

SPECIAL BOARD OF SELECTMEN'S MEETING
August 21, 2014 5:30PM

Quorum noted

5:30 PM: Meeting called to order by Acting Chairman Beckert.

Roll Call: Mr. Beckert, Mr. Hirst, Mr. Fernald and Ms. Davis.

Absent: Mr. Moynahan

This is a Special Workshop and Public Hearing to discuss next steps on the use of TIF Funds, sewer pump station upgrades and bond, and growth issues and a possible ordinance amendment.

5:31 PM Next steps on use of TIF Funds/Sewer Upgrade and Bonding

Mr. Lee reviewed the voting history of the TIF and said that the Town was back to square one, essentially; that with approximately \$2 million accumulated; that they still have the money; that they still have the district, but there is no authorization to proceed in any particular direction. He added that he was hoping to get feedback from the public about what we would next endeavor to present to the people to use the approved TIF funds that are sitting and accumulating.

5:32 PM Mr. (Robert) Pomerleau, Cedar Road, said that he submitted a proposal on the Village concept and modifying the TIF to include the Village into the TIF District; that there were a host of other projects that could be built around the Village project, which he thought would have a much more widespread beneficial impact on a lot of citizens and bring all sides together in something they could support. He discussed that the Comprehensive Plan required sewer be in place for the Village development and suggested, particularly with the long-term desire to establish a foundation for sewer expansion that will help potentially existing problems coming down River Road, then that would require having the sewer built down to the Village.

5:34 PM Mr. (Doug) Dougherty, Park Street, said that he was involved and a strong supporter of the TIF project when it was initially proposed; that there were a group of people that supported it for at least two years at Town Meeting; that the sewer expansion was defeated by secret ballot. He asked why there was any urgency to spend the current TIF funds at this time. He added that he would rather let it sit there and let us take a closer look at where we really want to go as a Town, rather than a knee-jerk reaction to spend the money that is there. He said that he thought the money should stay where it is until we resolve what we are going to do with the future of the Town.

5:35 PM Mr. Lee said that it had been discussed after he got here that, rather than bond any improvements, to use the cash live rather than get into any indebtedness. He

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added that this would allow doing it slowly, in phases, with cash and would begin with Phase I, which are the pumping stations that are in bad need of repair; that those would need to be upgraded if we expand anywhere – Village or Route 236.

Mr. (Bob) Fisher, Frost Hill Road, said that he supported sewer on Route 236 but he now has a problem with the way the Town is spending that money; that he was concerned with cost-savings if they didn't do both at the same time. He explained that Route 236 was supposed to be done first then pump it down Beech Road and shoot it down to South Eliot, using the existing pumping system down there; that what they were suggesting now was backwards by getting the pumping stations fixed first (he supported fixing the pump stations) but we have to do Route 236 first to utilize the pumping stations in South Eliot.

Mr. Lee said that they had a letter from Bernstein Shur that addressed that point. He read certain portions of that letter that clarified the "*requirement to upgrade the lift stations in order to accommodate the extra flows associated with the expansion of the sewer mains.*" He added that they do have legal opinion that that is a viable use to do something with the pump stations, in phases, because we can't do any expansions and add flows to those pump stations; that they are barely handling what we have.

Mr. (Denny) Lentz, Creek Crossing, discussed the disparity of answers from the same law firm regarding this and asked which one was correct.

5:41 PM

Mr. Lee said that that was a very good question. He clarified that the wording of the questions from Mr. Blanchette and Mr. Lee to the attorneys were different; that Mr. Blanchette's question premised bonding and his question utilized cash on hand; that the attorney said that they could use cash on hand (TIF) to upgrade pump stations as part of future expansion; that that would be consistent.

Mr. (Ed) Strong, State Road, said that he thought they should not use TIF money to upgrade the South Eliot sewer system; that that should be bonded and paid for by the users of the sewer system; that money should have been put away years ago to have that done and why should his tax money be paid to upgrade sewer that he couldn't use. He added that the sewer stops three doors from his house and, when he had to put a new septic system in, the Town didn't assist him.

5:44 PM

Ms. (Janet) Saurman, Park Street, said that from the little bit she heard tonight thought that whatever happens in the future, whether it was a village concept or rethinking 236, if the South Eliot stations needed to be upgraded and we know that has to happen for sure for anything else, then she would say why not go ahead and use the money to improve the use of funds there. She added that she thought it was fair to say that the voter's minds may be shifting a bit about the 236 Project with the last vote that they didn't say no, never, just no to 'this' plan;

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that maybe in the future, presented in a different way, with newer information, then maybe the voters will change their minds about development on 236. She reiterated that if nothing else can happen without the stations being fixed in South Eliot, then it seemed to her that they ought to use the money to do that.

Mr. Pomerleau discussed the original letter from Bernstein Shur, which had nothing to do with bonding; that Mr. Pomerleau had challenged whether it was legal in any way to use TIF funds for South Eliot; that the law said that it had to 'be related to or caused by' kind of language and his challenge was how could they say it was 'deemed necessary by' since the problem was pre-existing; that it had been there for years; that it was a stretch in his mind to interpret the pumping stations were 'made necessary' by a new sewer. He quoted, *"Until such time that Eliot voters approve moving forward with a water and sewer project outlined in the Route 236 Development Program the Town should not use any TIF revenues for improvements to the Town's existing sewer system. The development program for the Route 236 TIF District provides expressly that the initial project to be funded through the Route 236 District is an engineering study that will identify options for the Town's municipal sewer and water extension project and help the Town determine the best approach to economic development on 236. Once the engineering study is complete the sewer project must be designed and then approved by the voters before TIF revenues are spent on the project since the voters have not yet approved the water and sewer project contemplated by the development program. No TIF revenues should be spent on improvements to the existing system."* He commented that the only reason they could spend money outside the TIF District was under the clause in the law that it is 'made necessary by'. He said that you could draw a relationship to the need to build it but that was 'part b'; that what has to happen first is 'part a' – the voters have to approve the expansion on 236. He added that if that is not done then there is no 'part b' because there is nothing to make it 'necessary by or related to'; that it doesn't exist. He added that the second attorney letter said that we were not required to use bonding but there was no reason we couldn't use cash; that that didn't change the content of her prior position that nothing could go forward in South Eliot with TIF funds until voters gave their approval on the municipal project, and that project has still not been approved.

Mr. Lee said that he did not disagree with anything Mr. Pomerleau was saying; that this plan in phases is still a Route 236 plan and would still have to be approved; that the only difference is that 'this' letter from the attorney says that we could fix the pumping stations with it as long as the Route 236 project is still designed and planned in phases with an engineering study backing it up.

