



**TOWN OF THORNTON
BOARD OF SELECTMEN**

Town of Thornton • 16 Merrill Access Road • Thornton, NH 03285 • 603.726.8168

Approved on:	9/15/26
BOS Initial:	SB
Rec'd by Town Clerk on:	9/17/26
Town Clerk Initials:	ACR

**Board of Selectmen Meeting Minutes
August 5, 2026**

4:00 p.m. Chairman Steven Babin opened the Thornton Board of Selectmen meeting with the Pledge of Allegiance.

This meeting was held at the Thornton Station Meeting Hall and via Zoom. The Zoom code was referenced on the posted agenda.

ROLL CALL: Chairman Steven Babin, Vice-Chair Peter Laufenberg, Selectwoman Marianne Peabody, Selectman Matt Peltier

ABSENT: Selectman Brad Benton

STAFF PRESENT: Town Administrator (TA) Desiree Mahurin, Transfer Station Manager (TSM) Jamin Levasseur

OTHERS PRESENT ON ZOOM (*names are listed as they appear*): Natalie Sywenkyj, Michael Miller, Deven McIver, Sally Davis, Dan Defosses

OTHERS PRESENT: David Rardin, Ken Wolffe, Shawn Magoon, Marlene Rivers, Charles Cheney

APPROVAL OF MINUTES:

MOTION: "To approve the public meeting minutes of July 8, 2026, as presented."

Motion: P. Laufenberg

Second: M. Peltier

Discussion: P. Laufenberg commented that his statements regarding the possibility of the library coming under the town, like the cemeteries did, cannot occur per State statute. He asked that his statement remain in the minutes but wanted to clarify it.

Motion Passes: 4 – Yes, 0 – No, 0 – Abstained

MOTION: "To approve non-public session 1 minutes of July 8, 2026, as presented."

Motion: P. Laufenberg

Second: M. Peltier

Discussion: None

Motion Passes: 4 – Yes, 0 – No, 0 – Abstained

MOTION: "To approve non-public session 2 minutes of July 8, 2026, as presented."

Motion: P. Laufenberg

Second: M. Peltier

Discussion: None

Motion Passes: 4 – Yes, 0 – No, 0 – Abstained

MOTION: "To approve non-public session 3 minutes of July 8, 2026, as presented."

Motion: P. Laufenberg

Second: M. Peltier

Discussion: None

Motion Passes: 4 – Yes, 0 – No, 0 – Abstained

CONSENT AGENDA: July 22, 2026, and August 5, 2026

July 22, 2026

Manifests:

1. Payroll: \$ 35,265.16
2. Vendor: \$ 742,992.07

Zoning Compliance Application(s):

1. 2026-34 Allard, Vincent & Labonte, Dianne 239-017
99 Banjo Drive
Description: 18x18 Addition for living room attached to house & 26x 36 garage
2. 2026-36 Lesnewski, Mack & Kimberly 228-016
19 Sunrise Rd
Description: Demo existing shed

Application for Reimbursement to Town re: Federal & State Forest Land Roadway Excavation Permit
(Reviewed & Approved by Road Agent)

Peaked Hill Pond Road for underground electrical service

(goes with previous NHEC conduit permit project)

Owner: Donald Reid

Contractor: Small Job Excavation (Tim Daniels)

Bond received (Reviewed by legal counsel)

August 5, 2026

Manifests:

1. Payroll: \$ 33,922.67
2. Vendor: \$ 321,556.84

Zoning Compliance Application(s):

1. 2026-35 Griffin, Erika & Todd 220-035-000-00BG-00004
Brookside Road
Description: 58x27 3BR-SF Home with attach garage
2. 2026-37 Mayberry, Brad & Tracy 246-009
Notchway Rd
Description: 72x60 3BR-SF Home with attach garage

Property Tax Abatement

1. PID: 240-111
\$132.00 plus accrued interest

Property Tax Abatement Refund

2. PID: 206-021
\$189.51

Underground Utility Conduit

Applicant: NH Electric Co-Op

Road Location: Cuttyhunk Road

Conditions:

1. Crossing shall be installed consistently with burial depths described in the NHEC design manual.
2. Excavator shall use existing material to backfill with to minimize the risk of differential heaving.
3. Contractor shall be responsible for the quality of work for one winter season to ensure there are no problems after going through a winter season.

