

**Enfield Board of Selectmen
Enfield, New Hampshire**

MINUTES of June 4, 2007

Board of Selectmen: Curtis Payne, Chairman; Rebecca S. Stewart

Excused: Donald J. Crate, Sr.

Administrative Staff: Steven Schneider, Town Manager; Alisa D. Bonnette, Recording Secretary; Ken Daniels, Director of Public Works

Others: Dan Kiley; Kurt Gotthardt; Bob Franzoni, CATV; Joe Lindsay, Brian Jaworski, and Raymond Morin, LaCroix property development team.

BUSINESS MEETING

I. CALL TO ORDER

Mr. Payne called the meeting to order at 6:00 pm. Mr. Payne explained that Mr. Crate was unable to attend this meeting due to personal business. He welcomed CATV for the first taping of an Enfield Selectboard meeting.

II. APPROVAL OF MINUTES

The May 21, 2007 minutes were tabled until the next meeting.

III. COMMUNICATIONS

NH DES correspondence to George Seiler re: wetlands and George Seiler response to Thomas Burack, Commissioner, NH DES.

Town Clerk Report ~ April 2007:

Revenues from the Town Clerk consist primarily of registrations. Year to date revenues are down by about \$6,000 from the previous year.

IV. BOARD REPORTS

NH Main Street Association Awards Dinner:

Mrs. Stewart attended the NH Main Street Association Awards Dinner where the Town of Enfield was awarded best single event for Sweet Treats, an event put on by the Enfield Village Association. Babbin Kulbacki was voted most effective board member for our local association.

Heritage Commission:

Mrs. Stewart attended the Heritage Commission meeting on May 24th. The main subject of discussion was looking at establishing a historic district that encompasses Main Street from NH Route 4A to US Route 4 and an undetermined area on US Route 4. This designation would be on the designated area rather than on individual buildings. Designation as a historic district with the National Register is recognition of the historic nature of the area and not regulatory in nature.

Homeowners won't have the option to "opt out" of the historic district but they will not be prohibited from changing windows or colors, demolishing the building, or building new structures. It has no impact on individual homeowners.

Mr. Payne feels the property owners within the proposed district should be informed for the proposal. He also wondered what the point is of historic designation.

Mrs. Stewart explained that there are criteria. Work is needed by a historic research. The Town or fundraising needs to pay for this. Paperwork needs to be completed and photographs taken.

Mrs. Stewart went on to explain that if the area gets a historic designation from the National Historic Register it doesn't compel anyone to do or not do anything with his or her personal property. It does open the door to funds to do historic preservation.

Mr. Payne interpreted this to mean that funding is the reason for this proposal. Mr. Schneider added that recognizing and identifying historic structures would be a benefit. If they are not identified they people tend to forget they're there.

The Heritage Commission is performing investigative work. When proposed guidelines are completed a copy will be provided to the Selectmen.

Mrs. Stewart stated that designation as a historic district neither precludes property owners from removing buildings from the district, nor does it preclude property owners from building in the district. It helps to have the district known so it can become a destination point. Most of the restrictive historic district problems are a result of town enacted historic district regulations.

Planning Board:

Mr. Payne reported that the Planning Board meeting was short and dealt primarily with conceptals.

Budget Committee:

The first Budget Committee meeting of the 2007-2008 season is scheduled for June 14th.

V. TOWN MANAGER'S REPORT

Mr. Schneider informed the Board that he has no separate Town Manager's Report. What he has to discuss is further along on the agenda.

VI. PUBLIC COMMENTS**Dan Kiley ~ Historic District:**

Mr. Kiley hopes the Heritage Commission looks into the true historic area where the Shaker Museum is located.

Mrs. Stewart stated that to the best of her knowledge the Shaker Museum was already on the historic registry; they have their own designation. The district the Heritage Commission is looking at does not go beyond NH Route 4A. Exactly where on US Route 4 the district ends is to be determined.

