

LYNDEBOROUGH BOARD OF SELECTMEN
MEETING MINUTES
April 27, 2016
Final

Members Present: Chairman Lee Mayhew, Selectman Fred Douglas, and Selectman Mark Schultz

Staff Present: Cindi Hasty and Road Agent Kent Perry

Public Present: Assessor Todd Haywood

Media Present: Jessie Salisbury

Recorder: Kathleen Humphreys

Chairman Mayhew called the meeting to order at 6:00pm.

Consent Agenda:

Review and signing of consent agenda items

- a. AP Warrant 4/28/2016
- b. Payroll 4/28/16
- c. Purchase Order 484-J&D Auto-Highway
- d. Intent to Cut 238-016-000
- e. Intent to Excavate 212-001-000
- f. Intent to Excavate 238-022-000
- g. Intent to Excavate 245-001-000
- h. Exemption NE Forestry Foundation Denial
- i. Veteran's Exemption Napolitano Approval
- j. Farm Structure Special Assessment Approval 249-019-000
- k. Farm Structure Special Assessment Approval 235-003 & 235-004-000
- l. Meeting Minutes 4/20/2016
- m. Elderly/Disabled Tax Deferral 227-022-000
- n. Oaths of Office Planning Board: Thomas Chrisenton and Larry Larouche
- o. Oath of Office Historic District: Stephanie Roper
- p. Oaths of Office Heritage Commission: Bob Rogers, Walter Holt and Jessie Salisbury
- q. Oaths of Office Conservation Commission: Theresa Berna and Kurt Berna

VOTE: Selectman Douglas made a motion, Chairman Mayhew seconded, to accept the consent agenda items. Motion passed 3-0-0.

Appointments:

6:05pm: Todd Hayward re: Abatement Information

Mr. Haywood was in to discuss a pending Board of Land & Tax Appeal case for Andrew and Jackie Chawla of 110 Crooked S Road for their abatement. There is a settlement offer and Mr. Haywood felt it was fair.

Mr. Haywood did not go into the house for an inspection. His assistant Cheryl Akstin did go inside and reported it was not the open concept that many homebuyers prefer. The Board was informed this property was one of the homes used as a benchmark in the town by the assessor's office. The large home is well-built and has a high-standard curb appeal. The former

owners kept the grounds well-manicured with pristine gardens. Mr. Haywood commented it was one of his favorite homes in town from the road.

Selectman Douglas expressed concerns about Mr. Chawla statements the property has thin soil, ledge, slope and wetland and his woods are unhealthy. He commented after the logging operation there are still 30 foot trees. He also referenced Planning Board minutes where the Board commented Mr. Chawla's soils were very good for Lyndeborough's typical standards. He felt Mr. Chawla's statement the woods are unhealthy woods was self-created after the logging operation.

A lot-line adjustment was approved in Jan. 2016 and at that time the certified map they presented had a soil legend with the following information: 143C-Monadnock Stoney Fine Sandy Loam; 8-15% slopes, well drained; and 197 Borhemists ponded, very poorly drained.

Mr. Haywood felt that trees do not drive the market and does not give much weight to the soils.

The assessed value of \$367,000 was at 97% assessment level in 2015. The home was purchased at \$375,000. Mr. Haywood added the property was assessed at \$460,000 and he paid \$90,000 less. His property was assessment at \$406,000 which brought it down to \$400,000. Mr. Chawla appealed to BLTA and proposed a settlement and Mr. Haywood commented he couldn't get him down anymore because he would not budge on the trees and wanted to be reduced for the trees. Mr. Haywood felt this was a compromise.

There was a question also if Mr. Chawla appealed his second abatement request. That is unknown at this time.

VOTE: Chairman Mayhew made a motion, Selectman Mayhew seconded to go with Assessor Haywood's recommendation. Motion passed 2-0-1. Selectman Douglas abstained because he is an abutter.

Community Forum:

Jessie Salisbury questioned the two farm structure assessments listed on tonight's Consent Agenda and asked if they were part of the state's barn preservation program. Cindi Hasty informed her they were for Tim Welch and David Milton and it is a tax incentive for farmers which has to do with land taken out of current use under their farm structures.

Old Business:

Driveway Applications

Kent Perry was before the Board.

The permanent and temporary driveway permit applications were revised.

Selectman Douglas informed the Board he is mentoring Kent Perry on the driveway permit process and will step aside eventually. They talked about sight alignment, average speed of vehicles, and other factors that come into play when reviewing a driveway application and location. Road Agent Perry has a check list of items to look for. Mr. Perry likes the addition of placing stakes at the proposed driveway site and taking photographs before and after the approval process which were added to the permit process.

It was discussed that sight distance is 10x/feet times the rate of speed at 3 feet 9 inches of height.

The validity of driveways being 90 degrees to the road is under discussion and on many of the lots in town it's physically impossible therefore clarifying and putting that into writing is a goal.

Chairman Mayhew will interact with Planning Board members Bob Rogers and Tom Chrisenton with the revised driveway permits.

Whether or not temporary driveways are allowed was researched and according to the Zoning Manual they are allowed.

ADA parking lot requirements:

For the number of vehicles the handicap parking area is being designed to accommodate at Citizens' Hall it was proposed the area should be 30 feet wide and have an isle on the north side for safety. The south side would be better situated for a wheelchair accessible van.

