

BOARD OF SELECTMEN
Minutes of July 8/10, 2006

SATURDAY, JULY 8TH, SITE WALK: The site walk for the purpose of reviewing the proposed High School access road was called to order at 8:00 AM by acting Board of Selectmen Chair Alan Carpenter, and concluded at 9:15 AM. Present were:

Alan Carpenter, Selectman
Galen Stearns, School Board
Bruce Breton, Substitute Selectman
Margaret Crisler, Selectman
Gerald Lewis, Chief of Police
Carolyn Webber, HDC/Heritage Commission
Thomas McPherson, Fire Chief
Beth Talbott, HDC/Heritage Commission
Carol Pynn, HDC/Heritage Commission
Phil LoChiatto, Planning Board
Michael Joanis, Facilities Committee
Dan Sheahan, Facilities Committee
Jim Finn, Conservation Commission
Dennis Senibaldi, Selectman
Bruce Anderson, School Board
Stephanie Wimmer, Integration Committee
Barbara Coish, School Board
Bev Donovan, School Board
Bill Stevens, Harvey Construction
Brian Gallagher, SAU 28
Beth Valentine, School Board
Rick Okerman, Planning Board
Roger Hohenberger, Selectman
Thomas Seniow, Citizen

MONDAY, JULY 10TH:

MEMBERS PRESENT: Chairman Galen Stearns called the meeting to order at 7:00 PM. Selectmen Roger Hohenberger, Margaret Crisler, Alan Carpenter, and Dennis Senibaldi were present, as was Town Administrator David Sullivan. Mr. Stearns read the agenda into the record, followed by the Pledge of Allegiance.

ANNOUNCEMENTS: Mr. Stearns read a letter from Recreation Coordinator Cheryl Haas into the record, which reported that the Town Day had been very successful. Mr. Stearns noted that Mrs. Haas had done a fabulous job, and extended thanks to her and Ms. Beth Lippold of the Recreation Committee for a very well run event.

Mr. Sullivan reminded all that the Administrative Offices, Planning Department, and Town Hall will be closed on Friday for the Annual Senior Picnic. The Transfer Station and Tax Collector will be open.

Mr. Stearns reminded all that the Special Town Meeting Deliberative Session was scheduled for the following evening at 7:00 PM at Golden Brook School.

Mr. Senibaldi advised the Board that the Recreation Committee had received a request from a Windham business, Nutfield Technology, to host a clambake at the Town Beach for their employees on August 11th for approximately 3 hours. He noted that Board of Selectmen permission is required, as they'll be utilizing gas pots. Mrs. Crisler inquired whether the Fire Chief had been consulted.

Chief McPherson noted his only concern would be the location on the Beach, as the boat launch cannot be blocked.

After further, brief discussion, Mrs. Crisler moved and Mr. Carpenter seconded to allow Ms. Linda Moore and employees of Nutfield Technology to have a lobster party at the Town Beach on August 11th from 12 to 3 PM.

Mr. Carpenter inquired whether the number of people permitted should be included in the motion. Mrs. Crisler amended her motion to include “up to 20 people”, and Mr. Carpenter amended his second. Passed unanimously.

MINUTES: None.

CORRESPONDENCE: None.

OLD/NEW BUSINESS: Mr. Hohenberger sought clarification of the bathroom issue at Griffin Park on Town Day. Mr. Senibaldi noted that Allan Barlow had advised him that the flushometers were staying open, resulting in a lack of adequate water to flush. He noted that, after consultation, Sloan had recommended that a higher quantity supply tanks be installed, and Mr. Barlow was working to get a quote to do so.

Mr. Breton approached, suggesting that the pressure switch be adjusted to increase the supply. Mr. Sullivan will follow-up with Mr. Barlow.

Mr. Carpenter noted that the bathrooms were available until late afternoon, and that they are not often taxed like they were on Town Day. He suggested that for large events arrangements be made instead to have extra portapotties on site.

Mr. Sullivan requested that the Board approve an amendment to the Town’s insurance policy which details that the Town ensures that it will take appropriate measures to secure any information that it attains in administrating its benefit programs which is considered Protected Health Information.

