

Board of Selectmen

Final Minutes

11/27/17

1. Call to Order

Present are Dan Chartrand, Anne Surman, Don Clement, Kathy Corson, Julie Gilman, and Russ Dean. The meeting was called to order by Chairman Clement at 6:50pm.

2. Board Interviews

The board went downstairs after the meeting began to conduct board interviews for the planning board.

3. Public Comment

There was no public comment.

4. Minutes/Proclamations

There were no proclamations.

5. Approval of Minutes

a. November 13<sup>th</sup>

Selectwoman Corson pointed out that on page 6, where it says that the tax rate is 0.01 cent lower, it should say "municipal rate".

**MOTION:** Selectman Chartrand moved to approve the minutes as amended. Selectwoman Surman seconded the motion, and it was passed 4-0-1 with Selectwoman Gilman abstaining.

6. Appointments

There were no appointments.

7. Action Items

a. Court Street Parking Regulations Proposed Ordinance Amendment

Mr. Dean began by saying that the new ordinance amendment would apply to Court Street in reflection of the recent construction. It would prohibit parking on Court Street from Elm to Elliot Street on the southeast and northeast sides of the street.

Mark Leighton, the director of facilities at Phillips Exeter Academy, spoke about the proposal. He said that there was still some final finishes on the street crosswalk lighting to be done. The sidewalks and dropoff area are complete. Improvements came from adding curbing, drop-off, and consolidating the crosswalks from two to one. Gilman Street is going to turn into a pedestrian walkway, which will be done in a few weeks. The new crosswalk will include a warning system when somebody is crossing.

Chairman Clement said that he thought that the crossing guard on Front Street was a good improvement. Mr. Leighton said that they added signage, and informed the students to be careful when crossing the street. Selectman Chartrand asked if there was a plan to drive day students and staff to park off-street. He suggested using hourly restrictions, especially on Elm Street.

Selectwoman Corson said that they should get students to park in the garage. She said that it could be confusing during events, and suggested having a traffic guard to guide people. Mr. Leighton said that the campus is working on implementing wayfinding signage. Selectwoman Gilman requested that they could include signage to Gilman Park.

Selectwoman Surman asked if the parking garage was available for town residents to use. Mr. Leighton said it was because they assumed that residents parking there would be there to access PEA facilities. There may be some spots in the garage that are restricted. He also said they added about 80 spots to the south campus.

Darius Thompson, a resident of Exeter, commended PEA for their work and also suggested that the town could use the improvements for the school's crosswalks in their own plans. Chairman Clement asked for a diagram for the next meeting to show areas that are not parking. Selectwoman Corson read the new amendment as outlined by Mr. Dean above.

b. Public Hearing: Involuntary Lot Merger Application: 55 Washington Street

Chairman Clement asked if the planning office had handled the notice of the application and its meeting date. Mr. Sharples confirmed that it had.

**MOTION:** Selectwoman Surman moved to open the public hearing on 55 Washington Street. Selectman Chartrand seconded the motion, and it passed unanimously.

Selectman Chartrand asked if the applicant had seen the recommendation given by Doug Eastman. Chairman Clement said that they should have according to the memo.

Wayne Bailey, the realtor representing the applicants, said that it was anticipated that the purchaser of the land was going to send legal counsel, but they interpreted the letter from Mr. Eastman as a rejection of their application. However, because he represents both the applicants and the potential purchaser, he continued. He said that the burden of proof in a denial is the responsibility of a municipality. The deed, as far back as he has seen, have said that the property is two lots. It was bought with the understanding that it was two lots. There is an error in the deed, and the actual subdivision date was 1889, not 1989.

He expressed that there is some speculation that the prior owners voluntarily merged lots by the construction of a garage. He said that maps show that the garage sits behind the house as far as possible, and that it appears that they are trying to preserve the house lot. Also, a previous court case leading to the RSA had the doors of the garage facing the vacant lot. In this case, that doesn't happen. It may be that the garage extends over onto other land, but an easement could be granted. There are also a lot of zero or negative lot lines in the neighborhood. The prior owner granted an easement for the right side of the vacant lot, for a driveway.

