

Building/Property Maintenance Committee

Minutes for April 8, 2015



COMMITTEE MEMBER	PRESENT	ABSENT
Robert Mackey, Code Enf Director	X	
Mike Fowler, DPW - Chairperson	X	
Ed Garone, Derry Police	X	
Mike Gagnon, Derry Fire Dept.	X	
Robert Wentworth, Building Insp	X	
Dawn Enwright, Tax Collector		X
Tom Cardon, Councilor Liaison	X	
Al Dimmock, Councilor Liaison	X	
George Sioras, Town Planner	X	
Serge Michaud – Vice Chairperson	X	
Janis DelPozzo	X	
James Morgan	X	

A monthly meeting of the Building & Property Maintenance Committee was held Tuesday, April 8, 2015 at the Derry Municipal Building Center. Meeting was called to order at 9:01 am.

Approval of Minutes

Al Dimmock made a motion to accept the March 10, 2015 as presented.

Seconded by George Sioras

Motion PASSED (8 – 0 – 3 abstained)

Denise Neale, Town Clerk swore in Janis DelPozzo and Jim Morgan to the Committee.

OLD BUSINESS

Election of Officers

George Sioras nominated Michael Fowler for Chairperson.

Seconded by Albert Dimmock.

Motion PASSED (11– 0)

George Sioras nominated Serge Michaud for Vice Chair.

Seconded by Albert Dimmock.

Motion PASSED (11– 0)

Committee overview

Bob Mackey explained the purpose and structure of the Building & Property Maintenance Committee for the newly appointed members. He explained that the Committee was an Advisory Board to the Town Council. He handed out copies of the International Property Maintenance Code and Chapter 30 – Building & Property Maintenance Code in the Town Code Book.

Policy & Procedures

Bob Mackey reviewed the proposed Policy & Procedures document and requested a few minor corrections.

George Sioras made a motion to approve the Policy & Procedures as amended.

Seconded by Bob Wentworth.

Motion PASSED (11 – 0)

NEW BUSINESS

Bob Mackey explained that the Town would be following State of NH RSA 155B - Hazardous & Dilapidated Building.

Bob Wentworth provided photos and a brief description/status of each property.

List if Properties currently on the Radar: (alphabetic order)

49 Beaver Lake Rd – Roof is collapsing and floor open to basement. This home was originally a summer camp on pillars.

71 Birch St – (Shute's Corner Store)

102 Chester Rd – Roof of the barn has many holes in it.

142 Chester Rd – This is an unsecure building – not livable – vacant for 2 years.

6 - 8 East Broadway – (JJ Pizza to Sabatino's) Owner doesn't want to put any money into the building. Apartments above the store fronts are vacant and he doesn't want to rent them out.

Janis stated that she knew people were looking at this property to open a New York Deli. They were willing to make the necessary repairs on the property as well, however the owner was asking too much for rent.

41 East Broadway – (Broadway Pets) - High Priority to get cleaned up. This property had a structure analysis done and is in need of major repairs and should be razed. The Town has contacted the owner and they are working to get prices to have it razed. Now that winter is over the Code Enforcement Office will follow up with the owner.

Janis stated that this building had been a bowling alley and a dance hall back in the day.

43 East Derry Rd – Unregistered motor vehicles. Town has notified them to remove.

19 Elm St – (Fisher Craft) Possibly Hazardous Waste site – High Liability for Town. This building has structural issues. It was also a shoe factory, back in the day.

Al Dimmock stated that the owner was trying to sell the property. If the Town takes over this property, we could lose money.

Ed Garone felt the Town would be the best person to correct these properties. There is a potential for residents to get hurt.

George Sioras stated that there was a developer who just developed the property next to this location and wanted purchase the property to put in elderly housing. The neighbors were all in favor of the project. However, at the last hour the property didn't go up for auction.

Serge Michaud asked if the Town could market it without incurring a large expense.

