

## Building/Property Maintenance Committee

Minutes for April 19, 2016



COMMITTEE MEMBER	PRESENT	ABSENT
Mike Fowler, DPW - Chairperson	X	
Robert Mackey, CE Dir/Vice Chair	X	
Ed Garone, Derry Police	X	
Scott Jackson, Derry Fire Dept.	X	
Robert Wentworth, Building Insp	X	
Dawn Enwright, Tax Collector	X	
James Morgan, Councilor Liaison	X	
George Sioras, Town Planner	X	
Joseph Toohey, Resident	X	
Serge Michaud – Resident	X	
Ernest St.Pierre - Resident	X	
Kerry Harrison, Tax Collector Alt.		
Vern Thomas, Police Dept Alternate		
Dave Hoffman, Fire Dept Alternate		

A monthly meeting of the Building & Property Maintenance Committee was held Tuesday, April 19, 2016 at the Derry Municipal Building Center. Meeting was called to order at 9:01 am.

Mike Fowler had everyone introduce themselves to the committee.

### **Elections**

James Morgan nominated Mike Fowler for Chairperson.

Seconded by Bob Mackey

**MOTION PASSED** (11-0)

James Morgan nominated Robert Mackey for Vice Chairperson.

Seconded by George Sioras

**MOTION PASSED** (11-0)

### **Approval of Minutes**

George Sioras made a motion to accept the February 17, 2016 minutes as presented. (No meeting was held in March 2016)

Seconded by Dawn Enwright

**Motion PASSED** (9-0-2) Ernest St.Pierre and Joseph Toohey abstained.

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### **OLD BUSINESS**

**213 Island Pond Rd** – The Code Enforcement Office is waiting for Petition from the Attorney's Office. We have been told it would be here by the end of the week. Once it has been received, we will bring it before the Town Council to approve the recommendation to have the building taken down, under provisions of RSA 155. This would be to remove the building only. After the building issue has been resolved we will tackle the debris on the property.

James Morgan – explained to the new members how the process worked and how some properties take an extended period of time to be resolved.

Dawn Enwright mentioned that the owner is still living on the property in a trailer and attempts have been made to provide him assistance, but he has refused the assistance.

James Morgan felt that the Town should try to get Habitat for Humanity or some other organization to assist with helping him to remain on his property.

Mike Fowler agreed that we should attempt an outreach program.

Joe Toohey added that Pinkerton Academy builds a home every year and donates it to a worthy person; maybe they can build a home for him.

Ed Garone suggested that we also contact Easter Seals as they have a veterans program, as well.

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**7 Sheldon St** – Bob Wentworth has spoken with the owner who is in the process of subdividing the property. Owner has agreed to fence in the house until the property is sold.

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**19 Elm St** – Mike Fowler stated that the DPW is soliciting bids to demo the building. The building should be down by June 30<sup>th</sup>. Currently the Highway Division has been removing debris from the property. EPA will be coming in the 2<sup>nd</sup> week of May to remove the hazardous materials. There will be no cost incurred by the Town for the removal of the hazardous materials.

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**6-8 East Broadway** – (aka J.J. Pizza) **and 14 East Broadway** – Bob Wentworth took the owners attorney on a tour of the properties to make him aware of the concerns.

Bob Mackey stated that a sub shop will be going in 6 East Broadway. Code Enforcement can hold up the CO for this property until the façade concerns have been resolved.

- 8 East Broadway has some new paint.
- 14 East Broadway, a letter has been sent out to the owner regarding the concern. This property also may have a tenant moving in. Again, we can hold up a CO until the repairs are made.

Scott Jackson stated that the Fire Department also goes into these properties to perform inspections prior to the CO being issued.

George Sioras of the Planning Department explained the process that begins with the Change of Use form that is filed in his department for commercial properties.

Ernie St.Pierre asked what responsibility the Town has with regards to having the concern corrected.

Bob Wentworth explained that we notify the owner and provide a reasonable time to make a repair of 30 days. If no response, we send out another letter and provide less time to make the repair or contact the office with their process. If no response, it goes to the Town's Attorney.

Ed Garone understands the frustration that the Code Enforcement Office has to deal with. They have been working to resolve at some of these properties for years.

Scott Jackson added that the properties could be boarded up if they pose an imminent danger to the public. These are determined on a case by case basis.

