

1. Convene the meeting.

Chairman Binette convened the Board at 7:08PM on the above date in the Nowak Room. Also present: William Campbell, Robert Eastman, Lionel Ingram and Town Manager George Olson. Absent: Joseph Pace.

2. Minutes of December 15, 2003 meeting.

Mr. Campbell moved to waive the reading of the minutes and to accept them as submitted; second by Mr. Eastman. VOTE: Unanimous.

3. Executory easement on Webb parcel – Conservation Commission

Peter Dow, representing the Exeter Conservation Commission and Rockingham Land Trust, explained the parcel as the former Webb property to the northwest of town. The parcel will be owned by the State of NH Fish and Game Department with the primary easements held by the Rockingham Land Trust and is currently owned by the Nature Conservatory, a non-profit corporation, since December, 2000 and there are approximately 300 acres in Exeter. He explained the Commission is seeking the Board's agreement to the executory easement, allowing this large tract of land to be managed by the Rockingham Land Trust.

Dwayne Hyde (The Nature Conservatory) explained, in particular #7 of the agreement, that if the Rockingham Land Trust (RLT) fails to enforce the easement within 30 days after receipt of written notice from the Town, the Town would take over action toward the infracting party with RLT accruing the costs. The easement insures public access and wetlands protection.

Mr. Campbell asked if the Town has input and will they be kept abreast of issues. Yes. Brian Hart, RLT, noted the Town will be provided with a baseline document report and annual inspection reports (probably aerial with this sized property) and copies of management plans prepared by NH Fish and Game. Mr. Campbell asked of motorized vehicles, noting the agreement states they are prohibited but currently snowmobiles use some of the paths. Mr. Hart stated funding does not allow for motorized vehicles unless the area has designated trails already in place. This does not.

Mr. Ingram asked if action is taken now on the easement, does the Board then designate the Conservation Commission as the Town's agent. Mr. Hart stated they could decide who would be their responsible party.

Mr. Campbell asked about signage and whether it must (or does it) agree with the Town's signage policies. Mr. Hart stated 32 square feet is allowed by the easements. The Land Trust may put up boundary markers and Fish & Game may have some management signs.

Mr. Campbell moved to accept responsibility of executory interest in the Webb property; second by Mr. Ingram. VOTE: Unanimous.

4. Request to relocate the Sportsmen's Club to the L. Chester Simpson Recreation Area.

Mr. Olson recapped there has been discussion in the past of relocating the Club to the L. Chester Simpson area. This resulted in a site visit on November 8th. Mr. Kenick and members of the Club gave an overview of the proposed use at that time.

Joseph Kenick was present, representing the Club, reported the alternate piece of land suggested at the last meeting (Powder Mill Road) turned out not to be the Town's parcel after all. Exeter Conservation Commission had recommended land, including the Webb parcel discussed earlier, but that parcel does not allow active recreation (sports/team events).

Mr. Kenick noted the Club understands the concerns for safety but many sand pits host shooting clubs with the noise and lead management dealt with there. He passed along the Club is committed to wherever they are allowed to go. He reminded the Board the "Pit" calls for 'active' recreation for thirty years. He also noted the Club may petition Town Meeting action for a long term lease as the Board cannot give them more than 1 year at a time.

Richard Middleton, 11 Juniper Ridge Road, stated he was not aware of the Town's obligation to support the Gun Club. The Simpson area is surrounded by homes and the Club would not be welcomed in the neighborhood. He feels this would impact property values and, with that area already affected by the 'dump' and water tower, the area should not also have this burden. This would be detrimental to many. As 'active' recreation, the Gun Club would preclude the rest of the Town to use the area also for active recreation. Though safety precautions would be taken, there are many children in the area and, though skeet isn't featured, there are many other activities of concern.

Wilda Elliott, 157 Kingston Road, is a direct abutter and questioned why she was not notified of the meeting. Mr. Binette noted the issue arose at the site walk and he reported the neighbors were told to watch the papers, check the government channel for agenda postings. He also explained this was not a situation such as Planning Board sees, where in that case direct abutters are notified by certified mail. Mrs. Elliott asked if it is the responsibility of the Town to find the Club another site or are we being good neighbors? Mr. Binette stated he believes the Town does not have to find a site but it arose in discussions and they asked if the Town could. Mrs. Elliot stated the land was donated for recreation for all and residents hoped for more ball fields. Are the additional ball fields now not going to happen? Mr. Binette stated the warrant article at Town Meeting mentioned recreation purposes and he believes the voters approved it with the intent for more ball fields. Mrs. Elliott asked if the Club were to go there would the ball fields go in. Mr. Binette noted it is a big issue with children next to the Club. Mrs. Elliott also noted the configuration of the Club is in direct line with her property and that of new developments. Also, what happens to her well if contaminated by gun shot residue.

