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**APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN - MEETING MINUTES
March 20, 2018
APPROVED – March 27, 2018**

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CALL TO ORDER - approximately 6:30PM

PRESENT: Mr. Hal Lynde, Mr. William McDevitt, Mr. Doug Viger, Ms. Heather Forde,
Town Administrator Brian McCarthy

ABSENT: Ms. Amy Spencer

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PLEDGE OF ALLEGIANCE

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MINUTES REVIEW

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February 13, 2018

MOTION: (McDevitt/Lynde) To approve the meeting minutes of February 13, 2018 as amended.

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

ANNOUNCEMENT(S)

- Volunteer Open Board positions – applications accepted at Selectmen's office by 4pm, Monday, March 26, 2018 :
 - Zoning Board - 2 full time; 1 alternate
 - Conservation Commission – 3 full time
 - Forestry Committee - 2 full time
- Board of Selectmen – Notice of Public Hearings per RSA 41:14-A on Tuesday, March 27, 2018 and Tuesday, April 10, 2018 beginning at 6:45pm at Sherburne Hall, 6 Village Green, Pelham, NH, regarding the proposal to purchase approximately 26 acres defined as Map 29 Lot 7-14 (Off Briarwood Road) to be acquired for use as open space land.

OPEN FORUM

No one came forward.

APPOINTMENT(S)

Dedication of Town Report: Owen Poumakis Family

Mr. Viger stated that Owen was an employee of the Town for a very long time and had a great spirit and was always a great young man. His son worked with him (at Pelham Cable Television). It was with pleasure that the Selectmen dedicated the Town Report to Owen.

Owen's mother came forward and thanked everyone for being so kind to her son. She said one of the gifts the Town gave her son was for him to be able to tell people he had a job; this was priceless. She

appreciated the kindness given to her son and said he always felt part of the team. She thanked the Town from the bottom of her heart.

ELECTION OF OFFICERS

Mr. McDevitt nominated Mr. Lynde for Chair. Mr. Viger seconded.

MOTION: (McDevitt/Viger) To appoint Mr. Lynde as Chairman.

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

Mr. Lynde nominated Mr. McDevitt for Vice Chair. Ms. Forde seconded.

MOTION: (Lynde/Forde) To appoint Mr. McDevitt as Vice Chairman.

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

Deb Waters: Forestry Committee regarding:

- 1) Nashua Regional Planning Commission mapping
- 2) Cutler Spaulding Conservation area

Ms. Deb Waters of the Forestry Committee came forward. She made the Board aware that they had contracted with Nashua Regional Planning Commission ('NRPC') for a trail mapping project. She explained they had advancements in trail mapping that included a professional quality GPS unit and a large amount of GIS capability. She spoke about how the technology would map the trails on the ground and accurately depict the trail locations. They also have the capability to create the information, so people can use their mobile device to launch an app that shows the trails. Ms. Waters said in addition, NRPC had the ability to mark waypoints along the trails which would aide emergency responders in the event of an emergency. She understood coordination would need to occur with the Town's emergency response. She said the information currently on the Town's website would need to be updated. All the information would be housed at the NRPC. Any new trails will be coordinated with them.

Mr. Lynde spoke about the work that had been done to create and mark the trails. He felt the proposed project would be a great addition.

Mr. McCarthy wanted to know how emergency services would connect. Ms. Waters was unsure and felt it was too early in the process. Mr. McCarthy believed it would be an asset for emergency responders. Ms. Waters agreed. She said they were just starting the process now.

Ms. Waters then discussed the new forest management plan for the Cutler / Spaulding Conservation Area; land between Gumpas Pond Conservation Area and Merriam Cutter Conservation Area. The plan is for a portion of the property since some of the property was already forested. Of the five stands, they will be going into stand 1, 2 and 3. Ms. Waters noted when they do a forest management plan they hire a New Hampshire Licensed Forester. The forester puts a plan together that addresses the four elements of the New Hampshire Tree Farm System (wood, water, wildlife, recreation). The property is walked and put into a grid system to identify the 'stands'. Each stand is evaluated for a management strategy. Money from the harvest is deposited to the Forest Management Fund.