Tax Deeded Property Buy Back

PID: 205-002

MOTION: "To approve the July 22, 2026, and August 5, 2026, consent agendas presented."

Motion: M. Peltier

Second: M. Peabody

Discussion: None

Motion Passes: 4 – Yes, 0 – No, 0 – Abstained

PUBLIC COMMENT(S):

David Rardin stated he is running for State Representative and wanted to introduce himself. He stated he is looking to bring concerns from local Boards to the State level for possible changes. The Board thanked him for attending.

Ken Wolffe expressed his concern with the look of the Mad River Cemetery since the tree removal. He stated he is advocating for improvements at the cemetery and asked that these improvements be budgeted for in 2027. The Board thanked K. Wolffe for his comments and reviewed that there are funds in the CIP for improvements that are scheduled to occur in the next year. This includes a new fence, and landscaping.

NEW BUSINESS:

Capital Project Review with Department Heads (NOTE: Highway & Police have no new projects for review)

- 4:15 PM Transfer Station (2 projects)

TSM Levasseur reviewed that the Pole Barn project has changed in price and is being resubmitted with the new number; the year of the project has not changed.

He stated the second project is for 2028 and is the refurbishment of the oil burner in the recycling building. Discussion occurred regarding using any remaining funds from 2026 for the oil burner and TSM Levasseur stated repairs to garage doors are also needed as well as other small projects that those funds could be used for.

MOTION: "To approve the addition of the two (2) projects as presented into the CIP."

Motion: P. Laufenberg

Second: M. Peltier

Discussion: None.

Motion Passes: 4 – Yes, 0 – No, 0 – Abstained

DEPARTMENT HEAD REPORTS & OTHER COMMUNICATION AS APPLICABLE:

TA Maurin reviewed that a letter from Fire Chief Defosses was received regarding the possible donation of Engine 4 to Easton, NH. The trade in value of the truck is very low, and the Town of Easton needs one. The Board had no concerns with the donation of Engine 4 to the Town of Easton, NH.

155 **NEW BUSINESS (continued):**

156 Capital Project Review with Department Heads (NOTE: Highway & Police have no new projects for
157 review)

- 158 • 4:30 PM Fire Dept. (1 project)

159 Fire Chief Dan Defosses (via Zoom) reviewed that he would like to begin the conversation on
160 improvements to the fire station, which would include an addition. He stated there are no immediate
161 plans for this, but it is coming and he would like to start adding money into the CIP at some point.
162

163 P. Laufenberg asked Chief Defosses if he was the one initiating this discussion, and Chief Defosses
164 stated yes; Campton and Ellsworth have also been given the same information that the Board has
165 before them. Lengthy discussion occurred on the need for more information and plans for the
166 addition. All agreed that more information is needed before a number can be added into the CIP;
167 initial architectural/engineered plans can be looked at and developed in order to determine what is
168 actually needed for the fire station.
169

170 **MOTION: "To not add the Fire Station Addition into the CIP at this time."**

171 **Motion:** P. Laufenberg

172 **Second:** M. Peltier

173 **Discussion:** The Board agreed that it was too premature to add the item into the CIP at this
174 time. The topic may be discussed later, once more information is available.

175 **Motion Passes:** 4 – Yes, 0 – No, 0 – Abstained
176

177 **PUBLIC COMMENT:**

178 Sally Davis (via Zoom) stated that the information given in the public meeting regarding what trees
179 were being cut at Mad River Cemetery was not correct, as she felt that several of the trees that were
180 removed could have been trimmed and did not appear to be in bad shape. She asked that
181 something green be planted where the trees were cut down.
182

183 S. Babin thanked S. Davis for her comments and would pass them along to the cemetery
184 superintendents.
185

186 **5:00 PM Ballot Clerk/Inspector of Election potential appointment interviews**

187 (NOTE: Democratic party has appointed 2 Inspectors of Election; Republican party has not made
188 any appointments as of July 15; pursuant to RSA 658:2, the BOS shall appoint equal representation
189 from each party)

- 190 • 5:00 PM Marlene Rivers (R)

- 191 • 5:10 PM Charles Cheney (R)

192 **MOTION: "To appoint Marlene Rivers and Charles Cheney as Inspectors of Election for the**
193 **Republican Party."**