5:49 PM

Mr. (Bob) Seeley, Dow Highway, discussed his strong opposition to using TIF funds to fix the infrastructure in South Eliot; that it should be fixed before any

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money was used; that the acceptance of the expansion plan was a whole different story.

Mr. (Andy) Dudek, Goodwin Road, commented that he had heard some great proposals tonight but that what always seems to be missing is a financial statement that shows the impact to and benefits for the voters. He asked what the impact would be on the mil rate whether one phase was done or the project was done as a whole.

5:53 PM

Mr. Lee clarified that, in doing this in phases, they would be using TIF money; that that is separate and distinct apart from tax payers mil rates; that there is a certain parcel of property that the taxes from which go into a certain economic development fund that is separate and apart. He asked if Mr. Dudek was asking if they didn't have the TIF, and that was part of our tax base, what would it do for our mil rate.

Mr. Dudek said that, in doing the project work, he didn't care whether the money came from the TIF or we got it magically from heaven, he wanted to know if it affected the mil rate. He added that, at some point, we would have a lot of money coming into the TIF fund or we break the bank; that we only have \$2 million now, and he did a quick calculation that the cost would be around \$8 to \$9 million, so at some point in time where are those curve costs and where, if, does it impact the tax payers. He asked if he had anything that would come down leaking through the various funds that would cost him, say .02, in the mil rate.

Mr. Lee said that the answer is no; that what we are suggesting is that the tax revenue that supports police, roads, etc. – the mil rate – is separate and apart from the \$500,000 per year that goes into the TIF fund so, even if it's an \$8 million or \$9 million project, over 16 years we will generate \$8 million in this TIF fund, separate and apart from the mil rate.

Mr. Dudek said he would like to see that put down on paper in some document that there would be zero impact on the mil rate if the Town did this.

5:55 PM

Mr. (Russ) McMullen, Beech Road, said that there is a spreadsheet done for the Selectmen by Mr. Donhauser that shows the 20-year intake of the TIF-sheltered money; that it also shows a surplus to the tax payers at the end of those 20 years. He added that he thought they had three different issues; that there was the issue of the failing pumps in South Eliot; that he believed that, before they could intelligently analyze the balance of the TIF, TIF funds, sewer and location of the sewer, that they ought to find out just how the residents feel about either paying for, subsidizing or paying in part for the failing sewer pumps. He said that there were some here tonight that felt because they were on a septic system they didn't feel they should be participating and there were others who felt we should be

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spending this TIF-related money for pure sewer projects that will create economic development for the Town to help the overall tax base. He added that, once they knew how the tax payers did or did not want to participate in repairing the failing pump stations, then we could deal with raw figures on what we are going to do with the sewer expansion project. He said that he had talked to a great many people being a businessman on Route 236, a lot of people who are business owners and those who are just residents, and it's quite odd to people that we might run a dual sewer line up Route 236 of 2 inches when, across the street, there is a functioning, working 4-inch line that could probably be made available for purchase at a reasonable price; that everyone was asking why we would not want to buy that because everyone from Beech Road to Bolt Hill Road, providing that Mr. Forsley would allow it, could tap into that line. He said he didn't see the need of running a 2-inch line and duplicating it half the size of a line that is 30 feet away from the side of the road. He added that the Town would have to upgrade the pump systems but that is a whole lot cheaper than running all new lines up Route 236 and still having to put new pump systems in. He said he was very much in favor of redoing this entire linear layout of the sewer project. He added that, if the tax payers felt better about doing this with cash, that we could actually start roughly at the Commons, as the sewer line already exists between the Commons and the Kittery Sewer Treatment Plant. He said that he wasn't too excited about what a 2-inch line would do for businesses on Route 236 and he thought that really needed to be thought out. He added that the idea of running so much sewer line on private land and in residential streets that can never be tapped into by the residents doesn't make a bit of sense to him; that this is a force-fed main all the way up Beech Road, all the way up State Road, reiterating that residents could not tap into this but it is a huge cost to the tax payers. He said that he had brought this up to Underwood Engineers well over a year ago and nothing has been said or done about it; that he believed this was a tremendous waste of tax payer money and a serious inconvenience; that they have also talked, at \$1.2 million, about running a reverse line from the intersection of Beech Road and State Road as a gravity feed, back, to drop it in the can and then pump it back up Beech Road and down State Road so that the residents of Beech Road can have access to the sewer. He asked that the entire layout of the sewer system be reworked.

6:02 PM Mr. Beckert clarified that the line Mr. McMullen was discussing was a private line owned by Eliot Commons and it runs to the Town's public sewer line on Bolt Hill Road.

Mr. Lentz asked if we could all get off of the Route 236 Sewer Extension; that three times the voters voted that down. He added that he thought they were here to talk about the phasing and what we are planning to do.

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Mr. Fisher said, regarding the Village area, everyone looked at the Village and thinks that must be the store, Town Hall, Library, that part of Town. He added that, in the Comprehensive Plan, the village is laid out on Route 236.

Mr. Beckert clarified that the Comprehensive Plan speaks of an expansion of the Village District and encompasses an area from Beech Road, in and around and prior to the elementary school, swings up through the Town Hall area and talks about reduction in lot size if sewer is available. He added that the Comprehensive Plan is available at Town Hall for the public to read.

6:05 PM

Mr. Pomerleau said that, after three negative votes, the message was clear that it was not the funding of sewer expansion, it was the project; that people were sending a message that they didn't want to see expansion on Route 236. He discussed the history of the three votes, including the citizen petition, and asked where that left everyone; that there were a lot of mixed messages in the petition about what people were saying; that even the strongest proponent has to have some inclination that the voters were saying that they didn't want an expansion, yet, the language is still legally there in the Route 236 TIF that expresses strictly sewer and water. He added that they couldn't stand still and accumulate money into this project without moving forward with some alternative plan; that he believed that would be taking money in 'bad faith' and, when they talked about being sued or having money taken back, it would only be under those conditions where we openly continue to pour money into that fund and never have any intent to complete it. He said that, based on all the votes, no one had any basis for thinking we were going to complete it. He said that it was clear to everyone that we had to come up with something new; that that was when it was suggested that there would be a TIF alternative committee that was eventually put down by the Board and assigned to the Town Manager. He added that, like Mr. Lentz, he thought that they were here tonight to talk about alternatives; that there's a whole page of alternatives besides the Village proposal from him, yet, here we are still focused most of the evening on the Route 236 Expansion. He said that this is running short of what we need to be doing; that we need to be looking at alternatives for the TIF, not alternative financing for the plan that's been rejected three times.