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Mr. Viger questioned if the forest had been harvested in the past. Ms. Waters replied stand 4 and 5 were harvested by the prior owner. Mr. Viger wanted to know if there was an existing landing site, or if a new site would be utilized. Ms. Water explained they would create a new landing site on stand 1, near the Gumpas Pond Conservation Area, which was used when they forested the Gumpas area. Mr. Viger questioned if the landing area would later become a parking area to access the area. Ms. Waters answered no; there was already a parking lot and access point within the Sky View development. She noted that the logging trucks would come in through Hudson, NH (Musquash area). Mr. McDevitt inquired if any neighbors would be concerned about the activity. Ms. Waters said she would check with Baystate Forestry regarding notice. She pointed out stands 1, 2 and 3 weren't near subdivision.

MOTION: (Viger/McDevitt) To authorize the Forestry Committee to go forward with implementing the Forest Management Plan for the Cutler / Spaulding Conservation Area and Town Forest.

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

Karen MacKay, Conservation Commission and Jeff Gowan Planning Director regarding:

- 1) **Nascimento property**
- 2) **Waterford Estates (RJ McCarthy development wells)**
- 3) **Wildwood Estates (Dave Mendes development)**
- 4) **Jones Farm project**

Nascimento - Ms. MacKay came forward with Planning Director Jeff Gowan to discuss the Nascimento property. Ms. MacKay provided a brief summary regarding the property, noting that she would give a full presentation during the public hearing. She stated the property is located off Briarwood and they were proposing to purchase 26 acres; the remaining 3.5 acres will remain with the existing home. The Conservation Commission has gone through the checklist for acquisition of open space and voted unanimously (5-0-0) to support the purchase. Using a displayed map, Mr. Gowan outlined the parcel showing the lot line adjustment and the area that would go to the Town. He noted that the Planning Board forwarded a letter dated February 26, 2018 informing a lot line adjustment was approved during their meeting of February 5, 2018. The Planning Board also voted (7-0-0) to recommend that the Board of Selectmen allow the Conservation Commission to purchase the parcel.

Mr. Lynde questioned which Town property the parcel abutted. Ms. MacKay replied it abutted the Peabody Town Forest. She referenced a map of the Town that was color coded to show Town owned parcels and pointed out the location of the proposed parcel. The purchase price was \$125,000. She said she would provide details during the public hearing.

There was no objection by the Selectmen to proceed with a public hearing.

Waterford Estates - Mr. Gowan then discussed Waterford Estates (RJ McCarthy development – South side of Sherburne Road). He noted the property had two high producing wells that were not being utilized within the development project; however, they may be a future resource for the Town. He stated that the parcel abutted Pelham Veteran's Memorial Park ('PVMP') and would provide a gated access into the park for emergency responders and possible carpool during summer camp. He noted there was a 20ft. route to between the two open space areas that accessed Sherburne Road if needed in the future. Ms. MacKay noted that the Conservation Commission voted (7-0-0) to recommend accepting the parcel as a donation.

Mr. Lynde understood there were essentially two lots attached with a 20ft. strip of land. Mr. Gowan said the parcel contained 17.38 acres.

Mr. McDevitt commented on the wells. At the time the plan came in front of the Planning Board he was the Selectmen's Representative. Given the water issues on the other end of Sherburne Road, the wells were attractive, although the gallons it produces are relatively high, they are not sufficient to serve the area on Sherburne Road (Spaulding Hill Road). He said it was better to have the wells and do a water yield test in the future. Ms. MacKay questioned if the water production would affect the donation of land. Personally, Mr. McDevitt was glad to have the land and felt the wells were a bonus, even if they weren't a solution to the Sherburne Road/Spaulding Hill Road water issue.

Mr. McDevitt inquired if the proposed roads would be private or public. Mr. Gowan replied the roads would be public. Mr. McDevitt noted they would have to be sensitive about 'clogging' the proposed road during summer camp pick up/drop off, which may be unpopular to residents. Mr. Gowan pointed out that there was open space within the development that would provide a trail connection. He offered to work with Mr. McCarthy to coordinate the public hearing process. Mr. McCarthy stated there will be two public hearings scheduled.

