

**HUDSON, NH BOARD OF SELECTMEN****Minutes of the May 31, 2000 Meeting**

1. **CALL TO ORDER** by Chairman E. Lorraine Madison at 4:35 p.m.

2. **ATTENDANCE**

**Selectmen:** E. Lorraine Madison, Rhona Charbonneau, Shawn N. Jasper and Ann Seabury. (Terry Stewart was absent.)

**Staff/Others:** Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant; Mike Gospodarek, Town Engineer; Gary Webster, Project Inspector; Betty Holt, Engineering Secretary; Bill Oleksak, Building Inspector; Mel Axelson, Zoning Secretary; Pam Lavoie, Planning Secretary; Coleman Kelly; Howard Dilworth, Jr.

3. **MRI's REPORT ON PLANNING, ZONING & ENGINEERING**

**Discussion of Formation of Community Development Department**

Chairman Madison thanked staff who were present, saying she appreciated their being there because it was on their own time. She said the Selectmen were going to combing the "PEZ" departments into one Community Development Department. She asked if anyone had any questions concerning the MRI report. Selectman Charbonneau told staff to state their concerns very freely, because that's the only way things will get solved. There will be no ramifications by her if anyone speaks up. Chairman Madison said they are willing to listen to any ideas anyone has in order to make things work better; they are open to suggestions. Staff who works in Planning and Zoning sees what is right and what is wrong, and the things that are wrong need to be corrected. It's that type of thing they really need to know.

Gary Webster said the report pointed out the lack of communication. Technically, the Selectmen are the bosses and the word has to get to them. The biggest problem is lack of communication. No one knew what the other side was doing. This type of meeting is exactly what is needed to promote better communication. A lot of things are happening out in the field, and probably the Board doesn't have any idea about it. Once, he chauffeured Selectman Charbonneau around Town to show her all of the different projects he was involved with. Chairman Madison said she would be willing to go with him, too. Sometimes they stay out of the way because they don't want to interfere. If anyone has an immediate problem, they are to go to Paul because he is the one who is going to handle things on the inside. She asked if the Board agreed with that. Selectman Charbonneau said yes, if it needs to be corrected immediately, but if they don't get any results, what do they do? Does staff stop at that point, or bring it to the Board? Chairman Madison said they should get to the Board, but Paul should be able to solve the problem. If not, a memo should be sent to the Board. After the new Director comes in, he will handle things. If someone has a problem, they can go see Paul, and then to the Board.

Pam Lavoie asked when the new Director would be on board. Chairman Madison said not for at least three months. The Board feels they have made some good choices for department heads--everyone is happy with Steve. They want someone who is really good, who can work with everyone, who will move things forward.

Mike Gospodarek said the MRI report said some nice things about Engineering, but didn't really hit on what they do and the need for more staffing. They were short-staffed with 11 people, and now they are down to 10. Chairman Madison said no one doubts that the Town Engineer has more work than he can handle. They're hoping the new Director will have some ideas. There will be some changes made, but the Board wants to wait for input from the new department head, who will organize the department with his own ideas.

Bill Oleksak said a lot of things have come his way and he will do the best job he can. When complaints come in, he will try to handle them, but some calls are frivolous. He will put those aside and handle what he feels are important issues. Someone may call a Board member to complain that something isn't being done, but it's because he's juggling a lot of things. He prioritizes things, but he may have a different criteria than other people have.

Chairman Madison suggested that he take 10 minutes in the morning to meet with Paul and turn over some of the issues he can't handle. She did not want any resident's complaint to fall by the wayside; they should be addressed in some manner. Bill said he tries to handle every call, but he tells them he can't give them a timetable as to when he will get to (their issue). Zoning stuff is starting to come in now, and that's a problem because he's not familiar with it. They have a request form and he will put as much information on that as possible, which he will take to Paul, and they can decide whether it should go to the Board or to the attorney. Mr. Sharon said everyone understands Bill has to do some triaging as things come in, but people ought to be told diplomatically that we are running behind because two positions are vacant and that the Town is in the process of getting a new Director. If it's a critical item, it will be moved up on the pile. Bill said when things are explained in that manner, people understand. The problem, however, is when he gets questions about variances and that kind of stuff. Chairman Madison said not to be afraid to tell people he doesn't know the answer. Bill said that with health issues, he relies on his network of contacts at the State to help. Mr. Sharon said an option that he will explore (between Bill feeling uncomfortable in making a decision and going to the attorney), and that is a contractual arrangement with Nashua's Zoning Administrator.

Selectman Jasper assumed staff that was present has seen the MRI Report. He asked if anyone had any questions or specific problems with

the recommendations, since they are directly involved. If something glaring was omitted or presented, he wanted to know before they go too far in the process. Chairman Madison asked staff if they knew NRPC was going to help out. They said yes, they knew Julie Cummings was helping with Planning issues.

