

~~Unapproved~~**APPROVED**  
**Candia's Selectmen's Public Meeting Minutes**  
**June 26<sup>th</sup>, 2017**

**Attendance:** Chairman Carleton Robie, Vice-Chair Susan Young, Selectman Scott Komisarek, Selectman Russ Dann, Selectman Mark Laliberte, and Administrative Assistant Andria Hansen.

**7:00 p.m.** Chairman Robie called the Public Meeting to order and immediately followed with the Pledge of Allegiance.

**Approval of Previous Minutes: Public meeting minutes of 6/12/17.** Selectman Dann moved to approve the Selectmen's Meeting minutes of June 12<sup>th</sup>, 2017 as presented. Seconded by Selectman Young. All were in favor. Motion carried.

**The Selectmen will hold a public hearing at their regular scheduled meeting to accept quarterly grants and donations in accordance with RSA 31:95-b, III (a).** Selectman Laliberte moved to enter public hearing to accept quarterly grants and donations. Seconded by Selectman Komisarek. All were in favor. Motion carried. Selectman Laliberte announced the grants and donations received. 1<sup>st</sup> Quarter Grants received: State of NH Highway Block Grant in the amount of \$22,339.47. 1<sup>st</sup> Quarter Donations received: Candia Volunteer Firefighters Association donated \$5,295.71 for technical rescue equipment and \$2,499.99 for upgrades for Off Road Polaris vehicle. The total amount of donations received was \$7,795.70. Selectman Laliberte moved to accept the grants and donations for the 1<sup>st</sup> quarter. Seconded by Chairman Robie. All were in favor. Motion carried. Selectman Laliberte moved to close the public hearing. Seconded by Selectman Young. All were in favor. Motion carried.

**The Board to appoint Lorraine Meuse as a Cemetery Trustee.** Selectman Young moved to appoint Lorraine Meuse as a Cemetery Trustee. Seconded by Selectman Komisarek. All were in favor. Motion carried.

**The Board to reappoint Linda Maxwell as a Smyth Memorial Building Trustee.** Selectman Young moved to reappoint Linda Maxwell as a Smyth Memorial Building Trustee. Seconded by Selectman Laliberte. All were in favor. Motion carried.

**The Board to discuss DES letter sent to some Candia residents concerning water testing.** Chairman Robie said he was made aware that Selectman Young had attended a meeting on this. Selectman Young said she did and she left the information in the sign folder awhile back. Chairman Robie asked if she could brief the Board on what was discussed. Selectman Young explained that DES said this isn't something they need the Board's approval on. It is a settlement based program and there is no charge to the town they just wanted to make us aware they were going to be doing it. They sent the Board a sample of the letter that was being sent to the residents. Since then they have sent another letter. She forwarded it to the Chief of Police. Identifying exactly who will be going around to the different properties, so if he gets a phone call or something he can respond to it appropriately. Selectman Dann asked if any resident can request this. Selectman Young said it is only in the blue zone that they identified. They are just testing to make sure there are no problems. There is information and maybe they can get that on the website. If you do want yours tested you would pay a certain amount that is similar to other

water testing. Selectman Laliberte said he would work with the web master on that. They can put it in the news section. Chairman Robie said there was a letter that the town was notified that we have a well and he wasn't sure if it was here or at the fire department. They wanted to know if they wanted their well tested. Selectman Young asked where that letter was. Chairman Robie thought it was in the sign folder. Selectman Laliberte said if it is in the new sampling district, he thought it would be the fire department. Chairman Robie though they should go ahead and have that tested. He clarified that there was another letter that said the town has a well or two that can be tested. Building Inspector Murray was wondering how they came up with the zone. He asked if it was a random act. Chairman Robie said he does know where those funds came from but he can't say what because he can't remember. There was a settlement. Building Inspector Murray said there he was more concerned with the area. Selectman Young said there were seven sites that they have identified. DC Mobile was one for example and Car World was another. There are seven sites that were identified and there was a problem with some type of contaminates leaking. The others were possible ones. She has all seven of the names in her notes and she apologized for not bringing them with her this evening. Chairman Robie said what they are doing has nothing to do with anything that happened in Candia. These funds are coming from somewhere else. There was problem at the Mobile several years ago. She took care of that and she monitors that water all of the time. Just like the new facilities that get built, they monitor their own water. They have to do this on a yearly basis. Building Inspector Murray believed that DES has signed off on all of these sites. Selectman Young said they make that clear in the letter. If not they give out two numbers and several emails to contact. It is a very large settlement and they only have a certain amount of time to spend it and then it is gone. Chairman Robie was pretty sure it was federal money and it came from something big. It is federal money that the State of New Hampshire received. He thought if the town was eligible to get their water tested they should take advantage of that. Citizen Becky Sarra said this conversation is very generic and if anyone reads the minutes they will have some questions and answers. Selectman Laliberte said he will make sure what is on the website is comprehensive. Citizen Becky Sarra said she was curious what area they are talking about. Selectman Laliberte noted the settlement was 235 million dollars to fight gasoline additive, MTT and other pollutants. Those came from Exxon Mobile. Chairman Robie asked how much the State of New Hampshire received. Selectman Laliberte replied 236 million plus interest to deal with widespread pollution of wells. Chairman Robie thought that was the federal amount and the state got a portion. Selectman Young said they would get it on the website. They will attach the letter.

