

**BOARD OF SELECTMEN
TOWN OF PEMBROKE, NH
AUGUST 19, 2019 at 6:30 PM**

Present: Chairman Tina Courtemanche, Selectman Ann Bond, Selectmen Richard Bean, Selectmen Michael Crockwell, Selectman Sandy Goulet

Staff: Town Administrator David Jodoin, Recording Secretary Jillian McNeil

I. Call to Order:

Chairman Tina Courtemanche called the meeting to order at 6:31pm.

II. Citizen Comment:

None

III. Scheduled Meetings:

Monica Hurley – Town-Wide Revaluation

Monica Hurley, Corcoran Consulting Associates, Inc. discussed the town-wide revaluation results. Monica has worked with the town since 2012. The town uses a cycled inspection approach on a 4-year basis. Each year, they measure and list a quarter of the Town by sections and neighborhoods. This is done so on the 5th year when it is time for a full revaluation, the Town is not hit with all the costs associated with all 2,949 parcels. The last full revaluation was completed in 2014 and at that time the median sale price for a single-family home was \$200,000 and \$129,000 for a condo. Today, the median prices are \$259,000 and \$175,000 respectively. That is an increase of 30% and 35% since the last revaluation. In 2018, New Hampshire Department of Revenue Administration (DRA) had the town's overall equalization ratio (assessments compared to sales price) as 90%. If a revaluation as not done this year, that ratio would have fallen to 80% which is unacceptable. The current market is increasing at a rate of 0.75% a month or 9-10% a year.

Monica stated that they analyzed approximately 112 qualified sales from over the last 10 months. Those sales included 77 single-family homes, 23 condos, 6 multi-family, 3 mobile homes, and 3 commercial sales. The median square feet for a single-family home is 1,547 and 1,243 for condos. Single-family homes will see an average increase of 16%, condos will see 11%, mobile homes will see approximately 10%, and commercial properties will increase 16%. DRA requires that ratios fall between 90% and 110%. This revaluation will put at the Town at 99% for 2019. The equalization time frame goes through September 30th leaving a few unknowns but

the market is not slated to change in that time so the Town will likely end up right at that 99%. They will be sending notices of the new valuations next week. The letter will encourage tax-payers not to compare their new valuation with the current tax rate. The tax rate will not be set until the end of October and may go down due to this revaluation. The letters explain why the revaluation happened and the process they use. There will be direct contact information for residents to call and set up a hearing or ask questions. Corcoran Consulting appraisal staff will be available the week of September 16th to discuss the valuations with any homeowners. If a homeowner feels their valuation is incorrect and has any market data or fee appraisals that they have to dispute their new valuation, they are welcome to Town Hall and have a 15-minute hearing. If the homeowner feels their home is listed incorrectly and an interior inspection is requested, they will schedule that during the same week and more than likely the same day. There is also a general question and answer portion of the letter to further help explain the process and a press release will go out.

Selectman Bond asked if homeowners would be able to bring documentation from 2 or 3 years ago. Monica explained that anything older than one year cannot be used and even one year is difficult because the markets are not comparable.

David Jodoin clarified that if this revaluation was not done, there would have been an issue much like in 2017. Monica stated that they still would have done an update. David stated that this revaluation is mandated by the State of New Hampshire. Monica stated that 5 years is the mark but if assessments fall above or below the ratio, an update has to be done in the interim.

Monica stated that the overall increase in value is \$119,000,000 but that does not include updated utility values. They would like to mail the notices by August 30th. Selectman Goulet made a motion to mail the revaluation letters. Selectman Bean seconded the motion. Motion passed 5-0.

Continued Hearing – 4th Range Road/Flagg Robinson Road Layout Petition

John Cronin, Cronin, Bission & Zalinsky, PC, Mark Fougere, Fougere Planning & Development Inc., Jon Rokeh, Rokeh Consulting, LLC, and Kenny Lehtonen, Vice President of San-Ken Homes, attended the public hearing on behalf of San-Ken Homes.

Selectman Courtemanche opened the hearing at 6:43pm.