Mr. Hohenberger moved and Mrs. Crisler seconded to amend the policy as proposed. Passed unanimously.

Mr. Senibaldi noted that five (5) baseball gloves had been found at Griffin Park, and will be left with the Recreation Coordinator.

PUBLIC HEARING/LONDON BRIDGE ROAD: Mr. Stearns read the public hearing notice into the record, and then recused himself. Mr. Carpenter assumed the Chair, and welcomed former Selectman Bruce Breton to the Board as Mr. Stearns replacement for this discussion.

Mr. Carpenter then announced that the Board of Selectmen and approximately 20 other individuals had attended the site walk on Saturday, which had commenced at 8:00 AM and concluded at 9:15 AM.

Mr. Bruce Anderson, School Board Chairman, then approached stating the School Board was seeking to have London Bridge Road re-opened as an access road to the High School and in keeping with the Town’s Master Plan. He noted the roadway had been designed to the Selectmen’s specifications, and that cost estimates were available. He then introduced several members of the School Board that were present, along with representatives of Appledore Engineering and Harvey Construction, Attorney Michaels, and Mr. Colin Robertson.

After a brief discussion and to clarify the change on the Board, Mr. Hohenberger moved and Mrs. Crisler seconded to appoint Mr. Breton to sit in for Mr. Stearns in these discussions. Passed 4-0.

Atty. Michaels approached, and thanked the Board for their assistance and support throughout this process. He noted that the Planning Board has approved the roadway line and location, and it essentially follows the old

London Bridge Road. Atty. Michaels then noted that, per the Board's request at their previous discussion, the following potential costs had been analyzed:

Underground utilities:	Cost \$307,250
Sidewalks:	441,425
Under drainage:	30,000
Lighting:	148,000

If each of these items were implemented, Atty. Michaels stated they would result in a per linear foot cost of approximately \$230 for the roadway. He asked that the Board consider whether these items were necessary at this time, as the added cost is significant.

Mr. Brad Mezquita of Appledore Engineering reviewed the proposed layout with the Board, highlighting the following:

- The roadway would line up directly across from Ledge Road, skirt the wetlands at the Route 111 end, cross a small stream, avoid the bridge, and end at a point approximately 300' beyond the second entrance to the High School.
- 2300' of the total 4300' of the roadway will be closed drainage.
- Several stormwater discharge areas are included with vegetation filtration.
- The School Board has obtained their Wetlands permit and NHDES site specific permit.
- Under-drainage has been included in areas recommended by the geo technician.

Atty. Michaels then noted that, as to the utilities, this was not a residential roadway but a secondary access road, none of which had underground utilities in Town. Mr. Mezquita then pointed out that, if above ground were approved, all of the poles would be installed on the low side of the roadway.

Mr. Carpenter suggested that the Board review the items individually to obtain a consensus, then the public be invited to comment.

Layout: No Board issues.

Ms. Carolyn Webber of the HDC/Heritage Commission approached, and inquired why length was being added to the roadway to meet with Ledge Road. Mr. Mezquita replied that the roadway had been moved 150' east to allow for a signalized, four-way intersection at Ledge Road, as the NH DOT did not want this end of the roadway to follow its original path.

Mr. Tom Case approached inquiring who had been notified regarding the layout. Mr. Sullivan read the names of the abutters into the record. Mr. Case then cited RSA 231:9, and inquired why all of those individuals had been notified and whose property the road was crossing. Mr. Stearns noted that the School Board has agreements with two landowners for deeded access. A brief discussion ensued.

Mr. Tom Cleary, resident, approached to inquire what effect the shift would have on the ponds near Route 111. Mr. Mezquita noted that a retaining wall will be constructed at the small pond, and impacts to the large pond will be minimal. He also noted that the Conservation Commission has reviewed the plan, and the Department of Environmental Services and Army Corps of Engineers have signed off on the design. A 10-1 conservation easement is also being offered in mitigation. A brief discussion ensued regarding future construction of a second school on the lot.

