

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
FEBRUARY 4, 2019 at 6:30 PM**

Present: Chairperson Tina Courtemanche, Selectman Ann Bond, Selectman Sandy Goulet, Selectmen Vincent Greco, and Selectmen Michael Crockwell

Staff: Town Administrator David Jodoin, Recording Secretary Jillian McNeil

I. Call to Order:

Chairman Tina Courtemanche called the meeting to order at 6:30pm.

II. Citizen Comment:

None

III. Scheduled Meetings:

Pembroke School Board Village Discussion

Tom Serafin, David Doherty, Pat Boucher, and Gene Gauss, representing the School Board and the Village School Re-Use Committee, discussed whether or not the Town would like to obtain the Village School. There will be an article added to the School Board warrant articles, asking the voters to allow the School Board to disposition the Village School in a way that is in the best interest of the Town and the School. It will be short and generic and will give the board authorization to dispose of the building however they see fit. The building cannot be used for anything other than its intended educational purpose.

Selectman Bond asked what the costs are to clean up the site in the event of demolition. David Doherty stated that demo and clean up would cost approximately \$375,000.

David Jodoin asked what the cost is if the Town decided to keep just the gym portion of the building for elections and other town activities. Clint Hanson, Chair of the Village School Disposition Committee, stated that the wing with the gym is the original portion of the building and the costs were never broken out for demolition to the rest of the building and restoration to just that portion. Selectman Courtemanche asked where the heat is located in the building. Clint answered that each section has its own heat.

Tom stated that right now the plan is for cold storage which is the less desirable option for the long term and the sooner the School Board can disposition the building, whether it be to the Town or an outside buyers, the better.

Selectman Greco asked what the cost of winterizing the building is. Tom stated that is in the budget this year and will cost around \$170,000. Selectman Greco asked if the quoted \$375,000 for demolition includes removal of all the items inside the building. Tom stated that everything would be removed prior to demolition and is included in the \$170,000.

Selectman Bond asked if there is a current valuation on the land or building. Tom stated that they have not formally taken that step because the costs for a professional assessment are around \$10,000.

Selectman Greco clarified that everything needed will be at the Hill School at the start of the next school year and the building will be closed down. Tom answered yes, except they will keep on electricity for the security cameras.

Selectman Greco asked how many kids are currently in the school. Patty Sherman, Superintendent SAU 53, answered between 140 and 160. Selectman Greco asked for the estimates in savings. Tom answered that the savings will be approximately \$400,000 a year. Patty further explained that with the costs of the merge itself, the net savings will be around \$129,000 this year but moving forward it will be a yearly savings of around \$400,000. Tom stated that while the thoughts of the tax payers are that there should be more savings with the closing of the school, the only real savings are the costs of the maintenance, utilities, and insurance of the building itself as well as a few teaching/administrative positions. The costs of educating the kids, busing the kids, feeding the kids, and the majority of the teachers will all be shifted to the Hill School.

David Jodoin asked if the School Board was looking for an answer from the Selectman on whether or not they want the building tonight. Tom stated that they were not but should the Town have interest, they would like to know as soon as possible. David Doherty and Pat Boucher stated that the longer the decision is prolonged, there is an increased risk of vandalism and insurance issues. There are concerns for the value of the building the longer it is in cold storage.

San Ken Homes – Petition to open Flagg Robinson/4th Range Road

Jon Rokeh, Rokeh Consulting LLC, and Kenny Lehtonan, Vice-President San Ken Homes, presented the petition to open Flagg Robinson/4th Range Road for the development of MeadowView Subdivision. The property was purchased by San Ken Homes in 2017 at public auction and since then they have met with the Selectmen, Roads Committee, Conservation Commission, and Planning Board, completed the necessary survey work, addressed the wetlands, designed the roads according to town standards, designed a cut through road to meet the Fire

Department requirements, and acquired the Burt Whittemore parcel of 66 acres on the north side of Flagg Robinson Road. The design plans have been finalized, the application is in to the Planning Board, and they have submitted an official request to the Selectmen for the Roads.

Selectman Greco asked if the Conservation Commission has voted on their approval of the project. Jon stated they have met twice with the commission and they were most concerned with wetland crossings and wetland impacts. While they understand the need for the cut through road, they would have preferred that not to be a part of the plans. The plans have proposed shared driveways to reduce wetland impacts, on the 66 acres portion there is one wetland impact for a shared driveway and on the lower portion there are not any wetland impacts for driveways. There are minimal wetland impacts on the Range Roads.

Ayn Whytemare, Secretary Conservation Commission, asked to clarify that they were not asked for an approval or disapproval but an acknowledgment that this new plan minimalized wetland impacts from 8,000 square feet to 1,000 square feet. There was not a discussion about whether or not they were approving the plan.

