

April / May 2008

NEWBURY

UPDATE

Newbury Update is published by the Town of Newbury to offer residents a view of the town government operations and activities. Copies are available at the town office, 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 receive a copy via e-mail, please send your request (and any comments or suggestions) to: newburyupdate@gmail.com.

OLD HOME DAY – July 12

Volunteers are busy organizing this year's Old Home Day, set for July 12. This year's Newbury Old Home Day is a celebration of community spirit and accomplishment – the grand openings of two projects that have been completed this summer.

A quick look at some of the activities:

Farmers' Market & Craft Fair will be open 9 a.m. to 4 p.m. on the Bald Sunapee property. Organizer Cheyrl Fogwill is arranging for local musicians to perform in the market as well. Lunch will be available on site.

Grand Opening of Velie Memorial Playground will take place at 11 a.m. by the library. A special guest of honor will be the stowaway kitten that arrived this winter in the truck with the playground equipment.

Grand Opening of Fishersfield Park is set for 2 p.m. You've seen the activity from the road on your trips to the transfer station, now come see the whole finished product.

Revolutionary War reenactment – A reenacting group will come in on the night before and 'set up camp.' Throughout the day on Saturday they will be in Colonial dress and available to answer any questions. There is a chance of a few cannon blasts as well as a skirmish at some point during the day. The camp will set up on the side of the town office by the Center Meeting House.

Boat Rides will be offered by Bob's Beacon and Sargent's marinas again this year, though we need dockside help to keep it going smoothly.

Safety Services will once again be the place to go for health and safety handouts, fun giveaways, displays and equipment demonstrations. Firefighters will be serving hot dogs and hamburgers at lunch time and assisting with the cooking duties for the Old Home Day barbecue.

Information Booths for town and area organizations will set up behind the town office. The historical society will have its exhibit, Riding the Rails to the Lake, at the caboose and the old train station with photos and memorabilia of summer travel from the 1880s-1930s.

Children's Activities will take place near the Farmers' Market. A few parents to help with these games would be great.

Little Red Wagon – This popular UNH Co-op children's theater group will entertain children just before and during the dinner hour behind the town office.

Tin Man Triathlon – Recreation coordinator Travis Dezotell is arranging a mini-triathlon with a short swim in the harbor, bike ride to Fishersfield and run through the park trails. The start time will be at 9 a.m. and the \$10 entry fee includes a T-shirt. All skill levels are invited to do the 400-yard swim, 2-mile bike ride and half-mile run. Dezotell is looking for help to monitor activities during the event.

Dunking Booth – The recreation committee is looking for victims for the dunk tank, and it was decided that kids can take part this year.

Concerts – The band Lunch at the Dump will be playing at the town office from 3-5 p.m. and the Fountain Square Ramblers will be playing at the harbor gazebo from 7:30-9:30 p.m. to coordinate with the start of the fireworks.

BBQ Dinner – This year's al fresco dining under the big tents will feature a pig roast and chicken, with hotdogs for the children. The

adult dinner will be \$5 in advance and \$6 the day of the event. The hotdog dinner, served with chips and a drink, is \$2 in advance and \$2.50 on the day. The pork and chicken come with salads and a drink. Dessert for all is watermelon. There will be 300 meals for the pig roast, 200 for chicken and 100 for hotdogs. Buzz Call will be cooking up four pigs.

Fireworks – Will be the same as before, a great show, contracted with Atlas and presented over the lake by the harbor.

Some related activities during Old Home Day weekend:

Eagles Nest – The SRKG Coalition will lead guided family hikes to Eagles Nest for an overview of events on July 12.

The Fells is again offering free admission to all Newbury residents and employees throughout the weekend.

Mount Sunapee Resort's chairlift rides will be available for a small fee and the Center Meeting House is hosting a concert by Elisabeth von Trapp at the Spruce Lodge at Mount Sunapee on Friday, July 11. Tickets are \$25 and proceeds will go toward the refurbishing of the Center Meeting House.

Join the fun

All this preparation work is being done by a great group of volunteers: Travis Dezotell, Dave Thayer, Mary Thayer, Betty Spahl, Gail Bostic, Donna Long, Cheyrl Fogwill, Doug Whelan, Mickey Noyer, Wayne Whitford, Holly von Svoboda, Dennis Pavlicek, Tom Vannatta, Barbara Steward and others.

The last two meetings, both Thursdays at 7 p.m. at the town office, are on June 26 and July 10 and there is little these volunteers would enjoy more than welcoming more people willing to help for a few hours on July 12. Please join them!

Fourth of July Parade – The South Newbury Union Church has informed the selectmen that it is "more than pleased to sponsor the traditional Newbury 4th of July Parade each year beginning this July."

The 4th of July Parade for 2008 will follow the same route as usual in South Newbury, culminating with juice and cookies in the parking lot of the church. The parade will begin at 10 a.m. on Friday, July 4th, 2008.

The Friends of Newbury Public Library advised the selectmen in April that the group would no longer sponsor the 4th of July parade or the annual tree-lighting ceremony so as to focus its efforts more directly on library-specific activities.

Hazardous Waste Days – Newbury residents will have three opportunities to dispose of hazardous waste. More information, including the list of what will and will not be accepted, will be noticed in advance. Collections are from 9 a.m. – noon.
Sat., June 21 – Sunapee Highway Garage, Route 11
Sat., July 19 – New London Public Works, 186 South Pleasant St.
Sat., Aug. 16 – Old Highway Garage, 20 Sutton Rd., South Newbury

Road clean up on July 19 – Selectmen, with help from town administrator Dennis Pavlicek, did their first of four annual highway clean-ups along Rte. 103 on Saturday, April 26. At their May 5 meeting, the selectmen decided to advise NH DOT that they will continue 'sponsoring' the highway clean-up for another two years.

The next clean-up day is set for Saturday, July 19. They continue to hope others will join in and clear the litter in their neighborhoods.

Town Appointments – The selectmen made appointments at their April 7 meeting. Betsy Soper was appointed as a member of the Veterans Memorial Committee. The board also voted on the following conservation commission positions: Bill Annable was put into a one-year full-member position; Charles Crickman to a three-year membership position and Frank Perrotta as an alternate.

Selectmen received a letter from Richard Matte stating that due to prior obligations he will be unable to sit on the South Newbury Buildings Committee.

Newbury Harbor Pedestrian Improvements Project – Final adjustments were made to the plan and it's shy just one final signoff from the Dept. of Transportation. The project is on track for going out to bid within the month.

