

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, transfer station and post office, but we strongly encourage you to 'get your copy' at the town website: www.newburynh.org. To receive a copy via e-mail, send a request (and any comments or suggestions) to: newburyupdate@gmail.com.

UPCOMING EVENTS

Mon.	Oct. 5	Board of selectmen meet, 6:30pm, town ofc
Tue.	Oct. 6	Planning board work session, 7pm, see pg. 7
Thu.	Oct. 8	Walking club, first weekly walk, see page 3
Sat.	Oct. 17	Wood Chuck Day, Fishersfield Park, pg. 1
Mon.	Oct. 19	Fishersfield Park – final trail clean up, pg. 3
Mon.	Oct. 19	Library – trustees meeting, 3:30pm
Mon.	Oct. 19	Board of selectmen meet, 6:30pm, town ofc
Mon.	Oct. 19	ZBA hearing, see page 6
Sat.	Oct. 24	Newbury Fall Festival, see page 3
Mon.	Oct. 26	VNA flu clinic, 4-6pm, town ofc, see pg. 1
Wed.	Oct. 28	NH DOT hearing on 10-year plan, see pg. 2
Thu.	Oct. 29	Library – Teen Zone, see page 3
Sun.	Nov. 1	Clocks back 1 hour, check detector batteries
Mon.	Nov. 2	Board of selectmen meet, 6:30pm, town ofc
Mon.	Nov. 2	Library – Book discussion, 7pm, see pg. 3
Wed.	Nov. 4	NBC – bow-making workshop, see pg. 4
Thu.	Nov. 5	Joint boards of selectmen meeting, see pg. 2
Mon.	Nov. 9	Library – Poetry Jam, 7pm, see page 3
Fri.	Nov. 20	NBC – greening of the town
Sun.	Nov. 22	Thanksgiving gathering at town office
Sat.	Nov. 28	NBC – annual wreath sale, see page 4
Tue.	Dec. 1	Deadline to pay property tax bills

STILL NEEDED: Food, winter clothes, blankets

There is still a big need for help with food and winter clothes for those "with a need" in Newbury. A big thank you to all who donated canned or packaged goods, winter clothes and checks in response to the call for help; it is greatly appreciated.

We received very little in the way of winter clothes for children, so this is a continuing concern. We need blankets, gloves, boots, hats, scarves, snow pants and snowsuits, along with winter coats etc. for adults.

As fall is upon us, it is time to think about Thanksgiving and Christmas. Needed food items would be cranberry sauce, stuffing mix, gravy, juices, fruits, pie crust mix, pumpkin mix and canned sweet potatoes.

There are bins in the town office lobby for donations.

If you would like to make a monetary donation, please make out your check to the South Newbury Union Church at PO Box 37, Newbury, NH 03255, attention Gail Bostic. The church runs the food pantry.

If you know of a family who would benefit from some help around the holidays, please contact me at 938-2064.

Please know that your help and donations are put to good use and greatly appreciated.

Gail Bostic, family services director

Other food items in addition to the items mentioned above:

baked beans, canned tuna fish, coffee, tea, cocoa, juice, fruit, soups, macaroni and cheese, spaghetti sauce, ravioli, chili, stew, peanut butter, jelly, Spaghettios, cake mixes, Jello, puddings, rice, canned chicken, mayonnaise, ketchup, flour, sugar, mustard, relish, salad dressing and crackers. (There's already a good supply of vegetables.)

Pet food and sundries are needed as well.

Wood Chuck Day – Saturday, Oct. 17

That's not a typo – we'll be chucking wood that morning. It's part of the process when you turn logs into stacked firewood. The town will give the wood to those in need this winter.

Saturday, Oct. 17
starting at 9 a.m.

Fishersfield Park
upper field area, take the park road up the hill

Handy things to bring:
Log splitters or chain saws *
Work gloves and ear protection

* These are really needed. Please call Dennis Pavlicek at 763-4940 x204 if you can help out by bringing these.

Seasonal Flu Clinic in Newbury, Oct. 26

On Monday, Oct. 26 from 4 – 6 p.m. the Lake Sunapee Region VNA will provide seasonal flu vaccinations to those 19 and over at the Newbury town office in the large meeting room.

The charge is \$40; if you pay by cash or check there's a \$15 discount. If you are covered by Anthem, Harvard Pilgrim, Medicare or Medicaid, bring your insurance card and VNA will bill them directly. For more information or locations of other VNA flu clinics in the area call 526-4077.

From the desk of the Newbury Board of Selectmen

*Jim Powell, Gary Budd, Dick Wright
and town administrator Dennis Pavlicek*

Awaiting tax rate – The NH Dept. of Revenue Administration is behind its usual schedule for setting tax rates but town administrator Dennis Pavlicek expects to receive the rate in time for property tax bills to be sent out this month. Payment will be due no later than Tuesday, Dec. 1.

County assessment – On Sept. 21 Pavlicek advised selectmen that the county assessment for 2009 is down \$15,000 from last year. He attributes most of that to the county debt service going down.

