

APPROVED

BOARD OF SELECTMEN'S MEETING

APRIL 14, 1997

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 Chairman, Marilyn W. Black. Present were: Marilyn W. Black, Chairman; Jack H. Nelson, Vice Chairman; Katherine S. Connolly; Dorothy King; Brian Walsh; Julia Griffin, Town Manager; and members of the public.

Ms. Black announced that this meeting was being taped by CATV 6 and that assistive listening devices were available for anyone who wished to use them.

1. PUBLIC COMMENT

There was no public comment.

2. PRE-TOWN MEETING PUBLIC HEARING ON WARRANT ARTICLES

ARTICLE ONE

Ms. Black noted that Article One dealing with the election of Town officers is by ballot. She added that the polls will be open for voting on Town Meeting day from 7:00 A.M. until one-half hour after the business meeting is concluded.

ARTICLE TWO

Ms. Connolly stated that Article Two deals with zoning relating to childcare and daycare centers and kindergartens. She stated that the article amends sections of the zoning ordinances to deal with childcare centers as well as school conditions, and also amends definitions and changes some of the requirements.

ARTICLE THREE

Ms. Connolly noted that Article Three concerns restrictions on the use of fill in rural residential and forestry zoning districts.

ARTICLE FOUR

Ms. Connolly explained that Article Four clarifies the 50' minimum road frontage permitted on cul-de-sacs.

ARTICLE FIVE

Ms. Connolly stated that Article Five places the burden of determining the 100 year flood elevations on the applicant, rather than the zoning administrator.

2. PRE-TOWN MEETING PUBLIC HEARING ON WARRANT ARTICLES (Continued)

ARTICLE SIX

Ms. Connolly noted that Article Six relates to communications and telecommunications facilities. Ms. Griffin indicated that copies of the total provisions relating to this amendment will be available at Town Meeting on a board outside of the polling area, at the Town Office and at the Planning Office.

ARTICLE SEVEN

Ms. Connolly stated that Article Seven is a new amendment dealing with noise standards. She added that it attempts to produce permissible sound levels, measured in decibels at the property line, for an assortment of districts.

Ms. Griffin noted that there are exemptions for certain events, such as occasional concerts. She added that through the permit process for outside events, the permit states that if a noise complaint is received, the police department reserves the right to ask to have the volume reduced. If a second complaint is received, the police department reserves the right to shut down the event.

ARTICLE EIGHT

Ms. Black noted that Article Eight rezones all of the forestry district south of Lebanon Street and a portion of the Single Residence Tax Map 19, Lot 32, west of Route 120 and east of Route 10, and incorporates the affected lands into the Rural Residence district.

Flo Pete asked if this would open the area for development. Ms. Connolly answered that it has always been open for development with a less restrictive zoning than that which is currently proposed. She added that she estimates the Article would reduce the housing potential from 60 units to 34 units.

Ms. Griffin stated that the current zoning would allow more intensive potential development than what is being proposed. The proposal is to zone the entire parcel to one zoning regulation, Rural Residential, which has a less intensive dwelling concentration than the current zoning. Mr. Nelson added Rural Residential zoning allows one family unit for every three acres.

Ms. Griffin noted that if the Continuing Care Retirement Community is developed, it will be situated on the other side of the knoll looking south toward the Lebanon town line, with the land currently zoned as forestry maintained as a conservation easement for the Town that would have access into the Tanzi land. She stated that if the current developers find the market study shows lack of sufficient demand for retirement housing on this site, they have the option to build 34 private single family homes, one every three acres. Ms. Griffin added that the developers are currently proposing that the

2. PRE-TOWN MEETING PUBLIC HEARING ON WARRANT ARTICLES (Continued)

retirement community be accessed from Medical Center Drive, and that the Town may want some sort of emergency access off Brook Road, depending upon the type of development proposed.

ARTICLE NINE

Article Nine was discussed under agenda item number three.

