

**FINAL**

**BOARD OF SELECTMEN'S MEETING**

**APRIL 3, 2000**

**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 the Vice-Chairman, Marilyn Black. Present were: Marilyn Black, Vice Chairman; Katherine S. Connolly; John Colligan; Julia Griffin, Town Manager; and members of the public.

Ms. Black announced that this meeting was being taped by CATV 6 and that hearing enhancement equipment was available for anyone who wished to use it.

**1. PUBLIC COMMENT.**

There was no public comment.

**2. PUBLIC HEARING ON PROPOSED HOUSING AND COMMUNITY DEVELOPMENT PLAN.**

Ms. Griffin explained that the proposed Housing and Community Development Plan is a draft plan subject to the public hearing to be held at this meeting. The plan is required to be prepared and adopted via a public hearing by each community in New Hampshire that wishes to apply for Community Development Block Grant (CDBG) funds. CDBG funds are monies provided by HUD to the State through the Office of State Planning. The Board of Selectmen's agenda for April 10, 2000 will include a public hearing requesting authorization from the Board to submit a grant application to the Office of State Planning for feasibility grant money to help look at the Town's Senior Center options. Prior to the conducting of that public hearing, Ms. Griffin indicated that the Board needs to adopt the Housing and Community Development Plan.

The Board recommended various changes to the proposed draft plan. Ms. Connolly referred to Item 2 contained in the Three Year Action Items under the section of Housing which reads as follows: "Conduct a feasibility study to determine the realistic extent and types of housing needs of low and moderate-income, elderly, disabled, and special needs households". She noted that the Town has already addressed affordable housing and the elderly, so these are not necessarily three-year action items.

Ms. Connolly suggested that item six in this same section be modified to read as follows: "Review zoning and subdivision regulations to provide the means to permit the variety of residential, commercial and industrial uses identified."

Under the section Community Facilities/Services, Ms. Connolly recommended that item five be revised as follows: "Assist in the maintenance of the viability of the downtown as an integral part of the Town's business development by providing public parking and other improvements in the downtown area."

In the same section, Ms. Black suggested that item six be re-worded as follows: "To assist in the maintenance of a high-quality public education for Hanover children and adults."

Under Three Year Action Items in this same section Ms. Connolly recommended that number six should be revised to read "Support the improvement and new constructional recommendations program of the Dresden School District".

In the section entitled Economic Development, Ms. Connolly suggested that item number 2 read as follows: "To facilitate construction of Centerra Parkway to provide access into the existing undeveloped portions of the Service Business and Limited Manufacturing (BM) zoning district."

Ms. Connolly suggested that item number 6 in this same section be changed to read "Work in cooperation with commercial businesses and industries so that services, such as day care, are available for the residents and employees."

Ms. Griffin stated that it is important to point out that this is a plan that is meant to be a series of guideposts; it does not mean that everything in the plan has to be accomplished within a certain time to avoid losing the availability of CDBG funds. She feels that the reason the State and HUD require the plan is that they want to know that communities have spent some time focusing on what their priorities would be in community and affordable housing areas, so that if a Town applies for CDBG funds there is some connection between the larger plan and the particular project for which it is asking for funding.

Jonathan Edwards added that the need is not to have a detailed program as much as it is to be able to express to the funding authorities a clear sense that the community has done some review to see that it has a handle on what it perceives its own use to be. He noted that it is not a substitute for the Master Plan.

Ms. Connolly commented that it is, however, somewhat of an outline of the Master Plan and should reflect the Master Plan, as well as the Master Plan reflecting the Housing and Community Development Plan.

Ms. Black referred to item number three under Community Facilities/Services which reads as follows: "Maintain high quality public water supplies through continued watershed protection and the expansion of protected lands in the Third Hanover Reservoir watershed." She feels that for purposes of having pure water, all of the Town's reservoirs are adequately protected, so expansion of protected lands is not needed.

Ms. Griffin asked if there was some notion that the watershed around the Third Reservoir needed to be enlarged. Mr. Edwards answered that it is Jack Nelson's opinion that this is the case. Ms. Griffin noted that this issue never came up at the Water Company Board level.

Ms. Black pointed out that as time goes on and there is the possibility of open storage for water without filtration becoming a reality, there will not

be a need for more protection for the reservoirs. She feels that protecting open space in rural Hanover is a higher priority.

Mr. Edwards emphasized that the proposed plan is a draft, and will represent a policy statement by the Board.

Ms. Griffin recommended that item number three mentioned earlier regarding the water supply and watershed protection be taken out. She feels that there are many more compelling issues facing the Water Company presently. She suggested that the wording of this item be changed to "Improve water quality via a series of system improvements", for example.

