

APPROVED

MINUTES OF THE BOARD OF SELECTMEN

January 23, 1995

The meeting of the Hanover Board of Selectmen was called to order at 7:30 p.m. in the courtroom of the Municipal Building. Members present: Marilyn W. Black, Chair; Jack H. Nelson, Vice Chair; Katherine S. Connolly; Dorothy Behlen Heinrichs; and Dorothy King. Also attending: Clifford R. Vermilya, Town Manager; Mr. William Baschnagel, Chair of Parking and Transportation Board; and members of the public and press.

This session was viewed over CATV6 with Christopher Michaud as the videographer.

PUBLIC COMMENT

Mr. John Fredyma, on behalf of Holly and Lenny Forward and Ron Fullington petitioned the Select Board to intervene and assist the Forwards by writing a letter to the Wetlands Board requesting a reasonable resolution to the wetland violation fill issue regarding their property on Lyme Road. In 1987 the Town of Hanover approached the Forwards asking if they knew of a place fill could be disposed of. The Forwards were happy to have their land used for this purpose to fill in some of the gullies. The town sent others to them as well. It was used only for materials of inert matter like concrete and such. The Forwards did not charge the town or anyone else and used their own equipment. Mr. and Mrs. Forward, Mr. Fullington and other residents of the area can attest to the fact that this was never a wetland area. In 1993 a call was made to the State by Peter Johnson concerning a possible wetland violation as a result of an anonymous unsigned complaint received regarding the Forward's fill area. A notice of violation from the State of New Hampshire Wetlands Board was sent to the Forwards and from there several more notices of violation were cited; a notice of violation of the wetlands law; a notice of violation of the Waste Management Division; and a notice of violation from the Zoning Ordinance of the Town of Hanover. All the Zoning Board of Adjustment issues are now resolved at the local level with the exception of some final restoration rights at the sight. The Waste Management Board issues which had to do with the "permit by rule application" where the Forwards sought permission to dispose of 100 cubic yards of concrete and building rubble material has been resolved. It was found there was no violation and the Forwards were in compliance with the permit that had been issued and the fine imposed withdrawn. This leaves the cited violation by the Wetlands Board for the State of New Hampshire. When Mr. James Murr, a Wetlands Board representative, came to investigate the property he determined it was all fill and everything placed there needed to be removed (approximately one half acre, 18,000 square feet of material 20-25 feet deep). His recommendations ignore the original site condition. He made the assumption the area where the fill has been placed was all wetlands, what has been filled is wetlands, when in fact, this was never a wetlands area. The Forwards have received two notices from the Wetland Board (one is the threat of imposition of fines and the other is a denial for an application). The Zoning Board of Adjustment looked at this issue and made

recommendations based upon a letter from Mr. Michael Danahee from the Soil Conservation Service. Mr. Danahee, who is now retired, made recommendations about the site and suggestions for the remedial plans of the site. Mr. Danahee has been replaced by Mr. Allen Dicks who is willing to go along with Mr. Danahee's recommendations. The Soil Conservation Services is now the Natural Resource Conservation Service. The Select Board was given a copy of the most recent correspondence in December from the Wetlands Board with a description and pictures of the location of the property and fill area. The pond cited is a natural run off in back of the barn resulting from logging a few years ago. There is no named brook or real channel there. The soil is not conducive to drainage and is a seasonal run off. There is a special exception from the Zoning Board of Adjustment which the Wetlands Board is aware of. Mr. Forward stated Mr. Murr and the Wetlands Board are telling them not to do anything, not even move a spoonful of dirt but at the same time they want something to be done to stabilize the site and want them to take out 18,000 square feet of material. The Forwards and Mr. Fullington have stabilized the bank next to the one seasonal stream to keep it from running into the brook or down into the Connecticut River. The Forwards did this on the recommendation of Mr. Danahee and because they didn't want to see the site deteriorate. The Forwards feel the Wetlands Board was unhappy this was done even though the site was salvaged because of it. Mr. Forward said when he went before the Wetlands Board, he asked Mr. Murr what they could do. Mr. Murr mentioned they could apply for an after the fact application, but not to bother because it wouldn't be approved. Mrs. Connolly said she knows of some that were approved. Mr. Fredyma, on behalf of the Forwards, has asked for Mr. Murr to be removed from the case because of his unwillingness to listen to anyone about the original condition of the land or to come to any resolution that is reasonable, and to have no more involvement with the Forwards case. The Forwards do not have a commercial business on their land, have never collected any money for the fill and did not set out to violate the wetland laws. Although Mr. Danahee is retired, the Zoning Board in late October or December of 1993 recommended he oversee this restoration. Mr. Dicks, Mr. Danahee's replacement, is willing to step into Mr. Danahee's place and do what is needed. A meeting will be scheduled with MaryAnn Tilton in which the Forwards will request using Mr. Danahee's plan. When asked how close the stream is to the fill, it was determined the bottom of the slope is about 10 or 15 feet from the intermittent stream. The other stream that they talk about is seasonal runoff and has no defined channel. Mrs. Connolly suggested using the services of the Conservation Commission who are familiar with the site to deal with the Wetland Board and encourage the Wetland Board to behave in a more fair manner. A copy of the Zoning Board's decision was given to the Wetlands Board that referenced the Conservation Commissions recommendations and was reported not to have made a difference. Mrs. Heinrichs mentioned that the Conservation Commission touched on this issue last week and decided since the Wetlands Board was the overseeing body and they would let them handle it. Since the Conservation Commission has to approve every wetlands permit and are advisory to the Wetlands Board a letter was suggested to be sent from them as well. The Conservation Commissions recommendation to the Wetlands Board is everything that has been done locally agrees with Mr. Danahee's plan and suggest that it continue to be handled locally. Mr. Fredyma would like the Conservation Commission to indorse the wetlands