**Trent Henrich's Eagle Scout project:** Mr. Robert Martel introduced George "Trent" Henrich. He has an Eagle Scout project and he will let Trent present it to the Board. Trent explained he is a life scout in Troop 120. He would like to work on the basketball court for his Eagle Scout project. He would like to take out the basketball hoops that are there now and replace them with new adjustable hoops. When he was younger the basketball court was his escape if he wanted to get away from any tension. He wants to make it so the adjustable hoops can go down to 6 or 7 feet. He would also like to repaint the lines, because they have stated to fade away in a couple of spots. At the ends of the courts they drop off a little bit and it is not safe. So he would like to level it out so it doesn't drop off. He is also going to trim the trees they hang over a little bit on to the hoops. A lot of kids are not fortunate enough to have hoops and pumps, so he is going to get a nice bin to put balls and a pump in. As well as an extra fund for when his project is over, so if the balls were to be misused or stolen they can be replaced with the money that would be in the fund. He has come to the Board of Selectmen to approve it and be the beneficiary to his project. This would mean that when his is done he would be able to hand off the project and

they fund to the Board. He would like Selectman Komisarek to be his liaison for the project, so he can go to him with any questions and vice versa. Chairman Robie asked Selectman Komisarek if Trent has discussed that with him. Selectman Komisarek said they met last night and looks some things over. This is an idea that Trent has come up with, but coincidentally it was something he was interested in over the years. Mr. Martel asked Trent what his one issue was about the basketballs. Trent explained that in the winter the temperature fluctuates, so he would like to put the bins and the balls somewhere safe and because it is a project that would be going to the town he can't keep them at his house. The one thing he does have to figure out is where to keep the balls. He thought maybe they could put them down in the basement at the town hall or somewhere where the town owns. Only the town can have the possession of that. Chairman Robie mentioned the field house. Selectman Laliberte mentioned maybe up stairs of the town hall. There might be some extra space between the police department and welfare. They could put it up there if it is just temporary. Chairman Robie said it's not temporary. Selectman Laliberte said it would just be for a short amount of time they would be keeping them up there. They are just using it for storage. Chairman Robie said they came make provisions for that. Selectman Dann said when you are going to have adjustable hoops, what he has seen at Moore School is that when they are in small groups they have bigger kids and they slam dunk and that tears the heck out of the baskets. He wasn't sure what he could do about that, just being cautious. You could do a lot of work on it and it doesn't take long for it to get destroyed. Maybe not intentionally, but they are having fun. Trent said one thing they can do is there is a sign on the back of the hoop that says "Please do not dunk". Dunking can wear the hoop down over the time and break part of the net. He can definitely put up a sign asking people to not do that. Selectman Dann noted someone is not going to be there 24/7. Trent agreed and this is a big part of scouts and part of our community is being honest. He is going to have the balls out there for people to use and part of that risk is that they can be stolen. He is going to put a plaque on the bin of what his project was and who he is. They can realize if they put the balls back after they use them they will be there the next time. If they use the hoop correctly the hoop will stay like that for a long time and they will be able to come back and use it year after year. Selectman Young said she agrees with Selectman Dann because it is not just our community that uses it. There are people from Manchester and Raymond to use the skate park. It sounds like a worthy project and it is a good idea. Selectman Laliberte asked what he was going to do with the old hoops. Trent said part of scouts is one of the things in there laws is to be thrifty. He noted those hoops are not in bad condition and you could sand blast them and possibly put them back in. The point they were facing was the height so everyone can use them. He would want to save the hoops and possibly save them for someone else's Eagle Scout Project in the future. Also he went over to the Moore School to their court and it's a wreck also. Maybe for someone's next project they may want to use those hoops. If they put the time into sandblasting and fixing them up they could possibly be reused or repurposed. Selectman Laliberte said it sounds like a great idea, but where could he put those. Trent said that is something in the future that he would have to figure out. Selectman Young said they are not temperature dependant, so he could put them in the field house. Trent said you would want to keep them out of harm way because they rusted but haven't started to deteriorate yet. If someone puts a little hard work into it they can definitely be fixed. Selectman Komisarek said the one concern he has is to make sure the hoops are commercial grade. The ones that are there now are industrial they are really rugged. He has talked with Road Agent Lewis about this before about the fact that they are not regulation height and they were trying to understand why. There was not enough mass at the base and Road Agent Lewis explained the whole frost and heaving thing to him. If he is going to do this and he wants it done right he has to get that base in and understand what is going on with that frost and make sure that

