

**SELECTMENS' WORKSHOP**  
**Minutes of 02/25/08**  
**4:10 p.m.**

*Selectmen:*

*Frank S. Michel, Chairman*  
*Peter F. Brothers, Vice Chairman*  
*Robert C. Flanders*  
*Miller C. Lovett*  
*Colette Worsman*

*Town Manager:*

*Carol M. Granfield*

*Recording Clerk:*

*Karin Landry*

The Workshop was opened by Chair Frank Michel at 4:10 p.m. The Chair introduced the Selectmen and Town Manager. The workshop format allows for dialogue among the Board followed by public input at the discretion of the Chair.

**W 08-15      B&N Designs Utility Easement**

Conditional approval was granted on November 13, 2007 to B&N Designs, LLC for a proposed 5-lot subdivision on 23 acres of land located on Waukegan Street and Birch Hill Road. The Planning Board's decision requires that an easement to the Town for utility purposes be finalized prior to recording the subdivision plan. The easement has potential strategic value to the Town, facilitating the future extension of water and sewer to the Business & Industry Zone. The easement does not obligate the Town to anything, but preserves the legal right to place utilities if and when they want to. Issues such as wetlands, capacity and engineering would be considered prior to any expansion of utilities. B&N Designs submitted a draft easement for Town review. Town Counsel Tim Bates approved the easement with minor changes. His comments will be incorporated in the final documents for formal Board consideration at a regular meeting. The Chair directed the Town Manager to place the matter on the agenda for the March 3 meeting.

**W 08-16      B&N Designs Request to Improve a Public Right of Way**

The conditionally approved subdivision is dependant upon the extension of municipal sewer up Birch Hill Road to serve three of the five proposed lots. The sewer extension will occur in a public right-of-way (ROW). The Board of Selectmen is the custodian of public roads. B&N Designs is seeking concurrent approval from the Board authorizing improvements to a public ROW. In order to safeguard the public's interests, there are several facets that come into consideration:

Performance Guarantee. Pursuant to the Planning Board's decisions, the applicant is required to post a performance guarantee in the amount of \$66,814. This guarantee is to cover connection to the municipal sewer, approximately 320' of sewer extension, restoration of the road including pavement and erosion and sediments control. The sewer

extension plans and associated guarantee amounts have been reviewed and approved by Mike Faller and Bob Hill. The guarantee will be in place prior to construction.

Insurance. Pursuant to Town policy, the Town will require that the private contractor provide the Town with a Certificate of Insurance confirming both liability and workers compensation private insurance coverages. This will be in place prior to construction.

Project Oversight. The project is subject to routine inspection, testing and as-built requirements. The contractor/developer is responsible for all permits, fees, contacting Dig Safe and providing Dig Safe with the Dig Safe number. An Excavation permit will be required from DPW prior to construction.

Public Safety/Continuous Access. The Fire Department requires that one lane of travel be maintained during construction to provide continuous access for emergency response purposes to those properties located beyond the proposed construction. This requirement will be reinforced with the contractor at a pre-construction conference.

Septic systems are a potential source of pollution and the extension of the sewer will protect the nearby watershed. Future extensions of the line require approval of the Board. The matter will be scheduled for action at the March 3 Board meeting.

### **W 08-17 Special Permit Fees**

The Board held several workshops on special permit fees. They supported the application review component of the proposed fee structure, and asked that an inspection component be incorporated in the fee structure. Community Development Director John Edgar met with department heads to determine the value of the inspection component.

Five levels of event activity were identified, with a component for application review and field inspection. The fee for each category is: Single or Multiple Days w/ 1 Vendor: \$35; 2-3 Days with 1-5 Vendors: \$100.00; 2-3 Days with 6 or more Vendors: \$130; 4 or more days with 1-5 Vendors: \$165.00; 4 or more Days with 6 or more Vendors: \$330.

To encourage accountability on the part of the property owner, the application for a Special Permit will be revised to include the following wording:

In making application for a Special Permit, the property owner hereby acknowledges that the owner is responsible for:

1. Safe and orderly operation and management of the temporary use or uses; and
2. Compliance with any and all conditions of the approved Special Permit, including but not limited to the provision of traffic control; and

3. Any additional costs as may be incurred by the Town, above and beyond the Special Permit Fee, for follow up inspections necessitated by non-compliance with permit conditions or any other applicable laws or regulations.

The Board was in general agreement that the adjustments to the fee structure reflect a step in the right direction, and that the additional language will assist in the event of non-compliance. Selectman Brothers suggested looking at the cost of coverage for the events and adjusting fees on a periodic basis. Selectman Lovett asked for illustrations of the new fee structure that include a distinction between special permit fees and vendor fees.

Dialogue ensued regarding the distinction between a special permit (issued for an event held on private property), and a facilities use permit (issued for an event held on public property). Selectman Lovett suggested the addition of language on the application referring to the events and activities to which the permit applies. The Chair would like the permit to include language holding the owner responsible for extra ordinary expenses that the Town would otherwise bear for the event such as fire, police, water, and electricity.

The Chair directed the Town Manager to take the steps necessary to schedule the matter for public hearing.

#### **W 08-18 Request for Water Connection for Senior Housing**

The Board directed Town staff to work with Senior Housing of New Hampshire (SHNH) to develop a solution to provide water to the development project referred to as the Meredith Bay Colony Club. The Club is an 85-unit senior housing facility that will be located on Upper Mile Point Road. As part of the conditional approval of the project, SHNH must obtain permission from the Town Water and Sewer Department to connect to the municipal water and sewer system. The conditions of approval are to be documented in a Development Agreement. The Agreement is expected to be finalized over the next few weeks. At the request of their lender, SHNH asked for a letter from the Town confirming that they will be able to connect to the water system. The Town Manager drafted a letter for the Board's review that specifies the connection is subject to the terms of the finalized Development Agreement.

