

**Unapproved-Approved  
Candia's Selectmen's Public Meeting Minutes  
September 25, 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 9/11/17.** Selectman Laliberte moved to accept the Selectmen's Public meeting minutes of September 11<sup>th</sup> as presented. Seconded by Selectman Komisarek. All were in favor. Motion carried.

**The Board of Selectmen will hold their first public hearing in accordance with RSA 40:14-a on the proposed sale of Map 410 Lots 162, 161, and 162-1 located at Exit 3 on Old Candia Road.** Chairman Robie explained they followed the process of 41:14-a through town vote in March that released all previous restrictions on the sale of the property located at exit 3. It gave the Selectmen the authority to sell the property according to 41:14-a and this is why they are holding their first public hearing this evening. The Selectmen, Wildcat Development, and two attorneys have worked on a document that the Selectmen have all agreed to. The is a three year agreement. This agreement has gone to the Planning Board for their review and they didn't have any comments. It also went to the Conservation Commission meeting and they didn't have any comments. Chairman Robie said they are here this evening for any public input on the sale of exit 3 to the Wildcat Development Corporation. He asked if there was any input from the audience. Selectman Dann asked if everyone has been able to see this. It has been on the website and do people know where this piece of property is. A lot of people didn't know where this piece of property was. If questions come up please let us get you up to date. They say exit 3 but there are people that aren't aware of it that live in town. Citizen Felix Sheppard said he was curious as to who the Wildcat Developers were. Chairman Robie explained it is Joe Sobel and Craig St. Pierre who own the exit 3 Irving Station. Mr. Sheppard replied they are good people. Chairman Robie said with no objections they are going to have another Public Hearing at their next Selectmen's meeting. At that point the Select Board will vote once again on this document without any opposition. If there is opposition someone would have to file a petition with 50 signatures and they would have to go to a special town meeting if need be. This is the process and they are at their first public hearing this evening. Citizen Judy Szot didn't know the document was on line, so she didn't have a chance to read it and she doubts most people have. She asked if Chairman Robie could succinctly summarize what the document states. Chairman Robie read from the attached document. Citizen Boyd Chivers said he would like to state his support for this idea. Looking back on warrant article 18 from last year it passed by a 3 to 1 margin, he felt it was fair to say that the town was in support of what they are doing here. He asked how they determined the value of this property that became the subject of this negotiation. Did they do a comparable sales analysis? How did they come to the price they had asked for? Chairman Robie explained the developers came to them with the price and the price stayed the same. He and the Selectmen looked at comparable property values in the area such as the Irving Station, the steel company, and Page Street. The town has the exit 3 land value assessed at \$130,000. They felt that the developer double the town's assessment which they thought was

reasonable. He thought maybe the value of the sale of the property isn't that important, the value of what is build there or feasibly get there has the most value to our community as far as revenue. Citizen Boyd Chivers asked how this agreement is more advantageous to the town then the straight up sale of the property to someone with a closing in 90 days with the stipulation that they build something that comes out with an assessed valuation assembling something 30,000 square foot. How is three years waiting for this to mature an advantage to the town? Chairman Robie replied they have been over there for 12 years with that property. Yes it had restrictions on it but nobody came to us and said if you take those restrictions off maybe would build you this. No one has done that until the restrictions came off and these gentlemen said we need a period of time. It is pretty hard to ask someone to pay a price if they don't know what the development cost is going to be. Selectman Dann said when they had this in an open session it was open to the public the first time. At that time he fought with himself about the pricing. He called about five commercial real estate people and told them this property is now for sale and the restrictions have been lifted on it as of last March. If there was interest in the property contact the town. He had sent them the plot layout also the survey that was done many years ago. This gave them a lot of information and not one came back to the town. The truth of the matter is if you could negotiate with three different people maybe they could have done something different. But what they have and what they have worked on here is a proposal that has come to the town and as Selectmen they have to address that. This is what they did as a Board. Citizen Ron Severino said he was in favor of this proposal. He and his brother had that property under agreement back in 2008. They were at \$175,000 and there was just no way with the restrictions that it was going to work. They did a lot of leg work and they do this for a living. This price thing keeps coming up and there is always someone that is going to second guess could we have gotten more money. As Mr. Robie stated the ultimate goal here is get something our community would like to see at exit 3 that will keep paying into the future with the valuation they can get on that property. If they put it on the open market you are going to get all kinds offers and everyone of those offers you are going to have to say yes or no but you are not going to know what they are going to do there until they get under agreement and go through the planning process. This is a process that is literally impossible for this Board to do. They would have to be full time real estate people if they had to take every offer that came in and analyze it. This is something they talked about and if they could get it in the control of the Selectmen who agree that they don't want someone to go in there and open up a flea market that is not going to have any structure to it. The price is reasonable for what is going on out there but now the control of what happens on this property lies with the Board of Selectmen and through these public hearings. You would lose that through an outright sale. It would literally be impossible. They have gone quite a few rounds on this and it's been very unsuccessful. Before he was involved there were a lot of realtors that came in and tried to list it. He felt they all agree that they try and get something in there. Again this isn't a guaranteed deal; these gentlemen are going to try to bring something to town that we would approve of. He reiterated that he was very much in favor of this. Citizen Betsy Kruse understood it has been very difficult to decide what to do with this property. She doesn't know anything about Wildcat Development and she is a little concerned because this is the gateway to our town. She would like to know if there are any assurances of any kind that will prevent something that is an eyesore from going in there. Chairman Robie said that was a very good question. They voted in March and everyone knew the piece they were voting on was Light Industrial 2 land and they authorized the Selectmen to sell that. These gentlemen here through this agreement can't change the zoning. They agreed to build under Light Industrial 2 and with

