

Fall 2004

NEWBURY UPDATE

Welcome to the first issue of *Newbury Update*, a quarterly newsletter meant to give residents a view of the town operations and activities as well as timely news and information. Copies will be available at the town office building, library and transfer station, but we strongly encourage you to 'get your copy' at the town website: www.newburynh.org. If you would like to be notified by e-mail that a new issue is available online, send your request to townadmin@newburynh.org, subject 'newsletter alert.' Any comments can be sent to the same address as well.

From the Selectmen's Desk

In no particular order, items crossing their agenda:

Wild Goose, state-proposed site of public-access boat launch for trailered boats – The main issue for selectmen is traffic safety as vehicles pulling boat trailers turn off and on to Rte. 103. They are awaiting a plan for changes to the intersection from the state. Selectmen have engaged Pathways Consulting, who will review the state's plans in combination with their own traffic study, including a traffic count done in August.

Town Office addition/renovations – Bruss Construction's work is on schedule and on budget. The addition will be done first, then the staff will temporarily relocate to the addition while the original part of the building is renovated. Completion is expected in March.

Parking for now is across the street on either side of the Vets Hall; enter the town offices by the front door. Anyone with special access needs should call ahead to make arrangements.

New Highway Garage – Work is progressing but behind schedule due to hitting ledge that took more excavation than anticipated. Selectmen plan to cut other costs to meet the overall project budget. The building shell should be up by Thanksgiving, allowing interior work over the winter. Completion is targeted for February.

Mt. Sunapee Lease Expansion – A meeting of the Mt. Sunapee Advisory Committee (on which the town has a representative) set for Sept. 28 was postponed until Oct. 26 by the DRED commissioner who had a conflict. The committee wants a working session to discuss and prepare its advisory opinion to DRED; the commissioner wants to be present at any of the meetings.

KRSD – Dan Wolf was appointed by the school board as Newbury's representative, to fill the term of Dean Bensley who resigned in August. At presstime, no one had yet been selected to fill the seat held by Wolf on the KRSD Municipal Budget Committee.

You rang? – You may have noticed a new phone system is in use. One advantage is you can leave individual voicemails for the staff. The greeting runs through the names/extensions; if you need a repeat of the directory, key in 9-9-1.

Tax Bills – The bills will be mailed the second half of October and will be due Dec. 1. The projected rate, without all final data, is estimated to be about \$14 per \$1000, up from \$12.88. The increases: County: up 50 cents on equalized valuation bump from the revaluation.

State: up 10-15 cents. While the overall state education tax rate was lowered, our donor-town payment is increasing from \$241,000 to \$461,000.

Town: up 15 cents for veterans' credit; up 20 cents for possible abatements; up 12 cents for articles passed last March.

Local School: KRSD has a surplus fund balance of \$626,584, so this rate should come down.

Wage Study – Dennis Pavlicek conducted a wage study of 12 neighboring communities, from which selectmen developed salary recommendations based on current salaries, experience levels and the desire to pay competitive wages. The plan was reviewed with the town administrator, police chief and highway administrator, heads of the largest departments. The study will be updated every two years.

Lake Todd Village Association – The Bradford and Newbury residents around Lake Todd share a 'littoral' interest in its dam. They have decided to form a 'village district' which will allow them to get cheaper insurance from New Hampshire Municipal Association (NHMA) for the upkeep of the dam.

The district residents will have their first annual meeting on Oct. 9 to appropriate funds necessary for this year. Those funds will come through their association dues; next year they may choose to raise some funds by taxation. This district will have no impact on other residents of either town.

'05 Budget – Selectmen and the Budget Advisory Committee will begin budget discussions in the next several weeks and through December. Residents are encouraged to attend the selectmen's meetings to listen and learn about the budget process. These are work sessions and do not provide for public comment. Watch for budget hearings in February.

Assessments – The three towns around Lake Sunapee – Newbury, New London, and Sunapee – are investigating sharing an assessor with the goals of improved continuity, more equitable taxation between the towns and cost savings, including the legal expense of appeals. The selectmen of the towns will have a joint meeting on Monday, Nov. 8, at 7 p.m. in New London to discuss this.

Dennis Pavlicek and his counterparts in New London and Sunapee will also pitch their research on savings potentials from joint purchases of such items as oil, propane, diesel and paving materials.

Walk this way – The town expects to hear within the month on a request to the state for a crosswalk on Rte. 103 near the circle. It would provide safer pedestrian movement between the commercial and other properties on either side of 103, as requested by the owner of Best Western.

