

TOWN OF ALLENSTOWN
Select Board Special Meeting
16 School Street
Allenstown, New Hampshire 03275
September 13, 2018

Call to Order

The Allenstown Select Board Special Meeting of September 13, 2018 was called to order by Chairman Ryan Carter at 6:00 p.m. Chair Carter called for the Pledge of Allegiance.

Roll Call

Present on the Board: Sandy McKenney, Dave Eaton, Ryan Carter

Allenstown staff: Derik Goodine, Town Administrator; Debbie Bender, Finance Director; Ronnie Pelissier, Road Agent; Shawn Murray, Fire Chief; Kathleen Pelissier, Town Clerk

Others present: Chad Pelissier, Jim Bianco, Jason Dennis, Peter Holden, Victor Ranfos, Ralph Prince, James Jackson, Tom Irzyk

Citizens' Comments

Mr. Ranfos asked if a vote would be taken this evening on the Holiday Acres extension issue.

Chair Carter responded that it might be.

Holiday Acres Purchase and Sales Agreement

Mr. Bianco, an attorney for Holiday Acres, stated that the revised design for development was left for the Board to go over. He said that they met today with some, but not all, of the abutters on Chester Turnpike. He explained that the revised proposal is for a 55+ community, with no one under 40 years of age; the Park has agreed to make that permanent, not to expire in 20 years. The development plan has the same language as the one in Rochester, which has worked very well. Mr. Bianco said that Russ Thibeault could not be here tonight. His projections show \$238,000 in revenue for the Town if children are allowed and \$338,000 if no children are allowed. He said the process has not moved as quickly as they had hoped it would. It has taken a while to get through the process and there have been lots of changes. The homes would not go in all at once; probably between ten and twelve will be put in each year. He presented pictures of the types of homes they are planning. Most have garages.

Mr. Holden of Holden Engineering in Concord stated that they met with some of the neighbors on Chester Turnpike who expressed concern about vehicles traveling very fast on the road. He indicated the existing entrance and how the road would be extended for the new entrance. It will be a new street; the sidewalk will be extended, curbing and lighting will be installed. He said they want it to be inviting. They plan to install speed tables to help with traffic speed whereby the pavement will rise to the level of the curb for ten or fifteen feet and then go down. These are not speed bumps, but if a vehicle is traveling over 30 mph, they will know it. Concord has done this in the south end of the city and it has been very effective. He referred to Jensen's Park in Hooksett where many of the residents go to Florida in the

winter. Snow is plowed while they are gone and mowing is done as well. He said that 60% of New Hampshire's population is over 55 years old. These types of homes sell very fast.

Ms. McKenney asked if the road will be widened to meet Town specifications. She said that her understanding is that ten feet is needed.

Mr. Holden responded, saying that it will be widened. The right of way is 66 feet wide now. This used to be a toll road from Chester to Concord. It didn't work, and the road was tax deeded to Allenstown and Hooksett. There will be two 12-foot lanes and two feet of shoulder to the curbing on both sides. There will be a five-foot strip of grass and a five-foot paved sidewalk on each side. The road will not be in the front yards of Chester Turnpike residents; in fact, there will actually be more room.

Ms. McKenney asked if these are two-car garages.

Mr. Bianco responded that they were. He went on, saying that 80% of the Park will be 55+ and the other 20% will be 40+.

Mr. Dennis, an attorney for Holiday Acres, said that federal law requires that one person in 80% of the homes must be over 55 years of age; 20% must be over 40 years of age. The alternative is to be 100% over 62 years of age. He said that Mr. Thibeault checked with several parks when he updated his data. He learned that these parks must complete an informal census annually.

Mr. Bianco said that the homes in Rochester sell for between \$180,000 and \$225,000, depending upon size, design, garage space and other factors.

Chair Carter said that he did a brief real estate search and the most expensive mobile home he found was \$200,000. He expressed concern about depreciation and the subsequent loss of tax revenue.

Mr. Bianco said that depreciation only occurs when the homes are not taken care of and/or the residents don't get along. He said they are appealing to a high-end market and there is no problem with a burden on the schools.

Ms. McKenney asked if each home had two acres of land.

Mr. Holden said that the required density is two acres per home. The minimum lot size is one tenth of an acre or 100 X 100 feet; these homes would be on 135 X 135-foot lots. There is a lot of open space between the homes, with trees and woods around them. There will be a community building with a lighted walkway through the woods to reach it. The Town could use the community building for events if it wished to do so.

Mr. Eaton commented on the amount of open space.

Ms. McKenney asked about the timeframe for the construction on Chester Turnpike.

Mr. Holden said that the road would be constructed up front, with the final coat added when they are nearly done. He said that in order to sell homes, you need a front door to get them there.

Ms. McKenney asked how long the process would take.

Mr. Bianco said it would depend upon the administrative process.

Ms. McKenney asked what would happen if four years down the road they can't sell the homes.

Mr. Bianco responded that they have not had that problem anywhere.

Ms. McKenney said that doesn't mean they won't. She said she is looking ahead because this is an important decision.

