

**TOWN OF DEERFIELD  
BOARD OF SELECTMEN  
July 26, 2021  
MINUTES**

**Call to Order**

5:30 pm – Chairman Robertson called the meeting to order

**Present:** Andrew Robertson, Chairman; Richard Pitman, Vice Chairman, Fred McGarry, Alden Dill, and Cynthia McHugh, Selectmen.

**Pledge of Allegiance to the Flag**

Chairman Robertson asks all to rise and pledge allegiance to the Flag

Chairman Robertson: I would note for the record that Selectwoman McHugh is on her way. She's not with us yet but she'll be here shortly.

**Eversource – Thurston Pond Road project**

Our first order of business this evening is to meet with Eversource regarding their Thurston Pond tower installation project and access.

I assume, at least some of you, are from Eversource and I appreciate you being here.

I know you went through a number of question and answer sessions with the Planning Board in regard to the wetland easement to actual get into where the tower goes and I believe that the Planning Board also discussed that it's a Class VI road with you and the Board of Selectmen considers Thurston Pond Road and Ridge Road both to be Class VI town roads and is very interested in what happens on them and we were interested in talking with you ourselves directly because we have a responsibility for the Class VI roads; any damage that might occur to them or any improvements that might be requested, be made of them so upon finding out that the Planning Board had met with you but we hadn't, we wanted to ask you to come talk to us about what your plans were for accessing the powerline that you need to put the tower on via a Class VI road.

And if we could get you to go to the table with the microphone so we get things recorded.

Ashley from Eversource Licensing and Permitting and I have Lindsey White from GZA with us. She presented before the Conservation Commission and the Planning Board on the project itself, so I don't know if you have any interest in the project itself but it is purely just the road, I am happy to take it from there.

Chairman Robertson: It is primarily road access. I did speak with Lindsey earlier about motorcycles not roads.

Ashley: Okay, so late last week, it came to our attention that the Board of Selectmen had an interest in us using Thurston Pond Road. As you mentioned, had approval for using the southern access at Ridge and Range Roads to Thurston Pond Road via the conditional use permit from the Planning Board.

So, due to the concern, we had a meeting with the town road agent this morning to go out and do a fact-finding mission to see if the wooden bridge on Thurston Pond Road coming from Mt. Delight Road to the north would be feasible for our construction equipment and now, we have a contractor on board to do work that would join us as well.

So, in review of the bridge with the town road agent, we did find we are able to use a technique called "air bridging" which is when you take timber matting or it can be placement material, gravel on either side of the bridge and place timber mats on top so when equipment drives over it, the weight is displaced not on the bridge but is displaced on either side of the bridge itself.

So, while we were having this meeting, we were approached by several property owners that have concerns about utilizing the bridge and about using the road.

We're confident that using this air bridging technique that we have used in construction on several other projects such as crossing streams and crossing bridges, that the impacts will be negligible and we agree with the property owners that the \$15,000.00 bond and the inspections that were mandated for GZA for the access path on the south, agree

that they should be transferred to the northern access route if you guys allow us to use that path off of Mt. Delight rather than coming in from the south.

Chairman Robertson: To my recollection, we've used this technique before on this bridge. I don't recall if it was Eversource or it was logging contractors, but I also recollect that that bridge was initially built to spec to handle logging equipment to the best of my knowledge but I believe that we have also used matting on it previously for either construction equipment or logging equipment.

Ashley: We do have photos as well. They were able to print some photos of this technique. The photos of this technique show the use of gravel rather than timber mats on either side but what they will do will place material, stone right here so regular, daily driver vehicles can still continue to use it, this road, EMS as well so it won't be stopping traffic or unusable.

Chairman Robertson: I guess, speaking for myself here, the concern I would have regarding use of gravel or stone is what impact that might have on the stream which is flowing pretty steadily right now.

Ashley: So, the intent would be to only put so much so that it won't be overflowing into stream. It would be contained within the dirt road there.

(Someone was speaking about a ramp but couldn't hear completely and didn't identify themselves)

Selectman Dill: How far, how, do you just want to give a brief overview of the project. I'm not up on the project.

Lindsey Leighton: Sure, Basically, we did receive a conditional use permit to replace structure 65 off of Thurston Pond Road. It's a (chair scraping) stanchion

Lindsey Leighton (GZA): So, we GZA submitted Eversource's application for impacts for the town of Deerfield wetlands conservation district. That is to access a utility pole in the existing right-of-way in order to replace it and part of that is accessing through wetlands to get there. Used wetland delineations and the right of way this past year and through the wetlands we used timber matting to get across those and that reduces (couldn't understand) compaction in the wetlands and after the work is done, the mats are pulled and the areas are restored.

That is what the conditional permit was for.

Chairman Robertson: So, what is the preference of Eversource at this point because at this point, the Board had some reservations about the feasibility of coming in off the sharp corner of Ridge into Range and we also had some concerns because that road bed in places is similar to a running stream at this point and there were some culverts as well in there that would certainly be impacted by heavy equipment.

Ms. Leighton: Due to the amount of improvements that are needed on the access from Range and Ridge Road, we do prefer to use the northern access coming off Mt. Delight Road and going over an air bridging over the wooden bridge to get to the right-of-way.

It will save us several weeks of work to make the southern access usable.

Chairman Robertson: And what restrictions would there need to be for residents because that's clearly a big concern for us that everyone that we got; two homes, three homes beyond the bridge and don't want to see their access restricted.

Ms. Leighton: So, there wouldn't be any restrictions for residential use. You will be able to get a daily driver vehicle over the bridge with the air bridging technique.

Chairman Robertson: Okay. What is the timeframe for the project that you are looking at?

Ms. Leighton: So, the timeframe that we are looking to mobilize in the next week or two to get access put in. We have quite a (couldn't understand) of timber matting to do to get to our structure to replace it and then we would be looking at mid to late September time frame for wrapping everything up and restoring and pulling out of there.

That period of time would be increased if we needed to use this other access just because of its current condition.

Chairman Robertson: I can certainly understand that out there. It looked to me like it would require a fair addition of materials and also had some concern for the corner when you actually get up to Thurston Pond Road to turn in and make the right-hand turn to get down to the powerline.

Does the Board have questions?

Selectman McGarry: I think the Planning Board approval was based on the access from Ridge Road and I think it may be necessary if the Board of Selectmen wants access to be across that bridge, that was not included in the bond that the Planning Board had set up so it may be necessary for you folks to come back in to the Planning Board and obtain a revised conditional use permit on the use of that bridge if that is the Board of Selectmen's wish.