mass is there to support that. Also make sure the quality is there, because they are going to get a lot of wear and tear. Trent said he is going to put spikes in and try to keep them straight and cement them into place. He is going to have Mr. Hebsch and Mr. Lewis look at it to make sure it is as long lasting as possible. Selectman Young asked if Selectman Komisarek and Road Agent Lewis got those hoops straightened out. Road Agent Lewis noted it has been done several times. Selectman Komisarek said last year they got it pretty and they painted the rims and got new nets up, but they are not where they should be. He noted that Trent is right you have the pavement and it drops off. If someone is rebounding they could easily roll their ankle. He had mixed feelings about the varying heights as well. He thought regulation is regulation but then Trent brought up the point for younger kids. He doesn't know what the wisest thing to do here. Selectman Young asked if the system is a lock system, she has seen several. Trent explained you basically pull it up and it locks into place and you can pull it down and it will lock into place. Selectman Dann said at the school for the younger kids they have regulation size that people can use and get away from the adjustable. He noted at the park if you adjust it one hoop will be one height and the other hoop will be at a different height. He's just thinking logistics and how to make it work. He thought that he shouldn't do adjustable and just keep them at the regulatory height. If little kids want to use something they can go to the school to use it. Trent noted the schools hoops aren't adjustable either. He could certainly do that and he was over there and the courts aren't in the greatest condition. He could always do one hoop that is set at 10 feet and put the other hoop as an adjustable hoop. Selectman Laliberte said he was kind of going there. Also if kids are just looking to shoot hoops could they have a third hoop in the middle and it would constantly be at 6 feet. They would have the full court, but maybe have one more in the middle. It's just a thought and he wasn't saying that he needed to do this or not. Selectman Komisarek said he was not opposed to the adjustable idea as long as it is rugged. Trent said they are not going to be cheap hoops and the big part of his project is to get nice enough hoops that will last a long period of time. Chairman Robie asked Trent if he had drawing of what he wanted to do. Trent said he send the office some pictures of the hoops he is looking at. Chairman Robie said they are going to move forward and he thought this was a worthwhile project. Selectman Komisarek will over sees this for him and before he installs anything he needs to run it by Selectman Komisarek. Selectman Komisarek will verify if it is going to work for us and not be left unattended and easily adjustable so everyone can play ball. The Board appreciated Trent coming in.

**The Chairman Robie to discuss Town owned Exit 3 property.** Chairman Robie said they are going to discuss a purchase agreement for the Exit 3 property that they have dealt with for 10 years here in Candia. He knows the town has a big investment in that property; they spent some money to buy it. One of the parcels they inherited from the state. It is a tough lot. The gentlemen from Wildcat Development and own Candia First Stop. Joe Sobel and Craig St. Peter are interested in purchasing that land from us. He printed off what they have discussed.

**SUBJECT: Understanding to develop Purchase Agreement between Town of Candia and Wildcat land Development Services, LLC (WLDS) for purchase of Town owned raw land by WLDS defined as Town of Candia Tax Map 410, Lot No. 162 (9.549 Acres), Lot No. 162-1 (2.235 Acres), Lot No. 161 (0.961 Acres).**

**Purchase Agreement would include the following 3 yr. options:**

*Option A: \$225,000 Option to Purchase Land (where WLDS or WLDS User secures all local (including but not limited to timber clearing, planning, zoning, conservation and building permits), state and federal permits that are required for building(s) with up to 30,000 s.f. of footprint area.*

*Option B: \$375,000 Option to Purchase land (where WLDS or WLDS User gets all local (including but not limited to timber clearing, planning, zoning, conservation, and building permits), state and federal permits that are required for building(s) with over 30,000 s.f. of footprint area. What this means is if they can get a user that will put a building up bigger than 30,000 square feet.*

**Specific Conditions for Purchase Agreement shall include:**

1. Town provides WLDS all rights to: access property, conduct investigations, timber rights, permit survey, engineer, market and all other tasks associated with the development/construction of property.
2. 3 yr. Options automatically extend on annual basis if WLDS is still an active mode of the permitting process.
3. WLDS pays annual land taxes based on land values on the Candia Property Tax Cards for these Properties prorated for an estimated usable 7 acres of total raw land (defined above) during option period. ~~Option fee for the first three years, which will be equivalent to the taxes.~~
4. WLDS is required to make full payment to Town for the land purchase at time of issuance of a Candia Building Permit issued to WLDS or WLDS user.
5. WLDS shall provide Town with prepared engineering plans by WLDS if WLDS does not purchase land at end of option period(s).