Mr. Eaton said Holiday Acres would still own the land and pay the taxes thereon.

Mr. Holden said that they could have a development agreement with Allenstown which would clearly state all of the requirements of the Planning Board, the ZBA, and the BOS.

Chair Carter said that included in the Purchase and Sales agreement is language requiring that the roads and sidewalks are done within one year of the signing of the agreement, unless an extension is granted.

Mr. Irzyk said that his father lives on Chester Turnpike and he is concerned about sewer and water service.

Mr. Holden said that when the sewer lines are installed, the connections will be in front of each home. They don't have to hook up, but the option is there.

Mr. Chad Pelissier said they would be going from a private to a public line. Connection costs would be incurred if their septic system fails.

Mr. Holden said it could be part of the development agreement that the Park would assume those costs.

Mr. Ranfos said he would want that in writing.

Mr. Bianco said their goal is not to make these people on Chester Turnpike pay. The hook-up fee would be paid by the Park. They want to be good neighbors. It would be in writing that utility connections go with the land.

Mr. Chad Pelissier questioned whether this would be in the deed.

Chair Carter said that currently Chester Turnpike residents have sewer and water via Holiday Acres. He asked about these agreements.

Mr. Dennis said that it speaks to the character of the Park that they are willing to pay for the utility connections for Chester Turnpike residents.

Mr. Prince said that they were told they would never pay for water and sewer, that it was part of the purchase price. When Holiday Acres changed hands, and they couldn't get a license to operate as a utility, they were charged a flat rate of \$10 per month. Then there were problems with arsenic in the wells, and they had to tie into Pembroke Water Works and Allenstown Sewer. Meters were installed on the homes. Holiday Acres now is just a pass-through. He continued, saying that their land is private, so liability ends at the property line. Some repairs are easy; others entail a lot of expense.

Mr. Ranfos said that he paid \$6,000 at one point to repair his connection.

Mr. Ronnie Pelissier suggested completing the hook-ups as the road is being built. He said that this is the ideal time to do it.

Ms. McKenney said that Chester Turnpike has taken a beating with traffic, and it will be worse during construction.

Mr. Holden reminded her that the road is bigger, there will be speed tables, and the road is further from the homes.

Mr. Dennis added that traffic is a necessary part of any type of development. And because of the speed tables, vehicles will not be so motivated to speed and may start using Parkwood Drive more.

Mr. Chad Pelissier said that at the previous hearing, the Holiday Acres representatives said that not allowing children was against the law.

Mr. Dennis offered an analogy with dogs. People break the law and sneak dogs in when they are not allowed. They might sneak in a child on a temporary basis. The census will reveal this and an eviction notice can be sent. These notices give the owner 60 days to correct the issue or move. In reality, the process might take longer than 60 days.

Mr. Bianco said that there are more problems with dogs than with children.

Mr. Holden said that the development agreement could cover this issue.

Mr. Irzyk thanked the Holiday Acres representatives and said they have done a great deal of good.

Mr. Dennis related an incident when a homeowner had one too many cars and one too many dogs. He asked for some time to sell the property versus going through eviction. That was granted and worked out well.

Chair Carter addressed establishing an updated timetable. He said that it has taken one and a half years to get to this point. He asked how much further along they are now.

Mr. Holden said that a lot of information has been collected. The ZBA had questions regarding the density calculations. This should be resolved during September and October. The rest is just mechanical. They need a sewer discharge permit, a water extension permit from DES, and an alteration of terrain permit regarding drainage. This should take 90 days if all goes well.

Mr. Bianco said if they could do it tomorrow, they would, because they are not making any money.

Mr. Dennis said that when they filed their application, their check was not linked to their application – an administrative issue. Between four and five months elapsed until the Technical Review Committee met in July. Then there was a misconception regarding the subdivision, so they are now on the agenda for September 19th.

Chair Carter asked what documents were created between February of 2017 and February of 2018.

Mr. Bianco responded that they have not been sitting on their hands. They are just asking for time to complete the agreement.

Mr. Holden said that they began with a plan to add 200 acres to the existing Park. The Planning Board said a conditional use permit was needed. The Building Inspector said it was a non-conforming existing park, so they decided to adjust the boundaries.

Mr. Bianco said that they were trying to build more homes until they found out they could not. They were told they could build none at one point. Now they are proposing fewer homes, and it has taken a long time. Their proposed Park will have different signs and a different name. It will be upscale.

Chair Carter asked for an explanation of the lot line adjustment.

Mr. Holden explained that in order to develop on the portion of the land that is easiest to develop and maintain the density requirement, they had to adjust the lot line.

Mr. Dennis stated that they have filed an appeal of the ZBA decision.

Chair Carter said that the revised plan will leave 100 of the 200 acres undeveloped and asked if the new financial reports reflect that decrease in assessed value, which would be at least 50%.

Mr. Dennis said that Mr. Thibeault may have taken the number of units and prorated the amount.

Mr. Eaton did the math and confirmed that the data was simply prorated.

Chair Carter said that a comparable home in Rochester would have a greater value than in Allenstown.