Wildwood Estates – Mr. Gowan outlined the proposed land to be donated to the Town. Ms. MacKay told the Board that the Conservation Commission saw the plan in September and understood that the Planning Board recently approved it. In summary, she explained when the commission saw the plan, they made a motion (3-0-1) to accept the plan with the addition of land under the power lines (as shown on the proposal in front of the Selectmen) to be deeded to the Town. She understood that the applicant then adjusted the plan and submitted it back to the Planning Board. She said the commission hadn't taken a vote on the exact open space being shown. Mr. Gowan noted the total proposed gift to the Town is 11.062 acres. Ms. MacKay added that when the commission saw the plan the 'gift' was quite a bit less. She asked the Board if the commission's recommendation would still apply, or if they would need to vote on the exact plan in front of the Board. Mr. McCarthy felt they would have to vote on the exact same plan. Mr. Gowan explained the process of the Conservation Commission providing input to the Planning Board well before a plan is approved. Mr. Viger felt the commission should have the opportunity to weigh in on the plan. Ms. MacKay pointed out that the plan being reviewed by the Selectmen was what the commission had asked for at the time of their vote; the applicant adjusted the plan to meet the request and submitted it to the Planning Board. Mr. Viger wanted to make sure that the commission approved the submitted plan. Ms. MacKay discussed the usual procedure, which was that the commission reviews a plan and writes a letter of recommendation to the Planning Board. She said they never see a plan once it goes back to the Planning Board because the Planning Board works with an applicant to get the best plan.

There was further discussion regarding the review and recommendation process.

Mr. McDevitt wanted to know the compelling public purpose to have the parcel owned by the Town versus by a homeowner's association. Ms. MacKay replied a homeowner's association could prohibit people from using land. She said the commission was trying to maintain and create connections through Town. Mr. Lynde pointed out that the Planning Board received a letter from the Conservation Commission indicating that they would like to have the additional land. Mr. Viger said he wanted the commission to have the opportunity to weigh in. Mr. Gowan said the Planning Board listens to the Conservation Commission; they give their input, the Planning Board listens. He said if the commission was to rehear the plan it would only be with regard to accepting the land. He read a portion of the Notice of Decision aloud, which indicated that the open space would be dedicated to the Town of Pelham (if Selectmen accept the land donation); if the Selectmen don't accept the open space land, the applicant shall supply homeowner's documents with easements for public access and trails within the open space.

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The Board discussed how to proceed. Ms. MacKay spoke about the history of purchasing land and accepting land donations to connect areas and create opportunities for recreation. She said the commission would review the plan again if the Selectmen wanted them to, so they would have a clear understanding about the donation.

Jones Farm Project – Mr. Gowan told the Board that the applicant had withdrawn the land donation and would be retaining the open space. Ms. MacKay stated the Conservation Commission wouldn't be happy about the land not being open space. Mr. Gowan read aloud a portion of the Notice of Decision that indicated resolution of the open space plans were to be noted on the recordable plan and could be either donated to the Town or kept as open space within the project (including homeowner's documents). Mr. McCarthy inquired how it was originally presented. Mr. McDevitt recalled it was originally presented as open space and had some public purpose because it linked other Town parcels.

Mr. McCarthy questioned how the land would control a traffic device in the area. Mr. McDevitt replied it wouldn't have an impact. He noted that the Planning Board and developer worked together to push the entrance further up the road, so it wouldn't affect the intersection (of Mammoth /Sherburne).

Mr. Gowan asked the Board if they would proceed with public hearings on the parcels being discussed.

MOTION: (Viger/McDevitt) To move forward with public hearings with the parcels as presented to the Board.

VOTE: (2-1-1) The motion carried. Mr. McDevitt voted no. Ms. Forde abstained.

Ms. MacKay asked if the Conservation Commission would need to re-review Wildwood Estates. Mr. Viger answered no, because the Board voted to move forward with public hearings.

Volunteer applications for appointment to the Zoning Board of Adjustment

Mr. Lynde informed that the Board would conduct the interviews; however, they would not vote until after the application submission period was over.

Dave Hennessey – Mr. Hennessey told the Board that he was seeking reappointment to the Zoning Board. He had been an alternate and full member for approximately 15 years and felt he still had something to offer the Town.