Chairman Robie explained (ref. to option 4) after they go through the permitting process and the Planning Board process after they have been approved before any constructions starts they would have to get a permit and they would received the deed. Chairman Robie explained (ref to option #5) any money they spend on engineer over the next three years in permitting fees will all come back to the town. If they deem it not feasible at any point after three years they are going to give us the plans and any permit fees. The first thing that has to happen over there is the wetland needs to be mitigated. It's probably going to be about \$150,000 mitigate that wetland and \$80,000 engineer that site. They would purchase the property at that time. They are going to invest this money hoping to find a user which they probably will. There is a steel business over there valued at \$660,000 with approximately 30,000 square feet. There is also a Danais building valued at \$990,000 on almost an acre and it is 40,000 square feet. The first option is 30,000 square feet so you can anticipate a value somewhere upwards of a million dollars. If you look at what these gentlemen do on one side of the road, they build buildings that are lesser in value than what surrounds them. The building will b a million and 2 million dollar building and the revenue will be \$20,000 - \$40,000 a year coming to the town. He felt they have had this property long enough. This is a really good opportunity for their community. The people voted for retail there years ago and if you look at Candia and demographics that's probably not going to happen. A grocery store is not coming to Candia. Grocery stores count roof tops and we don't' put up any new ones. They are not going to have any big subdivisions with 20 or 30 houses in them. It is just not going to happen, they don't have the land and they don't have the soils. It will be some type of investor use like an office building or insurance company. They don't to end up with

condominium type buildings that get rented or sold out as multi-purpose. It states "multi user". He thought this needed to be in there purchase and sales agreement if we ever get to that point, so they don't end up with multiple units. This is something they don't want in his opinion and he didn't think they ever have. Selectman Young commended Chairman Robie for doing something, not saying it but actually getting something done. She appreciates that actually being done. Her question was "permit issued to WLDS or user" and she wasn't sure what a user was. If she was going to develop that property but she is Anthem Blue Cross, she is the user. Chairman Robie said that was correct. He explained they may be the owners and they may have a user that acquires the permit because most likely that property will stay in their hands. They will lease. Selectman Young said you stated it was going to cost \$50,000 to mitigate the wet lands. Chairman Robie said that was just an estimation of what goes on around when you need to mitigate. Selectman Young asked how much he estimated the engineering to be. Chairman Robie estimated \$80,000 for the engineering. Selectman Dann asked how much did Candia pay for this. Chairman Robie said they paid \$100,000 for the piece they bought and we acquired a piece from the state when they built the highway. They acquired a piece from Parfett. He noted they have owned this property for 10 years with nothing coming back. He has been at this for 7 or 8 years on and off. Selectman Dann said the last Board felt it was very important to get that property cleared. They put in the warrant article 18 to move forward on it. The previous Board felt it was very important and it has sat long enough and it had sat long enough. He noted that it was said two meetings ago that they needed to have an Economic Development Committee before anything could be done there. How come this has not gone to an Economic Development Committee to bring forward to us? Selectman Young said she didn't think they said they had to do that. Somebody had offered to start one. Selectman Dann said he wanted to sell that piece of property and put a "For Sale" sign up and he told the only way they can do it is with an Economic Development Committee. There is no one that knows that piece of property is for sale. They don't know if there is anyone else out there that would do a better program than this. Selectman Young said she know what he was referring to because he has brought it up a couple of times. It just hasn't been done. Selectman Dann noted when you go to sell property you look for people aware of it and they have not done that since March. This bothers him a lot. He asked Chairman Robie how long he has been working on this. Chairman Robie replied seven years. Selectman Dann clarified this project. Chairman Robie reiterated that he has been working on Exit 3 for seven or eight years. Selectman Dann asked if he has talked to anyone else other than these people. Selectman Young thought there was another offer. Selectman Laliberte noted this got kicked off again because they had an offer a year ago. Selectman Dann said they couldn't sell it beyond a year ago so it was a moot point. Chairman Robie said if they could have found a retailer that would have come into town. Or you could have sold it under that premise and someone could have developed that site and got it ready for that and it would still be sitting there as a site that nobody has come to. This is why this warrant article came forward. Selectman Dann said that is correct and he was involved with that warrant article. All of a sudden now we have something. You go around Candia and people drive past that and they don't even know that piece of property is for sale. How do you know that there isn't some other business that would put a building up within a year? You never asked so this type of situation where you're going to say this is it. Chairman Robie replied that he said no such thing. Selectman Young said he brought it to the Board for discussion. Chairman Robie said they have marketed that property for seven years. Selectman Dann said who has and how did they do it. Chairman Robie said the Exit 3 Committee worked reluctantly to try and get someone in there. Selectman Dann asked who they placed it with to see if there was someone interested in it. There is no for sale sign, how are people to know that this piece of property is for sale.

