

**MERRIMACK VILLAGE DISTRICT
BOARD OF COMMISSIONERS
SPECIAL MEETING
MAY 1, 2020
MEETING MINUTES
(approved May 18, 2020)**

A special meeting of the Board of Commissioners was conducted on May 1, 2020 at 3:30 p.m. at 2 Greens Pond Road, Merrimack, NH.

Chairman, Donald Provencher presided, via electronic participation:

Members of the Board present: Joseph Comer, Vice Chairman
 Wolfram von Schoen, electronic participation
 Kenneth Ayers

Members of the Board Absent: Anthony Pellegrino, Personnel Liaison

Also in Attendance: Ron Miner, Superintendent
 Jill Lavoie, Business Manager

1. Board of Commissioners to discuss request by John Tenhave of Chestnut Hill Properties to review water line requirements and fees associated with the proposed Old Blood Road subdivision.

Commissioner D. Provencher shared the memorandum provided by Superintendent R. Miner. The memorandum explains that Chestnut Hill Properties, LLC is a 77-lot subdivision off Old Blood Road in Merrimack to be serviced by Municipal water and sewer and is owned by John Tenhave. The original request for water was about 15 years ago prior to the Linda Lane subdivision located on McQuestion Road and the new Middle School on Madeline Bennett Lane. At the time of the original request the sewer was not available and if the owner of the subdivision (previous owner) wanted Municipal Water, the Board of Commissioners at that time would require the owner to bring the water main in from the intersection of McQuestion Road down Wilson Hill Road to Old Blood Road into the subdivision.

Since the time of the original request, the Linda Lane subdivision was built and is serviced by MVD and has a dead end water main. The new Middle School is also serviced by MVD and has a dead end water main. The current subdivision plans show the water main coming in from Madeline Bennett Lane which is approximately 1,900 Linear Feet (L/F) +- of the total subdivision proposed water main of 7,950 L/F. The MVD has maintained over the years that they would still require the developer to make the connection to McQuestion Road via Wilson Hill Road to loop the system.

The Developer understands that the MVD has the right to ask for looping and is questioning the fairness and the distance of the request. He does not feel that this same situation has been implemented on any other developer.

Chestnut Hill Properties, LLC is proposing looping to Linda Lane 3,185 L/F through an easement that the developer would secure at the developer's cost. Any proposed water main cost overages will be borne by the developer. Through discussions with the developer he is willing to include 7 services to the property lines of current homeowners on Old Blood Road and 5 fire hydrants. The District would

wave 7,950' of mainline extension fees that would equate to \$79,500. MVD would still collect \$96,250 in system development charges (SDC) and \$54,516 in entrance fees.

This version of the loop would get rid of the dead ends on Linda and Madeline Bennet Lanes which benefits MVD.

Chairman D. Provencher informed the commission that in March 2016, Mr. Tenhave was informed that he was responsible to continue down Old Blood Road, out to Wilson Hill, and into McQuestion Road. The developer's proposal follows a different route, looping to Linda Lane. Superintendent R. Miner stated that it seems reasonable and alleviates two dead ends, providing a benefit to MVD. Superintendent R. Miner noted that a loop would allow water to continue to both the development and the middle school, should an issue arise elsewhere. If the proposal for the loop via Linda Lane is accepted, the developer will have a savings of 1,690 L/F, versus the instructed path to McQuestion Road.

Chairman D. Provencher stated that he does not feel it is the best decision to waive all the fees for the main line extensions. He noted that he thinks the fees should only be waived for Madeline Bennet Lane and Old Blood Road. He does not feel the fees should be waived on the interior of the developer's own subdivision. Waiving the fees for Old Blood Road and Madeline Bennet Lane would waive 3,185 L/F on Old Blood Road, saving roughly \$31,850, and 1,925 L/F on Madeline Bennet Lane, saving roughly \$19,250. This provides a savings of \$51,100. Commissioner W. von Schoen noted that the proposal provides benefits to both parties but does not see how that translates into waving all the fees connected to supplying the subdivision.

Chairman D. Provencher noted that if the original path were followed, including the subdivision, the developer would be building 12,735 L/F, totaling over \$127,000 in Main Line Extension fees. Chairman D. Provencher reiterated that he feels it is fair to relax the Main Line Extension fees for the extension of MVD's water lines to reach the developer's subdivision. He noted that there is an additional savings to the developer by following the proposed plan of looping to Linda Lane. Commissioner W. von Schoen stated that the developer is building this subdivision as an investment, and therefore will gain a return on that investment. Chairman D. Provencher stated that he is concerned with setting a precedence for future projects. He noted that he would be comfortable waiving the Main Line Extension fees to bring water to the subdivision but would not be comfortable waiving the Main Line Extension fees within the subdivision. Commissioner J. Comer asked what the annual income would be from the 77-lot subdivision and noted that overtime the annual income would repay the discount.

**MOTION BY COMMISSIONER D. PROVENCHER TO WAIVE THE MAIN LINE EXTENSION FEES FOR A PORTION OF THE WORK ALONG OLD BLOOD ROAD FROM THE INTERSECTION WITH CAPTAIN BANNON CIRCLE AND TO WAIVE THE MAIN LINE EXTENSION FEES FROM THE INTERSECTION OF CAPTAIN BANNON CIRCLE BACK TO MADELINE BENNET LANE, TOTALLING 5,110 L/F, OR \$51,100
MOTION SECONDED BY COMMISSIONER J. COMER**

A Viva Voce Roll Call was conducted, which resulted as follows:

Yea: Donald Provencher, Joe Comer, Wolfram von Schoen, Kenneth Ayers,
4
Nay: 0

MOTION CARRIED

2. Old Business

None

3. New Business

At this time Superintendent R. Miner gave an update on the water main break near the Turkey Hill Booster station. Superintendent R. Miner noted that the day prior there had been a shutdown to install new piping for the Turkey Hill Booster station disruption. In connecting new piping to old piping, one of the connections pulled away enough to cause a significant leak.

Commissioner W. von Schoen informed Superintendent R. Miner that he had heard wonderful feedback from the public regarding how MVD handled the situation.

4. Questions from the Public

None

5. Questions from the Press

None

ADJOURNMENT

MOTION BY COMMISSIONER W. VON SCHOEN TO ADJOURN

MOTION SECONDED BY COMMISSIONER J. COMER

A Viva Voce Roll Call was conducted, which resulted as follows:

Yea: Donald Provencher, Joe Comer, Wolfram von Schoen, Kenneth Ayers,

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Nay:

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MOTION CARRIED

The May 1, 2020 meeting of the Board of Commissioners was adjourned at 4:32 p.m.

Submitted by Amanda McKenna, Recording Secretary