



BOARD OF SELECTMEN
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MINUTES OF THE BOARD OF SELECTMEN

Monday, December 14, 2015 – 7:00 p.m. – Town Hall Conference Room

Members Present: Vaughan Morgan, Kevin Forrest, John Penacho, Jim Rolston

Members Absent: John McDevitt

Staff: Karen Anderson – Town Administrator

Also Present: Chip Hussey – Planning Board CIP Representative

Chair Morgan opened the Board of Selectmen meeting at 7:00 p.m. A roll call was taken by the Chair; he announced a quorum was present and the meeting was being recorded.

I. APPOINTMENTS

1. Green and Company – Request for Septic Waiver: Age Restricted Housing Development; Abutting Gravel Area

Joe Coronati, Jones and Beach Engineering, addressed the Board. Also present from Green & Company were Richard Green, Michael Green, Jennifer Green, John O'Neill; and Tracy Rioux from SeptiTech. J. Coronati explained the Building Regulations require a 4' to seasonal high water table; they were requesting a reduction to 2', which is allowed by the State. According to Greenland's regulations, the Board of Selectmen issue the waiver.

J. Coronati reviewed the type of system that will be installed on several of the lots. T. Rioux obtained permission from NHDES to use SeptiTech systems; outflow would go to a leach field with a 2' to seasonal high water table. J. Coronati continued that they were seeking a waiver: whenever an Enviro or SeptiTech system was being used, they would like the ability to go to 2' rather than 4'. That would allow fewer steps into the homes in an Age Restricted Housing development. Both systems they plan to use have been approved for the separation of water table.

Chair Morgan commented that he researched the SeptiTech System online, and it appears to be a good system. R. Green stated that there were many other systems that only reduced the nitrates; the SeptiTech System is a mini-treatment plant, and the discharge is close to drinkable. K. Forrest asked why this wasn't addressed during the Planning Board process, why the change, and why it's coming out now. R. Green responded that when they started planning the leach beds, it became apparent that there would be a problem in one area of the development. J. O'Neill added that 2' is three stairs, and three extra steps into a house is incredibly important in an age restricted development; they try to limit it to two or three stairs going into the house. R. Green stated that they didn't realize that the Town didn't follow the State standard of 2'; other towns do a 2' separation with this type of system. The Town Administrator noted that the Building Inspector can approve 2' for a replacement system, but not for

new systems according to the Town's regulations. They must get a waiver from the Board of Selectmen even though those systems are allowed by the State.

J. Rolston questioned the statement in the NHDES letter that they did not grant the waiver for a 75% reduction in the nitrate setback. T. Rioux explained that when she went to get the approval for a 2' separation vs. a 4', she did two presentations to the State. The first was to get the 2' separation; the second was to get approval for nitrification setbacks from property lines, wells, etc. They are not giving that approval to anyone.

K. Forrest noted that Danna Truslow felt the Planning Board should review and approve the requested changes. J. Coronati responded that the Planning Board Consultant has been involved in the process; however, they have not been to the Planning Board for a specific discussion. He also noted that per the Building Regulations, it was a Board of Selectmen decision; the Planning Board could not grant relief or reduction in the building codes. Members were concerned that the Planning Board had not reviewed the information. C. Hussey commented that, personally, he felt comfortable with the systems; however, he was unsure if the Planning Board would want to do a review. He continued that the systems have been out a long time and used in many commercial locations as well as some residences in Town.

J. Coronati briefly explained the hydrogeologic review process done by D. Truslow, adding that they were not deviating from the requirements listed on the plan. The review was done by D. Truslow to ensure they met the requirements in the performance spec. C. Hussey noted that if it went back to the Planning Board, abutters may have to be re-noticed. He added that months after the approval, some residents were not happy with the process. K. Forrest stated that because D. Truslow recommended the Planning Board review it and the Planning Board Chairman was in agreement, he would like to see an endorsement from that Board.

MOTION: *J. Rolston moved to approve the waiver for the SeptiTech Systems or Advanced Enviro-Septic Systems to be installed at 2' to seasonal high water table contingent on Planning Board review. Second – V. Morgan*

DISCUSSION: If the Planning Board agreed with the review by D. Truslow, Green and Company would not need to return to the Board of Selectmen. Otherwise, they would need to return to the Selectmen on Monday, December 28. Green and Company would like to pull building permits, and can't do that without septic plans being submitted. The Board was in agreement that the Planning Board should review the information at their meeting on Thursday, December 17. J. Penacho recommended that the Board move forward with the approval if the Planning Board could not review by that date; however, the Planning Board should have the opportunity for review. If there is an issue, the Selectmen need to know.

AMENDED MOTION: *J. Rolston moved to approve the waiver for the SeptiTech Systems or Advanced Enviro-Septic Systems to be installed at 2' to seasonal high water table contingent on Planning Board review by Thursday, December 17, 2015. Second – V. Morgan; all in favor. MOTION CARRIED*

The gravel area abutting the ARH development was discussed. Green and Company is proposing to remove the top of the hill by pushing it towards the cemetery. The ravine would be filled in using the existing gravel. This would be beneficial to the Town: the area next to the cemetery will be filled in, possibly providing for expansion in the future; it would level out the area allowing it to become stabilized (loam can't stay on the existing steep slopes). It needs to be flattened out to a 3:1 slope; they could then loam and seed so it could be green. The gravel would remain on Town property and could be

removed when needed by the Town; they would prefer it be removed by the backside first so it doesn't reopen as a gravel pit right away. There will be 25' landscape buffer on the gravel pit side of the development.