application, which they think might already be, and to give credence to the local board which has a better understanding about this site than they do. Mrs. Black asked Mr. Fredyma to send the corresponding materials and pictures to Sharon Nordgen and Mary Copenhaver. Mrs. Black will contact Sharon and Mary for their assistance in the Forwards case. Mr. Fredyma said he has been accused of dragging his feet, when in essence, he has not. He said they couldn't do anything in the middle of winter and a response was asked for in March or late June. By the time he got everything together he was latter than planned due to surgery. The Forwards received the letter from the Wetlands Board Christmas Eve. The Forwards have cooperated on all matters and have never gotten a cease and desist. The town looked at the fill site and approved it. Mr. Fredyma cited a memo to Peter Johnson from Richard Hauger in response to Peter asking Mr. Hauger about the fill. It stated there wasn't much direction from the town and what they were doing wasn't in violation. Mr. Forward stated there is no way he is able to move that amount of fill and if it is not resolved it will end up in Superior Court with a possibility of loosing their home and land. The Forwards don't understand why it took the State until 1993 to respond to the issue. The Select Board were concerned they might make matters worse by contacting the Wetlands Board. The Forwards believe it is already to that point and would like the town to intervene on their behalf.

JOINT MEETING WITH PTB

In the fall the Select Board asked the Parking and Transportation Board to study the parking district budget and come up with recommendations to stop the deficit. At the end of last year there was a \$35,000 deficit and the deficit at the end of this year will be in the realm of \$65,000. The auditors want steps taken to bring down this deficit. The parking district fund was set up as a revenue account to bring in monies to build a managed parking facility. Since everyone is in agreement that changes need to be made, the Parking and Transportation Board was charged with coming up with recommendations. Copies of the recommendations were distributed by Mr. Baschnagel, Chair of the Parking and Transportation Board. The first recommendation was to renegotiate the HSD lot and ask for a reduction of at least \$7,000. If this can not be renegotiated, the lot will be dropped. In thinking of the savings, the Select Board is to keep in mind that the town will also lose the revenue from that lot. The Parking and Transportation Board felt a savings of \$25,000 could be realized in fines from the new law allowing summons to be mailed instead of hand delivered. Mr. Vermilya did a study and found fines down rather than up (about \$400 a month) and suggests they be cautious about finding any revenue increase from that area. Another way mentioned to increase fines revenue is in the area of multiple tickets in a day. All parking tickets are \$5.00 a piece no matter how many are received in a day. It was suggested to put a penalty on multiple tickets. The Parking and Transportation Board recommends the budget include the 120 lot mortgage payment.

