

Smyk Property Study Committee
Meeting Minutes
February 8, 2018
6:00 PM

Members in attendance

Dan Crow
Colin Lavery
Paul Deschaine
David Canada
Bruno Federico
Jennifer Hubbell
April Mason
Roger Thompson
Dick Swett
Seth Hickey
Pamela Hollasch

Selectmen Bruno Federico started the meeting at approximately 6:10 PM. Mr. Federico began explaining the charge from the Board of Selectmen and thanked everyone for volunteering their time to assist the Board of Selectmen in making a decision to accept or reject the bequest of the Walter and Mary Smyk property.

Town Administrator, Paul Deschaine began reviewing the agenda for the study committee. For reference this agenda has been included with these meeting minutes (Attachment A). Mr. Deschaine briefly reviewed the right-to-know law as well as what does and does not constitute a meeting, where formal meeting minutes should be taken. Mr. Deschaine did caution the committee from “replying to all” in email format, as this may constitute a meeting that needs to be documented and made available to the public.

Mr. Deschaine continued to review the agenda where he reviewed the Smyk properties tax map and assessing card. Mr. Deschaine provided a summary of the terms and restrictions of the property bequest. This summary can be found in Attachment A.

Several questions and discussion points were raised during Mr. Deschaine’s summary of terms. Colin Lavery had a question regarding section L of the terms which states “Any changes or additional structures need unanimous approval of the Trustees of the Trust Funds and a majority of the Selectmen.” Mr. Lavery asked “Is it typical for The Trustees of the Trust funds to manage and make decisions on Town owned property.” Mr. Deschaine stated that “typically this was not common practice, The Board of Selectmen manages and makes decisions regarding Town owned property.”

David Canada felt that the property could be used as Airbnb, where the Town could hire a company to manage and maintain the property which would save the Town potential property

maintenance costs. April Mason asked “if the Town pursued something such as an Airbnb, how would that proposal fall under the restriction F that states “Uses are limited to recreational and cultural purposes for the residents of Stratham.”

Various members raised concerns that if the property is assumed by the Town, this will remove significant funds from the tax revenues. David Canada asked, “Do we know what happens if the Town does not accept the bequest? Are there heirs to the estate? Will the University of New Hampshire get the property? If so, the tax revenue will be removed from the tax rolls anyway. We should find this out before making a decision.”

Pamela Hollasch stated that “Maybe the property could be used for weddings or other events or could be leased.” Roger Thompson questioned how that could be limited to restriction F, “Uses are limited to recreational and cultural purposes for the residents of Stratham.”

Colin Lavery asked the committee and Parks and Recreation Director Seth Hickey, “Is there a current need for an area for more recreational space that the other Town owned parks don’t provide. Maybe it will best to define a need so that the committee can tailor questions to the Attorney General’s office to clarify for specific recreational need.” Seth Hickey stated that “at this current time I don’t see a specific need from the Recreation Department.”

The Committee nominated and elected Dan Crow as Chairman of the committee and Colin Lavery as Secretary.

Paul Deschaine asked the committee when they would like to meet again. The committee elected to have a meeting on Thursday, February 15, 2018 at 6:00 PM. Paul Deschaine stated that he would try to have someone from the Attorney General’s Office present to answer questions asked by the committee regarding the restrictions of the bequest.

A site visit of the property will be held on Saturday February 10, 2018 at 10:00 AM. Dan Crow stated that he would not be there due to a conflict but will plan to visit the property the following week once he coordinates with the trust attorney and the property care taker. Members from the committee suggested it may be helpful for Mr. Crow to include structural engineer, Fred Emmanuel as part of his site visit should there be any questions regarding the house structure.

The meeting adjourned at 7:18 PM.