

Town of Nelson
Selectmen's Meeting
3:00 PM
Public Hearing to Accept Unanticipated Grant Funds over \$10,000
4:00 PM

July 6, 2022

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

Others attending: D. Prawdzik, B. Dunn

At 3:00 PM Brenna Kucinski opened the July 6, 2022 meeting of the Nelson Select Board.

● Brenna began by reviewing, for Mike, the current proposal being presented to Nelson and Harrisville to close a portion of Nubanusit Road beginning a D. Dellagrecca's, going into Harrisville, and then into Hancock. The proposal is to close the road to all vehicle traffic and to change the status to a designated trail.

On this topic, Dan Prawdzik then came before the Board to urge the Town not to consider such a closure. Prawdzik presented his personal experiences dating back to 1990 regarding other attempts by land owners to close this as well as other sections of the class VI road. (Cobb Hill, Bancroft, Clymer access points) Lawsuits were filed by the landowner against the Town of Harrisville as well as the users of these roads. Prawdzik states that the Judge ruled in favor of the users citing prescriptive rights. Prawdzik reminded the Board that Cobb Hill was used as an egress during the severe wind event several years ago.

Brenna recounted her conversation with the administrator for the Town of Hancock who confirmed that the Hancock portion of the road has already been closed by Town Vote. Prawdzik reported a similar conservation with Hancock but questions the legality of that closing when the road continues through portions of two other towns and remains open as a class VI road in those towns. Prawdzik exhibited volumes of paperwork he states contains legal research and previous court rulings that he believes may confirm his doubts on the legality of the Hancock closure. He stated his intentions to have his attorney research the matter fully and to take legal action if needed to uphold previous court rulings to keep the road open.

● On another matter, Prawdzik indicated his desire to enlarge an existing Non-conforming garage on one of his properties. The position of the new addition would be increasing the non-conformity. All agreed that he very likely will need a variance but recommended he put his plan together to first request a Building Permit. If denied he would then be referred to the Zoning Board of Adjustment to seek any needed variance.

● Bill Dunn came before the Board seeking guidance on how best to seek permits or approvals, as may be needed, to use his existing studio for guest or family sleeping quarters when visiting. The studio is existing and finished, has an incinerator toilet, no kitchen or facilities for use as a dwelling. He seeks any permits, if required, just to provide a spare place for family or guests to sleep when visiting. After hearing all details about the studio and the intended use, Al made a motion to approve the requested use of the existing studio for guest and family sleeping quarters while visiting, further noting that no permits are needed for such use.

Mike seconded.

The motion carried 3-0.

- Al made a motion to approve the minutes for June 22, 2022 as recorded.

Brenna seconded.

The motion carried 2-0.

- Al made a motion to approve the manifests for June 29 and July 6, 2022 as presented.

Brenna seconded.

The motion carried 3-0.

- Edie reported that the 2022 Dog Warrant for unregistered dogs has been finalized and the Police Chief has contacted the owners to resolve the violation.

- Patsy Beffa-Negrini sent an updated membership list for the Nelson Community Power Committee and advised that meetings will continue on the 1st and 3rd Tuesdays of each month.

- Al made a motion to approve a revised letter to the Town Buildings Committee advising them of the Select Board's concerns and recommendations regarding future Solar projects.

Brenna seconded.

The motion carried 3-0.

- At Mike's suggestion, Lisa Sieverts will be asked to meet with the Board to discuss researching wind power possibilities for Nelson.

- Just after 4:00 PM, Brenna made a motion to recess the regular meeting to go into the Public Hearing for discussion on the acceptance of Unanticipated Grant Funds.

Mike seconded.

The motion carried 3-0.

4:00 PM

Public Hearing to Accept Unanticipated Grant Funds

- Brenna called for the Public Hearing to open.

Mike seconded.

The motion carried 3-0.

- Following a brief review of the "Locality" grants and anticipated awards, and hearing no public comment, Al made a motion to accept any and all awards from the Locality grant program.

Mike seconded.

The motion carried 3-0.

- With nothing further Brenna made a motion to close the Public Hearing and return to the regular Selectmen's meeting.

Al seconded.

The motion carried 3-0.

Public Hearing Closed

Reconvene regular Selectmen's meeting

- Brenna revisited discussion of the "Colonial Garden".

After viewing the current condition of the garden, she suggested the Board consider leaving the garden in its present location for a trial period until a further review in the spring. She suggested this be contingent upon adding more fabric and stones along the building, no plants allowed to grow against

the building, shorter fencing on three sides but no fencing on the building side, keep the garden and surrounding area free of leaves and snow accumulation. Although Brenna was not opposed to a second location option offered by the Commission, they all came to agree that no other options would be considered until a review in the spring.

Following further discussion, Brenna amended her suggestions to become her motion.

Al seconded.

The motion carried 3-0.

- Brenna agreed to follow-up on payment for the trail signs.

- Kathy Schillemat will be invited to meet with the Select Board to discuss issues being created for residents due to trail activity and to answer questions concerning DES permits for bridge building along the trails.

- Brenna made a motion to approve a letter to the Trustees of Trust Funds for the transfer of \$40,000 from the Nelson Bridge Repair or Replacement Expendable Trust Fund in accordance with the passage of article #14 of the 2022 Nelson Town Warrant.

Al seconded.

The motion carried 3-0.

- Brenna made a motion to approve a letter to D. Upton stating the Select Board's position regarding his complaint and request to locate and expose one of his boundary pins and an undetermined section of stone wall.

Al seconded.

The motion carried 3-0.

- Al made a motion to approve a Report of Cut and Certification filed by WELP, LLC (Chesney).

Brenna seconded.

The motion carried 3-0.

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

Al seconded.

The motion carried 3-0.

Meeting Adjourned 4:58 PM

Next meeting July 20, 2022 at 3:00 PM.

For July 6, 2022

Brenna Kucinski, Chair

Alexander Guida, Selectman

Michael Blaudschun, Selectman