Budget review status – Selectmen will confirm the budget committee makeup at their Oct. 5 meeting and begin preliminary review of town budgets. Scheduling meetings of the budget committee with board and department heads will also begin.

Speaking of budgets – The selectmen received confirmation that their recommendation for the open Newbury seat on the KRSD Municipal Budget Committee – Armen Tarbassian – was accepted. The MBC's first weekly meeting is Tuesday, Oct. 6. The meetings are typically held on Tuesdays at 7 p.m. in the resource center at Kearsarge Regional High School but there are variations so check at the school district website, kearsarge.org.

Veterans' memorial – Three members of the veterans' memorial committee met with the select board at the Veterans Hall on Sept. 8 to discuss how the current building could be used, as well as the property bordering the fire pond. The members will report back to the full committee on the discussion.

Sprucing up South Newbury – Members of the Newbury Beautification Committee asked the selectmen if their group might plant some simple flowers and shrubs in front of the three town-owned buildings in South Newbury. NBC's fundraising efforts provided some extra money and they would like to spruce up the village. The selectmen approved this request with thanks to the NBC for all its members do.

Lights out – The town has asked PSNH to remove three of the utility's streetlights from the town center area now that the town has the new 'sidewalk' light fixtures there. A fourth PSNH streetlight will be moved over to Fishersfield Road by the new parking lot driveway. Pavlicek said that the town will receive credit for the three removed. The new streetlights are LEDs, so they generate more light per watt than incandescent, last much longer and use at least half as much energy.

Permits approved – In September selectmen signed and approved: An intent to cut for Rheta and Diane Heller, Map/Lot # 030-666-376; an intent to cut in the buffer zone for John Kuusisto, Map/Lot # 006-078-093 and a sign permit for Joe and Stephanie Spaulding for Brilliance Painting, Map/Lot # 007-549-130.

Parking, lots of it – The electricity and lights are in and up. The crew was working on landscaping at press time. Cars were parked behind town office again. They will have to relocate one more (short) time for the final top coat of pavement. Striping will be done outside normal business hours. Best estimate for completion is two weeks.

One way to park – After discussion with the police and fire chiefs about traffic flow and public safety, selectmen have decided that access to the town office and library parking lots will be one way, entering off Rte. 103 and exiting onto Fishersfield Road and then to Rte. 103A. Signs and striping will so indicate.

Tax deeding – At the end of July there were six parcels that had not paid taxes for the past three years despite numerous attempts to contact the owners and faced tax deeding. In the ensuing weeks taxes and penalties on all but one parcel have been brought up to date. That one parcel, in Park 10, has been deeded to the town. Pavlicek said that tax collections overall are on a par with other years.

Local select boards to meet – The select boards of the seven towns that comprise the Kearsarge Regional School District have reinstated quarterly joint meetings. It provides an opportunity to exchange information, experiences and efforts regarding not only the shared school district but town operations and other topics of general interest.

The next joint meeting is scheduled in Newbury on Thursday, Nov. 5 at 6 p.m. One agenda item is to see if towns can cooperate to get better prices for town purchases such as road materials. They will also continue to discuss the school budget process.

Public hearing on state transportation plan – There will be a public hearing in the Newbury town office on Wednesday, Oct. 28, at 1 p.m. to review and receive citizen input on the state's Ten-year Transportation Improvement Plan (2011-2020). It is one of 36 hearings being held statewide by the NH Dept. of Transportation (DOT) and the Governor's Advisory Commission on Intermodal Transportation (GACIT) between Sept. 14 and Oct. 29. The members of GACIT are the five executive councilors and DOT commissioner.

Those not able to attend the meetings can submit written testimony within 10 days of each of the public hearings. Copies of any documents related to the plan are available for review on the NHDOT website: nh.gov/dot or by calling 271-3344. Written comments can

be addressed to: William J. Cass, P.E., director of project development, NHDOT, P.O. Box 483, Concord, NH 03302-0483.

Proposed Wild Goose boat launch – The selectmen requested a meeting with the commissioner of the NH Dept. of Transportation while he was in town for the GACIT meeting on Oct. 28 (see above). Cmsr. George Campbell has agreed to meet with the selectmen, police chief and fire chief to hear about their concerns with traffic at the proposed boat launch site off Rte. 103 at Birch Grove Rd. They will visit the site to show the commissioner their safety concerns with current plans for vehicles pulling boat trailers pulling on to and off the state road.

Lake Sunapee Scenic & Cultural Byway

The committee working to reinvigorate the Lake Sunapee Scenic and Cultural Byway has spent several months developing a vision for the byway and strategies to maintain and enhance it. They would also like to expand it by adding Rte. 103A and Main Street in New London. The expansion must be reviewed by the state scenic byway council and public support is a key element.

Enter the next phase of work for the committee: public outreach on the byway and its resources. They have put together a slideshow and narrative to tell the byway story to each town's residents, boards and civic groups.

Now it's time to get the word out and to gather feedback and suggestions from residents, town boards and community organizations in Newbury, New London and Sunapee. The audiences will be asked for support for expanding the byway and for input about potential projects that might be funded through the Scenic Byways Grant Program.