ARTICLE TEN

Ms. King stated that Article Ten deals with the election of the following Town officers: One member of the Advisory Board of Assessors for a term of three years; three fence viewers each for a one year term; two surveyors of wood and timber each for a term of one year; one park commissioner for a term of three years; and such other officers as the Town may judge necessary for managing its affairs.

ARTICLE ELEVEN

Ms. Black noted that Article Eleven deals with receiving reports from various town officers, and voting on motions relating to those reports, as well as receiving special resolutions that may be appropriate and to vote thereon.

ARTICLE TWELVE

Ms. Black stated that Article Twelve relates to the budget, and thanked the Town Manager and department heads for developing such a fiscally responsible budget.

ARTICLE THIRTEEN

Ms. Connolly explained that Article Thirteen is to determine if the Town will vote to raise and appropriate the sum of \$80,000 for construction of a bicycle path, and authorize funding by withdrawal of this amount from the Capital Improvements Trust Fund. Ms. Black suggested that the wording indicate a pedestrian bicycle path, rather than simply a bicycle path.

Martha Solow asked if voters would be getting another chance to better understand what is being proposed by the zoning amendments. Ms. Black answered that she would be happy to set up a session with CATV at which members of the Planning Board could discuss the zoning amendments.

Allen King asked if there is any chance of modifying the route of the bicycle path. Ms. Black answered that the money is appropriated to a site specific location, and the only way to change the route is to forego this money and reapply in 1998, with funding anticipated in 2005 to 2010.

2. PRE-TOWN MEETING PUBLIC HEARING ON WARRANT ARTICLES (Continued)

Mr. King submitted an alternative bike path to the Selectmen. Ms. Connolly stated that the site had been investigated four to five years ago, and contained two disqualifying factors: a 1,000 ft. very steep rise, and the fact that it crosses private property.

Ms. Solow asked how the proposed route fits into a regional bicycle or pedestrian network. Ms. Black answered that it would connect with a proposed path coming from Lebanon up Route 120 to the Medical Center; a proposed path coming up Route 10; and a proposed pedestrian path from Wilder to Norwich through the Montshire property.

Ms. Solow asked if a cost benefit analysis had been completed on the project. Mr. Nelson answered that it had not. Ms. Griffin added that the State does not require such an analysis, but judges applications based on their merit and compliance with the requirements of ISTEPA.

Ms. Pete expressed concern about the location of the proposed path. Ms. Black answered that as soon as you go through the gate at Brook Road, you are on private property, the use of which is allowed only through the generosity of the Barretts and Ransmeiers. She added that the proposed path allows the Town a right of way to ensure that the Town would have use of that property.

Ms. Griffin indicated that the property is going to be developed, either for a retirement community or up to 34 units of single family housing, and the Town is trying to save a right of way on which to place a pedestrian bike path prior to that development occurring. She noted that all three property owners - the Barrett and Ransmeier families, Dartmouth College and Dartmouth Hitchcock Medical Center - have agreed to allow this easement for the placement of the path at no cost to the Town.

ARTICLE FOURTEEN

Ms. Griffin explained that Article Fourteen is at the request of a petition submitted containing approximately 150 signatures, the purpose of which is to see if the Town would vote to raise and appropriate \$175,000 from the land acquisition trust fund to purchase a parcel of property located on King Road from James and Aubrey Paull. She noted that the \$175,000 is from a total of \$237,394 which has been placed in a fund since 1989 that accumulates from a land use change tax. Ms. Griffin explained that the fund was established in 1989 to provide funds to acquire land for public purposes and to construct capital improvements in response to needs required by growth and development. She noted that this proposal would purchase 16 acres immediately abutting King Road to preserve it from being developed. Ms. Griffin stated that the Board took a position against establishing the use of this money for this purpose, feeling

2. PRE-TOWN MEETING PUBLIC HEARING ON WARRANT ARTICLES (Continued)

that the funds should be used for something that would benefit a greater number of people than to purchase 16 acres on King Road to preserve a view corridor, noting that the Town does not have a prioritized list of properties which should be purchased to preserve view corridors.