Mr. Lynde asked if the State law had changed regarding how the Board voted. Mr. Hennessey replied State law and court rulings always make changes to the way the Zoning Board must deal with cases.

Mr. McDevitt said when it comes time to vote, he will be happy to re-appoint Mr. Hennessey. He said Mr. Hennessey does a great job and is a very valuable member of the board.

Bill Kearney – Mr. Kearney told the Board he had served on the Zoning Board in many capacities and was seeking re-appointment. He felt volunteering was a person's civic duty and would like to continue to participate.

(The Board will vote at a later meeting)

Eagle Scout Project – Theron Zajchowski, Boy Scout Troop 610

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Boy Scout Theron Zajchowski and his Eagle Coach Daryle Hillsgrove came forward to discuss the proposed Eagle Project. Scout Zajchowski explained he was proposing to build a shed at the current site of the Animal Control Shelter. The Animal Control Officer had told him they needed additional space for donations. The shed will be a stand-alone structure that could be re-located in the future if needed. The cost for an 8ft.x8ft. shed kit is approximately \$600. He discussed the plans for completion. The Selectmen thought the proposal was a great idea.

Mr. McCarthy asked when the shed would be constructed. Scout Zajchowski was looking to build the shed during April vacation. His 18th birthday is mid-May. He wanted the Board to know that in the event he ages out, the project will be completed.

MOTION: (McDevitt/Viger) To accept a donation of the cost to construct a shed for use by the Animal Control Officer at the dog kennel as it exists off Simpson Mill Road. The cost is expected to be under \$1,000.

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

The Board wished Scout Zajchowski good luck.

Jeff Gowan, Planning Director regarding:

1) MS-4 Update

2) Highway Safety Committee recommendations

MS-4 – Mr. Gowan told the Board that he had been attending the Nashua Storm Water Coalition meetings with the Town's MS-4 consultant Gary Webster. He said it was a benefit to see how other communities were handling the process. He noted they had posted listings seeking two summer interns to assist in the process. He then described how data would be collected for mapping.

Mr. Lynde inquired if the Town's Planning and Zoning Regulations were compliant with MS-4. Mr. Gowan replied part of the MS-4 process was a regulatory audit conducted by the Nashua Regional Planning Commission. He will keep the Board informed as the project progresses.

Highway Safety Committee ('HSC') recommendations –

- Renaming Clement Road to Sullivan Road – HSC recommended the change.

MOTION: (Viger/McDevitt) To accept the Highway Safety Committee's option to officially rename Clement Road to Sullivan Road, located in the extreme northwest of Pelham.

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

- Name and number issues on Ponderosa Drive - HSC did not recommend the change.

The Selectmen took no action.

- Therriault Drive number adjustment to comply with E911 – Seek voluntary address changes.

Mr. Gowan displayed a road map of the area and showed there were two Coburn Avenues that didn't connect. He met with the Assessor and came up with a solution to seek voluntary address changes for three residences. If that is not successful, they will ask the Selectmen to move forward with public hearings to change the addresses. There were no objections by the Board.

OTHER BUSINESS

Review and Vote on authorization to go out to bid on the Willow Street Bridge Project

Mr. McCarthy received an email from Jim Bouchard of Quantum Engineering (contractor) regarding the Willow Street Bridge project. He informed there was a revised bid/award schedule and provided a summary of such for the Board.

Mr. McDevitt questioned if the numbers worked for the Town. Mr. McCarthy replied yes and no. He said because of the unusual amount of time it took for the project to be approved, they lost a few months. The dollar figures were all covered by the warrant article. The bridge will not be completed prior to the start of school in the fall. Mr. McCarthy wanted it clear that the delay was not the fault of any Town representative; the State created the delay.

Mr. McDevitt was concerned with where traffic would be directed, and the alternate areas could deal with those impacts. Mr. McCarthy suggested having the Police Chief meet with the Board and discuss how traffic would be re-routed. Mr. McDevitt asked if the Town should approach the Department of Transportation to possibly change the timing of the signal lights on Route 38. Mr. McCarthy envisioned a traffic survey being done prior to the project to understand the situation.