After the outreach sessions are completed the byway committee will review the brainstormed ideas to identify potential projects that could be funded through scenic byway funds, i.e., projects that could be done on a reimbursement basis, and that directly benefit the byway traveler.

In Newbury, Dennis Pavlicek will work on arranging meeting dates with town boards and civic groups for the byway presentation. The public will be invited and encouraged to attend.

Sign up to ensure emergency notifications

To ensure you are contacted in the event of an emergency, please read the following then go to the town website (newburynh.org) and click on the right where it says "[Click here to sign up for the Code Red emergency notification network.](#)"

To recap, the Code Red emergency public notification system offered by the Emergency Communications Network has been contracted by Newbury and five other area towns to set up this 'reverse 911' system. Should there be an emergency all the households in the affected areas – from a street to the entire town – could receive a recorded telephone message with critical information.

Here's the crux of the matter: Efforts to get the landline telephone numbers from TDS or the state E911 system were unsuccessful so the firm is using commercially available listings. They are not as accurate or up to date. Also some people have unpublished numbers or cell phones only. The best solution is to ask people to supply their information. If you click through from the town website you can provide primary and alternate phone numbers to be sure you are reached. Both residents and businesses should do this.

As you will read on the site, this information will only be used for the emergency notification system and will not be shared or sold to any other party.

For questions or additional information, please contact town administrator Dennis Pavlicek at 763-4940, ext. 204.

TRANSFER STATION

Selectmen held a special meeting at the transfer station on Sept. 28 to further consider ideas and suggestions for improvements to the area and its ease of use. One item was a new roof (actually more of an extension of the existing building roof) to cover the second compactor in its new location. That project is now out to bid and it's hoped to have it done by winter. For better flow and ease of use, selectmen also plan to move the plastic/tin container to the other side of the building by the cardboard trailer, alongside the paper container.

Recycling urged

Recycling, specifically how to encourage more of it, continues to pose a challenge. It seems an easily motivated act: For each pound of material recycled, taxpayers save the cost of hauling and tipping a pound of trash. It does add up; just check the sign by the office showing how much money the town has saved to date.

Selectmen talked with transfer station employees about how to improve recycling, such as being more alert and proactive in promoting recycling when residents visit the transfer station and clearing up any confusion users might have about what can be recycled and where each type of item goes.

While we do okay in recycling – Newbury's recycling rate in 2008 was 20.6 percent – we have lots of room for improvement. The selectmen want to make people more aware that recycling makes both financial and environmental sense, and future issues will build the case for recycling. For now:

What's in your garbage?

32.7%	Paper
12.8%	Yard trimmings
12.5%	Food scraps
12.1%	Plastics
8.2%	Metals
7.6%	Textiles, rubber, leather
5.7%	Wood
5.3%	Glass
3.2%	Other

Note how many of these categories are recyclable or compostable.

Last year Newbury had a 20.6% recycling rate.

[Data provided by NH DES from EPA waste characterization report, 2007]

PARKS & RECREATION

Recreation Committee: Inge Lee, Jane Pratt, Marilyn Hill, Jennifer Morris Sweet, Gail Bostic, Katie Seabury, Mark Cashin, Monica Valovic, John Valovic

Newbury Walking Club

The newly formed walking club will be meeting on Thursdays starting Oct. 8. Meet at 12:10 p.m. at the playground parking lot.

Fishersfield Adopt-a-Trail

Calling all trail teams to the final fall clean up on Monday, Oct. 19 from 9 a.m. – 12 noon. Come with your weed whackers and any other useful implements.

If you would like to be a part of either of the above activities just show up, or contact Travis Dezotell at travis@newburynh.org or 763-4940 x210.

Newbury Fall Festival – Saturday, Oct. 24

This year's fall festival is on Saturday, Oct. 24, from 10 a.m. – 2 p.m. at Fishersfield Park. Get your costume ready for the popular Halloween trick-or-treat trail walk at 11 a.m. ready. Games and crafts, music and snacks are also in the offing.

Help is welcome so if you're up for some fun, please call Dezotell at 763-4940 x210.

NEWBURY PUBLIC LIBRARY

*Library trustees: Liz Tentarelli, Pam Ritchie, Pat Sherman.
Friends of NPL: Liz Moulton, Paula Falkowski, Ken Tentarelli, Mickey Noyer, Jackie Keegan, Suzanne Levine, Diana Morris*

Library hours: Sunday 12- 5 p.m., Monday 12-8 p.m., Tuesday-Thursday 12-5 p.m., Friday closed, Saturday 10 a.m.-2 p.m.

The library trustees will be meeting on Monday, Oct. 19 at 3:30 p.m.

Poetry Jam

The next poetry jam is scheduled for Monday, Nov. 9, at 7 p.m., moderated by Dianalee Velie. The topic will be ghosts and spirits. There will be no jam in October.

Weekly Fall Story Time

Preschoolers and their caregivers start gathering at 10:15 a.m. on Wednesday mornings. Story starts at 10:30 a.m. (ending at 11:30).

Book Discussion

The novel for the book discussion on Monday, Nov. 2 will be *A Thousand Splendid Suns*, by Khaled Hosseini who also wrote *The Kite Runner*. The discussion will be group led and begins at 7 p.m. Copies of the book are available at the library.

