

Via Email

January 26, 2021

Town of Hudson Administrator
Steve Malizia
smalizia@hudsonnh.gov

Town of Hudson Engineer
Elvis Dhima
edhima@hudsonnh.gov

Town of Hudson Selectboard
bos@hudsonnh.gov

Town of Hudson Zoning Administrator
Bruce Buttrick
Buttrick, Bruce <bbuttrick@hudsonnh.gov>

Town of Hudson Planer
Brian Groth
bgroth@hudsonnh.gov

Town of Hudson Town Counsel
David LeFevre, Esq.
dlefevre@tarbellbrodich.com

Town of Hudson Planning Board
planning@hudsonnh.gov

Re: Notice of Right to Know Violations & Request to Cure

To All Concerned,

In previous Right to Know Requests (“RTK”) The Town of Hudson has not adequately met the legal standards of RSA 91-A, the Right to Know Act for the following reasons:

1. Not providing records in a timely manner.
2. Not providing an expected delivery date.
3. Not including/providing complete records from throughout the Town, including all departments and Town Officials, including but not limited to the Police, Fire, Sewer, and the Citizens Traffic Advisory Committee.
4. Not including all responsive records, for example, full email chains, email attachments, calendar entries, texts, recorded videos, meeting minutes, both written and electronic, notes, and communications and other records between the Town of Hudson and any outside party, such as, but not limited to, The Office of the Governor of New Hampshire, The New Hampshire Department of Transportation, the Nashua Regional Planning Committee, etc.
5. Not providing records and emails from Town officials and departments who have used personal emails accounts for official business.
6. Not providing social media postings and communications by Town officials who have openly discussed the proposed Hudson Logistics Center on public social media platforms.
7. Not providing a record of all confidential or excluded records with an explanation for the exclusion of these records (i.e., a privilege log).
8. Not providing records in a usable manner, i.e., unable to open files, coding errors, etc.

Please see summary of communications related to the RTK requests and the Town of Hudson for reference, attached as **EXHIBIT A**.

To remedy these violations, and prior to any legal action, I request the Town of Hudson complete the following Right to Know request within ten (10) business days of receipt of this letter. Should the Town of Hudson be unable to provide the requested records within ten (10) business days, I request a stay of all meetings and considerations regarding the Hudson Logistics Center applications by the Planning Board, Conservation Committee, and Selectboard until the afore-mentioned records are provided.

I acknowledge that the Town has already produced many records in response to prior RTK requests. However, because of some of the problems noted above (coding errors making them unreadable, unable to open them, lack of attachments, etc.), the production to date is not adequate. I believe it would be easier if you produced every record requested below, even though that is likely to cause some duplicated reproduction. I believe producing everything responsive will be easier than having the Town have to sort between what you have already produced and what you have not.

Pursuant to RSA 91-A, the “Right to Know Act”, I request the production of copies of the following records:

1. All records associated with Hillwood Enterprises, L.P., Amazon.com, Inc (Amazon), or any of their affiliates or agents, including the proposal to redevelop property identified as Tax Map 234, Lot 5 and Tax Map 239, Lot 1 into the proposed Hudson Logistics Center (the “Property”).
2. All records associated with Hillwood Enterprises, L.P., Amazon.com, Inc (Amazon), or any of their affiliates or agents, regarding property identified as Tax Map Parcel ID 209-001-000.
3. All records associated with other proposed projects that have been submitted within the past 15 years at the Property.
4. All records associated with any upgrade, improvement, expansion, lengthening, or any other similar work to the Circumferential Highway and/or the Hudson Boulevard generated within the past 2 years of today.

Please note that governmental and public records include all responsive electronic documents and records, such as emails, voice mail recordings, texts, hand-written records, etc. As you know, pursuant to RSA 91-A:4, IV, the Town of Hudson must make available for copying, or provide copies of, all governmental or public records requested immediately if they are readily available, or, within five (5) business days, must respond to the request, or deny the request with legally sufficient reasons, or explain when such determination on release or denial

will reasonably be made. If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law. I request for these records to be provided electronically by thumb drive. By separate cover, my office will mail you three thumb drives in their original wrapping and three prepaid return package envelopes. As you work through this request, please let me know if we should send more thumb drives. My firm guarantees payment of a fee for production of the copies up to \$250 and please contact me if it will cost more than \$250. Please provide responsive records as they become ready. I presume that the newer will be more readily produced than the older ones.