Another recommendation was to budget \$35,000 this year to be set aside to move the municipal lot to a managed facility with the other half of \$35,000 in next year's budget to complete the project. There was a recommendation to the board to consider raising the parking district

assessment and for it to be slated to do two things: (1) to set aside funds for the eventual conversion of the municipal facility and (2) to pay down on the deficit. The budget proposal is to have \$15,000 to apply to the deficit. Mr. Vermilya will be working towards resolution of the HSD and 120 lot issues prior to the budget being set. The Parking and Transportation Board suggest some burden of taxation be attached to the central business district, payment on the deficit, and to set aside some money for the municipal lot conversion. Mrs. Black said she is against taxation to the business district. She feels it is the Select Boards business to make changes to the system when it isn't working. The lot behind Lou's is usually filled with employees. All the spaces in the Thompson lot are not being utilized, consequently employee incentives need to be provided. There are almost as many off street privately owned parking spaces in the central business district as town owned. There is a demand for parking spaces but no solution at the present time that can be afforded. There is the same parking problems at the High School and Howe Library. More demand than there are spaces. There is no first hand information as to what the business district wants done since they do not come to the meetings. Mrs. Black voiced her disappointment there were no other recommendations from the Parking and Transportation Board. Mrs. Black asked if they evaluated the peripheral parking since it was level funded and feels if the busses run less often it would create a savings. The Parking and Transportation Board feels it is fine as it is. Mrs. Black suggested two trips per hour after the rush hours which are between 6:00 - 8:00 am and 4:30 - 6:00 pm. She feels this would be a hardship on Advance Transit but not on the public. Right now the schedule shows the busses are running about every 15 minutes. Mr. Van Chestnut said they are not just for Hanover stops but are for through destinations to other places. He stated they are going to revise the schedule to show a more accurate reading and to be more productive. It was mentioned that only one bus is designated to go between DHMC and Hanover. It was mentioned that there are 86 North and South bound buses going through Hanover a day and if all of them go to Hanover and the medical center then that is more trips than are needed. Mrs. Black said 86 trips through Hanover a day with only 2 or 3 people on them is not cost effective. One of Parking and Transportation Board's concerns is how do you go about reducing busing without exasperating the problems that already exist in the downtown area with parking. It was said if enough demand comes from the business places, then they might have their employees move out of the parking spaces designated for customers. Mrs. Black said ten years ago the parking district budget had a surplus of \$500,000. Mr. Baschnagel said that was before \$200,000 of it started going from that fund to other departments in the town. Mr. Vermilya said there has always been a charge from other departments. The revenue started being depleted about eight years ago when the town started offering a free shuttle system. It was mentioned the Town of Hanover is paying about \$100,000 more to the shuttle system than Lebanon is. Lebanon is paying \$10,000 for the free fare zone as opposed to Hanover's \$30,000.

Mrs. Black asked why the parking attendants are being raised from a grade 6 to 7. Mr. Vermilya said it was at the request of the Parking and Transportation Board last October and the Select Board agreed it was valid and to put it into the budget. Mrs. Black asked if the \$500 for overtime services could be eliminated. Mr. Vermilya said that is used when a parking person

is out for more than a day at a time to cover that position. It also includes parking lot striping and plowing of the town lots as well as program and computer system maintenance.

Mrs. Black asked about the \$2,800. Mr. Vermilya said it is used for the annual traffic study. There was much discussion as to the necessity of it. It is the only information used to determine changes in intersection timing of lights. It is used by the Planning Board consideration for major developments to consider whether the traffic can be handled. Whenever the college builds, a base line study is needed. It gives the Planning Board a base and would reduce the validity of it if done less often.

Potential rental spaces income is based on the number of spaces leased times \$75 a month or the number of spaces metered times 8 hrs. a day times 6 days a week times .25 an hour. That's the maximum potential if every space is filled 100% of the time. Metered income has been the same for the last 6 years. Of the \$65,000 paid in leased payments \$23,000 is associated with the HSD lot. The Parking and Transportation Board does not suggest dropping the Fleet Platform. It was asked who maintained the lot because it has been filled with water. The response was Fleet Bank.

It was suggested it may be time to change the town's philosophy on parking. About 8-10 years ago it was decided to rent or lease as many areas for parking as they could and try to be the ones holding and controlling the town parking district. It may be time for a new philosophy and only rent spaces that make money. This would leave out metered spaces because they don't make money. It may no longer be valid to support the store's parking. It was mentioned the quality of the parking system is just as important as counting spaces. Who wants to come downtown when the experience of finding parking is a real hassle. Mrs. Connolly said she feels the philosophy set into effect regarding the town control of parking still holds for her. Mr. Vermilya said it needs to be weighed and if it has indeed changed, then to dissolve it and start over with new ideas. If the town gets all the rented spaces in the central business district under town control then there is a price to pay for it and it isn't cost effective. Each one needs to be looked at individually and that is something that can be done with four of the existing lots expiring (the HSD lot, the Fleet platform which expired 3 years ago and is being extended month by month, the Redpath lot, and the lot behind Lou's). The temporary agreement the town has with Rubens, Locke and the college all expire in the next few months. The town is paying \$35 per space through the end of April on the Rubens lot to buy time.