Kurt Gotthardt ~ Surplus Property:

Mr. Gotthardt understands the Selectmen will be reviewing a list of surplus property. If the Board will allow him to speak when that subject is discussed he would reserve comments for that time. The Board agreed.

VII. OLD BUSINESS**Whitney Hall Repairs:**

Mr. Schneider reported that he still has only received one estimate for replacement of the boiler at Whitney Hall. Other contractors have been through the building to review what needs to be done, but no estimates have been forthcoming. The Board would prefer that at least one more quote be obtained. While the existing quote is from quality contractor, Mr. Schneider will make another attempt to get additional estimates for the work. Other potential projects, such as replacement windows, insulation and wiring must wait until the boiler project is completed so the balance of the funds is known.

Mr. Schneider reported that Town forces did the retooling of the foundation. It's been wet and no problems have been noticed yet this year.

Whitney Hall Auditorium:

Mr. Schneider presented the Board with a list of dates requested by the Imagine...A Theatre group, Mr. Coons and other events, including board meetings and outside groups, such as Scouts. It is not until July that scheduling conflicts would occur and the Town would not be able to accommodate both groups. Much of the "other events" can be rescheduled to alternative locations or would not result in a conflict.

The vast majority of dates reserved by Imagine...A Theatre are Wednesdays, so every Wednesday would be a conflict. Mr. Schneider's suggestion going forward is to work with Bill Coons and allow him to use the space in September and November and see how his use works in the space. If it seems to be a success and he's comfortable with the space we can extend it for more than a year and take it to Town Meeting. With the current proposed use of the building there is a potential for Imagine...A Theatre to use the space in December.

Beginning in mid-July Mr. Coons will be performing or rehearsing on a regular basis. Mr. Schneider will encourage Mr. Coons to involve the local community.

Mr. Coons proposed a concept that has the least impact on the auditorium space and the staff. He has the respect of the Upper Valley community. There will be conflicts throughout the year and the Town has to make a choice. Mr. Coons' theatre company seems lined up to be more successful.

Mr. Payne said the real issue is whether or not Imagine...A Theatre has a schedule. This past weekend Imagine...A Theatre was scheduled but there was nothing here. If Imagine...A Theatre is going to work he thinks the Town should accommodate them.

Mrs. Stewart stressed that the Board needs to make a decision. The space was made available to Imagine...A Theatre, as they needed it. Problems have occurred with things not being cleaned up

following events. She does not want to discount their passion, but questions their follow through. She's prepared to make an agreement with Bill Coons.

Mr. Payne was not disagreeing, but wants to make it clear why the Board is making this decision. The Board really wants theatre in this space; something was supposed to take place in the space this past weekend and it didn't.

Mr. Payne and Mrs. Stewart agreed to give Bill Coons a year and let Imagine...A Theatre retool and come back.

CATV:

Mr. Payne again thanks CATV for taping the Selectboard meeting.

Mr. Payne had previously requested that Mr. Schneider contact Comcast about setting up the Town's own channel. Mr. Schneider has done so, and Comcast is willing to do that. Comcast will prepare budgets and provide information on the process involved. That being said, Mr. Schneider has met with Bob Franzoni of CATV a couple of times. CATV is prepared to be a provider to Enfield in every aspect they can. They're willing to go into the elementary school, to train Enfield videographers and to train folks to put on programs at their studio. CATV now serves Hanover, Norwich, Hartford & Hartland. Priorities are given, in order, to government meetings, local programming, sponsored programming and then canned programming. If Enfield joins CATV, Enfield government meetings will be given priority over all local programming. Enfield's local programming will be on the same footing as other local programming. The programming space should accommodate the initial surge of programming. There is also the potential that the City of Lebanon may contract with CATV with a potential for a third channel. Mr. Schneider thinks it's important to explore all options. CATV is professional, comprehensive, teaching and local.