ARTICLE FIFTEEN

Mr. Nelson stated that Article Fifteen relates to money reserved in anticipation of purchases, and smooths out the tax rate when a large item is required to be purchased.

ARTICLE SIXTEEN

Mr. Nelson indicated that Article Sixteen is to see if the Town will vote to raise and appropriate \$360,400 for the Public Works Department, the Wastewater Treatment Plant and Parking, and noted that the amounts will be broken down at Town Meeting with regard to specific purchases of equipment.

ARTICLE SEVENTEEN

Mr. Walsh stated that this Article authorizes the Selectmen to accept, on behalf of the Town, gifts, legacies and devises made to the Town in trust for any public purpose. He added that State law requires the Town Meeting to authorize the Selectmen to accept such gifts every year, and the Selectmen unanimously support the Article.

ARTICLE EIGHTEEN

Mr. Walsh noted that Article Eighteen regards the acceptance of personal property by library trustees, with an additional provision that for gifts valued at over \$5,000, the library trustees shall hold a public hearing on the proposed acceptance. He added that this Article applies to both the Town library in Etna and the Howe Library, and noted that the Selectmen unanimously support this Article.

Ms. Sullivan asked if the public hearing mentioned is for the purpose of the acceptance or the use of a gift over \$5,000. Ms. Griffin answered that the public hearing is for the acceptance of the gift.

ARTICLE NINETEEN

Mr. Walsh stated that Article Nineteen is to transact any other business that may be legally brought before the Town Meeting.

3. PUBLIC HEARING ON PROPOSED CHANGES IN INCOME LEVELS FOR ELDERLY EXEMPTIONS

ARTICLE NINE

Ms. Black indicated that this Article modifies the elderly exemption for property tax in the Town of Hanover, based on assessed value, for qualified taxpayers to be as follows: for a person 65 years of age up to 75 years, \$40,000; for a person 75 years up to 80 years, \$60,000; for a person 80 years of age or older, \$80,000. Ms. Griffin added that net income must be not over \$23,956, or if married, a combined net income of \$33,345 with net assets not in excess of \$50,000, excluding the value of the person's residence. She noted that this is to raise income levels to include social security income and to factor in the rate of inflation.

4. REQUEST FOR STREET CLOSURE FOR STREETFEST '97

Regarding Streetfest '97 which is scheduled for July 12, 1997, Ms. Black stated that the Chamber of Commerce has requested to close Main Street, Allen Street to the parking lot entrance, and Lebanon Street to Currier, from 6:00 a.m. to 6:30 p.m., and suspend vendor permits for that day.

Ms. Griffin added that they also wish to install a tent on Main Street in front of Town Hall, and as long as the tent does not impact the passage of emergency vehicles, Town staff does not have a problem with its installation.

Ms. Connolly suggested that in anticipation of events which might be planned for July 4th, that the banner not be hung until July 5th.

Mr. Nelson MADE THE MOTION that the Board of Selectmen vote to approve street closure for Streetfest '97 for July 12th as proposed, suspend vendor permits for that day, and allow the Chamber of Commerce to hang a banner advertising the event beginning July 5th. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE STREET CLOSURE FOR JULY 12TH AS PROPOSED, SUSPEND VENDOR PERMITS FOR THAT DAY, AND ALLOW THE CHAMBER OF COMMERCE TO HANG A BANNER ADVERTISING THE EVENT BEGINNING JULY 5TH.

5. APPROVAL OF MINUTES: JANUARY - MARCH, 1997

Mr. Walsh MADE THE MOTION that the Board of Selectmen approve the minutes of the Selectmen's meetings from January 20, 1997 through March 17, 1997, as amended. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE SELECTMEN'S MEETINGS FROM JANUARY 20, 1997 THROUGH MARCH 17, 1997, AS AMENDED.