Chairman Robertson: Okay. I guess the only comment that I would make on that is my understanding was that the Planning Board's purview is primarily in the wetland's easement and not particularly in the Class VI road.

Selectman McGarry: Their concern was based on the potential damage to the bridge and that was the reason for directing Eversource to come in from Ridge Road rather than from Mt. Delight.

Chairman Robertson: I think I'm going to break topic here and just make the general announcement that I think it is extremely important that from here on out, I wish it had happened sooner, but any land use board, the highway agent, the building inspector, any of these boards, when approached with anything to do with a Class VI road, need to come to the Board of Selectmen and notify the Board of Selectmen of what they are intending to do.

The Board, per RSA, holds full authority for Class VI roads.

Chairman Robertson: Other..., Dick, do you have a question?

Vice Chairman Pitman: No. I think that it is a great comment. I'm glad that you announced that.

Chairman Robertson: Well, I think that we probably need to put that in a simple letter and send it out as well, John.

Selectman Dill: I was just going to say, I think from a strictly loading path, this makes more sense than going in from the other way.

I think that this is a simpler solution to do it. It is going to cause a lot more damage to go in from Ridge and Range.

Chairman Robertson: It's a much shorter distance as well.

Vice Chairman Pitman: Would it be a problem having a (couldn't understand) bond if we need it to cover the bridge?

Ms. Leighton: No, if that's required then we can do that and I just want to note to that she knew that the town uses their meeting minutes as their references of action.

In the meeting minutes, while they are bulleted points about using the access to the south, and using, having posted bond of \$15,000.00 and establishing an escrow account, those two sentences are not necessarily paired to one another, at least in the minutes. I'm not sure if the escrow is either.

Chairman Robertson: Those are the Planning Board minutes, I assume?

Ms. Leighton: Yes. Happy to share with you.

Chairman Robertson: Well, we can't speak to the Planning Board minutes.

I don't know, what's the Board's pleasure at this point? Do we give them the go ahead for that entrance and make it dependent upon the Planning Board agreeing?

Selectman Dill: I don't know, the bond amount would only be my kickback.

Chairman Robertson: It's \$15,000.00

Selectman Dill: I meant ...

Chairman Robertson: What it might be?

Selectman Dill: What it might be for that bridge. That would be my only caveat there. I want to make sure we do. I know the plan seems solid but I just want to make sure that we can replace the bridge if something happens.

Chairman Robertson: At this point Fred, I guess I would turn to you. How soon would they be able to meet with the Planning Board?

Selectman McGarry: We have a meeting Wednesday night so it would be too late to get onto the agenda Wednesday night so it would be the August meeting which would be in two weeks.

Ms. Leighton: Do you have a date in August that it would be?

Selectman McGarry: Second Wednesday in August.

Chairman Robertson: And, we could certainly check with counsel too to see if that's required. If nothing is changing on the approval except for the road access.

Selectman McGarry: Right.

Vice Chairman Pitman: We may not need to.

Selectman McGarry: The only issue here would be the sufficiency of the bond.

Chairman Robertson: Yup, okay.

Ms. Leighton: We are constrained by an outage time frame for this work. So, our outage is in mid-August so that is the rush to meet with everyone to get the proper approval needed.

Chairman Robertson: So, at this point, I'm not sure what the Board's pleasure is but do we want to grant them tentative access pending approval by the Planning Board with specific focus on the amount of bond needed to cover the bridge and just road surface in general on that road because that is an improvement?

Selectman McGarry: Yes, I think that would be the best approach to take and just advise the Planning Board that the access would have to be from Mt. Delight, across the bridge and the Planning Board would have to set the amount of the bond to protect the bridge.

Chairman Robertson: Is the Board in general agreement that this is the approach?

(Multiple members stated yes)

Any oppose?

(None heard)

Hearing no disagreement from the other Board members, at this point, I think the Board is in agreement that the access, that the northern access from Mt. Delight is the appropriate way to enter for the project work but we would like to refer you back to the Planning Board for approval regarding a bond.

Vice Chairman Pitman: (Couldn't understand) time frame ....

Selectman McGarry: Yes, I believe so.

Vice Chairman Pitman: I mean, you guys could discuss it this Wednesday.

Selectman McGarry: Yes.

Ms. Leighton: In terms of finding the proper dollar amount, is that something that the town is going to do with KNA since KNA is already on board with the escrow check that we have or is that something that you would like us to provide?

Selectman McGarry: We would probably have, and we could do this in the interim period between now and the second Wednesday in August, to have Keech and Nostrum prepare an estimate for the amount of that bond.

Ms. Leighton: Thank you.

Chairman Robertson: Any further questions for the Eversource folks or the contractors?

Hearing none, I would thank you for your time. We'll be back in touch.

**Ed Cross – Ridge Road Extension:**

Okay, next on the agenda, we have Mr. Ed Cross. I believe he wants to speak to us regarding Ridge Road Extension.

Mr. Cross: Could I have a quick second just to talk to these fine people? I have a question for them?

Vice Chairman Robertson: Not really.

Mr. Cross: Okay, so I'm an abutter on Thurston Pond Road and you drive right down past my property. I would love to know more information. Thank you.

Chairman Robertson: The microphone is yours, Mr. Cross:

Mr. Cross: So, I'm basically here to have, to try to grasp a clearer understanding of the issues that have been brought to the Board.

In specifically, three, public held meetings with the Board that discussed some concerns about a piece of property that I owe and a lot of conversation happened without me being aware that there was even an issue.

So, I am going to give a quick little background of a few things and I have a lot of questions so I will try to go through some of these questions as quickly as I can and I want to try and be pretty clear or at least clear up some stuff.

I know that there is a lot of confusion on this situation because it shows with the evidence of emails that have been sent into the select board based off of conversations that the select board had presented in some of their meetings. And, so for that, I would like to clear up a few things.

And I thought I would start off simply by speaking to who I am and where I live and why this is becoming more of a concern.

So, like I said, like the agenda says, my name is Ed Cross. I live on 4 Thurston Pond Road so I am on the other end of these Class, what the town is considering a Class VI road. I have lived, owned that property for almost twenty years. I've lived on this property for seventeen years so I'm not a short-term resident of Deerfield but I wouldn't consider myself a lengthy resident of Deerfield as many of you are; forty, fifty, sixty years.

So, I've lived there with my family. I participate in things in this particular community. I'm a pretty quiet guy. I'm pretty respectable to all the people around me, all of my neighbors. I don't cause ruckus in town. I have no intentions of causing a ruckus in town. Okay, that's not my intention.