Selectman Bond stated that the shared driveways should be considered a road because there are more than two driveways. Jon stated that they will be considered private drives. There will be signage at the end of the road stating which house numbers are on that private drive but they will not be town maintained. Selectman Bond asked if at the end of driveways there will be enough room for plows or firetrucks to turn around. Jon stated that there will be. Kenny stated that the Fire Department requested wider widths on common driveways to support that. David stated there will also not be any individual trash removal on the common driveways. They will need to bring their trash bins to the end of the private drive. Selectman Bond asked if they will be wide enough for two cars to pass. Jon answered that they will be two cars wide on the main portion and single width on the individual driveways. Selectman Greco asked how long the shared driveways are. Jon stated the longest one is around 400-500 feet. Selectman Greco asked if the houses would need to be in agreement for all maintenances of the shared driveways. Kenny stated that there would be responsibilities in the deeds. Selectman Greco asked what would be the legal issues if one homeowner did not fulfill their responsibilities of the common driveway agreements. Kenny stated that it would be a private matter and would be spelled out in the deeds and placed on record with NH Deeds.

Selectman Bond asked about the plan for culverts. Jon stated that there will be a few culverts on the Range Roads that lead into the wetlands system. There will be one culvert on 4th Range to get the drainage to a detention pond. There will be a total of four detention ponds. The majority of the culverts will be open. Selectman Greco asked how many lots there will be. Jon answered 48 lots with a 43-acre remainder or back lot. Selectman Greco asked if they will all be single family homes. Kenny answered that they specialize in single family ranch style homes with attached 2-car garages.

Selectman Bond asked about the planned improvements to the intersection of Pembroke Hill Road and 4th Range Road. Jon stated that they to line the roads up better but it will not be a perfect square and it was recommended to them to make it a 4 way stop.

Jon stated that during the TRC meetings, there have been discussions about the master plan and the town's plans to upgrade 4th Range Road as it runs parallel to Route 3. This project will essentially save the town from having to upgrade that entire road.

David reviewed the next steps for the project.

- Names and addresses of landowners, including those owners listed under RSA 231:10.
- Provide the Town with the fees for the abutter notifications, newspaper public hearing notice, town legal review of material, and engineering review of material.
- Final plans prepared by a license engineer, surveyor, and/or wetlands scientists.
- Drainage study and calculations regarding the class VI road.
- Copies of any legal agreements with abutting landowners if additional right of way is required for the design of the road to town standards.
- Explanation of why there an "occasion" to layout the class V road.
- Other material that is relevant to the proposal.
- The Selectman may require additional information upon review of the application.

The Selectmen will send the application and materials to Police, Fire, Planning, Conservation, and Roads and they will have 30 days to respond with any questions, comments, or concerns. Within 60 days, the Selectmen will hold a public hearing that will include a site walk.

Doug Proulx, 354 Pembroke Hill Road, asked if anyone has looked into the traffic volume. Jon stated there is a trip generation and distribution summary on file with the Planning Board.

Andrew Camidge, 284 Cross Road, clarified that they are not upgrading 4th Range Road all the way to Church Street. Jon stated that it would only be the first 1,786 feet.

Dick Nolin, 826 Plausawa Hill Road, asked if the roads are owned by the tax payers of the town and if they are in fact owned by the tax payers, shouldn't the tax payers have a say in what happens to the road and whether or not the benefits should be for the tax payers or the developers. The Board agreed that essentially the tax payers own the road but the Board of Selectmen is bound by the law. David stated that if the plans follow all the regulations and ordinances that have been voted on by the tax payers and governed by State Law there has to be a something showing a detrimental

impact to the community for the Selectmen to disallow the project. If a good reason cannot be shown and they deny the application, the developers can challenge the decision in the courts.

Daniel Hutchinson, 533 4th Range Road expressed concerns for the horse farms located on 4th Range Road.

Arthur Snow, 351 Brickett Hill Road, shared concerns for the land being used for a housing development when it could be prime farmland. Kenny stated that there is a housing shortage throughout the state. Pembroke currently has 6 active listings for single family homes on the market and this development will allow the area to grow.

Joanne Gelinas Snow, 471 4th Range Road, expressed concerns for her horse farm and also the other horse farms on the road due to the increased traffic and a lack of a shoulder on the road for safe recreational use. Selectman Bond stated that she will take the concern to the Planning Board.

