

Town of Canterbury  
Selectmen's Meeting  
August 2, 2021

Selectmen Present: Cheryl Gordon

Art Hudson

Town Administrator: Ken Folsom

The meeting was called to order at 5:04 PM.

**Administrative**

Bob made a motion to sign the accounts payable in the amount of \$514,794.78. Cheryl seconded the motion. All in favor by roll call, motion carried.

Bob made a motion to sign the payroll manifest in the amount of \$33,936.27. Cheryl seconded the motion. All in favor by roll call, motion carried.

The Board signed: Intent to cut – Tax Map 221 lot 13

Interfund Transfer

**Minutes**

The Board reviewed the minutes of the July 19, 2021, Selectmen's meeting. Cheryl made a motion to approve the minutes as amended.

**New Business**

The Board reviewed a proposal for the Town of Canterbury to become a Purple Heart Community. The purpose of the Purple Heart Community is to create a tribute to the men and women who have been awarded the Purple Heart medal. The Board will further discuss the procedure to be a Purple Heart Community.

The Selectmen reviewed a request from Michael & Jennifer Arnold to purchase 41 Old Gilmanton Road (Tax Map 101 Lot 9) from the Town for \$2,000.00. Bob made a motion to accept the proposal of \$2,000 to purchase 41 Old Gilmanton Road with the condition that the deed must be merged with 45 Old Gilmanton Road. Art seconded the motion. All in favor by roll call, motion carried.

The Selectmen discussed the condition of the floors at the Municipal Building. They are in rough shape and should be replaced. A quote has been received for \$10,000 to replace the floor tiles in the lobby & training room. The Selectmen approved the expense.

**Canterbury Elementary School Principal Erin Chubb**

Erin attended the meeting to discuss the community playground sign at the Elementary School. Erin explained that the sign is starting to break and rot in some places. She is looking for financial support from the Town to assist in replacing the sign. She has not obtained any estimates to replace the sign at this time. Erin stated that there is nothing in the school budget this year for this project but wanted to start the conversation. Bob explained that the Town has a

Recreation Committee and could possibly reach out to local talents to help out. Cheryl asked Erin to keep the Board updated; Erin said she would and thanked the Board.

#### Energy Committee Member Ruth Heath

Ruth explained that that the Energy Committee would like to have an energy audit on each of the town buildings. Unitil will do a walk-thru audit at no cost. The committee would like to do a professional audit on the Library and Meetinghouse. The estimated cost for this audit is estimated around \$1,500. Ruth explained that possibly a grant might be available. Ruth wanted the Board to know that they are thinking about this and will propose this in their 2022 budget. Ruth will come back to the Selectmen with a more detailed plan.

The Board thanked Ruth and the Committee for the work that they are doing.

#### Land Use Violation

Bob stated the Selectmen would like to address a land use violation that concerns a property owner, Leonard Giles, and another individual, David Lidstone, who has become known as “River Dave.” Bob thanked everyone in attendance for their interest and explained that the reports coming from the media are somewhat incomplete.

The situation is that the matter at hand is a civil matter between a landowner and a trespasser. Six years ago the Town became aware of improvements that were made on property owned by Mr. Giles. The Town sent a letter to Mr. Giles asking if he was aware of the structure and what his intentions were. This property is in current use and having any improvements violate the current use laws. Mr. Giles explained that he was not aware of the structure and wanted the trespasser to leave. That is all the involvement the Town had with this situation. The Towns’ position is that this is a private legal dispute between the property owner and Mr. Lidstone.

Boscawen resident Jodie Godeon spoke in favor of allowing Mr. Lidstone to stay on the property. Jodie and others have reached out in hopes of an agreement. Jodie has had contractors reach out to her to bring Mr. Lidstone’s house up to code. “He wishes no harm to anyone, and he cares about his community and just wants to live out the remaining days of his life in his cabin.” Jodie would like all parties to come to an agreement and see what can be done to satisfy what the Town wants as far as building codes. She asked the Town to reconsider.

Bob asked what is it she wants the Town to reconsider as nothing has been presented to the Town to consider. Bob further explained that this is a private dispute. This is not about tax revenue, as some may believe. The Town notified a landowner that he might have a squatter on his property.

Bob explained that the Board of Selectmen has no authority to allow Mr. Lidstone to stay without the property owners’ agreement.

Bob stated, if an agreement could be made, then the Town would have to get involved. They would have to go to the zoning board for a variance, get a building permit and bring the building up to code, state-approved septic system, etc. Legal access would have to be obtained. Many approvals would be required by the Town and the State, including DES approval for a structure within the Merrimack River setback.

Jodie said that she will work with the Attorneys and Mr. Giles to broker some kind of compromise. Jodie thanked the Selectmen for hearing her concerns.

Sandy ??? spoke in favor of allowing Mr. Lidstone to stay on the property. He is prepared to pay the property taxes if that's what will allow him to stay. The Selectmen explained this is a dispute between a property owner and trespasser and not about the property taxes.

David Appacho, a Concord resident, spoke in favor of Mr. Lidstone. David heard that the sons of the property owner are starting to tear down the structure and asked if the Board could delay the process. The Selectmen have no authority to stop any work that may be occurring.

David thanked the Board

Judy Elliot, a Canterbury resident, thanked the Selectmen for addressing this issue. Judy asked if there had been any pressure from the Town to evict Mr. Lidstone and asked that the Town be patient and relax and see if an agreement could be met. Bob stated that the Selectmen could not ignore illegal actions in towns. No pressure has been given from the Selectmen. This is a civil matter between a property owner and a trespasser.

Jake Farwell spoke in favor of Mr. Lidstone being able to stay on the property.

Doris Hampton, a Canterbury resident, encouraged the Selectmen to see what they might offer to reach an agreement. Bob stated that the court has determined that Mr. Lidstone has no rights to the property.

Sandy stated that from what he is reading in the papers the property taxes are a problem and he is willing to pay them. Bob explained that when a reporter sends an email to the town office and can't wait to get a response and runs the story that is problematic. The issue is not one of property taxes. For the record, the Town has never taxed or threatened to tax the structures. Mr. Giles tax bill has not changed except for any regular changes in the Town's tax rate.

Bob read the letter the Town sent to Mr. Giles on August 17, 2015.

Jodie encouraged the Selectmen to submit a press release. The Selectmen will discuss this if anything changes with the legal action.

Kay Cushman asked who is the Town's attorney. Bob explained that the Town is represented by Upton & Hatfield. He also explained that the Town had not contacted Town Counsel on this subject.

Arnie Alpert asked if the recording of this meeting is public. Once the minutes are approved, the recording is deleted.

#### **Other Business-**

Ken presented two requests for time off.

Art made a motion to adjourn at 6:37 PM, Bob seconded, all in favor by roll call.

The next regular meeting will be on August 16, 2021 at 5 PM.

Respectfully submitted,

Jan Stout, Administrative Assistant