

## Town of Nelson Selectmen's Meeting

July 20, 2016

Executive Board Attending: David Upton, Gary Robinson, Maury Collins, Edie Drinkwater, Admin. Assist.

Others attending: Brian Foucher, Dan Prawdzik

At 3:05 PM David Upton opened the July 20, 2016 meeting of the Nelson Select Board.

● Brian Foucher, representing WiValley, came before the Board to request a building permit to replace an internet tower previously existing on property now owned by E. Lindenfeld and B. Gillespie. The Tower had been in place for many years and used by Pine State AKA Fibercast. This has always been recorded and taxed on Town records as "building on land of another". The previous owner, Ethan Tolman, notified the Board some time ago that it appeared that Fibercast has ceased doing business and had vacated the property leaving a mess to be cleaned up by the landowner. Tolman now has sold the land and the new owners have entered into discussions with WiValley to replace the operational equipment and begin providing internet service to an area around Nubanusit Lake. WiValley began to establish service by adding new equipment to the existing tower that remained after Fibercast vacated the property. However, during the past weekend Fibercast returned to the property and removed their tower, causing some damage to the newly attached WiValley equipment in the process. The Police were contacted and all parties are currently in the process of resolving those issues. WiValley is now seeking a building permit to replace the 88 foot tower with a 100 foot tower. Dan Prawdzik spoke to the need for this service at Nubanusit Lake and encouraged the Board to consider approving a permit for this project.

Multiple issues plague this project:

1. The original Tower was a non-conforming structure (it exceeded the 40' height requirement in the Zoning regulations)
2. The request would be expanding an already non-conforming structure thus requiring a review by the Zoning Board of Adjustment and a request for a variance.
3. WiValley (Brian Foucher) has stated that they are unwilling to pay property tax on any structure.
4. As this is taxable property on land of another, and the landowner was not present at the meeting to agree to the tax responsibility, The Board could not grant a building permit until all issues are resolved and the landowner is involved in the process.

● The Board reviewed a request for a Demo permit from B. Gillespie. He is the new owner of property located at 122 Brickyard Road (Previous home of E. Tolman). He intends to remove the existing home and build a new house on the existing foundation. David made a motion to approve the Demo Permit.

Maury seconded.  
The motion carried 3-0.

● The Board then reviewed a request for a Building Permit from B. Gillespie. Detailed plans were submitted for a new house to be built on the existing foundation.

David made a motion to approve the Building Permit as presented with the application.

Maury seconded.

The motion carried 3-0.

● David made a motion to approve the Public and Non-Public minutes for July 6, 2016.

Gary seconded.

The motion carried 3-0.

● David made a motion to approve the manifest for July 13 and July 20, 2016 as presented.

Gary seconded.

The motion carried 3-0.

● David made a motion to approve the amended manifest for June 8, 2016 due to a "Stop Payment" for a check that was lost in the mail.

Maury seconded.

The motion carried 3-0.

● Following a review of letters to the Fire Marshal's office to report on actions to be taken regarding fire code violations at the Granite Lake Fire Station and the Highway, Police, & Fire station, David made a motion to approve the letters as presented.

Maury seconded.

The motion carried 3-0.

● David made a motion to approve a "Tax deductible donation" letter to Jack Bradshaw for his gift to the Fire and Rescue department .

Gary seconded.

The motion carried 3-0.

● Following an update on the status of the solar panel project it was suggested that a ribbon cutting celebration should be considered to mark the completion of the project. (Noted for further discussion.)

● David made a motion to approve an intent to cut submitted by S&M Forest

Maury seconded.

The motion carried 3-0.

● Mike Tarr reported a problem with a circuit breaker kicking off when the air compressor is running. He was given emergency approval to contact Harvey Tolman to investigate the electrical issue. The problem was identified and corrected by H. Tolman.

● Responding to fireworks complaints, David made a motion to organize a group to research and develop a Fireworks Ordinance for the Town.

Maury seconded.

The motion carried 3-0.

● Following a review of the process allowing the Town Clerk to write off some interest under justified circumstances, David made a motion to only allow the Tax Collector to write off up to \$5.00 in interest. No other fees, penalties or additional interest may be waived or written off by the Tax Collector. Maury seconded. The motion carried 3-0.

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**Non-Public Session**

5:05 PM

● At 5:05 PM David made a motion to move into Non-Public Session in accordance with RSA 91-A:3 II (a&c) Personnel and Harm to Reputation. Maury seconded. The motion carried by a roll call vote 3-0 Maury – yes, Gary – yes, David – yes

● Following a review of personnel issues, consideration of options, and agreement on proposed actions, David made a motion to seal the minutes. (Personnel matter – Harm to reputation) Maury seconded. The motion carried by a roll call vote 3-0. Maury – yes, Gary –yes, David – yes

David made a motion to return to public session. Maury seconded. The motion carried by a roll call vote 3-0. Maury – yes, Gary –yes, David – yes

5:56 PM

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With nothing further, David made a motion to adjourn. Maury seconded. The motion carried 3-0.

Meeting adjourned 6: 00 PM.

July 20, 2016

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David Upton, Chair

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Maury Collins, Selectman

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Gary Robinson, Selectman