Brian Mrazik, 357 Pembroke Hill Road, stated that the master plan does not currently involve plans to upgrade 4th Range Road and wondered where it is stated. David said the master plan is currently being worked on and updated with Central New Hampshire Regional Planning and a group of volunteers and they are looking at alternatives such as opening up either Third or Fourth Range Road. Brian stated that the master plan has to be a priority before the sub-divisions are allowed. David stated there have been sub-committee meetings at CNHRP for the new master plan, however, the old plans have mentions of upgrading Range Roads in it but it just wasn't specific for which roads. The sub-committee looked at whether 3rd Range or 4th Range would be easier to complete and it was decided that 4th Range would be. Brian stated that in the community survey done for the upgraded master plan, only 35% were in favor of opening 3rd and 4th Range Roads, 66% thought it was important to preserve the Range Roads.

Al Demers, 404 4th Range Road, stated concerns for the intersection on the corner of Pembroke Hill and 4th Range and he is also concerned for the removal of the Town Pound. John stated there will not be any impacts to the Town Pound.

Amanda Winders, 663 4th Range Road, expressed concerns for the safe enjoyment of 4th Range Road with the increased traffic and the lack of shoulders.

Charlie Ferreira, 235 Brickett Hill Road, expressed concerns for an increase in families when the schools were just merged. Kenny stated that 70-80% of the homes are typically bought by retirees.

Paul Simek, 643 4th Range Road, asked which roads the heavy equipment will be brought in on. Kenny stated that it will be up to site contractors and they will notify the town. David stated the Police Department will have to be notified. Paul also stated a lack of notification about the meeting tonight. Selectman Courtemanche

stated that this is not a public hearing on the matter. This is a regular Selectman's meeting and there will be a public hearing on the matter and all abutters will be notified. David stated it will also be on the Town website. The reference page for the Master Plan is X1-4

IV. Old Business:

David presented the Selectman with the 2016 Tax Deeds. This item will be on future agendas and the Board will need to decide on May 6th which properties it will be deeding.

Carol Bertsimas and Ayn Whytemare, Conservation Commission, came to the Board for the decision on the Town owned land at 260-42 Sixth Range Road. Selectman Goulet expressed that with the property being valued at \$41,000, she believes the Town should try to sell the property and get more than the \$5,000 that Conservation is offering. Carol stated that there has not been any interest in the property because it is not developable. Selectman Crockwell asked if the property is right on the road. David stated that it is about 2,000 feet in but it is on the road. Selectman Bond asked if there was the possibility for recreation to utilize the property for fields. Carol answered that 6th Range Road is not easily drive able. Selectman Crockwell stated that designated conservation land cannot be used for recreational fields. Ayn stated that the soccer team had previously contacted the commission for the use of a pieces of their property for potential soccer fields and it was very cost prohibitive. Selectman Courtemanche asked if the Town kept the land, could they build fields. David stated that they could but they would also have to build a road to get the fields.

Selectman Bond asked if it is easily accessible to residents and will it be signed. Carol stated that they will put up a sign indicating that it is conservation land similar to all of their other parcels of land and residents can walk in. Selectman Bond asked if the atv club is allowed, would they then be allowed onto this property with their atv's and trail bikes. Carol stated that there are not any trails leading to this piece of property and motorized vehicles are not allowed on any conservation land. Ayn stated that hunting will be allowed on the property. Selectman Bond asked if all the conservation land in the town open to hunting. Carol answered that according to state regulations, all conservation land is. Selectman Crockwell stated they are still not allowed to hunt within 300 feet of a dwelling. Selectman Crockwell also stated that the atv club would have no need to use 6th Range because that piece of road isn't very long and doesn't lead anywhere.

Selectman Crockwell made a motion to sell the property to the Conservation Commission in the amount of \$5,000. Selectman Greco seconded the motion. Motion passed 3-2.

David presented the bids for the wall at 4 Union Street. The Building Committee is meeting Wednesday, February 6th at 6:00 and will discuss the bids. Selectman

Courtemanche asked why the bids are for 4 & 6 Union Street. David stated that the engineers looked at continuing the wall to 6 Union Street and creating a parking lot if the bids came in low enough but since they did not, they will just be considering the wall at 4 Union Street. Selectman Bond asked if the warrant regarding selling 4 Union Street also includes 6 Union Street. David stated that the warrant article is for 4 & 6 Union Street. If the decision is made at Town meeting to retain 4 & 6 Union Street as town owned property, the next warrant article that is to fix the wall will have to be amended from \$150,000 to \$174,210 which was the lowest bid from Jeremy Hiltz.

Selectman Bond stated that Bob Bourque was willing to assist in collecting information in order to set up a town standard for future light pole regulations. Selectman Greco asked if there was an advantage to using aluminum poles besides costs. Bob stated that he isn't sure if they are cheaper or not. David stated that he spoke to Will Craig and George Samaras at Eversource and said that they do not have a standard specification and it would be best to come up with language such as; any new proposed development or replacement of current lighting must be approved by both the Pembroke Board and Eversource.