The town has made two payments on the 120 lot and has two more of \$23,600 and one of \$11,800 before completion of its obligation in 1997. Originally the hospital was going to use it and the town wouldn't be paying for it. Since then, Mr. Vermilya had a conversation with Steve Marion at the hospital who thinks they will only use part of the lot and the town should continue to pay for their portion. This was by town agreement and is on record so it looks like the town will have to pick up that cost. The parking review meeting will be February 13th. Mr. Baschnagel will work with Cliff before then on changes. The Medical Center and college

pay \$60,289 towards Advance Transit's total of \$99,750, leaving the town paying \$40,000 plus the rental of the Thompson lot which is \$32,800. There has been a complaint that the busses don't run at Thompson late enough since stores are staying open later now. Mr. Van Chestnut will review this when making up the new schedules. The total cost to Hanover is \$161,000 which is a considerable part of Advance Transit's budget. This figure doesn't include the additional \$32,000 for the towns contribution. Mrs. Black feels busses running 2 minutes apart is not cost effective and that the bus system didn't cost this much when the town was running it. Mr. Chestnut will try to have the new schedule ready by April 1st. The Select Board thanked the Parking and Transportation Board for taking time out to go over the recommendations and parking issues.

ADMINISTRATIVE REPORTS

In response to the January 9th discussion with the library on inter-library loans, Mr. Vermilya received a memo from Marlene McGonigle detailing inter-library loan procedures and making specific recommendations about charges along with the latest issue of the "Heres Howe Newsletter".

Mr. Vermilya will not be available from February 20th through March 6th. Mrs. Black and Mr. Vermilya decided if the Select Board is agreeable, the schedule will be changed to January 30th, having the inter-library loan presentation, and revenue of budget hearings presentation. On February 6th, to go ahead with the administration, housing, and human services. On February 8th to do public works and fixed charges. On February 13th to review safety services ambulance and fire, and on February 15th to have a review session making March 13th an approval session if necessary.

A note was received from Representative Nordgren on the compact area which is house bill #633 and is scheduled for hearing in municipal and county government committee February 14th at 2:00 pm. It was suggested this is an important meeting and a couple of Hanover people and some from other communities need to be there to testify. Mr. Vermilya knows of a couple of other communities who have compact areas he can get together with and talk about it. When mentioned it would give the town the ability to create its own version, Mr. Vermilya said within limits which would be served by public water and sewer. Mrs. Black mentioned the home role bill will be heard on February 8th and is a very important municipal association bill allowing individual communities to conduct their business the way they see fit. People are pushing for Australian Ballot which rules out the choice.

SELECTMEN'S REPORTS

MRS. HEINRICHS:

Mr. Bill Desch's seed planting money is due by February 27th.

Page 7
Board of Selectmen
1/23/95

The Conservation Commission is reviewing all class 6 highways and trying to identify where they are and which ones need work, brush cutting, water bars, etc. They will be making an effort in the next year to do a couple each month including a to-do-list to be kept in order by priority. Most of the different easements have been identified in the town by a search of town records.

The Hanover Winter Games are this Saturday.

MRS. CONNOLLY:

The topic of discussion at the Upper Valley Lake Sunapee Commissions Transportation Advisory Board will be the possible loss of the Montrealer to New Hampshire and its ramifications. The meeting will be February 2nd at 7:00 in the Claremont Council Room.

The Planning Board meeting will be in the Mayor Room of Howe Library with the hearing for the Center for Jewish Life beginning at 8:00 pm.

There will be a scenic road hearing at 7:30, the 3rd one this month to complete the work for Nynex and Granite State Electric.

MR. NELSON:

At the last Parking and Transportation Board meeting Mrs. Sterns, a resident living near the Howe Library, complained about the parking in no parking zones for a multitude of functions at Howe Library. The library is not providing enough parking for the type of events they are encouraging. The library bought a lot beside them for expansion of parking. There is a zoning problem where it is located and until it is changed, parking cannot be offered on it. It was suggested to send a letter to the Howe Library Board of Trustees suggesting they request a zoning change and have the police department enforce the no parking signs. Also to ask the library to make sure in their long range planning, it includes funds for adequate parking. In the meantime, they don't know of a solution.

MRS. KING:

Upper Valley Lake Sunapee is doing several things trying to keep the Montrealer going.

The hazardous waste project will be repeated in March and they are wondering if Hanover will be contributing to it. Mr. Vermilya said he has already responded to them. They are still having a lot of trouble on their reorganization and will designate one meeting completely to resolving it.