Chairman Robie said if someone was interested putting a building at Exit 3 and they were really serious and they drove by Exit 3 on a daily basis or they sent someone out to find them a piece of property for them, they would come into town hall and look at the tax map, find out who the owner of that was and they would contact that person selling it. This is who that works in that kind of business. Selectman Dann said it is not how it works you put it out there and let people know. You're a contractor if you are selling a piece of property you let people know that it is for sale. You want more options than just one option. Selectman Laliberte asked if there were other options other than the two he presented. Chairman Robie said there is room for another couple of options. There is room for numerous options if you want it to get to that point, but you need to tread lightly. They have been over there for 10 years now. We can't make it too stringent but we have to protect ourselves. Selectman Young thought Selectman Dann's question was valid, but she will say that it has been her experience that people will go to Google Earth and if they see a plot of land they will send someone out to look at it. She didn't think that Chairman Robie was saying this was an end all but this is an option they will discuss tonight. This is the first she has seen or heard of it. Selectman Dann said it bothers him that he got shut down with the Economic Development Committee and was told they have to do it and he wants to put a "For Sale" sign out there. He got shut down and the Economic Development Committee is the only way they can go. This is what bothers him and now all of a sudden something comes up. He appreciates that Chairman Robie has done some work on this and there is nothing wrong with that. Chairman Robie said he has been working on this for awhile and it didn't happen overnight. Selectman Dann said he wasn't questioning that. Selectman Komisarek said they have an obligation to do right by the town and get it right. For him to have that confidence he didn't agree that the best thing is to put a "For Sale" sign on it, because we do have the wetlands mitigation and the engineering. If they go to a realtor and slap a "For Sale" sign on it he didn't think this was the best route. He has talked with a couple of people about this in parallel with what Carleton has been doing. There is a guy Jay Minkarah who went down to Springfield Mass to head up there whole Economic Development Program. This is expertise that he doesn't have and you don't have, that no one on this Board has. What he wants to know given the constraints that this site has, they know it has slopes. He felt what has initiated this was the fact that they have a huge cut going on across the street. Chairman Robie said let's keep that out of this conversation please, because it is irrelevant. Selectman Dann didn't think that it is irrelevant. This is where it all came about. Selectman Komisarek said the market is changing and shifting and no one is beating the door down to buy that property, because it has the challenges and a lot of development cost. So what he thought they need to do with something like this is have the expertise and the confidence that you are doing the right thing and are maximizing the value in the long term for the town. It is not an expertise that he possesses. He would like to someone like this when they have an Economic Development Committee. He would like someone that has done this a whole bunch of times and understands this and knows how to structure a deal like this, should they have a minimum of taxable revenue. What leverage do they have and he doesn't know the answer to that question. If we talk to somebody and they have the expertise and we present it to them this type of option they may think it is a pretty square deal. He is not hung up with trying to get it on the market, it isn't like selling a house it isn't just selling a piece of raw land. You got to get somebody that is willing to come in and spend all of the money and do the development. This is a tough property to appraise, but he thought when you do a deal like this there is always certain conditions. They don't want multiple users there and there will always be certain conditions, but at the end of the day is it a fair deal. He thought if they have a responsibility to get it right in the long run and to do that they need a certain level of expertise. Chairman Robie said he spoke with Atty. Mayer about this