Mr. Dennis said that Mr. Thibeault's value estimates are conservative; he used \$140,000 as the average price for the homes.

Chair Carter said that Allenstown's breakdown is 30% mobile homes, 40% single-family homes and 30% businesses and multi-tenant units. Because of the depreciation of the value of mobile homes, there is reason for concern of being further behind in the long run. Allenstown is struggling with tax problems.

Mr. Bianco stated that they would take care of the properties, maintaining the lawns and buildings.

Chair Carter asked what would happen if there was a leaky roof on one of the homes.

Mr. Bianco said that if it was Holiday Acres' responsibility, they would fix it. If it is the owner's responsibility they are obligated via their contract to fix it or face eviction.

Chair Carter asked if Holiday Acres could provide a sample of an existing park with mandated maintenance

Mr. Bianco responded that he would get that for the Board.

Chair Carter asked about the possible percentage of residents who would have elderly tax exemptions.

Mr. Bianco said that those exemptions are set by the town and each town is different.

Ms. McKenney said the men over 65 would probably all have a veteran credit.

Chair Carter said that he would like to see Mr. Thibeault's updated numbers and would like the P & S agreement to state that the 55+ is permanent, that the language regarding 40+ is included, and that prohibiting children is included. He also wants language saying that Holiday Acres will pay for sewer connections for the private residences on Chester Turnpike. Finally, he would like the Town to see samples of the age reports gathered by the informal census process.

Mr. Eaton noted that September 21st is the deadline for the extension and the Board will not be meeting again prior to that.

Mr. Prince said he wished to thank these gentlemen for meeting with Chester Turnpike residents and listening to their concerns. He said he wants something in writing that will stand up in court. He said he realized that any development will have an impact, but if they are building ten houses each year for ten years, that is a lot of disruption. He said it is important that they do the road first. Sewer is his biggest concern.

Mr. Eaton asked how long it might take to get the requested information from Mr. Thibeault.

Mr. Bianco said that he would check with Mr. Thibeault and that they could probably have the data in three weeks. He said he would call tomorrow after speaking with Mr. Thibeault. He asked the Board to list their questions in writing.

Ms. McKenney suggested a meeting with Holiday Acres to discuss the traffic issue on Chester Turnpike to see if the residents could be encouraged to use Parkwood Drive instead.

Mr. Goodine said there might be other traffic calming actions that could be taken.

Mr. Ranfos said that they installed a traffic counter at one time and someone cut the line.

Mr. Jackson stated that he lives at the end of Chester Turnpike and is concerned about the number of mobile home parks in Allenstown. He said that when the park at Holiday Acres was first proposed, they were promised a pool, clubhouse and tennis court. None of that happened. He suggested that the Board could deny this extension and Holiday Acres could simply apply again tomorrow.

Mr. Eaton made a motion to extend the deadline of the current extension till October 19th. Ms. McKenney seconded the motion, which passed unanimously.

Mr. Chad Pelissier expressed concern that if the deadline is extended, it will push off other hearings before the Planning Board and ZBA. He doesn't want to waste the time of volunteers on these boards.

Highway Department contract for paving Mt. Delight Road

Mr. Ronnie Pelissier asked the Board to consider paving all of Mt. Delight Road this fall. They have a contracted amount of \$51,000 to pave about two-thirds of the road, but for \$73,000 they can pave the entire road. He met with Ms. Bender, Finance Director, and she is comfortable that this could be done within the budget, which has \$91,000 available.

Mr. Goodine suggested that Mr. Pelissier wait a couple of weeks so he could check on possible sources of funds from other departments.

The Board members agreed because they understand the efficiency in doing the entire road at the same time.

Non-Public Session in accordance with the provisions of RSA 91-A:3, II (b)

On motion of Mr. Eaton, duly seconded by Ms. McKenney, it was unanimously voted to enter into a non-public session in accordance with the provisions of RSA 91-A:3 II (b) at 8:15 p.m.

On motion of Mr. Eaton, duly seconded by Ms. McKenney, it was unanimously voted to return to public session at 8:43 p.m.

On motion of Mr. Eaton, duly seconded by Ms. McKenney, it was unanimously voted to seal the minutes of the non-public session as they might affect someone not a member of the Board.

Ms. McKenney mentioned an issue with the code for the alarm system on Town Hall.

Mr. Goodine said that he would take care of it.

On motion of Mr. Eaton, duly seconded by Ms. McKenney, it was unanimously voted to adjourn at 8:48 p.m.

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TOWN OF ALLENSTOWN
 SELECTBOARD
 SPECIAL PUBLIC MEETING MINUTES

September 13, 2018

Signature Page

Original Approval:	
RYAN CARTER, Chair	DATE
SANDRA MCKENNEY, Vice Chair	DATE
DAVID EATON, Member	DATE

Amendment Approvals:		
Amendment Description:	Approval:	Date:
	RYAN CARTER, Chair	DATE
	SANDRA MCKENNEY, Vice Chair	DATE
DAVID EATON, Member	DATE	

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