

APPROVED

**Board of Selectmen
21 June 2012
Minutes**

5:30 pm – Selectman Ralph Lavin called the meeting to order. Present were Selectmen Lavin and Brett Currier, Town Administrator Tim Warren and Clerk Lois Dionne. Chairman Rachel Hatch was not in attendance. Also in attendance were Steve Latici and Cemetery Trustees, Candace Daigle, Marion McIntyre and J. R. Stockwell.

The Selectmen had requested this meeting in response to a letter (copy attached) and pictures received from the Cemetery Trustees regarding a logging operation adjacent to the Beech Grove Cemetery that was causing a problem to the Cemetery. The letter specifies damage that occurred. Also enclosed is a copy of a letter the trustees sent to Mr. Latici in 2010 giving him access to his property from the Beech Grove Cemetery driveway to remove his firewood.

The north and south property lines for the lane leading to the cemetery are historic stone walls. Laura and Steven Latici are the abutting property owner too the south (the logging site).

The Trustees expressed concern about the damage done to the lane leading to the cemetery, the amount of rocks displaced from the wall and damage done to trees. Candace Daigle expressed particular concern about one very large tree that had a significant amount of bark removed. She was concerned that it might kill the tree, and the Town would, in the future, be faced with the expense of having to hire a crane to have the tree removed. She was also concerned about damage to the lane.

Mr. Latici said he plans to replace the rocks on the stone wall when he has completed his project, which will probably be in October; he could not give a specific date. He said he still has some stuff to pick, and the slabs will be moved to his side of the wall. He has some beams that he wants to leave where they are on the cemetery side of the wall to dry. Mr. Latici said the walls would be in better condition when he is finished than they were previously. He said he would back drag the lane when he was finished to smooth it out.

Selectman Currier said he wants to make sure the trustees are satisfied with the end results. Candace Daigle said she wants to see a stable wall similar to the characteristics of what is there now. She also stated that she did not want to have him back drag the lane, just smooth out the spots he damaged.

Mr. Latici stated that the cemetery has been deeded to the Town, so the lane is now a public road, so anyone has access to it.

There was discussion of how deeding the cemetery affected the status of the lane. Candace Daigle will research that. Candace reiterated her concern about the cost to remove the tree, should it die due to the amount of bark that had been knocked off it, and to have a stable wall.

Mr. Latici said he would send a letter to the town stating that if the tree should die in his lifetime, he would pay to have it taken down. He stated that he has an interest in fixing the wall properly, as it also affects the value of his land.

After much discussion it was agreed to let Mr. Latici complete his work, and he would work with J. R. Stockwell when he is finished so the repairs will meet the trustee's approval.

6:04 pm - The Cemetery Trustees and Mr. Latici left the meeting.

Tim informed the Selectmen that they had neglected to make a formal motion to accept Officer Krochmal's resignation from the police department, and to hire Christopher Gustafson.

MOTION - Selectman Currier moved to accept Officer Cory Krochmal's resignation from the Gilmanton Police Department effective June 19, 2012. Selectman Lavin seconded. Motion passed 2-0. – Selectman Currier-Yes, Selectman Lavin-Yes.

MOTION – Selectman Currier moved to approve the hiring of Christopher Gustafson as a police officer on the Gilmanton Police force effective June 24, 2012. Selectman Lavin seconded. Motion passed 2-0. – Selectman Currier-Yes, Selectman Lavin-Yes.

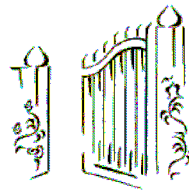
6:07 pm – MOTION – Selectman Currier moved to adjourn the meeting. Selectman Lavin seconded. Motion passed 2-0. – Selectman Currier-Yes, Selectman Lavin-Yes.

Respectfully submitted,

Lois Dionne
Recording Clerk

TRUSTEES OF CEMETERIES

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June 18, 2012

Board of Selectmen
Town of Gilmanton
P.O. Box 550
Gilmanton, NH 03220

Dear Board Members,

On June 16th, I was notified by Carl Moorhead that a logging operation adjacent to the Beech Grove Cemetery was causing a problem to the Cemetery.

The Beech Grove Cemetery (tax lot 128/20) is situated off Province Road, just south of the Corners, is an active 6+ acre cemetery accessed over a 725' narrow dirt lane. The entire property (lane and burial area) is owned by the Town. The north and south property lines for the lane are the historic stone walls. Laura and Steven Latici are the abutting property owner to the south (the logging site).