194 **Motion:** P. Laufenberg

195 **Second:** S. Babin

196 **Discussion:** M. Peabody swore in M. Rivers and C. Cheney

197 **Motion Passes:** 4 – Yes, 0 – No, 0 – Abstained
198

199 **COMMUNICATIONS AND MAIL**

200 Concerned Citizen Correspondence (if applicable):

- 201 • From T. Ham re: Health Officer

202 M. Peabody, as Health Officer, stated the concerned citizen report and her response were sent in
203 the read-ahead materials.
204

205 **DEPARTMENT HEAD REPORTS & OTHER COMMUNICATION AS APPLICABLE (continued):**

206 July reports were sent via email on 8/3/2026. No further action was taken.

207
208 M. Peabody removed herself from the Board and acted as Health Officer.

209
210 **Health Officer discussion re: two recent cases**

211 M. Peabody reviewed that an order was sent to the property owner of PID 227-00 regarding the
212 refusal to address public health concern with an individual living out of a box truck. She stated she is
213 seeking the BOS to agree to be the Board of Health to affirm the order that was given. She read the
214 letter requesting this into the record.

215
216 "Dear Members of the Board,

217
218 I am writing to formally notify the Board of Selectmen that the **RSA 147 Order** issued on **July**
219 **16, 2026** remains **unabated and is being ignored** by the responsible parties. The violation
220 involves a young male residing in a **box truck** at US Route 3, PID 227 001, with the property
221 owner's permission. This box truck is being used for human habitation without water, sewer,
222 or sanitary facilities, and is in direct violation.

223
224 **Town Attorney's Recommendation**

225 Town counsel recommended that the Town consider adopting stronger local health
226 regulations to accompany RSA 147. I appreciated this suggestion, as supplemental
227 regulations can help clarify procedures and provide additional structure for enforcement. At
228 the same time, it is important to note that such local regulations would function only as
229 additions to the statutory requirements already established under RSA 147; they would not
230 replace or supersede State Law. Local Health Regulations would be proposed by the Health
231 Department and approved through public hearing by the Board of Selectmen. I am receptive
232 to Town Council's recommendation and will proceed upon receiving the Board's prior
233 authorization.

234
235 I also contacted the NH Municipal Association Legal Division; they recommend RSA 147:16a

236
237 **Enforcement**

238 Under RSA 147, any place used for human habitation must meet minimum sanitary
239 standards. The box truck in question lacks: Portable water, sewage disposal, and sanitary
240 facilities.

241
242 These deficiencies constitute a public health nuisance under RSA 147:10

243
244 **Abutter Complaint**

245 An abutter has filed a written complaint. I requested that he do so in writing, so the Board
246 can see that I am not picking on any particular person. The abutter's verbal complaint was
247 reported to me by phone on June 18, 2026.

248
249 **Property Owner Allegations**

250 The property owner has alleged that enforcement constitutes "picking on them". This is
251 incorrect.

252
253 Under New Hampshire law, when a Health Officer receives a complaint about a potential
254 public health nuisance or unsanitary condition, the Health Officer is required by statute to
255 investigate. This requirement applies regardless of whether the complaint is written or verbal.
256 It is neither optional nor discretionary. I spent many hours confirming this was happening

257 before issuing the order. However, in the property owner's written complaint, they admit they
258 are allowing habitation in the box truck. I have attached pictures for confirmation.

259
260 My involvement in this matter is solely the result of a formal complaint and statutory
261 obligations requiring investigation, as well as enforcement when a violation is confirmed.

262
263 This enforcement action is based entirely on state law requirements, not personal preference
264 or selective treatment.

265 Under RSA 128:3, I am formally requesting that the Board of Selectmen join me in acting as
266 the Board of Health regarding the ongoing box truck habitation matter. Because this issue
267 involves statutory public-health obligations under RSA 147, I respectfully request that the
268 Board's minutes clearly reflect whether the Board agrees to act in this capacity or declines to
269 do so. This clarification is necessary for the administrative record and will guide my next
270 steps, including any obligation I may have to seek assistance from the appropriate State
271 agencies if local action is not taken. I want to reassure everyone that I simply have to follow
272 the process required under state law.