6:08 PM

Mr. (John) Murphy, Brixham Road, said that in all this discussion of alternatives for a number of years there has been very little mention of the very big elephant in the room. He added that half a century ago the Town adopted zoning under State law; that under that same State law we were absolutely required to have a Commercial/Industrial Zone (C/I District) in place where commerce and industry could come. He said that the obvious place at that time was along the newly-constructed Route 236 because that route went through a region of Town that had not been built up for residences; that there had been a railroad bed through there, which made a good beginning for a solid highway. He said that the Town jumped

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at the chance to set up the required C/I Zone; that it first started about 250' on either side of 236 from the Kittery line to the South Berwick line and a little calm reasoning soon taught the Town that that was a little too much; that we have settled in on a reasonable part of the Town and those owners agreed to have their land in the C/I Zone. Mr. Murphy said that time has gone on, we're a modern age and any C/I Zone must expect to have infrastructure – that means sewer and water. He added that to pretend that isn't needed is ridiculous; that we ought to come back to that and do it; that the State approved it, we have the money for it, the plans are all done and to pretend it's not there is probably actionable. He suggested people imagine if those 80 - 100 landowners got together, acted together, and asked some court why the Town was refusing to support the infrastructure, which our zone clearly needs in this modern age, by insisting it not be installed and saying, "If you want it, go build it yourself." He asked what municipality ever required their C/I Zone to have a sewer system installed by the individual owners of that; that that isn't the way it's done. He said that he was tired of all this stupid, childish talk that has gone on and delay of something which ought to have been done years ago. He added that we need that sewer out there, the State expects us to do it, the C/I owners expect it and deserve it – let's do that.

6:12 PM

Ms. (Roseann) Adams said that she was concerned that people can't hook up with that force main going down Beech Road; that she was concerned that money was being spent, as Mr. McMullen said; that she was concerned that, when we were in the throes of figuring out whether the vote for the TIF was going to pass, we put an ad in the paper, we asked people to be on a committee to find alternatives and we haven't pressed forward with that at all; that she understood why that happened at the time. She added that she thought that they needed to ask the public about how to fund the repairs of the South Eliot pumping stations because that could hinge on anything that's done if that is a part of that package. She said that she thought we needed to look at the alternatives, maybe redistricting the TIF, if we have to. She added that we aren't under the gun to use the money; that, perhaps, the South Eliot sewer problem is under the gun because of what could happen but the TIF project, itself, is not; that we have plenty of time to determine whether we do things in phases, potentially rework the district, and she thinks it's time to have that group of people come together and talk about the alternatives to look at what is in place and discuss if there is something different we can do, possibly keeping needed elements and looking at the Comprehensive Plan. She added that she didn't want to see people feel that they must move forward; that she would like to see infrastructure in this Town, she would like to see infrastructure on Route 236 for the future; that she has stated her preferences all along but she also thought they needed to look to see if there were alternatives because what people may think are alternatives just wouldn't work; that if they won't create economic development for us and they're just nice things to have

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then she wouldn't vote for them. She reiterated that she wanted to pay for infrastructure; that she thought that was a great place to put her tax money.

Mr. Beckert said that tonight's meeting was for next steps for use of the TIF funds, whether it be continued discussion on the sewer expansion on Route 236 or the new idea he heard of expanding the Village District, which is in the Comprehensive Plan, into the TIF District. He added that the public was present and invited them to share any ideas they had for alternative projects for the TIF.

6:16 PM

Mr. Lee said that he thought that Ms. Adams made a very good point; that the second item we need to discuss is the sewer pump stations and there are some options for how that gets financed; that it might be that Item #1 and Item #2 begin to blur here and become a single conversation.

Mr. Beckert agreed that they had started to blur.

Mr. Lee wanted to point out another handout – Rte. 236 Sewer Extension Phasing Options. He added to forget Route 236 for a minute and focus on the two sewer pump stations; that King's Highway and Main Street are both circa 1983; that we were told they had about 5 years of life left and 3 years have gone by and we have 2 years left before we face some serious failure. He added that one of the things that this sheet has done, from Underwood Engineering, under Discussion Points is ask the question, "*How much cost of the pumping station improvements will be apportioned to the users and other sources such as TIF revenues. Per August 2014 Rate Study, rates would increase approximately \$170/yr if paid 100% by users.*" and asked Mr. Moulton to jump in; that it goes down to talk about a Note at the very bottom, which says, "*Accumulated cost excludes Kittery investment and assumes 50% of pumping station improvements will be paid by users.*" He added that a curious note on this is that, when you look at what goes into sewer lines, it is almost a 50/50 blend of stormwater and sewerage; that it picks up both and, to the extent it takes stormwater, it benefits everybody; that to the extent it only picks up sewerage it only benefits 641 users. He said that he did want to bring this to everyone's attention and asked Mr. Moulton to talk about this briefly, as he thought that would be another 45% increase in their rates if they did the 100% through the 641 users.

Mr. Moulton agreed.

Mr. Lee said that if some portion of it came from TIF as part of an economic development expansion plan, then that would mitigate how much the sewer users are going to get hit. He reminded everyone that 50% of it was general benefit in that bigger area; that the whole drainage basin comes into those catch basins and goes through that sewer; that there is a general benefit to general people in that area because we pick up stormwater and it goes through there.

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Mr. Moulton agreed.

6:20 PM

Mr. (Jim) Tessier, Johnson Lane, asked if, regarding alternates for use of TIF funds, do we have some guidance from the State or the attorneys as to what type of projects we could be doing or do we have to propose something they accept or shoot down.

Mr. Beckert said that there had been some general discussion, general guidance, on projects that had been approved through the economic development office of the State, per the municipalities; that basically anything a town come up with has to be run through them for approval. He added that they have given Eliot a list of things that have been done before in other municipalities and could make that available.

Mr. (Bill) Selsberg, Pickering Drive, said that he was trying to determine whether the pumping stations pumped more than just water and sewer from South Eliot; that it appeared to him that those pumping stations might be pumping sewer and water from other areas. He asked what was coming down Bolt Hill Road.

Mr. Moulton said that it was sewer that came from the Commons, Baran Place, etc. and inevitably goes down to Pump Station #1.

Mr. Selsberg said that the pumping station really benefits a lot more than South Eliot and we really have to take care of it. He added that it is a different, separate issue so why don't we just talk bonding and get it done.

Mr. Strong, State Road, said that he would agree with the bonding issue but he thought the bond should be paid back by the sewer district, itself, through user fees.