I simply bought a piece of property. And in buying this piece of property like most everybody when they buy a piece of property, it comes with a plot plan. A survey. A survey that was done from the previous owners. Not me. And the survey that I have that's actually done by a licensed surveyor; is registered at the state for what the plan is.

I took that plan, like most everybody else, and I did a little bit of research to make sure things were, looked proper and everything seemed to be just fine.

In some of the research that I did, had to do with the town has for documentation on what Ridge Road is according to their tax maps and according to their information found on line.

So, with that information I took my survey and I had to do my due diligence to acquire a building permit. And so, I had a septic design done. I had all the setbacks done that were according to regulations so that we could place the house in a particular location and we received a septic design approval from the State of New Hampshire.

So, then I took that information and I brought it down to the Building Code Officer or the Building Inspector, Rick to apply for a building permit. Totally legally without any question, presented my documents. Received a building permit and continued to move along the process of building a house.

Now, this particular house happens to be a house that my son and myself are building and yes, he will be the one that will be living there.

So, unbeknownst to me, there were obviously some people with concern according to the minutes that I have been reading and I will refer back to some of them because I can't remember all of them because there is quite a lot.

So, the beginning part of this particular minute is based on the meeting of June 1<sup>st</sup> and it starts with this:

"I think all of us are aware that there is a lot that is being planned for residential development on the corner of Ridge Road and Range Road."

And it related to the fact that it is a Class VI road but and I believe that the person that was speaking was you, Andy, Chairman Robertson: Probably.

Mr. Cross: Yes. Okay.

"So, I heard from a number of folks and we have a fairly lengthy email letter from a concerned citizen in our packet tonight."

So, there is obviously an email of concern sent by a citizen. I don't have a copy of that but I did ask John if he could provide that to me but I don't have it at this moment. So, there is obviously a concern.

I'm going to skip down a couple of paragraphs and you got into your research and you started to state that your research showed that what that road is according to the 1939 Motion to Discontinue on the road was held.

And I am going to skip down a few more paragraphs and there is the comment that said:

"That one of things that was suggested by Bart (and I am assuming that Bart is town counsel, I don't know if that is correct or not) ...

Chairman Robertson: Bart is town counsel. He is not town counsel in regards to Thurston Pond Road or Ridge Road matters.

Mr. Cross: And, I understand that since then, it was determined that he couldn't but I am just re-reading the minutes that are here.

"In an informal conversation, that the Board of Selectmen should approach the landowners and ask what their plans were."

So, this here tells me, that before June 1<sup>st</sup>, you had some sort of a letter so before anything that I could find that was spoken to in a public meeting, you had a letter of concern. You contacted your lawyer. He said, "hey, you should probably just ask the guy what's going on." That didn't happen. And that was a suggestion from your town counsel.

But, besides that, there should have been at least an attempt to reach out and ask some pretty simple questions because I do believe that if a simple conversation had been had, a lot of your concerns potentially would have been answered and I am going to use one of them for an example and I did explain this particular one to John.

It has to do with the fact that right out front there it says "Lot 1" and that must have been the controversy. Well, let me explain to you why that sign is there.

Lot 1. That sign is a reused sign from my previous building that I built up the road on Lot 1. It was simply something to hang at the end of the road so that when we did have a contractor or the electric company or anyone show up, they saw the sign and being number 1 Range Road, it would make sense that I would reuse a sign. Why? Because I'm cheap. Okay. And I don't like to waste stuff.

All you had to do was ask and you didn't and I don't know how much of this you want me to go through? I could probably sit here for an hour.

Chairman Robertson: Welp, you're not going to sit there for an hour because we won't allow you to sit there. I think I can make things fairly short and simple for you Ed and members of the Board, please interrupt me if I'm getting this wrong.

Essentially, what happened was the Board caught wind that someone was, and that someone was you, was planning to build a house off a Class VI road. What we considered a Class VI road. Have always considered a Class VI road.

Typically, when someone builds on a Class VI road, they come to the Board of Selectmen per RSA. Ask for permission to build on a Class VI road.

We discuss waivers of liability. We discuss maintenance agreements with them and decide whether we want to issue a building permit.

When we first started talking about this, we did not realize the building inspector had actually issued a building permit. In fact, I don't know the exact date but it was some time after our initial discussion.

We thought that this was a pending action that was coming sometime in the future that we had some concern about.

Not very long after that, I stopped in to talk to the road agent and made sure that he understood that we considered that a Class VI road and was told, "oh gee, I already gave Mr. Cross a building permit and I believe that he has already started construction."

At that point, we were concerned and obviously a lot of the community was concerned. As you mentioned, we heard from a number of folks.

We contacted town counsel to see how we would go about reaffirming that that section was in fact, a Class VI road.

He said, "I've got a conflict of interest here. I'll refer you to different representation and you can decide if you want to use them."

It took longer than we thought that it was going to. We have taken no hard and fast action. Obviously, you've gotten a building permit. You've got a building started. We still consider the road a Class VI road.

Mr. Cross: All the documents I have do not say that. You realize that, right Andy?

Chairman Robertson: There are, there's some discrepancy about the documents. I understand that some of the documents that you are referring to but quite frankly, you mentioned that you had a plot plan. I looked at three contiguous, consecutive plot plans. Yours is the only one that declares Ridge Road a woods road and shows the property marker in the middle of it as far as I can tell.

The next two clearly label Ridge Road, clearly label it as a travelled way and has property boundaries to the side of the road. That was what confused me. It seemed odd that the rest of that road would be considered Class VI and 215 yards coming off of Ridge and Range somehow reverted to abutters.

I am not going to get a whole lot further into the specifics. That's where the Board is right now.

We have retained new town counsel, that being John Boutin. I've spoken with him this morning. His intent is to get back to us with an opinion next week. He could not do it by this evening. Told me that he should have an opinion for us the following week with regard to his legal thoughts on whether that is a Class VI road or not.

Mr. Cross: So, two points that I would bring up in regards to first off, the two other lots there you are talking about and I know in the minutes that you reference those. I know in the minutes you reference my particular lot and my particular lot showing that the lot line was in the middle of that right-of-way and so one thing that I was curious about is that I didn't, and I heard you read about what the, statement on the plan that said about it being removed because of the 1939 vote to discontinue the road and that's why they documented it on the lot maps so they could show why they chose the middle of the road.

Now, with that being said, let's talk about the other two lots. On the other two lots, you are right. It is not showing it with a lot line in the middle of the road but you missed the statement on the bottom of that lot line so just for clarity and bring clarity to the people who may be interested in this, let me read you what that bottom line statement says right on the plot plan itself.

It says, "Ridge Road was discontinued by a 1939 town meeting, Warrant Article 5. Also see Town of Deerfield's Road Report" which I did do "and the official town road map in the town office which I did do.

