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**APPROVED**  
**TOWN OF PELHAM**  
**BOARD OF SELECTMEN - MEETING MINUTES**  
**August 1, 2017**  
**APPROVED – August 21, 2017**

**CALL TO ORDER** - approximately 6:30PM

**PRESENT:** Mr. Doug Viger, Mr. Hal Lynde, Mr. William McDevitt, Mr. Paul Leonard

**ABSENT:** Ms. Amy Spencer, Town Administrator Brian McCarthy

**PLEDGE OF ALLEGIANCE**

**MINUTES REVIEW**

**July 18, 2017**

**MOTION:** (Lynde/Leonard) To approve the July 18, 2017 meeting minutes as amended.

**VOTE:** (4-0-0) The motion carried.  
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**July 25, 2017**

**MOTION:** (McDevitt/Lynde) To approve the July 25, 2017 meeting minutes as amended.

**VOTE:** (3-0-1) The motion carried. Mr. Leonard abstained.

**OPEN FORUM**

No one came forward.

**APPOINTMENTS**

**Donation of painting by Dr. Titus Plomaritis**

Dr. Plomaritis presented a donation of painting by Janet Lambert Moore. The plaque on the painting read: *New Hampshire State Capital – November 2, 1976 – Honorable Claire Plomaritis, first female State Representative elected in 230 years, dating back to 1746, from the Pelham District.* Dr. Plomaritis told the Selectmen he would be honored if they would accept the painting and put it in a location where the public would have access to it. Mr. Viger invited him to speak about his involvements within the community. Dr. Plomaritis spoke about his book entitled 'Titus', and described some of his life experiences included within. He encouraged people to purchase his book, explaining that 100% of the proceeds were deposited into a scholarship fund for students. The Selectmen recognized everything Dr. Plomaritis had done in Town and thanked him for donating the painting.

**Discussion – Planning Director Jeff Gowan and Planning Board Chairman Peter McNamara – Tuscan Village Notice of Regional Impact**

## BOARD OF SELECTMEN MEETING/August 1, 2017

Mr. McNamara stated there was a development proposed for Rockingham Park. He reviewed the Salem Planning Board's meeting minutes of June 20, 2017 and understood it would be a two million square foot mixed use development (66-67 acres). He believed traffic would be the major impact to Pelham. He understood Salem and the State Department of Transportation ('DOT') were looking at the traffic impact to the Salem community; however, since the project was labeled 'regional impact', it would give Pelham notice of all meetings and an ability to send a representative to speak for the Town. The Town's rights during the process fell under the RSA.

Mr. Leonard questioned what type of participation the Town's representative would have. Mr. McNamara replied the participation would be as an abutter.

Mr. Gowan discussed the components of the preliminary plan and noted at present there would be 300 units of residential living, including 160 units of assisted living. He noted Town Counsel advises the Town to have one official 'voice' to share concerns/comments. Salem's next meeting is August 31<sup>st</sup>, which will be their preliminary traffic study meeting. Mr. Gowan suggested having Keach Nordstrom (Planning Board's engineering firm) review the traffic analysis and potential impacts to Route 38. He noted the project was conceptual and in a preliminary state. He believed Pelham would be well served if the board reached a decision regarding the 'one voice' that would represent the Town and speak clearly regarding the consensus of concerns through the process.

Mr. McNamara discussed the project time tables. Salem intends to be in the ground by September, 2018 and start construction between Spring, 2019 and January, 2020. The entire process could take two-five years. He noted a project of this magnitude could change drastically over time as there were ongoing negotiations with potential tenants.

Mr. Leonard understood the project was 'preliminary'; however, when driving by he saw excavators, trucks pouring concrete, etc. He questioned what was being built during this conceptual phase. Mr. McNamara replied they could be doing water impact/drainage studies. Mr. Gowan noted he would contact Salem's Planning Director. To keep up with current information, he said he would forward the Board with a link to the Salem Planning Board. Mr. Leonard spoke about traffic concerns and questioned if the studies done for the casino could be used in the process. Mr. McNamara replied the proposal was for a mixed-use district with commercial, retail and residential. He said if he were a member of the Salem Planning Board he would want totally new studies. Mr. Gowan added that since gaming was never approved, advanced plans weren't created.