Mr. Binette reiterated that if the Board approves of the Club going to the Simpson area, any long term lease must be approved by Town Meeting.

Daniel Jones, 181 Kingston Road, noted he is down range from the proposed area and, as a Viet Nam Vet, does not want guns shot at his area. If the NRA becomes involved in funding assistance, this area will become a major regional gun facility. We currently do not what types of controls would be in place, for safety or sound. The Club would not be open to just residents. How would access to the site be controlled – via fence, keys, dawn-to-dusk, 365 days per year. He noted 95% of the participants observe safety regulations, some don't. Would they limit caliber? The Police may use the site

for tactical training and he is sure they use a higher caliber. "We were here first". He suggested an area off Birch Road (35 + acres) of Town-owned land, though he was not aware what restrictions may be assigned with it.

He noted that many Windemere (development off High Street) residents complain about the Club and continuous firing, but the Club was there when that development was built. He referenced the new development off Kingston Road – some are in line with the proposed range. His main concern is that he, too, is at the other end and he can look down at the person in the pit pointing a gun in his direction.

Stephen Lord, 8 Cross Road, stated he was present at the site walk. He inquired whether this proposal must go to the Planning Board and would residents be noticed. Yes. He is not in favor of the proposal, living across the street with an 8 year old son. There would be a massive amount of fire power and does not wish to live in a home under those situations. He noted in New Hampshire, it is illegal to fire within 300' of a residence. This is just barely outside those figures. He asked the Board to consider the residents in what would be an unlivable situation.

John Gezzar, 16 Cross Road, noted all those who have spoken made very good points. He has been there 18 years, moving to a nice, quiet area to raise his kids. He stated there are people who enjoy skiing and sailing, but they all have to travel to enjoy their sport. He feels there is better use of the land for recreation use, including fitness trails, etc. Promoting fitness is more beneficial to the Town that working with a few with this group. He urged the Board to not allow the Club at that location.

Tim Anderson, 13 Cross Road, noted there would be more people present if they had been notified. He heard of this on his way home. As an abutter within 3-400' of this proposal, he is outraged at the thought, particularly with two kids at home, of someone in his back yard with a machine gun. He is disappointed with the Town that they would entertain this proposal.

Russell Slingsby, Cross Road, is not looking forward to this in his backyard, particularly with the noise. Inquisitive kids run to sounds and he urged the Board to reconsider.

Mr. Ingram asked what would cause the Club to move. When he reviewed the footprint of the proposed water treatment plant, it did not fall over the gun club. When he asked why they were moving, Mr. Noyes told him it was a safety issue. If it is a safety issue there, why propose it up at the recreation area. If it can be controlled, they why can't it be controlled at the current location? Mr. Ingram assumed it was a requirement that they move – the footprint does not show that.

Mr. Eastman does not support the Club going to the new location and he stated the site walk was very helpful. In part it may be safe down-range but with the houses right over the berm, that does not provide a safe situation. People can deal with noise and lead – they could not deal with rounds going over the berm.

Charles Everett Hoskins, 24 Juniper Ridge Road, stated that after the site walk he did research on velocity of rounds and various calibers. According to the Federal Cartridge Company, lowest velocity rounds could travel 2.2 miles if the target were missed (i.e. aimed over the height of the berm). Higher caliber could go 4-5 miles.

Rick Carr, 4Cross Road, stated this is not a good proposal for that residential area.

Mr. Eastman moved to not support or allow the Gun Club to establish a facility at the Simpson Pit; second by Mr. Ingram. VOTE: Unanimous. Mr. Binette went on to explain the main concern is if the Club is at that site, along with ball fields, that would not be a good marriage. He noted he supports the Club and knows it is enjoyed, but the Board feels they should have a place. Perhaps, now, the Club should pursue finding an area – the Town may help.