According to Hosseini's website, *A Thousand Splendid Suns* is a "story set against the volatile events of Afghanistan's last thirty years – from the Soviet invasion to the reign of the Taliban to the post-Taliban rebuilding – that puts the violence, fear, hope and faith of this country in intimate, human terms. It is a tale of two generations of characters brought jarringly together by the tragic sweep of war, where personal lives – the struggle to survive, raise a family, find happiness – are inextricable from the history playing out around them."

Teen Zone

The teen zone will be carving into pumpkins and pizza on Thursday, Oct. 29 from 6:30-8 p.m. at the library. Join in for a night of spooky fun creating your own jack-o'-lantern using Pumpkin Masters stencils. The pumpkins will illuminate the library steps on Friday night, then pick up your creation Saturday between 10-2 to share with friends and family. Space is limited to ten so sign up early. Teen zone is for grades 6-12.

Library Friends

At their annual meeting on Sept. 14 the Friends elected the following officers: Liz Moulton, president; Ken Tentarelli, treasurer; Paula Falkowski, secretary and as directors Jackie Keegan, Diana Morris, Mickey Noyer and Suzanne Levine.

At the next meeting (Monday, Dec. 7, 6:30 p.m.) the Friends will do their budget for the year. They will also talk about doing the annual appeal letter again which will be sent out in May of 2010.

All are welcome to attend. Friends meetings are held quarterly, at 6:30 p.m. in the library. The first three in 2010 are set for March 8, June 14 and Sept 13.

Humanities-to-go program, Dec. 13

On Sunday afternoon, Dec. 13, the library will host "Crime and Punishment on the Isles of Shoals: The Ballad of Louis Wagner" with John Perrault. This is one of the Humanities-to-go programs of the NH Humanities Council and it examines a murder and trial more than a century ago and the currents surrounding it all. Perrault will also perform is song, *The Ballad of Louis Wagner*.

To give you more background on the events, librarian Rosie Johnson recommends reading *The Weight of Water* by Anita Shreve, about the two women who were killed 136 years ago on Smuttynose Island and a woman who, while researching that crime and its aftermath, ends up on rocky emotional ground of her own.

ASSESSING OFFICE

Verifying assessment data

In order to satisfy state statute, Assessors Norm Bernaiche and Kris McAllister visit 20-25% of the town's improved properties each year to verify the accuracy of the assessment data. The assessing office recently sent out letters to several neighborhoods informing property owners that the assessors will be at their property at some point in the next couple of months. If the property owner is home at the time, the assessor will ask to do an interior inspection; if the property owner isn't home the assessor will estimate any interior changes to the property. If you received one of these letters and your property has not been visited by the assessor in the last year, we recommend that you call for an appointment so that your property record card reflects accurate information.

The visit will last approximately 20 minutes depending on the complexity of the property with most of that time spent verifying exterior measurements of the home and any outbuildings on the property. The interior inspection consists of verifying the bedroom, bathroom and overall room count, flooring, heat type, the amount of finished area and the overall condition of the home. Additional time is made if you the homeowner have questions regarding the assessment process; our goal is transparency and education.

You, as the property owner, may say to yourself, "Nothing has changed on my property. Why does the assessor need to come?" The answer is, in most cases homes are at least five years older and the condition may have changed. Do you know for sure that your property record card reflects accurate data to begin with or was the last visit to your home an estimate?

Both Bernaiche and McAllister have identification and their cars are marked "Town Assessor Property Review." Should you have any questions regarding your assessment or would like to make an appointment with the assessor, call Denise Walter at 763-4940 ext. 201.

HIGHWAY DEPT.

The highway crew is making good use of the FEMA hazard mitigation grants. They have been working on putting down fabric and hard pak on Winding Brook and Mountainside roads. They then move into the Sunapee Hills area. They expect to do Cheney Road after mud season.

CEMETERY COMMISSION

Cemetery trustees: Paul Riley, Mike Moss, Judy Healey

South Newbury Cemetery

For as long as I can remember I have always been drawn to cemeteries and the history that lies within them. I am now privileged to serve as a trustee on the cemetery board and have been able to learn so much more historic information.

The South Newbury Cemetery is tucked in behind the South Newbury Union Church. Whether you enter this lovely old cemetery from the newly restored gate on the Village Road side or from the entrance behind the old 'hearse' house adjacent to the town's highway dept. area, you feel an immediate sense of peace and tranquility. As you gaze out over the four sections that make up this cemetery, viewing the 487 burial sites, it makes you totally realize how fragile our lives are on a day-to-day or even minute-to-minute basis. This is also an incredible place to view our history – it tells us so many stories about the people who came before us.

The South Newbury church was built in 1831 and the following year, 1832, the South Newbury Cemetery came to be. Herein lie many of the founding families of our wonderful town – the Blodgetts, the Cheneys, the Cilleys, the Gillinghams, the Messers, the Morses, the Perkins and the Simons, to name a few. According to record, Timothy Morse died October 30, 1832, and this is the earliest existing marker in the cemetery. However the trustees have noted that

there are other burials prior to this date, including Mary Thissell, wife of Richard Thissell, who was born 1/27/1754 and died at the age of 57 years & 9 months on October 27th, 1811.

