authorized to grant this  
114 permission must be posted in Town Hall. The Selectmen also have the authority to impose reasonable  
116 conditions on the use. There were also hardship exceptions (need to demonstrate to the Selectmen that  
118 the weight restriction results in significant interference with the individual's commercial enterprise or land  
use which is listed prior to the posting of weight restriction. A commercial/industrial company operating or  
located in town may request a hearing on the weight limitation; Selectmen are required to hold a hearing  
within 15 business days and a receipt of a certified letter from the impacted business. If there is no  
hearing, the maximum weight limits were suspended for the remainder of the year or until the hearing is  
held.

The Selectmen favored transferring the authority to the Road Agent (who could exempt Dump Road, which  
was built to heavy truck standards). He would set bond amounts as required.

*Joe Castricone made a motion to approve the seasonal weight limitation on town roads, with the  
modification placing authority to impose exemptions on the Road Agent (not the Selectmen). Richard  
LeBlanc seconded the motion. Motion passed 4:0.*

Mr. Landau noted that the SNH Planning Commission would be starting the traffic counting program on  
April 13, 2015. The Commission was looking for a list of requested town sites; this would come from the  
Planning Board/Road Agent.

There was a question about being able to use municipal complex funding for the piping/oil tank project  
(\$18,500). Atty. Gorrow was alerted that this might come up as a point of discussion tonight. Mr.  
Castricone noted the issue that one year there was a maintenance warrant article #18 and the following  
year there was a similar warrant article #18 that also mentioned a 3-bay garage for the Police Department  
under the C.I.P. The thought is that this fund could not then be used to fund the oil tank/piping project.  
Atty. Gorrow would need to find out about this.

The Zoning Board of Adjustment would be holding a meeting on March 17<sup>th</sup> at 7 PM to consider the  
request of a property owner to permit the conversion of a two-family dwelling to a four-family dwelling at  
501 Fremont Road. Abutters and general public are invited.

The Recreation Commission sent the Selectmen a letter thanking them for consideration of the Warrant  
Article to repair/replace the MPR floor. There had been a meeting on March 9<sup>th</sup> with David Lauren, one of  
the architects who originally designed the building. The next step was to identify potential moisture issues  
with the subfloor and test for relative humidity (for moisture barrier) the test could be done in about a  
week or two, and would give time for any adjusted figures for the Warrant Article. The cost to drill the  
holes would be \$1400. The Recreation Commission had unspent funds in the current FY15 budget under  
the line 014530-1655 and they offered to use a portion to help pay for fees related to the test bits. Mr.  
Lauren suggested that Tom Hale from Associated Concrete Coating in Manchester do the test bits. There  
was 6,030 square feet of flooring. The first thousand square feet would have three holes. Afterwards,  
each thousand square feet required one hole.

David Lauren's contract for consulting services was for \$125/hour and he anticipated no more than 5 hours  
of consulting time (\$625 total). He suggested going ahead with the testing and holding off on the core  
samples to see if they would be needed. He would prepare the bid specifications for bidding and help set  
up an appropriate budget. Mr Lauren said that next year he could get the cost of replacing the existing  
lights in the MPR room with LED lights, which would save the town money.

158 Mr. Landau noted that there was a question if there was asbestos in the glue. It was suggested that an  
160 abatement study be done. Mr Landau would get a cost tomorrow. He distributed a sample of the flooring  
162 for review, which had more bounce and resiliency than a poured floor. An Ardex cement barrier would be  
164 needed if necessary (for moisture) and would affect the cost. Mr. Landau noted that there was already a  
water problem at the floor drainage ditches (water against the building). He felt having the moisture test  
done was irrelevant. Mr. Landau said that the depth of the Ardex was relevant to the amount of humidity  
that is determined to be in the floor. The Architect would determine the best scenario.

166 *Jack Cannon made a motion to hire David Lauren as the architect. Joe Castricone seconded the motion.  
Motion passed 4:0:1 (abstention from R. LeBlanc).*

168 *Jack Cannon made a motion to give permission for the Recreation Commission to drill into the MPR floor,  
170 to be done by Associated Concrete Coating. Joe Castricone seconded the motion. Motion passed 4:0:1  
(abstention from R. LeBlanc).*

172 Mr. Landau updated Mike Olsen on the Board's authorizing him to impose seasonal weight limit  
174 exemptions.

176 Mr. Landau asked if a Warrant Article be created to fund into the CIP in lieu of some others if the Warrant  
178 Articles did not pass (of about \$10,000-\$30,000). Mr. Castricone agreed that if not funded, the money  
would be lost that was put in the CIP. He felt it was a better way of funding items. Mr. Cannon was not  
sure what was being funded. Mr. Landau noted that the Recreation Commission mentioned that they  
180 might be able to put \$9,000 - \$10,000 in the CIP for the floor if it goes over. The Board wanted Atty.  
Gorrow to develop a Warrant Article and figure an amount later on.

182 **V. Non-Public Session per RSA: 91-A: 3 II (a) and (c) Legal and Reputation**

184 *At 7:55 PM, Stephen Landau made a motion to enter into non-public session per RSA: 91-A: 3 II (a) and  
186 (c) Legal and Reputation. Joe Castricone seconded the motion. Motion passed 5:0. Roll call.*

188 **VI. Return to General Session**

190 *Steven Landau made a motion to come out of non-public session at 9:18 PM. Dr. Hagan seconded the  
motion. Motion passed 4:0.*

192 *Steven Landau made a motion to meet with Town Counsel Attorney Diane Gorrow (non-meeting, town  
194 counsel consultation) at 9:18 PM. Dr. Hagan seconded the motion. Motion passed 4:0.*

196 NON-MEETING WITH ATTORNEY DIANE GORROW: 9:18 PM – 9:24 PM

198 **VII. Adjournment**

200 *Stephen Landau made a motion to adjourn at 9:24 PM. Joe Castricone seconded the motion. Motion  
passed 4:0.*

202 Respectfully Submitted,  
204 Susan Perry