

**FINAL**

**BOARD OF SELECTMEN'S MEETING**

**January 28, 2013**

**7:30 P.M. – MUNICIPAL OFFICE BUILDING – HANOVER, NH**

The meeting of the Board of Selectmen was called to order at 7:30 p.m. by Chairman Peter Christie. Present were: Peter Christie, Chairman; Athos Rassias, Vice Chairman; Bill Geraghty, Selectman; Nancy Carter, Selectman; Jay Buckey, Jr., Selectman; and Julia Griffin, Town Manager.

**1. PUBLIC COMMENT.**

Chairman Christie asked for Public Comment. There were no comments from the Public.

**2. PRESENTATION BY CONSULTANTS: NATURAL RESOURCES INVENTORY FOR DANA PASTURE NATURAL AREA, JOINTLY OWNED BY THE TOWN AND THE ROBES FAMILY.**

Chairman Christie provided some background regarding the property. He advised that the Town of Hanover, John Robes and Dana Robes jointly own the property on Moose Mountain. The Dana brothers now wish to develop the land for a seasonal residence and the deeds conflict. The Town's deed contains restrictions for conservation but the Robes' deed does not have the same restrictions. The Robes' came forward with a request to develop Pasture Road but after some discussion and public comment they realized that they might be tackling the issues out of order so the Robes' decided to file a petition to partition the land with the probate court (with the Town's support and encouragement). The Judge has indicated to the Town that he would like for the Town and the Robes' brothers to come to an agreement as to how they would like to partition the land and if not; the Court would have hearings and make that decision on their own.

Chairman Christie noted that based on the Board's and Ms. Griffin's recommendation, the Town hired a consultant to look at the property so they can have a better understanding about the natural resources of the area. The goal tonight is to educate everyone about the values of the property with the ultimate goal of coming to a mutually agreeable decision as to how to partition the land.

Chairman Christie stated that the Board knows that there are a lot of interested parties with regard to this land so they want to make it a very open process where everyone can receive this report, have a discussion, and make decisions after that.

Ms. Griffin introduced Elise Lawson and John Severance from Watershed to Wildlife, Inc. who responded to the Town's request for proposals and were selected out of the pool of submissions.

Ms. Griffin stated that they asked Ms. Lawson and Mr. Severance to provide input regarding the areas of the property that have the highest conservation value to help guide the Town's thought

process as to where they should go from here. Ms. Griffin invited Ms. Lawson and Mr. Severance to provide their presentation.

Mr. Severance introduced himself and his business partner, Elise Lawson, and stated that they started their small business 13 years ago and have done a variety of projects throughout the State.

Ms. Lawson stated that their projects included inventorying natural resources in Towns, watershed planning, wildlife habitat work and a lot of wetland science. She stated that for this particular project they were hired and conducted 2 days of field work in November; the objectives of the project were to evaluate the property and prioritize areas of the property from a natural resource perspective. She noted that they documented cultural and scenic resources found throughout the property. All of the data generated for the project is the Town of Hanover's property which is all digital including the mapping work for the GIS mapping and can be integrated into a GIS system and will complement other studies throughout the Town.

Mr. Severance stated that the Town of Hanover had existing data on the area which was incorporated with their work and felt that 2 days of field work was appropriate for this project. Ms. Lawson narrated a slide presentation that included depictions of the equipment that they used in conducting the field work.

Mr. Severance stated that the beaver pond is very easily accessible and they refer to this as a "Happy Ecosystem" because the beavers are actively working in it. The beavers are regulating the size of the pond and the water's height. Mr. Severance stated that there is another tributary flowing into Mill Pond where the beavers have dammed and dug channels to expand their feeding territory and seek safety with deeper water.

Ms. Lawson stated that there are perennial streams channeling toward the pond and that one of their recommendations is to maintain buffers around wetlands and little streams which help keep the water cool and prevent erosion. Ms. Lawson stated that they came across a series of vernal pools. They recommend a visit in May to early June to determine what species rely on these pools. Ms. Lawson noted some fresh evidence of moose activity in the area as well.

