

Select Board Meeting  
Monday September 17th, 2018  
Final Minutes

1. Call Meeting to Order.

Members present: Anne Surman, Kathy Corson, Julie Gilman, Molly Cowan, Don Clement, and Russ Dean were present at this meeting. The meeting was called to order by Ms. Gilman at 6:45PM.

2. Non Public Session - Tax Deeds

**MOTION:** Ms. Surman moved to start a nonpublic hearing regarding tax deeds under Section 91-A:2C and D, concerning reputational harm and real estate acquisition. Ms. Cowan seconded. Mr. Clement questioned the need for a nonpublic hearing; he stated that 91-A:2C was about reputational harm related to asking for a fee waiver due to inability to pay. Mr. Dean said that the discussion may become a reputational issue, and that tax deeds are usually deliberated in nonpublic sessions but the decisions are public. The motion for a nonpublic session passed 4-1-0, Mr. Clement nay, because he disagreed with invoking 91-A:2C. The public session reconvened at 7:12 PM.

3. Public Comment

Resident Enna Grazier expressed concern about the form of the ballot which will incorporate the cost of proposals to taxpayers, as voted on in Article 27. Ms. Grazier questions whether voters will have the information they need to balance financial cost with value. Ms. Gilman said that they haven't yet made recommendations on this issue, but it is budget time so it will have to happen soon. Ms. Grazier also commented on the role of arts and culture in Exeter as reflected in the Master Plan, which she felt does not present a cohesive vision for the role of arts and culture in the town's future. To address this, Ms. Grazier suggested that rather than re-form the Arts Committee to do administrative tasks like managing the gallery, the board should form a town Arts and Culture Commission charged with preparing a mission statement which outlines the town's values and goals for the role of arts across the community.

Scott Ruffner of TEAM Exeter applied for the second floor gallery at Town Hall for an art show in September and October, but now wants to pull back that application, since it's too late to promote these events. Ms. Gilman said that the Select Board has taken over the approval process from the Arts Committee, and that to approve the application they needed more clarity about when his event would be open. Mr. Ruffner said that previously, the public hours were assumed to be Saturdays and Sundays 10-4. Ms. Gilman said they weren't aware of that and they are working on the approval process.

4. Proclamations/Recognitions

a. Proclamations/Recognitions

Ms. Gilman recognized the Exeter Fire Department for their response to the explosions and fires in the Merrimack Valley.

Ms. Gilman said that September 17th is Constitution Day, and that the Independence Museum has two copies of the Constitution. Ms. Cowan read a proclamation about Constitution Week.

**MOTION:** Mr. Clement moved that Sept 17-23, 2018, should be Constitution Week. Ms. Surman seconded. All were in favor.

#### 5. Approval of Minutes

No minutes were approved.

#### 6. Appointments

**MOTION:** Ms. Corson moved to appoint Deborah Merrill to fill the unexpired term of Judith Churchill on the Robinson Trustees, ending in 2023. Mr. Clement seconded. All were in favor.

**MOTION:** Ms. Corson moved to appoint John Grueter to fill Katherine Woolhouse's seat as a full member of the Planning Board to fill the unexpired term ending 4/30/2021. Ms. Cowan seconded, but this motion was not voted on.

Mr. Clement asked what the criteria should be for appointing one of the two candidates. Ms. Surman questioned why the Planning Board made a recommendation of two candidates, rather than just one, and was not comfortable voting without more information. Ms. Cowan asked if they could call the candidates in to be interviewed.

**MOTION:** Ms. Gilman moved to schedule an interview of the two Planning Board candidates as part of the next Select Board meeting. Ms. Cowan seconded. All were in favor.

Mr. Dean will schedule the interviews for the Select Board meeting of October 1st.

#### 7. Discussion/Action Items

##### a. E911 Committee re: Woodlawn Circle - Aspen Way Recommendation

Town Planner Dave Sharples discussed the E911 Committee project of changing certain street names. The Committee had recommended that part of Woodlawn Circle be changed to Crab Apple Drive, but the abutters requested a different name. Working with resident contact Lucy Williams, the neighbors submitted "Aspen Way," which was already on the pre-approved list. Changes will not be effective until the Select Board acts and the Assistant Fire Chief Justin Pizon sends a letter to affected property owners stating that the change will take effect in 30 days.

