

Select Board Meeting
Monday June 21, 2021
6:45 PM
Nowak Room, Town Offices
Final Minutes

1. Call Meeting to Order

Members present: Julie Gilman, Molly Cowan, Lovey Roundtree Oliff, Daryl Browne, Niko Papakonstantis, and Town Manager Russ Dean were present in person at this meeting. The meeting was called to order by Mr. Papakonstantis at 6:45 PM.

The Board recessed to conduct an interview in the Wheelwright Room.

2. Board Interviews

- a. David Wold for the Communications Advisory Committee

The Board reconvened at 7:07 PM.

3. Bid Opening: Lagoon Sludge Disposal

- a. Denali Water Solutions of Russellville Arkansas provided a quote of \$2,781,900.
- b. Synagro of Baltimore Maryland provided a quote of \$2,587,591.

MOTION: Ms. Gilman moved to refer the bids to DPW for review and recommendation. Ms. Oliff seconded. All were in favor.

4. Public Comment

- a. Ken Damsell of 6 Dewey Street said he called Police on Saturday about excessive noise in the Parkway, but they did not respond. He went down and asked the organizers to turn it down, and he was ignored. They play music loud enough to vibrate the windows at almost any concert. The town should set up a noise ordinance on how loud they can be, and it should be enforced. Mr. Papakonstantis said they do have a noise ordinance, and he will look into the complaint.
- b. Assistant Fire Chief Justin Pizon did a successful test of the Zoom meeting.

5. Proclamations/Recognitions

- a. Chief Stephan Poulin recognized Officer Petroski, who was named DARE Officer of the Year for the US.
- b. Mr. Papakonstantis recognized those involved in the opening of the pool at the Rec Park this weekend. He thanked Parks and Rec, especially Melissa Roy, as well as the lifeguards, DPW, Highway, and Maintenance.

6. Approval of Minutes

- a. Regular Meeting: June 14, 2021

MOTION: Ms. Cowan moved to approve the minutes of June 14, 2021 as presented. Ms. Oliff seconded. All were in favor.

7. Appointments

MOTION: Ms. Cowan moved to appoint David Wold to the Communications Advisory Committee for a term to expire April 2022. Ms. Oliff seconded. All were in favor.

8. Discussion/Action Items

a. TAP Grant Discussion

Dave Sharples, the Town Planner, and Stephen Haas, a Design Engineer from Hoyle Tanner, were present to discuss the Brentwood Road/Epping Road/Columbus Ave intersection changes. Mr. Sharples said this process started in 2016, when he applied for a Transportation Alternatives Program grant to complete three sidewalks in town, including on Epping Road. When 80 Epping Road was developed, the Planning Board required a sidewalk of about 300 feet in front, but it did not connect to existing sidewalks. The town was awarded the grant for 80% of the project cost, and did a warrant article for the 20% match, which was approved by the voters. The project went through a series of federal reviews, including an engineering study. They did a public input process with the abutters to the project, but only a handful of people showed up.

The Design Engineer came up with two alternatives for that intersection. The first was to have a crosswalk at the Brentwood Road stop sign, and the second was to have a crosswalk across the island, which changes the traffic pattern. They've had 15 accidents in the 5 years of crash data. He sent out flyers to 112 people, everyone on Washington, Columbus, Spruce, and some on Brentwood, which included a notice that one alternative will change traffic patterns. The letters went out in February or March 2018, and were sent regular mail, not registered or certified. There was no legal requirement to notify abutters, but they wanted to. About 20 people came to the second meeting, and were unanimous that they preferred option 2. The town contracted with Hoyle Tanner to do a traffic study and count and look for safety issues, and concluded that, while additional traffic would go down other streets, they could handle the increased capacity. They began the final design process on option 2 after that. It took until now to do the construction because that's how Federal Grants work, and they also had to get the easements from abutters. They were ready to put out for bid last year, but it wasn't good timing since it was towards the end of the season. They put it out to bid in Spring 2021, got bids, and started construction.

Mr. Papakonstantis said a 45% increase of southbound traffic on Winter Street sounds significant, is that high? Mr. Sharples said the key factor is not the percentage increase, but the number of cars. There are about 100 additional cars on Winter Street during peak hour, 7-9 AM and 4-6 PM.

Mr. Papakonstantis asked about the selection of the week in August to do the traffic study, when many people are on vacation. Mr. Haas said they try to avoid any period when things may not be normal. They sometimes use adjustment factors based on DOT numbers, but did not in this case. August is the highest month for the nearest local DOT counter. Ms. Oliff said Exeter in August is different than Hampton and other beach-friendly areas. Mr. Haas said the nearest counter is on 101 near Exeter.

Mr. Papakonstantis said a vibrant business [Exeter Bowling Lanes/Shooter's Pub] is located on Columbus, with a lot of peak traffic in the evenings. Was that factored in, or did they speak with the business owner? Mr. Haas said no.