Del Harris memorial – An elm tree will be planted near the flag pole at Fishersfield Park in memory of Del Harris and his years of service to the town of Newbury. The Liberty Tree Memorial elm will be planted with the help of the Boy Scouts with the dedication as part of the grand opening of the park on July 12.

The elm tree, along with a plaque and a framed print of Thomas Paine's poem *Liberty Tree* is offered by the Elm Research Institute in Keene and sponsored by a donor.

Velie Memorial Playground – Holly von Svoboda thanked the town on behalf of the Velie Memorial Group for all the help with the site work for the playground, at the selectmen's May 19 meeting. The group presented its landscaping design which includes granite benches, stepping stones and native plants. There will also be a reflective area with daisies. A design plan for the welcome train station was presented by Michael MacDonald. Selectmen agreed to the group's request to acquire some loam and fill for the playground to layer under the fiber fill and help to spread it. The board approved both the landscaping design and the proposed train station design. On June 14 and 15 well over 30 volunteers helped spread 300 yards of wood chips at the site.

The tax bill cometh – The selectmen signed the town tax warrant for 2008 on May 19, in the amount of \$4,530,535. Each property owner's first-half tax bill is based on the property's current assessed value multiplied by one-half of last year's rate. The actual rate for 2008 will be set by the state Dept. of Revenue Administration in time for the second-half tax bill. Note there is 12% interest due for each day your payment is late after the July 1 deadline.

It still hurts – even when you're expecting bad news. The selectmen locked in pricing on heating and diesel fuel. Dennis Pavlicek reports that the contracts aren't pre-buy but pay-on-delivery instead. The oil is \$4.532/gallon for 3,000 gallons; last year we paid \$2.585. The price for propane is \$2.492/gallon for 13,590 gallons, up from \$1.70 last year. Diesel is 25 cents above rack (apparently industry terminology for national 'price of day' for 'raw' material without overhead costs). Pavlicek said latest reports show pricing is expected to continue to rise through July.

Perkins Family gift – Richard Perkins, Russell Perkins and Janice Pauling attended the board of selectmen's meeting on April 21 to officially dedicate the framed, restored map of Newbury (formerly known as Fishersfield). Selectman Jim Powell thanked them for their generous donation to the town. Richard Perkins said the map originally belonged to his great, great grandfather and has remained in the family ever since. The map has been professionally framed with ultraviolet glass and will be prominently displayed at the town offices. The Perkinses also gave the town a Kodak slide carousel

with historical slides in it to be used by the historical society as well as old papers such as diaries and warrants from the 1800s.

Property planning – Selectmen have formed a committee to discuss in what direction to move on the Bald Sunapee property. Members of this committee will include all the selectmen, town administrator Dennis Pavlicek, Police Chief Bob Lee, Fire Chief Hank Thomas, Pat Sherman and Brian Bostic. To further that effort, survey, topography, wetlands and other information on the property are being consolidated on one map.

Blodgett Treatment Plant – On May 5, representatives of Stantec made a presentation to the selectmen regarding the work being planned for the Blodgett Landing wastewater treatment plant. Phase I of the project was 99% completed with plans to test the final collection Memorial Day weekend. Phase II is being studied. A report has been sent to DES and Stantec was waiting to hear back before they could proceed with their work. Phase III of the project involves submitting a 20-year analysis comparing the replacement of the system with an upgrade. Once everything is approved a base bid will be sent out. One contractor will be used to do the entire project. Stantec hopes to have this out to bid by January 2009.

Fishersfield Park – The finishing touches are being made to have Newbury's Fishersfield Park ready for its official grand opening on July 12 as part of Old Home Day festivities.

Fencing is installed along the field and around the playing courts, all the equipment is in and ready to be put out, nets were going up. In the snack shed the bathrooms were being tiled, appliances put in place and an ADA ramp installed. In May the septic system was put in. The planned irrigation system will help the grass grow in better.

The town storage building being placed in the back upper section of the property was also scheduled to be put in beginning in early June.

Bridge work on Village & Sutton roads – In April the selectmen and the state Dept. of Transportation approved the bridge engineering contract covering scope and fee from DuBois-King for work on the bridges on Village and Sutton roads. DoT advises that there are currently no additional red-listed bridges in Newbury.

DuBois-King scheduled geotechnical subsurface investigations for May 29 and 30 with borings to take place on or near the roadway, within the town's right of way.

Field surveys of the bridge sites were scheduled to begin on June 2 and most likely take 2-3 days. Concurrent with the field survey, the geomorphic assessment was to be completed at the Sutton Road bridge site (Andrew Brook).

Dick Wright and Dennis Pavlicek met with the hydraulic engineer in the field to help define the specific area of concern regarding the meandering Andrew Brook.

In a note to selectmen on May 30, DuBois-King explained that this is the data collection phase (survey, borings, etc.) and the firm is several weeks away from considering bridge types and extent of roadway improvements. The process to evaluate the site and then study and present bridge and road options to the town is an open one, and there will be plenty of opportunity for public participation and input.

Sunapee Hills – Steve Russell and Charlie Hirshberg, representing the Sunapee Hills Association, approached the board at its May 19 meeting with goals set forth for the Sunapee Hills Co-operative Drainage & Road Maintenance Program. The goals outlined were: to assist the town in minimizing impacts from sediments that degrade the road and drainage system, to provide consultation and analysis of drainage and runoff issues and suggest corrective action, to develop a program of corrective action that is cost effective, to provide a monitoring program that can identify key areas where maintenance may be required, to create a program that encourages homeowners to maintain driveway culverts, to develop a program where homeowners can, if necessary, contract to have new drive culverts installed or

cleaned out. The committee is also looking into some grant money to work on these issues. The board has agreed to work with this committee on these goals.

Fiber-optic network – WCNH, the coalition of towns looking to set up a high-speed network in the region, continues to review financial models and pursue other fact finding. Some members are considering a brief trip to Virginia to visit a location in the beginning stages of putting in a fiber backbone and to view the implementation process.

Old highway garage – The third week in May the ad started running for the sale of the old town highway garage. The property, on the corner of Rte. 103 and Sutton Road, offers level land, lots of parking, brook frontage, and great exposure with long road frontage. It is listed with Elliot Hansen Associates.