Mr. Payne is a big proponent of a local access channel and having our own intern program. It may turn out its not feasible, but we have the access fee in place and he would like to receive some benefit from Comcast for that.

VIII. NEW BUSINESS**LCHIP:**

The Land and Community Heritage Investment Program (LCHIP) has approved the Town's Pre-Application and the Town can now advance to the Full Application stage for Round 7 funding consideration. The pre-application was submitted for renovations to Whitney Hall to the tune of \$1,000,000. This is obviously a great opportunity.

LaCroix Property Development:

The team of individuals that are developing the LaCroix property located behind Shaker Valley came before the Board to discuss alternatives for sewer connection and/or extension. While they can connect to the existing system, they proposed running the extension through the development, then out to the Enfield/Canaan town line. How the Town feels about this proposal will have an impact on their development design.

Mr. Daniels explained that the plan for extension of the sewer system that would rely on a gravity feed system versus a pump station.

Mr. Payne pointed out the need for the Town to determine how they want the area developed. This will require a review of the Town's master plan and regulations.

The Town does not anticipate completion of a review of the TIF district before 18 months. Because the developers are looking at a shorter time frame it would be in their best interests to plan on connecting to the existing sewer system.

The developers also asked how the Town would feel about moving the Town Offices to leased space within the new development. If the Town was interested they could expand the footprint to accommodate the Town's needs.

Mr. Payne replied that the Board would be willing to look at conceptual plans.

Dan Kiley feels it would be a great location.

Mr. Payne thanked them for coming in. Mrs. Stewart invited them to keep in touch with Mr. Schneider.

Mr. Gotthardt, as a member of the Planning Board, recommended they come it at least with a conceptual design to avoid headaches down the line. He also informed them the Site Plan Regulations had been recently updated and they should read those through. Mr. Kiley agreed; the Planning Board would rather see conceptals before the developer spends a lot of money on the project.

In response to an inquiry, the Board was informed that they have a supermarket, pharmacy, hardware store and bank lined up as tenants. They approached local merchants first before going outside the community, and some of the tenants are local businesses that will be relocating.

Sale of Property:

This is the time of year that the Selectmen receive a list of Town owned properties to review and consider some for sale during the coming year. In the past the Boards have been aggressive about getting rid of land acquired. Properties are ranked from 1 to 5 based on whether they are recommended for sale now (1), recommended for sale in the future (2), consider for sale (3), needing further review (4), or retain (5).

Two properties are different this year. They were acquired by tax deed and have tenants occupying the property. The Town's attorney recommended against evicting the tenants, then holding onto the property for three years, but instead to sell them now and not deal with the legal environment of eviction.

Mr. Payne stated that he would like Selectman Crate to be in on the decision making process.

While there's no rush for the sale of other properties in the hands of the Town, the two occupied properties need to be off the Town's roles as quickly as possible.

Mr. Schneider believed Mr. Gotthardt wished to discuss the Shedd Street properties. A summary of the vote on a warrant article presented at Town Meeting regarding the purchase of a sand/salt shed and sale of the Shedd Street properties was provided to the Board.

Mr. Gotthardt's interpretation of the 2003 Town Meeting is that the people did not want to sell these Town properties. An amendment to not authorize the Selectmen to sell the properties was approved. Discussion followed the approval of the amendment regarding the cost of the sand/slat shed and ultimately the article, as amended, failed at Town Meeting. Mr. Gotthardt feels these properties would be a great place for Rail Trail parking and space for snowmobilers to park their trailers and spend money on Town services. I see it as a potential connector for Town businesses. Mr. Gotthardt is looking at long-term planning.

Mr. Gotthardt also pointed out that the Town would someday need a safety complex. He feels it would be better to have it located in the population center. These are reasons that the Town should retain these properties.