Mr. Edwards passed on comments he received from Nancy Collier regarding the proposed plan. Ms. Collier had the same comments regarding the Third Reservoir as the Board had expressed. She also wanted to emphasize that the Planning Board has not yet taken a position regarding Centerra Parkway nor mixed and contiguous business and high-density housing. Both issues are being actively investigated in connection with work on the Master Plan. In addition, Ms. Collier had indicated that she would like thought given to adding a statement under the Three-Year Action items in the Housing section to study the potential of increased provision of rental units accessory to single family homes. She also pointed out that she is not in agreement with item number seven in this same section regarding development incentives, and emphasized that the Planning Board has also not taken a position on these issues.

Ms. Griffin explained that many communities have taken the position that if they are going to build 33 housing units, for instance, that three of them need to be low or moderate-income housing opportunities. However, this would really be based on either a change in the Subdivision Regulations or an Impact Fee Ordinance, or both. Mr. Edwards commented that it would probably involve an amendment to the Zoning Ordinance.

Ms. Black opened the public hearing.

Ms. Griffin stated that the action the Board needs to take is to adopt the Community Development Plan pending the revisions discussed. She will place the Board's final consideration of this item on the agenda before the public hearing.

**Ms. Connolly MADE THE MOTION to close the public hearing. Mr. Colligan SECONDED THE MOTION.**

Mr. Edwards asked Mr. Colligan if he had any comments on the proposed draft. Mr. Colligan stated that he had discussed in length the proposed plan with Mr. Edwards earlier, but would be happy to look at another draft.

**The Board of Selectmen VOTED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING.**

Ms. Griffin will come back to the Board with modifications to the proposed plan.

**3. RECOMMENDATION TO GRANT EASEMENT TO J-F ENTERPRISES TO ALLOW RENOVATION OF STRUCTURE LOCATED IN THE RIGHT-OF-WAY ON PINNEO HILL ROAD.**

Ms. Griffin indicated that the closing on this property is scheduled for April 4, 2000. The issues of the buyer are that the barn needs extensive exterior and interior work, and their concern is that during the renovation process when they will be utilizing scaffolding in the right of way, they wanted to be sure they had an easement from the Town. Ms. Griffin noted that the Town wants to be sure that the temporary encroachment in the right-of-way for scaffolding does not become a permanent encroachment, and that the owners release the Town from any liability in the event that the barn or the scaffolding is struck by a vehicle. In addition, the easement will essentially ride with the barn; if at some point in time the barn were to be demolished, removed or destroyed in some way, the easement would cease. If a new structure were built in that location, it would not be able to be built in the right-of-way. Ms. Griffin stated that the easement language has been reviewed by Walter Mitchell as well as the Public Works Department staff, and everyone is in concurrence with the terms of the easement.

Ms. Griffin informed the Board that the barn will be used for storage of an automobile collection.

**Ms. Connolly MADE THE MOTION that the Board of Selectmen accept the easement to J-F Enterprises to allow renovation of a structure located in the right-of-way on Pinneo Hill Road. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ACCEPT THE EASEMENT TO J-F ENTERPRISES TO ALLOW RENOVATION OF A STRUCTURE LOCATED IN THE RIGHT-OF-WAY ON PINNEO HILL ROAD.**

**4. DISCUSSION OF DRAFT WARRANT FOR 2000 TOWN MEETING.**

Ms. Griffin explained that the draft Warrant has just received some last minute fine-tuning from Walter Mitchell and the Department of Revenue Administration. The only change that is at all substantive is the deleting of one Warrant Article. She pointed out that in Articles 15 through 18 where the land use change tax revenue is split into the Land and Capital Improvements Fund and the Conservation Fund, there is an extra step. This extra step is Article 16 that takes one-half of the Land Use Change Tax money which would go to the Land and Capital Improvements Fund; first in Article 16 it appropriates it to the General Fund, then in Article 17 it takes it from the General Fund and goes to the Land and Capital Improvements Fund. The Department of Revenue Administration has said that it is not necessary to do this in two Articles.

Ms. Griffin stated that an update was received on the Sidewalk District from Walter Mitchell. The issue of abolishing the Sidewalk District is going to have to be postponed until next year due to a section of the Statute which indicates that a minimum of 60 days is needed to revise a charter. Because the Town Charter includes the Sidewalk District, it is necessary to go through the full legal notification process. She suggested that the Board wrestle with the notion of whether or not they wish to tackle this

issue, and if so, they will need to plan accordingly in the spring of 2001.

Ms. Griffin pointed out that April 10, 2000 is the actual public hearing on the Warrant, and the final draft will be available to the community on April 4th.