BOATING SAFETY CLASSES

You need a Safe Boating Certificate to operate a boat with a motor greater than 25hp beginning this year. The Dept. of Safety, Boating Education, has scheduled additional classes at the Newbury town office where you can earn a certificate:

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| Saturday, June 21 | Saturday, Aug. 9 |
| Saturday, June 28 | Saturday, Sept. 13 |
| Tues/Wed, July 8 & 9 | Saturday, Oct. 18 |
| Mon/Wed, July 21 & 23 | |

Call the NH Marine Patrol at 603-267-7256 or 888-254-2125 with any questions or to sign up for one of the sessions. Because of limited seating, preregistration is required. More information is available at: www.nh.gov/safety/divisions/ss/boatinged/index.html.

ASSESSING OFFICE

Starting in June and continuing through the summer, the assessors will be inspecting approximately 20% of improved properties in Newbury as well as New London and Sunapee. This is the first year in a five-year cycle to inspect 100% of all properties in the three towns.

During the inspections, the assessors will verify the information on the property assessment card to ensure the accuracy of existing data. They will measure all buildings and, if the property owners are home, will ask for interior access to verify the interior data of the home. The assessors will not attempt to access the interior of any home without the presence of a homeowner or homeowner's representative over age 18.

The assessors, who will wear name badges with photo ID, are: Norm Bernaiche (assessor), Kris McAllister (assistant assessor) and Travis Dezotell (data collector). Their vehicles are known and registered with the local police depts.

Please note this is not a reassessment or revaluation, and these inspections will only result in a change of assessed value if the assessors discover a data error (data corrections could increase or decrease property value). In the event that there is a change of value, you will receive written notification from the assessor's office.

Should you have any questions regarding this process, please feel free to contact the assessing office at 763-4940 x201.

PARKS & RECREATION

Inge Lee, Jane Pratt, Kate Seabury and Gail Bostic. Recreation coordinator: Travis Dezotell, 763-4940 x210, travis@newburynh.org

The Newbury Recreation Committee held its May 12 meeting at Fishersfield Park and reports everyone was very pleased with the progress at the park. Plans are being made for a community work day at Fishersfield, hoping to get everyone excited and involved. Watch for details.

The recreation dept. is coordinating several events at Old Home Day: the UNH co-op's Little Red Wagon, dunk tank, triathlon, kids' games, and the Fishersfield dedication.

Other summer programs include:

Swim Program – The classes, with certified swimming instructor Signe Linville, will be held July 7-11 at Newbury town dock and July

14-18 at the town dock at Blodgett's Landing. Lesson times vary by level; the program runs from 11 a.m. - 2 p.m. Sign-up forms and details at the town office and town website.

Summer Camp – Newbury Rec's first day camp, also known as Mom's Afternoon Off, will take place every Tuesday afternoon from 1- 3:30 p.m. from June 24 through Aug. 12. Camp location will rotate by week between Fishersfield Park and the Newbury town dock. Ages 5-12 are welcome. The cost is \$8/day or \$50 to hold a spot for the season. Sign-up forms and details are at the town office and town website.

Camp activities will include: hiking, exploring, fort-building, bird watching, swimming and water games, basketball, tennis, volleyball, art activities, ecology walks and animal track identification, among many others.

Ecology Camp at the Fells – This will run from July 28 – Aug. 1, for ages 6-13, and combines ecology, hiking and fisheries biology.

Fly Fishing – Instruction includes two clinics and two excursions, on June 25, July 9, 23 and Aug. 20 from 4-5:30 p.m.

Wellness Day on May 3 was a huge success, including 37 people enjoying the lunch. With people requesting more of the wellness program, the committee is discussing the possibility of a quarterly Wellness Day, benefitting all different people.

For more information on any of these programs, contact Travis Dezotell, recreation coordinator, 763-4940 x210, or email him at travis@newburynh.org.

Summer Concerts in the Harbor

Concerts begin at 7 p.m. The rain date for these Thursday night concerts is the following Wednesday.

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|----------------|---|
| June 19 | Roxanne & the Voodoo Rockers |
| June 26 | Tammy Jackson |
| July 3 | Chris Kleeman Band |
| July 10 | Saylyn |
| July 17 | Pirozzoli & Putnam Guitar Duo |
| July 24 | Bruce Marshall Group |
| July 31 | Amoskeag Strummers |
| Aug. 7 | Chill Set |
| Aug. 14 | Mink Hills Band |
| Aug. 21 | Dr. Harp's Blues Revue Band |
| Aug. 28 | East Bay Jazz Ensemble |
| <i>also...</i> | |
| Aug. 17 | Roxanne & the Voodoo Rockers will play in the Newbury harbor during the antique boat parade at noon |

LIBRARY

Book Discussion – "The Curious Incident of the Dog in the Night-Time" by Mark Haddon is up for discussion at the library on Monday, July 7, at 7 p.m. Refreshments will be served.

Preschool Story Hour – Children and their parents can enjoy stories and related activities every Wednesday at 10:15 a.m.

Paws to Read – Calypso and Sheila Sabo are available for reading sessions. Talk to Rosie Johnson, librarian, for more information.

Stories and Ice Cream for Hot Summer Days is back for children in grades K-5, from 3-4:15 p.m. on July 9, 16, 23, 30 and Aug 6.

Fun with French with Delphine Hill has two sessions this summer, which is good because the first one, in July, is already full. Hurry and sign up for session 2: Tuesdays from 3:30-4:30 p.m. on Aug. 5, 12, 19 for grades K-5. The full session is \$5 for one child, \$10 for family.

For-the-Family evenings on Mondays 7-9 p.m.:

July 21 – Family Jam Sing-along. Bring your voices and whatever instruments you play to make noise with Susan Cancio-Bello.

July 28 – Animals of the Night. Kathleen Stowell will tell you all about the nocturnal animals you can find in your backyard, but she won't bring any – you can search on your own later at home.

Aug. 11 – Pajama Party. Deck the family out in their favorite nightwear and come to the library for stories with Jane Moss.

Aug. 18 – It's the Berries! All the seasonal berries will be featured in crafts, stories and snacks, with Sally Wilson and Jane Moss.

Middle school summer reading – Drop in on Wednesday afternoons, 3-5 p.m. on July 2, 9, 23 and Aug. 6, and Janet Rucker

and the rest of the library staff will be happy to help kids entering grade 6 and up. You can talk about books you liked, what new ones to try, and even type up your summer reading reports – with help *and* snacks! Then wrap up your summer reading by using your ‘reading points’ to bid on prizes in a silent auction.

Rosie Johnson, the librarian, reports they have a great selection of titles straight from the reading lists of the elementary, middle and high schools.

