

Board members present: Chairman John R. LaCourse, Selectman W. James Griswold and Selectman Frank J. DeRocchi.

Others present: Dwight Barney, Bill Humm, Catherine Fisher, Phil Sanborn, Lou Ann Griswold, Allan Dennis, Anne Tappan, Laurel Cox, Bob Smith, Erick Sawtelle, and Town Administrator Diane Guimond.

1. Chairman LaCourse called the meeting to Order at 7:02 pm.
2. Chairman LaCourse states the Town's interest in the purchase of 5 Mast Rd. and the process of petitioning the court for a special town meeting (noting, we are now an SB2 town). Chairman LaCourse requests public input on a priority list for use of the property.
3. Selectman Griswold requests Allan Dennis speak to the dimensions of the lot and any issues that may need to be considered. Mr. Dennis states the lot is 1.46 acres and what was thought to be a 20 ft easement running along the side of the Town Hall and behind the Hobo Shed is actually owned by the town as deeded in 1948. Mr. Dennis describes how far in the state right of way comes: the flag pole, up to the front steps of the Town Hall, the parking in front of the Annex building, and the 'island' in front of the store at 5 Mast Rd that formerly held the gas pumps, are all in the state right of way. Mr. Dennis approximates 17,500 sq feet of upland, the remainder of the 1.46 acres is in the bog.

Mr. Dennis states the road frontage is 150 ft and the edge of the building is the property line on the side of Bonnie Whittemore's property (3 Mast Rd.), with the back side being 175 ft wide. Further, Mr. Dennis states the deed for 5 Mast Rd. accepts and describes the rectangular section of land 20 ft wide which was conveyed to the Town of Lee August 26, 1948.

Selectman Griswold explains the order of upcoming events: Petition the Superior Court to hold a special Town Meeting (the court has to determine that it is an emergency, as defined by statute), if the court denies the request – mostly likely the deal will be off, as Mr. Bannister does not want to wait. Should the court grant the request, the issue is up to the voters to make the purchase, spend the money and decide what to do with it. Selectman Griswold requests ideas for the property.

Dwight Barney states the Town Hall has basically no septic system and to expand it would be costly. He recommends the purchase for: expansion of Town Hall septic, parking, future flexibility for expansion of Town Hall building, temporary use of a park with the understanding that it may be needed for other uses.

Bob Smith is concerned about expanding the septic system onto the land, as it is affecting the bog. Selectman Griswold states that if a state-of-the-art septic system were to be put in, it would be improving the system. Mr. Smith states, any system should be further away from the bog.

Erick Sawtelle agrees with Mr. Barney and Mr. Smith, but suggests making parking on the 'Bannister' side and a park where the parking is now.

Dwight Barney requests the Board put together a list of possible uses for next five, ten, twenty years, to be presented to the voters.

Phil Sanborn asks if the price agreed on is secured. Further, stating this is a very small piece of property for a large amount of money.

Allan Dennis notes there is a piece of land on the left side (where the 20 ft strip stops at the back of the Hobo Shed) 3,750 sq ft that is claimed by the town, but is owned by the Church (it goes all the way back to the bog and jets out into the 5 Mast Rd property). This impacts both properties, as the Town does not have clear title to it, but it should be cleared up.

Selectman DeRocchi notes if you use the 'Bannister' property to get directly to the trails, the town would want to own that piece.

Bill Humm states it would be a lost opportunity if the 'Bannister' property became something other than an open green space. Further, it would be an eye-sore to only have parking over there rather than a scenic vista.

Selectman DeRocchi would like to see a park type environment with an informational booth and a picnic table, open space.

Chairman LaCourse sees it as a small green space with a small gazebo with low impact on the environment. Further, he was not thinking of an extension to town buildings, at this time.

Selectman Griswold states on one hand he has supported development in town to ease the tax rate, regarding this property he would support green space. Further, he is convinced, with a quality system for septic (and other creative ideas from UNH) it would not impact the bog. He hopes that it will be purchased by the town.

Bob Smith states if we are going to ask the voters to spend money, it would be easier if plans were presented.

Bill Humm notes, the Conservation Commission sees some uses for the property that would make it viable for the commission to recommend X% of the purchase price come out of one of the Land Acquisition Trust Funds. This would then ask the voters to only raise two thirds or half of the total price. The Conservation Commission will need to vote on this matter in a couple of weeks. Further, Mr. Humm states that his motivation to having a meeting like this is to have a conceptual plan to put forth to voters for uses that are conservation related.

Dwight Barney is concerned that there would be long term strings attached, restricting the property.

Laurel Cox, Community Planning Coordinator states she likes the idea of a 50/50 split with the Land Use Change Tax Funds, as it feels like an appropriate use of the money.

Selectman Griswold states it will be important for the citizens of Lee to know they can use the property.

Phil Sanborn notes if it is presented that the town would only be responsible for 50% of the price and that the land would be part of the Town Center that would carry a lot further with the voters.

Town Administrator Diane Guimond states on July 11th, Attorney Tanguay will be before the Superior Court with the request for an emergency meeting. Selectman Griswold recommends the Board vote and have the Conservation Commission vote on the land acquisition funds before the court date, so that Attorney Tanguay can have that information for the court.

Allan Dennis states although the gas tanks have been taken off of the property, there was a vehicle working pit and a garage there. He does not know if there is any environmental concern there.

Town Administrator Diane Guimond reads from a memo from Exeter Environmental: "the three tanks were observed to be intact upon removal on February 1, 1990 and that no indication of contaminant was evident".

Selectman Griswold states the warrant is written in such a way to protect the town regarding the environmental concerns. Town Administrator Diane Guimond reads the warrant article aloud. Ms. Guimond states (if the court approves the request) the deliberative session will be the first week of August and voting would be September 6, 2011.

Selectman Griswold states the consensus is that if the property were purchased: it would be used for some type of green space without strings attached that would prevent other things from happening in the future, with the idea that this would be an adjunct to the existing town lands, is an opportunity we don't have very often, and it would allow us to have some flexibility.

Mr. Dennis states the 1.46 acres is only from our assessing files, the land has not been surveyed.

Selectman Griswold states he will inform Attorney Tanguay and half of the funds for the purchase will come from the Land Use Change Tax Fund and half will come from the monies that have been deposited in the general fund.

Catherine Fisher recommends a double sided kiosk with one side facing the Town Hall for town information and the other side with the history of the bog and trail maps.

4. Town Administrator Diane Guimond presents Petition for Special Meeting for the Board's signature.
5. Town Administrator Diane Guimond presents letter from the Joint Loss Management Committee, regarding a recent follow up inspection from the Department of Labor. To avoid a fine, the Annex door needs to be repaired and the housekeeping matter at the Transfer Station must be resolved, within thirty days.
6. Town Administrator Diane Guimond requests the Board's signature for cell phone reimbursement for employee Bill Stevens (not present). Mr Stevens has returned his town owned phone to the IT Director.
7. Town Administrator Diane Guimond submits (for Randy Stevens, not present) a Shoreline Impact Permit regarding the replacement of the High Rd. Bridge.
8. Town Administrator Diane Guimond requests the Board's signature on employee letters stating a 1.5% increase beginning July 1, 2011.
9. Town Administrator Diane Guimond requests the Board's signature on the supplemental assessing contract.

There being no further business, meeting was adjourned at 8:50 p.m.

Minutes transcribed by:

Dawn Hayes, Town Secretary

Minutes accepted by:

Chairman, John R. LaCourse

W. James Griswold

Frank DeRocchi
Lee Board of Selectmen