Ms. Oliff said she'd like the public to focus on how they can move forward.

Keith Kondrat of 49 Winter Street said he's frustrated with the new traffic pattern. He can't get out of his driveway. They forgot about the traffic for the schools coming across. He did not receive the flyer about the public input meeting. Ms. Oliff asked for a show of hands on how many did receive the flyer, and no hands were raised.

Salina McIntyre of Arbor Street said people coming through Winter Street, parking on both sides, too narrow. Should be parking on one side, might make it more passable and safe. Asked if the new development on Epping Road was factored in, which will add more people using Epping Road. Mr. Haas said future traffic was not projected.

Chris Soutter of Cullen Way said traffic studies usually look at multiple times, not a one-day study. She's here to support Rob Ficara and his business, which support non-profits and the community.

Norm Geis of 14 Spruce Street said he's upset about the lack of communication. He never received a flyer or heard anything until construction started. There's an inconvenience to going down Washington or Winter to get to his house. He doesn't think they got enough people from Columbus, Washington, or Winter at the public input meeting. He wants to redo the intersection to go with option 1.

Leslie Haslam of Columbus Ave said she came back from a vacation to construction and didn't know how to get out of her neighborhood. She can't figure out when to pull out of Columbus onto Brentwood Road. She thinks they should go back to option 1. The intersection at Railroad and Columbus is much more dangerous than this intersection.

Mr. Sharples said their primary focus was introducing pedestrians to the intersection, and looking to get them safely across.

Tom Hemenway of Epping Road said this intersection hasn't been a major issue in the past. Standing on the island is dangerous for pedestrians. He's also concerned for Rob Ficara, who should have been taken into consideration.

Leslie Haslam said she is elated to have the Winter Street to Park Street sidewalks finished.

Harold LaFoe of 17 Columbus Ave said that Hoyle Tanner is one of the most recognized companies in the industry, but for that neighborhood, there should have been a 30/60/90 day mechanical study to get real numbers. They decided to change the traffic pattern, and notified everyone but the one business on Columbus Ave. The only way to fix it is to start with a real traffic study.

Rob Ficara of 6 Columbus Ave said he's owned the Exeter Bowling Lanes for 35 years. He was raised to give back to the community. In 2019, he was

responsible for helping to raise \$97,600 for charities. They're only at about 20% of the traffic now of what it will be when bowling and dart leagues start in September and people are back from vacation. Traffic will be crazy. Columbus is a better street at handling the traffic than the surrounding streets. He can't say yet what the impact to his business is, but he has heard that people are going elsewhere. Bowlers come from Maine, Massachusetts, and further, and come into town from the 101 via exit 9. There's a lack of communication and respect. They should have come and talked to him. He asked the town to take the intersection down.

Molly Cowan of 58 Columbus Ave said she's a neighbor to Rob, but really appreciates the work Mr. Sharples has done to make the sidewalk safer there. When she was running for Select Board, she heard that people wanted to walk their children to Great Bay and had trouble with this intersection. She feels horrible that they've dropped the ball here. What would taking it out mean for the grant, and for the other taxpayers who don't live in the neighborhood? They need to explore how to make this better. The Winter Street intersection is a nightmare. Her property value is increasing due to this decision, so maybe she should recuse herself. The construction piece has calmed the traffic, but it may be making things worse for children on Washington Avenue. She wants to look at how to make this better. She doesn't think there was a deliberate disrespect of this pillar of the community [Mr. Ficara].

Mr. Haas said they presented both options at the public meeting, and there was a lot of concern about introducing pedestrians to this intersection. When cars take the left onto Brentwood Road, there was a concern that cars going through would pass those turning. Ms. Oliff said with the new development, there will be more kids walking to Lincoln and Main Street Schools. She wants to find a solution without spending too much money and without losing sight of future development. Mr. Papakonstantis said they need to figure out what to do to make this better, and how they can handle the process better next time.

John Haslam of 15 Columbus Ave was concerned that they did not look at future growth or the apartments. They have improved Columbus but made the traffic worse on Washington, Winter, and Spruce.

Rob Ficara said that at the meeting where residents were invited, there was one person from Winter Street and no one else from any of the neighborhoods. They have a lot more work to do on this town, and this process is a problem.

Martin Mulrey of 105-107 Washington Street said cars, trucks, and tankers are going down Washington Street. The whole street rattles. A mistake has been made. Their 8-ton truck limit is never enforced. They could use a couple cops on the street.

Ron Thomas of 15 Arbor Street said they should push the crosswalks back further and put in blinking crosswalk signs like PEA. Mr. Sharples said those are for mid-block crossings, not a stop control intersection. The crossing

here is at a stopped crossing. They did propose one on Winter Street, but people were adamantly against it.