Mr. Severance noted that there is fractured ledge in the upper portions of the property and noted that the rock weathers at a faster rate than rock that is not fractured which brings in water sources during each storm. Ms. Lawson noted that this was located not far from the vernal pools on the east side of the Moose Mountain Ridge and the water was heading toward the Mascoma River in a different sub watershed from where the Mill Pond and tributary to Mink Brook came out.

Mr. Severance stated that there was a pile of granite slabs or granite posts which he assumes someone hauled in with work animals. He noted one area where the stonewalls are piled very high.

Ms. Lawson noted that during their two (2) days of surveying the property, one of the days it snowed heavily and the other day it was warmer and it was beneficial to see the contrast. She noted that they met with the person who has been maintaining the openings on the Dana Pasture property and stated that it is because of those efforts that there are spectacular views with excellent wildlife habitats.

Ms. Lawson noted the various types of trees and vegetation in the area and the benefits to wildlife.

Mr. Severance stated that it was amazing to see the park-like look at the higher elevation and the amount of debris that had been cleaned up. There were a lot of blown down trees but also a lot of regeneration which is valuable to the wildlife in the area.

Ms. Severance stated that the priority areas would include:

1. Mill Pond & the beaver ponds.
2. The permanent openings in the southwestern part of the property.
3. Vernal pools and wetlands in the southwest and southeast parts of the property.
4. Dense softwood stands.

Ms. Lawson stated that they then came up with a series of recommendations which are also included in the report in more detail.

- Maintain buffers around all wetlands.
- Remove structures when logging is done to restore that area to what it was before.
- Maintaining mast trees (that produce nuts, fruits, etc.) which are important for wildlife especially in the late fall; they are also an important seed source for future trees.
- Retain 20% of dense softwood stands throughout the region.
- Keep the openings maintained if possible.

Mr. Severance stated that the openings appear to get mowed late in the summer. He approved of this practice because doing this in late August means that the ground nesting birds have fledged so they are not interrupting that cycle; it is a drier time of year so it eliminates ruts. (It was noted from the audience that this is done by push mower).

Mr. Severance offered additional recommendations:

- Maintaining the panoramic views looking toward the Connecticut River Valley.
- If trees have to be removed, they should avoid the cultural areas. If crossings have to be made through stonewalls, they should try to find existing crossings.

Ms. Lawson stated that working on this property was fun and interesting and she noted that when they looked at the mapping and got a feel for the area as a whole, it is a very large area of undeveloped land. Ms. Lawson asked for any questions.

Chairman Christie asked if there were any invasive species. Ms. Lawson stated that they didn't see any but noted that it was a tough time of year to find them.

Selectman Buckey asked if there were any existing trails either for people or wildlife to travel through the area. Ms. Lawson stated that there were quite a lot of them although mostly deer or moose trails. She noted that they have a map with a lot of the trails on them in the report as well.

Hanover Board of Selectmen  
January 28, 2013

There are a couple of trails that parallel each other that go around the Mill Pond and then there is one that comes up the mountain from Pasture Road. She noted that the Shumways have maintained a trail called the "Baboon Trail" and the Appalachian Trail comes through the property.

Ed Chamberlain, Chairman of the Hanover Conservation Commission, asked for more comments on the wildlife trails and the hiking trails and how they connect to other parcels along the mountain.

Mr. Severance stated that when they were walking through the property, they stopped at the boundary lines but most of the trails continued on. He stated that it is an amazing network and referred to a map that indicates some kind of conservation easement in different areas. He stated that the connectivity is amazing and the amount of work has taken years. Mr. Severance felt that there would be wildlife trails throughout the area; undisturbed, unfragmented pieces like that make the connectivity for wildlife vast and beyond comprehension.

Ms. Griffin stated that the area on the map being referred to is the Dana Pasture property in the middle of the conservation property.