Bill Oleksak said communications has to come from the other boards, as well. He and Gary used to run up against a problem all the time. Planning Board decisions were tough to get. They end up having to pull files in order to get the answers. If there was some kind of communication after the meetings, it would help. If something was stipulated to a plan, that information should be communicated to the affected parties, instead of making those who are looking for the information search it out themselves. He hoped the new Director would help them along those lines. Chairman Madison asked if a copy of the Minutes would help. Bill didn't think so. If a stipulation is voted on, it should be noted somewhere. Chairman Madison asked if he wanted a log of what was voted on at each Planning Board meeting. Bill said yes, with the critical stipulations noted.

Selectman Jasper suggested a checklist as it pertains to Building and Project Inspectors need to look for. The developers can be requested to come up with those on the plans because it takes a lot of time going through the files to look for information. Chairman Madison said someone should develop one list after the Planning Board meeting, and copies given to whomever needs to know. Selectman Jasper thought the onus should be put on the developer to do the list. Chairman Madison didn't think it was wise to trust them to do that. Selectman Jasper said someone on staff would have to check the list to make sure it's complete. Chairman Madison thought staff wanted the decisions that were voted on the day after the meeting, but Bill said it didn't have to be that soon because the plan still had to go through the recording process. It's when they start to do the review for the permits that problems pop up that he wasn't aware of. They get blindsided with something they didn't know a thing about. Gary works with construction plans that he has to search out because they aren't given to him. Once a plan has been approved, he's the first person to go out in the field. During the pre-con meeting with the developer and contractor, he hears something else has to be done, but it's not noted on the plan he has. He doesn't always know if the plan he is working with is the latest one. He'd like to have an approved plan, signed by the Planning Board so he knows the plan he is using out in the field is the correct one. Mr. Sharon said the Planning Board will have to change their internal procedures. Presumably, the Director will influence the Planning Board to do that. Failing that, the next best thing is to have Julie Cummings give a detailed briefing the day after Planning Board meetings. Gary said it's not the next day so much, but rather a copy of the Planning Board-approved plan, so he knows how the construction should be done out in the field. Sometimes there are many revisions to plans. Mr. Sharon said it often happens that even with approved plans that are signed off on by the Planning Board, someone says, "Oh, no. We talked about something else."

Chairman Madison asked if someone on the Planning Board signs off on an approved plan. Selectman Seabury said absolutely. Then it goes to the Registry of Deeds. Gary said the Planning Board doesn't sign off on it until way later. Mike said when a plan gets approved by the Planning Board, there are four items: 1) minutes; 2) decisions; 3) development agreement; and 4) the plan. He doesn't get these things, so he has to research the files to find them for himself. If a Planning Board approves a plan, it may not get constructed for six months. When it's time for him to get involved, he pulls the minutes, decisions, and development agreement which are all there. The problem comes with the construction plans because sometimes they have only what is being recorded at the Registry and not the detailed sheets. The Planning Board does have a record; you just have to know where to look. Chairman Madison asked if what he was saying was that, once the plan is approved, there could be things pertinent to it that are in the details, but not in the approved plans. Mike said someone comes up to him and says they talked about something. His response is that it doesn't matter if it's not voted on. Chairman Madison said that's why they need a log of the votes for the Planning Board. Mike said that Pam does get that out within three days. That is getting generated, and reiterated in a development agreement. Occasionally, those notes do get on the plans that are approved. They get copies of things only because they know where to look for them.

Selectman Jasper said the problem is that not all of the stipulations are on the plan. They are in the development agreement and things need to be pulled out of there. You can't expect the Building Inspector to go through a development agreement every time he's looking at the permits because there is so much information in there, and a great deal of it is not even relating to building permits. The pertinent information--the stipulations--need to be pulled out and attached to the plan. The only two places they should need to look is the approved plan and development agreement. If it doesn't end up on the signed plan, or in the development agreement, it probably can't be enforced. They can't start building until it is recorded. Mike shook his head, saying the Planning Board goes with the "bond it or build it" policy. Every project, even before he came here, was able to start work on a subdivision. Selectman Jasper corrected himself, saying that it applied differently to the roads. Bill shouldn't be giving building permits until plans are recorded, which Mike agreed with, but the road work does start. Gary confirmed that they can build and bond what needs to be done. Mike said that's why the decisions are critical; they take him to a point where the Board voted on something. Then he has a problem matching the plans that they acted on during that meeting to any stipulation that changed the plans so he can take it forward. Selectman Jasper wondered if there was a way to change the process to make sure no one starts work on any project until the plan is recorded, or if there was something that allows people to start cutting roads in if they want to.

Chairman Madison didn't think those questions would be answered today. Gary, Mike and Bill should meet with Paul to brainstorm these problems. Bill hoped that a lot of these problems would be addressed once the Director is on board. The PEZ group used to have staff meetings and a lot of things were discussed. Following a Planning Board meeting, the staff person that attends should brief them sometime during that week. Chairman Madison said that may be true after the new person is on board but, in the meantime, they need to get through the next few months. She asked which staff attends the Planning Board meetings. Paul said Julie does. Chairman Madison said maybe Julie

needs to meet with Town staff after the Planning Board meetings for about an hour in order to update them. Paul said Julie should be able to come in Thursday morning, following the Planning Board meeting. Chairman Madison agreed. Gary said an update would be great because it's nice to hear what's happening from someone who was there and knows, especially if stipulations are decided on.