Thank you for your anticipated prompt attention to these requests. Please contact me with any questions or if you need anything further.

Very truly yours,



Amy Manzelli, Esq.
Licensed in New Hampshire
(603) 225-2585
manzelli@nhlandlaw.com

Cc: Clients

Date	Type	Author Name	Author Org	Author Title	Author Address	Recipient Name	Recipient Org	Recipient Title	Recipient Address	Copy Recipients Name	Copy Recipients Email	Records requested	Other content
6/12/20	Phone	Amy Manzelli	BCM	Attorney	n/a	Brian Groth	Town of Hudson	Planner	n/a	none	n/a	n/a	Discussed details and Amy's need to make right to know request Brian advised send right to know requests to the Town to him
6/16/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	none	n/a	n/a	Acknowledgement of receipt
6/16/20	Letter via email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	none	n/a	<p>FIRST REQUEST: All records associated with Hillwood Enterprises, L P or any of its affiliates or agents, including the proposal to redevelop property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 into the proposed Hudson Logistics Center (the "Property") 2 All records associated with other proposed projects that have been submitted within the past 13 years at the Property 3 All records associated with any upgrade, improvement, expansion, lengthening, or similar work to the Circumferential Highway and/or the Hudson Boulevard generated within the past 12 months of today</p>	"Please note that governmental and public records include all responsive electronic documents, such as emails, voice mail recordings, etc As you know, pursuant to RSA 91-A:4, IV, the Town of Hudson must make available for copying, or provide copies of, all governmental or public records requested immediately if they are readily available, or, within 5 business days, must make them available, or deny the request with legally sufficient reasons, or explain when such determination on release or denial will reasonably be made " Please provide responsive records as they become ready I presume that the newer will be more readily produced than the older ones "
6/22/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Brooke Dubowik	bdubowik@hudsonnh.gov	n/a	Almost done Will update tomorrow May need additional day or two
6/24/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Brooke Dubowik	bdubowik@hudsonnh.gov	n/a	Additional days ok
6/26/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Nicole Manteau, Jessica Wilson, Brooke Dubowik	manteau@nhlandlaw.com; wilson@nhlandlaw.com; bdubowik@hudsonnh.gov	n/a	"Two USB's are being mailed to you today One contains our complete file on the affected properties, the other contains my file and correspondence on the project Transmitting the emails was a bit challenging due to file naming issues – when I saved the emails the file name created uses the subject line, which creates redundancy issues Upon inspection, if you have any questions or think I might have missed something, please just let me know Regarding your request for information on the Circumferential Highway and the Hudson Boulevard alternative, nothing has been done in the past 12 months However, see the following link for older documentation: https://www.hudsonnh.gov/engineering/page/Hudson-boulevard Last, as Town Hall begins a phased re-opening, I can accommodate a meeting by appointment if you would like to meet with me and/or inspect our document server "
6/29/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Brooke Dubowik	bdubowik@hudsonnh.gov	n/a	Prepaid envelopes to send USB don't have enough postage
6/30/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Brooke Dubowik	bdubowik@hudsonnh.gov	n/a	Will send another pre-paid envelope Also sent to Jessica Wilson
6/30/20	Email	Brooke Dubowik	Town of Hudson	Planning Administrative Aide II	bdubowik@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	none	n/a	n/a	Needs to be package not flat envelope Also sent to Jessica Wilson and Brian Groth
6/30/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Brooke Dubowik	Town of Hudson	Planning Administrative Aide II	bdubowik@hudsonnh.gov	none	n/a	n/a	Will send pre-paid package Also sent to Jessica Wilson and Brian Groth
6/30/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	none	n/a	n/a	"The two thumb drives contain everything 1 is the project file, and 2nd is the file on the property Nothing's been done on the Circumferential Highway in the past 12 months but the information we have on it is available on our website per my email on Friday " Also sent to Jessica Wilson and Brooke Dubowik
8/6/20	Phone	Amy Manzelli	BCM	Attorney	n/a	Brian Groth	Town of Hudson	Planner	n/a	none	n/a	n/a	Discussed frequency of right-to-know requests Agreed on monthly being reasonable

Outline of Communication from BCM to Town of Hudson regarding Right-to-Know Requests