the Planning Board's input this was a big decision for our Board. They are confident that they are going to get something that is eye pleasing. If not it will be hidden by something through the Planning Board regulations. Selectman Dann said they went round and round with the attorney's on the "Limitation of use" section of the agreement. They tried to accomplish what you are looking for and that is what the Board was looking for. They tried to limit what could be done, but not tie their hands so they can develop something that is a good taxable property. Citizen Fletcher Perkins said the best recommendation he could give Ms. Kruse is to go over to the Irving station and look around and see what a wonderful job these two men have done. They are proud of it and concerned about how it is going to look. Joe Sobel of Wildcat Development explained the development process is not just the purchase price. There is engineering and permitting that they need to tackle in the beginning of their work. That money is theirs to risk and they are willingly going forward to risk it. They are confident they will find a good use that will bring tax revenues to the town. They are confident but they aren't certain. They are paying the value in taxes for what it is worth now. They are trying to make it worth much more with quality commercial development. He appreciates all of the comments that were made about our existing development. They are very proud of it. They are proud of cruise night and proud of the community development that happened there. Citizen Judy Szot said in the beginning she was not in favor of this whole project, but when she heard that the people from the Irving were involved and seeing what they have done and the quality of work they have there and how they nicely designed their business and their commitment to the community. In addition, the work the Board has put in trying to protect the town but also trying to give these gentlemen the opportunity to do something with our town. The Board needs to be commended and Mr. Sobel and Mr. St. Pierre do for being good stewards of our community. Fire Chief Young said he has known Joe and Craig since they've started over there at exit 3. They have always been top notch individuals, their word is solid and he would trust them with his life. If they have a chance to do something with that piece of property at exit 3 they have the two perfect guys with Wildcat to take it on. If anyone can do it they can. Chairman Robie asked if there were any further comments for their public hearing on the sale of exit 3 under 41:14-a. Chairman Robie said they were going to close this public hearing and hold another one in two weeks at 7:00 pm and the Board will vote after that. He thanked the audience for coming.

**The Board to discuss possible gun fire regulations for the Town.** Mr. Tom Hourigan was present. He explained he is a Vietnam Vet and he lives in a house where all around him they are firing guns. He has talked with the Police Officers and they told him they couldn't do anything. He is 100% combat vet and the excessive shooting is causing him emotional distress to the point of flashbacks back to the war. He has lived at that property for 16 years and he has never had this problem until this year. He is seeking help in controlling or limiting the ability for his neighbors to shoot at will. They shouldn't have the right to pull out their guns and start shooting. As a property owner he enjoys his property and he has lived there for 16 year. He is seeking help from this Board to stop them from shooting so much. He doesn't know how else he can do this. He is going off of the deep end. Selectman Young asked if there is a particular time that is troublesome or you don't want them to shot at all. Mr. Hourigan said he doesn't want them to shoot at all. He can recognizes they are going to have to, but if the Board wants to set a time for anytime during the day. He has four neighbors that are going off at different times. Chief McGillen said he would like to meet with Mr. Hourigan some time so they can talk about this and clue us into who you think is doing it. Chairman Robie confirmed that Mr. Hourigan hasn't

spoken with the Chief and they haven't gone out to talk with the offending people. Mr. Hourigan said there are four neighbors that shoot at different times. When he left today the neighbor at the top of the hill had been shooting at quarter after five and he was still shooting when he left at a quarter to seven. It's not right. Chairman Robie thought before the Board could implement an ordinance about gun control, he needed to sit down with the Chief and let him know the people who are annoying you. Then maybe he can speak with them and explain your situation and they could work amongst themselves in that area to come up with a regulation. Mr. Hourigan explained the Officers already have a log of the people that are shooting. Chief McGillen said he knows of one person that is up there shooting. He is willing to help mitigate and work on this and talk to people on Mr. Hourigan's behalf. He can talk with him tomorrow about it. Selectman Laliberte asked how much of this could a town ordinance address versus state law. He thought gun regulations were at a state level and we are limited at a local level on what they can do. Chief McGillen said he did make some calls and the state has a jurisdiction over the use and regulation of firearms. You can't specifically come up with a town ordinance saying you can shoot in your yard. There are Fish and Game rules and there are certain distances from residences and whatnot. A lot of this is common courtesy and he doesn't mind helping out with that. Mr. Hourigan said he didn't want to move he's been here too long. Chief McGillen said he wouldn't have to move they'll work it out. Selectman Young thanked him for coming in. Citizen Larry Twitchell explained he had a similar problem. He had someone at the top of the hill shooting from 7 pm to 9 pm. He doesn't know about guns but this was a rapid fire gun. He talked with the Officers and they talked with one of the people he knew was doing it and the problem was greatly less. He wanted to encourage Mr. Hourigan to speak with the Chief and he thought he would get some resolution.

**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 September 21<sup>st</sup> and September 28<sup>th</sup> was \$86,292.03. Selectman Dann moved to approve the accounts payable and payroll checks for September 21<sup>st</sup> and September 28<sup>th</sup> in the amount of \$86,292.03. Seconded by Selectman Komisarek. All were in favor. Motion carried.

### **Other Business**

Selectman Laliberte said he will not be at the meeting on November 13<sup>th</sup>. He will be on vacation.

The next regularly scheduled Selectmen's meeting is October 9<sup>th</sup>, 2017 @ 7:00 pm.

Selectman Dann moved to adjourn at 7:40 pm. Seconded by Selectman Young. All were in favor.