Blodgett Sewer – This year \$26,000 was budgeted for rebuilding the last two (of four) drying beds; one is done, the second is under way.

The selectmen formed a study committee because residents were concerned about rate increases. Following its recommendation, the engineering firm Dufresne-Henry has been hired, with \$6,000 from the sewer budget, to assess the condition and performance of the sewer system. Selectmen will review their recommendations.

Building Permits – From Jan. 1 through Sept. 23, building permits have been issued for 23 new houses, 2 poured foundations and 1 rebuild on a slab; 11 garages and 10 other outbuildings, and 30 various types of additions and renovations.

LAND USE BOARDS

These are brief reviews of recent activities and hearings of Newbury's Land Use Boards. You are encouraged to visit the town website to read the full minutes of these hearings, which are posted once they are approved, usually at the next meeting of the board.

Planning Board

The Planning Board has a Residential Zoning District subcommittee working on changes to the ordinance in an effort to respond to development pressures on the town. This work is done in the board's working sessions, usually held the first Tuesday of the month at 7 p.m. in the town office building, however, the next is scheduled for Oct. 13. There will be public hearings later this fall on the proposed changes.

The Planning Board held a public hearing on Aug. 17 to receive public input and vote on its proposed amendments to the Subdivision Regulations. Having opened the hearing that evening, the board decided to suspend it "until someone from the public was present." Later in the meeting, Chair Barbara Freeman asked if any member of the public was present to discuss the Subdivision Regulations. One individual said that she stopped by just to see what the changes were going to be. She was handed a copy to review and had no comments or concerns. With no other public comments, the board voted unanimously to accept the Subdivision Regulations.

Master Plan – The board is also gearing up for an update of the Master Plan; the current version runs through 2007. Residents will be asked for their input via surveys and participation in visioning sessions on where they'd like to see Newbury in the next 10 years.

In recent hearings...

6/15 – Town of Newbury - Highway Garage - South Rd. Per RSA this public hearing was for informational purposes only with no decision made by the board; the purpose was so the board could hear the proposal and the public's comments and offer advice.

The town proposes putting the Highway Garage on a 3.02-acre parcel of land that was subdivided off of Walter Graf's gravel pit property; they'd be using just over 2 acres of the property for a 150' x 100' building, a salt shed and site-related items. The access will be off South Rd.

Everything drains away from the building. The salt shed will be in the back of the site about 100' from the building. A self-contained, closed drainage system on the site will have tanks that will periodically need to be pumped out. The yard area will be gravel and all of the equipment will fit inside.

The building plans include a 7'-high concrete wall with three separate bays and a 14' wood structure above the wall. Both the garage and salt shed will have a metal roof and siding.

As to concerns that this site is over an aquifer and whether spills will be contained, Charles Hirshberg of CLD Engineers reiterated that both the trench drain and the wash bay have drains that are self-contained. The drainage goes into a closed system. Also, the EPA requires a spill prevention plan. The salt shed has a similar system and nothing goes into the ground.

Other issues mentioned: the vulnerability of the aquifer and the traffic; it was suggested the board needed to consider whether there is another location for this project and if all the technology available has been used. Members were to offer written comments for discussion at the next work session.

6/15 – Eric Fuchs - Minor Subdivision - 193 Rte 103 – Conceptual Review. Eric Fuchs owns two pieces of property with frontage on Rte 103 and he'd like an annexation/lot line adjustment to give one of the lots 250' of lake frontage. The smaller of the two lots would then be made slightly larger and have lake frontage and the other lot would still be conforming. The board did not have any problems with what he was looking to do.

7/20 – Briott LLC - Major Subdivision – Off Southgate Road. The applicant had submitted a letter requesting that this continuation of hearing be cancelled because they were not prepared to present this evening.

7/20 – Eric Unger - Minor Subdivision – Mountain Rd. – Conceptual Review. Eric Unger owns 40+ acres on Mountain Rd in South Newbury, a large parcel of land with a farmhouse and he'd like to subdivide the farm off and eventually build on the remaining property. The piece that he would like to subdivide off is 16.8 acres.

7/20 – John & Donna Magee and Eric Wilczynski - Lot Line Adjustment/Annexation – Circle View Drive. In error, Wilczynski's foundation was poured three feet from the Magees' property line. Mr. & Mrs. Magee have agreed to deed a portion of their property to Mr. Wilczynski to meet the setback requirement. The board approved the application.