Mr. Lynde wanted to know if there were other areas Pelham should look at, other than traffic. Mr. McNamara understood the developers had spoken with the Canobie Lake Water Association because of concerns regarding the water draw. There are also the typical environmental concerns. He noted there were plans for a four-acre pond with a boardwalk going around it. Mr. Lynde questioned if the Nashua Regional Planning Commission ('NRPC') would have a role in the process. Mr. McNamara replied they might, through Pelham's involvement; however, Salem was Rockingham County. Mr. Gowan stated he would reach out to Salem's regional commission. Mr. Lynde inquired if Pelham could get funding from the developer to pay for the Town's experts to look at the plan. Mr. Gowan suggested getting Town Counsel's opinion regarding the Town's rights, since the project wasn't in Pelham. Mr. Lynde asked if the DOT was involved in the process and wanted to know if they had a metric that indicated Route 38's capacity. Mr. McNamara saw in the meeting minutes (June 20<sup>th</sup> Salem Planning Board) that the DOT was studying some aspects of the traffic, but he didn't know to what extent or if it extended down Route 38.

Mr. McDevitt spoke about using Google Maps to see which route it would recommend travelling to the new development if he lived on the other side of the Merrimack River. He said the primary

recommended route was over Sherburne Road. With regard to traffic, he pointed out that Route 38 was the 'known' route, but the things that would 'kill' Pelham would be the other routes, such as Sherburne Road, Keyes Hill Road, Tallant Road, Jeremy Hill Road, etc. He noted other on-line map services, such as Waze, redirected people to use interior streets/roads through neighborhoods. He also wanted the intersection of Route 38 and Ledge Road to be discussed, since it was already a problem. Mr. McDevitt was concerned about traffic, and where it would be redirected during peak times, and what the impacts would be. He wanted to raise Salem's sensitivity to the fact that the traffic impacts would not just be to main roads, but to other roads as well. He noted Pelham was already a cut-through Town and the development would make it worse. He ended by saying he was very much in favor of the project and felt it would be a great development.

Mr. Viger understood that August was a busy month for Mr. Gowan. He asked if he would be willing and able to be the Town's representative. Mr. Gowan replied he would be able. He said he would speak with the Salem Planning Director and NRPC to answer some of the Board's questions. He asked if his budget review and NRPC presentation to the Selectmen could be rescheduled. Mr. Viger answered yes. Mr. Leonard volunteered to accompany Mr. Gowan through the process.

Mr. Lynde believed the Town should ask NRPC for a proposal of what should be covered in the project and to bring up Mr. McDevitt's concerns about interior road traffic. Mr. McDevitt didn't feel that the Salem Planning Board would worry about alternate routes (within Pelham) and stated Pelham would have to do their best to place those concerns on Salem's 'radar'. He said having data would help to accomplish it and possibly make a greater impression.

Mr. McNamara gave the Board a status update on the Capital Improvement Plan committee. He said they were just about finished reviewing the Town's items and were waiting for figures from the School. The committee hoped to make a presentation to the Selectmen at some point after August 21<sup>st</sup>. Mr. Viger replied that timeframe would be good so the Selectmen could consider the plan when finishing the budget.

**Discussion – Parks & Recreation Director Brian Johnson – Pelham Veterans Memorial Park Beach Permit data / Continued discussion re: Non-resident use**

Mr. Johnson came forward. Mr. Viger informed that the Selectmen had ongoing conversations to whether the Town Beach (at Pelham Veteran's Memorial Park – 'PVMP') should be open to residents only, or also opened to non-residents. There was a brief discussion at the Board's previous meeting as to whether it had already been approved. Mr. Viger said during the Selectmen's meeting of May 13, 2014, the Board restricted PVMP and beach permits to 'Residents Only'.

Mr. McDevitt questioned how many beach parking spots there were and wanted to know how many beach permits were sold. Mr. Johnson replied there were approximately 20-25 spots and had sold to date 148 beach permits to residents only. Mr. McDevitt stated the first priority always had to be to the people who pay for the place and didn't see any reason to change the Board's previous action. He believed there were compelling reasons to maintain the status of 'residents only', one being the number of parking spots.

