



**EMERALD LAKE VILLAGE DISTRICT**  
HILLSBOROUGH, NEW HAMPSHIRE, 03244

**Monthly Meeting of the Board of Commissioners**

Emerald Lake Village District

**September 13, 2018**

Gazebo, Eastman Park, Hillsborough NH

Present: Diane Cunningham, Chairman of the Commissioners (in person)  
Linda Whiting, Commissioner (in person)  
Wayne Held, Commissioner (in person)  
Jessica Vitkauskas, Treasurer (in person)  
Kim Grondin, Clerk (in person)

ELVD Residents and guests: Laura Buono (Town Administrator), Robyn Payson (Planning Board), Veda O'Neil, Richard Whiting, June Fitzpatrick, Brett Taber, Melissa Taber, Robert Hansen II, Mark Martin, Joseph Feindel, Eileen Feindel, Patricia Topper, and Paul Rosa.

The regular Board of Commissioners Meeting was duly convened at approximately 6:01 p.m. at the Gazebo in Eastman Park as noticed, with a quorum of three out of three commissioners in attendance.

- 1. Approval of Meeting Minutes:** Kim Grondin, Clerk presented workshop meeting minutes dating September 5, 2018 to the commissioners. Diane Cunningham, Commissioner made a motion to accept the meeting minutes, seconded, and approved.
- 2. Finances:** Jessica Vitkauskas, Treasurer presents financial reports. Bill payments for all vendors for this month is \$36,854.61, with water manifest balance being \$28,487.61 and general manifest equaling to \$8,367.00. Jessica Vitkauskas, Treasurer states all the leak detections meters are paid in full. Diane Cunningham, Commissioner made a motion to accept the financial reports, seconded, and approved.
- 3. Old Business:**
  - Water Warrant:** Diane Cunningham, Commissioner states the water warrant needs to be signed by commissioners and brought to the town hall.
  - Lawsuit:** Commissioners have received some information about a lawsuit from Florida. Justin Richardson, ELVD Lawyer is investigating this and will get back to commissioners.
  - Building on Patten Hill:** Diane Cunningham, Commissioner states the building on Patten Hill is complete and they need to make keys for the building. Wayne Held, Commissioner will make the keys, as well as go and check to make sure its complete.

**Trunk or Treat:** Diane Cunningham, Commissioner states that three cars have signed up to date.

**Michael Bean:** Diane Cunningham, Commissioner states that she has contacted Kevin Leonard from Northpoint about Michael Bean, contractor from the H&H intersection and received a letter in return. The letter states “Mike called me back tonight before having to reach back out to him. He has indicated that he had asked each resident if they wanted the stone placed on their driveways and they all reported yes. He also reported that all residents were happy when he left the job. He feels that he went out of his way to accommodate their needs. In his mind, the job is complete, and I don’t think that he is inclined to return to the site. I realize that this is not what you were hoping to hear. Let me know if I can be of any further assistance.” June Fitzpatrick, resident states “I was not asked if they could put the stone there. I did tell them that it looked good because it did look good, but I was not asked”. Diane Cunningham, Commissioner states that she will let them know that, as well as some ideas that June Fitzpatrick, resident has that might work a little better for drainage. Melissa Taber, resident asked if the work is guaranteed and is there a clause that they must come back? Jessica Vitkauskas, Treasurer states that there is, and they have held a percentage back of the funds, for this reason. Diane Cunningham, Commissioner will get with the residents and see what each resident has to say and then will contact Justin Richardson, Lawyer to see where we go from here. Commissioners will keep residents up to date.

**4. New Business:**

**Sanitary Survey:** Sanitary Survey will be at Eastman Park on September 25, 2018 at 9:00 a.m. with DES, WSO, engineers, and RCAP. Wayne Held, Commissioner will be present for this.

**Gazebo Repair:** Wayne Held, Commissioner has placed an ad in The Messenger for the repair of the Gazebo. Commissioners will be meeting with contractors at the Gazebo on October 2, 2018 at 6:00 p.m. to collect bids for the repair. Melissa Taber, resident asks “if we are doing the bidding now, and quotes are normally valid for 30 to 60 days, and if we are not doing the work until spring of next year, how can we ask that the quotes be valid months away”? Wayne Held, Commissioner states “we are looking for estimates, so we can figure the amount in next years budget”.

