

Selectmen Meeting Minutes
March 23, 2022

Meeting called to order by Selectmen Norman Beckwith at 6:00pm.

Calling of the Roll

Selectmen: Norman Beckwith, David Thorp, Kirk Hamilton

Secretary: Carolyn Nye

Guests: Crystal & Dereck Stimpson

David made a motion to accept the minutes as amended. Kirk seconded. Motion carried 3-0.

Main Municipal Association Legal Services response to the question If the Blanchard Road is closed for winter maintenance and a resident wanted to plow the road themselves who would be liable if someone were to get injured on the road was answered with:

“Assuming it is a public town way, the select board certainly has authority to stop maintaining it in the winter in accordance with Title 23, Section 2952. Any private citizen who undertakes any activity without authorization on property that does not belong to them including public property, may be liable for trespass and violations of law. It is unlikely that the Town of Shirley would be found responsible for the activities of any individuals who were not acting at the request of or with the permission of the municipality or any municipal officials. If anyone who is not a municipal official asks the town for permission to maintain a public road, the town should deny permission unless they are interested in contracting with that individual to perform work on behalf of the town at the town’s expense”.

The selectmen discussed and agreed to move the Winter Maintenance sign on the Blanchard Road located further down back to the Shirley Town Line. The selectmen will get with the Shirley Town Lawyer and have them draw up a contract for Colin if he wants to cut wood on the Blanchard Road next year.

MMA Legal Services responded to the question What is the towns obligation if the Dog Officer doesn’t contact the residents who have not come in to register their dog(s) for the year 2022. Their response was “An Animal Control Officer should enforce dog licensing laws in the same manner that a Code Enforcement Officer enforces Land Use Laws-making a phone call, to follow up with a letter, and then proceeding to court with the assistance of an attorney if the dog owner fails to comply. Municipal Clerks are responsible for managing license applications (including accepting them, issuing licenses, and filing registrations, and otherwise managing the related documentation). The select board is responsible for overseeing the Animal Control Officers performance in his position just like any other municipal official in Shirley”.

David suggested Carolyn send a letter to the Animal Control Officer the names of those residents who have not come in.

Norman will be calling Jordan to fill in the culverts around Shirley.

Peggy wants to set a date for The Planning Board Special Town Meeting to enact an amendment to The Town of Shirley Land Use Ordinance Section 5 size of lot:

No building shall be constructed upon or moved to a lot with an area less than eighty thousand (80,000) sq. ft with a frontage width facing any street, not less than ~~one hundred feet (100 feet)~~ two hundred (200) feet. Only 1 resident dwelling is allowed per lot." (Note additions are Underlined. Deletions are shown in ~~Strikethrough~~).

Norman made a motion to have a Special Town Meeting April 11th at 6:00pm in the Town Hall for the purpose of The Planning Board to amend The Town of Shirley Land Use Ordinance Section 5 size of lot. David seconded. Motion carried 2 in favor and 1 opposed.

Norman adjourned the Meeting at 7:00pm. Motion carried 3-0.

Submitted by,
Carolyn Nye