The status of Ridge Road should be verified, should be verified by the Board of Selectmen. Rights or revisions may extend to the center.

So, there is a lot of unclarity here even from one survey to the next. That it clearly states on the bottom here. It doesn't say definitively. It states, "may". "May" is not definitively so that's in regards to those other two lots that have been recently surveyed.

Okay, now, there is a nice, colorful map that you guys have in town. That's in there. I have a bigger copy, too and on this nice colorful map, it's great because it really shows which ones are Class VI and what status. It is clearly marked on that map that that road is a Class VI, Status II. Status II says "discontinued, reverts to abutters".

It's clear on your map. It's clear online. It's clear on your other road list. You know, what everything is. It's clear.

Chairman Robertson: The only thing that is clear, Mr. Cross, is that the road was discontinued in 1939 per Warrant Article 5. That map, it's a nice reference. It was not put together by engineers. It was not endorsed by the Board of Selectmen. A town volunteer who served as historian put those comments on there in handwriting and did the color coding.

I have no idea what she had for background information when she did that but I think the bottom line is that we're not going to change our mind about anything until we receive legal advice as to whether we actually have a leg to stand on claiming that the entirety of Ridge Road and Thurston Pond Road are Class VI roads.

At this point, the Board does and we consider those roads to be Class VI, town-owned roads that did not revert to abutters. Until we find differently, that's our position.

Mr. Cross: I would say, by what documentation did you come up with that decision because I also want to speak to the fact that on the June 22<sup>nd</sup> meeting, from the June 1<sup>st</sup> meeting until the June 22<sup>nd</sup> meeting, you, Andy, changed your position on what that road was 180 degrees.

Okay, it's in the minutes. You said that's not a road, that's not a road, that's not a road.

Chairman Robertson: I don't think I said it quite like that but ...

Mr. Cross: Well, maybe you didn't do the hand slapping because frankly I'm a little curious. You know why I'm curious because I'm confused.

I'm confused because here I am, a citizen of the town of Deerfield utilizing all the stuff I have in front of me to purchase a piece of land.

Now I actually get like I'm being asked to defend the town's position that's in that office which is really bizarre. Usually, it would be the town defending their position that they have on their documents, usually.

So, what's really weird, Andy, ...

Chairman Robertson: We were intending to defend our position as to what we feel the state of that road is. We're not going to change our minds this evening before we receive legal counsel and I understand your position. I understand your position.

Mr. Cross: Andy, I didn't come here expecting you to change your mind. Here's the biggest thing that I came here for tonight.

1. Ed Cross and Sandy Cross that you spoke about in a public meeting have done absolutely nothing wrong.

Chairman Robertson: And I do not think for one second that you have done anything wrong.

Mr. Cross: But this list of emails doesn't say that so the perception in the community is that we have. The perception in the community says that you have done something wrong.



I just wanted to be clear of one thing.

I bought this land with the legal document. As far as the layout goes, it matches up with the documents that are in that office. I purchased the land for the sole intent of doing nothing more than building a house.

I didn't do anything wrong. I got a permit legally without a question, without a doubt. It took fifteen minutes to do but, in these minutes, in what I read, in how it comes across has confused the community and has definitely confused the landowner. And not only that, it points the finger.

And, you changed your position 180 degrees and you changed it from no, no, no. In the next opening statement that you said on June 22<sup>nd</sup>, is the next, newest position without any clarification of how come you changed your mind from the previous statements that you made. No documentation to back it up. You just completely flipped it around.

Chairman Robertson: It's a meeting. I wasn't presenting documentation to back that up. I had the documentation that I know made me reconsider my opinion and that's where we are.

Like I said, we are not going to go any further with this until we meet with counsel next week.

Mr. Cross: Andy, all I really want to make sure of is that the townspeople are very aware that the town itself contributed to some chaos and confusion and that the landowner is actually, had no consideration or even no part of creating that confusion.

Chairman Robertson: I have some empathy. I have a lot of empathy for your position and I agree with you that this is a confusing situation. It could of have been handled better.

Mr. Cross: And you could also say, I agree with you that you haven't done anything wrong but I know your town counsel won't let you say that.

Chairman Robertson: I personally, don't think Ed Cross has done anything wrong. My concern is that it was not clearly communicated from us to the building inspector and from the building inspector to you that we consider that a Class road.

I think that is a major hitch in the system here that has caused the confusion and gotten us to where we are.

Mr. Cross: Sure.

Chairman Robertson: I don't know if other Board members want to take a moment.

Vice Chairman Pitman: Did you, are the next two lots on that same Class VI road or are they on Range Road?

Mr. Cross: They are on the same Class, there on the same "Class VI" that you call it.

Vice Chairman Pitman: So, ...

Mr. Cross: I, personally don't think that.

Vice Chairman Pitman: Are you really seriously thinking that you can have more residences on that road with that hill?

Mr. Cross: You know, it's not up to me

Vice Chairman Pitman: Bring fire trucks down that hill...

Mr. Cross: It's not up to me. I do know that in the State of New Hampshire, it would be pretty hard, if someone wants to do anything down that road on a piece of property that they own, they will be given the process in a legal court battle to do that.

Vice Chairman Pitman: If you used your tractor down there to haul some wood out, that's one thing but it's another to think that residents that fire trucks and ambulance down that hill that is under water right now?

Mr. Cross: So, you're basically making a statement that says that the Planning Board would not approve anyone else building down that road?

Vice Chairman Pitman: I'm not making that statement. I'm questioning your ...

Mr. Cross: I didn't have as a question. I didn't have that as something that I was considering but thanks for bringing it to mind.

Selectman McGarry: Mr. Chairman, we are well over fifteen minutes into this case and we're obviously not going to decide or clarify

(Both Mr. Cross and Selectman McGarry were talking over each other)

Chairman Robertson: Ed, I think, I agree with Mr. McGarry. We've reached an impasse here. We understand your position. We understand why you are upset. We understand the confusion and I think at this point we need to stop until we can come back with a legal opinion.

Mr. Cross: Okay, we will. The biggest concern I have and why I brought this up is because at the end of your meeting on June 22<sup>nd</sup>, you ended this particular thing with looking into whether they could do a cease and desist on our building and that pissed me off.

Chairman Robertson: Well, it didn't happen so...

Mr. Cross: You're right because you can't and we all know it. But the fact that you could state it, say it to pursue it, that's a very frustrating thing for somebody that's done nothing wrong.

I enjoy learning. This has been another learning experience. I've had several opportunities to learn as I move along. I am a hobby builder. I love doing it.