5. Fire and Recreation Impact Fees.

Mr. Olson reminded the Board there was discussion in October re residential “living” area vs. “gross” area and the matter of discounting the fee. Bruce Mayberry, the author of the study, was asked for additional details which he has provided the Board (attached).

Bruce Mayberry was present to answer questions. He noted the fire information had been reviewed, including data for the second station, and reports complete with future build-out projected. He also stated if the recreation impact fee were accepted, it would replace the current open space fee for subdivisions. The fee would be charged on any new development.

Mr. Campbell asked if the school impact fee had yet been applied. Sylvia von Aulock (Town Planner) noted it had not. Mr. Campbell stated he believed in the concept but had difficulty with the rates. Could the fee be changed if too high or too low, or methodically be changed? Mr. Mayberry noted some could be changed through ordinances – how new developments are defined, include any subsequent additions, and however “per unit” is usually a one-time fee.

Mr. Ingram asked why there is a discount process. Mr. Mayberry noted this is an outgrowth of the Advisory Committee. Calculations were not precise so they developed the program where a town can elect a discount but, he recommends, if they do, they must discount all at the same proportion. It’s an option. Mr. Ingram asked if there is a major calculation difference, concerning estimated future build-out, and the town does not build out as much as proposed, is money given back. Mr. Mayberry stated it usually maintains a balance – recovering for facilities already completed, and towns usually don’t give back. He noted the process is reviewed through the CVIP process, keeping abreast of projects.

Mr. Campbell asked if the town collects fees and it’s decided not enough were collected and the Town then contributes to the process, can more be collected for the Town to recover its portion? Yes, i.e. the sewer capacity build out for 20 years, the town may charge a gallon rate to recover.

Mr. Eastman asked if the Board is to adopt this tonight. He is against the fire impact fee. He believes in the concept but not now for the fire. It is too early in the process. The response times are being reviewed and he has not seen the report yet. He referred to a report from Michigan, as part of a NFPA fire study (chart attached), concerning how to determine the number of stations. With Exeter’s population of 14,305, it represents 1.09 stations. With the estimated population in 202 of 19,224, 1.46 stations would be needed. He does not believe the Town is ready for a second station. If there are any weaknesses in the equation, he feels we are four firefighters short. Till the Board says more research is needed, with a management team reviewing, he feels the town should hold on an impact fee.

Mr. Ingram stated he did not see the relationship between the fire impact fee and a new station. If no station, the fee would be calculated differently – on existing dollars. The Board should still approve an impact fee based on the different numbers. We have \$6.2 million capital basis and a fee should be paid. If the station is approved, this would add dollars to that equation.

Mr. Eastman noted the impact fee is not on scheduled replacements of capital equipment – should be on new equipment because of growth. He feels once the Town is committed to a new station then establish an impact fee. He just feels the Board does not have enough data to support a station. If approved at the Town Meeting, work on the impact fee to begin in April.

Mr. Campbell asked about (p.3) public open space. Mr. Mayberry noted fields and parks are “improved” space; “Open would be natural trails, etc.

The recreation impact fee will be discussed at the January 19th meeting. The Board decided to hold on discussion of the fire impact.

6. Request for directional sign – NH Martial Arts Academy.

When it was determined no one was present from the Academy to present the issue, Mr. Olson suggested holding till another meeting. Mr. Eastman asked about a letter from Rockingham Economic Development Commission that was presented to the Board. Mr. Binette stated he will read that when the issue comes before the board again.

7. Authorization to execute lease for sewer vacuum truck.

In response to warrant article #26 of the March Town Meeting, there is a 5-year lease and the truck is in hand. Mr. Olson asked the Board to authorize the Finance Director to execute the master lease purchase agreement. All materials have been reviewed and approved by Town Counsel. **Mr. Eastman moved to authorize the Finance Director to execute a lease for the sewer vacuum truck; second by Mr. Campbell. VOTE: Unanimous.**

8. Addition to building use form, rules & regulations addressing signs.

Mr. Olson reminded the Board we were recently inundated with political signs and the signage is not clear in the regulations for use of the Town Hall. He prepared some additions to the building use form that would make it clear to all who use Town facilities of just what would be allowed (attached). He clarified that the reference to 72 square feet referred to in the proposed addition is equal to three 4 x 6 ‘ signs, the current size of the large sign board to the left of the Town Hall.