Library is open Sat: 10 a.m.-2 p.m. Sun: 12-5 p.m. Mon: 12-8 p.m. Tue/Wed/Thu: 12-5 p.m. Fri: closed. Tel: 763-5803.

HISTORICAL SOCIETY

Board of Directors: Alice Lynn, Dick Matte, Bob Morris, Deane Geddes, Margie Weiler, Bill Weiler, Shelly Candidus, Dennis Pavlicek, Barbara Steward. Other members: Diana Morris, Rich Cole, David Thayer, Mary Thayer, Judy Healey, Bruce Healey

Book C: The NEDCC has completed conservation and microfilming of Book C.

Town History: The proposal for the pictorial history of Newbury presented to Arcadia Publishing was accepted, with a deadline of October for the cover and early December for everything else. The committee is working on drafts. Residents are still encouraged to share any old pictures they might have. The material from the Perkins family will be examined for use in this effort.

PALS Collaborative and Old Home Day: Members will set up a table at the train station during the PALS events this summer and on Old Home Day weekend (10 a.m.-2 p.m. on July 12-13, Aug. 9-10).

House Marker Project: A letter will be sent to the list of owners of 100 old homes. Signs for participating houses are ready.

Collection organization and cataloging project: Staff of Museum and Collector Resources began the project in May. The town will pay its \$5,000 share of the bill in June and the society will pay the rest.

Publicity: Mary Thayer is interested in helping with this. The Kearsarge Shopper has offered free ad space to non-profit organizations as long as the material is not time-sensitive. Possible subjects discussed included a list of all future meetings and a call for owners of old houses for the house marker project.

Newsletter/Mailing: The next society newsletter will include the flyer for the annual meeting. The lead article will be about the Arcadia project.

Annual Meeting: Rebecca Courser and Lynn Clark will give a talk on early Newbury African-Americans at the society’s annual meeting on July 20 at 2 p.m. in the town office building. Other upcoming meetings are set for Aug. 7, Sept. 4 and Nov. 6 at 7 p.m. at the town office and the public is invited.

South Newbury Tour and Brochure: A brochure is being prepared for a tour of South Newbury with pictures and a little information about many of the old houses there.

TRANSFER STATION

Another full-time attendant has been hired for the transfer station. Newbury resident Bob Lumibao will be able to assist and direct people with proper disposal of their recyclables as well as other duties at the transfer station. Selectmen have been continuing their search for improved and increased use of recycling, including better signage and displaying examples of recyclables that belong in each collection area.

Display your transfer station tag

Everyone is again reminded that transfer station tags are required to be displayed in your vehicle to enter and use the transfer station. The new tags expire December 31, 2008. They can be picked up at the town office from the selectmen’s office or the town clerk. It’s easiest if you bring your old tag.

HIGHWAY DEPT.

Tree and ledge removal on Baker Hill Road has been completed and paving is set for the week of June 9. Numerous culverts have been replaced on the second section of Baker Hill Road in preparation of grinding in the fall; there are a few more to be done.

At Fishersfield Park, the highway department installed an additional water line and completed site work for the new storage building, readying it for concrete.

Cal Prussman, highway administrator, also reports that all town roads have been swept.

POLICE DEPARTMENT

The new Taurus police car is on the road and looking sharp. It not only handles well, it also gets more than 40% better gas mileage than the one it replaced (from 11-12mpg to 17.6).

As for traffic in town, Chief Lee expected more during the holiday weekend. The price of gas is probably to blame for the reduction. If this keeps up, he suggested, we may expect to see the summer crowds not quite so ‘crowded’.

At the board of selectmen’s May 5 meeting a letter was read from a resident commending Corporal Brad Wheeler for his dedication and attention to detail.

Believing results can and should be measured, Chief Lee initiated submission of Uniform Crime Report statistics beginning with 2006. He recently received the NIBRS/UCR comparison report that outlines the changes in the crime statistics for the last two years – basically the time frame that new management practices have been in effect.

Most notable is a decline of 66.67% in Crimes Against Persons. Crimes Against Property showed an increase of 5.88%, reflecting a change in crime reporting requirements put on Mount Sunapee Resort at the end of 2007. The reason the rise shows a relatively low 5.88% despite the large increases at the mountain can be attributed to the overall decline in property crimes everywhere else in town.

In short, Newbury is growing, and the crime is dropping.

EMERGENCY MANAGEMENT

Paul Groulx is retiring from his post of emergency management director in Newbury after three years of dedicated service. During this period, he helped to update Newbury’s emergency management plan and was instrumental in developing Newbury’s first hazard mitigation plan. He has been involved in training on both of these plans. Paul also was responsible for setting up the Emergency Operation Center at the town office and for entering into an agreement with the Red Cross for assistance to Newbury during a disaster.

Groulx said, “I have appreciated the opportunity and challenge. We have accomplished many required agenda items, thereby placing the community in a better-prepared position. The job has been exciting, challenging and fulfilling.”

The selectmen wish Paul the best of luck in his future endeavors, and thank him for his dedication to the town of Newbury.

FIRE & RESCUE DEPARTMENT

Fireworks Ordinance

Town residents and visitors are reminded that the Town of Newbury Fireworks Ordinance requires a permit for the use of fireworks within all sections of the town. The ordinance does not apply to sparklers, novelties and trick noisemakers containing less than 10g of pyrotechnic composition or to licensed commercial fireworks companies that are required to be permitted by the State of New Hampshire.

The ordinance specifies that it is unlawful for persons under 17 to discharge fireworks unless under the supervision of an adult.

Discharging of fireworks without the required permit may result in a fine of up to \$250. Permits will not be issued in conditions of high fire danger when outside burn permits would not be issued or when the warden determines that conditions are not appropriate and permits may be revoked by the Fire Chief if conditions warrant.

Fireworks permits may be obtained at no charge from one of the Newbury forest fire wardens: Dave Smith, forest fire warden, 938-

5925; Henry Thomas, fire chief, 938-5346; Ken Burnell, deputy warden, 763-4962; Mike Croteau, deputy warden, 763-2679.

Addresses on Streets & Docks

The town ordinance requiring street numbers on all homes – or driveways if numbers on a home cannot be seen from the street – has been mentioned in previous *Updates*. However the Newbury emergency responders, especially in medical emergencies, continue to be delayed in finding homes that are not numbered or where the numbers are not visible from the street.