Thank you so much for your time.

Chairman Robertson: Thank you.

Okay. Moving on. Next up on the agenda is that we have Mr. Rollins, the highway agent.

**Steve Rollins – Highway Agent:**

Chairman Robertson: Thank you for joining us, Steve.

I think the Board's primary concern and I don't know if you have questions or comments on other matters for us but the Board's primary concern is what happened at the Thurston Pond Dam this past week.

Basically, we were believing we were going to work out a plan for maintenance on the dam probably, fairly limited. We thought that we were going to get some input from you as to what the highway agent thought and then work out a plan.

Typically, when we have removed debris from Thurston Pond Dam, we have done some fairly intricate planning, trying to determine when low water might be, when species impact might be limited, exactly how much you might take, that sort of thing.

Nobody on the Board was aware that you were going to go, or an employee was going to go and clear the dam of pretty much all the debris and quite frankly, all of us have been up there or at least the majority of us. It looked to my eye as if rocks had been moved.

There were a number of rocks that had ....

Mr. Rollins: There were no rocks removed

Chairman Robertson: that had bucket scrapes, skids on them, that sort of thing and the Board is just wondering why and how this happened?

Mr. Rollins: Well, first of all, we didn't move any rocks. I have pictures of before and after and I guess I misunderstood that it was such a situation here?

John asked me to go up. Look at the removal of a beaver dam that the state had given their okay and the landowner had given his okay, everybody was all set with it.

We do it all. We take care of beaver problems all the time here in town so I went up, took Matt and Paul with me, went up, they said that they both have been up there at least three times over the years and pulled that dam out.

So, we took a portion of the dam about a foot deep so as to not overwhelm the downstream flow and left it for a day. Went back the next day and took another foot and that is what we did. We cleaned up the pile of debris that we dug out.

I didn't, we didn't do anything that we don't normally do anywhere else.

They only thing that I did do is pick up the pile right then. Typically, what we do when we clean screens or something, there is a smaller amount and we wait until there is a larger amount to actually clean up the piles on the side of the road.

Out there, I knew that we wouldn't be going back so we cleaned it up as we did it.

I have the RSA as I believe that you have the RSA on the removal of beaver dams and we didn't break any laws so ...

Selectman Dill: Steve, let's just start again, what day did you go first?

Mr. Rollins: I went on Wednesday

Selectman Dill: On Wednesday

Mr. Rollins: Yup, on Wednesday and I was out there with Matt and Paul ...

Selectman Dill: Okay.

Mr. Rollins: And we looked at it and then we went back out with the backhoe and we took, like I said, about a foot and then we went back out on Thursday and took another foot.

And then on Saturday, I got a call from John. Someone had gone out there apparently and seen that we had done it two days after the fact,

Selectman Dill: So, when you say you took a foot, you took a foot of what?

Mr. Rollins: Of the beaver dam. Just the beaver dam.

Selectman Dill: Because I was out there a week before ...

Mr. Rollins: Yup

Selectman Dill: And there was maybe was a foot of, beaver detritus I would say. There was some brush ...

Mr. Rollins: What I am saying, water. A foot of water.

Selectman Dill: There wasn't that much up there, especially to take two feet.

Mr. Rollins: The rocks are still there. The earth dam that was there is still there.

Selectman Dill: Because I went out Friday morning and it sure as heck looks like there was some of that rock, spillway or sluiceway from the dam above, on the pond side that is gone because I don't see how, when I was out there, it was high.

When DES, I went to that meeting, that water was pretty damn high and there was maybe, like I said, six inches or a foot of organic material that we were all looking at saying that's what we want out of there and then when we go back, that's gone but also rocks that I looked at a week before aren't there anymore and you sculpted the front.

Chairman Robertson: I would say, that the large rocks too, all have extensive bucket marks on them, teeth marks.

Mr. Rollins: Maybe from last time that they did it but I have a picture, I have a picture of before we took the dam out with one rock up on top and it's still sitting there. It didn't get moved. It's still there right now.

Selectman Dill: I'm with Andy on this one. I mean when I went out there Friday morning and there's tooth marks on everything on the front of ....

Mr. Rollins: There were toothmarks before we took the dam out. I have the pictures. I took pictures before and after. Honestly, I was quite impressed at how beautiful the beaver dam was with the berm and everything, that's the only reason I took pictures prior to.

It was so well constructed and so on and so forth.

Chairman Robertson: Well, I will be pretty blunt, Steve. The Board was not happy that you didn't come back to us before you went out there.

We had assured the residents in the area that we would be working on a maintenance plan and possibly a beaver management plan.

I specifically told at least one of the residents that we would not send heavy equipment or the highway department up there until we had a plan.

Our minutes reflect that we were looking for a plan and we didn't direct you to go do that. We have a large number of people both that live in the immediate area and not that are extremely upset at the Board of Selectmen.

I know for a fact that some of these people are, probably already have filed complaints with DES about the amount of water release and what is perceived as the amount of damage done to the structure.

I'm not sure what the total outcome of this is going to be but right now the Board is not in a good place and is not happy.

Mr. Rollins: I guess maybe you should clarify to me about the prior meetings and stuff like that and ....

Chairman Robertson: What was clarified was that you were asked to go up there and do an assessment and get back to either the town administrator or us. You were not asked to go up there and clean the dam out and that's the problem.

We didn't speak with you. Our minutes hadn't even been realized yet. I know you had a conversation with John about going to do an assessment of what the dam looked like.

The other problem that we're running into and hang onto those before and after pictures because we have a number of people who were concerned about a 1772 historic structure possibly being damaged as well.

So, I guess at this point, what I am going to say is, in the future, anything involving a roadway, stone structure, anything like that, do not remove it unless you talk to us and specifically, talk to us.

In this particular situation, we were waiting for historic information from DES. The two engineers that met with us told us that as we develop a plan, they would provide us with information and actually show us what the original structure looked like. They have some historical documentation and some old photographs showing what it looks like when it wasn't covered in beaver dam, that sort of thing. We were waiting for that information so that we could put together a plan.

We weren't even sure that we wanted to use the highway department. There was some debate whether this detritus could be removed by hand. We had some people that volunteer to do this work and at this point, I would say that no one's happy here.

I know that the Board is going to receive considerable comment about this and like I said, I am waiting to see if we receive violation notice or something similar from the Department of Environmental Services.

Selectman Dill: I just want to say, Steve, this is the second time you've entered into the exact same situation. When you were first were elected, you took the hammer up to Harvey Road and widened and you sat there and you said,

"Gee, I'm sorry, I didn't know I had to get with you guys before I did something on this scenic road" and we all said, "it's a scenic road and there is RSA's."