Chairman Madison asked if there was anything else. Selectman Charbonneau asked how many staff Londonderry has in Engineering, Planning and Zoning. Chairman Madison said the report indicates a total of 13. Paul said but they are structured differently. Selectman Charbonneau said Hudson has grown very rapidly and hasn't ever had the people on board and the voters have voted down the position of Civil Engineer. Other departments, however, can have anything and everything they want. She thinks the fees should be increased, as well, because the developers are putting a strain on the Town. There is a lot of work that staff has to do, and the taxpayers shouldn't have to pay for it. Hudson is understaffed, especially with the amount of construction going on. Something will fall through the cracks. When Lockwood Place was brought up, Selectman Charbonneau asked whose responsibility it really was if someone wasn't working from the right set of plans.

Chairman Madison said they need to get back to the MRI Report and how to improve things until the new Director is on board. Selectman Charbonneau said things need to be done before the new person is hired because construction is going on now. Chairman Madison said that's why Julie is going to meet with staff. There are a lot of things that should be left to the Community Development Director and when staff meets with him, they will be able to make some suggestions so that, hopefully, they will have a more efficient department.

Selectman Jasper said he and the Board knows that staff is going through a very trying time right now and even with temporary help in Building and Planning and maybe in Zoning, they are people who don't really know the system. He realizes working conditions are very difficult for staff, who are trying to take care of everything that needs to be done, especially in the middle of the construction season, which makes it all the more difficult. He asked staff to let the Board know if there was anything they could do beyond what they already are doing. Gary said it's a matter of working together. Chairman Madison said she tries to be here every day and if someone needs a break, or someone to answer the phones, she'd be glad to help out. Mel said they are starting to run into snags and asked if they could re-connect with the Board in a couple of weeks. Chairman Madison said staff has to just holler and they will set up a meeting, but it's difficult to schedule a meeting during working hours. Paul said some things can't wait for a meeting with the Board, and Mel should talk to him about it. Chairman Madison thought that was a good idea.

Selectman Seabury said both Planning and Zoning have decision sheets that are available after meetings, adding that builders bring in different plans, such as with Lockwood. They bring in different overlays that they put over the original plan, and it's an entirely different plan. Digital came in with three or four plans. They bring different plans to different boards--Conservation, Zoning and Planning all get different plans. Mike said they try not to have that happen, but sometimes a file will contain six different revisions to a plan. Selectman Seabury said then that is a problem, and there isn't much they can do about it. Gary said he looks at the final plan, the one that has been approved by the Planning Board. Chairman Madison asked how they know it's final if they keep changing them. Gary said sometimes they put stips on them and they change the revision date. He may be working on revision two, but they may be up to a sixth revision on a plan, and he won't know about it. They asked the developer to give Engineering the final plan, but that means depending on someone from the outside. Chairman Madison said if a developer supplies the plan, they still don't know if it was the one that was actually approved. Gary said that's why they have to search through the files upstairs. Chairman Madison said that's a mess! Gary said it's lack of communications. Chairman Madison said somehow they need to get the final plan from the Planning Board, not from the developer, because he could change it. Selectman Jasper said the Planning Board Chairman and the Secretary both need to sign the final plan. Pam interjected that a lot of times a stipulation will be added to the final plan. Mike said as long as he gets the final plan, even with the stipulation, and the decision sheet that Pam puts out, he can build it. Chairman Madison said Mike seems to be the one that's on top of things, so maybe he's the one that should distribute the final plan. Gary said they're the ones trying to find it!

Chairman Madison asked if anyone had anything else. Pam asked if people were going to stay in their present location. Mr. Sharon said yes. Chairman Madison thanked staff for attending.

#### **4. NONPUBLIC SESSION**

*Motion by Selectman Jasper, seconded by Selectman Charbonneau, to enter Nonpublic Session under RSA 91-A:3 II (a) regarding personnel issues and (e) regarding pending claims or litigation carried 4-0 by roll call vote.*

Nonpublic Session was entered into at 5:16 p.m. and was terminated at 5:40 p.m.

*Motion by Selectman Seabury, seconded by Selectman Jasper, to seal the Minutes carried unanimously.*

#### **5. ADJOURNMENT**

*Motion to adjourn at 5:41 p.m. by Selectman Jasper, seconded by Selectman Seabury, carried unanimously.*

Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

**HUDSON BOARD OF SELECTMEN**

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**Chairman E. Lorraine Madison**

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**Rhona Charbonneau**

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**Shawn N. Jasper**

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**Ann Seabury**

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**Terry Stewart**