**MOTION:** Ms. Surman moved to rename the section of Woodlawn Circle from the intersection with itself and Jady Hill Court to the intersection with itself and 8 Woodlawn Circle, as highlighted in yellow on the "Jady Hill E911 Review Map 6-26-18," to Aspen Way, and renumber the drawings in accordance with Town Ordinance Chapter 14, "Assigning Street Names and Numbers." Ms. Corson seconded. All were in favor.

##### b. Rockingham Planning Commission Downtown Parking Survey Review

Mr. Sharples introduced David Walker of the Rockingham Planning Commission to discuss the Downtown Parking Survey results. Mr. Walker prefaced his discussion by saying that the full results and comments of the survey are viewable online at

<https://publicinput.com/exeterparking>.

Mr. Walker described the survey as a pilot project to test a community engagement software service, Publicinput.com, with the goal of enhancing RPC's public outreach. Because it was a pilot project, they had no budget, a tight timeframe (July 16 to July 28, 2018), and limited data analysis. There were 18 questions with multiple sub-questions, about 50 total answers, and they generated almost 28,000 points of data and 772 comments. The majority of respondents were in the Southern New Hampshire/Boston area, but there were also respondents throughout the US and the rest of the world. 860 people answered at least one question. 150 people subscribed to a mailing list for future updates, and RPC shared this email list with the town.

Mr. Walker discussed some opportunities for improvement suggested by the survey results. For example, the town could pursue low-cost improvements to wayfinding, such as simply adding signage or increasing visibility of existing signs, or they could pursue an intensive approach such as Portsmouth's recent wayfinding plan and development of a city-wide brand identity for their signage. He mentioned that many respondents don't like the angled on-street parking downtown. People do still use this parking but it makes them nervous, especially leaving the spaces. Respondents also suggested removing spaces where the roadway is tight, such as near St. Anthony's Bakery and Sea Dog, so that traffic would move more freely and drivers could see the crosswalks better.

For managing the existing supply of parking, he suggested that as the mix of businesses in downtown shifts to having more activity in the evening, there's an opportunity for other shops to stay open later when there is parking available and shift demand for parking away from mid-day. Also, truck deliveries could occur outside of peak hours. The town has improved the pedestrian and bike environment, and he recommends continuing on that path and they may find people leave their cars at home, taking the pressure off parking. The most aggressive approach would be to charge for parking downtown, which would ensure people leave spots as soon as they're done. He also suggested that they explore shared parking, where businesses allow the public to use their parking lots evenings and weekends.

Mr. Walker mentioned extensive feedback in the survey about handicapped spaces and accommodating mobility limitations, and he commented that as the population is graying, accessibility is going to become more of an issue. Others commented that the angled parking makes bicycling on Water Street dangerous. A parking garage was mentioned 128 times in comments. He said that it's expensive - for example, Dover paid \$34,000 per parking garage space, Portsmouth \$50,000 per space - but it can be an investment that makes sense for a community.

He said that the survey raises further questions. Is there a consistent vision for what downtown Exeter should be? There was no consensus found in the survey results. How is existing parking being utilized? RPC did a parking study for downtown in 2002, and found that overall there was enough parking, but businesses have shifted substantially since then. What's the best use of downtown's limited space - facilities such as street-side seating, art space, or bike lanes? If that's the case, they may want to consider a parking garage or another lot. Finally, will people be willing to pay for parking in downtown? To answer these questions, he suggested follow-up surveys or more broad-based studies, such as the charrettes and work studies conducted during the creation of the Master Plan.

Ms. Gilman recommended that the public review the survey results. Ms. Surman appreciated that the survey addressed parking and traffic together; traffic is the problem she'd

fix in Exeter. Mr. Walker suggested that a congested downtown may not be a bad thing, since you want to have activity downtown, and congestion keeps the cars moving slowly. Ms. Gilman liked the idea of “user friendly congestion.”

Mr. Clement was concerned that the survey didn't differentiate whether the respondent was an Exeter resident or visitor. Mr. Walker said that they had intended to ask that question but due to problems with the software it didn't make it into the survey, along with a question about whether the respondent would be willing to pay for parking downtown. Mr. Sharples added that they could potentially stitch together responses to several questions as well as IP information to get at the respondent's identity.