Mr. Sharples read the streets of the attendees of the public meeting; there were 9 people from those streets, and he also got a couple of resident calls. He'd like suggestions on getting more public input.

Kelly Kondrat of Winter Street asked if they will put in a crosswalk from Winter Street to the Park Street Common. Ms. Gilman said that was part of the original proposal, where they discussed the blinking light. Mr. Sharples said that originally folks wanted a crosswalk. DPW hired Underwood Engineers, who looked at where they could put a safe crosswalk, but because of the speeds and the sight distance, felt there was no safe place for it. Once they put a crosswalk in, the town is sanctifying that people can cross there. They looked to re-explore that when putting in sidewalks, and designed one that needed flashing beacons, but the folks that lived there who gave easements were adamantly opposed to that. They try to come up with the best solution given the public input.

Chris Soutter said re communications, they send out email blasts, regular mail, and put it on the website and social media, and there's always a bunch of people saying they didn't know. Sometimes it just doesn't carry over. The reason the residents are here is because Rob spoke to them. If something matters, they should get out and go face to face.

Joe Leweck of 12 Exeter Highlands, who owns a business on the corner of Winter and Rockingham, said communication could have been better. He's surprised the meeting even went forward with only 9 people. The traffic on Winter has increased greatly, so that he can't get out of his driveway. They should have had a larger sampling of the community at large. It's not the worst thing to scrap a project.

Mr. Papakonstantis brought the discussion back to the Board. He said one of the biggest responsibilities of the Board is to increase public safety. Pedestrian safety was accomplished, but they may have created another problem. He asked Mr. Sharples what options they have at this point. 80% of this was paid for by a grant. Can they submit another design, or will they lose the Federal money? Mr. Sharples said he can't predict how the Feds will react. They didn't review the concept plans, only the preferred alternative, which was option 2. He would have to go back and ask them what the process would be. They would want to review any redesign.

Ms. Oliff asked how they would communicate with the public about what will happen. Mr. Sharples said sometimes the Feds are very busy; he'll submit something and months will go by. He'll do his best to get an answer as quickly as he can.

Mr. Papakonstantis said the traffic study seems faulty. It was taken on one day during school vacation week. Can they revisit it? Mr. Sharples said possibly, but they won't be funded by the grant. They did an Epping Road Corridor study as part of the TIF study and got traffic counts, so he can contact VHB and get that data, and see what they advise.

Mr. Papakonstantis said they will put this on the Select Board meeting agenda as more information becomes available.

Mr. Browne said concerned that no projections were done for the future, so he's interested in VHB's opinion. If Brentwood Road traffic increases, what's the impact there? Mr. Sharples said they did do a future traffic study through VHB. They proposed a two-lane roundabout, but that didn't seem feasible, since it would take out several houses and a business. Traffic studies are all assumptions, they can't really predict how many cars will be added from square footage of development.

Ms. Gilman said she understands that changes are difficult and there are concerns about process. She asked about the study of all the problem intersections in town, Mr. Sharples said he's only involved with this intersection because this was a grant for pedestrians. They would have to get an update from DPW. Mr. Dean said the DPW were looking to form a work group based on the intersections they've come up with so far.

Ms. Oliff asked what the quorum from each neighborhood should have been. Do they not pass or vote on things unless a certain percentage of people are present? Mr. Sharples said there are no guidelines. He has gone door to door himself. He's always looking to get more of the neighborhood.

Andrew Elliott of 42 Washington Street spoke remotely via Zoom. He has seen some growth since buying a house in 2012. He's been working with Mr. Sharples on Washington Street. He doesn't necessarily want them to change back the intersection, but there's been a significant traffic increase on Washington. They should complete the sidewalks, which are very unsafe. He would like to see traffic calming measures on Washington and Winter to reduce the speed, if not the volume.

Mr. Sharples encouraged anyone with concerns to contact him directly. Mr. Papakonstantis said he will personally work with Mr. Ficara to update everyone.

- b. Third Reading - Animal Control Ordinance Amendment
 - i. Ms. Gilman read the change to the Animal Ordinance, the third and final reading. This is an amendment to chapter 9, section 910, to add Kids Park and Townhouse Common.

MOTION: Ms. Gilman moved to close the public hearing. Mr. Browne seconded. All were in favor.

MOTION: Ms. Gilman moved to adopt the amendment to section 9 of the ordinance. Mr. Browne seconded. All were in favor.

- c. 44 River Street- Restoration of Involuntarily Merged Lot
 - i. Mr. Dean said they received an application to restore 44 River Street. The Building Dept was under the impression that the town had never voluntarily merged the lot, but they got documentation that the previous

owner had voluntarily merged the lot. Mr. Eastman is recommending that the Board move to deny the application.

