

Note: Draft minutes are subject to corrections, additions, and deletions.

September 13, 2021

7:00 p.m. Board of Selectmen's Room

**SALUTE TO THE FLAG**

**PRESENT:** Russell Bridle, Chairman  
Charles Rage, Vice-chairman  
Regina Barnes, Selectman  
James Waddell, Selectman  
Richard Sawyer, Selectman  
Kristi Pulliam, Acting Town Manager

I. Public Comment [Time limitation of three (3) minutes] - None

II. RSA 41:14-a First Hearings

1. 16 L Street

Modification of Deed Restriction #3: No fences may be erected upon said premises other than ornamental fences of no more than a three-foot height.

Erect a 6-foot fence

Modification of Deed Restriction #4: all outbuildings, other than a private garage, shall be connected with and attached to the dwelling on the lot.

Removal of language pertaining to "Dwelling"

Tim Phoenix, Attorney, noted he was here this evening on behalf of 158 Ashworth Ave., LLC, requesting that the board release two deed restrictions. He referenced a plan displayed of 16 L Street as it is today. He described proposed changes, noting removing a home and building a restaurant. He noted having been to the planning and zoning boards. He discussed the fence and noted pictures were in the board's packets. He noted the front of the fence would be decorative, "the Alamo look". He reiterated going to planning and noted also going to conservation. He discussed the outbuilding and the release of the language pertaining to dwellings.

Sel. Sawyer asked about the fence restriction from three feet, and what would be the cap. Atty, Phoenix answered the six feet, and the decorative front. Sel. Sawyer noted not a problem waiving, just want to make sure how tall. Atty. Phoenix noted the arch is at sixteen feet.

Sel. Waddell noted he is the representative on the planning board and discussed their approval and their wanting the fence.

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Sel. Barnes noted she agreed and that we don't usually go to six feet but was ok with the reasoning.

Sel. Rage noted it looks good.

Public hearing was closed.

## 2. 715 Ocean Blvd

### Modification of Deed Restriction #4:

The Grantee will not erect any buildings upon the premises within seven (7) feet of any boundary line, nor shall the premises be subdivided. All outbuildings and sheds, other than stables or garages, shall be connected with and attached to the dwelling house, stable or garage on the lot.

John Burke, 715 Ocean Blvd., explained wanting to get back to the four-foot setback, noting for a deck.

Sel. Sawyer review the letter and asked for confirmation that conservation does not oppose, and the answer was correct.

Sel. Waddell noted the planning board recommended also.

Chairman Bridle gave an explanation of the hearing process.

### III. Announcements and Community Calendar

Sel. Waddell noted getting a call from John Nyhan. Mr. Nyhan asked that Mr. Waddell speak for the Chamber and give their sincere gratitude to all the departments and employees of the town for their assistant at the Seafood Festival.

Sel. Sawyer noted speaking to some deputies from the Sheriff's office, and they said it was a great event, a lot of people but well behaved, and the newer things helped the moving around and safety. He noted the beer tent on the beach, and it was a much better place.

Sel. Barnes reminded everyone of the Master Plan meeting on Weds. Sept. 29<sup>th</sup>. She discussed a presentation to the seniors last week by Chief McMahon and EMS Officer Meehan. She recapped the presentation noting it addressed some concerns.

Sel. Rage echoed that the chamber did an amazing job, but could not have done it without DPW, Police, and Fire. He noted liking the new set up and that it went well. He announced that the HBVD is having a fire show next weekend and noted it is free.

Sel. Sawyer discussed the many 9/11 events that were held. He noted attending the one at the beach and the one at the Legion, which had great attendance. He offered kudos to Commander Burke.

Chairman Bridle noted the one at the beach and discussed the bagpipers.

Sel. Barnes noted the bagpipers on the roof of an establishment.

### IV. Approval of Minutes, August 30<sup>th</sup>

Sel. Barnes noted an addition she would like added to the minutes, regarding the County Commissioners.

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Sel. Rage MOTIONED to APPROVE the minutes of August 30<sup>th</sup>, as amended with addition stated by Sel. Barnes, SECONDED by Sel. Rage. VOTE: 5-0-0

#### V. Consent Agenda

1. Donation from Portsmouth Regional Hospital to EMS for \$500
2. One-day Entertainment License: Pamela Huntley 250 High Street
3. Pool Table Permit: Water's Edge Yacht Club 24 Harbor Road

Sel. Barnes MOTIONED to APPROVE the Consent Agenda, SECONDED by Sel. Waddell. VOTE: 5-0-0

#### VI. Appointments

1. Jen Hale, DPW Director & Joe Lynch, DPW Deputy Director
  - a Quarterly update

Dir. Hale asked to speak on 200 Drakeside at this time. She discussed the request by the new owners to have the gas company come in and to release the moratorium on the paved road. She discussed asking the gas company for the least intrusive way. She explained the under the road process they offered. She noted that as DPW, they would be ok with the plan, with conditions.

Sel. Barnes asked about the previous owners. Dir. Hale confirmed that the previous owners chose not to hook up to gas.

Sel. Waddell asked how much damage. Dir. Hale discussed and noted it will not go across the whole road. He asked if it will be noticeable, and Dir. Hale stated there will be a pavement patch and reiterated it is the least intrusive way.