The oldest person was Mary E. George, wife of Elijah Kidder, born 11/24/1815 and died 12/31/1914 at the age of 99 years, 1 month and 7 days.

In 1914 Ralph Gilbreath (1844-1917) designed and built a memorial to all veterans in the center of the cemetery. There are veterans from the Revolutionary War, the Spanish American War, World War I, World War II, Vietnam and lastly Alan Hill from the Persian Gulf War. We honor these veterans by placing flags on their graves.

Many of the head stones tell their own stories. Daniel and Nancy Gillingham lived to be in their 80s, dying in 1868 and 1865 respectively; however their three sons died at the ages of 23, 19 and 6. There are the elderly, the young, many children and infants born and did not live. Early markers note many interesting facts. This cemetery is closed for new acquisition, but there can be burials for previously acquired plots. Please take a few minutes and visit this lovely cemetery enjoying the peace and history.

--Judy Healey

BEAUTIFICATION COMMITTEE

Sharing success

Joy Nowell, president of the Newbury Beautification Committee, reports that the group had a very successful season and accumulated more money than usual, so felt it incumbent to share the benefits. The members selected three efforts, each related to their mission.

Much of their work to date has been in the 'downtown' area of Newbury so they decided to put some focus on South Newbury. They are purchasing plants and other landscaping for the three historic town-owned buildings (old town hall, Sherman Hall and Grange), the South Newbury Union Church and the Friendship House, since these are the anchors for the village. Working with their supplier, Cole's in Concord, they were able to get quite a bit at good price. Members are contributing hostas and other shade plants. Nowell expects they will start planting some shrubs this month.

Further, NBC members voted to give \$500 to The Fells, a noted Newbury institution, for restoration of the old garden, and \$500 to the Center Meeting House for landscaping once the site is ready. Nowell pointed out that some refer to the meeting house as a town jewel and every jewel needs a good setting.

Upcoming NBC activities and events

A quick review of upcoming items on the NBC calendar (two additions since last month noted by asterisks):

Saturday, Oct. 24 – Newbury Fall Festival at Fishersfield Park at which NBC members will participate.

*Wednesday, Nov. 4 – The regular monthly meeting, as always open to all, will be a bow-making workshop in preparation for the wreath sale. At town office at 9 a.m.

Friday, Nov. 20 – Greening of the town with wreaths and swags, ribbons and bows. Rain date is Saturday, Nov. 21.

Sunday, Nov. 22 – Members will provide refreshments for the Thanksgiving gathering at the town office.

*Monday, Nov. 23 – A workshop in the basement at town office at 9 a.m., to make things to sell at the wreath sale – hostess gifts and children's table items.

Saturday, Nov. 28 – Annual Holiday Wreath Sale at town office from 9 a.m.-1 p.m. Same low prices as last year. Have Santa's Workshop create a custom wreath or purchase a signature wreath. Visit our hostess table and our new children's table for gifts for school and family. Place your advance order for special large-size wreaths, roping and kissing balls; call 927-4006. Also available: Center Meeting House ornaments, Newbury's pictorial history book.

Sunday, Dec. 6 – Lighting of the Great Tree, followed by caroling and refreshments at the town office.

HISTORICAL SOCIETY

www.newburyhistorical.org

Barbara Steward, president; Shelly Candidus, vice president, Margie Weiler, treasurer; Deane Geddes, Alice Lynn, Robert Morris, Dennis Pavlicek, Mary Thayer and Bill Weiler

The Society organized for the coming year with the election of officers, a review of the various ongoing projects and a discussion of programs and events for the year to come. The Board also reviewed the proposed Collections Management Policy.

Shelly Candidus and her committee are already at work on our next program in the *We Remember Newbury* series, scheduled tentatively for January 2010. Both of our previous events were well attended and enthusiastically received. Contact Shelly (763-8702) with your ideas and suggestions for topics for future events.

If you are looking for the perfect gift for yourself or others, our pictorial history book *Newbury* continues for sale at the town clerk's office, the library and on our website. It will also be available at the NBC wreath sale on November 28.

Gay and Marty Sheary, co-chairs of the historic house marker project, reported that several more plaques will be presented to home owners in November. These date markers are beginning to appear more frequently as enthusiastic individuals apply and document the history of their homes.

The archives committee, which oversees the collection housed in Sherman Hall in South Newbury, is seeking new members. E-mail us if this or other volunteer opportunities might interest you – we have many interesting options available.

We encourage you to join or renew your membership as our members are the cornerstone of our society – and we need each one of you! If you are not a member please go to our website and check the options available to you or contact any board member. And while you are there be sure to check out the ever-changing content as Bruce Healey keeps the site current and interesting.

Our next meeting will be at 7 p.m. on Nov. 5 at the town office and all are welcome.

