

City Council Work Session
September 18, 2017

Present were: Mayor Grenier, Councilors Morgan Allain, Higbee, Nelson, Otis, Rozek, Remillard and Theberge; Councilor Gentili was absent

Others present: City Manager Jim Wheeler, School Business Administrator Bryan Lamirande , Community Development Director Pamela Laflamme, Public Works Director Michael Perreault, Chamber of Commerce Director Paula Kinney, Steve Binette, Ray Binette, Sheriff Brian Valerino, Matt Carter, Bob Rodrigue representing the White Mountain Ridgerunners, Bob Chapman, City Clerk Elaine Riendeau, Barbara Tetreault *Berlin Daily Sun* and public.

Mayor Grenier opened the meeting at 6:30 p.m.

Route 110 Urban Compact

Mr. Wheeler read a letter from Steve Binette into the record.

September 5, 2017

James Wheeler

City Manager

City of Berlin, New Hampshire

Mayor City Council Members

City of Berlin, New Hampshire

Dear City Manager and Council Members,

As a developer, business owner, and taxpayer of the City of Berlin, I am writing this letter to address my view on the urban compact extension along Jericho Road. It is my belief and the belief of many others that the extension of the urban compact from its current limit on Jericho Road to the Jericho Trailhead will benefit the growing and developing Jericho Gateway area and desperately needs to move forward. Not only would the acquisition of the additional 1.6 miles of roadway help to solidify and expand future ATV access to our city by giving the city control over ATV use on this section of roadway, it would also promote and encourage further development near Jericho Mountain State Park, so that the city can fully capitalize on the growing ATV movement that has brought and continues to bring a significant amount of tourism to our region. As you are likely well aware, many significant investments in the Jericho area by local Developers and Binette Realty LLC. have already been made. At Binette Realty, we plan to continue to develop in the Jericho Road area. However, delaying or avoiding the acquisition of this section of Route 110 will be detrimental to our development plans, the development plans of others, and subsequently the development of the Jericho Gateway zone.

Therefore, I am requesting that a public meeting be held with the City Manager and City Council members present. At this meeting, myself and other Jericho developers will address our concerns and will present how the urban compact will not only benefit the development on Jericho road,

but also how it will benefit the city. Please feel free to reach out to me with any questions via email at steven@rayselectricinc.net or via phone at 752-1370. Looking forward to your response.

Regards,

Steven Binette

Binette Realty LLC.

Mayor Grenier asked to open the meeting to comments from the public and Councilor Rozek moved to allow; Councilor Remillard seconded and the motion carried.

Steve Binette opened by saying that Binette Realty has invested in the Jericho Gateway area. His business at Valley Creek Eatery has seen an influx of tourists; however he is reluctant to invest more until there is some certainty that the city will have control over the area.

Bob Chapman voiced his support for extending the urban compact because he wants to go forward with the development on the former Bass Shoe property. The highway needs to be taken over so that investors can be informed with certainty that the city has control of the road. He also advocated for the city to take over up to Jericho Lake because there is development planned above. He expressed the need to know about the new zoning that was changed and what it means for businesses.

Matt Carter, Manager at the Dalton Store stated that it is critical to have access to the front driveway of the business. ATV use now ends at Jericho Outdoors and there is a dead area of 300 feet. If the city had control, it would be easier to resolve the gray areas of the law and it would attract more businesses. With the State, businesses deal with a lot of resistance. He is in favor of leaving the roadway out of the hands of the state and having it go to the city.

Roland Berthiaume commented that he is working on the campground on 110. There is no way to get to Jericho from late fall to the end of mud season. Having the City control the area would give the ability to drive to the convenience store. He advocated moving the urban compact at least to the G. Housen building.

Sheriff Brian Valerino stated that he was asked to be here on behalf of the Police Department adding that he wrote the ordinance. He said that the ordinance was written so that the streets close when the State closes the trails. There is one month where the state is closed and the city is open. He emphasized that consistency is important so that visitors to our area are not confused.

Bob Rodrigue representing White Mountain Ridgerunners expressed some concern that extending the urban compact will bring ATV riding to snowmobile trails causing deep ruts that could be a safety issue. He stressed he and the snowmobile club are ATV enthusiasts who work to build and maintain the trails. He suggested that a monitoring system for trail conditions could be created to advise when the trail can support an atv and when soft conditions would not allow riders. Mr. Rodrigue said that he supports the extension and he wants the Council to also consider the sledding side when the decision is made.

Mayor Grenier asked if there is a process that has begun with the Trails Bureau to address some of the issues. Mr. Rodrigue noted that there has been some discussion with Clint Savage. It may be possible to

keep ATV's off of the main snowmobile trails where the ATVs would only diagonally cross the snowmobile trails. Mayor Grenier said that there needs to be elevated communication between those who maintain the trails to put together a plan for winter and early fall.

Matt Carter commented that Maine may have a law that could be reviewed that allows atvs if snowmobile trails are frozen. Mr. Rodrigue also suggested that atv's could have full access until 12/15 when the snowmobile trails open.

Mayor Grenier stated that he did not hear anyone opposed to extending the urban compact to the entrance of Jericho Lake Park. Councilor Nelson supported extending to the G Housen building, saying that Jericho Lake is other things besides ATV riding. Extending to Jericho Lake puts the ATV's in with traffic. Mayor Grenier thanked all for coming and giving insight. The City has been in contact with DOT regarding this issue. The Council will continue the conversation in non-public session.

Steve Binette questioned whether this issue will be resolved prior to the winter. He added that he may not invest in the winter months if there is no decision. When the opportunity for investment arises, the property has to be ready or the investor will walk away.

Irene Ouellet Markovich Scholarship

Bryan Lamirande reported that Berlin High School was given approximately \$79,000 from the will of Irene Markovich to develop a scholarship. Two students will receive \$2,000 each and this scholarship can go out for 20 years once the City Council approves and establishes the fund. Mayor Grenier asked if this will be managed by the Trustees of Trust Funds and Mr. Wheeler noted that only the Jericho Wind Power Trust is under the Trustees at this time.

Camp Razor Dumping Fee

Mr. Wheeler explained that a septage dumping station will be set up at the PWD garage for campers of the Camp Razor event. Historically dumping has been for citizens and we have not had the need to charge because people pay their sewer bill. We were told that there are more reservations this year and if the influx is great enough, a reasonable fee of \$20 per rv will be charged. This would pay treatment and overtime if the demand is high enough. Councilor Nelson moved to approve a \$20 fee for septage dumping during the Camp Razor event; Councilor Higbee seconded and the motion carried.

Non-Public Session

Councilor Higbee moved with a second from Councilor Theberge to enter into non-public session per RSA 91-A:3II d) land matters and RSA 91-A3II: i) Consideration of legal advice provided by legal counsel. So moved, the motion carried unanimously by roll call.

Councilor Rozek moved to come out of non-public session; Councilor Higbee seconded and the motion carried.

Councilor Rozek moved to seal the minutes until the Mayor and City Manager agree as releasing them would make the action taken ineffective; Councilor Higbee seconded and the motion carried.

There being no further business in Work Session, Mayor Grenier moved on to the Regular Meeting at 7:40 p.m.

Respectfully Submitted,
Susan Tremblay
Administrative Assistant