This is a dam. There's RSA's. We can't just go and do shit like this. You told us a year ago that if you were in the same situation, you would come talk to us first.

Mr. Rollins: Except that you guys sent me there this time.

Selectman Dill: We didn't.

Chairman Robertson: We didn't send you there. We told you to go do an assessment and take a look. We did not tell you to take heavy equipment up there and ....

Mr. Rollins: We didn't. We didn't touch the dam. Okay, we touched the beaver dam. We took out less than a one-ton load of material each time we were out there of beaver sticks and top soil, you know, that the beavers put in there.

We didn't take apart any dam, any earth dam that was built by people, you know what I mean. That isn't what we did.

We just cleaned off the beaver dam.

Selectman Dill: So, Monday, we had a meeting. We spent ten minutes discussing this. Andy was pointing out that we had a meeting with DES and it looked like the plan going forward was to meet with you and discuss it.

I don't see how you interpreted that before the minutes were out, that we told you to go do it.

Mr. Rollins: I talked to John. I didn't talk or read minutes or anything like that. I didn't have anything. I just did, we just went up there.

We deal with beavers and we have been dealing with beavers for the last, forever.

Chairman Robertson: Yup. We have. The town has been dealing beavers since before Deerfield was a town but I think the directive from John was "go do an assessment and let us know what you think" not haul equipment up there and flush the dam.

Mr. Rollins: All right.

Chairman Robertson: As said, I don't think that we have heard the last word on this yet. I'm not sure where it's going to go but just wanted to advise you, the Board is in no way happy it happened without our knowledge.

We thought that we were getting an assessment and that we were going to work out a plan with the DES material we found, discussion with some of the residents up there and discussion with you and it, I think it surprised all of us when the phone started ringing.

I don't know if you had anything else for us, Steve?

Mr. Rollins: Ah, ya, ah, what do you want to do with the leftover monies?

Chairman Robertson: We've got some leftover road reconstruction money. I really don't want to put a lot of time into it tonight. We still have our regular business to handle.

Mr. Rollins: Do you want to wait until next week?

Vice Chairman Pitman: What do you have for a list?

Mr. Rollins: Was thinking tree work. We have plenty of tree work.

Vice Chairman Pitman: Can you get us something in writing?

Mr. Rollins: Yup.

(Multiple people talking over each other)

Mr. Rollins: John had told me that we were going to hold this until next week so I didn't bring it.

Chairman Robertson: I think, if we can bump it till next week, it would probably be in our best interest.

Thank you.

Mr. Rollins: Thank you.

Chairman Robertson: Okay, at this point, I am going into our regular business. Try to get through that quickly. I did indicate to Dick but did not tell the rest of the Board, a request for a non-public session.

Selectman Dill: Non-public with Steve?

Chairman Robertson: No, no.

We've had a request for a non-public session this evening from two citizens so as soon as we get done with regular business, I'm going to ask the Board to entertain that.

Vice Chairman Pitman: Do you want me to make that motion at this time?

Chairman Robertson: Probably not. Let's get through the regular business and then we'll do it.

### **Regular Business:**

#### **Outstanding Minutes of July 19, 2021**

**Motion:** Vice Chairman Pitman moves to approve the minutes of July 19, 2021

**Second:** Selectman McGarry

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

#### **Vouchers/Payroll Manifest/Accounts Payable Manifest:**

##### **Payroll Manifest dated July 27, 2021, \$84,608.58 (gross); \$57,074.67 (net)**

**Motion:** Vice Chairman Pitman moves to approve the Payroll Manifest in the amount noted

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

##### **Accounts Payable Manifest - \$12,113.48 with today's date on it**

**Motion:** Selectman McGarry moves to approve the Accounts Payable Manifest in the amount noted

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

#### **Signatures/Correspondence:**

Chairman Robertson: Next up we have a cemetery plot deed and this is from Richard and Janice Clark who are looking to purchase six lots in Old Center Cemetery.

**Motion:** Vice Chairman Pitman moves to approve the sale of six cemetery plots in Old Center Cemetery to the Clark Family

**Second:** Selectman Dill

**Discussion:**

Selectman McGarry: Is this at the new rate?

Chairman Robertson: No, it is not. I don't believe the new rate takes place until August 1<sup>st</sup> so this is a bargain sale.

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

Chairman Robertson: We have a request for an abatement and this is due to a computer adjustment and this is for Tyler and Sandra Boutwell.

The reason for the abatement application is that an Intent to Cut was not needed as the trees were in striking distance of the house and the cut did not meet the minimum of 10,000 board feet.

This will be a computer adjustment only. No check will be sent to the taxpayer.

**Motion:** Selectman Dill moves to approve the computer adjustment as presented

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

Chairman Robertson: We have an application for a parade permit. This is for the Old Home Day parade which is scheduled for the 21<sup>st</sup> with a rain date of the 22<sup>nd</sup> at 4:00 pm estimated to take fifteen minutes.

State route to be travelled would be Route 107 turning into, I'm assuming, Church Street.

We need a motion to approve this.

**Motion:** Selectman Dill moves to approve the parade permit as presented

**Second:** Selectwoman McHugh

**Discussion:**

Chairman Robertson: There is only room for one signature so I will sign it as soon as the police chief is in accordance with if we can hold the annual Old Home Day parade as we have for decades.

Selectman Dill: He was on vacation for the last rec meeting but I'll have him make sure.

Mr. Harrington: That document will go to the police chief next.

Chairman Robertson: Oh, okay. Yes, it does have slashes.

Okay, further discussion?

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

Chairman Robertson: Okay, we have a SEEDS, (Sustainable Energy Education Demonstration Services) request and this is to do an energy analysis of the town hall, John?

Mr. Harrington: A thermal audit on the town hall and this is through a request from the Energy Committee. Wes Golomb has contacted Eversource to do a thermal audit and they have subcontracted out each and this is the thermal audit side.

There is no cost to the town for this.

Chairman Robertson: The total cost would be \$1,920.00 but Eversource is picking that up and the cost to the municipality is zero.

It requires one signature.

**Motion:** Selectman Dill moves to approve the SEEDS thermal audit of the town hall at no cost to the town

**Second:** Selectman McGarry

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

Vice Chairman Pitman: Thank you, Wes.

Mr. Harrington: This won't be done until sometime in the fall.

**Payroll Manifest dated 7/20/2021 - \$419.56 (gross), \$359.94 (net)**

Chairman Robertson: I believe this is ...

Mr. Harrington: A library employee who left their position.

