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Planning Board Meeting
December 14, 1978 7:30 PM.

The following members present:
Thomas, Goodwin, Edwards, Tenny, Soane and Merrifield

— The Public Hearing on Birchwood Properties Inc. is opened with some preliminary remarks by Mr. Jacob H. Koson the agent.

— Mr. Olsen asks if any buildings are built within 25 ft. of his property is he going to be stopped from doing what he is doing with his land? (It should be noted, he presently grazes animals in the area in question.)
Would he be forced to change his use by anyone now or in the future? He expresses his opinions as an abutting property owner.

— Mr. Koson responds to a question concerning the road. Mr. Koson states he is willing to furnish a Bond to cover the cost of road construction. He further states he will solicit bids to fix road and that the figure of \$3500⁰⁰ is a good and fair figure to base the cost on. (Note \$3500⁰⁰ is an estimate by Mr. Merle Aborn Sr. Road Agent)

— Mr. Ruoff comments on swamp and possible run off that goes into Brook.

— Mr. Olsen states he has a spring on his property that feeds the brook.

— There is a discussion concerning lots 546 and the relationship of culverts for the Swamp. The question of dredge and fill

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arises relative to the swamp and/or culverts.

Mr. Dewey Elliot expresses his opinion that he is very much against this proposal and against the whole sub-division.

Mr. Godwin questions location of water courses relative to the installation to septic systems in as much as there are specific regulations concerning them.

Mr. Koson responds that he feels the engineers for the Water Supply & Pollution Control are very competent.

Miss Perry questions wetlands and swamp relative to location of culverts. She does not think it appropriate to fill in land without providing culverts.

Mr. Ruoff questions as to who maintains private culverts?

Mr. Olsen Tell about all the surface water on his land, even this past summer during prolonged dry spell. He feels that this water is drawing down on the North side of Birchwood Properties Inc.

Mr. Koson mentions that he would install a culvert on lot 4 if it were necessary.

Mr. Ruoff feels all lots would need culverts.

Mr. Koson feels that culverts should be put in where necessary and not at town expense.

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- Mr. Olsen states that culverts should be placed in drainage ditches and then further in on the property. Since this would require two sets of culverts who determines size and who inspects them?
- Mr. Elliot comments on culverts and expresses his opinion that lots #1 and #2 come out on Turner Hill Rd on an upgrade rather abruptly.
- Mr. Ruoff asks how long a stretch of road will need repair and upgrading. He states that section in question is about 500 ft off of Elm Ave. (That is it starts at the pond).
- Thomas asks Miss Perry how the Conservation Commission feels about this road. (She is not exactly sure)
- Mr. Ruoff states that this is a Scenic Road and also a Class 5 road. It therefore should be graveled.
- Godwin states that a coating of some sort should be added, to hold any gravel in place.
- Mr. Ruoff questions as to who picks up the cost of maintaining the road under these circumstances.
- Miss Perry states upper road oiled so should the lower end.

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- Mr. Richard White wishes to be on records as to being in favor of this sub-division on behalf of his mother.
- Mr. Howard (Mr. Koson's Attorney) wishes to be notified if we have any further board meetings relative to his client.
- Note: We are retaining 3 copies and a mylar belonging to Mr. Koson. 2/8/A Birchwood Properties Inc.
- Hearing concluded at 8:25 PM.
- Mr. Sylvia attorney representing Mr. Norman Cole appears concerning what is hoped to be the final plat of Mr. Cole's. After discussion it is decided that Parcel C may not be deeded to anyone unless the buyer has approved road frontage.
- Mr. Jay Murry of 75 Trout St. Brattleboro Vt. appears concerning a piece of land he is buying from Fally Lead Dow on Lower Mills Road. This tract is split in 3 parcels and Mr. Murry is purchasing Tract #1.
- On motion by Thomas - 2nd by Soane it is voted to accept this sub-division.
- Attorney Henderson briefs us as to the legal aspects of the Honing (Meeting House Hill) case. He expresses to all board members ^{they} will be served with a Superior Court citation.
- Mr. Tenney suggest and it is agreed that the Planning Board and Board of Selectmen

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should hold a joint meeting to determine road policy, such as has been seen in the Meeting House Hill and Turner Hill Roads.

Dec. 28 - 7:30 PM is agreed upon for such a meeting.

- It is discussed by the Chairman with Mr. Henderson, that the Selectmen issue us an extension in the case of Berchwood Properties Inc., Jacob Koson agent, pursuant to Chapter 36:23 R.S.A. This is conveyed to them by letter dated Dec. 16, 1978. Our attorney suggested a copy of this letter and another letter concerning some of the questions we have to be sent to Mr. Koson.

- The question relative to Berchwood Properties Inc.

① Location of such water courses as mentioned at hearing

② Location, size design of culverts systems so we can see how each lot is to be serviced.

③ Statement whether he needs a bridge & fill permit.

④ Statement on road work (ie ^{bid} specification and finalized bids for board scrutiny.

Motion to adjourn at 10:35 by Thomas Madley
Joane, Carnes.

Respectfully submitted
Peter S. Merrifield