John Cronin opened the hearing by requesting that the Board find an “occasion” to open the class 6 roads for the development. This case is unusual in comparison to other cases that work their way through the court system in that there are no third-party land takings involved. There are also no betterment requests to the Town as the developer will incur all costs associated with the road. John stated that he has

recently worked with other developers on a project that was before the Planning Board. That project failed due to traffic concerns on Route 3. The Town did not want to attempt to purchase third party homes in order to create a new intersection or road way system for the development.

Mark Fougere stated that he has been a Planner in the state for 30+ years. He was tasked to look at the occasion argument, what costs the town would have in relation to the project, and what positive planning aspects could come from the opening of these roads. Mark met with the Director of Public Works to get an idea of costs. He looked at the existing budget of \$1,215,406 for 84 miles of town-maintained roads. This translates to a total cost of \$14,445 per mile or \$2.74 a foot to maintain the town's roads. There are approximately 4,860 feet of class 6 roads that will be updated with this project which translates to a gross cost of \$13,316. The Director found this to be a reasonable way to approach costs. In 2018, the Town received a total of \$167,828 in state aid and this figure will be increasing as aid increases when roads are added. They are estimating \$1,837 in road aid going forward which leaves a net cost of \$11,479 that will be added to the town's budget to maintain these roads. A fiscal impact report was submitted to the Planning Board which showed a gross tax revenue increase of \$450,000. Taking into consideration future costs to the Town by the development, there is a gross tax revenue surplus of approximately \$350,000. This project would increase the town's total tax rate by \$0.01. For a home assessed at \$250,000, this would add \$2.50 to their tax bill. Mark stated that as far as the occasion argument, 4th Range Road was closed in 1978. Prior to that, it was a class 5 road that was open and maintained by the Town. Opening these Roads is consistent with Master Plan, is a sound planning principle, and will provide a highway and street system that allows for safe and efficient movement of people throughout Pembroke. Currently, 4th Range Road is 75.8% open and maintained by the town. With these road upgrades, 4th Range Road will be 87.2% complete leaving approximately 2,174 feet for the Town to complete to connect to Church Road. This would make a complete road from Borough Road to Church Road. Doing this would help traffic flow better and give emergency vehicles easier access to that part of Town. The Roads Committee in the TRC meeting supported the opening of 4th Range Road. The 2017 Master Plan survey showed support for opening 3rd or 4th Road. Based on all these facts, it is his professional opinion that there is an occasion to open 4th Range Road and Flagg/Robinson and is consistent with all statues and past land use law as well as the town master plan. John added that this would not be a road that the Town would incur costs on and then would not be used. This road would be used regularly and when the road is complete it will provide better connection throughout town for emergency services.

Jon Rokeh explained that the development is roughly 100 acres and there will be 48 lots with the northerly lot being a 30-acre lot. The middle cut across road is there to alleviate having long dead-end roads. During the process, they have been asked to upgrade the road to a collector road in anticipation of the road being open all the way to Church Road. They have been working with the Planning Department and Mike Vignale. Soil samples and the final paperwork have been completed for the

alteration of terrain permit. All plans have been updated and turned into Mike Vignale, the Planning Department, and AOT Department. David Jodoin asked who determined that the road should be a collector road. Jon stated that it was a comment from Mike Vignale.

Selectman Bean noted for the record that the master plan has not been completed or accepted by the Town yet. John Cronin stated that it is noted in the reports that it is still under development. Mark Fougere stated that the codes for his report were taken from the existing master plan.

John Cronin stated that in the fiscal report given to the Planning Board, he addresses the costs by police, fire, and school which does net out. John also stated that this project is for the overall public interest and although most of the concerns will come from abutters, this is for the overall public interest of the town. John stated that they have satisfied the statutory criteria for an occasion to layout the road.

Selectman Bond asked what the costs to police, fire, and the schools were determined to be. Mark Fougere stated that they looked at future income to the community through vehicle registrations and home values which totaled \$443,000. Mark met with DPW, police, fire, ambulance, and the Superintendent of Schools. Aside from DPW, which was previously discussed, ambulance was the only department that felt it would see an increase in costs. Regardless, Mark added in costs for the school as well as culture and recreation which came to a total of \$83,000. This leaves the Town with a positive impact of \$360,000.