**Motion:** Vice Chairman Pitman moves to approve the Payroll Manifest as presented

**Second:** Selectman Dill

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

Chairman Robertson: We have nothing in Correspondence. There are some updates on some ongoing BTLA action.

There's a report from the Rockingham County Finance Office and that is it.

Chairman Robertson: If we have signatures taken care of in regular business, at this point, I would propose that someone make a motion that we go into non-public session under RSA 91-A3, II (c)

**Motion:** Vice Chairman Pitman moves to go into non-public session under RSA 91-A3, II (c) Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the public body itself, unless such person requests an open meeting. This exemption shall extend to any application for assistance or tax abatement or waiver of a fee, fine, or other levy, if based on inability to pay or poverty of the applicant.

Ms. Cady: Whose reputation are you going to be protecting or what type of (couldn't under)?

Chairman Robertson: I'm not divulging that information at this point. I'm not sure the proposal ...

Ms. Cady: That's the only reason you can go in for that.

Chairman Robertson: Nope, we are going in under that.

Ms. Cady: I want my protest to go into the minutes

Chairman Robertson: Okay.

**Second:** Selectman McGarry

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries**

Chairman Robertson: I think that we will move the non-public session up to the second floor and invite the requestors, Brian (couldn't understand).

Chairman Robertson: We are back from the non-public session and will note that no action was taken in the non-public session.

I would appreciate a motion to seal the minutes.

**Motion:** Selectman Dill moves to seal the minutes of the non-public session

**Second:** Selectwoman McHugh

**Discussion:**

**Vote: Yea 5, Nay 0, Abstained 0 – Motion Carries**

Chairman Robertson: Back to our regular agenda, we have the town administrator's report.

**Town Administrator's Report:**

Mr. Harrington: Getting back to the Board on a question about returned surplus from the SAU. I did contact the Finance manager out there and she informed me that the 2021 surplus won't be known until the end of August, once the year has been closed by their accounting and at that time, she will get back to me with the amount.



Just following up, Eversource has agreed to do the thermal audit on the town hall. The results of the audit will be shared with the Board, the Energy Committee and the Heritage Committee. Once that report is out, I will give it to the Board.

To point the Board's attention to a draft Heritage Commission letter in your packet, again, it's a draft which was asked to be shared with you tonight so that you can take a look at to what they are intending to submit to the Board when the finalized letter is complete.

And, you also have a copy of an email from the Cemetery Trustees to inform you of their plans to put forth a warrant and they wanted to share that preliminary information with you. They'll be back in touch with you when they have that warrant completed.

And, that is it for me this evening.

Selectman Dill: Do we have a date on the sprinkler tank inspection work at the town hall?

Mr. Harrington: We are meeting with R.B. Lewis, I think it is Thursday, Wednesday. The fire chief, myself, Ray Ellis and Tim Pappas from R.B. Lewis are going over to take a look at the tank and determine the best course of action to drain it and where to drain it with the least amount of impact.

Selectman Dill: The only reason I say that is if you could just keep Nick in the loop because we are coming up on Old Home Day prep and have to get the chicken pit cited and I don't want to build that if we have to dig it up before we cook

Mr. Harrington: I'll come back to the Board Monday and tell you the results of the meeting is and where it's going to go and how we are going to approach it before anything is done.

Chairman Robertson: And I think the only thing I would caution when we do dump that water, there's a stream there that runs under Candia Road. The clearance is fairly small so we want to be fairly gentle and dispose of the water because anything that goes down of the back of that is going to go directly into that stream and I, I will, uh, definitely come to particular Board members and ask for advice before there's any approval, we dump that water anywhere. If anyone has more detailed information, I'd appreciate it.

Chairman Robertson: Yeah, my concern is not the end result of the water because there's a nice holding pond out below the ball fields across the street here but that culvert is fairly constrictive and we could put water and gravel all over the road and cause some erosion if we weren't careful.

Mr. Harrington: Nothing will be done until you folks know about it.

Chairman Robertson: Great.

Anything else, John?

Mr. Harrington: No, that was it for me tonight.

Chairman Robertson: Any other questions for John?

At this point, I would look to unfinished, new or other business from Board members.

**Unfinished, New or Other Business:**

Vice Chairman Pitman: We have a serious problem at Veasey Park with dead trees. We need to get somebody over there. Travis has looked at it and talked about it that and we've talked about it in the past.

Chairman Robertson: We have done some work in the past typically utilizing the highway crew but we haven't done ....

Vice Chairman Pitman: Can we get somebody from UNH, the forester before so to mark them?

Chairman Robertson: Yep.

Selectman Dill: Is it ash?

Vice Chairman Pitman: No, it's pine, too.

Chairman Robertson: These are dead pine trees.

Vice Chairman Pitman: It's serious. I took a walk Saturday.

Chairman Robertson: We had done some work when an abutter had one of our trees and some limbs come down on their property four or five years ago but ...

Vice Chairman Pitman: They're worried about it again.

Chairman Robertson: Okay.

Vice Chairman Pitman: That's all I have for now.

Chairman Robertson: Okay, nay other new business, other business, Alden?

Selectman Dill: I just want to say Old Home Day plans are progressing quite nicely. It looks like it's going to be the 21<sup>st</sup>, 22<sup>nd</sup>; slightly reduced but should be a flavor that we usually have for Old Home Day so Rec's putting something together that should be good.

Yeah, I want to thank the fair association, too, because they're helping.

Chairman Robertson: With regard to the fireworks and ...

Selectman Dill: It looks like, we're not going to jinx anything yet

Chairman Robertson: Okay, sorry I asked.

Vice Chairman Pitman: They put up \$2,500.00 and then we're hoping to make it Sunday night display which the directors will say yay or nay Thursday.

Selectman Dill: Which is good because we couldn't come up with any other place in town that we could have fireworks quite as easy as the fair so we're moving ahead.

Selectwoman McHugh: All right, I have a question, Andy, is it possible for us to get some gravel brought in for emergency purposes from Merrill? Get a few loads either at the town shed or the highway pit.

Vice Chairman Pitman: It's always been here in the past for emergencies.

Selectwoman McHugh: We need to get some.

Chairman Robertson: Did we have no ravel at this point?

Vice Chairman Pitman: No. It's coming out of the Parade Road pit.

Chairman Robertson: Okay and, and we issued the award Merrill.

(Multiple members stated yes)

Did you have an amount in mind, Cindy?

Selectwoman McHugh: I don't know, maybe we could ask Steve how much?

Vice Chairman Pitman: I'd like to see four different ones. Three quarter gravel, three quarter stone, inch and a half stone and (couldn't understand) gravel because we had some bigger stone there but that would fix any dirt roads instead of ...