--Barbara Steward, president

HEALTH OFFICER

Code Red

Should the H1N1 flu develop into a public health emergency, the new Code Red reverse 911 system may be used to provide valuable health information to the community. Please go to the Code Red link on the Town of Newbury website and complete the form so that we will be able to contact you in the event of an emergency

Seasonal Flu

Remember that all individuals should receive seasonal flu vaccine, whether or not they are in one of the above categories. The seasonal flu vaccine is available now from your physician or the Lake Sunapee Region Visiting Nurse Assoc. Seasonal Flu clinics, one of which will be held at the Newbury Town Office on October 26 from 4-6 p.m.

H1N1 flu

As the month of October begins, the first shipments of the H1N1 (swine flu) vaccine have started to arrive in New Hampshire. The NH Dept. of Health and Human Service (DHHS) has received the vaccine in two forms, nasal spray and an injectable vaccine from the federal government for distribution to hospitals, physicians and health districts. The vaccine is being provided by the federal government at no cost, although medical providers may charge a patient for providing the actual injection.

State health officials are recommending that residents contact their primary care provider for the flu shot. DHHS has identified certain priority groups that should receive the vaccinations first:

- Pregnant women
- Healthcare workers
- Children and young adults aged 6 months to 24 years
- People who live with or care for infants younger than 6 months
- People aged 25 to 64 who have medical conditions that put them at risk for influenza

Please check the Health Officer's H1N1 information page on the Town of Newbury website (newburynh.org) for the latest information from DHHS and other public health agencies.

--Wayne Whitford, health officer

FIRE & RESCUE DEPT.

Fire Prevention Week, Oct. 4-10

The week of October 4-10 is Fire Prevention Week and the National Fire Prevention Association campaign for 2009 is "Stay fire smart! Don't get burned." The campaign focuses on kitchen fire safety and preventing kitchen fires by:

- Never leave boiling, frying or broiling food unattended. Stay in the kitchen or turn off the stove.
- Regularly check on the food that is cooking.
- Keep things that can catch fire – oven mitts, wooden utensils, food packaging, towels or curtains away from the stovetop.
- Keep the stovetop burners and the oven clean.
- Do not wear loose-fitting clothing that can catch on fire when cooking.
- Keep children at least 3 feet away from the stove and areas where hot food or drink is being prepared.
- Always use cooking equipment that has the label of Underwriters Laboratory or another recognized testing laboratory.
- Follow manufacturer's instructions and the fire code when installing, cleaning and operating cooking equipment.
- Plug microwave ovens and other cooking appliances directly into an outlet; never use an extension cord.
- Check electric cords for cracks, breaks and damage.

When you "fall back" to standard time:

Change your smoke & CO detector batteries

The change from daylight saving to standard time occurs on Nov. 1. Please remember to replace the batteries in your smoke detectors when you reset your clocks. Smoke detectors have an impressive reputation for warning people and saving lives in the event of a fire, but they only work when there is a fresh battery.

Don't forget to replace the batteries in your carbon monoxide (CO) detectors as well. There have been two calls in Newbury over the last several months where the activation of smoke and carbon monoxide detectors and fire department response have prevented fires from spreading and injuries from carbon monoxide poisoning.

Emergency generators

With the thoughts of the December 2008 ice storm and its resulting power outages, many residents are considering installing a generator in their homes. Generators can be a very useful tool, but they can also be dangerous if not installed properly. The Newbury Fire Dept. recommends that a professional electrician be used when installing a generator.

Generators should always be installed outside the residence away from vents, doors and windows so that deadly carbon monoxide does not enter the house. The generator should be connected to a professionally installed transfer switch to the home's electrical system. Generators should be tested on a monthly basis to be sure that they will start when needed. Contact the Newbury Fire Dept. or code enforcement officer for additional information.

Permits required for outside burning

Fall is the time for yard cleanup up and Newbury Forest Fire Warden Dave Smith reminds residents that burning permits are required for all outside burning of yard waste and brush in the Town of Newbury. Please contact Smith at 938-5925 or one of the deputy wardens for a permit application or if you have questions on the permit requirements.

LAND USE BOARDS

Please note –

The land-use board sections here first present topics the boards covered at work sessions and other administrative actions. This is followed by summaries of hearings, arranged by case numbers and date sequence within each case. In all cases these are very brief summaries and in some cases are from draft minutes. You are encouraged to read the full and approved minutes, available at the town office and website.

ZONING BOARD OF ADJUSTMENT

Katheryn Holmes, chair; Helen Wright, vice-chair; Steve Russell, Barbara Richmond. Alternates: Alex Azodi, Sue Russell, Peter Fichter

Joan Lanzillo Family Trust, for property located at 16 Shore Drive, sought an area [dimensional] variance to permit the construction of a shed within the side and rear [street side] setbacks of the property.

9/14/09 Mark Lanzillo explained that the proposed location of the shed takes into account the grade of the property, the location of the swales and minimum removal of trees on the property. He said there are limited locations on the property on which to build that would meet required setbacks without major disturbance to the existing trees.

The board voted unanimously to grant the variance from Article 5.9.1 with the condition that a temporary and permanent erosion control plan be submitted to and reviewed by the code enforcement officer before obtaining a building permit.