at length on two occasions and he has worked with numerous towns with putting purchasing agreements together for property that towns own and developers develop it. Exit 10 in Hooksett is an example, a lot of that was owned by the town. This is very workable and he doesn't like the term low ball. They had an offer a few years ago for less money than that with no options it was a straight up deal. Selectman Komisarek said he wasn't implying that they low balled us. What he saying is that if they had the confidence that this is a fair deal, but there are certain things happening in the market place that are in play now. It is probably a good time to consider doing this, but they want to this is fair for the town. Selectman Young said she has heard more complaints from community member about inaction concerning that property and promises of Economic Development Committees. She was talking about recently not when they had the Exit 3 Committee working on it. She has heard more comments that people want them to just do something. She wasn't this was a perfect thing, but she wanted to give Chairman Robie credit for working on this. She didn't particularly love forming another committee because nothing gets done. They have good intentions but we could hardly find people for the Recycling/Energy Committee. Selectman Komisarek said he wasn't suggesting another committee, but to him this guy mentioned to him three times. He just knows the market place and a 30 minute conversation with a guy like this can tell us what we have. He thought there was a person out there that has that expertise. They aren't going to form a seven person committee and take seven months to get this done. It's just like when you sell a house you would do a comparative market analysis. You would do something to get some understanding of what the value is. This is a little more complicated you have wetlands mitigation and all the engineering and permitting there aren't a lot of people out there that want to truck in all of the material that is going in there. It is not worth a million dollars. She thought he probably has a solid offer, but they have to do a little bit of work and is it fair and what kind of conditions should we entertain. They have to talk to someone who is in the business and understands it. Selectman Laliberte said honestly these numbers mean nothing to him. He's not saying that this isn't something that Carleton hasn't worked hard on. He is not in this world so he couldn't tell you if these numbers are good or bad. He understands options and the conditions but he doesn't know if they are the right or wrong thing. For him he couldn't vote in good conscience on this without a lot more information on the process. By process he is not saying an eight month process. He is saying he needs more information from someone that is more qualified and someone that is disinterested. They had mentioned someone at Regional Economic Development or someone along those lines. He needs to be comfortable moving forward with this. The reason why he was big on the Economic Development Committee because it was an opportunity to bring those people in and discuss this out as needed. It appears the appetite for that has waned on this Board. Selectman Young thought in town too. Selectman Laliberte thought it wasn't just Exit 3 and he didn't know if it was just in town. For him what was important was doing this write. He knows the concern about inaction, but miss action is ten times worse for him. He felt moving forward they have to get a disinterested expert to give us a little more insight into this and go from there. Chairman Robie said on this steel company they have 3.96 acres and their property is valued at \$143,000. Danais property has 10.11 acres and it is valued at \$133,500. They have a property that the town has \$100,000 in and the minimum offer is \$225,000 which is double what they got in it with zero revenue for the past 10 years. Selectman Young said it is only seven acres compared to the nine. Chairman Robie clarified that is only a usable seven acres. This is all that anybody is going to do is what's the value around the area for a piece of land that's buildable. Our piece of land isn't buildable at some point with a lot of month it's buildable. He does know if this goes a whole lot further and you look for other options or purchasers these guys are going to go away in a heartbeat, because know this has been brought to the Board and it is out there. They have

worked on this for awhile and he was all in favor of retail over at Exit 3, but he realized that is probably not going to happen. Selectman Dann said the minimum that the town has invested in Exit 3 is \$200,000 when you start talking about loss of taxes and attorney's fees. This is the type of cost that Candia has lost. Chairman Robie said now these guys with these options are willing to take over that responsibility and pay an annual fee to take care of all that legal stuff. Selectman Dann said there is no way they can do a comparison, this has been thrown on us this evening and there is nothing they can do. He has questioned things in the past and doesn't trust people this is not where he is at. He is concerned for the best of Candia. Chairman Robie said this has not been thrown at you, it has been presented to you this evening. Selectman Young said she was going to ask about what he thought they had for options as far as this particular offer. Chairman Robie thought they should consider getting this cleaned up and have legal consul write up a P & S. It will come back to us and we'll review it and see if it is something they want. If you want to reach out to somebody to see if the value is there he's all set with that. As far as he is concerned and for the betterment of the community for our investment, he knows what these guys are going to build, approximately 30,000 square feet with a million dollar value. This is \$20,000 a year in revenue immediately and in ten years that is \$200,000. Once it is there it isn't going to go away. Selectman Young said her support tends to be because she knows what type of business and atmosphere that she believes they would embrace Candia's thing. It's like knowing who is a good carpenter and who is a hack. She thought this would turn out nicely. She understood what Selectman Dann was saying, but she felt this was just an option. She didn't know what they were expected to do tonight. Chairman Robie said they are going to move forward if the Board wants to if they don't want to they won't. Selectman Laliberte said there is no way he is moving forward tonight. Chairman Robie said they would vote to move forward. Selectman Laliberte asked what that meant. Chairman Robie said Selectman Komisarek wants to talk with somebody and he wants to add a couple of more options. Selectman Laliberte said he wanted to keep this issue going but hearing this he didn't know if they were going to vote on an option. Chairman Robie said they need to pursue whether or not they want to write a P & S agreement. This is what they need to vote on. Before they do that they are going to listen to any public input at this point. Selectman Dann said in three years they are going to get the site ready for that size building. Chairman Robie said it could be a year or two years they have three years to get it done. Selectman Dann asked as a Board are they going to be able to approve the type of business that is going in there. Chairman Robie said no. Selectman Dann said so they can put anything in. Chairman Robie said they need to put some stipulations in the P & S of what type of facility will go there. Not a multi use facility such as commercial condos. This is his opinion, but maybe not with the rest of the Board. He is not going to vote in favor of that. Selectman Komisarek said it is the first thing you see coming off the exit so there should be certain architectural controls. Selectman Dann asked if anyone knew who owns the paint ball park. Chairman Robie replied Kevin Hobbs. He noted that is a whole other separate issue. Selectman Dann not there is an old rail road bed in there. Resident Boyd Chivers asked if there was any consideration given to sending out RFP's to find out if there are other proposals similar to this one. Chairman Robie said they sent out a request for proposal years ago and they never got any interest they got back one offer. Resident Boyd Chivers clarified they didn't send out any requests recently. Chairman Robie replied no. Resident Fletcher Perkins explained when the Exit 3 Committee was active they presented this to Danais, Dick Agnes, and in Manchester there were big developers and they showed no interest whatsoever because of the lot and what it is. As Chairman Robie says that lot is pretty much unbuildable. As far as expertise goes those two gentlemen at Exit 3 are no slouches they know what's going on over there. You can look what they've done, where they are coming from, and what they are doing. Their interest is with the