You may not be aware that address numbers are also required on docks and boathouses on Lake Sunapee. Swimming and boating accidents occur in areas where it may be more practical to reach the scene via the Newbury Fire & Rescue Department's fire boat than by land and the boat responds to all lakeside fires, so street address numbering on the lake side as well as the land side is important.

Knox Box

The Newbury Fire & Rescue Department is joining neighboring communities and fire departments throughout the country in establishing a "Knox Box" system for emergency building access. A Knox Box is a secure key box containing building keys affixed to the outside of a business or home. If a fire alarm is received or there is a report of other emergency when the building is unoccupied, the fire department uses a special fire department key that will open the Knox Box containing the building keys.

This eliminates the need to break down doors or windows to enter the building or presume there is no fire when nothing is visible from the outside. The ability to thoroughly inspect a building will enable the responders to locate other problems such as electrical hazards, heating problems; gas and water leaks set off an alarm and could lead to costly other problems if not identified.

The Knox Box system is only used to enter a building in the event of a fire department emergency response to an alarm activation or report of an emergency at the location.

The fire department key is secured in special Knox Box on the truck that can only be opened by authorized personnel and all openings of the box are electronically recorded. Knox Boxes keyed to the Newbury system are purchased by the building owner from the Knox Box company and are installed in accordance with fire department specifications. Knox Boxes are generally installed at locations with Town of Newbury-permitted, central-station fire alarm systems, where the Newbury police and fire departments have emergency contact information. Building owners or their authorized emergency contacts are notified of every alarm notification and when the Knox Box is used to provide access to the building. Emergency contact information provided is kept confidential.

Information on the Knox Box system is available on the company's website, www.knoxbox.com. Please contact Fire Chief Hank Thomas if you would be interested in participating in the Knox Box System or have questions.

Alarm Permits

Any business or residence that has a fire or security alarm monitored by a central station alarm company is required to have an alarm permit issued by the Newbury Police and Fire & Rescue departments. Alarms permitted prior to September 2007, when the new ordinance was enacted, will need a new permit. Alarm companies doing business in Newbury also need to be permitted. Alarm permit applications are available on the town website (www.newburynh.org) and at the Newbury Police Department and town office. There is no charge for the alarm permit. The ordinance calls for fines of \$100 for operating an unpermitted alarm and up to a \$300 fine for multiple false fire alarms. Unpermitted alarm companies are also subject to a \$100 fine for every alarm they transmit. Please verify that your alarm company is permitted by the town. Complete information on the alarm ordinance is available on the website.

Fire Permits

Permits are required from the forest fire warden for all outside fires, including outside fireplaces, open fire pits and chimineas. The National Fire Protection Assoc. states that chimineas and fire pits should be located at least 25 feet away from the home or anything

that can burn. They should be at least 10 feet from brush or wooded areas. Permits will not be issued for fireplaces in locations that pose a fire hazard.

Permits are required for all outside burning and issuance of permits may be suspended due to weather conditions or as determined by the NH Bureau of Forests and Lands. Please contact Forest Fire Warden Dave Smith to obtain a permit or if you have questions.

Fire & Rescue Boats

In addition to the fire boat docked in Bell Cove, the Newbury Fire & Rescue Dept. now has a second rescue boat that can be towed on a trailer in the event of an emergency on one of the smaller lakes, during the spring and fall when the fire boat is not in the water or if a second boat is needed in an emergency. The small open outboard is not new to the department, but had not been used because of the condition of the trailer and other equipment. Over the winter, department members worked on repairing the boat and trailer and the boat is now ready for emergency service.

Hazardous Material Drill

Newbury Fire & Rescue is working with other member communities of the Midwestern New Hampshire Hazardous Materials Response Team in the planning of a waterway oil spill containment drill. The drill will use department boats as well as shore-based equipment to simulate the actions and procedures to contain a spill into a lake or other waterway.

Rescue tool training

Department training continues on the hydraulic rescue tools that were purchased through the federal Assistance to Firefighters Grant. Classroom and indoor training was conducted during the winter and, with the warmer weather, department members have been able to train with the tools on simulating extrication using junk cars donated to the department. Newbury is training with members of surrounding fire departments that assist in major incidents. Although the tools have already been used at actual accident scenes, training continues so members can develop expertise in the operation of this equipment.

Tanker

The work on meeting with vendors and developing specifications for the new tanker truck approved at this year's town meeting is nearly complete. The list of fire equipment manufacturers has been narrowed down and it is expected that a finalist will be selected shortly. Once the order is placed construction of the truck will take 9-12 months. Because the automotive industry is currently very slow, the department is anticipating the time period and overall costs may be reduced.

Fire & Rescue Department Car

With the delivery of the Newbury Police Department's new cruiser, the car being replaced has been transferred to the Fire & Rescue Department. This vehicle is replacing the current fire car (also a former cruiser) that is in poor mechanical condition. The new car is being equipped to serve as a mobile command post to provide communications and incident management resources at fires, accidents and other emergency scenes and will also be used for fire inspections, transporting department members to training classes, meetings and on other department business.

Old Home Day

The Newbury Fire & Rescue Department will again be a major participant in the Old Home Day celebration on July 12. Wayne Whitford has been coordinating the public safety planning effort on the Newbury Old Home Day Committee, which has been meeting for the last several months. The department will again have displays, fire safety handouts and equipment demonstrations at the Safety Services Building for visitors to the event. Firefighters will be serving hot dogs and hamburgers at lunch time and assisting with the cooking duties for the Old Home Day barbecue. As in the past the Fire & Rescue Department will be coordinating the fireworks over the harbor at dusk and assisting the fireworks company with the fireboat setting up the barge where the fireworks are launched.

--Wayne Whitford

HEALTH OFFICER
Mosquito-Borne Diseases

The start of the summer season is also the mosquito season and in addition to the insects being a nuisance, they also spread disease such as West Nile virus (WNV) and Eastern Equine Encephalitis (EEE). Although there have not been any cases of these serious diseases in Newbury, there has been illness and even fatalities in other parts of the state. The NH Dept. of Health & Human Services (DHHS) provides the following prevention guidelines for WNV and EEE.

1. Eliminate standing water and other mosquito breeding locations around your property. Please do not attempt to drain or alter natural water bodies for mosquito control, since the management of ponds and wetlands is regulated by the Dept. of Environmental Services (DES) and any planned alterations will require a permit before work may begin. In warm weather, mosquitoes can breed in any puddle that lasts more than four days.