James Morgan suggested that the Committee should have a Downtown Ordinance for highly populated areas to provide more leverage to keep the downtown area to code.

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**142 Chester Rd** – Serge Michaud stated that this property was sold at auction. Hopefully, the new owners will demo the building as it is uninhabitable as it stands.

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**49A Beaver Lake Rd** – The owner has come in to the office and spoke with Bob Mackey. The owner doesn't want to take the building down.

Bob Mackey stated that the owner doesn't want to remove the building because the lot is non-conforming and would need to apply for a building permit within 6 months to be grandfathered in. The Court has found him in default.

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**1 Karen Ave** – Serge Michaud stated that this property is under agreement. The tires and trash have been cleaned up. Hopefully the new owners will continue the process.

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**45-49 North High Street** – Scott Jackson mentioned that the Fire Department has been in the property for an inspection.

Mike Fowler stated that the Public Works Department has been out at this property to survey the ROW for the future Rail Trail. A letter has gone out to the owner notifying them of the improvements and requesting them to remove any items encroaching on the ROW.

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**343 Island Pond Rd** – The building has been taken down. Site has been cleaned up.

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**3 McKinley Ave** – Nothing new. An older woman owns the property and is only occasionally there. Code Enforcement will check with Human Services to see if they had any contact with owner.

Ed Garone stated that there was an incident at the home and March 7<sup>th</sup> is her arraignment regarding the animal incident.

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**92 Old Chester Rd** – Owner has 32 unregistered motor vehicles and debris on the property.

Dawn Enwright stated that this property is deed-able. We have asked her to provide proof of the contamination.

Bob Mackey stated that he is not aware of the contamination; however the additional debris that is located on the property is the issue. He is also running a scrap metal business from the property.

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**30 Hampshire Rd** – Unregistered vehicles on the property have been registered, however not inspected

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**141 By Pass 28** – Owner has a scrap yard on their property. Notice will be going out soon.

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**112 West Broadway** – This is the first building people see as they are driving into Derry from Route 93. We have contacted the owner and they are considering taking down the building.

James Morgan asked if the owner could contact the Demo Company that is taking down 19 Elm St and work a deal to take this one down at the same time, while they are in Town.

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## **NEW BUSINESS**

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Ed Garone questioned if there was anything that could be done to make this process move quicker.

Bob Mackey stated that there is a process that the Division uses.

James Morgan suggested that the committee come up with an Ordinance with daily fines for non-compliance.

Bob Mackey stated that the Town does ask the Court for fines and attorney's fees to be reimbursed in their judgement.

James Morgan felt that we need to get things done quicker. Fines may motivate the owners to maintain their property and meet Town Codes.

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Serge Michaud wanted to bring up the home on Collette's Grove Rd just after the bridge. It has debris and duck on the property.

Bob Mackey stated that a letter has gone out to notify the owner that he has to clean the property up.

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Joseph Toohey asked about graffiti and if the Town had a zero tolerance policy.

Mike Fowler stated that the Public Works Department takes a proactive approach and works with the Derry Rail Trail to keep on top of graffiti. We will be trying a new product that leaves a thin film on the stop signs that can easily be removed if they are painted on. We also paint the pavement with black paint. The Parks & Recreation Division also have locations that get tagged often. However, it is hard for us to address graffiti on private property.

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## **OTHER BUSINESS**

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Mike Fowler asked if the committee wanted to change to Bi-Monthly meetings as there is not always new information regarding the various properties.

Serge Michaud questioned how we measure the group's progress.

Mike Fowler stated that there was not a true measurement of progress.

Bob Mackey stated that the Code Enforcement Office will continue to move forward with getting the owners to comply with Town Code.

James Morgan asked if there were other things that the committee could be working on.

Ernie St. Pierre felt that legal guidelines dictate the process. We need to have something in place with some teeth to get owners to comply.

James Morgan felt the community should get involved. He also felt that the Economic Committee and the Building & Property Maintenance Committee should work together to keep things improving in the right direction.

Mike Fowler suggested that we hold alternate meetings, one month as a property update and the next month have a workshop.

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**James Morgan made a motion to adjourn at 10:55 am.  
Seconded by Serge Michaud**

Next meeting is 3<sup>rd</sup> Tuesday of Month – May 17, 2016 @ 9:00 am – Room 207

Respectfully,  
*Sharon Jensen, Recording Clerk*