Mr. Walker suggested that the next step be a utilization study to find out how existing parking is being used, which could be done on a range of detail, effort, and cost. Ms. Corson felt that a parking study didn't fly the last time it was proposed because it wasn't clear what it was for, but that maybe using RPC's survey and language about wayfinding they can better communicate the purpose of the study. Mr. Dean added that, like this survey, a future study should look at “complete streets” rather than just parking, since he would argue that pedestrians and bicycles are as important to communities as cars are now. Mr. Clement said that some of these ideas are already in the Master Plan, and Ms. Corson suggested that they phrase a study's description “as per the Master Plan.” Mr. Sharples said that following the failure of a proposed parking and congestion study, he took the study proposal to the Master Plan Oversight Committee, and that group is gathering information in order to make recommendations on a way forward. Bill Simons, the director of the Dover parking bureau, will speak at the Master Plan Steering Committee meeting on Wednesday, September 19th, 2018. Mr. Sharples will bring information from that meeting back to the Select Board.

Resident Scott Ruffner stated that the Exeter Public Library parking lot would be a great resource for shared parking, since it closes at 5 PM on Friday and Saturday nights.

### c. Property Use Fees Discussion

Ms. Surman prefaced the discussion by expressing concern that the Swasey Parkway Trustees would not have input on the fees for the use of Swasey Parkway. Mr. Dean said that he hasn't found in the RSA that the Swasey Trustees have the authority to set fees, although they have made fee schedule proposals to the Select Board in the past which were accepted. Ms. Gilman suggested they defer a discussion of the Swasey fees.

Mr. Dean said that the purpose of this discussion is to determine what's acceptable to the board on fees, so that they don't have to conduct a public hearing twice. Ms. Gilman explained that they are considering current and proposed fees for four different categories: Exeter Non-Profit, Exeter For Profit, Non-Exeter Non-Profit, and Non-Exeter For Profit. Mr. Dean said that they currently don't charge at all for non-profits, but he found that there's a precedent in Exeter's school district for a full fee schedule for both non-profits and for profits, so he's bringing a proposal before the board to charge non-profits. He stated that there are costs to operate facilities, and non-profit groups use them frequently. The schools do not waive fees at all, except for town entities, and they also charge a custodial fee of \$30/hr which is never waived.

Ms. Gilman said that some of the proposed fees are quite substantial, mostly in the for profit sector, but that is fine. She felt that the fees are low enough to keep people interested in

using the facilities, but will also cover costs. She said that different towns have a cleaning deposit by check, and once the event is done they give the check back if the facility is left in the original state.

Mr. Clement asked if they classify political events as for profits or non-profits. Mr. Dean said that they are not considered non-profits under IRS rules. Ms. Gilman shared that the last few candidates for the presidential race said the town facilities were "dirt cheap." She wouldn't want to scare them away, but they need a different fee structure. Mr. Dean suggested that they ask the school district, since they've had big rallies at the gym and may have feedback on fee structure.

Ms. Surman was interested in statistics on profits or non-profits looking to rent the Town Hall. Mr. Dean said that they have the data and could break it down by organizations or days of use. It's used somewhere around 100 days a year, or one of every three days. The Town Manager's office is confident that they've proposed reasonable rates, which would not be a burden on organizations. Ms. Gilman said that she had been looking at the fee structure of different towns, and found a lot on the lower end, \$5 - 20 for spaces under 75 people, while spaces with a higher capacity were higher than the proposal for the for profits. They also add on fees for custodial services. Ms. Surman said that she would be in favor of custodial services fees.

Mr. Ruffner of TEAM asked whether there would be a cap on the consecutive number of days. Ms. Gilman said that they were not ready to say, and that the gallery show he proposed doesn't fit in the category of days. Mr. Ruffner also pointed out that the school fees are not comparable because they have contemporary amenities. He asked if fees could still be waived, and Mr. Dean responded that the Town Manager's office is recommending not waiving any fees, except for the town or schools, but it's a board decision. He feels that they are woefully behind in establishing a fee, since they have a cost to maintain facilities. Ms. Gilman suggested that the proposal may not describe events in the way they need to be described.