**5. Laura Buono and Robyn Payson:**

Diane Cunningham, Commissioner introduces Laura Buono, as Town Administrator and Robyn Payson from the Town Planning Board. Laura Buono, Town Administrator would like to start with the camping issue in ELVD. Robyn Payson, Planning Board states she would like to read the zoning rules about recreational camping permits. Robyn states “a recreational vehicle may be stored unoccupied in a rural and residential district on the property of the owner in the Town of Hillsboro for any period of time without a permit”. Robyn continues to state “The Board of Selectman and Building inspector may issue a permit to any property owner to accommodate him or herself or nonpaying guests on their property to reside in a single recreational vehicle as found in RSA 216-1:1 Section 8 for a period of not exceeding 90 days in one year. Each recreational vehicle can be occupied and demonstrate the proper sanitary capabilities are available as determined by the building inspector/health officer and all applicable health and safety codes. No unit may be used for permanent dwelling. I have brought the application with me for residents to look at. So basically, if someone has a piece of property and would like to bring their registered camper down, they can park it on the property they own. They will need to get a permit from the building department that proves how their clear and black water will be disposed. Everything will have to be checked for safety and they can only stay in the recreational vehicle no more than 90 days a year. This must be something registered and on their property. The permits are how we keep track of it because previously there was no way of keeping track of who is doing what.” Melissa Taber, resident asks “do they have to remove their vehicles from the property after the 90 days”? Robyn Payson states “no they just cannot live in it for more than 90 days”. Laura Buono suggests if residents see people not abiding by this, to please call the town and they will send someone out to investigate. Mark Martin, resident asks “how many unregistered cars are you allowed to have on your property”? Laura Buono states you are allowed one unregistered vehicle on your property.

Mark Martin, resident states “then what are we doing about the people at the end of Ellen Brook, as they keep adding junk cars that are leaking all over the place and how long are these people going to get away with this”? Laura Buono states “they are not getting away with it, as our attorney is involved with that situation and bankruptcy has started. We are in contact with the bank’s attorney, we have gone to court and we are continuing to move forward with that property. I know it is a frustration for residents, as I see it on Facebook and unfortunately code enforcement issues would love for them to go like that, but they take a long time and judges will always give the property owners extended amount of time to clean up, but this property is a little unique. The property is in the name of the wife and it is our understanding that the wife is no longer residing there, but we are continuing to investigate this. We have not forgotten and are not letting them get away with anything, but we must go through the court process. I don’t like to spend legal money if we don’t have too but this is something that we don’t have a choice on. I understand your frustration and I apologize for that, but we are working on it”. Brett Taber, resident states “I would like to go back to the camping situation, do you know how many camping permits there are in Hillsboro, outside of ELVD?” Laura Buono states “I would have to look and get back to you on that”. Brett Taber, resident states “I am just wondering because if we do report it, will they just get another 90 days and then another 90 days?” Laura Buono states “we do a lot of code enforcement and it is only a select few that we have to go through the legal process. Most people, when we start giving them letters from our attorney, gets their attention”. Brett Taber, resident states “it was our understanding that the district had a higher level of expectation than the town, as we were told there was no camping allowed on district property because we didn’t want it to turn into a camping ground but real-estate agents are being told by the town officials and advertising throughout the state that this is permitted and we are telling people no, so where is the disconnect in communication or policy between the Town of Hillsboro and the district towards that piece of it”? Robyn Payton states “commercial camping and campgrounds are not permitted, so you cannot put a commercial campground in or put a camper that you rent every week but if someone owns a piece of property, they have the right to park a camper there with a permit. They can park it there forever, but they need to have it registered”. After discussion, it is found that the town overrides the district rules, so if someone owns property and would like to put a registered recreational vehicle on it and live in it for 90 days out of the calendar year, they can do that”. Discussion had taken place about the water ban and water hookups for ELVD. Brett Taber, resident states “up till tonight, the information of DES lifting the water violation/ban was not told to us. Diane Cunningham, Commissioner states “the notice of water violation was just closed”. Brett Taber, Commissioner states “we were not told that, so it is interesting to hear that and thank you. I am trying to understand, so that if more people are trying to hookup and they have state permission and everything else, what liability does that set us up for, if we restrict that? It is my understanding that if they buy two or three lots within the district and we say no because of the restricted water system, that is why no new personal wells can be drilled”. Laura Buono states “that is not the case and we have spoke to DES about this and DES is the one who makes the decision on whether or not a well and septic can be on the property, which is a level above us”. Many conversations had taken place. Laura Buono states “ the district is in their legal rights to say we are not allowing anyone to hook up to the water but the property owners are well in their legal right to go to DES and if they have the amount of property to be able to fit a septic and well and meet all the requirements, then DES will most likely allow it”. Melissa Taber, resident asks “where is the communication”? Laura Buono states that we don’t have the communication with the commissioners and let them know of every permit that is issued, we certainly could, if that is something the commissioners would like to know but as long as we get the approval to build from DES, and they meet everything we require to issue the permit, then it will be a go. Obviously, we will communicate with the commissioners if they had to do anything with the district prior to building”. Brett Taber, resident asks “so to where we have a fee for new hookups, the state says yes, the town gives a permit, does the town then go to the property owners and state that there is a water hookup fee or is that something we have to do before they are allowed to be hooked up?” Laura Buono states “if they were allowed to hook up to the system then yes, it would have to go through the commissioners”.

