

From: frank_benesh@roadrunner.com

Subject: Re: Switchback Way ZBA App Incomplete

Date: November 18, 2013 at 5:05 PM

To: Helene Matesky hmatesky@hotmail.com, Dave Matesky damatesky@hotmail.com, Lisa M. Macallister lisamacallister@gmail.com, Joan Aubrey jraubrey@yahoo.com, Burr Phillips burr@c-solutions-llc.com, Info info@ammonoosucsurvey.com, Andy Chalmers andy@chalmersbuildingservices.com, Richard Sager rick@sagerhaskell.com

Cc: Dave H Mason dmason@mmins.com, jerrydougherty3@hotmail.com, Brian Walker bwalker651976@gmail.com, Martha Benesh marthabenesh@gmail.com, Gino & Beth Funicella bfunicella@mac.com



Helene, I have already accepted the application as complete and scheduled the hearing for this Wednesday. Of course the full board is free to determine otherwise.

Our application requests copies of correspondence, but I have interpreted that request as relevant to the issue at hand. Our bylaws do not specifically mention this subject.

In any event I did review the property file and found nothing that seemed relevant to the questions surrounding the appeal.

There was of course the building inspection and May 2013 notice to the prior owners citing the unsafe conditions; I note that the appeal would seem to concede the system is in failure. The only other information was a letter relating to a 1991 fire code inspection and a 1990 abatement request (in addition to the normal deeds).

Nevertheless I will post the above documents on line later this evening.

I also expect to receive written statements prior to the meeting in lieu of oral testimony from one or more of the abutters. Finally there is a brief email from the State that Burr has forwarded today and I will post (in addition to this letter).

cc: full ZBA membership, Burr Philips, Ammonoosuc Survey, Andy Chalmers, and Richard Sager.

On Nov 16, 2013, at 11:04 AM, Helene Matesky <hmatesky@hotmail.com> wrote:

Thanks.

Subject: Re: Switchback Way ZBA App Incomplete

From: frank_benesh@roadrunner.com

Date: Sat, 16 Nov 2013 10:42:50 -0500

CC: frank_benesh@alum.mit.edu; damatesky@hotmail.com; lisamacallister@gmail.com; jraubrey@yahoo.com; csolutions@roadrunner.com; info@ammonoosucsurvey.com

To: hmatesky@hotmail.com

just returned to town and seeing email. Will see what is in property file on Monday and what may be relevant to the appeal.

On Nov 15, 2013, at 2:47 PM, Helene Matesky <hmatesky@hotmail.com> wrote:

Frank,

As you know David and I are abutters to the property that will be discussed next Wed.

I went online to print out the application but believe some parts of the application are missing.

I believe the ZBA application process requires that copies of all correspondence with town and state officials relating to a property be provided.

The BOS June 16, 2013 minutes state:

Inspector Chalmers sent a note to the Selection about this property; he was on the property as part of Real Estate inspection: there are some hazard issues; water is being pumped out of the basement; there's a cesspool that ground water is running through which is also discharging etc.

Can you obtain a copy of the full report by Inspector Chalmers and all emails, memos or letters from him and from the BOS on this property and provide it to the abutters?

The same minutes go on to say - The Selectman are to draft a letter; most people look at the town files before buying a property. This is a hazardous building. There is then a motion;

Selectman Thompson, seconded by Selectman Lockard, made a motion to notice the owners of Map V 2, Lot 53, 41 Switchback Way about a potential health and safety issue.

Can you research this issue further and also provide a copy of any of the Board of Selectmen letters discussing these issues or this property.

In addition, I noticed that there were discussions and perhaps correspondance from town officials as well as the applicant with NHDES that would also make up part of the official public files on this property.

Those of course, would also be essential to abutters as part of the hearing process next week.

If you can obtain copies of this information and post it online prior to the meeting that would be very helpful and perhaps easier than trying to provide paper copies.

Thanks for your assistance,

Helene Matesky

