



## Town of Warner

# NEWS FROM THE TOWN

August 2008

### Administrator's Corner

It has been an extremely busy summer and it's hard to believe we're working our way into fall. With fall comes budget meetings, tax rate setting with the Department of Revenue and of course, Fall Foliage Festival (I'll let you figure out which one is more fun).

Meeting Policy – The Board of Selectmen have recently implemented a formal Meeting Policy for the Town committees and boards. This policy reiterates the posting requirements and meeting minute requirements under RSA 91-A (The Right to Know Law) as well as outlines which committees/boards will be digitally recording their meetings in order to make audio files available to the public. Audio files will be placed on our website for a period of three months after which time copies may be obtained in the Selectmen's Office.

Moving Forward – Due to the fact that this office has received many calls/visits from residents concerned that the Selectmen may consider bringing the former Transfer Station Manager Paul Fouliard back as a staff member, I thought this information would be helpful. As a result of a legal settlement between Mr. Fouliard and the Town of Warner, Mr. Fouliard submitted a letter of resignation effective December 31, 2008 which the Board of Selectmen formally accepted at their August 5<sup>th</sup> meeting. Mr. Fouliard's resignation letter states that he will not seek further employment with the Town of Warner at any time in the future. Mr. Fouliard received a monetary settlement at the time of the agreement in the amount of \$7,500 and a payment was made to his attorney for \$7,500 as well. These funds were not paid out of the Town's budget but through the Town's liability coverage. As part of the settlement, Mr. Fouliard remains on paid administrative leave until his resignation takes effect. In January 2009, Mr. Fouliard will receive severance pay in the amount

of \$10,000 as well as payment for accrued unused sick & vacation time that was on the books as of April 30, 2008 and he and his family will receive insurance coverage through December 31, 2009. A complete copy of the settlement is available in the Selectmen's Office and the Town Clerk's Office.

Senior Activities – Recently, the Community Action Program (CAP) discontinued programs that had previously been conducted in the Senior Room at the Old Graded School. However, the Board of Selectmen voted to allow the Seniors to continue to use the room on an ongoing basis. If you would like information as to how to get involved or join the activities, call the Selectmen's Office.

### From the Conservation Commission

On June 26 the Department of Environmental Services made a presentation at the Town Hall, arranged by the Conservation Commission, explaining the new standards contained in the Comprehensive Shoreland Protection Act (CSPA). About 50 people turned out to learn more.

Some highlights of the information presented include the following: Effective July 1, 2008, a state shoreland permit is required for any construction, excavation and filling activities within the Protected Shoreland. However, forest management not associated with shoreland development or land conversion and conducted in compliance with RSA 227-J:9 or under the direction of a water supplier for the purpose of managing a water supply watershed, and agriculture conducted in accordance with best management practices as required by RSA 483-B, III is exempted from the provisions of the CSPA. A complete list of activities that do not require a shoreland permit can be found in the Shoreland

Administrative Rules. (Available at <http://www.des.nh.gov/Rulemaking/adopted/env-wq1400.pdf>)

The reference line for **coastal waters** is the highest observable tide line; for **rivers** it is the ordinary high water mark; for **natural fresh water bodies** it is the natural mean high water level; and for **artificially impounded fresh water bodies** it is the elevation at the spillway crest or, if there are flowage rights, the elevation of the flowage rights.

**Restrictions in the protected shoreland**, which is 250 feet from the Reference Line include:

Impervious Surface (e.g. roof, deck, terrace areas, gravel drives, etc.) Area Allowance.. Twenty percent of the area within the protected shoreland may be impervious surface. This may be increased up to 30 percent under certain conditions.

Other Restrictions:

No establishment/expansion of salt storage yards, auto junk yards, solid waste and hazardous waste facilities.

All new lots, including those in excess of 5 acres are subject to subdivision approval by DES.

Setback requirements for all new septic systems as determined by soil characteristics.