Ray Korber of KV Partners highlighted the key issues before the Board on the new development. The revised Water Use Ordinance provides for the allocation of available water capacity to specific user categories. The project falls into category 3, new developments requesting connection to the water system. There are no other developments at the conditional approval stage at this time. Within the context of the Water Use Ordinance, granting water on a first come first serve basis is the appropriate methodology. The most recent allocation breakdown as specified in the Water Use Ordinance sets the net available capacity at 141,000 gallons per day and the allocation for new developments at 29,000 gallons per day. The figures have been calculated conservatively, and include a 10% safety factor. Any reduction in blow offs will increase

the Net Available Capacity. The maximum day demand is determined on a 36-month basis, and will be adjusted in May of 2008.

Dialogue ensued regarding priority for projects such as low income and senior housing for allocation of water. The Board was in general agreement that the SHNH development should be considered on a first come, first serve basis. SHNH has offered to provide financing to the Town for the Bayshore Drive project. It is estimated that the project will increase the net available capacity by 35,000 gallons per day. SHNH will assist the Town in addressing their water capacity issues by paying 50% of all future amounts recaptured by SHNH when third parties connect to infrastructure paid for by SHNH, or paying \$100,000 to the Town prior to the completion of the senior housing project.

The Board was in general agreement that the letter should be dated and sent to the lender.

*Selectman Flanders motioned that in recognition of the time and effort put into financing the project, the Board authorize the Town Manager to sign the letter. Seconded by Selectman Brothers. 5-0. All in favor. Motion passed unanimously.*

#### **W 08-19      Zoning Board of Adjustment Appointments**

The Zoning Board of Adjustment (ZBA) has two vacant positions for full time members. The current ZBA Chairman, John Mack, has suggested the appointment of two people, who are currently alternate members, to fill these full-member positions. They are:

- Warren Clark – He has served as Alternate since May 21, 2007 and is recommended to fill the remaining term of Fred Hawkins through March 31, 2010.
- Brian Flanders – He has served as Alternate since October 15, 2007. Brian is recommended to fill the remaining term of Ken Haley through March 31, 2009.

Volunteer Applications and ZBA attendance records were included for the Board's review.

*Selectman Worsman motioned to appoint Warren Clark to fill the unexpired term of Fred Hawkins with an expiration date of March 31, 2010. Seconded by Selectman Brothers. 5-0. All in favor. Motion passed unanimously.*

*Selectman Worsman motioned to appoint Brian Flanders to fill the unexpired term of Ken Haley with an expiration date of March 31, 2009. Seconded by Selectman Brothers. 4-0-0 (Selectman Flanders abstained). Motion passed.*

#### **W 08-14      Philosophy of Minutes**

The detail that is included in the Board minutes surpasses what is legally required. Although the Board is generally pleased with the minutes, the Town Manager expressed

concerns with the level of detail they should include. There is a sizable cost associated with the preparation of minutes.

The Board was in agreement that the minutes should include general information such as who was in attendance. The motions should be worded exactly as made. The minutes should be informative, but dialogue should be restricted to summary form only. Selectman Lovett is in favor of complete openness and transparency to the public. Dialogue ensued regarding attachments to the official record. For the benefit of those that do not read the minutes, the Chair is in favor of positions being articulated orally during the Selectmen's Comments portion of the meeting. Selectman Worsman uses written material as a method to communicate a position in a clear, concise manner. Attaching written material to the minutes affords the public the opportunity to review what is handed out at a meeting. Selectman Brothers would like position papers to be included in summary form only in the minutes. Selectman Flanders is not in favor of attaching written material to the minutes. Positions should be included in summary form in the minutes. All staff reports and correspondence relating to a particular matter should be attached to the minutes.

#### **Miscellaneous:**

Selectman Worsman was contacted by Brian Wolfe regarding the treatment of milfoil in Lake Winnisquam. He would like to know how much the Town of Meredith will contribute to the project. There are abutters to the Lake that are willing to make tax deductible donations to the project, and they would like to know what steps to take to do so. The Chair directed the Town Manager to gather information to assist the Board in identifying a comprehensive plan for their contribution to the treatment of milfoil.

As a budget issue, Selectman Worsman would like to know how much time staff is spending on various committees. She requested that the matter be included on an upcoming workshop agenda.

The Town Manager updated the Board on the charette hosted by the Greater Meredith Program for landscaping at the Community Center. The landscaping will include native plantings that are disappearing from our gardens. Irrigation will be installed. The garden will be maintained by the Garden Club. The public will be solicited for feedback and participation. The project will be funded through conservation funding from the hotels that is designated to be put back into the community. The project is a good example of how the Town benefits from the work of the Greater Meredith Program.

*Selectman Flanders motioned to move into a non public meeting pursuant to RSA 91-A:3 II(c) and (e) at 6:30 p.m. Seconded by Selectman Brothers. Selectman polled. 5-0. All in favor. Motion passed unanimously.*

Respectfully submitted,

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Carol M. Granfield, Town Manager

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Frank S. Michel, Chairman

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Karin Landry, Recording Clerk

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Peter F. Brothers, Vice Chairman

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Robert C. Flanders

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Miller C. Lovett

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Colette Worsman