Ms. Lawson referred to a map showing the trails leading into and out of the Dana Pasture property. She noted that a lot of the animals walk parallel to the ridgeline.

Adair Mulligan, Hanover Conservancy, stated that in some of the soil reports they indicate that some of the soils have elements of calcium in them and that there might be some soil enrichment as a result of that. Ms. Mulligan stated that this might indicate some rare or endangered species that might be found in the areas where there is special enrichment soils and asked if they came across any during their work.

Mr. Severance stated that while it's true that the soils combined with some seeps can reflect hotspots which should be investigated further for rare or endangered plant species. He noted that they were there at the wrong time of the year to determine this.

Mr. Severance stated that there are three (3) narrow bands of different rock types made up of different minerals and felt that a geologist could do a more thorough investigation of the types of rock in the area.

Kay Shumway noted that she was following moose tracks that came down to the pond. She asked if they knew whether it would be there looking for water. Ms. Lawson stated that they do need water this time of year but she suspects that the moose is staying close to the pond to check out the twigs and branches of small shrubs.

Chairman Christie asked to see the map indicating the conservation priorities and the property boundaries. He asked for additional questions and observations.

Elisha Huggins introduced himself and advised that he is the one who mows the open spaces. He stated that one of the greatest values of the beaver pond area is the maintenance that is done by

the Town and the people in the area on the road because it makes this area so accessible. He would like more people to take advantage of this area for educational purposes.

Jim McClammer, President of Connecticut Valley Environmental Service, pointed out that at the State level there is a Wildlife Action Plan that ranks wildlife habitats within the State. The State has designated the southeast portion of the Robes/Hanover parcel and the adjacent conserved land as having statewide significance. Mr. McClammer used the map to show the Board and the audience the areas that are of significance.

Ms. Lawson stated that they did look at the Wildlife Action Plan but they found that most of the property itself was listed as a “supporting landscape” and they feel that it should have been ranked higher. They didn’t use the Wildlife Action Plan too closely because it is done on a larger scale than their focus. She stated that they felt that the property had more significance than it was given in the Action Plan.

Bill Baschnagel stated that he has wandered part of the ridgeline but wondered how many other places along the ridge contain open parcels; both from a wildlife perspective and views.

Kay Shumway stated that there are views to the east heading toward Enfield. Vicki Smith, Senior Planner for Town of Hanover, stated that she has spent a lot of time walking up and down the ridge from Enfield up to Lyme and noted that there is no place like this. She noted that it is unusual to have the high elevation pasture.

Chairman Christie asked for clarification with regard to the process going forward.

Ms. Griffin stated that the Probate Court Judge issued an initial decision about two (2) weeks ago giving the parties until May 15<sup>th</sup> to come up with some recommendations relative to the division of the property. She stated that they wanted to have the information regarding the property done before a decision is made toward an agreement. If they are unable to come to an agreement, the Judge will set a hearing date for trial.

Ms. Griffin stated that the goal for the review was for the Town to determine the highest priority with regard to portions of the land that would likely remain in conservation. Ms. Griffin felt that this information should be taken under advisement; the Board should focus on the budget in February, and then they should continue with discussions about this in March. Ms. Griffin noted that the next meeting is going to be very full and she wanted the Board to host a forum after the budget season.

Elisha Huggins asked if the Probate Court Judge has viewed the Robes’ petition to partition. Ms. Griffin stated that there has not been a specific proposal presented to the Judge.

Brad Atwood, Attorney representing John and Dana Robes, expressed his appreciation for this presentation and the hard work being done.

Bill Baschnagel stated that at one point the Town was going to try to get a valuation of the property and asked if this was available. Ms. Griffin stated that they have solicited an appraisal

but they are trying to get a sense of how they would talk about a division of the value of the property based on the appraisal.

Mr. Baschnagel stated that if they discuss this in mid-March, this would be tight for the deadline. He asked about the process and whether they would be soliciting public comment or whether a committee would be put together or if the Town would put a position together and then handle negotiations.