Selectman Goulet asked if Masons Way will be built right away. Jon Rokeh answered that Masons Way will be the third phase. 4th Range Road would be phase one and that road is 1,786 feet. Phase two will be Flagg/Robinson or the new Pembroke Hill Road Ext. and that is 3,060 feet. Masons Way would be phase three to connect the two at 3,148 feet. David asked if they would be doing the phases as homes are sold. Kenny Lehtenon stated that they would work with Planning on the structuring of the phases but they would typically start the next phase once the prior phase is 60-70% complete. Jon stated that 60-70% of phase one on 4th Range would be a total of 4 houses completed before starting phase two. John Cronin asked Kenny Lehtenon what the anticipated amount of money being spent to upgrade the roads is. Kenny stated that they would be spending approximately \$1,500,000 on the class 6 roads.

Selectman Bean clarified that they would be creating a hammer head at the end of their property on both roads. Jon stated that they will be putting in hammer heads that are able to be temporary in anticipation of the Town finishing 4th Range Road to Church Street.

Selectman Courtemanche opened the hearing up to the public at 7:03pm

Richard Nolin, Plausawa Hill Road, stated that 4th Range Road has never been opened and the current master plan states that the majority of residents do not support opening the Range Roads. Richard also gave the Selectman the State RSA for reclassifying a class 6 road. New Hampshire Municipal Association says that they can open the road by a layout process and the layout process is a form of eminent domain. The RSA also states that at their discretion, they can let the town vote on this.

Jackie Zeamon, 406 4th Range Road, stated concerns for increased traffic, contaminated/dried up wells, wetlands, water runoff, road safety for children, precedent set for other developers opening up additional Range Roads, the dangerous corner, and educational costs of an additional 100 children. Jackie also questioned why the bottom of Brickett Hill Road was not included in the traffic study since many residents of that area will use Brickett Hill to get to Route 3 if heading north.

Peter Gailunas, 415 4th Range Road, asked where the discussion of finishing off 4th Range Road came from. He also stated concerns for 4th Range becoming a high-speed road. Peter encouraged the Selectman to vote no.

Tom Severance, 439 4th Range Road, expressed concerns for the road becoming even more of a race track than it currently is if the road is straight from Borough Road to Buck Street.

Gene Gauss, 201 4th Range Road, expressed concerns for the ground water breaking up the road at the cost and expense of the town. The surface water can be diverted to ponds that will be maintained at the expense of the Town but they cannot divert all the ground water that will remain since this property is at water table level. Gene supported taking this to a vote at Town Meeting.

Cindy Thorell, 8 Winchester Court, stated she moved here because the master plan and asked if there has been a new master plan since 2017. Selectman Courtemanche stated that it has not been adopted yet. The current master plan states that they will preserve the existing roads as class 6. Cindy expressed concerns for precedent set if these roads are opened.

Donna Severance, 439 4th Range Road, stated that the developer does not need these roads opened to develop his land. Donna encouraged a vote at Town Meeting to open the roads. Donna stated that there was a vote to close them and there should be a vote to open them.

Lisa Gilbert, 472 4th Range Road, asked if master plan is something the Selectmen have to use in order to vote. Selectman Courtemanche stated that it is a guide. David Jodoin stated that the master plan is a vision of what the town's people want the Town to be. Lisa also stated that the developer can develop his property but does not need the Town to open the road.

Ammy Heiser, 604 Buck Street, stated that majority of residents will frequently return surveys for the master plan stating that what is important to them is the rural character of the town. The Range Roads serve many recreational purposes for all residents. Ammy also expressed concerns for the precedent being set for other developers. Ammy also supported having a Town Meeting vote. Ammy does not feel there is an occasion to open these roads because at this point in time, it is not serving the public.