Construction Details: Mr. Hohenberger noted that the roadway as proposed ends at an 8% slope with no hammerhead, and that a turn-around area will be needed by plows. Mr. Mezquita replied that the cut into the sub-grade will blend in with the current gravel roadway in that area, and that the planned turn-around area will be the second entrance into the High School.

Brief discussion ensued regarding the 8% slope and guardrails, and the shoulder areas.

Mr. Hohenberger then inquired about a second egress. Mr. Mezquita replied that, initially, there will not be one but it will connect through in the future with development. Mrs. Crisler noted that the Planning Board had discussed this at length, and recommended the dead-end despite the length as this is not currently a residential area.

Mr. Hohenberger then asked if the remainder of London Bridge could be graveled and gated for emergency access. Atty. Michaels noted that the roadway was adequate for the School District's purposes, but the abutters had not been consulted regarding emergency access.

Mr. Charles McMahon approached to point out that the Town has never had more than a 2000' roadway without a second egress. He felt the layout must include a second way out, as it was a disaster waiting to happen without one.

Ms. Webber inquired whether emergency vehicles could enter from the other direction. Chief McPherson noted he had concerns with the distance of the unpaved area, and that the Fire Department had been very vocal throughout this process about their concerns regarding construction of a 4000' roadway with only one access.

Ms. Ruth-Ellen Post, Planning Board, approached stating that the Planning Board was not unmindful of the need for a second egress, and would not have recommended the dead-end as a permanent solution, but a temporary measure only.

Mr. Mike Joanis, resident and licensed Fire Engineer, approached noting that as it pertains to fire emergencies, a school is very different from a residential area as it has its own water supply and sprinkler system.

Planning Director Al Turner noted that the Planning Board has reviewed several conceptual plans for development in the area, and at least one would shorten the unpaved distance by half. He then noted that, currently, the unpaved area cannot be passed over by fire vehicles, but can by a cruiser. He noted the situation is temporary and the site note be completely left off.

Chief Lewis approached to reiterate his concerns regarding a single access. He noted there are other emergency situations that could arise, and that it would not take much to clog the roadway resulting in no access to the school. He strongly recommended that adequate access from the rear be provided, and not what was being proposed.

Mrs. Crisler felt that the operative word was "temporary", noting that the Planning Board had approved similar situations. She also noted that one abutting subdivision had already been approved, and pointed out that neither the School District or Town own the rear land. Mr. Hohenberger expressed concerns that the Town has no control over the temporary nature of the second egress.

Mr. McMahon noted that the safety of the students and access are the issues, and that it's not what is at the building but getting to the building that's important in an emergency.

Utilities: Mr. Bill Stevens of Harvey Construction reviewed the plan with the Board, noting that the high school site itself includes underground utilities, and that PSNH had stated that 3700' of 8-conduit, concrete-

encased, underground 3-phase service for the entire roadway would be \$307,250. Mr. Mezquita noted that the underground utilities would have to be constructed per PSNH's plan.

Mr. Turner noted that PSNH had included seven (7) cabinets to plan for future development in the area, however, if the Board wished the number and cost could be reduced. A discussion ensued regarding the lack of a plan from PSNH, the value of concrete encasements and why they had been included in the specifications, and low versus high side installation of overhead utilities.

Mr. Dennis Scott, resident, approached seeking clarification of why this was not being considered a residential roadway, as there were several houses that were abutting. Mr. Carpenter replied that it was due to the fact that none of the houses had frontage on London Bridge Road.

Mr. Anderson approached stating that, even without the concrete encasement, underground utilities would still cost approximately \$200,000.

Ms. Post approached noting that the Planning Board did recommend underground utilities for safety reasons, but did not support sidewalks or roadway lighting.

Mrs. Diane Carpenter, resident, approached to inquire whether the reconstruction of Lowell Road for the Bike Path would include underground utilities, and the Board replied in the negative. Mrs. Carpenter felt that if that could work without them, then so could London Bridge.

A discussion ensued regarding roadway standards, the original vote to approve \$43.7M, and the lack of a breakdown of costs.