Tom Cardon asked about a vacant property around the corner at 16 Maple St that has also had contaminated soils. He was wondering if there were Grants to assist property owner in the cleanup.

Mike Fowler stated there are CBDG Grants available and in some cases if the project is rated high, they would pay 100% of the expense.

Tom Cardon asked what would happen if no action was taken by the Town.

Bob Mackey stated that the building would get worse.

Janis DelPozzo questioned if we could use the Environmental Engineer at the Town to obtain grant money or other solutions to the hazardous waste sites.

Mike Fowler stated that the Craig Durrett is the Environmental Engineer who works under the Public Works Department. We can go back to Craig to see if there are any grants or other options available to the Town to resolve these issues.

Albert Dimmock stated that the owner walked away from this property. He has no money to clean the property up.

Janis DelPozzo wondered why these people don't just sell the property.

58 English Range Rd – Unregistered motor vehicles. Town has notified them to remove.

46 Floyd Rd – Unregistered motor vehicles. Town has notified them to remove.

27 Franklin St – Properly boarded up property. Currently empty. Has been on the market, but didn't sell. There may be issues inside the home.

128 Goodhue Rd – Old Hotel was buried on this site. This property is an odd situation. State was involved and it is a potential hazardous waste site. 12 years of back taxes owed.

213 Island Pond Rd – Fire Damage – ongoing 15 years of back taxes. Town has re-contacted and met with the owner

357 Island Pond Rd – Fire Damage

35 Maple St – Fire Damage – This property is in the process of being sold and cleanup will follow.

7 Sheldon Rd – Owner is trying to subdivide and sell off lot. Currently no one could live in this building.

34 South Ave – (Brothers Convenient Store) There has been some talk about re-opening this location as a market.

Albert Dimmock stated that this property has been closed for more than a year. They would have to go before the Planning Board for approval to operate a market in that location.

112 West Broadway – This property is on the Londonderry Town line. Valentine Reality currently has it on the market.

George Sioras stated that the Planning Department has seen a conceptual plan for a Medical office, retail front and possibly a restaurant. They are also proposing to install a traffic light on Rt 102, as well. They are seeking approval from the State of NH.

Mike Fowler thanked Bob Wentworth for the property review and stated that the Code Enforcement Office would be providing on-going updates of the progress on the properties listed above.

Janis DelPozzo asked if this Committee could assist in the process.

Bob Mackey reviewed the procedure that is used in the Code Enforcement Office. Once they receive a complaint/concern they follow these steps:

- Verbal contact with Property Owner notifying them of the violation.
- Code Enforcement Office sends a letter with a number of days to comply.
- If no response, a second letter will go out listing the Action to be taken by Town, if they don't comply.
- If no response, a Final Compliance letter is sent on the Town's Attorney letterhead.
- If no response, a Court Order is issued. The Town can require owner to pay fine, legal fees in addition to expenses associated with resolving the violation.

Bob Mackey stated that the Council Liaisons on this Committee should be keeping the Town Council informed of the property status as well.

Ed Garone asked if this Committee had any funds for litigation.

Bob Mackey felt as the Building & Property Maintenance Committee, we could make a proposal to the Town Council for funds to offset the expense of cleaning up the various properties. Once the Town liens the property and becomes the owner, the Town could try to apply for Grants and recoup the cost of cleanup expense, outstanding property taxes and legal fees.

Mike Fowler agreed that the Town needs to be on a common front when it comes to cleaning up these properties.

Jim Morgan asked if the Town Council had a Plan to beautify the downtown.

Tom Cardon responded by saying that Town Council was looking to beautify the downtown area and established this Committee to begin looking at properties in disrepair.

OTHER BUSINESS

Mike Fowler has asked everyone to go around and introduce themselves.

Albert Dimmock made a motion to adjourn at 11:30 am.
Seconded by Janis DelPozzo

Next Meeting is Wednesday – May 13, 2015 @ 10:00 am – Room 207

Respectfully,
Sharon Jensen, Recording Clerk