Mr. Payne asked for clarification that Mr. Gotthardt is not saying the Selectmen are not authorized to sell the properties? Mr. Gotthardt replied that legally the Selectmen do have the authority to sell it; morally...

Mr. Kiley pointed out that the original idea, predating the vote Mr. Gotthardt referred to by 2 years, was to sell these properties when the Public Works facility was built. That's the only vote that ever did pass.

Mr. Gotthardt contends that the 2001 vote never made mention of the sale of property.

Mrs. Stewart voiced her appreciation to Kurt for informing her, its helpful to her understanding of the issue.

Mr. Gotthardt added that because of last year's experience he asks that the Board of Selectmen provide the different land use boards with a list of properties and ask these boards for their opinions on the possible sale of property. Mr. Schneider's understanding is that all of the Town's land use boards will have a chance to review the list of property.

Mr. Gotthardt also feels the Board should hold a public hearing so people are aware of the proposed sale of lots. Mr. Schneider replied that the property is being publicly discussed at a meeting.

Mrs. Stewart asked if the Town could be more pro-active, such as posting it on the Town's website.

Mr. Gotthardt feels a public hearing is different than a public meeting, its posted differently. Mrs. Stewart replied that the Board would take his recommendations under advisement.

Mr. Gotthardt mentioned that last year's list had a property on Graham Road listed. There may be deed restrictions on this parcel. Mr. Schneider replied that the Graham Road property is listed under category 3 (consider sale) and has been in the Town's possession for 12 years; it's not going anywhere soon.

Livingstone Lodge Road Repair Estimate:

Ken Daniels provided an estimate to repair 800 feet of Livingstone Lodge Road, including full depth reconstruction and installation of new drainage and realignment of the travel way to meet geometric guidelines, both horizontally and vertically. Construction should fall within the range of \$92,000 to \$104,000. An extra 50% to 75% to cover engineering, permitting and potential land takings associated with the realignment brings the total estimated project cost to a range of \$138,000 to \$182,000. If this project were a priority of the Board it would go on the Selectmen's budget for consideration by the Budget Committee.

New Street Name:

The Board received a request for a new street name for the driveway Rob Malz is constructing across the street from Enfield House of Pizza near the Canaan town line. The driveway will be the primary access to three lots and potentially multiple buildings. Mr. Malz has requested the name Granite Place to go with his business Shaker Hill Granite Company. The Community Development Director reports that this works with the Town's Street Naming and Numbering Ordinance.

Mrs. Stewart moved to name the new road Granite Place as requested; Mr. Payne seconded, vote unanimous.

Bruce Hettleman Abatement Request:

Bruce Hettleman submitted a request for abatement under the new Community Revitalization Tax Relief Incentive Program adopted at the 2007 Town Meeting. Once the application is formally accepted the Selectmen must hold a public hearing within 60 days and must render a decision within 45 days of the hearing date.

Mrs. Stewart moved to accept Bruce Hettleman's abatement application; Mr. Payne seconded, vote unanimous.

Skateboard Ordinance:

The Board was provided several ordinances from other communities within Maine, Oregon and New Hampshire. The ordinances provide a variety of approaches to consider. The Board will review the provided ordinances and discuss this again at a later date.

Discussion of a skateboard ordinance opens up a larger discussion for a potential skateboard park. Discussion ensued regarding past discussions and the possibility of providing a shuttle bus to another skateboard park location or building one within Enfield.

Mrs. Stewart would like to balance an ordinance with a plan to accommodate skateboarders. It should not depend on the current skateboarding groups to spearhead a skateboard park because as they get older they tend to fall out of the sport and new individuals become involved.

Mr. Schneider spoke about the Shaker Recreation Park. There are more things that can be done with that property than was previously believed. The property is available for development of outdoor recreation facilities and can include a basketball court, tennis court or skateboard park. The Town already owns these fields; they're open and relatively flat.

Questions for the Board include: Does the Town want a skateboard park? What about liability? What does Lebanon do? Does the Town want to facilitate it?