Mr. Beckert said that, unfortunately, we do not have a sewer district and, in the State of Maine under General Bonding, the entire populace of the Town is ultimately responsible for the bonds; that if we had a sewer district, then that would be a totally different thing and would normally take the municipality right out of the picture; that South Berwick has a sewer district that is not run by the town but a separate entity.

6:23 PM

Mr. Lee clarified that the Town would issue the bond and the repayment of said bond would come from revenues exclusively from sewer users. He added that, in fact, we will be addressing some rate increases – operation and maintenance and service fees, etc. – to make sure we do have revenue to pay the bills associated with the sewer. He said that that was why it would have to go up by 45%, if we put it all through the sewer users, if those 641 people paid it back. He added that it

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was a separate enterprise fund and, unless the number of sewer users...it didn't really matter...it would always come from sewer users.

Mr. Beckert said that the initial construction of the sewer system was the responsibility of the Town; that that bond was done by the entire Town regardless of who was on it.

Mr. Dougherty said that if we end up just doing these pumping stations in South Eliot and the cost is being born by the sewer users, then he has a strong objection to paying for any expansion of the pumping stations to do anything other than to support the existing sewer; that he thought that would be a problem for many of the people.

6:25 PM Mr. Pomerleau said that he has been going to the sewer meetings for about three years and it has been a steady message from Mr. Moulton that the South Eliot pumping stations have got to be taken care of; that it is a disaster waiting to happen and would be very much more expensive; that it has been put on a back-burner, now, for three years and has now approached the point where it is damn-near irresponsible not to move forward immediately and take care of that problem. He added that the problem was that they kept trying to tie it to the TIF fund and they would keep pushing that problem down the road because that's not going to happen in the near future. In addressing the question of who should pay for the upgrade, he said that it was not unreasonable to suggest that the Town should shoulder some cost; that that was a fair question to be asked.

6:27 PM Ms. Saurman clarified that she lived in South Eliot and said that she found this so divisive for us, as a Town; that because she didn't drive on Brixham Road but, darn it all, if you folks needed your road re-tarred or new ditches dug on the side of it or any of those kinds of things, then she was not going to say down in South Eliot that she didn't want to fund a road improvement because she never drives on that road. She added that the people who are on sewer have no choice; that we are mandated, it's a sewer, things are tested, experts take a look at it, and it has to be kept in tip-top shape because that is the responsible thing to do. She said that she was willing to bet, just off the top of her head, that there are any number of septic users in this Town who don't follow the rules about what environmentalists say and when their septic system fails and it spreads off into a neighbors' yard then they've got a problem. She emphasized that they had to solve it together and, if people just keep saying, "My tax dollar. My tax dollar.", for something that benefits the entire town, then we don't have a community and we don't have a town.

Ms. Davis asked for clarification on the order of construction regarding the phases.

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Mr. Lee said that in the Summary Cost Table showed the phases and their costs; that the pumping stations were the first things they needed to get done.

Mr. Moulton agreed, adding that the bottom line with the first one was that it was a moveable object depending on where and how the Town continues or wishes to proceed, if they choose to move forward towards the expansion using TIF funds and building it out of cash. He reiterated that the #1 was a real thing should the Town look to move forward as an expansion but it is not necessarily the #1 item; that the #1 item would be the pump stations.

6:30 PM

Ms. Davis said that, with #1 and #2, even if we switch them, that leaves us with \$3.1 million and we have \$2 million.

Mr. Lee said yes and added that by the time this project was engineered, bid out, etc. we'd be at \$2.5 million; that half a million drops in each year and, theoretically, by the time this project was over we'd be very close, probably, to having the \$3 million but he was not looking to go into the future and guess whether we have the money. He added that he thought the discussion needed to focus on the \$1.5 million on the pumping station improvements; that he did agree with Mr. Pomerleau in that, if there is no approved Route 236 project, then we probably can't do it through TIF funds. He said that that was part of what they all needed to discuss – do we want to completely change what we're doing, do we want to drop the conversation about Route 236, completely change the entire TIF, redirect it in a new direction; that he didn't know – perhaps – that he just wanted a direction and they don't have any direction. He added that the only thing he knows, and he thinks everyone here is aware of it, is that the pump stations are in imminent failure.

Ms. Davis said that, if we go that way, then we are still two years away from even thinking about a Phase 2 and it obligates us to do this project because, once we have spent the TIF money on repairing the existing sewers, we are obligated. She asked if they knew how much we were obligated to; were we obligated to do all of this if we proceed or are we only obligated to do part of it. She said that, before we progress on this, we need to know where we would be headed with that. She asked Mr. Moulton how much they would be bonding for the sewer if they didn't do the TIF.

Mr. Moulton said that that would depend on whether the Town would share in the cost; that the base cost was \$1.5 million.

Ms. Davis said that on this TIF he was saying it would be \$1.5 million for that; that isn't it now a stretch to say that the sewer repairs are made necessary by the TIF – it's the same number.

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Mr. Moulton clarified that the \$1.5 million wasn't just for the repairs but also planning for the future and it doesn't necessarily mean the expansion of Route 236. He explained that the \$1.5 million included items that were cheaper to build during construction now versus going back and building them later. He added that it was \$1.2 million in the original TIF portion of this and the \$1.5 was alternatives that he and others have discussed as far as planning for the future, whether the expansion happens or not; that it would anticipate going up River Road, if that was decided. He said that it was cheaper to build now than to add later. He reiterated that the \$1.5 million was planning for the future for expansion no matter where that is.

6:35 PM

Ms. Davis asked, assuming the TIF Route 236 project was to pass, would these \$1.5 million repairs to the pump stations accommodate both Route 236 and River Road expansions.

Both Mr. Moulton and Mr. Lee said that they would.

Ms. Davis said that if, by some unforeseen chance, the money, even on a cash-basis proposal, were to dry up, the Town would be obligated to pay this bond and make the payments; that if they were going to put this on a ballot then they needed to have answers to all these questions. She added that, no matter how much time goes by, we still don't have any concrete study of what the benefits of this are. She said that the fact that there has been a 4-inch sewer line along Route 236 from the Commons to Beech Road and we aren't seeing a huge amount of development down there makes her question exactly what the usefulness of this is and why the Town would want to take a risk on this. She reiterated that if we are going to proceed with this then we need to have an understanding of what the benefits are and what the risks are. Ms. Davis said that it looks like the average sewer user is going to see an increase of \$170/year for these repairs.

Mr. Lee said that if 100% of the sewer pump station repairs were to go through the 600, or so, users you would see a jump of about \$170/year or about a 45% increase above what they pay now.

Ms. Davis said that \$170 times a 20-year bond is what - \$3,400 bucks.

Mr. Lee said that her math was accurate.