Chairman Christie stated that they haven't discussed that and the Select Board is responsible for coming to an agreement which they will do with a lot of public input. Mr. Baschnagel suggested that they allow a lot of public input. Ms. Griffin stated that this is why they asked Ms. Lawson and Mr. Severance to do the work so quickly; they needed a baseline of information so that the various interest groups can think about this and come forward with their thoughts. Mr. Baschnagel supported this approach.

### **3. RECOMMENDATION TO ADOPT A RESOLUTION REQUESTING REINSTATEMENT OF FUNDING FOR STATE AID GRANTS FOR WATER AND WASTEWATER PROJECTS.**

Ms. Griffin reported that the Town of Hanover is on the delayed and deferred list for State Aid Grants. She noted that Hanover isn't going to suffer as much as other communities such as Peterborough NH that has a \$6 million plant that was supposed to receive 20% grant funding but it has been delayed and deferred. She noted that RSA 486 indicates that the State SHALL fund 20% of the cost of new construction and upgrades to water, wastewater and landfill facilities.

Ms. Griffin stated that Hanover has \$571,946 in the form of three (3) projects for wastewater that they should be receiving 20% reimbursement from the State. Although Hanover is only beginning to pay on the principal for the projects, they were anticipating receiving the revenue from the State. There are a whole bunch of communities that are getting together to push Governor Hassan to restore the funding for the program in her proposed budget. By law, the State budget has to be released by February 15<sup>th</sup> but it remains to be seen whether they will restore funding for the program.

Chairman Christie stated that assuming the best case scenario is that the State reinstates the funds; assuming the worst there is a \$100,000+ liability that the Town was not expecting. Ms. Griffin stated that if that happens, she, Betsy McClain and Peter Kulbacki would need to look at the funding for this. She noted that this is not \$100,000/year increase but \$100,000 over the life of the improvements.

Ms. Griffin was asking the Board to support a Resolution to be sent to Governor Hassan to reinforce the importance that the State maintain its obligation.

#### **RESOLUTION**

**WHEREAS:** The State Legislature had historically, prior to 2008, supported municipal wastewater, public drinking water, and landfill closure projects through the State

Aid Grant program administered by the New Hampshire Department of Environmental Services; and

WHEREAS: The public derives significant benefit from municipal infrastructure systems including improved public health, public safety, environmental protection, and monetary benefits to our state and local economies from economic growth, recreation and tourism; and

WHEREAS: Pursuant to RSA 486 and RSA 486-A, the State Legislature has expressly authorized a grant program for municipalities which shall provide from 20-30% of assistance on eligible wastewater, water and landfill infrastructure projects; and

WHEREAS: The Town of Hanover has faithfully relied on the State's financial commitment to help offset the costs of making these environmental infrastructure investments more affordable to local taxpayers; and

WHEREAS: The legislature, since October 2008, has deferred all state appropriations to the State Aid Grant program, ignoring RSA 486 and 486-A, resulting in suspension of funding for 124 eligible municipal projects, including three Hanover projects totaling \$571,946, all of which were constructed in reliance on grant funding and

WHEREAS: The backlog of eligible municipal infrastructure projects now includes 100 wastewater projects totaling more than \$46 million, 17 public water projects totaling more than \$7.5 million, and 7 landfill projects totaling more than \$800,000 in grant requests.

NOW, THEREFORE, BE IT RESOLVED that the Town of Hanover hereby requests its elected state officials to act to fulfill the State's existing statutory obligation to municipalities by supporting legislation to be filed in 2013 to restore funding to the State Aid Grant program's eligible delayed and deferred projects, including funding owed to the Town of Hanover.  
Adopted this 28<sup>th</sup> day of January, 2013.