town 100%. Selectman Komisarek said when he was referring to expertise he wasn't referring to the guys constructing something, it was determining the conditions that they might put on that P & S. He understands that time is of the essence and the cat is out of the bag but it just came out tonight. There is a certain amount of pertinent information and knowledge that we need to feel confident to make a decision such as this. Chairman Robie said that Atty. Mayer will square us away on this if we pursue this avenue. This is a legal service that we pay for anyway. He is very familiar with what needs to be done. Resident Carla Penfield said she wanted to bring back some history. Fifteen years ago they had a committee that tried to sell the property that Mr. Perkins just mentioned. They tried for two years and they had no takers. They had an offer that was at least a third less than this offer. To answer Mr. Dann's question she thought a lot of people know this land isn't buildable and they are not interested.. If that was choice property they would have people knocking down their door trying to buy it. The fact is the property needs a great deal of work to make it usable. She didn't believe they had a line of people she thought you could put a sign up and you could put an ad on television and she didn't believe you would get people driving up here to purchase that property. It needs too much work. She said the Chairman Robie mentioned the word industrial when he was talking about the proposal she asked if he could please explain what he means by industrial. She would like this Board to put some type of caveats of what type of business can go in. Chairman Robie said they just voted on that at town meeting that the Selectmen would make that decision. They don't want a used car dealership or auto related things. They want something that is all contained in a facility. They have all of this in their minds and Atty. Mayer would write that in. If it does happen to be light industrial or manufacturing it needs to be contained within the facility. It is not going to operate outdoors. They are still operating outside a lot in Candia. Stonewall Kitchen just built a 50,000 square foot building in Dover. It's a beautiful building and this is potential of where they can go. This won't be condominium units for all of the locals to park their pick up trailers and staging. Resident Dick Snow said he would like to make the process they are talking about clearer. He hasn't seen the offer so he doesn't know if it is good or bad. The process is they are attempting to sell a piece of land that the legislative body has gave you authority to do subject to 41:14-a. They can't sell without going through that statute. Chairman Robie said they have been through that. Resident Dick Snow said if someone were to be opposed to the process they have the option either before or after the 41:14-a process calling a special town meeting and rescinding the authority that they gave them years ago to allow the Board of Selectmen to sell. His understanding is they have to use 41:14-a and have a public hearing. Chairman Robie said they have done that and voted on that. They voted on that. Selectman Young said they voted on this on March 14<sup>th</sup> and she hasn't attended a public hearing on these properties. Chairman Robie said it was done prior to this vote when the people voted for a 40,000 square foot retail building. Then they rescinded that and this is what does it. They just went through this as a Board to get this right. The Selectmen at this point have the authority to sell the property at Exit 3. Selectman Young noted that Dick Snow may be right. Chairman Robie said he was going to disagree, but Atty. Mayer will point us in the right direction. They've went through that process that is it's worded the way it is. Selectman Laliberte said also keep in mind this is an option not a purchase. In 41:14-a it is for a purchase and option is a different animal all together. Chairman Robie said they are going to write a P & S agreement. Selectman Laliberte said that would fall under 41:14-a. Fire Chief Young noted if you think about driving around the whole country and you drive off exits every exit in the country has stuff. If this exit was viable for someone to come in and build on they would be beating our door down to buy that property. He met Joe and Craig eight years ago. They love the town of Candia. People in this town go to that facility and if you told them we were going to sell that property to Joe and Craig they would be