In speaking with Mr. Johnson earlier, Mr. Viger understood that the residents using the beach spread out their use during the week; it was the weekends that got busier and would make policing difficult. However, maintaining the status for 'residents only' would give the Police Department the ability to police the area.

Mr. McDevitt asked if residents were given stickers for their vehicles. Mr. Johnson replied they had been using a laminated pass system that could be shown to the lifeguards. In the past they used vehicle stickers, which required one of the lifeguards to walk up the hill to the parking area to check the vehicles, leaving the beach with only one lifeguard. Mr. McDevitt asked if it would be more useful to have vehicle placards. Mr. Johnson replied it wouldn't be useful on his end of enforcement. He couldn't have lifeguards constantly walking up the hill to see if vehicles had placards.

Mr. Viger believed it was 'crystal clear' that the Selectmen had voted to restrict PVMP to Residents Only and felt it was appropriate to proceed based on that vote.

Mr. McDevitt confirmed that the summer camp was opened to non-residents to fill excess capacity. Mr. Johnson answered yes. Mr. McDevitt felt the Board should formalize such through a vote before next summer. Mr. Johnson agreed. Mr. Lynde agreed it should be ratified and asked Mr. Johnson to bring it forward. Mr. Johnson replied he would get together with the Town Administrator to bring something to the Board.

**Application to Expend – Parks & Recreation Director Brian Johnson – application to expend money from the Pelham Veterans Memorial Park Trust Fund**

Mr. Johnson explained when opening Pelham Veterans Memorial Park ('PVMP') they have to turn the water on. This year they had extensive repairs to the beach front bathrooms, and he requested that the cost of \$2,271.80 be taken from the PVMP Trust Fund. The PVMP Trust Fund is funded by the beach permit program. Mr. Viger believed the payment would go through the Trustees of the Trust Fund. Mr. Johnson understood the Selectmen were agents to expend.

**MOTION:** (McDevitt/Lynde) To authorize the expenditure of \$2,271.80 out of the Pelham Veterans Memorial Park Trust Fund to pay for plumbing as outlined this evening.

**VOTE:** (4-0-0) The motion carried.

**Donation – Hobbs Community Center Director Sara Landry – Donation of ceiling fans**

Mr. Viger read through information provided to the Board. There were two ceiling fans being proposed at \$99 each, with approximately two hours of installation. Ms. Landry spoke with D.E.M. Electric who offered to donate the time to install fans.

**MOTION:** (McDevitt/Leonard) To accept the donation of two ceiling fans to be put in at the Hobbs Community Center and to be installed by D.E.M. Electric.

**VOTE:** (4-0-0) The motion carried.

**OTHER BUSINESS**

**Update – Elderly Exemption**

Hobbs Community Center Director Sara Landry came forward. As a follow up from a previous discussion, Mr. McDevitt said Ms. Landry sent an email to the members of the Council on Aging letting them know there would be a public discussion on Thursday, August 10<sup>th</sup> at 1pm. The discussion will be regarding the 'straw man' recommendation put together by the Selectmen regarding the Elderly Exemption. He said it would be just a discussion to seek feedback. Ms. Landry stated she had good

185 feedback from the email she sent out and anticipated approximately 15 participants and hoped for more  
186 to attend and provide feedback. She noted the meeting was open and everyone was welcome to attend.

187  
188 **Review – Use of Town Fields Policy**

189  
190 Mr. Viger stated that the Board received a draft policy for review. He asked that they review the  
191 document and submit proposed changes for a discussion at a later meeting.

192  
193 Mr. Lynde said he submitted comments and believed Ms. Spencer also had comments. Mr. McDevitt  
194 suggested setting aside an hour at a later meeting for a discussion based on the number of comments  
195 the Board had.

196  
197 **Discussion/Schedule Hearing - Senate Bill 38 / NH Department of Transportation Grant Award.**  
198 **Schedule a Public Hearing per RSA 31:95-B to expend.**

199  
200 Mr. Viger understood the State had chosen to award the Town money above and beyond the funds  
201 awarded with the Highway Block Grant. He said because it was a separate grant coming from the State  
202 they needed to set up public hearing to expend it.

