

BOARD OF SELECTMEN
Minutes of March 5, 2007

MEMBERS PRESENT: Chairman Galen Stearns called the meeting to order at 7:05 PM. Selectmen Dennis Senibaldi, Margaret Crisler, Alan Carpenter, and Roger Hohenberger 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 reminded all that Election Day is March 13th. Polls will be open from 7AM to 8PM at Golden Brook School.

LIAISON REPORTS: Mrs. Crisler announced that the Planning Board is currently working on revisions to the subdivision/site plan regulations, precipitated by changes in the State law.

Mrs. Crisler reported that the Salt Shed Committee had met the previous week with a representative from the NH Department of Transportation. The possibility of a joint salt shed had been discussed, and the interest expressed by the State. In this scenario, the State would build and maintain the facility. Also, various possible locations were discussed, and the State will be providing a list of their properties for consideration.

Mrs. Crisler also indicated that, in the course of the discussion, the State had advised them that Town is authorized to obtain vehicle fuel at the State rate from the Londonderry DOT station. A brief discussion ensued as to the location of the site. Mr. Carpenter requested that Mrs. Call be asked to develop a cost analysis of the potential savings versus mileage and wear and tear to travel to Londonderry to refuel.

Mrs. Crisler announced that the members had met the previous Saturday and traveled to Hooksett to tour their transfer station. She noted several items of interest, including that Hooksett provides curbside pickup to their residents.

A brief discussion ensued regarding the Hooksett Highway Department, after which Mrs. Crisler requested a letter of be sent to Hooksett, along with Pelham which the Board also previous toured, thanking them for their courtesy and accommodation.

ANNOUNCEMENTS CONTINUED: Mr. Stearns advised all that the 2006 Annual Reports are now available at the Town Offices.

MINUTES: Mrs. Crisler moved and Mr. Hohenberger seconded to approve the minutes of February 10th and 12th as written. Passed unanimously.

CORRESPONDENCE: *Request received* from the Town of Hudson that a petition in support the construction of a Merrimack to Litchfield bridge be placed at the Windham polling place on election day. A discussion ensued, and it was the consensus of the members that a reply be sent expressing the Board's support of the bridge but of advising their reluctance to circulate the petition without greater details about the project.

LIAISON REPORTS CONTINUED: Mr. Hohenberger noted that, at the Salt Shed Committee meeting previously reported on by Mrs. Crisler, the members had also been advised that \$5M in funding is available to municipalities for salt mitigation. He suggested the Board may be able to request reimbursement for the salt shed construction.

Mr. Senibaldi reminded all that the 2nd Annual Daddy/Daughter dance was scheduled for March 13th, 6 PM, at Center School. Residents should contact the Recreation Department for tickets.

Mr. Carpenter requested that, on behalf of the Windham Cooperative Kindergarten Relocation Committee, thanks be extended to Chief McPherson for his efforts and responsiveness on their behalf, which he described as exemplary.

PUBLIC HEARING/PLANNING FEES: Mr. Turner explained that it has been over two years since the Planning Department fees were amended, and then presented a survey of surrounding communities' fees as compared to Windham. He noted that Windham's fees are about average with those surrounding towns. A discussion ensued regarding the new fees placing Windham above the other communities, and whether the proposed fees are comparable to the costs to conduct the required inspections, etc. Mr. Carpenter noted that it doesn't appear that the Department is currently recouping its costs. Further discussion then ensued regarding the various duties of the Planning Department staff.

Mr. Hohenberger voiced his support of the increases, with the exception of the proposed blasting and Zoning Board of Adjustment use variance fees. Mr. Turner explained that, currently, blasting permits are issued for a 30 day period at a cost of \$125, however, the blasting ordinance states the permits shall be issued for a 90 day period. He stated that, in light of this, he felt an increase to \$300 for a period of 90 days was reasonable.

Mr. Senibaldi then moved and Mr. Hohenberger seconded to amend the proposed fee to \$125 for 90 days. After further discussion, the motion was withdrawn and the consensus of the Board was that \$150 for a period of 90 days was a more appropriate change.