MOTION: (McDevitt/Viger) To proceed to bid (regarding the Willow Street Bridge Project).

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

Revision of Sign Policy

Mr. McCarthy explained that the Sign Policy went into effect. He proposed they provide direction to people, so they know where signs could be placed. He noted that the school controlled their own property. He brought forward a change for the application form that included a list of locates where signs could be placed.

Mr. McDevitt suggested that the Code Officer make a list of the organizations that typically post signs and let them know the Town has a new policy. He questioned if yard sale signs required a permit. Based on the policy, Mr. McCarthy noted yard sale signs wouldn't be allowed on Town property.

Mr. Lynde proposed that no signs be allowed on Meeting House Park. He recognized there may be certain events that signs might be appropriate for a single day (day of the event – i.e. Old Home Day road race). Mr. McDevitt wasn't in favor of banning signs and spoke about how media had influenced advertising.

Mr. McCarthy asked the Board's permission to make minor revisions to make the policy successful and functioning. He will come back to the Board with any major changes. There was no objection.

Request for use of the Hobbs Community Center bus

The Board was provided with a copy of an email string regarding a request from the Pelham Old Home Day Chairman to use the Hobbs Community Center (Senior Center) bus to transport people during Old Home Day.

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Mr. McDevitt commented that during the event people were having to park further and further away. He felt there was a public safety concern and allowing the use was a good idea. He understood they would pay for the use. Mr. McCarthy replied they would pay for the driver and the fuel.

Mr. Viger stated Old Home Day was not a Town sanctioned function. He questioned why they wouldn't rent a bus elsewhere since they were willing to pay. He wanted to know how the Town would deter the use of the bus in the future if they allowed the requested use. Mr. McCarthy noted if the bus had an accident or had to be taken out of service it would be devastating for the senior center. He told the Board that the senior center director was very concerned about something happening to the bus.

MOTION: (McDevitt/Viger) To advise the Old Home Day committee that the Hobbs Community Center bus would not be available.

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

Mr. McCarthy stated he would send a letter to the committee.

Selectmen assignment discussion

Mr. McCarthy said a list of positions would be provided to the Board for their next meeting.

TOWN ADMINISTRATOR / SELECTMEN REPORTS

Mr. McCarthy stated that the Town's policy provisions have been updated. He will work with the Human Resources Director to train and update all staff. He noted a joint law safety committee was back on track and would be meeting. Mr. McCarthy reported that the boiler replacement project had begun. He discussed what needed to be done and how it would proceed. Mr. Viger recalled the Fire Chief had to attend an annual seminar to become certified on the boiler system. He asked Mr. McCarthy to coordinate so they could capture the cost. Mr. McCarthy said he had the discussion with the Chief and would follow through. On a separate subject, he told the Board that the storms had tasked the budgets for the Police, Fire and Highway Departments.

Mr. Lynde stated he wanted the Board to review the warrant at their next meeting to see if there was anything they needed to do. Mr. McCarthy said he would put a copy of the warrant in the Board's meeting packet.

Mr. McDevitt informed that he met informally with the arborist who was trimming Town trees. He said the arborist needs soil and suggested he speak with the Highway Road Agent. Also, a water source was needed, and he would tell the arborist to use the source located at the Fire Department. He noted the mulch needed to be pulled back from the trees and wanted to make sure Boyden Landscaping was informed to do so. Considering the recent storms, Mr. McDevitt felt the Town might consider offering some type of service to pick up brush in people's yard. He suggested having Asplundh go around neighborhoods and grind the storm related brush. He understood it wasn't free but felt they should consider doing something.

Mr. Viger commented he was impressed with the voter turnout and was humbled and happy the Town got the support they did. He then stated the Board had a lot of work to do to keep the respect. He thanked the voters for their support and Ms. Forde for stepping forward.

Mr. Lynde provided a summary report regarding the Planning Board's recent meeting and the cases that had come in front of them.

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ADJOURNMENT

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MOTION: (Viger/McDevitt) To adjourn the meeting.

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

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The meeting was adjourned at approximately 8:43pm.

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Respectfully submitted,

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Charity A. Landry

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Recording Secretary

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