273
274 The property owners feel the current arrangement is acceptable, especially since I have been
275 required to step in twice, with this same situation in November 2025 on another parcel owned
276 by the same property owner. That complaint was an agency referral. In this situation, the
277 abutter's written complaint suggests that this has been occurring for three years. If
278 enforcement is declined, I am obligated to file a Notice of Municipal Non-Support and forward
279 the full record to the appropriate state authorities, including the New Hampshire Department
280 of Health and Human Services, State Health Officer, Division of Public Health Services, NH
281 DES Subsurface Systems Bureau, NH Department of Environmental Services, along with the
282 New Hampshire Attorney General's Bureau of Public Health, Again, this step is not meant to
283 be punitive or personal, it is simply the next action for the record to show the Thornton Health
284 Department followed through as the statute requires.

285
286 My responsibility is to ensure compliance with all applicable public health statutes.

287
288 Respectfully submitted,
289 Marianne Peabody, Health Officer, Town of Thornton"

290
291 Discussion ensued regarding the procedures of the BOS when they needed to act as the Board of
292 Health. M. Peabody stated that in her time as Health Officer in Thornton, she has never had to take
293 this action of issuing an order. S. Babin questioned what recourse the property owner has regarding
294 the Board of Selectmen, and M. Peabody stated if the property owner wishes to appeal the order
295 given by the Health Officer, they must bring the matter to District Court.

296
297 Lengthy discussion continued regarding procedures and what evidence was being given to warrant
298 the issuance of an order from the Health Officer. M. Peabody stated that she is looking for the
299 Board's support on the order in writing; regardless of this support, the matter will be going to the
300 State level.

301
302 S. Babin asked if the Board would be afforded time to consult with legal counsel before issuing a
303 decision to support the order, and M. Peabody commented that the Town's legal counsel is not
304 versed in the State's health laws. Lengthy discussion continued.

305
306 P. Laufenberg commented that the Health Officer is the head of the Health Department in the Town
307 of Thornton, and if the Health Officer made a recommendation, he would support it as he would
308 support other department head's recommendations.

309
310 S. Babin asked if the BOS needed to meet separately as the Board of Health and notice the meeting
311 according to state statute and asked if legal counsel could be consulted prior to making the decision
312 to support or not support the order. After discussion, M. Peabody stated the BOS will not be given
313 any additional time to consult legal counsel; the status of the Board's support will not change the
314 order given.

315
316 P. Laufenberg asked for clarification on the procedures needed for the BOS to act as the Board of
317 Health.

318
319 TA Mahurin read RSA 128:3.

320 **"RSA 128:3 Secretary of Local Board.** – The health officer shall be the secretary and
321 executive officer of, and, with the selectmen, shall constitute the local board of health for the
322 town. The local board of health for each town shall meet at least once every year, and as
323 frequently as needed, to review the state of local public health issues and concerns and
324 provide information, as requested, to the department of health and human services, on the
325 readiness to address relevant public health threats at the local or regional levels."

326
327 TA Mahurin commented that the RSA states the Health Officer and BOS shall constitute the Board of
328 Health. The BOS are already the Board of Health. Lengthy discussion ensued on the statutory
329 requirements of the BOS as the Board of Health, and the process that occurred with the order given
330 by the Health Officer.

331
332 M. Peltier commented that he trusts the recommendations of the Health Officer as head of the
333 Department of Health and stated that health concerns are not governed by the BOS as they are not
334 covered in the Thornton Zoning Ordinance. Health concerns fall under the State and are enforced
335 by the appointed Health Officer; if an order is issued by the Health Officer, the State then is the
336 enforcement.

337
338 M. Peltier asked if there was anything preventing the BOS from inviting the property owner to come
339 and speak to the Board, and M. Peabody stated no. However, the order has been given and
340 enforcement is now at the State level; it is not appealable to the Town.

341
342 No further action was taken by the Board.

343
344 **OTHER BUSINESS:**

345 **Transfer Station Usage**

346 TSM Levasseur commented that there have been a few instances of non-property owners using the
347 transfer station with confirmed permission from property owners. He asked for guidance from the
348 Board on how this is to be handled moving forward, as stickers for vehicles are non-transferable.

349
350 After discussion, the Board advised that instances be handled on a case-by-case basis and that
351 TSM Levasseur has the right under Administrative Rules to deny use of the transfer station if a
352 patron is not following the rules as posted. The Board advised TSM Levasseur to come back to the
353 Board if misuse becomes a larger concern that needs to be addressed.