Mr. Turner then explained the time and staffing involved in the Zoning Board of Adjustment use variance procedure, which the Department addresses once or twice per year. Mr. Carpenter then suggested that a fee increase to \$100 might be more appropriate.

Mr. Bruce Breton approached, noting that when the fees had last been adjusted two years ago, the use fee had been overlooked. He felt that the increase to \$200 was reasonable, given the work involved and the time elapsed since the last increase.

Mr. Tom Case approached, voicing his disagreement with Mr. Turner regarding the time and staffing required to address a use variance. He noted that the site plans, inspections, etc. do not occur until after the ZBA determination whether or not to grant a variance. Mr. Case also stated that he believed the ZBA by-laws specifically outline the fees for variances.

After a brief discussion, it was the general consensus of the Board to support the proposed fee increase to \$200. Further discussion then ensued regarding living space versus unfinished areas. Mr. Carpenter noted that, although the increase proposed was only \$0.05, it represented an increase of 50%. It was the consensus of the Board that the fee be increased to \$0.12 rather than \$0.15.

Further discussion ensued regarding impacts of the increases to new owners versus existing property owners and the effective date. Mr. Senibaldi expressed concerns that increases appeared to be arbitrary in nature.

Mr. Carpenter then moved and Mrs. Crisler seconded to approve the Building Department fees as proposed, with the exception of the residential unheated areas which shall be \$0.12 and the blasting permits which shall be \$150 for 90 day; to be effective April 1, 2007. Passed 4-1, with Mr. Senibaldi opposed.

Mrs. Crisler then requested that Mrs. Call work with Mr. Turner to analyze the actual costs to perform some of these tasks, and Mr. Sullivan noted it could be calculated by Planning staff with the hourly rates.

RIGHT-OF-WAY PERMIT/COPPS HILL ROAD: Mr. Peter Zohdi approached on behalf of the developer, stating that Planning Board approval had been granted for a 10-lot subdivision subject to improvements to Copps Hill Road. Mr. Zohdi noted that the pavement would be removed, the base evaluated, the roadway repaved with some drainage improvements, and the area cleaned up upon completion.

Mr. Turner approached, noting that Copps Hill Road had been abandoned several years ago by the original developer, and that Mr. Zohdi will also be completing the cul-de-sac and regrading the road as part of the improvements. Mr. Turner noted that the Highway Agent has reviewed the site and supports the proposed improvements.

A brief discussion ensued as to whether the roadway would be built to Town standards and whether these improvements had been condition of the subdivision approval. Mr. Zohdi replied the road would not be reconstructed to the Town standard of 28', but rather to Mr. Turner and Mr. McCartney's specifications. He also replied in the affirmative, that this project was a condition of approval.

Mr. Carpenter then moved and Mr. Senibaldi seconded to approve the right-of-way permit as proposed. Passed unanimously.

OLD BUSINESS: Mr. Sullivan inquired whether the Board had any changes to the Town Hall Use Regulations and Media Relations Policy prior to his posting these documents for public hearing and employee input, respectively.

A lengthy discussion ensued regarding the Media Relations Policy, in which it was determined that all reference to appointed/elected officials shall be removed. Mr. Sullivan will follow-up to post these documents.

NEW BUSINESS: Mr. Carpenter requested that the Recreation Coordinator explore the possibility of establishing a Town sledding area for next season. The leasing of Windham Country Club or possibly Landry's for a nominal, annual fee were discussed, and it was the consensus of the Board to support Ms. Haas looking into this matter further.

NON-PUBLIC SESSION: Mr. Hohenberger moved and Mr. Carpenter seconded to enter into a non-public session in accordance with RSA 91-A:3-IIc. Roll call vote – all members "yes". The topic of discussion was reputations, and the Board, Mr. Sullivan, and Ms. Devlin were in attendance.

Mr. Sullivan reviewed three department head evaluations with the Board, all of which were endorsed by the members.

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

The meeting was adjourned at 9:30 PM.

Respectfully submitted,

Wendi Devlin, Administrative Assistant

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