

**Town of Nelson
Selectmen's Meeting
3:00 PM**

July 27, 2022

Executive Board Attending: Brenna Kucinski, Al Guida, Michael Blaudschun, Edie Drinkwater, Admin. Assist.

Others attending: Kathy Schillemat

At 3:00 PM Brenna Kucinski opened the July 27, 2022 meeting of the Nelson Select Board.

● Brenna brought forward a suggestion that the "Nelson Honorable Elder" cane be presented posthumously to Priscilla Walter. Her family would oversee the cane for a year and return the cane next year for presentation to the next Honorable Elder. Following a brief discussion all agreed that the presentation will take place at the Old Home Day celebration on August 6, 2022.

● Mike made a motion to approve the public minutes for July 20, 2022 and 2 sessions of Non-public minutes for the same meeting as recorded.

Al seconded.

The motion carried 3-0.

● Al made a motion to approve the manifest for July 27, 2022 as presented.

Mike seconded.

The motion carried 3-0.

● Mike made a motion to approve Hayden Sarcione as an additional Deputy Fire Warden.

Brenna seconded.

The motion carried 3-0.

● Following the report of possible illegal use of blue lights by a responding fireman in his private vehicle, the Select Board began researching the State RSAs concerning their use. They enlisted the Police department to help with the research. As a result of the findings, both the Police Chief and the Select Board have concluded that it is improper and against NH RSA for a firefighter or first responder to use blue lights on their personal vehicles for responding to emergencies. The Board agreed to draft a letter to the Fire Chief directing him to instruct all Fire Department members that use of blue lights on their personal vehicle is prohibited and all are expected to abide by the state laws.

● Discussion opened on the potential use of the "Wheeler Trail" near the Patterson Property on Homestead Lane. Given the past abutter experiences regarding trespass, privacy, and hindering owner access, Al asked how the location of a trail comes to be decided. What consideration is given to proper permitting, abutter notification, abutter consult and input and why aren't the Selectmen asked to look over the proposed new trails even as a courtesy since any resulting problems fall to the Select Board? Al continued noting actions not properly taken, including: removing and relocating the kiosk located on Homestead Lane, failing to mitigate intrusion on neighbors, building bridges over waterways without seeking DES permits, and creating rules of use and assuring that such rules are clearly and firmly understood. It was noted that Kathy Schillemat is expected later in the meeting for further discussion.

● Al reported on a hazardous tree situation near the West Shore Bridge that the Board should discuss with M. Tarr.

● Mike suggested also talking with M. Tarr regarding the D. Guy "road runoff" complaint.

- Kathy Schillemat, representing the Conservation Commission, entered the meeting. Brenna shared her discussion with D. Dellagreca, conveying his wishes that the section of Nubanusit Road near his house remain open as is and not designated as a trail. She went on to report on D. Prawdzik's previous experience when attempts to close the road had ended in litigation. Prawdzik came before the Board to share the past legal history of closure attempts and indicated he intends to have his attorney look closely at the current proposal as well as investigate what legal status Hancock's closure may or may not have because that closure affects both Harrisville and Nelson as their portion of the road remains open. The Board agreed to leave that section of Nubanusit Road as is and will not plan to sponsor a Warrant Article in 2023 to close it and designate it as a trail.

- Al then began a review of concerns regarding the development of trails: Planning did not consider the long-term nuisance to abutters as word spreads and popularity of the trails exceeds the capacity to control the actions of visitors, plans for parking have not matched the foreseeable usage, parking issues that lead to damage of personal property and angry complaints to the Select Board. The use of private land to help with parking has failed due to lack of any legally binding agreement of use. When damage or intrusion has occurred, there is little being offered to the land owner to mitigate the harm or even understand their feelings of being a victim.

- Kathy responded that there are really two separate issues, The trails on Partridge Woods and the trails on private property. She feels they should be addressed separately and the private trails and those involving the Harris center are not the responsibility of the Conservation Commission only Partridge Woods is. Brenna countered that the scope of the trails, the way they have been developed to connect and become one, joining both private and public land has created a vast project that is under the guidance, care and responsibility of the Conservation Commission. One affects the other and they all affect the whole. It is a partnership, of sorts, between Harris Center, Private land owners, Trails Committee, and the Conservation Commission.

- Mike noted that proper DES permits had not been applied for when bridges were being built on the trails. The Conservation Commission and trails committee should follow the same regulations as private land owners are required to do.

- Brenna expressed the Select Board's frustration at being confronted with situations and complaints that are a result of actions by the "Whole". (Conservation Commission, Trails Committee, and private land owners)

- With regard to trail signage, Mike stated emphatically that the Town will not pay for the signs. Kathy replied that the trail for Kulish Ledges is on private property and was not a Conservation Commission project. Mike noted that all new trails and bridges are designed to connect and create access to Partridge Woods and all costs should be the responsibility of the Trails Committee and the Conservation Commission. Mike recalled statements made at a previous Town meeting that acquiring the land, now known as Partridge Woods, would be at no costs to the taxpayers. Mike also reported on a complaint from B. Dunn regarding the public use of trails abutting his property: People in his yard, coming to his house seeking directions or help, use of the private access to his home, damage to his access, etc. Kathy stated that in conversations with B. Dunn he did not report this to the Conservation Commission.

- Al recapped that the Kiosk at Homestead Lane remains unmoved and at this time the Select Board is no longer tolerant of mistakes, procrastination, failure to foresee problems, and delay in resolving problems that do occur. Kathy agreed to move the Kiosk as soon as possible.

Al stressed that these things are not disconnected and separate, as Kathy indicated, but in fact all issues meld together and are connected.

- Brenna urged that immediate signage for the parking lot be placed, along with temporary directions to the trails.

- Kathy agreed that there would be no parking in the area near B. Dunn and that access point can be changed. There is no longer parking for Kulish Ledges and the only designated parking areas are the new lot on Old Stoddard Road and the lot at Brickyard Road.

- Kathy reported that the Conservation Commission decided not to extend access down the “Wheeler” trail in the area of the Patterson’s right-of-way.

- Kathy will try to arrange a meeting of the Conservation Commission sooner than their already scheduled meeting of August 15, 2022 to discuss each of the issues covered at this meeting and then report back to the Select Board.

- Mike encouraged more communication with the Select Board when creating trails in an effort to help foresee and mitigate possible issues that may arise.

- With nothing further, Brenna made a motion to adjourn.

Mike seconded.

The motion carried 3-0.

Meeting Adjourned 5:32 PM

Next meeting: August 3, 2022 at 3:00 PM

There will be no meeting on August 10, 2022

Minutes for July 27, 2022

Brenna Kucinski, Chair

Alexander Guida, Selectman

Michael Blaudschun, Selectman