**Selectman Carter MOVED to Adopt the Resolution Requesting Reinstatement of Funding for State Aid Grants for Water and Wastewater Projects. Selectman Geraghty SECONDED the Motion.**

Selectman Buckey highlighted that the objective of the program was to encourage communities to take on wastewater projects that they wouldn't otherwise undertake. Ms. Griffin noted that the State receives this money from the EPA and previously the Federal funds were channeled into the State Aid Grant Program to facilitate the program. The State still receives the revenue but is using it for other things.

Selectman Buckey asked whether this information should be added to the Resolution. Ms. Griffin stated that she can add that information but she would need the Board to sign a revised copy. Ms. Griffin offered to add this information in the cover letter as part of the record.

**THE BOARD VOTED UNANIMOUSLY TO ADOPT THE RESOLUTION REQUESTING REINSTATEMENT OF FUNDING FOR STATE AID GRANTS FOR WATER AND WASTEWATER PROJECTS.**

**4. BUDGET AND FISCAL UPDATE.**

Ms. Griffin stated that she distributed to the Board the draft budget review schedule. She wanted to make sure that this schedule/approach was acceptable to the Board; Monday, February 25; Wednesday February 27<sup>th</sup> and Monday, March 4<sup>th</sup> with the goal to adopt the budget at the budget hearing on Tuesday, March 5<sup>th</sup>.

Ms. Griffin stated that she and Betsy McClain (Finance Director) are finalizing the budget for the Board's review. The challenge every two (2) years in putting together the budget is that they don't have the Governor's proposed budget to work with. The Governor's budget may result in loss of shared revenue; there has been a lot of conversation about State Highway aid and the possibility of raising the gas tax. She noted that the State's proposed budget comes out in February but they won't know for sure the impact of the State's budget until June 30<sup>th</sup> which is after the Town's budget has been approved.

**5. BANNER REQUEST:**

- Hanover Parks & Recreation – Winter Pond Party

**Vice Chairman Rassias MOVED to Approve the Banner Request for the Hanover Parks & Recreation Department for the Winter Pond Party. Selectman Geraghty SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE HANOVER PARKS & RECREATION DEPARTMENT FOR THE WINTER POND PARTY.**

**6. APPROVAL OF MINUTES:**

- January 14, 2013

Ms. Griffin noted that Elizabeth Rathburn, Recording Secretary, is not in attendance due to the weather. There were no recommended changes to the draft Minutes.

**Selectman Carter MOVED to Approve the Minutes of January 14, 2013. Selectman Geraghty SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF JANUARY 14, 2013.**

**7. ADMINISTRATIVE REPORTS.**

Ms. Griffin wanted to remind everyone that there is a Retirement reception for Jonathan Edwards on Wednesday, January 30<sup>th</sup> from 5 p.m. to 7 p.m. at the Richard W. Black Community Center.



She noted that Stinson's is catering the event because that was Jonathan's favorite place to get food when he worked for the Town. She encouraged everyone to stop by and wish Jonathan well.

Ms. Griffin reported that they are beginning to participate with the Upper Valley Lake Sunapee Regional Planning Commission in the relicensing of the Wilder Dam. This comes up once every 10 years and it's a process that provides opportunities for communities impacted by the dam to provide input. She noted that Hanover's primary concern is the amount of drawdown on the dam and the rapidity of the drawdown which has the potential for scouring the riverbank and the effects on the Mink Brook. This also has an impact on the Town's dilution rate for wastewater discharge from the Water Reclamation Facility. Ms. Griffin stated that they are looking at requiring Trans Canada to do a study of the rapid drawdown and the flow rate that occurs as well as the impact on tributary streams. Ms. Griffin noted that Peter Kulbacki and Vicki Smith are also involved in these discussions.

## **8. SELECTMEN'S REPORTS.**

### **Jay Buckey**

Selectman Buckey had nothing new to report.

### **Nancy Carter**

Selectman Carter had nothing new to report.

### **Peter Christie**

Chairman Christie had nothing new to report.

### **Athos Rassias**

Vice Chairman Rassias had nothing new to report.

### **Bill Geraghty**

Selectman Geraghty stated that although the Board approved the Banner Request for the Pond Party, they didn't mention the date which is February 9<sup>th</sup>. He encouraged everyone to come out and join in the fun.