Mr. Schneider feels the Recreation Commission should undertake the first review. He'll take it to their next meeting.

Mrs. Stewart does not want to generate ill will that might result in negative behavior. At the same time this is a safety issue. The Town does have an issue in the village with both safety and personal property rights.

Mr. Gotthardt pointed out that the Board would want to think about a skateboard park that's close enough they can walk to it.

Board & Committee Appointments:

Planning Board: Sandra Akacem has expressed interest in continuing as a Planning Board alternate member. Mrs. Stewart moved to reappoint Sandra Akacem as an alternate Planning Board member; Mr. Payne seconded, vote unanimous.

Conservation Commission: Neither alternate on the Conservation Commission is interested in appointment to the full member vacancy. The Board tabled this appointment until a full Board is present.

Tax Increment Finance (TIF): To have an active TIF District the Selectmen need to create a 5-member advisory board that will be administered by the Community Development Director. State statute requires that the majority of the members be property owners within the district. Tony Lozeau, Bill Warren, Rob Malz, Bob LaCroix and Lorie Bliss will be contacted to determine their level of interest in serving on this committee. Mrs. Stewart feels this is a good pass on a list, though she'd like a better insight into who is located in the district before making a final decision. The Board will consider other possible members as well as those suggested here.

Energy Committee: The Selectmen received a list of potential members that was compiled by the previous Board: Becky Powell, Nancy Smith, Steve Goldsmith, Anita Warren, Kelly Wescott and Tim Lenihan. These individuals will be contacted to determine their level of interest in serving on an Energy Committee.

ADMINISTRATIVE ITEMS

Property Tax Exemptions:

Mr. Payne moved to approve the tax exemption for all the applicants for which there were no changes from the prior year; Mrs. Stewart seconded, vote unanimous. These properties include: Dartmouth College, Enfield Community Church Corp., Enfield Historical Society, Enfield Outing Club, LaSalette of Enfield, Living Waters Bible Church, St. Helena's Church, Union Church of Enfield Center, United Methodist Church, Upper Valley Humane Society.

No decision was made on the Chosen Vale Inc. application, as there was a change from the prior year. Mr. Schneider reported that the Town's attorney agrees with the Town's assessor and Assessing Administrator, but a written opinion has not been received.

Other Administrative Items:

The Board reviewed and approved the following documents: Sand & Gravel Intent, Timber Tax Levy.

IX. OTHER ITEMS**Next Meeting:**

June 18, 2007

Stump Dump:

This is the last month of operation of the Stump Dump at its current location. Some discussion has taken place between the Town Manager and Upper Valley Land Trust (UFLT) regarding the possibility of using the old pit area rather than the undeveloped 7 acres of the Bicknell Brook property for use as a Stump Dump. UFLT is not thrilled with the idea and would prefer that it wasn't a long-term proposition, but Mr. Schneider would like to further explore the idea with the Conservation Commission at their next meeting. This portion of the Bicknell Brook property would be easier to convert to use as a Stump Dump than the 7 acres. The pit is also already gated.

Mr. Daniels explained that there are three areas of operation at the Stump Dump: Stump collection followed by burning when appropriate, brush collection for later chipping and composting of chipped material.

Mr. Schneider understands there has been interest in using the area as a picnic ground, but it is not ideal for that purpose.

Mr. Gotthardt feels stump removal is a commercial operation and wonders why the Town would accept them; disposing of them is part of doing business. He was informed that many residents bring in stumps as well. Mr. Gotthardt is opposed to accepting stumps from commercial operations. Mr. Gotthardt feels the use of the old pit area as a stump dump could be sold to the UFLT and the Conservation Commission as a long-term reclaiming of the pit.

CONFERENCE**I. ADJOURNMENT**

Mr. Payne moved to adjourn at 8:06 PM; Mrs. Stewart seconded, vote unanimous.