Selectwoman McHugh: I realize sometimes he needs it in an emergency, we should have it.

Selectman McGarry: Right.

Chairman Robertson: Okay.

Vice Chairman Pitman: They gave us a delivered price so it might as well be sitting in our parking lot.

(Multiple members agreed)

Chairman Robertson: Can you advise the road agent, John?

Mr. Harrington: I will.

Chairman Robertson: And, if you don't get the response you want, call me.

Mr. Harrington: I will.

Selectwoman McHugh: And do we have a time or a date when we can meet with the police building ...

Chairman Robertson: We do not and I'm going to have that probably by tomorrow at noon time.

Selectwoman McHugh: Okay.

Chairman Robertson: Michael, the gentleman that I talked with at Groen, not groan, Groen Construction is going to call me sometime tomorrow. He's suspected in the morning with the appointment times that we can have.

(Multiple members stated it was good).

Vice Chairman Pitman: Can you get more than one in case there's a conflict with some of us?

Chairman Robertson: Yep, I can certainly ...

Vice Chairman Pitman: See what he says?

Chairman Robertson: Okay, other new or unfinished business?

Hearing none, at this point, I am going to move to citizen's comments.

#### **Citizen's Comments:**

Selectman Dill: Just a reminder, please come down ...

Chairman Robertson: Come down to the microphone and ...

**Maura Adams: Hi, thank you. 40 Thurston Pond Road.**

This is in regard to what was discussed earlier with the highway agent. He, he and the crew appear to have illegally removed the town owned Thurston Pond dam, as you're aware, appearing to have violated RSA 482(a) which states that no person shall excavate, remove fill, dredge or construct any structures in or on any bank, flat, marsh or swamp in and adjacent to any waters of the state without a permit from the department and appears to have also violated RSA 210(9) which states no person shall destroy or disturb or interfere in any manner with the dams or houses of beaver without first obtaining a special permit.

Um, essentially, he went rogue and drained a wetland and killed wildlife and caused significant harm to this ecosystem.

Um, we live right next to the town-owned dam and um, it's resulted in a lot, like we can smell the decomposing vegetation. We're right there. It's really kind of tragic and um, as you know, this is also a historic structure that needs special attention. It's a really special ecosystem and a structure that need to be attended to very, very carefully and we can't have the town off, authorizing or going rogue and draining wetlands and violating the law.

Um, we would like the town to take immediate action to place back the stonework that was illegally removed by the town agent and, and to do so and rebuild this as soon as possible with guidance and oversight from the Heritage

Commission and the Conservation Commission so we don't want the road agent going back and saying, "okay, here, have your stones back" and just putting them there, willy-nilly. We want this to be a thoughtful but very quick restoration of the dam in partnership with the Heritage Commission and DCC so that this, so we can get back to a better quality of the ecosystem of that historic structure as soon as possible and I invite you all to come out and take a look for yourselves. It's pretty sad um, but you can knock on the door and we can have a beer and talk about it.

So, any questions.

Chairman Robertson: I don't know that there's any questions although maybe Dick does, I will say that I know um, both Alden and I have been up there, um, at the time I was up there, you probably wouldn't want me knocking on your door to ask for a beer but um, and I think the rest of the Board is certainly familiar and has seen, uh, photographs of this. Dick?

Vice Chairman Pitman: Due to the damage that's been done, do we need to get DES approval to put it back?

Ms. Adams: I don't ....

Vice Chairman Pitman: We need documentation of what was done so we can ...

Chairman Robertson: I think that that the, the town would, would, the Board of Selectmen would certainly move forward with DES contact um, and would certainly advise the Heritage Commission and the Conservation Commission to do the same.

As I mentioned earlier in the meeting, we are waiting for some materials that show both the historic nature and give some dimensions and, and other aspects of what was there originally.

Um, we expect to have that this week. I believe Laura said she was going to give that to us the next day or two and we can certainly share that with you as well as we move forward.

Ms. Adams: And, we do have extensive documentation of what was done that day um, and the extent to which the water level has gone down.

Vice Chairman Pitman: Thank you.

Ms. Adams: Thank you.

Chairman Robertson: Other comments?

Yes, Mr. Yaeger.

**Al Yaeger, Perry Road**

Mr. Yaeger: I live on Perry Road. I bought a large piece of land in 1968 and it included a brook, Great Brook which ran dry every summer for, until mid-70's, maybe early, late 70's and at that point, beaver was introduced to New Hampshire. Of course, it was here historically but it disappeared in the late 1800's.

It was brought back from Pennsylvania, as I understand it and western New York State and it finally got to the Great Brook around 1976 and made a magnificent dam. 20 acres or so of water and of course the dam leaked. Beaver dams always do and the brook never ran dry after that point.

Before then, it got dry every single summer.

I just want to say from this standpoint of an environmentalist, that we need to be very delicate about what we do with our beaver dams.

Thank you.

Chairman Robertson: Thank you.

Other citizen's comments this evening?

**Mr. Cross – Thurston Pond Road:**

So, as a citizen, with the challenges that we're having on the Class VI status that is designated by the town, I'm going to ask that you communicate any upcoming, potential changes to what I would say is approximately 75 different lots that about these same, classified roads.

So, those abutters deserve the right to know when you're looking to make any changes, so me, as a citizen, looking out for other landowners in this town, are asking the Board to make sure that they document and that they look at notifying any abutters to any of that property if any changes are being made.

Chairman Robertson: Yep, uh, I will certainly, uh, and let me let you know, that we can't actually make changes to existing class roads without holding a public hearing so you would certainly be notified and notified formally.

We sometimes randomly talk about Class VI road matters but we can't actually make and enforce changes on our roadways without public hearing.

Mr. Cross: And, I understand that there's a process for that. I'm just voicing my concerns, um, as experiencing, um, not being told about conversations being held three meetings prior to me being aware and so I would have liked to have been at the first meeting so that we could have clarified some of these little concerns that some people might have had so that we wouldn't be into the middle of this situation that we're in now.

So, I just wanted to be clear.

Chairman Robertson: I think your position is well understood by the Board.

Further citizen's comments?

**Motion:** Vice Chairman Pitman moves to adjourn at 6:50 pm

**Second:** Selectman McGarry

**Discussion:**

**Vote: Yea 4, Nay 0, Abstained 0 – Motion Carries**

Vice Chairman Pitman: Thank you.

Chairman Robertson: Thank you for joining us this evening.

**Next Meeting: Monday, August 2, 2021 at 5:30 pm**

*The Minutes were transcribed and respectfully submitted by Dianne L. Kimball, Recording Secretary  
Pending approval by the Board of Selectmen*