6. ADMINISTRATIVE REPORT

Ms. Griffin reported that she is working on finalizing discussions regarding the parking lot behind the Municipal Building, and that she would like to bring to the Board in May the proposed landscaping plans.

7. SELECTMEN'S REPORTS

Mr. Walsh

Mr. Walsh encouraged the Selectmen to attend the Chamber of Commerce breakfast on April 30th at 7:45 a.m. at the Hanover Inn, at which there will be discussion of parking facilities.

Mr. Walsh also reported that there are meetings planned for the Conservation Commission and the Howe Library Trustees.

Ms. Connolly

Ms. Connolly reported that the Planning Board will be meeting April 15 for informal discussions with Dartmouth College on the library, as well as other projects.

Ms. Connolly requested that assignments to the boards and commissions be moved to the meeting scheduled for May 19th.

Ms. Connolly also reported that there will be discussion regarding automobiles and their effect on communities and community growth scheduled for 4:15 p.m. on April 17th at 105 Dartmouth.

Ms. Connolly stated that the forum on drugs which occurred recently was very informative and well attended.

Mr. Nelson

Mr. Nelson reported that he will be attending a Planning Board meeting at which Dartmouth College will be discussing the addition to Baker Library.

Ms. King

Ms. King had nothing to report.

Ms. Black

Ms. Black reported that the group from Joigny, France will be visiting at 1:00 on April 15, and a visit to the Police Department as well as other activities are planned for them.

8. OTHER BUSINESS

Martha Solow, a representative to the Upper Valley Lake Sunapee Commission, expressed concern about a lack of interaction between the Town of Hanover and what is occurring at UVLSC. Ms. Black encouraged Ms. Solow to bring matters to the Board's attention at any time, and will plan to notify Ms. Solow when matters are on the agenda of a regional nature.

Mrs. Allen stated she is extremely grateful for the thoughtful time and consideration contributed by the Selectmen on behalf of the community, and complimented Ms. Griffin on an excellent job in her position as Town Manager.

9. ADJOURNMENT

Ms. Connolly MADE THE MOTION to adjourn the meeting of the Board of Selectmen. Mr. Walsh SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN.

Mr. Walsh MADE THE MOTION to go to a nonpublic session to discuss a matter which may affect the reputation of an individual. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO GO TO A NONPUBLIC SESSION TO DISCUSS A MATTER WHICH MAY AFFECT THE REPUTATION OF AN INDIVIDUAL.

The meeting was adjourned at 8:50 p.m.

SUMMARY

- 1. Mr. Nelson MADE THE MOTION that the Board of Selectmen vote to approve street closure for Streetfest '97 for July 12th as proposed, suspend vendor permits for that day, and allow the Chamber of Commerce to hang a banner advertising the event beginning July 5th. Ms. King SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE STREET CLOSURE FOR JULY 12TH AS PROPOSED, SUSPEND VENDOR PERMITS FOR THAT DAY, AND ALLOW THE CHAMBER OF COMMERCE TO HANG A BANNER ADVERTISING THE EVENT BEGINNING JULY 5TH.**
- 2. Mr. Walsh MADE THE MOTION that the Board of Selectmen approve the minutes of the Selectmen's meetings from January 20, 1997 through March 17, 1997, as amended. Ms. Connolly SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO APPROVE THE MINUTES OF THE SELECTMEN'S MEETINGS FROM JANUARY 20, 1997 THROUGH MARCH 17, 1997, AS AMENDED.**
- 3. Ms. Connolly MADE THE MOTION to adjourn the meeting of the Board of Selectmen. Mr. Walsh SECONDED THE MOTION and the Board of Selectmen VOTED UNANIMOUSLY TO ADJOURN THE MEETING OF THE BOARD OF SELECTMEN.**

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SUMMARY (Continued)

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian Walsh", with a long horizontal flourish extending to the right.

Brian Walsh, Secretary

These minutes were taken and transcribed by Nancy A. Richards.