Jennifer & Neal Richard, for property located at 66 Lake Ave., sought an area [dimensional] variance to permit reconstruction of a non-conforming building to be less non-conforming within the front and side setbacks of the property.

9/14/09 The Richards' house currently encroaches on a neighbor property. The proposed new building would be smaller and turned so as not to

The new design includes a porch that is located on Vermont Avenue, a paper road. There was discussion on whether it's permissible to build on a paper road or to use it for the proposed runoff water management system. .

There was general discussion concerning the paper road, the proposed porch, the proposed runoff water management system using the paper road, the legality of using a piece of property that has questionable ownership, and how to proceed.

The board voted unanimously to continue the hearing pending the information concerning the legal status of Vermont Avenue and to schedule the meeting for Sept. 21.

9/21/09 The hearing on the Richard application continued. After discussion the board reviewed the new plan that cut off the section of the porch that encroaches on Vermont Avenue. The runoff water management plans were also revised.

The board voted unanimously to grant the variance with two conditions: The new structure shall be contained within the existing property lines and a DES permit will be obtained. The ZBA also gave a waiver, due to hardship, to Art. 6.17.3 on parking requirements.

Upcoming ZBA public hearing

The ZBA agenda for Monday, Oct. 19, as of press time, includes a public hearing at 7:30 p.m. at which Emerson Cottage Trust, for property located at 336 Bowles Road, will seek an area variance to permit moving of an existing building footprint.

PLANNING BOARD

Tom Vannatta, chair; Barbara Freeman, vice-chair; Travis Dezotell; Deane Geddes; Bill Weiler; Bruce Healey; Jim Powell, ex-officio (Dick Wright, alternate), Ron Williams, alternate; Ken McWilliams, advisor

Volunteer interest

9/15/09 Vannatta reported that the planning board meeting on Oct. 6 will include an interview with Alison Kinsman, who is interested in serving on the planning board. In addition, a civic volunteer application for the planning board was received from Russell Smith. Vannatta offered to contact him to ascertain his interest.

Gillingham subdivision

9/15/09 Weiler reported on the Pickman subdivision between Gillingham Drive and Old Sutton Road. The proposed subdivision was never approved and apparently has subsequently been dropped. The owner has now focused on the Gillingham Drive access portion of the property which is close to the lake and borders on an extension of the lake on that side of the road. Weiler said that the owner has cut and stumped the trees in the buffer zone and in the protected shore land zone. In addition, he said, there has been substantial digging.

Weiler noted that the owners have started work on a project before plans for that property have been submitted to the planning board. He referred to subdivision regulations that prohibit starting subdivision roads before gaining board approval. The zoning ordinance also contains regulations about the building envelope being limited by various setbacks.

Weiler said the board should discuss its reaction if an application for a subdivision is presented to the board; his information indicates that a three-lot subdivision is planned. Freeman said the real estate professional handling the property sale should be notified that there are no lots for sale.

Powell said that an intent to cut was submitted several months ago; it went to the state. Since then the town has had complaints about the cutting. Paul LaCasse, the code enforcement officer, has visited the site twice, believes there are some violations with the cutting (specifically cutting without proper approval from the state) and has contacted the state regarding his findings. The state has not visited the site.

Weiler said he has seen evidence that a driveway is being constructed and has notified LaCasse.

Powell added that there is evidence that a home site is being prepared, which does not violate any town laws.

Weiler said there is a state law (227-39) covering clearing for a home site without a permit.

Katheryn Holmes asked if the town enforces any fines for violating buffer/shore land regulations.

Powell said the property owner violated the intent to cut document and violations of that nature are handled by the state. The town can fine a maximum of \$275 per day for any violation of the local zoning that is not corrected in a reasonable amount of time. This situation, he said, is above the local zoning and that is why the state is now involved.

Weiler said that regulation enforcement involves many layers – from issuing a warning to a judge's approval to inspect the property – and becomes very costly.

Meeting with zoning board of adjustment

9/15/09 Kathryn Holmes, ZBA chair, and Barbara Richmond, ZBA member, met with the planning board to share some concerns and suggestions.

> Holmes raised the point that applicants appearing before the ZBA often arrive with incomplete applications, specifically in the areas of floor plans, elevations, setbacks and drawings. The applicant's apparent confusion over what is required hinders the ZBA's ability to review the application in a timely manner.

Holmes suggested that the Guideline for Applicants that is on the town website needs clarification and ease of use for the applicants. She added that the ZBA should have a checklist for applicants similar to the one used by the planning board.

McWilliams said that the problem appears to be communicating what the applicant needs to provide to the ZBA. He said either the applicant cannot read/understand the guidelines or someone is not explaining it to them clearly.

Suggestions included having a picture of what is required (such as a drawing, floor plan, etc.) in the application requirements and using an application that contained the right information as an example.

> Holmes raised questions concerning terminology as it applied to the zoning ordinance for Blodgett Landing Cottage District (BLCD). Specifically, she asked for definitions for "new dwelling," "replacement dwelling" and "grandfathered."

Powell said there are legal definitions of "grandfathered" within the state.