Ms. Davis said that if a septic system and a leech field failed on a private residence what does it cost for that homeowner to repair.

Mr. Moulton said that it would be between \$10,000 and \$15,000.

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Ms. Davis said that she agreed with one thing that Mr. Pomerleau said in that we were here to discuss alternatives tonight and the only thing that has been presented, extensively, is this plan that keeps resurrecting with no real new information; that we need to get together, take some of the suggestions the Town lawyer gave us, and get some people in a room and start developing different ideas. She agreed with Ms. Adams that if the ideas became unfeasible and nobody likes the ideas then, maybe, we revert back to this but we really need to move on from this.

Mr. Selsberg said that addressing who pays for the sewer and Ms. Saurman's proposed ideas, which are very accurate, he was counsel for about 8 years to the Stanford, CT Sewer Authority and, as a result of that, his experience was that the community always paid 50% and the other 50% was paid by the users, and that was to address exactly what you (Ms. Saurman) were talking about – I don't use certain roads but I'm certainly not going to deny using my funds to repave them.

6:38 PM

Ms. (Rose) Dougherty, Park Street, said that her concern was that, if a good number of the sewer users get scared and start selling houses and no one will buy them for the reason they are being sold, then there would be a lot of tax money not come in to the Town.

Mr. Pomerleau said that he was not unsympathetic to the potential concept of some sense of sharing for the sewer; that Mr. Dougherty had a very valid point; that he thought it was unfair for users to have to pay for potential expansion because that has nothing to do with the users and something the Town should consider funding independently. He added that as it stands today the users are 100% responsible for the upgrades; that the Town has to get the bond but the upgrades are to deal with their sewer system. He said that it was \$1.16 million in the beginning and it went to \$1.5 million to accommodate the potential expansion aspect of it so there is \$.4 million, currently, that has nothing to do with the current sewer users' problem. He said that the only exception he had to the shared thing, and the primary point behind "I don't use your road but I'm willing to pay.", was that one still had access to it; that anyone could use if they wanted to and it is not the same with the sewer system. He added that he didn't say that because he was against potential sharing but that it was a question that needed to go to all the voters.

6:41 PM

Mr. Seeley said that Clay Village was built by the Armed Forces during WWII, which is part of South Eliot; that they put in a sewer system that just flowed into Spinney Creek and, then, once in a while they'd open the gate up and let it into the Piscataqua River. He added that they all knew that was inadequate. He also said that, on Route 236, from the Eliot/Kittery line, everything flowed 'that' way; that that is 76 feet above sea level, and it used to be called Cole Brook or

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Littlebrook, but it was all flowing 'that' way and into the Piscataqua River. He said that if you are going to build a pumping station that's the place to build it.

Mr. Moulton reiterated that the \$1.5 million was cheaper because that \$300,000 increase in the cost now to plan for the future would probably cost over \$1 million at some other point in time. He said that this was a vision into the future and there has always been talk that there is no planning, well, this is a planning phase for the future; that it was cheaper money now; that it was easier to do now; that you take care of all the issues under one construction project.

Mr. Beckert said that this was to accommodate the existing issues and any potential of any sewer coming in to that system from whatever direction, whether it be Route 236, River Road, wherever.

Mr. Lee said that, if he remembered that study correctly, he asked that question the first time they met – "Why did it go from 'here' to 'here'?" – and it was spelled out for him clearly and he accepted it. He added that, as Mr. Moulton just said, if you spend the \$300,000 now and bumped this up to \$1.5 million, he thought the number was around \$680,000 if you did it independently and separate and apart from the other one; that that was one of the reasons they rolled that part of that phase into the initial phase because it saved us several hundred dollars.

Mr. Lentz asked what happened to the TIF alternatives list.

Mr. Beckert said that they still had the list; that the intent of tonight's meeting was to get input from the public and he wasn't hearing that input. He added that he has heard a bantering back and forth; that the one thing he did hear was to change the TIF District to include the Village and maybe rethink what's going to be done where on here.

Mr. Lentz asked who was working on that list, who was ranking them, what's the priority, who likes which one.

6:45 PM

Mr. Lee apologized for not putting the list out; that he just didn't think to do that. He added that his understanding of the TIF alternatives discussion from the BOS, at the time, was when Mr. Pomerleau's petition was out there – "If the petition passes, folks, we better be ready because we have 18 months and we've already lost 7 months so we better discuss the alternatives now. If it passes we've got to go." He said that it did not pass so that timeframe urgency that drove the alternatives discussion also went back to square one, in a sense. He added that we are sitting here tonight and people are frustrated; do we do Route 236, do we do an alternate project, do we do it now, do we do it later, do we bond it or do we do cash. He said that that was what he was trying to elicit; those types of ideas.

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Mr. Lentz said that, as far as the existing sewer is concerned, fix the thing; that it needs to be fixed. He added that they should take out a bond and he thought it should be conditional that people vote on how it would be paid for. He said that he was not opposed to what Ms. Saurman said but he liked what Mr. Selsberg said, too, that maybe 50% of that falls on the Town. He asked that they separate it for all of them from the Route 236 thing that we voted three times no on.

6:46 PM

Mr. Lee told the Chairman that that was kind of the feedback he was hearing; that he didn't know if the Board agreed but, if the Board wanted to, they could put it on as a 50/50 bond in November; separate and apart from TIF's and separate and apart from Route 236; just fix the pumps before they die. He added that they could hold the TIF money for another day and have another discussion, flesh it out, answer more questions. He clarified that the people would basically be voting on the 50/50 portion; not whether we fix the pumps but should the public participate, as well as the sewer users, in a 50/50 manner.

Ms. (Donna) Murphy, Hanscom Road, said that she thought they needed to be careful with the way they word that because, if the people turn that down, then they would be left without a bond. She added that the entire Town did pay for the initial sewer that was put in; that she helped pay for that through her taxes and she had no access to that. She added that it was \$2,496, per user, to pay the \$1.2 million to fix that sewer; that that is far cheaper than her cost to fix her septic system, which nobody is going to help her with but herself.

Ms. Adams said that she kept hearing "I don't have access to this." "It's not my problem." She added that sewer is a very big issue for a town and, when you are talking about building, you better make sure you have the ability to put a septic on your property; that when that fails, and we are going to find a lot of other places that are going to fail in this Town, the only alternative is infrastructure – sewer – for this Town. She added that when she looks at these issues she feels it is important to our Town, to pay for sewer and she thought that the TIF District was a wonderful avenue to pay for that. She said that that doesn't come directly out of her pocket; that she is very willing to give up X amount of money - \$144,000 a year – in order to produce \$500,000 in order to do it. She added that it is divisive when people say, "I don't get the benefit of it. Why should I have to...". She said that that was not the point – it benefits her. She said that if the sewer system in South Eliot that we created for them fails their property values are going to tank and they pay taxes just like she pays taxes; that she would bet that some of them pay more because some of those people are on the water. She said that infrastructure benefits everyone; that it was not about 'directly'; that she didn't have sewer going past her house and she hopes that never happens. She added that someday they are talking about building more and changing zoning and if they start putting things on smaller lots they would find that they need sewer.