David stated that the Water Department is currently with Nextera and have energy supplier costs of .0979. They have entered into a two-year deal with Engie for .0722 when the Nextera contract is up in one year. The Board decided to look into Engie for the Town's energy supply.

V. New Business

David stated that there are a number of developments in the community that the developer had put in signs that are unenforceable by the Pembroke Police Department. They were never adopted into the Town Code. A new code will be brought to the Selectmen that states a vehicle passing around a rotary traffic island or Cul-de-sac Island shall be driven to the right of such island. If the Selectmen decide to move forward with this ordinance, David will schedule a public hearing.

Selectman Bond made a motion to move this to a public hearing. Selectman Goulet seconded the motion. Motion passed 5-0.

David stated that there is a small triangular piece of land on Lindy Street that when a survey was done came back without any type of ownership. The town sent out the tax bills to owner unknown for 2 years and then deeded the property. The neighbor is interested in the parcel. The Town Attorney stated that if he is interested in the land, that he should take the steps to ensure there is a clear title to the property and to ensure there is no ownership to the property. Selectman Greco asked for the size of the parcel. David stated that it is .07 of an acre in a triangle shape. Basically he would have to do all the work to clear up the title to the property. The Board was in agreement that if he was interested that he take all the necessary steps to do the research.

Selectman Goulet moved to approve the Manifest/Abatements. Selectman Greco seconded the motion. Motion passed 5-0.

Selectman Greco moved to approve the minutes of January 22, 2019 as presented. Selectman Goulet seconded the motion. Motion passed 5-0. Selectman Crockwell abstained.

Selectman Goulet made a motion to approve the non-public minutes of December 17, 2018 with the correction of the Selectman Goulet's name. Selectman Bond seconded the motion. 5-0 Selectman Courtemanche abstained

VI. Town Administrator Report:

Joseph Waltz submitted his resignation from the Police Department effective February 15, 2019. He accepted a position in the Town of New London.

David stated that the Budget Committee's public hearing will be 7:00pm on February 7th at the Pembroke Academy Auditorium. The meeting will not be recorded. All pertinent information for the Town is on the Town Website. The Budget Committee will meet after for a regular meeting.

VII. Committee Reports:

Selectman Goulet - None

Selectman Bond – Jon Rokeh was at the Planning Board, however, they decided to postpone the discussion in favor of doing a regional impact and will contact Concord, Epsom, and Allenstown concerning the added traffic. She will bring the conversation about a shoulder to 4th Range Road to the Planning Board. NE Flower is going to add a 57,000 sq. foot greenhouse. Selectman Bond would like to ask the School Board if they would be willing to have one member of the Select Board sit at the table as a non-voting member and vice versa. David stated they are public meetings and anyone can attend but a member of the Select Board can not sit on the board or have a vote because they are a separate public entity.

Selectman Greco – Roads Committee has their first meeting of the year Wednesday, February 6th at 6:00pm.

Selectman Crockwell – The MeadowView Subdivision started as a 53-house lot project and they are down to 48. The homes will cost around \$350,000. There will be 43 acres that is not buildable. There was not a quorum so no voting could happen.

Selectman Courtemanche – The Budget Committee voted in favor of the Town Budget and they did not recommend the money for the clock or the wall. Dan Crean proposed \$214,000 worth of cuts to the School's Budget and the Budget Committee

voted in favor of the budget with the reductions. Selectman Crockwell asked Gene Gauss if all the towns in the SAU will also have a \$3 increase to their tax rate. Gene stated that the increase reflects the lack of budget surplus for the 18/19 school year and he cannot speak to how it effects other towns.

Selectman Bond asked if the Town needs a warrant article if they want to accept the Village School. The consensus of the Board was not to put a warrant article referencing the building.

VIII. Other/Citizen Comment:

Kevin Foss, Resident, recommends a change of venue for the public hearing of the 4th Range Road project.

IX. Non-Public Session

Motion by Selectman Goulet to enter non-public session in accordance with RSA 91-A:3 II (c). RSA 91-A:3 II (c) Matters of which, if discussed in public, would likely effect the reputation of any person, other than a members of the public body itself, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver fee, fine or other levy, if based on inability to pay or poverty of the applicant at 8:23 PM.

Seconded by Selectman Bond.

Roll Call Vote:

Selectman Goulet
Selectman Bond
Selectman Greco
Chairman Courtemanche
Selectman Crockwell

The Board came out of non-public session at 8:31 PM

X. Adjourn:

Motion by Selectmen Goulet to adjourn at 8:31 PM seconded by Selectmen Bond,
Motion passed 5-0

Justine M. Courtemanche, Chairman

For more detailed information, the meetings are now taped and can be seen on www.townhallstreams.com click on Pembroke NH and look for the day of the meeting under the month.