Ms. Corson asked about the town warrant and what the citizens petitioned the board to do. Mr. Dean said that it asked for a \$125 fee for non-Exeter based organizations. Ms. Gilman asked Mr. Dean what he found out about multiday events in his research. Mr. Dean responded that a lot of the fees are per day, nothing was capped. The closest example is the Swasey fee schedule where commercial vendors can use one day per week per season fee, for an event such as the Farmer's market, for \$1200. They also have a single vendor seasonal fee of \$1000. Perhaps the town should create a seasonal fee? Ms. Gilman said that they are looking to limit the amount of time any one entity can schedule, so there likely won't be any seasonal things.

Mr. Bisson said that in Utah, Ohio, and Pennsylvania, Parks and Rec have a tapered schedule for long-running, multi-use events. He also suggested not to go into business with the vendors instead of charging a fee, because this would be an audit nightmare. Mr. Ruffner warned that if there's not much difference between the fee for 3 days or 30 days, people will take it for 30 days.

Ms. Gilman said that their discussion had provided a good place to start. Mr. Dean said that their goal is to charge the new fee to any event that is permitted after Jan 1 2019. Ms. Gilman also mentioned that other towns have an energy charge between October and April, and thought that the Energy Committee may have data on energy use at the facilities. Mr. Dean said that he would take the energy costs and divide it out by month.

Mr. Ruffner asked the board to clarify whether Town Hall is a community/cultural center or a resource for the town. Article 28 asked the board to commit to allowing Exeter groups to use town facilities. Ms. Gilman responded that there are costs to keeping the building up; it's not about making money, just preserving the space.

Ms. Gilman will invite the Swasey Trustees to the Select Board meeting on October 1st at 6 PM to discuss the Swasey Parkway fees.

#### d. Property Use Policy

Mr. Dean discussed changes that had been made to the property use policy. On page 4 sect 8.5, requests to use Raynes Farm will go through the Conservation Commission. Ms. Gilman suggested that ConCom should be added to the list of entities that approve their own facilities. On page 5, they added a proposal that they request sketches of the event layout as part of the event form, so that Fire and Police can review. If the sketch is updated, updates must be submitted 30 days prior to event. He distinguished between events that have spectators vs uses such as town hall meetings, although they are trying to capture all events on one form. Ms. Gilman said that "special event" is not defined in the policy, and Mr. Clement agreed that having to differentiate between uses and events was complicating things. Mr. Dean said that Town Ordinance talks about special events, but it is not defined; they are trying to stay away from being overly zealous about a definition, so that they could leave it to the Town Office's judgment. Ms. Corson agreed that the Town Office can make the determination. Ms. Cowan countered that they want it to be detailed. Ms. Gilman proposed that they should have a different word than "use," such as "meeting."

Mr. Dean said that the events form was an attempt to be comprehensive and prevent applicants from returning for additional permits, and that anything that doesn't apply to the applicant would be blank. Mr. Clement asked when the Select Board will approve the application, and Mr. Dean said they approve after the application is complete and the chief signs off.

Mr. Bisson of Parks and Rec said that he likes the idea of making applicants read through the options to help them question their own procedures and get organized. Ms. Gilman asked if they would give authority to Parks and Rec and the Library to permit their own facilities. Mr. Dean said that that was a board decision. Ms. Corson suggested that if the event application served for everyone, they should reword "you must submit the following" on page 2 to "you may submit the following if applicable." Mr. Dean said that as part of the application review, they indicate the things not needed.

Ms. Gilman asked whether the fees of multiday use and the limit on time scheduled are in the use policy. Mr. Dean said the prior use policy said that use of the Gazebo shall be limited to 4 uses for the same user, but reapplication is permitted if facilities are available. Ms. Gilman asked if there was anything about use such as that of the art gallery, which is just on weekends for a month. Mr. Dean responded that under section 4.3, special authorization from the Select Board is required for any use longer than one month. Ms. Gilman stated that the monthlong policy is fine.