Selectman Geraghty also reported that on Saturday, February 2<sup>nd</sup>, Youth In Action is sponsoring a pancake breakfast and he encouraged the community to support them.

## **9. OTHER BUSINESS.**

Ms. Griffin reminded the Board that they have another meeting next Monday night, February 4<sup>th</sup> which is when all of the Social Service Agencies will make their funding requests. Ms. Griffin

Hanover Board of Selectmen  
January 28, 2013

noted that there are three (3) new Social Service Agencies that will make presentations to the Board and they have asked each agency to limit their presentations to 5 minutes.

Ms. Griffin stated that they have asked Andy Hill, Parking Study Consultant, to make a presentation to the Board that night as well. He has a bunch of recommendations with regard to managing the parking supply in the downtown area to ensure better utilization. Ms. Griffin noted that his parking recommendations are informing the development of the Parking Fund budget and future discussions.

Selectman Carter asked if there were any action items in relation to these recommendations. Ms. Griffin stated that he will present recommendations which have recommended action items but none of this needs to be decided on Monday night.

**Chairman Christie MOVED to Follow the Request for a Non-Public Session to Discuss Items Pursuant to RSA 91-a: 3, II (d) and (e).**

**SELECTMAN BUCKEY VOTED YES; SELECTMAN CARTER VOTED YES; CHAIRMAN CHRISTIE VOTED YES; VICE CHAIRMAN RASSIAS VOTED YES; AND SELECTMAN GERAGHTY VOTED YES. THE BOARD WENT INTO NON-PUBLIC SESSION AT 9:00 P.M.**

**Vice Chairman Rassias MOVED to Exit the Non-Public Session. Selectman Buckey SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO EXIT THE NON-PUBLIC SESSION AT 9:45 P.M.**

#### **10. ADJOURNMENT.**

**Vice Chairman Rassias MOVED to Adjourn the Meeting. Selectman Carter SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:45 P.M.**

Respectfully Submitted,

Nancy A. Carter  
Secretary

Minutes prepared by Elizabeth S. Rathburn.

**SUMMARY**

1. **Selectman Carter MOVED to Adopt the Resolution Requesting Reinstatement of Funding for State Aid Grants for Water and Wastewater Projects. Selectman Geraghty SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO ADOPT THE RESOLUTION REQUESTING REINSTATEMENT OF FUNDING FOR STATE AID GRANTS FOR WATER AND WASTEWATER PROJECTS.**

2. **Vice Chairman Rassias MOVED to Approve the Banner Request for the Hanover Parks & Recreation Department for the Winter Pond Party. Selectman Geraghty SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO APPROVE THE BANNER REQUEST FOR THE HANOVER PARKS & RECREATION DEPARTMENT FOR THE WINTER POND PARTY.**

3. **Selectman Carter MOVED to Approve the Minutes of January 14, 2013. Selectman Geraghty SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF JANUARY 14, 2013.**

4. **Chairman Christie MOVED to Follow the Request for a Non-Public Session to Discuss Items Pursuant to RSA 91-a: 3, II (d) and (e).**

**SELECTMAN BUCKEY VOTED YES; SELECTMAN CARTER VOTED YES; CHAIRMAN CHRISTIE VOTED YES; VICE CHAIRMAN RASSIAS VOTED YES; AND SELECTMAN GERAGHTY VOTED YES. THE BOARD WENT INTO NON-PUBLIC SESSION AT 9:00 P.M.**

5. **Vice Chairman Rassias MOVED to Exit the Non-Public Session. Selectman Buckey SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO EXIT THE NON-PUBLIC SESSION AT 9:45 P.M.**

6. **Vice Chairman Rassias MOVED to Adjourn the Meeting. Selectman Carter SECONDED the Motion.**

**THE BOARD VOTED UNANIMOUSLY TO ADJOURN THE MEETING AT 9:45 P.M.**