Gene Gauss, 201 4th Range Road, stated that road aid is not guaranteed and the town cannot bank on it being increased and it will more than likely decrease. The potential \$350,000 tax revenue surplus will be eaten up by the \$13,000 cost to educate each child. Gene stated that the developer can build the roads on their property without the Range Roads which they may not like because it means the full development may not be realized. Gene stated that as far as set precedent goes, a few years ago a resident asked for a few hundred feet of 5th Range to be opened and he was denied.

John Cronin responded to comments about the Range Road never being opened. He stated that the information came from the meeting minutes of the Town Meeting when it was closed. Abutters as well as the Conservation Commission had to opportunity to purchase the property and no one moved forward. John stated that the concerns he heard are not unusual for someone who does a lot of land use work to hear but they are not relevant to the decision that the Selectman have to make.

Selectman Bond asked if prior to 1979 the road was open but just not used. After reading the exact language of the article, David Jodoin stated that the vote was to stop all maintenance of the road. At some point the Town had to have been doing some sort of maintenance, possibly just seasonal work, but this vote stopped that.

John Cronin also asked if the \$13,000 figure for student costs was raised exclusively through taxes or is the Town given some aid to offset some of it. Gene Gauss stated that approximately \$13,000 is paid by tax payers per student after the adjustments from any aid from the State.

Kenny Lehtenon corrected a statement made in the Concord Monitor that these homes are typically bought by young families. The quote should have read that the majority of the homes they build are bought by retirees and some young families. Kenny also stated that the school enrollment has declined by 69 students in the last 8 years. Kenny also noted that the Town had opened some of 7th Range Road for two homes to be built. Kenny stated that the land is in current use which will generate \$280,000 for the Conservation Commission in land use change tax fees.

Selectman Courtemanche closed the public hearing at 7:28pm.

Selectman Goulet expressed reservations for Masons Way when the Town's current cul-de-sec and dead-end street regulations say that there cannot be more than 600

feet for a dead end. Phase one and two have 1,786 and 3,060 feet of dead ends before Masons Way goes in.

Selectman Bean expressed consternation for what will happen on the other side of 4th Range Road opposite the San-Ken property. That property could be opened up to other developers. Selectman Bean stated that the supreme court has given Selectmen consideration for opening class 6 roads. One of the questions would be if the roads would integrate into the current road system and would they ease current flow from existing roads. Selectman Bean feels they have only seen the tip of the ice berg of issues related to these roads.

Selectman Bond expressed concerns for the dead-end roads as well. The current restrictions are in place and the Town has not voted to change them. Selectman Bond asked if a special Town Meeting could be called. David stated that a special town meeting needs to be petitioned from the State and they are typically only granted for budgetary issues.

Selectman Crockwell expressed concerns for if phase three never comes to completion. David stated that the Planning Board in all due diligence would request a bond or letter of credit that would ensure completion of Masons Way.

Walter Mitchell, Town Attorney, suggested that the Board take a motion and that it be treated as tentative. He can then take the decision and put it into writing with explanations of their votes. That can be reviewed at the next board meeting and voted to be finalized.

Selectman Bean made a motion to grant the layout of 4th Range Road and Flagg/Robinson. Selectman Bond seconded the motion. Motion failed 0-5.

Selectman Courtemanche clarified for the record that the decision is tentative and will be finalized September 3, 2019.

IV. Old Business:

PSNH is installing the arm at Glass Street and Church Street. Ron from Lightec will coordinate with George from Eversource to install the LEDs.

The Town Attorney is reviewing the drainage issue at Broadway and Fairview. After the public hearing tonight, the attorney will have to put that on the back burner.

The asbestos test at 6 Howard Street came back negative. Next step is for DPW to take down the shed/garage and mark out the area they would need for a proper turn around radius.

The Board discussed their recommendations for members of the Economic Development Committee. David suggested Steve Boucher Selectman Goulet

suggested Matthew Hogan, and Selectman Bond stated that Central New Hampshire Regional Planning Commission would like to be involved.

The paperwork has been signed for the new potential owner at 4 Union Street. They are still working on the language of the deed.

V. New Business:

Selectman Bond made a motion to appoint Dan Crean a regular voting member of the Planning Board. Selectman Goulet seconded the motion. Motion passed 5-0.