Ms. Gilman asked about section 13, on alcohol. Mr. Dean responded that they've introduced a series of forms on this subject which are working well. Mr. Gilman asked who decides whether the event is required to hire police officers, and Mr. Dean said Police Chief

Shupe. Mr. Clement said that Town Ordinance is contradictory to the use policy on the subject of alcohol, since ordinance says that there should be no open containers on town property. Mr. Dean thought that there was an exception specified, and will look into it. He will also make edits to the use policy and show a clean copy at the next meeting.

Mr. Bisson gave a demo of the RecTrac Recreation software, which Parks and Rec is using for all facility rentals and activity registration; he suggested that the program could also be used for reserving town facilities. He then showed a sample event application created with Google Forms. It could be filled out online, which populates a database with the information, or printed out, filled out, and dropped off. Mr. Clement asked who does the programming for this software, and Mr. Bisson responded that his office does, but they could buy another license for Ms. Riffle if they wanted to. Right now they purchase five licenses for \$4200/year total

Ms. Gilman asked if the proposal was for all calendaring and scheduling of events to go through this system. Mr. Bisson said yes, since it's a more organized approach. They could even input the long event application form discussed previously. Ms. Corson suggested they try collapsing the information so that the applications won't make their packets too long in the future. Ms. Gilman asked if they could link the automated calendar to the front page of the website, since the current town calendar is a problem. Mr. Bisson said that there should be a way to embed it, and he will ask the vendor.

Mr. Dean felt that the event form is good, unless the Board had other comments, and that he wants to get through this piece before they talk about integrating the Parks and Rec system. Mr. Clement was concerned about making Parks and Rec input all this data, but Mr. Bisson responded that the software put all the work on the user and they're now at 55-60% online registration, so it was not that burdensome.

e. Sign and Plywood Board Policy

Mr. Dean said that the proposal is to formalize that sign use is limited to max of 6 weeks in the calendar year, and they've also added a provision for an electronic sign board. The policy is just for official use, not for fundraisers and similar events. Ms. Gilman liked that the policy captures current informal practices. Mr. Dean commented that despite small revisions, the 2004 version of the policy is still pretty much the standard.

**MOTION:** Mr. Clement moved to adopt the sign policy and Selectmens' policy 0401 as revised Sept 17 2018. Ms. Cowan seconded. All were in favor.

8. Regular Business

a. Tax, Water/Sewer Abatements & Exemptions

There were no Tax, Water/Sewer Abatements & Exemptions.

b. Permits & Approvals

**MOTION:** Ms. Corson moved to approve application of Town Hall facility use for Exeter Area Chamber on December 17th, 2018 for a networking event. Ms. Surman seconded. All were in favor.

**MOTION:** Ms. Corson moved to approve application for Town Hall facility use for Extreme Air of New Hampshire for 9/11, 9/18, and 11/6/2018 for jump rope practice. Ms. Surman seconded. All in favor.

**MOTION:** The organizer of the Extreme Air event requested a fee waiver, so Ms. Corson moved to waive the fee. Ms Surman seconded. All were in favor.

Ms. Surman discussed what the fees for these events would be under the new fee structure, and felt that they were high.

**MOTION:** Ms. Corson moved to approve the application for the Exeter Holiday Parade on Saturday, December 8th, 2018 from 5:30 to 9 PM. Ms. Surman seconded. All were in favor. Ms. Gilman was concerned that other participants have not been contacted about the change to the holiday parade. Ms. Surman responded that it's up to the committee to do that, and Ms. Gilman accepted that idea. Ms. Corson asked if they have a committee on holiday lights, and Mr. Clement replied that it's an ad hoc committee, not board-appointed.

**MOTION:** Ms. Corson moved to accept the application for the Exeter Area General Federation of Women's Club to place lawn signs in around Exeter for their Yuletide fair that will be held at Stratham Cooperative Middle School on Sat Nov 17th. Mr. Clement said that they've been very responsible in the past about placing and removing the signs. Ms. Surman seconded. All were in favor.

c. Town Manager's Report

Mr Dean has been busy with budgets, working with the departments on their initial budget requests and holding departmental meetings. Working on the preparation for the new tax rate setting. The change is a month away, but they're making sure that everything's submitted to DRA (Department of Revenue Administration). They're also waiting for the finalization of their MS1; just like last year they are having issues with the state with utility values. They've filed for an extension to Oct 1st. There was a police department audit from the CJIS (Criminal Justice Information Systems), a division of the FBI, and the police department passed with flying colors. They were very impressed with our operation. They are gearing up for a FEMA-driven emergency alert system test, the IPAWS (Integrated Public Alert and Warning System) National Test, scheduled for Thurs Sept 20 2018. They will put information on the town website.