Minimum lot size in areas dependent on septic systems determined by soil type.

Alteration of Terrain Permit standards reduced from 100,000 square feet to 50,000 square feet.

For *new* lots with on-site septic, the number of dwelling units per lot shall not exceed 1 unit per 150 feet of shoreland frontage.

**Restrictions in the natural woodland buffer** (NWB) area 150 feet from the Reference Line include:

For lots that contain ½ acre or more within the NWB, between 50 feet and 150 feet of the reference line, the vegetation within at least 50 percent of the area, exclusive of impervious surfaces, shall be maintained in an unaltered state.

For lots that contain less than ½ acre within the NWB, between 50 feet and 150 feet of the reference line, the vegetation within at least 25 percent of the area shall be maintained in an unaltered state.

**Restrictions in the waterfront buffer and primary building setback area**, 50 feet from Reference Line include:

Effective April 1, 2008, all primary structures must be set back at least 50 feet from the reference line. Towns may maintain or enact their own setback only if it is greater than 50 feet.

Within 50 feet, a waterfront buffer must be maintained. Within the waterfront buffer, tree coverage is managed.

No natural ground cover shall be removed except for a footpath to the water that does not exceed 6 feet in width and does not concentrate stormwater or contribute to erosion.

Natural ground cover, including the duff layer, shall remain intact. No cutting or removal of vegetation below 3 feet in height (excluding lawns) except for the allowable footpath. Stumps, roots, and rocks must remain intact in and on the ground.

Pesticide or herbicide applications must be by a licensed applicator only.

Low phosphorus, slow release nitrogen fertilizer may be used for the area that is beyond 25 feet from the reference line. No fertilizer, except limestone, shall be used between the reference line and 25 feet.

For more information, please visit the DES Shoreland Website at [www.des.nh.gov/cspa](http://www.des.nh.gov/cspa).

#### **From the Assessing Clerk's Office**

Solar energy and wind powered exemptions were approved at the 2008 Town Meeting. At this time we have not had anyone apply for either of these exemptions. According to RSA 72:61, a solar energy system means a system which utilizes solar energy to heat or cool the interior of a building or to heat water for use in a building and which includes one or more collectors and a storage con-

tainer. Solar energy system also means a system which provides electricity for a building by the use of photovoltaic panels. The new exemption is that amount of the increase in value (up to \$35,000) that the solar system adds to the property. In other words the assessed value does not go up (unless the system value is more than \$35,000) due to the addition of the solar system.

Wind powered energy systems mean any wind powered devices which supplement or replace electrical power supplied to households or businesses at the immediate site. The exemption is the amount of the increase in value (up to \$35,000) that the wind powered energy system adds to the property. In other words, the assessed value does not go up (unless the system value is more than \$35,000) due to the addition of the wind powered system. Anyone wishing to have these exemptions and meets the qualifications should contact Martha at 456-2298 ext. 3 for an application.

#### **From the Fire Department**

A special "Thank You" to the girls from Girl Scout Troop 820 for all the cookies that you presented to us as part of your "Home Town Heroes" program; they were very tasty and very much appreciated, and another special "Thank You" to the Warner Historical Society for their donation of a mannequin for the Warner Fire museum.

Have you ever heard of the "Move Over Law"? The law requires drivers to reduce speed and stay clear of roadside incidents, such as motor vehicle stops by police, crashes or breakdowns. The original law was passed in 2005. The new bill specifies that drivers **MUST** yield to emergency vehicles with flashing blue, red or amber lights, which includes tow trucks and Department of Transportation vehicles. A motorist should change lanes or move over as much as possible to ensure the safety of the personnel assisting the public. New Hampshire has had about a half a dozen police officers seriously injured in recent years in roadside incidents. The Warner Fire dept has had three incidents where a Fire vehicle has been struck while assisting an accident victim.