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6:50 PM Mr. Pomerleau said that when the Town goes out for bonding to do the upgrades that there really is no choice; that it has to be approved; that he couldn't fathom the alternatives if the Town said no. He asked if that meant that the rate payers would have to come up with cash; is there any real article to approve.

Mr. Lee said yes. He added that if it is on the ballot as a 50/50...

Mr. Pomerleau cautioned not to put it as 50/50, to not put the Town in a position where it would set us up for failure that people will reject the bonding because the article asks the Town to pay for half of it. He added that he thought it should be a clear, stand-alone question to fund sewer upgrades with bonding, explaining that it was going to be primarily paid for by users and, then, the second question would ask if the Town would support sharing 50% of those costs if the bond is approved.

Ms. Murphy said that she thought that there was a big difference between initially installing a sewer and have the Town pick up a portion of that cost then going down the road for upgrades – two different things. She reiterated that if her septic failed she was responsible for that cost.

Mr. Tessier said that we really haven't talked about where we are going or recommended changes for the TIF money and asked if something was going to come out of this meeting as far as that was concerned.

Mr. Beckert said that what he was hearing tonight was the definite direction that the Town wants to address the pump upgrades in South Eliot, first, and do some more on how we move forward with the TIF. He added that he thought they possibly needed to look at the committee, again, in his opinion.

6:52 PM Ms. Davis said that the sewer rates were low for a lot of years so this is make-up time. She added that if sewer has to be expanded to River Road the Town will be obligated to kick in 50% of that so people have to bear in mind what is coming up in the future when they make their decisions about what they would do right now.

Growth Issues/Possible Ordinance Amendment

6:55 PM Mr. Lee discussed the Town's Growth Ordinance and Growth Permits. He thanked Mr. Murphy for his tremendous work on this issue; that Mr. Murphy did manual calculations going out multiple years and he would have a chance to speak to everyone about that. He said that we started out with the ability to issue 48 permits in any given year, 24 to subdivision homes and 24 to non-subdivision homes. He added that the chart from the Planning Assistant (PA) shows that, in the current year, we can only offer 20 (10 & 10); that if you look at what happens over the next several years using 'this' formula, by 2024, we will be down to 18.

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He read two bullet points that assuming all growth permits would be used every year, maximum growth permits issued in 2036 would be 22 and, in 2034, 34 permits. He explained that the State statute governing this uses a 105% or more, which is very important; that our ordinance says 105%, period. He added that the 'or more' was the State's thinking to give towns some flexibility, locally, regarding what was the right number. He said that we would need to decide if we wanted to keep the ordinance, as-is, do we want to limit that number; do we want to change the formula in the Town's ordinance to something other than just 105%, which might only require putting in the words 'or more' and, perhaps, a little more language to tweak it. He said that the back of this paper showed a summary of Mr. Murphy's work if we went to 115%, 150%, 175% and 200%. He added that the third option was to repeal the Growth Ordinance altogether. Mr. Lee said that the second document was a memo from him that was sent to the Comp Plan as they were looking at growth and how it will impact taxes; that they asked him to give his opinion on at what point will development or population growth require the Town to commit more resources and where would those be. He said that the third document was the Maine revised statute that has the actual '105% or more' language; that there was a hand-out that Mr. Murphy prepared that showed where we would be at various percentages and, ultimately Mr. Murphy wrote a very good memo. He added that, if we were to amend our ordinance, the number that seemed to work well was 175%; that how often we would do that and check it was a big question. He added that they could open it up a bit, see how it was working, then always taper it back down; that Mr. Murphy has some ideas about when and how often. Mr. Lee said that we have seen land values go down because if you can't build on a piece of land you don't want to own it; that the value in selling is going down. He added that if you own an existing home, on the other hand, you have what is a small supply and, therefore, pay a premium because you can get under a roof. He said that this is changing the values of our properties in ways that are making people pretty uncomfortable, and we have a lot of people coming in. He added that he thought they should all have a discussion around this and that they had an opportunity in November or June to fix this; that they were looking for public feedback on which route you would like to go.

7:02 PM

Mr. Murphy presented a document of his findings and discussed the development of the Growth Ordinance, the current "crunch" between the demand for building and the reduced number of available permits, the recent (2007) adoption by the State Legislature of a mandated formula calculating the average of the number of growth permits actually issued in each of the preceding 10 years (105% or more); that when the Town adopted this new formula into the Town's Growth Ordinance, it did not include the words "or more". He also discussed the impact of the 'Great Recession' that helped bring us to the current situation. He said that the overall average of growth permits issued over a 30-year period was 29.37/year. He also said that the 'real-world curve' (recessions, especially) is what is driving Eliot's building more than anything else. Mr. Murphy suggested that some changes

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would have to be made and we would have to modify the Town ordinance; that he did not believe they needed to go to Augusta to have the State statute rewritten. He added that simply inserting "or more" could be what they needed to do. He suggested that, instead of changing the ordinance every year by Town Meeting, he thought they might rely on Town management – a consensus of the PB and CEO, and overseen by the BOS and Town Manager, to decide at the beginning of each year for any possible changes. He said that he thought that they should probably adopt the 175% to start out for about 4-5 years, which would bring us up to a little more than our average.

7:17 PM Mr. Tessier said that it seemed to him that we are trying to jury-rig our ordinance to fix something that the State messed up; that we can't be the only town in Maine that has a problem with this. He discussed his concern that this could cause over-building.

Mr. Murphy said not if we monitor it and require that each year we look at it; that they didn't want to go above 48 as it worked very well for 30 years.

7:19 PM Mr. Lee said that in the statute, itself, under D. it says, "*The number of building or development permits for new residential dwellings allowed under the ordinance is recalculated every three years.*" He added that Mr. Murphy was talking one year and the statute allowed every three years but any one person could remind the Town that it's been three years and want it looked at because it's too high.

Mr. Lentz asked if we charged a fee for growth permits.