354
355 TSM Levasseur commented that he thanked the Fire Department for their response to a fire at the
356 transfer station last week. He stated everything was taken care of professionally and that all staff
357 involved, including transfer station staff, acted appropriately and quickly to stop the fire.

358
359 The Board expressed their thanks to the fire department and transfer station staff for the actions
360 taken.

361
362 **OLD BUSINESS:**

363 Further discussion re: potential commercial storage property located on Mad River Road

364 M. Peltier stated he and S. Babin will speak with the property owner regarding the concerned citizen
365 form submitted.

366
367 Further discussion re: potential "junk yard" property on Mountain View Drive

368 M. Peltier stated he visited abutting properties with permission and obtained photos of the site. He
369 stated he feels that the property meets the threshold for a junkyard and advised that a letter be sent
370 to the property owner to meet with the Board to discuss the state of the property.

371
372 M. Peabody commented that there is a separate health concern on the same property and a cease-
373 and-desist letter had been sent and a posted notice was placed on the property according to state
374 statute.

375
376 S. Babin commented that he had spoken to the property owner who acknowledged they had
377 received the letter from the Health Officer and the concerns were being addressed. He stated the
378 property owner has given him permission to share their contact information with the Health Officer
379 and the Board to help mitigate the concerns.

380
381 P. Laufenberg stated he would still recommend a letter be sent to the property owner regarding the
382 junkyard concern and the Board agreed. The property owner will be asked to attend the BOS
383 meeting on September 16, 2026, to address the concern and if they do not attend, a \$275.00 per
384 day fee will be assessed for violating the Zoning Ordinance.

385
386 Shawn Magoon, abutter to the subject property, questioned the registrations of the vehicles and
387 trailers on the property, and presented photos showing another vehicle being placed on the property
388 recently.

389
390 The Board thanked S. Magoon for his submission and M. Peltier stated he will ask about this when
391 he speaks to the property owner.

392
393 S. Babin commented that another concerned citizen complaint was submitted by D. McIver for
394 another possible junkyard, and the Board acknowledged its receipt. P. Laufenberg and M. Peltier
395 will follow up on this complaint and report back to the Board.

396
397 **REMINDER OF SELECTMEN SUMMER MEETING SCHEDULE**

- 398 • Consent agenda items will still be signed every 2 weeks as usual. – Regular meeting
- 399 schedule to resume in October.
- 400 ○ September 16

401
402 **NON-PUBLIC SESSION 1, PURSUANT TO RSA 91-A: 5 (IX)**

403 Review & signing of additional Cyber Security procedures

404 **MOTION: "To enter non-public session 1 at 6:59 p.m."**

405 **Motion:** P. Laufenberg

406 **Second:** M. Peabody

407 **Discussion:** None

408 **Motion Passes:** 4 – Yes, 0 – No, 0 – Abstained

409
410 *Please see the non-public session 1 meeting minutes of August 5, 2026*

411
412 **MOTION: "To exit non-public session 1 at 7:01 p.m."**

413 **Motion:** P. Laufenberg
414 **Second:** M. Peabody
415 **Discussion:** None
416 **Motion Passes:** 4 – Yes, 0 – No, 0 – Abstained

417

418 **NON-PUBLIC SESSION 2, PURSUANT TO RSA 91-A: II (c)**

419 Review & signing of tax deeded property buyback purchase and sale agreement

420 **MOTION:** “To enter non-public session 2 at 7:02 p.m.”

421 **Motion:** P. Laufenberg

422 **Second:** M. Peabody

423 **Discussion:** None

424 **Motion Passes:** 4 – Yes, 0 – No, 0 – Abstained

425

426 *Please see the non-public session 2 meeting minutes of August 5, 2026*

427

428 **MOTION:** “To exit non-public session 2 at 7:03 p.m.”

429 **Motion:** P. Laufenberg

430 **Second:** M. Peltier

431 **Discussion:** None

432 **Motion Passes:** 4 – Yes, 0 – No, 0 – Abstained

433

434 **ADJOURNMENT:**

435 **MOTION:** “To adjourn the meeting at 7:04 p.m.”

436 **Motion:** P. Laufenberg

437 **Second:** M. Peabody

438 **Discussion:** None

439 **Motion Passes:** 4 – Yes, 0 – No, 0 – Abstained

440

441 Respectfully submitted,

442 Kerrin Randall

443 Board Secretary