Please remember when pulling over for emergency vehicles to STOP on the side of the road until they

are safely by! Pulling over without stopping creates more worry for the driver of the emergency vehicle.

#### **From the Planning Board**

Other than receiving and acting on applications, the results of which are recorded and made public in our meeting minutes, the Planning Board is working on three separate subjects.

Our Master Plan Committee continues to work on preparing information to update the plan. The committee is currently in the information gathering phase. An important part of this phase is the COMMUNITY SURVEY which was sent to all Warner Postal Patrons in July. Originally the survey was to be mailed in mid to late June with a return deadline of July 15. However, we had problems in the coordination of the mailing between the printer and the Postal Service and they were not mailed as early as we intended. We then extended the deadline for returning the surveys to August 15, 2008. Unfortunately the survey indicated the earlier return date. So we posted the date change at various locations in town and also placed a notice on the Town Website. If you did not receive a survey and wish to submit one, they are available at the Town Clerk's Office; the Planning & Zoning Office; the Tax Collector & Assessor's Office; the Selectmen's Office and the Library. The completed surveys can be dropped off at any of the above locations or mailed directly to the Planning Board. This is a very important survey and we would like to have a large return. Along with the survey results, we will be looking for and hearing more public input through scheduled informational hearings later this year.

Another Planning Board Committee is working on auditing and analyzing ordinances, rules and codes. And the third committee is working on the Capital Improvement Program (CIP) with all departments, the Selectmen's Office, and the Budget Committee.

#### **From the Transfer Station**

We are currently accepting applications for on-call Attendants. For more information contact the Selectmen's office at 456-2298 ext. 2

### **From Parks & Recreation**

The Warner Parks & Recreation Committee is seeking volunteers to join our team. The Parks & Recreation Committee is responsible for the budget and administration of resources to maintain and improve Riverside Park, Bagley Field and Silver Lake.

We generally meet every other week between April and October. We welcome anyone with ideas or who is interested in working to create more recreational opportunities in Warner for all ages. No previous experience necessary! Please express your interest by calling George Saunders @ 456-3186, or by attending one of our regular meetings. Please call 456-3186 for our next meeting date.

Thank you for your thoughtful consideration.

### **From the Building Inspector's Office**

During the 2007 Town Meeting the Town of Warner approved amending the Warner Building Code Ordinance adopting by reference the International Residential Code 2000, except where more stringent codes already apply. The State Building Code also references the International Residential Code which has since been updated to reference the 2006 Residential Code. As a resident or builder in Warner, what this means to you is the following:

Building Permits are required of any owner or authorized agent who intends to construct, enlarge alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the Residential Code, or to cause any such work to be done.

Work that is exempt from permit:

- Fences not over 6 feet
- Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
- Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2 to 1.

- Sidewalks and driveways
- Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- Prefabricated swimming pools that are less than 24 inches deep
- Swings and other playground equipment
- Window awnings supported by an exterior wall which do not project more than 54 inches from the exterior wall and do not require additional support.

An approved Building Permit is valid for two years and can be renewed prior to the two year expiration.

Building Permits can be obtained at the Selectmen's Office, Monday - Thursday, 8:00 a.m. - 2:00 p.m. If you have questions please call Mary at 456-2298 ext. 2

### **From the Budget Committee**

The Budget Committee will begin the 2009 budget process. This year will be challenging with the on going increasing fuel costs and how it may or may not impact Town services. As always, public input is encouraged. The following is a list of the scheduled meeting dates. All meetings begin at 6:00 p.m. and are located at the Town Hall.

September 22	CIP Presentation
October 16	Budget Presentation
November 13	Budget Discussion
November 20	Budget Discussion
December 4	Water Precinct Budget
December 18	Budget Discussion

View the Town's Website at [www.warner.nh.us](http://www.warner.nh.us) for any meeting changes.