MOTION: Ms. Cowan moved to deny the application for the restoration of an involuntarily merged lot for the property of 44 River Street (Tax Map Parcel #72/98) in accordance with the new information provided from the former property owner verifying that the two parcels were voluntarily merged in 2004 and the letter from the Town Assessor, dated March 29 2004, confirming the lot merger and recent changes in the property assessment value. Ms. Oliff seconded. All were in favor.

9. Regular Business

a. Tax Abatements, Veterans Credits and Exemptions

MOTION: Ms. Gilman moved to approve an intent to excavate for 113/5. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve an abatement for 111/5/3 in the amount of \$45.16 for 2020. Ms. Cowan seconded. All were in favor.

MOTION: Ms. Gilman moved to approve an abatement for 111/5/6 in the amount of \$69.63 for 2019 and the amount of \$132.25 for 2020. Ms. Cowan seconded. All were in favor.

b. Permits & Approvals

i. Warrant for unlicensed dogs from Town Clerk.

MOTION: Ms. Oliff moved to approve the dog warrant for 2021. Ms. Gilman seconded. All were in favor, and each member signed the warrant.

ii. The Board received an email from Scott Ruffner of TEAM requesting to waive the fees for the TEAM festivals. They should provide relief for arts and culture in the community, which suffered loss during the pandemic. Mr. Papakonstantis suggested reducing all fees for Exeter based organizations by 50% in 2021. The fees are minimal, but help maintain the Parkway and Town Hall; reducing them by 50% could fit into the budget.

MOTION: Ms. Cowan moved to reduce the Swasey Parkway and Town Hall rates for Exeter based organizations and non-profits by 50% for 2021. Ms. Oliff seconded. Mr. Browne asked if this complicates things for the Swasey Parkway Trustees, and Mr. Papakonstantis said it's the Select Board's issue. The Trustees feel strongly about waiving fees, but this 50% is out of the town budget for this year. All were in favor.

iii. Mr. Papakonstantis discussed the closing of Swasey Park, which expires on June 30. He spoke with Dwayne Staples, Chair of the Swasey Park Trustees, who requested to meet with the Select Board in July following the Trustees' meeting June 30. He asked the Board to consider extending the closure through July 12, 2021 to allow the Trustees to have their meeting and allow the public fair notice to come before the Board. Ms. Gilman said this should go beyond July 12.

MOTION [not voted]: Ms. Gilman moved to extend the closure of Swasey Parkway to vehicular traffic to the date of July 17, 2021. Mr. Browne seconded. Ms. Gilman said July 17 is a Saturday, and she would prefer to have it expire on the Friday.

MOTION: Ms. Gilman amended her motion, to extend the closure of Swasey Park to vehicular traffic through July 16th. Mr. Browne seconded the amended motion. All were in favor.

- c. Town Manager's Report
 - i. They can now hit the GOFER site and get the tranche of ARPA funds, which will be around \$800,000.
 - ii. They received 15 proposals for the Public Safety alternatives analysis. They're looking for another member of the Board to participate on that committee.
 - iii. They submitted the LCHIP grant application.
 - iv. Today was the Network Administrator Steven Bailey's first day.
 - v. Regarding outdoor dining, SB155 is in a state of flux, but locally they've allowed it to continue. This seems to be the way other communities are handling it.
 - d. Select Board Committee Reports
 - i. Mr. Browne had no report.
 - ii. Ms. Gilman had a Heritage Commission meeting, where there was continued discussion on the Park Street neighborhood area. Survey done and still processing the data. Thursday is the last day in Concord, and they will vote on 45 bills. HB315 would allow municipalities to generate up to 5 MW of power, and the transfer station was designed for 1.75 MW. The State now says only 1 MW, which would hamper our potential.
 - iii. Ms. Cowan had no report.
 - iv. Ms. Oliff had no report
 - v. Mr. Papakonstantis had no report.
 - e. Correspondence
 - i. A letter from the Department of Transportation regarding sign replacement work on 101 in Epping, Brentwood, and Exeter.
 - ii. An update from Executive Council
 - iii. A letter regarding the Exeter 2019 cyclical revaluation from the DOR. Mr. Dean said the State sent the letter to certify the activities of the 2019 cyclical revaluation.
 - iv. Correspondence from two citizens, one on sidewalks at Portsmouth Ave, and one opposed to the addition of the Assistant Town Manager.
10. Review Board Calendar
- a. The next meetings are July 12 and July 19.
11. Non-Public Session
- a. There was no non-public session at this meeting.
12. Adjournment

MOTION: Ms. Gilman moved to adjourn. Ms. Oliff seconded. Ms. Cowan had stepped away, and the motion passed 4-0. The meeting adjourned at 9:21 PM.

Respectfully Submitted,
Joanna Bartell
Recording Secretary