Chairman Clement said that the application is to unmerge the lot to create two lots. Selectman Chartrand asked the town planner if the applicant would have another avenue to accomplish their goal. Mr. Sharples said that they could go to the ZBA to subdivide the lot, following the requirements, and then would go to the planning board. Selectwoman Gilman pointed out that there were some requirements on the application that Mr. Eastman said hadn't been met. Selectwoman Surman agreed, and also asked if the lot was subdividable. Mr. Sharples said there would need to be variances. Mr. Dean

said that other properties have been approved to unmerge lots, but this one has a structure on it. He also said that they should allow the applicant to review the appeal process on their own.

Chairman Clement said that the RSA gives the board 45 days from the submission to take action. The planning board received the application on October 31<sup>st</sup>.

**MOTION:** Selectwoman Gilman moved to table the issue until the next meeting, and to have Doug Eastman attend. Selectman Chartrand seconded the motion, and it passed 4-1-0, with Selectwoman Surman voting nay.

c. 149 Kingston Road Update

Mr. Dean said the issue was on the relocation and removal of the house. The house would be put out to bid for the ability for the bidder to bid on the home, move it, and put it somewhere else based upon their successful bid. A variance was plugged in as not advantageous. The successful bidder would need to make sure that the property is in line with zoning bylaws if it is moved within town. They have 120 days to obtain approvals for the new location. The bid deposit is \$1000.00. There may be the date of January 29<sup>th</sup> for the return of the bids to the town. The town reserves the right to accept or deny all bids.

Selectwoman Surman had concerns about why the town is anxious to suddenly move the house. Mr. Dean said that it is the only property where the town acts as a traditional residential landlord. Also, it was a high-end real estate market and they could get more out of the property now. Selectman Chartrand said that there are risks to being a landlord, and that he wanted to move forward with this process. Selectwoman Corson asked if they have talked to a company to see if the building could be moved. Mr. Sharples said they had not, and that moving the house could be expensive, but there are other towns around. Chairman Clement brought up the question of what the town would gain by eliminating the house on the property.

Darius Thompson asked what the history was behind the house, and said that the fire chief is the resident of it currently. He asked if there were taxes being charged. Mr. Dean said that the rent charge covers some taxes. Chairman Clement said that the house would be sold to a private entity and would be taxed revenue. Mr. Thompson asked if it qualified as a historic house, and brought up the possibility of using it for affordable housing.

Selectman Chartrand said that there are public works buildings nearby, which could be problematic. It might be easier to remove the house. It is also right next to the town transfer station. Mr. Thompson said he would hate to see a historical building be demolished if it is in good shape.

Another resident suggested that the board go ahead with the RFP, and said that the positive cash flow does not outweigh the liability. Chairman Clement said he didn't think the property was a liability. Selectwoman Surman said she did not see a reason to evict the fire chief to make a profit when there is already a positive cash flow on the property. Mr. Dean emphasized that the issue wasn't personal, but a desire to not rent out residential properties. Mr. Thompson asked if there are any other towns that rent out properties to people in town with a residency requirement. The board was unaware.

d. Human Services Funding Policy

Chairman Clement put together a draft and brought it before the board, so they could talk about it with a full board. However, the draft presented at the meeting was not the one he submitted, so the board decided to table the issue until the next meeting.

e. Hampton Water-Sewer Agreement

Mr. Dean said that there were some changes to the agreement. One was that added language makes it clear that the sum will change as rates and fees change. They also needed to add some roads into the agreement, Donna Lane, Rosa Drive, and Exeter Road. They also added in the current fee structure, and would charge a flat fee for sewer as they charge in Exeter. They also said that if any dwelling was added that would affect the rate, Exeter would be notified by Hampton.

Selectwoman Gilman asked if a list of properties would be included. Mr. Dean said it would. Darius Thompson asked if the rates in the agreement would go up from the new water treatment plant. Chairman Clement said that that is what the board wants because that way all of the ratepayers in the system would be equal. Mr. Thompson suggested that the agreements with other towns are looked at as well to make sure that all of the ratepayers pay the same. Selectwoman Gilman suggested that Hampton submit the money to Exeter more than once a year. Mr. Dean said that he would send the draft over to the town manager of Hampton for them to review.

8. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

There were none during this meeting.

b. Permits & Approvals

The Pine Street Players requested to use the town hall from November 1<sup>st</sup>, 2018 until November 20<sup>th</sup>, 2018 for a production. Selectman Chartrand asked if they would be using the town hall for all of those days. Selectwoman Surman wanted more information on the times, and it was decided to table the application.

**MOTION:** Selectman Chartrand moved that the Exeter Arts Committee be allowed to use the town hall for a music concert from March 9<sup>th</sup> to March 11<sup>th</sup>, 2018. Selectwoman Gilman seconded the motion, and it passed unanimously.

**MOTION:** Selectman Chartrand moved that the Exeter Arts Committee be allowed to use the town hall for a theatrical production from June 7<sup>th</sup> to June 10<sup>th</sup>, 2018. Selectwoman Corson seconded the motion, and it passed unanimously.

**MOTION:** Selectman Chartrand moved that the Exeter Arts Committee be allowed to use the town hall for a literary festival on September 8<sup>th</sup> and 9<sup>th</sup>, 2018. Selectwoman Surman seconded the motion, and it passed unanimously.

**MOTION:** Selectwoman Surman moved that the IT department be allowed to dispose of their surplus phones. Selectman Chartrand seconded the motion, and it passed unanimously.

c. Town Manager's Report

Darius Thompson invited the board and the town manager to join Exeter's 60<sup>th</sup> holiday parade. They have also invited all of the past grand marshals.

Mr. Dean thanked the fire department for their response to the fire on Hampton Road. The structure could be a total loss, but everybody in the building is safe. The town is starting its year-end process and has a lot of things to wrap up in the next few weeks. Court Street is open to traffic. The town is continuing in their MUNIS training. They are also beginning to talk about the town report dedication. The town hall drop-in will be on December 6<sup>th</sup>. He also thanked Jay Perkins and the highway crews for changing new street signs with the town seal on them, which are supposed to be more reflective and easier to see.

Selectwoman Corson asked when High Street would be painted. Mr. Dean said they would follow up on that. He also mentioned a letter from an EMS officer from Hampton, thanking Michael Monk for his involvement in warm zone training. Selectman Chartrand commended Chief Shupe for his regional approach to public safety.

#### d. Selectboard Committee Reports

Selectwoman Gilman said that the historic district commission had an application from the Sea Dog for air conditioning and ventilation units to be put on the roof. The units are large, and the commission required that they are finished to match the roof, so they are less visible. On Thursday, she will be in Concord to elect a new speaker of the house.

Selectwoman Corson will not have a planning board meeting until December 14<sup>th</sup>. She mentioned the Exeter Pooch Parade on Sunday, which will have both her and Selectwoman Surman as judges. Selectwoman Surman reported on the arts committee meeting, where she talked about the holiday activities in the town. She also attended a conservation commission meeting, which she will report on during the next meeting.

Selectman Chartrand said that there would be a water and sewer advisory committee rate hearing on November 29<sup>th</sup>, at 6:30pm. Chairman Clement attended a river meeting, where Theresa Walker spoke about the Squamscott Advisory Committee and what they do. He also said that the LOMR had been submitted to FEMA, which determines who will need flood insurance in town. Chairman Clement also attended the NH municipal association meeting, and urged the board to attend next year. There were presentations and workshops about a number of topics. He was also invited to SAU about a parking proposal on Lincoln Street.

#### e. Correspondence

There was a letter from Comcast discussing price changes that will be going out to subscribers, and that the rates are increasing.

#### 9. Calendar

There will be meetings on December 4<sup>th</sup> and 18<sup>th</sup>.

#### 10. Non-public Session

There was no non-public session.

11. Adjournment

**MOTION:** Selectman Chartrand moved to adjourn the meeting at 9:15pm. Selectwoman Surman seconded the motion, and it passed unanimously.

Respectfully submitted by recording secretary Samantha Cave.