Chairman Bridle MOTIONED to Allow the Street opening request at 200 Drakeside Road, with all DPW stipulations needing to be met, SECONDED by Sel. Barnes. VOTE: 5-0-0

Dir. Hale discussed that Mike Carle at the WWTP is also president of the NH Water Pollution Control Association. She discussed funding and noted many of our projects get SAG funding which is a grant, and she gave an example. She noted an issue with the state funding and budget and discussed with Fin. Dir. Pulliam the bill proposed at the state legislation. She discussed the potential loss of revenue to the town, noting Mr. Carle reached out to the committee along with NHMA who are doing so also.

Sel. Barnes asked what the house bill is, and Fin. Dir. Pulliam noted number 398, and Dir. Hale noted HB 412. Dir. Hale reiterated the funding issue and noted the ARPA funding.

Sel. Barnes asked if their reasoning was the ARPA funding and Dir. Hale discussed and reiterated they are not eligible.

There was general discussion that this is information for the public to have, especially going into budget and warrant article season.

Dir. Hale offered a quick summary of a quarterly report. She discussed the Hazardous Waste Day on Sat. from 8am to 12pm. She discussed the winter trash schedule starting on Weds. morning. She discussed staffing, noting being happy with Joe as Dep. Dir., and noted the need for several positions. She discussed how busy the highway department has been and noted road paving is done for the year. She discussed the sign being completed and noted

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line painting, as well as Park Ave. She discussed the curbing at Millburn, and noted sewer and drain are working on basins, and discussed the Chase St. sewer repair went well and is complete. She discussed working on some pumps at the WWTP. She discussed the transfer station and the ongoing truck repair issues. She discussed an extended wait for the new trash trucks. She noted they have completed the audit requested by the solid waste committee. She discussed they have done their budget and it will be presented shortly.

Sel. Barnes noted the updated CIP and the DPW warrant articles are at about \$50 million dollars and noted that 20% of that is a lot. She asked about the bridge and if we will have to move the sewer line if they move the bridge. Dir. Hale discussed working with the state and the temporary and permanent moving of the sewer line and what that would entail. She discussed costing and easements. Sel. Barnes discussed getting emails regarding complaints about the roads and noted where repairs are on the CIP and asked about Mace Road. Dir. Hale noted Mace Road needs sewer to be redone as well as road surface and discussed priorities with roads. Sel. Barnes asked when will we know if we get any Clean Water funding, and she and Dir. Hale discussed. Sel. Barnes asked about change of use for grandfathered properties under the trash and recycling policy. Dir. Hale noted that is the discretion of the board, under the policy. Sel. Barnes and Sel. Sawyer discussed the issue of change of ownership.

#### VII. Town Manager's Report – by Acting Town Manager Kristi Pulliam

1. The NHMA bond bank has set out rates and we don't have anything to bond, but the rates are very low.
2. The ten-digit dialing mandate starts on Oct. 24<sup>th</sup>.
3. The Dept. of Labor was here for the safety inspection, and they will be back.
4. I have followed up with Dep. Chief Reno regarding the fraudulent parking pass issue and the investigation is wrapping up.

Sel. Sawyer asked if anyone has been charged, and the answer was no. He recommended that until that occurs, we don't touch the issue. Ms. Pulliam read an email from Dep. Chief Reno. There was general discussion.

Sel. Barnes asked about Waste Zero regarding textile recycling. Ms. Pulliam noted the solid waste committee has discussed that and there was general discussion regarding the vendor Mr. Fox.

#### VIII. Old Business

Sel. Sawyer noted the first budget committee meeting after the summer break will be next Tuesday, the 21<sup>st</sup>, and discussed his intention of doing the will of the board, asking if there is any change in direction from them. Chairman Bridle noted he has been doing a good job.

#### IX. New Business

1. 200 Drakeside Road - Kennerson
  - a Street opening request

Discussed earlier with Dir. Hale.

There was general discussion on there being no attachment of a petition.

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Sel. Barnes asked about a rental inspection. Ms. Pulliam discussed the open position in the building department and that a conditional offer has been sent.

Sel. Barnes discussed seeing the ambulances in her neighborhood earlier today, noting a neighbor has passed away. She discussed how great the fire and police department were in the situation and that they are there for all residents for whatever anyone needs. She thanked the fire and police.

Ms. Pulliam discussed that Eversource has notified them that they will be doing right of way clearing in September along their power lines.

## 2. Capital Improvement Plan

Ms. Pulliam discussed the abbreviated version completed by TM Sullivan.

Sel. Waddell MOTIONED to APPROVE the CIP and send to the Committee, SECONDED by Sel. Rage. VOTE: 5-0-0

## 3. EMS Bariatric Equipment to declare as surplus

Ms. Pulliam explained the equipment going to surplus, noting the memo to the board.

Sel. Sawyer MOTIONED to APPROVE the EMS Bariatric Equipment to be declared as surplus, SECONDED by Sel. Waddell. VOTE: 5-0-0

## X. Closing Comments

Sel. Sawyer asked if we have asked the representatives to come in. Chairman Bridle noted the last time he talked to them, they said they would come in after the summer. There was general discussion on them coming in.

## XI. Adjournment

Sel. Waddell MOTIONED to adjourn, SECONDED by Sel. Rage. VOTE: 5-0-0

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Russell Bridle, Chairman