7/20 – Donald K. & Jeanette F. McInnes and Richard & Pamela Greaves - Lot Line Adjustment/Annexation – Gerald Drive. When the land behind the McInnes' and Greaves' lots was developed, both had land annexed to their properties. A survey discovered that McInnes' path, steps and lamppost were on the Greaves' property. They had been trying for years to resolve this issue. The Greaveses gave a small portion of land to the McInneses. They had a Variance from the ZBA because these lots are nonconforming. The board approved the application.

7/20 – Clark and Evelyn C. Davis - Take-out Restaurant at 889 Rte 103. At this Site Plan Review the Davises said they are renovating a 1310 sq. ft. building that Michael and Louis Marzelli want to lease for an Italian deli, serving coffee, ice cream and take-out food.

Signage, entrances, landscaping, and lighting for parking in the back were discussed. There is a runoff issue that Davis has been working on resolving with the town and the state. Details covered at the 7/20 final hearing included:

There will be 12 parking spaces; a paved walkway from the parking lot and a handicap ramp; the main entrance at the northwest corner of the building; restaurant would be all take-out with no seating and only 2 employees; there will be only 1-2 picnic tables; landscape buffer of no less than ten feet all the way around; sign will stay the same size and be lit with white lights facing down. Mrs. Davis said DOT is pleased that they want to move the parking because it would make it much safer.

A past problem with snow removal blocking an adjoining parking lot will be solved by using the former front parking lot at the Davis site for snow storage, which was the only concern of Marion Leonie, an abutter.

Application was approved contingent upon receipt of (a) amended plan showing boundary lines and location of the telephone lines and (b) photos or drawings showing the building elevations. A Certificate of Completion from the board is needed before they can open.

8/17 – George & Linda West - Bed & Breakfast – Conceptual Review. The Wests are looking to purchase the house next to the stone barn on Route 103A. The stone barn property was subdivided earlier this year, separating that house from it.

The Wests hope to purchase it soon and would like to open a four-bedroom Bed & Breakfast by January. There is an addition off the main house with three bedrooms that would be used for their living quarters. They would like to add two more bathrooms, which requires a letter from a professional saying that the septic is adequate. They may also need a Special Exception from the ZBA if one was not previously granted.

Planning Board continued:

8/17 – William & Joan Schroeder - Extension on a Permit to Excavate. The Schroeders were seeking a one-year extension on their permit, to Dec. 31, 2005, to remove material from their property on Sutton Rd. because the Town was doing construction on their road and not allowing large trucks to pass over it. Schroeder said he'd be removing less than originally planned, about 10,000 cubic yards instead of 20K. With no questions from the board or public, the extension was granted.

8/17 – Mt. Sunapee Resort – Parking Lot #4. Chair Barbara Freeman said Jay Gamble, Mt. Sunapee Resort, sent a letter requesting an extension on the start date of Parking Lot #4. He was told he wouldn't need an extension because the clock did not start ticking until he had submitted all state approvals and the board still had not received them all.

8/17 – Mt. Sunapee Resort – Alpine Warming Hut. This was a Site Plan Review for a project that's part of the resort's annual plan. They want to replace the existing yurt that is used by the Alpine Racing Program and school programs with a 32' by 56' building to be used like a clubhouse for the racing program.

It meets IBC plumbing requirements. There are no steep slopes. They will preserve a group of spruce trees behind the building, but there would only be grass for landscaping around the building. Erosion-control plans include use of silt fencing and fabric where they disturb the slope. The floor will be a cement slab.

They would like to have the new building complete around Thanksgiving and start using it by the first week in December. Joe Torro, president of ski club, said that he is in favor of this project. The board approved the application.

9/7 – Mt. Sunapee Resort - Master Plan. The purpose of this public informational hearing was to get input on Mount Sunapee's 5-year Master Development Plan from the community, as mandated by DRED. The Newbury board has no decision-making or enforcement authority on the MDP, but did summarize the minutes of this hearing and send them to the DRED Commissioner for his consideration.

At the hearing, Jay Gamble, general manager at the resort, gave a brief presentation, then the board members and public asked questions. Given the range of ground covered, you are encouraged to read the full minutes of this hearing on the town website.

Angel Hawk LLC – Major subdivision – Sutton & Nelson Hill Rds. The final hearing began May 18 and was heard and continued each month since. (For full minutes visit town website.) Proposed is a 21-lot subdivision located on Sutton and Nelson Hill roads. Nine lots would be accessed by the existing Town road, the remaining lots by the proposed road, designed to town standards. At the June 15 meeting the applicant submitted a \$5,000 check to start the process of having an independent engineering consultant look at the project.