d. Select Board Committee Reports

Mr. Clement attended the RPC meeting, where Theresa Walker made a report on agriculture. NH RSAs encourage agriculture and the raising of livestock, so zoning ordinances can't forbid agriculture, although they can restrict it. Also, Julia Branch gave a presentation about MS4, she's working with the Seacoast Stormwater Coalition.

Mr. Dean requested to discuss old and pending business that he'd like added to future agenda. First, in the packet of the previous week, there was a cable franchise contract, which is to be renewed Oct 24 2018. Second, he would like to bring in Exeter IT Assistant Bob Glowacky to explain his request for \$20,000 for a piece of equipment. Third, in the previous week there was a memorandum from resident Ms. Greenhalgh, and he wanted to know if she had been given this information; Mr. Dean said yes. Forth, there was a letter from COAST about appointing another Exeter representative to COAST, and he wanted that addressed; he recalled that last time the board appointed Mr. Sharples. Fifth, the deadline for deciding to appeal the BTLA decision on Great Bay Kids Company needed to be made by September 17th, but it was never brought to the board. Ms. Gilman responded that the discussion of that issue took place in a nonpublic session, so she didn't feel comfortable discussing it. Mr. Clement countered that they took a vote in public. Ms. Gilman responded that the consensus discussion made in a non-meeting meeting was not to go forward with an appeal. Ms. Surman objected, saying that she



thought that she had voted to go to the Supreme Court of NH, and that there was a majority of the board that wanted to go forward, so she wanted to see the minutes from the meeting. Ms. Gilman explained that they don't keep minutes on non-meeting meetings. Ms. Cowan said that she had been willing to appeal it with the BTLA, but if that was denied, she didn't want to go to the Supreme Court. Mr. Clement then raised a sixth issue, that several weeks ago, they had tabled a Water and Sewer abatement request. Mr. Dean responded that he had asked the department to follow up with the people to come in and speak to their request. Seventh, Mr. Clement asked about the status of the Garrison Lane property, which had been auctioned off several months ago. Mr. Dean stated that the buyer's attorney had asked the Town Office's legal counsel to petition the court to quiet the title because of title insurance issues. Ms. Corson added that if there's a title issue, the seller has 30 days to fix any deficiencies, which had probably been extended a couple of times. Mr. Dean said that they've done everything possible with respect to this property, and that the process takes time.

Ms. Cowan was not able to attend the Housing Advisory Committee. Ms. Corson attended, and said that there were a lot of good ideas, but she had nothing specific to report.

Ms. Gilman attended the NHMA conference on policies, where she met different town administrators, other selectmen, and fellow state representatives, and that she voted "yes" for everything.

Ms. Corson said that the Planning Board had finished their CIP conversation and sent it forward to budget and the Select Board with no recommendations. They also started the Rose Farm presentation, but decided to continue it in a special meeting because their next regularly scheduled meeting is too busy. They are having a site walk at Jailhouse Spring, aka Town Spring, on Wednesday at 5PM, and Thursday night is a special Planning Board meeting just for Rose Farm. Ms. Gilman wants to involve the Heritage Committee on the site walk because they have to look at the building that will be demolished, and requested that the site walk be posted as a joint meeting.

Ms. Surman had no report.

#### e. Correspondence

Mr. Clement sent in correspondence suggesting that the town seal should not be used by other groups in their Facebook postings, since it is a violation of the town copyright policy.

#### 9. Review Board Calendar

The next Select Board meeting is on Oct 1 2018 at 6 PM, and they will reach out to the Swasey Trustees about attending. The next meetings are on October 15th and 29th.

#### 10. Non-Public Session

There was no Non-Public session.

#### 11. Adjournment

**MOTION:** Ms. Surman moved to adjourn, Ms. Corson seconded. All were in favor. The meeting was adjourned at 10:24 PM.

Respectfully submitted,  
Joanna Bartell  
Recording Secretary