<u>Date</u>	<u>Type</u>	<u>Author Name</u>	<u>Author Org</u>	<u>Author Title</u>	<u>Author Address</u>	<u>Recipient Name</u>	<u>Recipient Org</u>	<u>Recipient Title</u>	<u>Recipient Address</u>	<u>Copy Recipients Name</u>	<u>Copy Recipients Email</u>	<u>Records requested</u>	<u>Other content</u>
8/7/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	none	n/a	SECOND REQUEST: "follow up Right to Know request to the one she submitted to you via letter on June 16, 2020 (attached) We are now requesting any responsive records that have been generated since the collection date of that request "	"Emails 26 and 29 received in response from the first Right to Know request, seem to not have all of the information Can you please provide complete versions of these two documents?"
8/7/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	none	n/a	n/a	"I do not have the emails numbered, can you send me the two you are referring to?" Reference to town website for responsive records Will send emails
8/7/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	manzelli@nhlandlaw.com	n/a	Attached two emails Can drop off USB if file size of documents too large
8/13/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	none	n/a	n/a	Very hectic week Will wrap up tomorrow
8/13/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	none	n/a	n/a	Understood as to tomorrow
8/14/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	none	n/a	n/a	Day was taken over Will work on this over weekend Ask for few more days to complete the request
8/14/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	none	n/a	n/a	Early next week is good
8/17/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	none	n/a	n/a	Almost done Will burn onto CD
8/17/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	manzelli@nhlandlaw.com	n/a	Ok I'll pick up Can you do thumb drive instead of CD?
8/17/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Amy Manzelli	manzelli@nhlandlaw.com	n/a	Can do thumb drive When will you drop it off?
8/19/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Amy Manzelli	manzelli@nhlandlaw.com	n/a	"Attached are two text files, inbox and outbox These text files contain the body and details of all emails Unfortunately it does not include any attachments, you'll have to use the outlook backup file for now "
8/19/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	manzelli@nhlandlaw.com	n/a	Acknowledgement of receipt
9/16/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	none	n/a	THIRD REQUEST: "re-submit our Right to Know Request regarding the proposed Hudson Logistics Center" "expand request to conclude communications with any public officials from the state or other cities/towns including from Massachusetts "	Can you convert email files to PDFs? "had some trouble viewing last time via the Outlook format"
9/16/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	none	n/a	n/a	Will see about PDF thing "can you re-frame, or resubmit, your RTK request? Please be as specific as possible "
9/16/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan severance@gmail.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	none	n/a	THIRD REQUEST, REFINED: "1 All records associated with Hillwood Enterprises, L P or any of its affiliates or agents, including the proposal to redevelop property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 into the proposed Hudson Logistics Center (the "Property") 2 All records associated with any upgrade, improvement, expansion, lengthening, or similar work to the Circumferential Highway and/or the Hudson Boulevard generated within the past 12 months of today 3 All records, including communications with state, city, or town agencies, offices, or officials, regarding the proposed Hudson Logistics Center."	

Outline of Communication from BCM to Town of Hudson regarding Right-to-Know Requests