Issues discussed include: increasing the open space and the amount that is wetlands; work needed on Nelson Hill Rd.; driveway sites' potential affect on town's culverts and ditches; the amount of wetlands and steep slopes in the area vs the lot standard; habitat area; and extensive discussions of various legal issues and documents.

Public comment included: fire protection issues (pond, access); wetlands and wildlife protection; future development and its impact; drainage onto Sutton Rd; developer should upgrade roads, not town; safety on Poor Farm/Sutton Rd corner.

Angel Hawk requested a waiver of the requirement that access road grade not exceed 8%, asking for a 10% maximum. They said, in part, it would decrease impact and onsite disturbance while being consistent with the area. State design regulations advise that roads not exceed a 14% grade in hilly areas. The fire chief, highway administrator and consulting engineer had no problems with the 10% grade. The board granted the waiver.

The board reviewed the consulting engineer's report, agreed with his points and asked the applicant to address them, including sight distances and driveway designs. It was pointed out the consulting engineer is working for the town, not the applicant, and that he would continue to monitor the plans as they changed.

The hearing was continued to Sept. 21 (minutes not available at presstime) .

The agenda for the Planning Board's next meeting, on Oct. 19, includes the continuation of the Angel Hawk subdivision hearing and the final hearing on Eric Unger's minor subdivision (conceptual review held July 20).

Zoning Board of Adjustment

July 26 – James Lord, 109 Village Rd, was granted a Variance to construct an addition (replace front porch, extending it and wrapping it around the house) within the 30' setback requirement (already non-conforming) from an adjoining right of way.

Aug. 23 – Chris Clifford, 23 Rte 103, was granted a Variance for the addition of a deck to an existing nonconforming dwelling unit that encroaches in the 50' setback requirement.

Aug. 23 – Michele Noyer, 25 Rte 103A, was granted two Variances and a Special Exception to allow construction and occupancy of an accessory apartment in a dwelling less than five years old and on a lot less than 2 acres.

Hearings scheduled for Oct. 25:

Emily Welsh of Fairly Stable LLC, 2 West Province Rd., seeks a Special Exception for change of use from a retail store to a small inn and spa.

Robert Hemenway, Rte. 103, seeks a Variance to replace an existing house with a new one, same footprint, and set back 20' from the highway ROW. The requirement is 30' but the new house will be less nonconforming than at present.

Richard and Elizabeth Rago, 341 Chalk Pond Rd., seek a Special Exception to change a wood retaining wall in the buffer zone to concrete, and two Variances for a cement slab above it for a hot tub and deck.

GOT ART?

The town is seeking donations of photos and artwork of Newbury to be displayed in the new Town Office Building. Anyone interested in making a donation can call Town Administrator Dennis Pavlicek at 763-4940.

VOTE!

Election Day – Tuesday, November 2

Polling Place – White Star Auction Hall, Rte. 103

Polls are Open – 7 a.m. to 7 p.m.

VOTE!

Picked up at the TRANSFER STATION

There's good progress on two fronts in our constant efforts to improve operations, control costs and return less material to the waste stream.*

Thanks to the recycling committee, we now truck our glass to New London where it's crushed for use on roads. We now pay \$10 per ton vs \$60/ton previously and the glass is reused.

We'll also be saving on recycling of 'mixed paper' – anything that can be cut including all office paper, newspapers, cereal boxes and the like. It will now go into a container for trucking, eliminating the labor-intensive baling. This will save time and we're still paid for the paper to go to recycling. Corrugated cardboard will still be separately collected and baled.

A reminder that stickers are required to use the transfer station, and are issued once a year when you register your vehicle(s). Nonresident taxpayers and renters can apply to the Town Clerk.

While you're at the transfer station, take a culture break and enjoy Churchill's art collection.

* Please, remember to SEPARATE your recyclables. It's pretty simple and the barrels are marked, but too many people empty bags of glass, tin cans, and aluminum in any one barrel. Sorting all the barrels out is labor intensive (read *expensive*). Please help. Saving the environment and money – it's win-win.

Reading up on NEWBURY PUBLIC LIBRARY

The Book Discussion program offers an interesting new twist – the authors, all from NH, are leading the discussions of their own work. The NH Writers' Project is funded by the NH Humanities Council. Upcoming authors and their works are: Nov. 1, Barbara Dimmick of West Lebanon, *Heart-side Up*, and Jan. 3, David Carroll of Warner, *Self-Portrait with Turtles*. There is no meeting in December; the program resumes in January and runs through June on the first Monday of the month at 7 p.m. The books are available at the library desk.