jumping up and down with joy. They know they are top shelf individuals. Maybe there is a reason they want to buy it, but they are willing to do it and he would bet them a million dollars they are going to build a very nice facility. If there is a chance to get Joe and Craig on board don't wait. Selectman Laliberte replied you say they love the town but now he is hearing on the other hand that if we don't jump on this right away they are going to blow it up, that the deal is going to be scuttled. In addition there may be something they have in mind there. If they have something in mind and they do their minimum due diligence; he thought that was win-win. They have to do their due diligence. They can't go on the assumption they are great people not know anything else. He has no doubt they are great people. He knows that Fire Chief Young deals with them on cruise night and it sounds like they are great. They have to do a little bit of due diligence. Resident Becky Sarra asked what their time frame was to make this happen. There are things that each one of you wants to do, when are you going to do it. Chairman Robie said he wants to bring a P & S agreement to the next meeting. The Board will review it and sign it, if not they amend it again. This should be done within a month. Resident Becky Sarra said what she is hearing is that they are willing to take all of the challenge and pay us money for it. Building Inspector Murray said he was going to back up everything Fire Chief Young said about Craig and Joe. He wanted to clarify that it is the Board that is in charge of that property. It is a very hard lot to build on. He was going to estimate that it would take \$800,000 to \$1,000,000 to get that lot buildable. He is very happy that Wildcat is going to show some interest in this. At least we know the caliber of their work. He thought they put their best foot forward on this. He wasn't sure if they would get a better offer on this. This is going to be longevity with those gentlemen and they are going to see this to the end. This will be something good for the town. Resident Al Hall said with this type of property the state usually is very helpful. He thought Selectman Laliberte has seen some promotion of this particular exit 3 property. Selectman Laliberte thought that would be a long drawn out process. Resident Al Hall said he heard tonight that years ago an RFP went out and RFP's are active and by now it is a dead horse. Chairman Robie is trying to promote this and the Irving Station folks are top shelf from what you are saying. Outside New Hampshire people have never heard of Candia. Unless someone from the DRA has it on their active list. Resident Carla Penfield said she suspects they are interested in this property to protect themselves. They are right across the street and they know this property is available. They are probably very interested in putting something in that will add value to their property. Chairman Robie said in the big scheme of things he didn't believe that the town of Candia wanted another gas station across the street from that one. That is probably the only thing they would attract someone for. It might be a good possibility and there is nothing wrong with that. Resident Carla Penfield said they have a very attractive going business and they are looking across the street thinking they need to protect themselves. Chairman Robie added they are going to develop it in three years or they are going to give us back everything they invested plus an option fee for three years. There was some further discussion about the options. Resident Boyd Chivers asked about the \$150,000 for the wetlands mitigation. Chairman Robie said it was a rough estimation. Resident Boyd Chivers asked if the town had any obligation to them. Chairman Robie said no obligation they just collect the option fees. Resident Boyd Chivers asked if the agreement gives them three years to get the engineering done and the site ready. Chairman Robie said with an option. Hypothetically if someone mitigated the wetlands, paid for engineering, and getting it pad ready and three years didn't have a user they can extend their option, At that point it is their pad and they are paying the taxes and of course the option fee will go up. When you build a pad you start increasing the value. Resident Boyd Chivers asked how long they can extend that option. Chairman Robie thought if anyone spends that kind of money on an investment they are going to find a user. Chairman Robie said he would have Atty.

Mayer draft a P & S and he'll run it by the Board before they discuss this with the clients. Hopefully this will be done within the next month. Selectman Laliberte asked if they lock down an option and vote on it, do they actually have to do a purchase and sale agreement or an option to purchase with a separate purchase and sale agreement. Chairman Robie said a purchase and sale with the agreement built in. He noted this will be really clean and spelled out. He is going to talk to Atty. Mayer about this. Selectman Laliberte asked if he could talk about 41:14-a with Atty. Mayer. There was some discussion about making the information presented tonight available to the public.

**The Board to authorize payment of payroll checks and accounts payable checks.** Selectman Laliberte announced the grand total for accounts payable and payroll checks for June 22<sup>nd</sup> and June 29<sup>th</sup> was \$87,038.77. Selectman Young moved to approve the accounts payable and payroll checks for June 22<sup>nd</sup> and June 29<sup>th</sup> in the amount \$87,038.77. Seconded by Selectman Dann. All were in favor. Motion carried.

There will be fireworks on July 6<sup>th</sup> at the Candia First Stop.

Selectman Komisarek noted he is meeting with a Rep from PSNH tomorrow. He has asked twice about the LED and each time it has been no, but he is going to ask one more time tomorrow.

Chairman Robie said there will be a Steering Committee meeting with Carol Ogilvie at 5:00 p.m. tomorrow.

The Special Election will be July 25<sup>th</sup> from 6:00 am to 7:00 pm.

Selectman Laliberte moved to adjourn at 8:29 p.m. Seconded by Selectman Young. All were in favor. Motion carried.

Respectfully submitted,  
Andria Hansen, Recording Secretary