Mr. McMahon approached in support of underground utilities.

Mr. Senibaldi inquired what the entire cost of the roadway was, and Mr. Stevens replied the entire site had been bid as a package, and that the results were not yet public. A discussion ensued regarding the bid procedure, timing and change order concerns, and rejection of all bids by the School Board, if necessary.

Mr. Senibaldi inquired whether the roadway was broken out in the specifications. Mr. Dan Bisson of Team Design replied it was, and estimated at \$1.7 with overhead utilities.

Mr. Carpenter then polled the Board for a consensus on the utilities: Mr. Senibaldi supported underground utilities with reduced specifications and no concrete; Mrs. Crisler preferred above ground; Mr. Hohenberger preferred underground for safety reasons; Mr. Breton preferred underground for safety reasons; and, Mr. Carpenter preferred underground as he felt above ground posed and increased hazard without a second egress.

Mr. Turner advised the Board that PSNH had offered to allow the School District to pay for the underground utilities over a period of years, and the cost is assignable to future developers. Mr. Breton suggested impact fees be placed into the CIP to recoup the cost from developers. A discussion ensued.

Sidewalks: Mr. Carpenter noted that the Planning Board had recommended elimination of the 4' paved shoulder area, as it does not meet the standards for either a sidewalk or bike path. Mr. Hohenberger noted that he is opposed to granite curbing, but the 4' paved area would allow for overflow parking.

Mrs. Crisler stated she had originally supported the 4' striped/paved shoulder, but after Planning Board discussions she was opposed. She noted the Planning Board felt the area was not useable in a safe manner and raises liability issues, and that Town Counsel concurs. Mrs. Crisler supported the standard, 28' roadway.

Mr. Senibaldi supported the layout as presented, including the 4' paved area with no curbing, for safety reasons.

Mr. Cleary approached to inquire whether there was a standard for high schools regarding sidewalks, and Mr. Mezquita replied it varies from school to school. Mr. Cleary then noted that, if the students will be walking/biking along the roadway then something would be needed.

Mr. McMahon felt that future subdivisions in the area of the high school called for the installation of sidewalks now.

Mr. Breton inquired whether this could be offset with an exaction, as well, and Mr. Turner replied in the affirmative.

Mr. Carpenter then polled the Board for a consensus as follows: Mr. Senibaldi like the layout as it was presented; Mrs. Crisler preferred no sidewalks/4' paved area, but rather the standard 28' crowned roadway; Mr. Hohenberger felt a defined walking area was important, and supported the layout as presented; Mr. Breton supported the layout as presented; and, Mr. Carpenter supported the layout as presented, noting sidewalks could be put in as offsite improvements of a future development.

Drainage: Mr. Mezquita reviewed the plan with the Board. Mr. Hohenberger inquired why 4' high fencing was being shown around the detention ponds, noting he supported the drainage as planned but was concerned that standing water hazards were being created. Mr. Mezquita replied that the Department of Education would require that the ponds be fenced.

Ms. Webber approached and inquired what drainage would be installed by the causeway. Mr. Mezquita noted the drainage below the causeway would not be altered, but the area water diverted to lessen what flows through the stones.

Mr. Scott inquired what type of culvert was being proposed for the stream. Mr. Mezquita noted it would be a 16' wide by 5'3" high, open bottom, arch culvert similar to that utilized on Church Street.

Mr. Carpenter polled the Board for a consensus, and all members supported the combination of closed and open drainage as proposed.

Lighting: Mr. Carpenter noted that lighting along the roadway was not depicted on the plans, and Mr. Mezquita replied that only the cost had been analyzed per the Board's previous request.

Mr. Senibaldi inquired what the estimate of \$148K, as presented earlier in the meeting, was for. Mr. Stevens replied it was for 20 light fixtures on aluminum poles. Mr. Mezquita pointed out that the high school site is lit, but not the roadway.

Chiefs McPherson and Lewis both urged the installation of lighting for pedestrian safety, emergency response, and security reasons.