Laura Buono states “the town owns quite a bit of lots in ELVD and we sent out letters to abutting property owners to try and sell them”. Diane Cunningham, Commissioner asks Laura Buono about property owners wanting to donate their property to the district. Laura Buono states “the only issue is, if they have taxes owed on it, it will have to be paid or they can come to the selectman and request an abatement. My suggestion is to be careful because you don’t want land that is not worthy for the district and to investigate it first”. Residents had informed Laura Buono of some abandoned trailers within the district. Laura Buono states that she will get the town to come in and check out these areas. Mark Martin, resident asks “what size building do you need a permit for? Do you need a permit for everything because it seems like everything I do, I need a permit?” Laura Buono states “if you are adding on to your home, you need to get a permit. If you are building, like a shed, anything under 250 sq. ft, you do not need a permit for but again if you are adding anything to your home, you need a permit”. Laura Buono and Robyn Payson were thanked by the residents and BOC’s for coming to our meeting and answering questions. Laura Buono left a Memorandum of Understanding between the Town of Hillsborough and ELVD for commissioners to review and sign.

**6. Public Comment:**

Melissa Taber, resident states “the bulletin board at the kiosks is rotting and falling off. Do we have any money to replace these?” Diane Cunningham, Commissioner states she will investigate that. Melissa Taber, resident asks “and if we do that, can we put new business sign of some sort behind the glass?” Wayne Held, Commissioner states we only have accessibility to one side and need to fix that first.

June Fitzpatrick, resident asks “are we going to be putting water meters in because I am in favor of that and does the homeowner pay for that?” Diane Cunningham, Commissioner states that eventually yes and it is about \$2000.

Residents discussed the bear situation and the mother bear being shot. Commissioners are not sure of the facts verses rumors.

Resident expressed she had bought the housing numbers from the fire station and was told at the time to please inform the ELVD residents to come and purchase the signs as well. Jessica Vitkauskas, Treasurer states that she was informed by them that their hope was for these signs to be at the same spot on everyone’s house.

Resident is asking for the Winter Street sign to be placed on Melody Lane. Resident states Mark Rodier, former commissioner had taken it down a long time ago, but resident would like to put it back up. Diane Cunningham, Commissioner will get the resident the sign to be placed back up. Diane Cunningham, Commissioner thanked the resident.

**7. Upcoming Meetings:**

Next BOC’s Meeting is **October 11, 2018** at ELVD Office at 6:00 p.m.

Next Workshop Meeting is **October 3, 2018** at ELVD Office at 6:00 p.m.

Whereupon there being no further business before the Board at this time, it was moved, seconded by the public and unanimously voted the Meeting be adjourned.

**Adjourned at 7:11 p.m.**

**Diane Cunningham, Chairman of Commissioners**

**Wayne Held, Commissioner**

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**Linda Whiting, Commissioner**

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**Board of Commissioners.**

**Certified by the Clerk: \_\_\_\_\_ 09/18/2018**