203  
204 Mr. Leonard commented when the press release hit social media it had received good feedback. Mr.  
205 Viger believed the grant money may be specific to road or bridge repairs. Mr. Lynde explained it could  
206 not be used for an ongoing project. Mr. Leonard noted that Sherburne Road wasn't an officially  
207 sanctioned project and questioned if the grant money could be used for a Sherburne Road correction.  
208 Mr. Lynde answered yes.

209  
210 Mr. Viger believed the Board needed further discussion and should get Highway Road Agent Frank  
211 Ferreira involved. Mr. McDevitt understood there were two grants; the one being discussed, and a  
212 separate one for bridges. Mr. Lynde replied the State had added more money for bridge projects and  
213 Pelham would benefit from such. He believed the Department of Transportation earmarked the money  
214 for the Willow Street Bridge project in this year's fiscal year budget (ending June 30, 2018). He  
215 understood that the money had already been committed and the State was happy with everything that  
216 had been done. During the most recent meeting with Quantum Engineering those facts were reiterated  
217 and it was understood that the Town needed to complete its actions so everything could be signed off  
218 for the project. The current plan is to go out for bid this Fall, with the idea of starting construction next  
219 Spring. Mr. Lynde said separately they reviewed the budget and in the worst case scenario may be over  
220 by approximately \$20,000, but in the long run may end up with a surplus.

221  
222 Mr. McDevitt understood that Willow Street may be closed to through traffic for an extended period of  
223 time when work begins on the bridge, which would affect school buses, emergency vehicles, etc. Mr.  
224 Viger suggested having the Highway Safety Committee involved. The Selectmen agreed. Mr. Lynde  
225 said it may be possible to schedule the work for the end of the school year and commented he would  
226 speak with Quantum.

227  
228 **Review – Letter to Board of Selectmen requesting to purchase a parcel of land from the Town**

229  
230 Mr. Viger stated the Selectmen received notification from a law firm who was looking to purchase  
231 'coffee lots' around Little Island Pond. He said Mr. McCarthy had requested the authority to provide  
232 the information they were looking for and explore whether or not the Board of Selectmen wanted to  
233 engage in selling the lots. Mr. Viger knew some of the lots had been controversial in the past, so  
234 initially without seeing the lots on a map he would say to stay away from it; however, Mr. McCarthy  
235 was willing to explore and provide feedback.

Mr. Lynde understood the attorney wanted to meet with the Board. Mr. McDevitt had the same understanding. He believed Ms. Spencer had some concerns. He recalled a similar request came forward last year and after the attorney had done a lot of work the Board turned down the request because it became abundantly clear that there was some controversy in the neighborhood. He had the same concerns with the request that was recently received.

Mr. Viger stated the Board would review the request when Mr. McCarthy was present.

**SELECTMEN REPORT(S)**

Mr. McDevitt stated someone had donated a fairly large (living room) organ for the seniors to sell at their boutique. He was approached to find out if there was any interest in having the organ moved to Sherburne Hall. He will contact the Parks and Recreation Department to see if the theater group would be interested.

Mr. Lynde informed that Rob Hardy, New England Representative for the Professional Golfers Association ('PGA'), was instrumental in putting forward a proposal to the PGA to donate money to the Pelham Community Coalition ('PCC'). He stated the PCC received a check in the amount of \$2,000, which was greatly appreciated.

**REQUEST FOR NON-PUBLIC SESSION**

**MOTION:** (Leonard/Lynde) Request for a non-public session per RSA 91-A:3,II,a (Personnel)

**ROLL CALL:** Mr. Viger-Yes; Mr. Lynde-Yes, Mr. McDevitt-Yes; Mr. Leonard-Yes

It was noted that when the Board returned, after the non-public session, the Board would not take any other action publicly, except to possibly seal the minutes of the non-public session and to adjourn the meeting. The Board entered into a non-public session at approximately 8:00pm.

**MOTION:** ( ) To leave non-public session.

**VOTE:** ( ) The motion .

The Board returned to public session at approximately pm

**MOTION:** ( ) To indefinitely seal the non-public meeting minutes.

**VOTE:** ( ) The motion .

**ADJOURNMENT**

The meeting was adjourned at approximately pm.

Respectfully submitted,  
Charity A. Landry  
Recording Secretary