I viewed the Cemetery, took the enclosed pictures on that date and found the following:

1. Several areas of the stone walls along both the southerly and northerly sides of the lane leading from Province Road to the cemetery gates were damaged:
 - a. Some sections of walls have been completely dismantled, apparently to provide access for equipment, logs, timbers and boards to/from the adjacent lot;
 - b. Some sections of walls have been damaged in place apparently by dragging logs, timbers, boards and equipment across the walls;
 - c. Some sections of walls apparently were damaged but stones have been thrown back up in an attempt to correct the damage, however the "patched" areas are readily apparent and do not match the adjacent wall sections.
2. Recently milled boards, timbers and slabs are piled:
 - a. Some totally within the lane;
 - b. Some lying on and across the stone wall, encroaching into the lane.
3. Some vegetation along the lane has been destroyed:
 - a. In some areas by the apparent dragging of logs and/or timbers along the lane;
 - b. In some areas by the stacking of timbers and boards
 - c. In some areas by the operation of equipment and the establishment of a milling site;
 - d. Runoff from unvegetated areas may overwhelm the available drainage ways.
4. A portable sawmill is being operated entirely within the lane:
 - a. The vegetation within the operation area has been destroyed;
 - b. Large piles of waste sawdust and slabs are accumulating adjacent to the mill.
5. Trees within the lane have been damaged:
 - a. At least two trees have received trunk damage, one a very large tree that has had a significant

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amount of bark removed.

stopped at the Latici home at the conclusion on my site visit, but did not find anyone home. In 2010, i approached me during the budget committee meeting to hear the Cemetery Budget and requested to use the lane to access firewood he was cutting from a log-length pile that had been delivered to his. The Trustees agreed and provided him access for that particular instance. Our letter confirming the the access/purpose is attached. The damage and encroachment found today it totally outside of our n with Mr. Latici at that time, his activities at that time, and the access granted in that document.

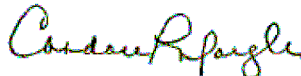
his shaded, narrow, vegetated lane, virtually unchanged from the creation of the cemetery is (was) an actor in making the Beech Grove Cemetery an extremely important heritage site for the community. taken care not to "upgrade" or otherwise change the lane and thereby the historic "sense" of the site. e was taken last year when trimming some dead limbs within the lane that not more vegetation that y necessary was impacted. The lane gate is locked and the lane unmaintained from November to May specifically to avoid damage. It will take a significant amount of effort and some years for the lane to d to a semblance of its prior state.

ecause of the extent of, and anticipated additional damage that may occur, we request that the n issue an immediate cease and desist on all logging and related activity occurring within the lane/on /'s property and cause all necessary repairs and clean up to be completed to a standard to be determined own to return all impacted areas to a condition comparable to prior to this activity. For that purpose the ; is recommended:

ll cut wood products are to be removed from the Town's property;
he sawmill is to be removed from the Town's property;
ll waste sawdust, slabs and other materials are to be removed from the Town's property;
ll stone walls are to be repaired by a person, approved by the Town and qualified in dry stonewall nstruction to match adjacent wall sections;
amaged trees are to be evaluated by a person, approved by the Town and qualified to determine hether such trees need repair and/or removal, and said work to be completed;
he lane travelled way shall be repaired with materials and in a manner approved by the Town to match ladjacent lane sections;
amaged areas within the lane, but outside of the travelled way shall be revegetated in a manner proved by the Town.

ease do not hesitate to contact the Trustees for any assistance we can provide in this matter.

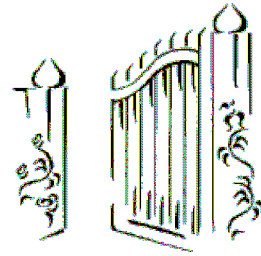
Sincerely,



Candace L. Daigle
Trustee

TRUSTEES OF CEMETERIES

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Steve Latici
Candace Daigle
January 23, 2010

F: Access to Beech Grove Cemetery Driveway

In response to your request on Thursday evening to be able to access your property from the Beech Grove Cemetery driveway to remove the last of your firewood, we are providing you with a key to a temporary gate in the locked gate. The key accesses the black padlock on that gate. We were unaware that you would continue to access over the Cemetery property to remove the remainder of the firewood from your

property. Please keep the gate locked when you are not using it. Once the ground begins to thaw at all, we'll have access over the driveway again until the ground dries up in the spring. The access road and cemetery were never constructed for heavy truck or off-season access. The cemetery suffered a significant amount of damage a few years ago and that is the reason that we now keep the gate locked between approximately November 1st and May 1st.

We appreciate that you trimmed some of the branches along the driveway last year. We would appreciate it if you would replace any wall stones that are dislodged and repair any driveway or drainage damage that is caused by your firewood work when you are done. Please let me know when you are finished so we can come to collect the key.

McIntyre
8

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