Selectman Bond made a motion to adopt October Tire Month. Selectman Crockwell seconded the motion. Motion passed 5-0. Residents can bring up to 8 clean and rimless tires per household to the Pembroke Transfer Station and pay \$3.00 rather than the normal \$5.00. Any “trash” tires from the forests are free. This is sponsored by the Pembroke Conservation Commission.

Selectman Goulet made a motion to accept the manifests and abatements as presented. Selectman Bond seconded the motion. Motion passed 5-0.

Selectman Bond made a motion to approve the minutes of August 5, 2019. Selectman Goulet seconded the motion. Motion passed 5-0.

VI. Town Administrator Report:

David stated that they are finalizing the work on Upper Beacon Hill Road. There was a change order submitted to fix some drainage issues. Selectman Bond asked what is being done. David stated that the drainage at the bottom of the road needs to be bigger. Selectman Goulet made a motion to accept the change order in the amount of \$22,930 and authorize David to sign the document. Selectman Crockwell seconded the motion. Motion passed 5-0.

David stated that the Energy Committee decided that the Selectman Rep will be the Chair of the Committee. At CIP they were told to look at future goals for the Committee.

David informed the Board and congratulated Reno Nadeau on achieving the status of Senior Roads Scholar.

The Board was invited to a meet and greet at the Congregational Church.

There is a public hearing with the City of Concord. The notice is sent out in compliance with their zoning ordinances.

The Town’s highway block grant for FY 2020 is increasing to \$171,783.61.

VII. Committee Reports:

Selectman Bean – The Roads Committee discussed culverts, shoulders on North Pembroke Road, and crack/sealing repair. David requested that at the next Recreation Committee hearing that the CIP be updated.

Selectman Goulet – CIP met with Water, Sewer, Energy Committee, and Municipal Facilities. The Water Department is forecasting for everything to be the same for the next 6 years. Sewer is requesting \$100,000 be put into a capital reserve to buy their own building. Sewer user fees would be paying for any bond that would be taken out for the project so it would not have a tax rate impact. Municipal Facilities would like to replace the library roof and cameras at DPW. There were also discussions about a security system at Town Hall.

Selectman Bond – Planning is working on the Master Plan.

Selectman Courtemanche - None

Selectman Crockwell – None

VIII. Other/Citizen Comment:

Rich Bilodeau, 5 Howard Street, requested the timeline of when the work at 6 Howard Street would be completed. Rich has been maintaining that property since moving to Howard Street. Rich has discussed the sewer capacity with the Sewer Commission and there is no sewer hookup and the owners of the property had previously done a core sample for a septic system which it failed. Rich discussed the possibility of purchasing the property. David stated that DPW is working on getting the removal of the shed/garage into the current schedule and they are also looking at the turn around radius. Once that is completed, the Selectman will need to look at the property and make a decision what to do with it. The property was taken by tax deed so it would need to go to an auctioneer to give everyone the opportunity to bid on it. Rich stated that in the past the Board of Selectman sold tax deeded property to David Sheldon. David stated that the sale of that property went to Town Meeting for the residents to vote on. Rich stated that trees are falling from the property onto other private property. David stated that trees are part of the clean-up that will be done. Selectman Courtemanche asked when it will be in the DPW schedule. David stated that he isn't sure but they can notify abutters before the work begins. Selectman Crockwell asked if there are any issues with the water from snow melting. Rich stated that he pushes the snow onto the 6 Howard Street property so its melts evenly and absorbs into the ground rather than running down the street and into the basements of the homes at the bottom of the hill.

IX. Non-Public Session

Motion by Selectman Goulet to enter non-public session in accordance with RSA 91-A:3 II (c) Seconded by Selectman Bean. 8:15 pm

Roll Call Vote:

Chairman Courtemanche	YES
Selectman Bean	YES
Selectman Goulet	YES
Selectman Bond	YES
Selectman Crockwell	YES

The Board came out of non-public session at 8:35 PM

X. Adjourn:

Motion by Selectmen Goulet, seconded by Selectmen Bond to adjourn at 8:35 PM.
Motion Passes 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.