In addition to beautifying the area, the gravel would be in an accessible area. Dirt Pro, also doing the site work, will be doing the work at no cost to the Town. The Planning Board Engineer will be doing inspections on a regular basis and will file reports with the Town. Future accessibility of the gravel is a concern for Board members; R. Green stated that it will be more accessible with a 3:1 slope. J. Penacho was concerned that once the landscape was changed there could be a problem when the Town needed to remove gravel; people in the ARH development may not realize it's on Town property. R. Green responded that they would include the location of the property line in the documentation as well as verbiage that it is Town property and gravel can be removed at the Town's discretion at any time. He will submit it to the Town Administrator for review.

J. Penacho stated Altus Engineering should review the plan and agree with the landscaping. He also stated inspections should be done by Altus Engineering on a regular basis.

MOTION: K. Forrest moved to approve the regrading proposal submitted by Green and Company with the caveat that it meets the approval of Altus Engineering, with onsite inspections during the project. Further, Green and Company will provide the Town with documentation stating that the Town reserves the right to remove gravel at a future date. Second – J. Penacho; all in favor. **MOTION CARRIED**

2. CIP – Chip Hussey, Planning Board

C. Hussey reviewed the Capital Improvement Plan with the Board. He made the following disclaimer: The Planning Board was not approving any expenditures or stating what was a good or bad idea. Proposals were given by departments for capital improvement purchases; the process was to figure out the best way to keep it flat. The CIP consists of items that can be paid for over three to seven years; bond items are listed separately. The first three years remain relatively flat and will drop the next three. C. Hussey does expect that to change next year.

The Cemetery and Recreation Committee were the only departments that did not participate. The Planning Board Consultant suggested that engineering fees for the Town complex should be part of the bond. The Conservation Commission submitted a pedestrian bridge that would be part of the Winnicut River bridge. It would be a TAPP grant through the State of New Hampshire and paid for by federal funds.

The School needs were discussed. J. Penacho asked if there was a Maintenance Trust Fund at the School. The Town Administrator and C. Hussey felt there was at one time, but may have been changed several years ago. J. Penacho stated that the beneficial part of a warrant article was it had to be used for a specific purpose.

It was suggested that the Town complex and pedestrian bridge be separate warrant articles. The compactor and dump truck will not be submitted as one warrant article as suggested; the Town Administrator felt they should be separate warrant articles due to capital reserve funds. The impact on the tax rate is unknown at this time.

There was a discussion regarding the Library purchase of land and/or expansion as well as the Rec fields.

II. ADMINISTRATIVE AND OTHER ITEMS

1. Lane Avenue Street Light

The Town Administrator received a letter from a resident on Lane Avenue requesting the street light be repaired. She has also talked to EverSource and will receive a written estimate for that repair. J. Rolston questioned the light being on Town property; he felt it may be more than 10' from the road. He also stated that after being down there, he didn't think it was a safety issue. The Town Administrator added that it doesn't appear to have been put in when the other street lights were, and appears to be different. Chair Morgan also drove down Lane Avenue and agreed with J. Rolston. However, he stated he would like to know the cost to repair the light. The Town Administrator will have the Property Maintenance Supervisor measure the light placement.

Rick Cirulli, Lane Avenue: Reiterated that it was an existing light that was put there for a reason, along with the other street lights. It would be a shame to reduce the level of safety from its existing condition. J. Rolston questioned if the light was put there by the Town or a previous owner. The Town Administrator added that it is on the Town's electric bill. Normally, if a resident installs a light, it would be paid for by the resident.

2. Current Use Release: 34 Newington Road

The current use release is for one lot of the Paterson subdivision of their property into four lots.

MOTION: J. Rolston moved to approve the current use release for 34 Newington Road (Map R22, 23) in the amount of \$18,500. Second – J. Penacho; all in favor. **MOTION CARRIED**

3. Equalization Study

The Equalization Study reviews all sales in Greenland from October 2014 to September 2015. The report shows the sale price and assessment, and establishes the ratio. The Town Administrator and Town Assessor review each sale and determine if it should be included or excluded in the ratio study. Excluded sales are generally sold as a finished product, but the assessment price was land only; assessments are done as of April 01 of each year. Sales may be excluded if they are considered not fair market value (example: sold through a relative or a foreclosure) as discerned through the deed.

The equalization ratio, subject to confirmation by DRA, and which would be used for abatements, is 91.7. The goal is to be between 90 and 110. The Coefficient of Dispersion (COD) should be at 10; the Town is at 10.3.

MOTION: J. Penacho moved to approve the Equalization Study as presented. Second – J. Rolston; all in favor. **MOTION CARRIED**

4. Default Budget

Continued to the next meeting on Monday, December 28, 2015.