### **From the Pillsbury Free Library**

The Summer Reading Program will wrap up with a potluck picnic and celebration on Wednesday, August 20 at 5:30 PM. Participants who have spent the summer learning about all things Australian will receive a certificate and be able to take home their kangaroos and other creations. A big "Thank you" to volunteers who helped out, especially Hayley Joseph, Betty Lovejoy, Casey Milender, and parents of attendees.

Story times by Sue Matott for age 6 months to 4 years will continue as usual on Thursdays at 10:30 AM.

A change in the start time of the Trustees' regular monthly meetings was established by Trustees' vote in June. The new time will be 7 PM instead of 7:30 PM, starting with the July 15, 2008, meeting. Meetings are always on the third Tuesday of the month, in the library's Frank Maria Room.

Sadly for us, Trustee Aaron Olszewski moved away at the end of July, leaving a vacancy on the Board of Trustees. We extend our sincere thanks for all his hard work while on the Board. Anyone interested in being appointed by the Selectmen to fill the position until March elections (or running in March for more time) can contact the Library or any Trustee to find out more about the position. Current trustees are now: Fred Creed, Dianne Bischoff, Carol McCausland, Fred Moe, Susan Hemingway, Laura Milliken, Anna Allen, and Hugh Wilkerson.

The Library Board held a public work session, or "retreat" day at the Town Hall on Saturday, July 19, to discuss the duties and responsibilities of the board and staff, the present and future role of the library in Warner, and goals and objectives for services and collections.

At this time the Library is moving along with plans for an emergency back-up generator to be installed before winter, and also an automatic door-opener for the lower-level door (like the one at the Post Office).

A comics workshop by Marek Bennett for ages 11 to adult will be held Saturday, August 16 from 9:30-2:30. The fee of \$12 must be pre-paid to reserve a spot.

Please note: the Library will be closed Sat. Aug. 30 and Monday Sept. 1 for the Labor Day holiday weekend. Get your book report titles soon, as school starts August 26!  
For more information and a new books list, visit <http://warner.lib.nh.us>

**Kearsarge Regional School District  
Municipal Budget Committee**

**Meeting Calendar for 2009/2010 Budget  
Review**

*Meetings are held in the KRHS Resource Center and are open to the public. Meetings begin at 7:00 p.m. Approved minutes are posted on the District's website ([www.kearsarge.k12.nh.us](http://www.kearsarge.k12.nh.us))*

October 7, 2008	November 18, 2008
October 14, 2008	November 25, 2008
October 21, 2008	December 2, 2008
October 28, 2008	December 9, 2008
November 4, 2008	December 16, 2008
November 11, 2008	January 10, 2009

**March 10, 2009 Election**

**From the Highway Department**

The Highway Department continues with summer maintenance as well as preparing for the upcoming winter. FEMA work is being completed on Newmarket Road as well as upgrading a section of Melvin Road.

The Highway Department says goodbye to Foreman Brad Kelly and wishes good luck with his adventures working on the Alaskan pipeline.

**From Emergency Management**

As natural disasters continue to make national headlines, local community leaders are taking steps to reduce the effect of Warner's next natural disaster event. A Hazard Mitigation Planning Committee, comprised of Town Emergency personnel and local officials, have revised the Town's first Hazard Mitigation Plan between May and August.

A **Public Information Meeting** is being held on **Thursday, September 4 at 7:00 PM** at the Town Hall to discuss the Plan and to solicit public feedback on the document. All are invited to attend and participate.

The Warner Hazard Mitigation Plan will be available for review at the Town Hall after August 25th. For more information, please contact Ed Mical, Emergency Management Director, at 456-3350.

*Simonds School*  
*Community Open House*  
*Saturday, October 25, 2008, 7:00 - 9:00 p.m.*  
*Celebrate NH's Outstanding Elementary School*

School History,  
Warner Historical Society

Dedication of the Jim Mitchell Library

Refreshments

**\*\*\*\*\*Please Drive Safely\*\*\*\*\***  
**Schools Open**  
**August 26, 2008**

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