Selectman Schultz asked where the money is coming from for the handicap parking area, is there money specified for this project and the cost. He was informed from the town's operating budget and there is not money specific for this project and its estimates the project could cost \$8,000 for asphalt, retaining wall blocks, signage and the highway department's time.

The road agent was reminded to pitch the water away from the building and foundation when doing the grading work. The embankment should be seeded when the work is finalized.

Chairman Mayhew will ask the town office to verify how much of the land belongs to the town and where Burton Reynolds' lot line is.

VOTE: Selectman Douglas voted to allow Road Agent Kent to proceed with the removal of substandard material and add standards fill and compact it for the proposed handicap parking area at Citizens' Hall. Selectman Schultz seconded. Motion passed 3-0-0.

The two new highway trucks have been ordered in the color white with back-up alarms. The town seal will be on the trucks.

Wilton-Lyndeborough Joint Meeting Agenda Items

There has been email communication with Wilton Selectman Kermit Williams requesting a joint meeting. Topics the Lyndeborough Selectmen would like to discuss include: Goss Park, ambulance and Recycling Center including budget plans if they lose members. The Board would like to discuss past problems with the school board incorrectly setting the town's portion of the budget. This has occurred again and the Board would like to know if the Wilton Selectmen have seen the error come through and why.

The Selectmen would like the School Board to address their budget, adjust for the error and submit a letter or have an article in the paper. They do not want the town to borrow money to fix the school's problem. They also want it clear that any tax increase would be due to the school budget error and not the Mountain Road Project and want to voters to know this information.

Burton Reynolds is reviewing of the school's request for funding.

Mountain Road Meeting on May 3 am/pm

On May 3, 2016 at 8:30am there will be a meeting regarding the Mountain Road Reconstruction Project then at 7:00 p.m. a meeting for abutter, contractors and engineers. The police and fire will be asked to attend. The meeting will discuss the plans and traffic management.

Planning Board Meeting Review:

Selectman Mayhew reviewed the minutes of the April 21, 2016 Planning Board meeting and regarding Feel Good Farm asked questions to clarify issues such as the toilets on the property and parking. It was discussed the site plan should spell out the rules and he should mark his borders.

Jessie Salisbury was an observer when the plan was approved and stated there was a list of items and at that time he said he would not mark his borders and he was denied a few items.

The Selectmen would like the list and amendments. Previous DES violations were discussed.

Cressy Hill Road is in Frankestown off Warner Road. It's a Class VI Road for the first 700 feet then turns into a Class A trail then meets Warner Road. Last winter there was an intent to cut but the wood was hauled out from the Lyndeborough side. At the time, the road agent felt the road was not stable enough and the operation was stopped. The road agent should start this dialogue up again.

According to the April 21, 2016 Planning Board meeting minutes, member Mike Decubellis explained on a Class A Trail the landowners can use vehicles to get to their house but not on Class B Trail.

New Business:

Town Administrator's Report

-The Liability Release document has been sent to Attorney Christopher Drescher for review. Mr. Dishong asked if the soil scrapings that will be generated from Mountain Road Reconstruction Project be dumped on his property.

-Letters to Mountain Road area residents went out this week informing them of the May 3, 2016 Traffic Plan meeting.

-Road Agent Perry currently has two pending driveway permits: Crooked S Road and Curtis Brook. He was instructed to follow the guidelines they went over: Fill out the permit, go back to scene, go over what was discuss, email what the conversations and requirements are, send the Board a copy, keep a copy, do a final review and take photographs before and after.

-The Road Agent has not gone over a pending driveway permit for Andrew Chawla at 110 Crooked S Road. This property currently has three driveways. Mr. Chawla asked for an extension to close in the stone wall from the temporary driveway used during the logging operation in July 2015.

Jessie Salisbury provided Joel Salisbury's contact information. He agrees to a parking easement on his Purgatory Falls property and needs to be sent the appropriate paperwork such as the tax map and approximate dimensions of the parking area. He expects a payment of a

can of Mountain Dew. Mrs. Salisbury reported there is a break in the stone wall to an area that can be accessed by vehicles.

-The Purchase Order was sent to Dodge for 5500 truck. There is a Purchase Order for Freightliner truck. The old Ford F-550 will be signed over to the company as soon as possible.

-The Town Administrator's computer will be change tomorrow. The old unit will eventually go to the Highway Department.

-Burton Reynolds requested additional information from the School Board and is reviewing the figures.

Action item: Cindi Hasty will ask Planning Board member Tom Chrisenton to identify the zoning section that permit the number of driveways allowed. Attorney Drescher will be consulted if the Planning Board documents were accepted at Town Meeting or can the Selectmen administratively change the driveway permit. Town Clerk Trish Schultz will be asked to look up what was sent to Town Meeting to see the language of the driveways.

VOTE: Selectman Schultz made a motion, Selectman Douglas seconded to adjourn at 7:39pm.

Adjournment:

All scheduled items having been addressed, the public meeting was adjourned at 7:39pm.

Date:

Kathleen Humphreys, Transcriber

Chairman Lee Mayhew

Selectman Fred Douglas

Selectman Mark Schultz

Approved by the Board of Selectmen on May 11, 2016