Ms. Black suggested that the Board members meet at 7:15 p.m. on April 10th to assign Warrant Articles.

The Board discussed the public's lack of information on Zoning Ordinance changes each year. Ms. Griffin noted that she would rather have the full text of the amended Zoning ordinance recommendations as well as descriptive background information on the official Warrant; however, this is not allowed by State law. This year in an effort to try to make it easier for the public to understand, the background papers will be bound in the Town report on different colored paper entitled "Everything You Need to Know at Town Meeting". The full text of each Zoning Ordinance Amendment will be included as well as the more detailed description. This information will also be posted outside of the polling places. Ms. Griffin will also investigate whether it is possible to post the full text of the Amendments in each voting booth.

Mr. Colligan stated that Mr. Walsh had indicated there was to be something presented from the floor at Town Meeting regarding education funding. Ms. Griffin answered that she had not yet had a conversation with anyone regarding this issue. She reminded the Board that there is still time to receive more petition Warrant Articles.

## 5. ADMINISTRATIVE REPORTS.

Ms. Griffin stated that her office is working this week to finish up the bulk of the Town Report. She will spend the next week finalizing the background or position papers and the Warrant once the Pre-Town Meeting public hearing is held on April 10th. The deadline for the printer is April 14th.

Ms. Griffin indicated that she would provide copies of Mr. Walsh's Selectmen's Report for members of the Board for their review and suggestions.

Ms. Griffin also reported that the interpleader motion which was filed was ruled against. She believes that the Town's money is most likely already on its way to the State.

Mr. Colligan commented that there was some degree of success in firmly establishing that the State has the liability for the return of the money. Ms. Griffin noted that she felt the decision was good in terms of requiring that the State understand they have an immediate obligation to repay the funds. Her biggest concern is if there is no set aside of the funds, she can imagine that a whole legislative process would have to unfold to appropriate the additional funds to allow for reimbursement, and this process could take months. She also pointed out that there has been mis-reporting of this issue in the press. An article ran recently which

indicated that the Supreme Court would be ruling on this issue in October, when it is the Superior Court case that is being heard in October.

Mr. Colligan asked if any of the Town's representatives in the Legislature have made progress on tracking the spending of education funds. Ms. Griffin answered that not even the Municipal Association is working on this issue. She feels that there needs to be some objective outside entity that tracks how this money is being spent by the receiving communities.

Ms. Black stated that she would like to see how many towns took the money and actually put it in their school budgets to improve education. Ms. Griffin answered that Claremont has been one of the few towns that have spent it on education.

**6. SELECTMEN'S REPORTS.**

**Mr. Colligan**

Mr. Colligan had nothing to report.

**Ms. Connolly**

Ms. Connolly reported that she had been present to receive the students from Udine, Italy. Ms. Griffin added that they are here for approximately ten days, then a group of Hanover High School students will go to Italy over April vacation as an exchange. Ms. Connolly noted that the group consisted of approximately 22 students, representing one entire senior class in a small school.

**Ms. Black**

Ms. Black reported that the Howe Library recently opened a centennial exhibit and also held a reception for Peggy Hyde, who will be retiring after approximately 20 years at the Howe Library. Ms. Black noted that Ms. Hyde will be sorely missed; she is a very creative person with a great sense of whimsy who has done a very good job as acting director of the library. She added that she is sure Ms. Hyde will be back and continue to contribute to the Howe on a volunteer basis.

**7. OTHER BUSINESS.**

There was no other business to come before the meeting.

**8. ADJOURNMENT.**

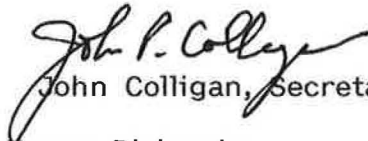
**Ms. Connolly MADE THE MOTION to adjourn the meeting. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.**

**SUMMARY**

1. Ms. Connolly MADE THE MOTION to close the public hearing. Mr. Colligan SECONDED THE MOTION. The Board of Selectmen VOTED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING.
2. Ms. Connolly MADE THE MOTION that the Board of Selectmen accept the easement to J-F Enterprises to allow renovation of a structure located in the right-of-way on Pinneo Hill Road. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ACCEPT THE EASEMENT TO J-F ENTERPRISES TO ALLOW RENOVATION OF A STRUCTURE LOCATED IN THE RIGHT-OF-WAY ON PINNEO HILL ROAD.
3. Ms. Connolly MADE THE MOTION to adjourn the meeting. Mr. Colligan SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING.

The meeting was adjourned at 8:35 p.m.

Respectfully submitted,

  
John Colligan, Secretary

These minutes were taken and transcribed by Nancy Richards.