

HUDSON BOARD OF SELECTMEN

Minutes of the Special Meeting of April 3, 2000

1. **CALL TO ORDER** by Vice-Vice-Chairman Shawn N. Jasper at 4:35 p.m.

2. **ATTENDANCE**

Selectmen: Shawn N. Jasper, Rhona Charbonneau and Ann Seabury

Staff/Others: Paul D. Sharon, Town Administrator; Priscilla Boisvert, Executive Assistant

3. **ZONING ADMINISTRATOR'S DECISION RE SHEPHERD'S HILL VESTING ISSUE**

Vice-Chairman Jasper had distributed copies of his opinion. Selectman Charbonneau agreed with it.

Motion by Selectman Charbonneau, seconded by Selectman Seabury, to appeal the decision of the Zoning Administrator which, if left unchallenged, would allow for the issuing of permits, on the basis that 1) Active and substantial development had not begun within one year; 2) There is a requirement for an escrow agreement, which by law, would have required a bond or letter of credit; and 3) The development agreement has been materially breached and no permits can be issued and further that the appeal should include itemized billing w/cancelled checks; engineering report on the inspection of the site; and the record on the bond guarantee for sewer carried unanimously.

Selectman Seabury said Leo Fauvel called with concerns and suggestions regarding the Shepherd's Hill project. He suggested that the appeal should contain bills submitted relative to expenditures on the project with cancelled checks attached to them; that there should be engineering reports from the Town Engineer or consultants who made site inspections; and the Town should have a bond amount for sewer lines.

Selectman Seabury asked if they are still going for the low-income/moderate housing. Mr. Sharon said they have indicated they want to go forward with 400 units. Selectman Seabury said Mr. Fauvel came up with an interesting theory. He thought there are probably many houses in the community that are Section 8, and she thought he was probably correct. It would be interesting to find out how many houses there are in Hudson come under that government funding program. Regarding Shepherd's Hill, Mr. Fauvel thought there would be too high a density for that amount of units and the Town couldn't adequately support them. She thought there was some regulation that wouldn't allow high density of one particular type of housing. Mr. Sharon said that was the provision that was cited in the correspondence to NHHFA and the Town is also on record as saying the density was excessive. Vice-Chairman Jasper said it was also one of the reasons the public hearing was postponed. From his perspective as Welfare Administrator, Mr. Sharon said there is a fair amount of Section 8 housing in Town, but he's not sure of the level. However, if 400 units of low-income housing go in, the Town will be importing, because there's not a local demand for that many units. Selectman Charbonneau said the proper term is affordable housing, not low-income. Mr. Sharon said he considered affordable to mean low and moderate, but when Chris Muller was asked, he said there was no moderate included at all. The original proposal was all low-income.

Vice-Chairman Jasper asked Selectman Seabury if she'd like to add those items to the motion. Selectman Seabury said yes and that would be a) itemized billing w/cancelled checks; b) engineering report on the inspection of the site; and c) the record on the bond guarantee for sewer. Selectman Charbonneau, as seconder of the motion, agreed. Vice-Chairman Jasper said that verbiage would become part of the motion.

Vice-Chairman Jasper said Atty. Drescher should handle this appeal. Selectmen Charbonneau and Seabury concurred.

Selectman Charbonneau said someone at Town Hall told her he didn't think there was that much pipe in the ground. She thought that was something they'd have to look into. Mr. Sharon said that was one of the core parts of the appeal. Vice-Chairman Jasper said that gets to the heart of what "substantial." Selectman Charbonneau said most of these people know the system and they play the game. She asked if the Town has heard anything about Thurston's Landing yet. Mr. Sharon said no.

Vice-Chairman Jasper referred to Item 4 in his memo, "That we find that due to the foregoing the applicant must file for a sewer permit under the current sewer regulations," and said if they believe their site plan has, in effect, expired and is no longer valid, then they must file for a new sewer permit. He understands they are attempting to gain permits at this point and asked where they were in the process. He asked if the Board

Hudson, NH BOS Minutes, 4/3/00, Page 2

should make a ruling because in Susan Snide's letter to Leo Fauvel, she states that it's up to the Sewer Utility Committee to make a determination on that. Ultimately, however, it's up to the Board of Selectmen. Mr. Sharon said once the appeal is made, it will shape some things. He's not sure that processing should take place on the permits. Vice-Chairman Jasper hoped that's the case. He would assume so, but

if not, they'll have to go to the next step and put this on as an item at the next meeting. Mr. Sharon said he was meeting with Attorney Drescher on Thursday. Vice-Chairman Jasper said the permitting process is a subject that could be discussed at that time. He expected the permits would be put on hold.

4. OTHER BUSINESS

Manny Sousa's New Development

Selectman Charbonneau said when that new development goes in, they want to make sure there isn't a beauty salon in there because they use a lot of water. Vice-Chairman Jasper said they will be allocated so much sewerage for that lot and the Town will have to monitor it very carefully. Selectman Charbonneau said once it opens, it will be hard to control. Vice-Chairman Jasper said they can be shut off if they go over their amounts. If someone goes in with a high usage, they will be more aware of it. It will be played out when they come in for the application. Selectman Charbonneau hoped the Planning Board would ask all of the questions. The Town has got to do a better job of controlling and policing things. For instance, Lockwood Place and Thurston's Landing should never have happened. Mr. Sharon said most of the Lockwood stuff is not the fault of the people upstairs; it's the fault of the people out in the field. Selectman Charbonneau said something is radically wrong when they see all of these things happening that are not supposed to be happening. Vice-Chairman Jasper said they are attempting to put an end to (some of the problems at) Lockwood Place. Selectman Charbonneau said people have bought homes, have been given CO's and are in there. Vice-Chairman Jasper said people have been ordered to take down houses in the past. Mr. Sharon didn't know that a judge would boot people out of their homes, who have gotten CO's. Vice-Chairman Jasper said that was probably the case, but things have to be checked more carefully.

5. ADJOURNMENT

Motion to adjourn at 4:50 p.m. by Selectman Charbonneau, seconded by Selectman Seabury, carried unanimously.

Recorded and Transcribed by Priscilla Boisvert

Executive Assistant to the Board of Selectmen

HUDSON BOARD OF SELECTMEN

Chairman E. Lorraine Madison

Rhona Charbonneau

Shawn N. Jasper

Ann Seabury

Terry Stewart