Weiler said that the planning board is the legislative arm of the town and should provide what Congress calls legislative intent. At the state and federal levels, all the laws must be interpreted at some point and when the interpretation becomes onerous the legislative body is asked to clarify. He said that the planning board should provide clarification.

Freeman referred to page 68, Article 15.1.2 of the zoning ordinance as supporting documentation for defining a "replacement dwelling" as having to be in the same footprint.

Freeman said the definition of "new dwelling" as it applies to the BLCD is that it is using a new footprint. The definition is based on the non-conforming structure definition contained in the zoning ordinance, along with the language contained in the BLCD section of the zoning ordinance.

Vannatta said there need to be definitions for terminology that are specific to the BLCD.

Holmes suggested that the BLCD needs a separate glossary to help applicants understand the terms used in the ordinance.

> Holmes raised the question of paper roads in the BLCD; specifically, who owns the paper road known as Vermont Avenue and is it legal to build on it?

Powell said he would research the question and get back to Holmes with his findings.

> Holmes asked if there are town regulations concerning tree cutting.

Freeman said the town regulations are the same as the state regulations. She further suggested that the board take it on advisement that language be added to the ordinance governing tree cutting to include an application process and that how and when it happens will be discussed when the board has a draft document and invites participation.

> Weiler referred to Holmes' opening remarks that people are applying to the ZBA for variances and not special exceptions. He said that if people have a problem with some part of the ordinance which specifies special exception, then they should apply for a special exception.

Holmes agreed, saying she reviews each application to make sure the applicant is applying for the right thing. She suggested offering workshops throughout the year to help educate applicants on the proper method of making application to the ZBA.

Freeman said it would be more effective to have a contact person within the town office to help applicants walk through the application process. She asked Holmes if she [Holmes] wanted the planning board to review the current ZBA application procedure.

McWilliams said that function is an administrative responsibility between the ZBA, land use board coordinator Denise Walter and code enforcement officer Paul LaCasse.

Weiler suggested canvassing other towns for fresh ideas.

Vannatta said Holmes has the final word on the ZBA applications and how they are presented and in that respect she is providing the applicant with some education on the process.

Summaries of planning board hearings

Following are brief summaries of recent planning board hearings from draft minutes, listed by case number. You are encouraged to use the full minutes, available at town office, for any reference.

Case 2008-010: Continuation / Annexation – Brad LaClair - Three Park 10 properties

9/15/09 Neither LaClair nor his agent were in attendance.

McWilliams said the board could continue the case at another date, or dismiss it. He said LaClair was supposed to apply to the zoning board of adjustment (ZBA) for a variance and then reappear before the planning board. Kathryn Holmes, ZBA chair, said LaClair had not applied for a variance within the past two months.

The board voted 5 to 1 to authorize Vannatta to write a letter to inform the applicant of the actions of the board this evening: That he [the applicant] will be required to renotify before the meeting that he intends to appear before the board, but that the application is held as good for that particular meeting.

Case 2009-003: Final Site Plan Review – Baker Hill Golf Club - Addition to clubhouse kitchen facilities at 123 Baker Hill Road

9/15/09 McWilliams said that this is an amendment to the existing site plan. He reviewed the application and pronounced it complete. The board voted unanimously to accept the application as complete.

The plan involves a 628-square-foot addition to the clubhouse kitchen, needed for operational and safety reasons. There will be no change in the number of people served and service is limited to lunch and a few dinners. Also, there will be no increase in staff. The plan also calls for placing windows in the existing screen porch to make it a three-season room for the BHGC members.

There was discussion about whether existing permits, including for commercial kitchen and septic, were in place and sufficient. Freeman said she was satisfied that the question of permits will be handled by the code enforcement officer and that the board will be notified if septic issues arise. Weiler and Freeman questioned the elevations in relationship to the drawings. The designer suggested that a revised site plan be made that includes all four elevations and shows the location of the new addition.

The board unanimously approved the application on condition that the following updates are provided: identify each elevation, on the north elevation indicate that the south elevation is not changing except for the addition of windows on the screened porch and provide a "north" arrow on the floor plan.

Upcoming planning board meetings

At press time there were no applications for hearings at the Oct. 20 planning board meeting.

The planning board will conduct a public hearing on Tuesday, Oct. 6, at 7:30 p.m. to consider the reinstatement of the Angel Hawk subdivision approval on lots 4, 6, 7, 8, 10, 11 and 12 from the limited purpose of prohibiting the issuance of building permits until such time as provisions are made to secure the required road improvements.

There will also be a conceptual hearing with Thomas Behrens for

property located at 1386 Route 103.

The agenda for the planning board's work session on Oct. 6 also includes an interview with potential new alternate board member Alison Kinsman, reviewing the draft of the capital improvement program (CIP) report for 2010-15 and committee reports on a workforce housing ordinance and amendments to the sign ordinance and subdivision regulations.

At press time there were no applications received for hearings on Oct. 20.

New traffic flow

In the near future there will be a new traffic flow pattern in the parking lot of the town office and library. All cars will enter by Route 103 and exit through the back of the parking lot onto Fishersfield Road and then to Rte 103A.

Thank you for your cooperation with this safety improvement.

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