Mr. Campbell asked if signs being held are included. No. Mr. Eastman asked about signs in the Town’s rights-of-way. These are against the law and this is noted in the addition.

Mr. Campbell moved to add the proposed signage information as specified to the facility permit form; second by Mr. Eastman. VOTE: Unanimous.

9. Permits:

- An acting outreach program requested use of the Town Hall on January 10th to feature a performance of “Dorothy and the Wizard” at the Town Hall. **Mr. Eastman moved to approve; second by Mr. Campbell. VOTE: Unanimous.**
- Edwards for President Campaign requested use of the Town Hall on January 13th from 6:30-9:30PM for a forum discussion. **Mr. Eastman moved to approve; second by Mr. Campbell. VOTE: Unanimous.**

- The Red Cross requested permission for a banner across Water Street from January 6 through 14th. **Mr. Campbell moved to approve; second by Mr. Eastman. VOTE: Unanimous.**
- Rockingham Community Action program requested use of the Wheelwright Room for a Policy Council meeting on January 21, February 18, March 17, April 21 and May 19th from 8:45-11:45AM. **Mr. Campbell moved to approve; second by Mr. Ingram. VOTE: Unanimous.**
- The Arts Committee requested use of the Nowak Room on February 14th from 9-3 for a display as part of Winterfest. **Mr. Campbell moved to approve; second by Mr. Eastman. VOTE: Unanimous.**

10. Town Manager's Items:

- While Mr. Olson attended to his coughing fit, Barbara Blenk noted the following:
- Christmas trees will be collected this week on residents' regular trash day. Have curb-side by 7AM
- The Board will hold a public hearing next Monday to discuss the budget, warrant articles and a proposed tax credit increase for veterans.
- The Board is seeking volunteers to serve on the Budget Recommendations Committee. Applications are available on-line, in the Town Report, or you may call the Town Office. This should also be done by those residents willing to serve on any board or committee.

11. Selectmen's Committee reports:

None.

12. Public Comments:

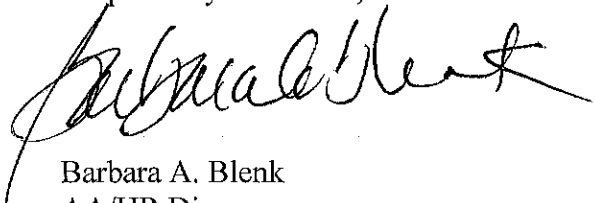
- Michael Lambert, Locust Avenue, noted the residents discussing the Sportsmen's Club seemed put out that the area would be considered for a site. He noted discussion in the hallway, after that discussion, consisted of several suggesting Mr. Kenick contact Sigarms for a possible indoor site. He thought many comments were 'over the top'. The Club has participated in many issues and provided lots of education to the Town and the Town should help, somewhat. Perhaps the officials could call Sigarms to offer support.
- Regarding fires, he recently called to verify having enough insurance on his home and, following a recent discussion with someone whose home burned, they stated it "only helps if it burns". He has learned it is more important on how close you are to a hydrant than to the station that affects your insurance rates. It is beyond 9 miles before insurance rates are affected when dealing with a station. He suggested more hydrants.
- The Park Street Bridge continues to be of concern, noting the sidewalk was not replaced due to Mr. Olson's decision. Also, there are no barriers on the bridge sides and asked if these were going in soon.
- He requested the Board direct the Building Inspector to secure the former ballet building on Portsmouth Avenue. It appears to be a fire hazard. Why is this in disrepair but, more importantly, why is the property not secure.
- He asked the Board to please review the street lighting policy and the decisions to remove street lights from some areas.. It is quite dark.

Art Baillargeon, Tremont Street, asked why the Bandstand roof had not yet been completed. Is there a date schedule? Mr. Olson noted there is no date yet. There was an additional fabrication problem

with extra pieces in the final measurements found prior Christmas. The installation is limited to some degree to weather conditions. Mr. Baillargeon asked if the bid price was extended. Yes. Mr. Olson noted they will prepare the whole roof and put it together as they install. Mr. Binette asked Mr. Olson to inquire of DPW for a status report and timetable.

Mr. Ingram moved to adjourn; second by Mr. Campbell. VOTE: Unanimous. Time: 9:23PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara A. Blenk". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Barbara A. Blenk
AA/HR Dir.

Attach.