- Remove old tires from your property and dispose of tin cans, plastic containers, ceramic pots or other containers. Don't overlook containers that have become overgrown by aquatic vegetation.
- Drill holes in the bottom of recycling containers that are left outside.
- Make sure roof gutters are clean and draining properly.
- Clean and chlorinate swimming pools and hot tubs. If not in use, keep empty and covered and keep covers free of standing water.
- Aerate garden ponds or stock them with fish.
- Turn over wheelbarrows, change water in birdbaths at least twice weekly, turn over plastic wading pools when not in use.
- Remind or help neighbors to eliminate breeding sites on their properties.

2. Be aware of where mosquitoes live and breed and keep them from entering your home.

- Mosquitoes lay their eggs in standing water. Weeds, tall grass and bushes provide an outdoor home for adult mosquitoes, including commonly associated with West Nile virus and EEE.
- Make sure that doors and windows have tight-fitting screens. Repair or replace all screens in your home that have tears or holes.
- Resting mosquitoes can often be flushed from indoor resting sites by using sweeping motions under beds, behind bedside tables, etc. and, once in flight, exterminated prior to sleeping at night.

3. Protect yourself from mosquito bites. If outside during evening, nighttime, and dawn hours when mosquitoes are most active and likely to bite, children and adults should wear protective clothing such as long pants, long-sleeved shirts, and socks.

Consider the use of an effective insect repellent, such as one containing 30% or less DEET for children and adults. Use it according to the manufacturer's directions. Children should not apply DEET to themselves. Repellents that contain Picaridin, oil of lemon eucalyptus, or IR3535 have also been determined to be effective.

Vitamin B, ultrasonic devices, incense and bug zappers have not been shown to be effective in preventing mosquito bites.

Updates from DHHS and other public health resources will be posted on the town, www.newburynh.org, as they are received.

Health Officer Conference

Health Officer Wayne Whitford participated in the annual NH Health Officers' Conference, held in Manchester. Topics covered included health officer certification and credentialing and continuing public health education, such as web-based training. Speakers from the DES spoke on changes in the rules impacting septic systems and from the DHHS Bureau of Child Care Licensing provided information on inspections of child-care facilities by health officers. Updates were provided on the Dept. of Health & Human Services regionalization initiative.

All Health Hazards Region Committee

Newbury continues to be a major participant in the Greater Sullivan County All Health Hazards Region Committee, which is in the final stages of completing the Public Health Emergency Preparedness and Response Plan for the 15 communities in Sullivan and Merrimack counties that make up the region. The plan's section on points of distribution of medications during a health emergency was tested in a table-top exercise and a workshop was held on isolation and quarantine in such an emergency. The committee has also been

working on a public health website and community public health outreach.

In the spring the committee brought Jessica Rosman on board as a full-time public network health coordinator. The DHHS-funded position is part of the department's regionalization initiative to provide more public health services to the communities. In addition to supporting the committee's emergency planning effort, she will be working with the member communities and their health officers on providing public health information and support for the residents. Rosman will have a display on the committee and her work as part of the safety and health displays at the safety services building on Old Home Day.

Old Home Day

As noted above, once again the Newbury Health Officer will have a table at the safety services building on Old Home Day, July 12, with public health information available from the NH DHHS, Centers for Disease Control, US Dept. of Health & Human Services and other governmental, private and public health organizations. This information is also available at the town office and on the Health Officer's page of the town website, www.newburynh.org.

--Wayne Whitford

ZONING BOARD OF ADJUSTMENT

Elizabeth Ashworth, chair; Kathryn Holmes, vice-chair; Steve Russell; Barbara Richmond; Helen Wright; Alex Azodi, alternate

New meeting schedule – To better ensure a quorum for hearings, the ZBA has decided to set a schedule of holding its meetings the second Monday of the month rather than on an as-needed basis. If there's no hearing on the agenda, the board might meet to discuss other issues such as the rules of procedure, clarification of changes in the zoning regulations, etc., or just cancel the meeting all together.

Applicants should be aware of this schedule when submitting applications to the ZBA.

From the minutes of the ZBA's May 12 meeting:

- o Holmes commented that, in general, the board needs to be very cognizant of the impact of projects within the buffer zone. Some projects don't appear to be significant on paper, but in real life they are very dominating on the land.
- o Ashworth advised the board members that the board may only consider the application and information presented when rendering a decision. If any board member is not clear on an issue, they should ask questions and/or ask for a continuation to clarify issues in order to make an informed and fair decision.
- o Holmes said that having a visual of the virtual plans as-built to scale with the surrounding properties would be very helpful in getting a full picture of the proposed project. Azodi said that computer software is available and used by many architectural firms in order to accomplish that type of visual. Some firms do not have the software, and it would be difficult for an applicant who has not hired an architect to provide such a display.
- o Russell said that it would also be very helpful if the applicants would stake out the footprints of proposed projects to facilitate the board members when doing a site review. Ashworth said that a zoning amendment may be necessary in order to require an applicant to stake out a footprint.
- o A summary sheet will be maintained throughout the year of all the applications and decisions.
- o Future business includes reviewing rules of procedure for changes and updates. The June 9 meeting will include the continuation of the Bateman application, the Plass special exception and other business.

ZBA hearings in April and May

Jane Murphy & Marc Jasmin, for property located on Shore Drive, sought a variance to allow for construction of a wooden storage shed within the 15-ft. and 75-ft. setbacks.

4-14-08 Jasmin and his wife, Jane Murphy, purchased their property in 1994. Their home is located across Route 103A in Birch Bluff and along with their home came a lot on Shore Drive, which is very small but provides lake access. The lake lot is too small to build a dwelling on. He explained that over the years, they have carried

chairs, rafts, boats up and down the hill to and from the house in Birch Bluff. As a means of relief, they would like to build a 10'x12' storage shed on the lake lot. The shed will be more than 75 ft. from the lake and approximately 15 ft. from the road. The variance is needed because the size of the lot does not permit the construction of any structure without a variance. Ashworth said that in her opinion the board only needs to consider the area variance, not the use variance.

The board voted unanimously to grant the variance as presented. Applicants were advised that a building permit will be required to erect the shed as proposed.

Geraldine S. Bateman, for property located at 9 Frazier Ave., sought a variance to allow for reconstruction of an existing structure within the 15-ft. and 75-ft. setbacks.