Mr. Murphy said no and that's another change we probably should have; that he wanted to tie them more closely to the Building Permit. He added that on the Kennebunk form they are together and, in fact, under the growth permit they've done what our Comprehensive Plan could do, which is to recommend having a different growth rate for each of our growth areas; that we could apply different growth rates and apply them in different ways. He said that that would have a good effect in persuading people who want to build to be very serious about that because there is a 90-day time limit on our growth permits, with a possible 60-day extension. He added that he thought that whole thing should be looked at from a modern point-of-view and for making it work for the builders, homeowners, land owners and the Town looking forward to controlled growth in order to supply the infrastructure needed to serve that growth.

7:22 PM Mr. Pomerleau said that it seemed two little words in the statute have been overlooked for a long time. He added that he did not agree that the State messed it up so badly; that they gave us every tool we needed to adjust the growth rate with that 'or more'; that they gave us the option every three years to drop it completely. He said that he thought they were going overboard throwing daggers

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at the State because it was all within the realm of control by the Town and has been since it was passed. He said that there were a lot of people in Town that did not want to see more growth; that this should still go to Town Meeting to get public input and not make it an automatic calculation.

Mr. Murphy said that, as far as people not wanting the Town to change, he has heard that for 50 years; that newcomers come to Town and think it is beautiful the way it is and don't want anything to change but there are people who have been sitting on large parcels they want to develop, too.

Mr. McMullen thanked Mr. Murphy for his idea of a four-party review of this permitting process; that he felt this would keep everything very honest with knowledgeable people and that the Town should be very comfortable with that.

7:24 PM Mr. Dudek asked if the growth numbers were taken into consideration regarding the impact to our schools and infrastructure – fire, police, sewer and water. Discussing his concerns, he told of what happened in a town he had lived in previously where, when they moved in, it was 45,000+/- people and when they left 25 years later it was 42,000; that they had to put in the equivalent of two additional Marshwoods, another middle school, one more elementary school, sewers throughout the whole town, put in another fire department and expanded the police department. He was very supportive of taking it slow, doing some research and taking it a year at a time to see what happens to avoid out-of-control growth.

7:27 PM Ms. Adams said that land was a finite resource; that, at some point, every square inch will be built on so we have to be really careful about the rate of growth in the Town. She added that she thought the infrastructure needed to be looked at more; that she agreed that it needs to go to the voters every time that number is changed; that she agreed that the different areas needed a different growth rate. She said that, as much as she would like to see it stay the way it is, she didn't have a problem with 175% and, then, evaluated every three years. She added that she would not do it every year; that she thought that was ridiculous. She thought that three to five years was fine. She said that she didn't have a problem with people having to wait for a permit for a year; that she understood that it might affect the value of land but she was more concerned with the rate of growth in the Town; that it was self-perpetuating to build more to fill the schools, to fill this and that, then, oops, we're too big and now we have to build, then, oops, now we don't have it and they have all left; that she didn't think they could use those kinds of justifications to allow more building and did not believe it should be driven by demand. She said that when the Growth Ordinance was put in there was a great demand and we had a lot of things happening in Town, some of which were good and some that weren't so good, and people gobbled up land at cheap rates. She asked that they be careful.

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7:29 PM

Mr. Pomerleau said that he has found in the discussions he has had with people here that it is not limited to how long you have been here; that he has found people across that whole medium share similar opinions one way or another and he hopes it doesn't degrade into labels of Townies and Newcomers; that he has found just as many people who have been here a long time that don't want to see a lot of growth as he has anyone coming in on the other end of the spectrum. He added that he thought they all shared concerns about uncontrolled growth, whether it is zoning ordinances or acreage limits and is why we have all that stuff. He said that he thought that when they kept it in perspective that there are an awful lot of people out there that share the same reasons, no matter how long they've been here, then we can move forward with something that everyone can move forward on something that everyone could agree with.

Ms. (Kimberly) Richards, Pine Avenue, expressed concern and caution regarding the rate of growth and natural resources; that she wanted responsible development in the vision and direction the Town wanted to go and not out-of-control.

Mr. Murphy said that one of the things he included in his memo was that we should do a build-out plan, or measurement, of the Town; how much land is there that could be built on in all the different zones. He added that it has been done twice in this Town in the last 30 years and it probably should be done again, carefully, and with our modern understanding.

It was discussed that that was done during the last Comp Plan development in 2008/2009 and the document should be looked at again.

Mr. (John) Krebs said that he thought that there were two issues; that one was good quality development and, if you have good zoning then, hopefully, what you build here everyone is proud of; that he thought you had zoning you have been working on for years and a lot of people were satisfied with it. He added that the second thing was that York voted out their growth ordinance in 2009 and they have yet to issue the number of permits that it was capped at before the ordinance was lifted. He said that that doesn't mean that that would happen here but was just telling them that a neighboring community did just that and haven't met their cap yet. He said that he knew Mr. Murphy and Ms. Pelletier didn't have a crystal ball but, even if you went to 175%, it looks like you wouldn't get to 48 permits until around 2020 and that would be predicated on every single permit being issued during that period. He said that, if we look at Mr. Murphy's chart, every 7 or 8 years there is a real estate bust and we're probably 5 years away from that so, maybe mid-year up the climb, one would assume it would go the other way, so, getting to 48 seemed pretty slim.

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7:35 PM Mr. Lee said that, as Mr. Murphy pointed out, with or without this Growth Ordinance, historically going back over many, many years, the average number of permits being sought and issued in this Town is only 30. He added that the problem was that we are getting down to 20. He said that he thought that part of what keeps our growth down relatively low is that it is a relatively costly place to buy and build and so forth. He added that he wouldn't worry too much about uncontrolled growth.

Mr. Pomerleau said that there was a time, historically, that people grew up, stayed and lived in the same community and, now, the data average is that people move every seven years; that people are much more on the go and he didn't think Mr. Lee should totally rely on Eliot's historical data.

Mr. Murphy suggested that the CEO have more complete records of requests for building, not just those who received actual permits.

Ms. Pelletier said that, since she has been here, her office does keep track of that.

Mr. Fisher said that right now there are over 100 houses in Eliot for sale. He added that he thought the Town was just about right, right now.

Mr. Krebs said that Mr. Lee said that this ordinance could be modified in either November or June; that at the last public hearing it seemed to him there were a lot of people who said to do it now. He asked if there was any indication from the Board that waiting until June would happen.

7:39 PM Mr. Beckert said that he thought that, right now, any issues that will go before the Town, the soonest they would go would be November.

Mr. Lee said that part of the timing on this is that we wanted to have public hearings and we have a certain timeframe for absentee ballots, etc.; that these were issues that were more or less discussed for the November ballot and that's why we are doing it now to see if there is consensus. He added that they wanted to know how to frame the question about the sewer bond, for example – Do you want to fix the sewer? Yes or no. Do you want to contribute 50%? Yes or no. He said that he thought November was probably it.