It was requested to have the Earth Right Institute poster put up in the courtroom.

The Chamber is selling raffle tickets for a weekend in Boston, second prize of Sunday brunch for two courtesy of the Hanover Inn, tickets for three theater productions courtesy of the Hopkins Center, and the grand prize is a special weekend package for two at one of Boston's premier hospitality hosts. The raffle tickets are \$5.00 each.

The Planning Boards hearing on Center for Jewish Life hearing was packed.

The Dresden School Budget meeting showed one of the most expensive areas is the hockey programs.

The Hanover School Board finished their discussion on budget.

Mrs. King was approached as to why there are no street signs at the corners of Wheelock and Park. Mr. Vermilya said because they are stolen as soon as they are put up.

MRS. BLACK:

The Chamber is requesting a street fest for Saturday, July 15th from 6:00 am to 6:30 pm. They would like to hang a banner one week in advance and to have the usual streets closed, South Main from Wheelock to Maple and Lebanon Street to South College and Allen Street from South Main to the parking lot entrance. Mr. Nelson so moved and Mrs. King seconded it. All were in favor.

A request was received from David Goudy from the Montshire applauding the decision of the Selectmen to extend borrowing privileges to the teachers in Hanover and Dresden School Districts. He appreciates this, but is requesting they extend memberships to borrowing privileges for the six teaching staff at the Montshire. The Select Board feels the Montshire does a lot for the Town of Hanover and recommends they comply to his request. Mrs. Connolly recommends offering borrowing privileges for the six teaching staff at the Montshire. Mr. Nelson recommends to table it until it comes up in the budget.

The dates available to view the Hanover records are past and Mrs. Black would like the Select Board to set a new one. Tuesdays at 8:00 am look good. Mrs. Black will contact the archivist and see if they can view the towns archive work on Tuesday, January 31st.

The new state senator from District 5, Jim Rubens, sent a letter asking the Board to get in touch with him if he can be of any help.

The town agreed to pay half of the cost for a new fence for the Episcopal Rectory. The cost has been increased from the original quote of \$1,885 to \$2,840. More fence was needed to be replaced than originally thought. The church is requesting the town pick up the additional cost. Mr. Nelson made a motion to pay the bill as submitted and Mrs. Connolly seconded it. There was no discussion and all were in favor.

REVIEW OF MINUTES

MINUTES OF DECEMBER 19th

Mrs. Connolly moved to accept the minutes of December 19th as amended. Mrs. King seconded it and all were in favor.

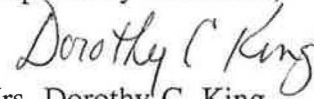
MINUTES OF JANUARY 9th

Mrs. Connolly moved to accept the minutes of January 9th as amended. Mrs. King seconded it and all were in favor.

ADJOURNMENT

Mrs. Connolly moved to adjourn and go into a non public session to discuss an item that might affect the reputation of an individual. Mr. Nelson seconded it and each were in favor of it. The meeting adjourned at 10:10.

Respectfully submitted,



Mrs. Dorothy C. King
Clerk

Taken and Transcribed by:
Kay L. Yost

SUMMARY

1. Mr. Nelson MOVED the Select Board close off South Main from Wheelock to Maple and Lebanon Street to South College and Allen Street from South Main to the parking lot entrance for the Chamber's street fest Saturday, July 15th from 6:00 am to 6:30 pm and allow them to hang a banner one week in advance. Mrs. King SECONDED it. ALL WERE IN FAVOR.
2. Mrs. Connolly RECOMMENDS they extend memberships to borrowing privileges at Howe Library for the six teaching staff at the Montshire. Mr. Nelson RECOMMENDS TO TABLE IT until it comes up in the budget.
3. Mr. Nelson made a MOTION to pay the bill AS SUBMITTED for \$2,840 for replacement of the Episcopal fence. Mrs. Connolly SECONDED it. There was NO DISCUSSION and ALL WERE IN FAVOR.
4. Mrs. Connolly MOVED to accept the minutes of December 19th as amended. Mrs. King SECONDED it and ALL WERE IN FAVOR.
5. Mrs. Connolly MOVED to accept the minutes of January 9th as amended. Mrs. King SECONDED it and ALL WERE IN FAVOR.
6. Mrs. Connolly MOVED to adjourn and go into a non public session for an item that might effect the reputation of an individual. Mr. Nelson SECONDED it and EACH WERE IN FAVOR OF IT.