4-14-08 The plan proposes to reconstruct the existing boathouse on Frazier Ave. This is a boathouse with living space and has been the only structure on the property since the 1920s. The condition of the boathouse is deteriorating due to age, and the roof needs replacement. The living space in the existing boathouse is entirely over the water, including the bathroom. This layout results in the bathroom plumbing being suspended over the water. This past year, the water was so high that the living room was actually in the water.

They would like to reconstruct the boathouse in such a way that the plumbing would not be suspended over the water but able to feed right into the ground into a clean-solution septic system. This dwelling was built to be a seasonal dwelling, and there is no intent to make it a year-round use. The square footage wouldn't appreciably change. DES has granted a shoreland waiver for this project to modify a structure within 50 ft. of the state shoreline setback. There is a state-approved septic already installed. This application is being proposed concurrent with the state shoreland waiver and the wetlands application. There are two variances needed from the town: one is from the 75-ft. setback from the water; and the other is from the 15-ft. setback from the sideline.

The Demerses, abutters, had a concern to do with losing part of their view of the lake due to the change in the roof design.

Ashworth said that since the board did not have Demers' letter ahead of time, they were not able to focus on that concern during the individual site views. She would like to continue this hearing so that the board can obtain more information on the building code requirements for roofs and make a second site review to assess the view.

The board voted unanimously to continue this hearing until May 12 in order to obtain more information about the roof load and line of sight.

5-12-08 The hearing continued however the applicant's agent requested this hearing be further continued due to complications with the state wetlands bureau application. The board voted to continue the hearing to Mon., June 9.

PLANNING BOARD

Tom Vannatta, chairman; Barbara Freeman, vice-chairman; Travis Dezotell; Deane Geddes; Bill Weiler; Ron Williams; Jim Powell, ex officio; Dick Wright, alternate ex officio. [Ken McWilliams, board advisor]

During its meetings in April and May the planning board addressed general business items which included the following.

Proposed application form for conceptual site plan review – On April 15 the board reviewed Weiler's latest draft of the application for conceptual site plan review and made minor additions. The board voted unanimously to approve the application for conceptual site plan review as amended.

Stormwater infrastructure needs – On April 15 Vannatta informed the board that he attended the Stormwater Infrastructure Needs meeting sponsored by the Lake Sunapee Protective Assoc. He reported that the presentation focused on culverts and their vulnerability. In a nutshell, he said, most of them are no longer big enough to handle the amount of runoff due to the increase in volume and frequency of storm events. It was suggested the standards need to

be upgraded and the culverts should be prioritized to determine which ones may not be able to hold up to a 250-year storm, which is now necessary. It was also reported that aggressive forestry practices are impacting the run-off and exacerbating the effects of stormwater.

Joint Board Meeting – On April 15 Vannatta reminded the board members that the joint meeting of the planning, selectmen and zoning boards is scheduled for April 23. The planning board will be addressing the implementation plan [of the master plan].

Planning board hearings in April and May

CASE 2001-001: Site Plan Review - Don Swartz – 435 Route 103 – Chiropractic Office

5-20-08 Vannatta informed the board that Swartz is advertising chiropractic services provided from his property at 435 Route 103. Currently, there is a site plan approval for a retail catalog service with office space. He asked the board for a consensus as to whether or not this additional use as a chiropractic office requires another site plan review hearing for a change of use.

Freeman commented that in the zoning regulations, medical is not considered different than office. Since he already has approval for office space, this additional use is not a change from what was approved; and therefore, does not need a site plan review. Williams stated that the existing use is not actually retail because the orders are placed through a catalog via the internet.

CASE 2004-006 -Angel Hawk Subdivision

4-15-08 Ted Jones, resident of Angel Hawk, explained to the board that he and his wife are hoping to be able to move into their home at Angel Hawk soon. He wants to make sure that the bond on the road continues in effect and that Nelson Hill Road is going to stay viable. He stated that he thought there was going to be some work done on that road this summer.

Powell said that the bond is still in force. Sutton and Newbury share Nelson Hill Road. If the developer defaults, the bond money would be used to fix and/or stabilize the road. Mrs. Jones asked whether, if the developer doesn't go bankrupt, there is a time requirement for the completion of the road.

McWilliams advised that according to Article 6.4, Signing of the Subdivision Plat, the developer must complete the road within 36 months of the notice of decision by the planning board. If the road is not completed, then the town can pull the money and fix the road. Powell said that he would check on the bond dates and the status.

5-20-08 Freeman explained that the letter of credit on Angel Hawk has expired yet the work is still not complete. Today, the developer met with David Eckman of Eckman Engineering; Cal Prussman, Newbury highway administrator, and Lou Caron, Caron Engineering and Newbury's representative on the subdivision site. Caron now has a new list of what needs to be done and is calculating the cost of completion of both onsite and offsite improvements so that the letter of credit can be reduced to cover the work. Attorney Bart Mayer has suggested that a letter be sent to the developer informing him that if the letter of credit is not reinstated or if the work is not done, then the board can hold a public hearing and the subdivision could be revoked, excepting the lots that are currently privately owned.

McWilliams advised the board to require that the letter of credit be in hand by the next meeting or else the board will move forward with action to revoke the subdivision. A copy of that letter should go to all interested parties, including the bank, the developer, the engineers, etc. Freeman agreed to draft the letter to the developer, Angel Hawk.

CASE 2007-018: – Site Plan Review – Jim Dudley/Sunapee Outfitters – property owned by Mary Webb at 104 Route 103

4-15-08 Board members were given copies of a letter of opinion from Bart Mayer, town attorney, on the interpretation of funneling (to do with allowing others access to a lake via your property). In summary, McWilliams said that Mayer advises that Sunapee Outfitters would need to acquire site plan review approval as well as a special exception from the ZBA in order to be able to use the vacant lot for demonstration purposes. The board decided to ask Dudley to come to the May 20 hearing to be present for the board's discussion as to how it should interpret Mayer's letter.

5-20-08 Vannatta reminded the board that Dudley was invited back to the planning board to discuss attorney Bart Mayer's opinion on whether or not the use of an auxiliary lot on Lake Todd for watercraft demonstrations would be considered funneling. Vannatta said that Mayer indicated that he was giving his insights, not a declaration or a decision to the board. In his letter, Mayer talked about the zoning ordinances; the shoreland overlay district and common area. He stated that the applicant must satisfy the requirements of Article 7.7.3. Common Areas. It states that lots within the shore land overlay district used as common waterfront areas for the purpose of waterfront access shall meet certain listed requirements.