Mr. Fernald asked what the cut-off date was if the Board wanted to make changes to the Growth Permit Ordinance.

Mr. Lee said that he did not have that in front of him; that he had provided it but did not have it with him tonight. He added that he thought they should take another look at it at the next meeting because we're going to have to put some warrant articles together pretty soon to get the process going.

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Ms. Davis asked if anybody knew why we might not game the system and get this thing up to 40, or so, in one year by doing a wildly high percentage.

Mr. Murphy said that they could.

Ms. Davis said that, if the Town were in favor of that, was there any reason why we couldn't piggyback a couple of years, where we game it the first year and raise it by, say 1000%, to get people in and, in the second year it returns to the normal rate.

Mr. Murphy agreed they could do that but asked if they really wanted to; that it would depend upon what the backlog of building is whether we would need that many building permits, instantly, and sometimes it's better to be cautious rather than get trapped into something that suddenly goes too big. He added that he would rather go a little bit slower than that.

Ms. Davis asked if we knew what the backlog was could the PA give us some advice about what we would need to do to get it up to a reasonable amount that the PA foresees for the future that would be beneficial; not necessarily the 40 but maybe we just need 25 or 30 to start with.

Mr. Beckert agreed that they could look at that.

Mr. Hirst commented that we had some fabulous input from people tonight; that that is one of the values of having a public hearing.

Mr. Fernald asked Ms. Pelletier if she, when the permits were requested from the first part of the year, kept track of those people who didn't get permits so that, maybe, they could apply first, or whatever, the following year.

Ms. Pelletier said that it only goes by year and there is no carry-over, by ordinance. She added that of the people who decide to apply anyway, which she always encourages, because it would show how many people wanted a growth permit. She said that some people didn't and just went away and didn't put themselves on the waiting list. She added that, as of today, she thought there were 15 on the waiting list.

7:45 PM

Mr. Tessier asked if the waiting list was more the issue than the number of growth permits. He added that when he bought his land in 1984 he waited a couple of years to get his growth permit because there was a point system and a waiting list and you worked your way through and could estimate how long it would be to get that permit. He asked if it was really an issue that people can't plan, they didn't get one this year and they don't know that they will get one next year because the waiting list doesn't carry over. He added that he thought that a lot of people, if

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they thought they would get a growth permit at the beginning of next year, might not be as upset as if they don't have any way of proceeding when they might get one.

Mr. Murphy said that he thought it ought to be taken a good look at; that the fact that it expired in 90 days if it has not been converted to a building permit unless they petition the BOS for a 60-day extension.

Mr. Tessier said that if there are only 15 people on the waiting list and they could carry over to next year, if the ordinance said that, then they could get a growth permit in January.

Mr. Murphy suggested that Mr. Tessier should help rewrite the ordinance.

Ms. Pelletier said that they were just trying to get the framework decided on now about the whole ordinance.

Ms. Murphy discussed her concern inflating the number that way for one time because there is no guarantee we will vote on it again to pull it down; that she would hesitate to vote to inflate it artificially with no guarantee that we can bring it down.

Ms. Davis explained that her 'piggyback' was to inflate it the first year and, the next year, it would revert back to 105%.

7:50 PM

Ms. Adams said that she wanted to speak in favor of a growth permit fee to go along with the building permit.

Mr. Pomerleau said that it seemed the real issue was just how many growth permits were enough and the second one becomes how do we get there and control it. He suggested a short-term solution would be to just drop the ordinance and then reinstate it once the issue is resolved.

Mr. Fisher discussed his concern that they were rushing into a complex ordinance rewrite with little time to do it right.

Mr. Lentz discussed his concern for not enough structural (services impact) information available on which to base a good decision.

Ms. Saurman said that it seemed to her that you could have a figure, such as one new house impacts community services by 'this' percentage, such as schools or Town services.

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Mr. Lee said that he thought there was a consultant that could figure that out; that that certainly wasn't him; that there were so many assumptions that underlay that thing and, even talking to department heads, he put together some assumptions of what areas would be impacted that is one guy's opinion, Chief Short comes in and gives the Police Chief's opinion and it's just one guy's opinion. He added that if you want to quantify it so you have a basis for making this decision we are going to put some resources to getting a pretty serious consultant to do it and, even then, he bet the assumptions would be challenged.

7:54 PM

Mr. Pomerleau said that one thing he discovered in his research was that there is a misconception that growth necessarily increases costs to towns; that in smaller communities it tended not to be true unless there was a very substantial impact in any number of years.

Mr. Beckert agreed, saying Mr. Lee has hit on some things in his memo; for instance, during the winter we plow 77 miles of road and it doesn't matter how many houses are on the roads. He added that he thought we needed to look at it; that the PB and PA would look at it as it is a land use ordinance and comes under the purview of the PB. He said that we all have to have a discussion on the language and we need to work that date back from November to see how we can do this in the right timeframe to get it on the November ballot.

Mr. (Joe) Falzone, Stacy Lane, said that if you already know that, this year, you gave out 22 permits and you have 15 waiting (37), doesn't 48, or thereabouts, make common sense; that then you could adjust it the following year.

Mr. Beckert said that it was his opinion that 48 worked for all but 7 years out of 30+. He added that they would have the discussion and come up with a number and, hopefully, have justification to put it out to the voters.

7:57 PM

Mr. Krebs said that someone at the last meeting said both the Comp Plan and, he thought, now the zoning ordinance allows multi-family housing to encourage a new Town center. He added that the problem was that if you wanted to build an 8-unit building, he didn't know how you would practically do it; that if it was market-rate multi-family you couldn't do it practically and, yet, it is something the Comp Plan he thought was encouraging in certain locations. He said that this was only an illustration of how this ordinance affects the Town's goals.

Ms. Adams said that at the very least she would want to see a build-out – how much land, at 48 permits what that would mean in the future. She added that SMRPC did it when we had no Growth Ordinance and it predicted something like, by 2009, we would have between 15,000 and 19,000 people in Town. She added that, with 48 permits, what would the Town look like 20 years from now.

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Mr. Beckert said that we have heard a lot of comments; that he wasn't sure he heard that people want to keep some type of growth ordinance with a number; that he hadn't heard anyone say that they definitely wanted to do away with it. He added that the Board now has direction as to what we need to go look at.

Adjourn

There was a motion and second to adjourn the meeting at 8:01 PM.

VOTE

4-0

Chair concurs

DATE

Mr. Grant Hirst, Secretary