The preschool story hour continues, meeting every Wednesday at the library at 10:15 a.m. Children and their parents may enjoy stories and related activities.

Free computer lessons are available on Monday and Tuesday. Call 763-5803 for more information.

Library hours: Sunday 12-5 pm, Monday 12-8 pm, Tuesday-Thursday 12-5 pm, Friday closed, Saturday 10 am-2 pm. Visit the website www.newburvlibrarv.net for more information.

HIGHWAY DEPT. paving the way

DES grants are improving conditions on two roads. Provan & Lorber are helping get a second DES grant, this one for Shore Drive, for engineering improvements to deal with drainage issues. Another grant the following year will help implement the recommendations, usually covering costs such as materials that the town matches with labor. The result will be less water and ice for residents, and less runoff into the lake.

Similar grants for work on Gillingham Dr. are now in the second year, or implementation phase.

The highway crew is on target with their annual plan, having completed all the projects scheduled including:

- reclaiming South Rd.;
- work on Park 10 intersection with Rte. 103 to alleviate the winter ice problem, in partnership with the state providing materials and the town providing the labor;
- Sutton Rd. reclaiming, grinding, shimming and paving;
- Old Post Rd. paving.

Ongoing projects include roadside brushing and mowing throughout town; South Rd. culvert replacement and other work; getting equipment ready for winter.

PARK & RECREATION at work

Activity is under way at Fishersfield park on Old Post Rd. opposite the transfer station, and you can help. Join the volunteer crew from 10am – 1pm on Saturdays to help mark and clear trails. Bring gloves and water, plus hand tools such as bow saws and garden 'nippers.' Park along Old Post Rd. near the dump and walk down (toward Bradford) to a temporary work entrance, marked by an orange ribbon just before the first house on the left, and walk in.

A student intern from Colby-Sawyer College is helping on the trail project with facets such as laying out trails for minimal impact and maximum enjoyment, and also preparing lesson plans for school tours on natural and historical topics, enhancing the educational aspects of the park.

Logging is also going on to clear for the athletic fields and parking area. Also, selectmen have signed a Memo of Understanding with the Velie Memorial Fund for a playground on a portion of the Fishersfield property.

BEAUTIFICATION Committee planting roots

In its first year, the members of this self-formed group brightened up many spots in town with flowers. The Girl Scouts joined in the spirit by getting permission from the state DOT to add flowers by the Chicken Farmer rock.

As the season winds down, the committee is turning its attention to plans for next year's plantings and fundraising. One major new undertaking is helping plan landscaping around the renovated town office building.

New members are welcome; the next meeting is on Oct. 6 at 9 a.m. at the Center Meetinghouse.

SAFETY SERVICES

The Police Dept. has added another part-time officer. Warren Foote comes with 23 ½ years of experience in Concord and 4 ½ years with the AOC court system.

The Newbury firefighters who stand ready to save your life are preparing to scare it out of you, at least temporarily. That's right, it's time for the annual Haunted House at the Vets Hall (opposite the town office building) from 7-10 p.m. on Oct. 28, 29 and 30.

GOINGS ON ABOUT TOWN

Meetings are at the town office building unless otherwise noted.

Selectmen: 6:30 pm, Oct. 4, 18; Nov. 1, 15, 29; Dec. 13, 27

Planning Board: 7 pm, 3rd Tuesday of the month

Zoning Board: 7 pm, 4th Monday as needed; next 10/25

Mt. Sunapee Advisory Committee: 9:30 am, Oct. 26, at Mt. Sunapee

Historical Society: 7:30, Nov. 11

Conservation Commission: 7:15 pm, 2nd Tuesday of the month

Lake Todd Village Assoc. Annual Meeting: 9 am, Oct. 9 at the

Bradford elementary school

Fishersfield Trail Work: 10 am – 1 pm, Saturdays, at the park on Old Post Rd.

Beautification Committee: 9 am, Oct. 6, at the Center Meetinghouse

NH Writers Book Discussion: 7 pm, 1st Monday of the month at the Library, next scheduled Nov. 1 and Jan. 3 (none in Dec.)

Haunted House: 7-10 pm, Oct. 28-30, at the Vets Hall

Election Day: 7 am – 7 pm, Nov. 2 at the White Star Auction Hall, Rte. 103

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