McWilliams stated that this issue is more problematic when considering the criteria of the common open space regulations. He commented that it could comply as a residential building lot but, since it is being considered for a commercial use, funneling through a common area becomes an issue since the number of people using the lot is more than three unrelated people.

Dezotell commented that Mayer did not address all of the board's concerns. They would be providing access to the lake, which is encouraged by the state. He asked how watercraft use in the summer is different than snowmobile use in the winter. Additionally, there are some personal property laws that would come in to play, and it would be very difficult to deny access over unposted land.

Vannatta commented that the snowmobile use is not commercial. Dezotell said that it is commercial in the sense that the snowmobilers pay a fee for access to the trails of the snowmobile club.

Williams said that the auxiliary site could be leased as a separate property and therefore not under the guise of funneling. The purpose of funneling is to preclude multiple homeowners from accessing the lake through one piece of land. He agrees that the snowmobiles do more harm to the environment than kayaks and canoes, which don't use gas and drip oil.

Wright agreed also, saying this is just granting access for a one-time demonstration prior to purchase; it is not funneling. He stated that he does not believe Dudley needs to come before the planning board for a funneling issue.

Freeman said a site plan review hearing is necessary for use of the auxiliary lot but she does not see any reason why the commercial use as proposed should not be allowed.

The board voted unanimously to acknowledge the property owner's right to grant access across the lot for low-impact access as proposed and subject to site plan review.

Dudley will return to the board on June 17 for a final site plan review on the auxiliary lot.

CASE 2008-003 – Final Review – Lot-Line Adjustment – Town of Newbury and William Annable, Sr., Joan Desrosiers and Charles Torrisi – Lakeside Cemetery back line – Route 103A

4-15-08 Dennis Pavlicek, town administrator, explained that while the cemetery trustees were overseeing the installation of a new fence around the Lakeside Cemetery, it became evident that there was some confusion regarding the actual location of the back boundary. A survey revealed a discrepancy. A proposal for a boundary-line adjustment was agreeable to all parties involved. At town meeting in March, voters approved the adjustment. This lot-line adjustment is an effort to correct issues in the past and clarify the location of the lot line so that there are no issues in the future as to where the actual boundary line is located. The board voted unanimously to approve the lot-line adjustment as presented.

CASE 2008-004: Conditional Use Permit – Courtney Galluzzo – Chalk Pond Road

4-15-08 Courtney Galluzzo submitted an application for a conditional use permit for new construction for property located on Chalk Pond Road. The lot has been assessed and taxed as a building lot since 1973 by the state and the town. The lot is over 2 acres, but less than 8,800 sq. ft. is not wet; approximately 90% of this lot is wet.

The board voted 3-2 to deny the proposal. Voting to deny: Vannatta, Weiler, Williams. Voting to grant: Dezotell, Powell

The applicant can either appeal to the ZBA within 30 days for an appeal to an administrative decision or amend the application and come back to the planning board with a different plan.

CASE 2008-005 – Conceptual Site Plan Review – Stephen Lonsdale – Antique Shop -1423 Route 103

4-15-08 Lonsdale explained that he would like to open a retail shop at 1423 Route 103 to sell high-end antiques and stone ornamentals. He currently has a shop at his house in Wilmot, but it is too small. The building at this site has been used as a residence and needs cosmetic work. The negotiations with the owner of the property are to lease the property, renovate it inside and out and dress up the landscaping. The signage would also have to change. The board advised him to read the site plan review regulations and follow them very carefully.

CASE 2008-006: Conceptual Site Plan Review – Elliot Hansen – 877 Route 103

5-20-08 Hansen explained that he would like to convert the building at 877 Route 103 from the use of a church back to its original use as a real estate office. The lot is a total of 2.02 acres with approximately 215 ft. of road frontage on Route 103 extending an additional 255 ft. up Old Post Road. There will be no changes in the outside dimension of the building. The color of the outside of the building and the signs are proposed to be changed. Parking, interior changes and landscaping were discussed.

McWilliams said that this conversion would be a change of use and a site plan review hearing is required. He advised Hansen to focus on uses permitted in the zoning ordinance and the site plan review requirements in the site plan review regulations.

CASE 2008-007: Site Plan Review - Cosmos Investment Group – Stephen Lonsdale - Mountainview Farm Antiques -1423 Rte. 103

5-20-08 Lonsdale would like to use the building on site for a retail establishment for an antique business. His business is currently located in Wilmot on his home site, but the business has grown and needs additional space. This building fits the type of retail space needed. It has good visibility to the public and is ideal for showing antiques. There will be complete external and internal renovations and painting. The first and second floors will be for retail space, and the third floor will be used for office space and storage. The total square footage of retail space is proposed to be 2,000 sq. ft. He reviewed plans for parking, drainage, landscaping, new entry and other aspects. He has a fairly tight timeframe, planning to open the beginning of August.

The board voted unanimously to approve the site plan review as presented subject to the condition that a revised plan be submitted showing the location of the external lighting, septic system and well, which will be subject to the planning board's approval.

CASE 2008-011: Bell Engineering -- Bob Bell – Chalk Pond Watershed – 4'x30' culvert installation

5-20-08 Steve Russell, representing Sunapee Hills Assoc., was present to discuss a project proposed by Bell Engineering in the Chalk Pond watershed. There is an 86-acre parcel owned by Bell Engineering on which he has applied to the wetlands bureau to install a 4 ft. x 30 ft. culvert to build a road to access a tree-harvest area. Placement of this culvert is in a wetland. Russell said that the association's main concern is the placement and size of the road and culvert.

Freeman stated that she had asked Russell to bring this issue to the board's attention as she thinks the board should be made aware that this is happening. A letter should be sent to Bell making him aware of the town's regulations regarding these issues.

McWilliams commented that Bell will need a wetland buffer conditional use permit from the planning board which allows for certain uses within the wetland buffer.

Katheryn Holmes, conservation commission chair, provided the board with a copy of a letter from the commission to the wetlands bureau regarding this application. The letter outlines specific

observations and recommendations including a site review from a soil scientist.

CASE Code - 012: Stephen Shultz – Birch Bluff – Shoreland - Funneling

5-20-08 Shultz explained that he owns two properties, one in Birch Bluff with a house and the other land-only on Lake Sunapee. He would like the board's opinion on whether he can deed his house parcel a right of way through the lake parcel so that the house lot has access to Lake Sunapee.

McWilliams stated that Article 7.7.2 of the zoning ordinance addresses the creation of access rights. Freeman said that it is clearly stated in the ordinance that creating access rights is prohibited.