Mr. Carpenter polled the Board for a consensus, as follows: Mr. Hohenberger did not support lighting; Mr. Breton did not support lighting the roadway, but suggested a few lights be placed just off the high school site to extend that lighting; Mr. Senibaldi supported lighting the site only; Mrs. Crisler supported lighting the site only; and, Mr. Carpenter supported the recommendation of the Chiefs that the roadway be lit.

Mr. Carpenter then read correspondence from the Highway Agent into the record, as well as a letter from Mr. Scott. A discussion ensued regarding speed control measures along the roadway, including dips, teardrops, and pavement changes. Mr. Mezquita noted that cobblestones and scored pavement both pose maintenance and icing problems, and are not recommended as traffic control measures.

Mr. Hohenberger requested that discussion regarding the second egress be re-opened, and inquired whether there were any way to allow for gravel to be installed along the back part of the roadway. Atty. Michaels noted that the Board of Selectmen has the authority in the future to layout the remainder of London Bridge Road. He reiterated that this will be a temporary situation, and that the Board must balance all factors in making their decision. Atty. Michaels then noted that there would be a two-year window before the School opens to address the remainder of the roadway.

Mr. Carpenter inquired what the time and cost requirements would be if the Board wished to proceed with layout out the remainder of London Bridge Road to meet Castle Hill Road. Mr. Sullivan noted the funds would have to be budgeted in 2007 for completion in 2008, and that 30-days notice to the abutters would be required. He also advised the Board that the Town might be required to pay damages to some or all of the abutters as part of the eminent domain process. A discussion ensued regarding procedures, eminent domain, and the number of abutters.

Mr. Hohenberger then inquired who would be conducting the inspection, as it would be a Town road. Mr. Turner replied that, normally, CLD Engineering would conduct the final inspection. Mr. Hohenberger inquired who the School District had planned to utilize, and Mr. Mezquita suggested the onsite geo-technician be utilized to inspect for Town standards, which would save an estimated \$30,000.

Chief McPherson approached to note that he, and Chief Lewis, would support overhead utilities if the School Board were willing to look at improving the rear egress.

Mr. McMahan approached to express continued concerns. He felt the project should be done right the first time, without subjugating any safety issues. He did not believe enough information had been presented for the Board to vote.

Mr. Kevin Waterhouse, resident, approached to opine that the layout is appropriate, all questions have been answered, and the Board should be ready for a vote.

Mr. Carpenter then re-capped the members' positions on the items discussed. Mrs. Crisler added that, per the Highway Agent recommendation, underdrains should be installed, loam increased, and cascade style catch basin grates utilized. She also suggested that Town Counsel opinion be garnered regarding the proposed fencing, and that the School Board work with staff to regarding traffic calming measures.

Mr. Mezquita pointed that underdrains were included where the geo-technician recommended. Mr. Turner noted that Mr. McCartney had suggested additional to avoid rutting or alligating of the roadway from heavy vehicle traffic. A brief discussion ensued.

Mr. Mezquita then noted that the loam amount is set to NH DOT standards, and Mr. Turner replied that the Town standard is 6", which is what Mr. McCartney recommended.

Mr. Carpenter then polled the Board for a consensus on the underdrain installation: Mr. Senibaldi supported installation as designed; Mrs. Crisler supported the recommendation of the Highway Agent that they be installed in areas of 4% or more grade; Mr. Hohenberger had no opinion; Mr. Breton supported the installation as designed; and, Mr. Carpenter supported the installation as designed.

Mr. Carpenter requested that a visual barrier be installed behind the four (4) residential homes that abut the roadway, and that Mrs. Hebert be consulted as to design.

After further, brief discussion, Mr. Hohenberger moved and Mr. Breton seconded to find an occasion and to approve the layout of London Bridge Road as proposed by the School District according to a plan prepared by Appledore Engineering and Doucette, subject to the following: installation of underground utilities up to the main school entrance, the cost of which is to be assigned to future developments; pavement will be as shown on the plan with 4' wide paved shoulder area; drainage will be installed as proposed; no street lighting will be installed; Appledore Engineering will work with staff to develop traffic calming measures; the cost to inspect the roadway will be borne by the applicant; visual barriers will be installed behind the four abutting homes; the Highway Agent's recommendations regarding basins, grates, and loam will be incorporated into the project; the cost of the layout will be borne by the School District; and, a bond for the roadway will be in place.