<u>Date</u>	<u>Type</u>	<u>Author Name</u>	<u>Author Org</u>	<u>Author Title</u>	<u>Author Address</u>	<u>Recipient Name</u>	<u>Recipient Org</u>	<u>Recipient Title</u>	<u>Recipient Address</u>	<u>Copy Recipients Name</u>	<u>Copy Recipients Email</u>	<u>Records requested</u>	<u>Other content</u>
9/16/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan.severance@gmail.com	none	n/a	n/a	Acknowledgement of receipt
9/22/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan.severance@gmail.com	none	n/a	n/a	Attached are PDF's of my inbox and outbox of all communications related to the proposed Hudson Logistics Center per your request. The only thing relative to the Hudson Boulevard is the Governor's letter, which wasn't sent to me. I am able to email this time because no attachments are included. I see two options: bring a thumbnail drive to receive my outlook backups that contain the attachments, OR, if you see an attachment that you would like, just email me and I'll send it to you. I believe most, if not all, attachments are some version of something that's been publicly available on our website." Also sent to Amy Manzelli
9/22/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	none	n/a	n/a	Ethan and Brian to handle exchange
9/22/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Ethan Severance	ethan.severance@gmail.com	n/a	"Do you want emails sent by the public to our form email and planning board email address?"
10/16/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan.severance@gmail.com	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	Amy Manzelli	manzelli@nhlandlaw.com	n/a	FOURTH REQUEST: 1. All records associated with Hillwood Enterprises, L P or any of its affiliates or agents, including the proposal to redevelop property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 into the proposed Hudson Logistics Center (the "Property") 2. All records, including communications with New Hampshire and/or Massachusetts state, city, or town agencies, offices, or officials, regarding the proposed Hudson Logistics Center 3. All records associated with any upgrade, improvement, expansion, lengthening, or similar work to the Circumferential Highway and/or the Hudson Boulevard generated within the past 12 months of today. Follow up from phone call "making this request to the entire Town of Hudson" "re-requesting this information based on learning that there was an insufficient response over the last few months" "received responsive records to the below requests from Brian Groth"
10/20/20	Email	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan.severance@gmail.com	none	n/a	n/a	Receipt acknowledgement "may take several weeks to compile"
10/20/20	Email	Ethan Severance	Pro Bono	Attorney/Resident	ethan.severance@gmail.com	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	Amy Manzelli	manzelli@nhlandlaw.com	n/a	Receipt acknowledgement Beginning to discuss logistics of transferring files, thumb drive
11/9/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	Ethan Severance	ethan.severance@gmail.com	n/a	Summary of prior requests: 6/16, 8/7, 9/16, 10/16 - last month that we realized the responses were insufficient" ""sought information from the Town as a whole" "responses included only records from one staff person" "the responses we have received to date have not complied with RSA 91-A because they have not included all responsive records" "our desire that compliance with RSA 91-A be achieved promptly, especially given that we have been waiting on responsive documents for almost five months and the proceedings upon the applications continue" stated some legal requirements of RSA 91-A "ask that you reconsider your proffered time frame of possibly taking several weeks" Request time estimate of production
11/10/20	Email	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	none	n/a	n/a	Will provide thumb drive of records collected thus far on Thursday evening "having our IT Department scour our email server to determine what other records may be available" "I estimate this may take a couple of more weeks"
11/10/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	none	n/a	n/a	Acknowledgement of receipt

Outline of Communication from BCM to Town of Hudson regarding Right-to-Know Requests

<u>Date</u>	<u>Type</u>	<u>Author Name</u>	<u>Author Org</u>	<u>Author Title</u>	<u>Author Address</u>	<u>Recipient Name</u>	<u>Recipient Org</u>	<u>Recipient Title</u>	<u>Recipient Address</u>	<u>Copy Recipients Name</u>	<u>Copy Recipients Email</u>	<u>Records requested</u>	<u>Other content</u>
11/23/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	none	n/a	FIFTH REQUEST: Any record that was generated on or after the most recent right-to-know request dated October 16, 2020 as follows: 1 All records associated with Hillwood Enterprises, L P or any of its affiliates or agents, including the proposal to redevelop property identified as Town Tax Map 234, Lot 5 and Tax Map 239, Lot 1 into the proposed Hudson Logistics Center (the "Property") 2 All records associated with any upgrade, improvement, expansion, lengthening, or similar work to the Circumferential Highway and/or the Hudson Boulevard	Asking when final batch of responsive records from requests from 6/16, 8/7, 9/16, and 10/16 will be ready given that couple weeks has passed Noting that first batch was less volume than expect and missing: attachments form emails, all correspondence including to and from personal email addresses, information about the scopes of work for the Town's peer reviewing consultants, and privilege log
12/4/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	none	n/a	n/a	Requesting response to emails from Amy Manzelli dated 11/10/20 and 11/23/20, no response having been received yet "At this time, we have requests as old as from June that have not been responded to fully and a request from 11/23/20 which hasn't even been acknowledged This situation is not acceptable and violates RSA 91-a "
12/14/20	Letter sent via email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Planning Board	Town of Hudson		broth@hudsonnh.gov; planning@hudsonnh.gov	none	n/a	n/a	Notification and explanation of right to know law violations
12/14/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Planning; Elvis Dhima, Craig Rennie, Ridge Mauck, Michael Hansen	planning@hudsonnh.gov; Craig rennie@desnh.gov; ridgely mauck@desnh.gov; michael hansen@desnh.gov	n/a	Asking what right-to-know requests have gone without a response Also sent to Elvis Dhima
12/14/20	Email	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Planning; Elvis Dhima, Craig Rennie, Ridge Mauck, Michael Hansen	planning@hudsonnh.gov; Craig rennie@desnh.gov; ridgely mauck@desnh.gov; michael hansen@desnh.gov	n/a	Putting together a letter to Planning Board that explains 6/16, 8/7, 9/16, and 10/16 responses from whole Town missing 11/23 has had no response Also sent to Elvis Dhima
12/14/20	Email	Brian Groth	Town of Hudson	Planner	bgroth@hudsonnh.gov	Amy Manzelli	BCM	Attorney	manzelli@nhlandlaw.com	Planning; Elvis Dhima, Craig Rennie, Ridge Mauck, Michael Hansen	planning@hudsonnh.gov; Craig rennie@desnh.gov; ridgely mauck@desnh.gov; michael hansen@desnh.gov	n/a	Will look into it and follow up with Amy Manzelli Also sent to Elvis Dhima
12/28/20	Email	Steve Malizia	Town of Hudson	Town Administrator	smalizia@hudsonnh.gov	Ethan Severance	Pro Bono	Attorney/Resident	ethan.severance@gmail.com	none	n/a	n/a	"After reviewing the materials that our IT Department found on our Town server, I have downloaded the records onto a USB drive " How would you like to receive it