5. Annual Policy Update: Fund Balance and Investment

Every year, the Town has to update policies. There were no changes made to the policies from previous years.

MOTION: *J. Penacho moved to approve the Fund Balance Policy for 2016. Second – K. Forrest; all in favor. MOTION CARRIED*

K. Forrest questioned the policy indicating that the Treasurer delegated investment functions to other Town officials. Should the policy state whether or not the Treasurer has delegated and to who? The Town Administrator responded that the Treasurer has not delegated it to anyone. K. Forrest also questioned the statement “that the Town Administrator and Treasurer should periodically review the banking relationship”, and if that period needs to be defined. The Board of Selectmen stated several years ago that it should be reviewed on an annual basis for auditing purposes. It also goes out to bid every three years.

MOTION: *J. Penacho moved to approve the Investment Policy for 2016. Second – K. Forrest; all in favor. MOTION CARRIED*

6. Transfer Station Solicitation Application

The Transfer Station Solicitation Application is the result of the Board requesting to approve any use of Town property. J. Penacho was concerned about the potential liability at the Transfer Station, due to its configuration, if an individual or group was soliciting residents. He added that the Town should know in advance and a signature should be on file. J. Rolston voiced concerns about the configuration at the Transfer Station. There was a concern among Board members for the safety of residents at the Transfer Station if soliciting or campaigning were taking place.

Chair Morgan stated that the Board of Selectmen didn’t need to approve requests; that could be done by the Town Administrator. Moving forward, campaigning and solicitations will not be allowed in the Transfer Station; however, it may be done at Krasko Field or the Town Office parking lot. A notice to that effect will be included when residents sign up for elected office.

7. Approval of Minutes: Monday, November 30, 2015

MOTION: *K. Forrest moved to approve the minutes of Monday, November 30, 2015. Second – J. Rolston; all in favor. MOTION CARRIED*

8. Other Business

A proof was available for the engraving of the Remembrance Park monument. K. Forrest was concerned about the script that was used. The Town Administrator will look at the other monuments for comparison.

Park Avenue Property: The Town Administrator was approached by a resident on Park Avenue who is considering subdividing or selling their property which abuts the Rec fields. Chair Morgan noted there are wetlands at the back of the property.

EPA Meeting: The Town Administrator will be meeting with representatives from the EPA on Thursday morning, December 17, 2015, at 10:00, regarding the Coakley Landfill. The Planning Board Consultant and Building Inspector will also be at that meeting. In some of the testing of the landfill, they have found trace levels of a new dioxin. They would like the Town to have an ordinance or regulatory control over further groundwater withdrawals from that area. The Town Administrator added that in 2006 the Town was asked to do something similar, and they refused. Other properties in the area were paid to give up their water rights; however, the Town wasn't offered payment.

Paving at Hickory Lane will be done in the spring.

Frank Catapano spoke to the Town Administrator about the strip of land as you drive into Falls Way that abuts the Robbins property. It's currently in conservation, and he deeded it over to the Town. F. Catapano asked if the Town had any interest in selling it back. He realizes it's in conservation and can't be built on; however, he's in talks with the Robbins about purchasing their property. He would own to the street and not have a strip in between. It will go back on the tax rolls with a current use status. The strip is not enough land to create a subdivision, but would provide a side setback buffer. The Town Administrator will have more information for the next meeting.

The Board of Selectmen gave their permission to close the Town Offices from noon to 1:00 p.m. for their Holiday Luncheon.

III. ACCOUNTS PAYABLE – THURSDAY, DECEMBER 17, 2015

1. Payroll Manifest 25

MOTION: K. Forrest moved to approve Payroll Manifest 25 in the amount of \$43,818.32. Second – J. Rolston; all in favor. MOTION CARRIED

2. General Fund Manifest 26

MOTION: J. Penacho moved to approve General Fund Manifest 26 in the amount of \$1,563,629.91 (\$1,500,000 – School). Second – K. Forrest; all in favor. MOTION CARRIED

3. Medical Deductible Expendable Trust Manifest 25

MOTION: J. Rolston moved to approve Medical Deductible Expendable Trust Manifest 25 in the amount of \$2,819.47. Second – K. Forrest; all in favor. MOTION CARRIED

IV. ADJOURNMENT

The Town Administrator requested a non-public session to discuss the lawsuit between the Town and Portsmouth Country Club regarding their abatement.

MOTION: J. Penacho moved to go into non-public session at 9:05 p.m. Second – J. Rolston; all in favor. MOTION CARRIED

The Board returned to public session at 9:20 p.m.

MOTION: J. Penacho moved to seal the minutes of the Portsmouth Country Club case until it's settled. Second – K. Forrest; all in favor. MOTION CARRIED

MOTION: *J. Penacho moved to adjourn at 9:22 p.m. Second – J. Rolston; all in favor. MOTION CARRIED*

NEXT MEETING

Monday, December 28, 2015 – 911 Public Hearing, Town Hall Conference Room, 7:00 p.m.

Respectfully Submitted – Charlotte Hussey, Secretary to the Boards

Approved: Monday, December 28, 2015