After a brief discussion regarding the need for a bond, the motion passed unanimously.

Mr. Carpenter indicated he would like staff to proceed with beginning the layout procedure for the back portion of London Bridge Road. Mr. Senibaldi made a motion to that effect. Mr. Turner approached, noting that there are ongoing negotiations regarding that area, which the layout procedure might negatively effect. Mr. Senibaldi withdrew his motion.

Mr. Carpenter thanked Mr. Breton for his assistance, and called for a five-minute recess.

Mr. Stearns resumed the Chair.

BOARD OF HEALTH/16 LONGMEADOW: Mr. Stearns read the public hearing notice into the record.

Mr. Turner presented a plan of the area to the Board, and noted that the applicant was seeking a replacement in kind of a failed system. Mr. Turner noted that the project required a waiver of Section 103.1 of the Waste Disposal Regulations, as the system was being proposed for installation at 3' above the high water table.

Mr. John Morrison approached on behalf of the owner, noting that the property was being sold and the replacement was a requirement of the closing. Mr. Benhase, owner, explained that the home inspector had advised them that chamber problems existed with the system.

After further, brief discussion, Mr. Carpenter moved and Mr. Hohenberger seconded to approve the in-kind replacement of the septic system and leach field at 16 Longmeadow Road due to a potentially failed system. Passed unanimously.

Mr. Carpenter moved and Mr. Hohenberger seconded to exit the Board of Health. Passed unanimously.

OLD/NEW BUSINESS, CONTINUED: Mr. Sullivan discussed the possible sale of 19 Seavey Road with the Board. He noted that the Planning Board and Conservation Commission recommended this parcel be sold, and that it had been suggested it be merged with an adjacent property. Doing so would require a Town Meeting vote to sell the property to a specific abutter, or the Board could forego the stipulation to merge and utilize the sealed bid process with a minimum bid of \$30K, which was recommended as fair value by the Town Assessor. A discussion ensued.

Mrs. Crisler then moved and Mr. Hohenberger seconded to put the property out to sealed bid as an unbuildable lot with a minimum bid of \$30K. The existing structure on the property is to be removed. Passed unanimously.

Mr. Sullivan indicated a request had been received to purchase another lot on Seavey Road, which abuts a Town trail. After a brief discussion, Mr. Carpenter moved and Mr. Senibaldi seconded to retain ownership of lot 8-A-61 on Seavey Road. Passed unanimously.

Mr. Sullivan indicated that he had received correspondence from Scott Bogle of the Rockingham Planning Commission seeking two (2) volunteers to serve on the CART Board of Director relative to the van pool project. He asked that the Board send a representative to the upcoming meeting until the volunteer slots can be advertised and filled. Mr. Senibaldi indicated he would attend the upcoming meeting.

Mr. Carpenter inquired when Marblehead Road would be completed, and Mr. Sullivan indicated it would be finished in a few months.

Mrs. Crisler extended her thanks to the School Board for their efforts and dedication.

A brief discussion ensued regarding re-addressing the issue of dogs on Town property, particularly at Griffin Park. Mr. Sullivan will post a public hearing to discuss this matter further.

A brief discussion ensued regarding Herbert Field, which will be hayed soon. Mr. Sullivan will address the possibility of this property being conveyed to the Town with owner.

NON-PUBLIC SESSION: Mr. Carpenter moved and Mrs. Crisler seconded to enter into non-public session in accordance with RSA 93-A:3 Iib. Roll call vote, all members “yes”. The topic of discussion was personnel, and the Board and Mr. Sullivan were in attendance.

Mr. Sullivan updated the Board on ongoing personnel matters. No decisions were made.

Mr. Carpenter moved and Mr. Hohenberger seconded to adjourn. Passed unanimously.

The meeting was adjourned at 11:15 P.M.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

Note: These minutes are in draft form and have not been submitted to the Board for approval.