Groth, Brian

From: Hudson New Hampshire via Hudson New Hampshire <noreply@hudsonnh.gov>
Sent: Tuesday, February 2, 2021 11:15 AM
To: Groth, Brian
Subject: Form submission from: Contact a Board or Committee

EXTERNAL: Do not open attachments or click links unless you recognize and trust the sender.

Submitted on: Tuesday, February 2, 2021 - 11:14am

Submitted by:

Jennifer Parkhurst

Question/Comments Submitted:

Dear Dedicated Members of the Planning Board,

During the Deliberative Session on Saturday Jan 30th 2021, I had the opportunity to present Petition Warrant Article 20. This warrant article, supported by numerous residents and town leaders, asks voters to change the Planning Board structure from an appointed board to an elected board. After the presentation, various individuals provided questions and discussion on the topic. With that, I am still proud to stand behind the integrity of this warrant article but I also want to be clear about the intentions of this effort thereof.

This warrant article was NOT intended to be a “slam” or referendum on the current Planning Board. I know several members who sit on this board, some of which I consider friends and have deep respect for. To that end, I wanted to take this moment and publicly highlight their hard work and dedication. The Planning Board deserves the utmost appreciation for the sheer volume of work they have received along with the countless time they have put into their 2020/2021 responsibilities. I realize these individuals do not get paid and simply work for the betterment of our community. As such, I would like to provide an apology that I did not include this appreciation within my warrant article presentation. I certainly take full accountability for my oversight on this matter.

To Mr. Malley, Chairman of the Planning Board; please accept my apology. From now until the Town Meeting, I will make this acknowledgement as part of the campaign for the passage of this warrant article.

With that said, I do believe many residents support this warrant article, not because they believe this current board is corrupt but because they believe it is only natural for humans to feel compelled or influenced by those who appoint them and/or hold the power to remove them. It's not an exaggeration to believe that having elected boards actually protects its members from said internal pressures. In fact, there have been instances right here in Hudson where directives were put upon boards members by their appointing authority. This was verified through a "Right To Know" request submitted in 2019. After review, it was evident that these directives never originated from the board itself.

A more widely accepted example of this theory is with the budget committee, also an elected board. Seeing as though the committee is tasked with handling and reviewing financial happenings within the town, conflict of interest, corruption and unlawful use of power are all closely restricted through town ethics ordinances and state regulations. Thus, it's not a stretch of the imagination to believe that Land-Use board decisions can have a consequential economic impact, where those in power may want some influence. Last, as stated in my presentation that elected planning boards are not a novelty, nearly half of NH municipalities have elected planning boards including our neighbors Pelham and Windham.

While we may not agree on whether this petition warrant article will create positive change in our town, I hope the Planning Board Members will accept my sincere apology for failing to acknowledge their dedication and commitment to serve our community. Should this warrant article pass, as a Co-Founder of Hudson Alliance for Responsible Development, I will be among the first to support the current membership in their election.

Sincerely,

Jennifer Parkhurst

Co-Founder
Hudson Alliance for Responsible Development