

**Washington Planning Board and Conservation Commission  
Working Session  
Town-owned Lots (TOLs) in LAE  
Minutes – August 4, 2011**

**Assembly time: 7:00 PM.**

**Present:**

**Conservation Commission:** Jed Schwartz (Chair), Arin Mills, Sandy Robinson, Nan Schwartz (also, Planning Board member), Carol Andrews and Tom Taylor;

**Planning Board:** Lynn Cook (Chair, and also, Assessor), Jim Crandall and Tom Marshall (Selectmen's representative on the Board);

**Attendees from LAE:** Donald Damm and Carolyn Russell.

**1.0 Purpose of meeting.** Jed Schwartz stated that the purpose of the meeting was to review the data available and the notes from the field visits for each of the TOLs in LAE and to come to a consensus recommendation for the Selectmen regarding how the Selectmen might best proceed in the disposition of the lots by the town.

**2.0 Comments.** Jed Schwartz asked for brief comments from Carolyn Russell and Donald Damm. Donald Damm asked that a copy of a handout he prepared be given to each of the attendees.

**3.0 Review of lots.** The process was as follows. For each lot, Nan Schwartz reviewed the data and read the summary notes of the field observations. (The data and summary notes are available for review in the notebook). Lynn Cook provided her perspective on the lots including the condition factor used to indicate suitability for building and relative cost to develop on the site. Pictures taken on the site visits were available and reviewed by the committee members. Others asked questions and offered comments. Jed asked for the consensus recommendation for each lot.

**Lots by number:**

#### **10-6 Ashuelot Drive, near Old Marlow Road**

Nan Schwartz described the site and site visit. Lynn Cook concurred and said that it was one of the worst lots for building she had seen due to topography and ledge, giving it a 35-condition factor (a 70 condition factor is the baseline for a fully suitable building site.)

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

#### **14-12 Harrison Road, riverfront lot**

Nan Schwartz described the site and site visit. DES had deemed the site unbuildable in 1988. She also pointed out that the property with frontage on the river and was of higher conservation value than most. Lynn Cook concurred and said that it may not be buildable due to wet areas, giving it a 25-condition factor. Tom Taylor added that this lot was a moose run and wildlife corridor.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

#### **14-57 Taylor Circle**

Following Nan Schwartz's description of the site and site visit, Lynn Cook concurred and said that the cost to develop this lot would be high due to wet areas and ledge, giving it a 35-condition factor. Carolyn Russell said that an abutter was interested in the lot.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

#### **14-65 Grant Road, at fork of Stowell Road**

Following Nan Schwartz's description of the site, Lynn Cook concurred and said that while the site was buildable, giving it a 50-condition factor, there were wetland issues that would need to be addressed.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

#### **14-87 Backland off Jefferson Drive**

Nan Schwartz described of the site, which included the fact that it was a back land lot with no access and was not buildable. Lynn Cook concurred that it was back land with no frontage and therefore could not be considered as a buildable lot. There was no site visit to this lot.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

#### **14-236 Ashuelot Drive**

Nan Schwartz described the site and site visit, Lynn Cook concurred with Nan's description, adding that it was a rocky site, 50-condition factor. Bear had damaged a bird feeder. Donald Damm said that an abutter was interested in the lot.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

#### **14-298 Jackson Drive**

Nan Schwartz described the site and site visit, Lynn Cook concurred with Nan's description, adding that it was 50-condition factor, not as bad as some but that there were building issues due to wet areas.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

#### **14-300 Jackson Drive**

Nan Schwartz described the site and site visit, Lynn Cook concurred with Nan's description, adding that it was 70-condition factor and a buildable lot. Arin Mills said that there were serious runoff and drainage issues in the area and that the road was not ditched and graded appropriately.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction or sell on open market.

#### **14-331 Presidential Drive**

Nan Schwartz described the site and site visit, Lynn Cook concurred

with Nan's description. It was agreed that this lot was buildable with a 50-condition factor and that it would be improved by merging it with the abutting property 15-125 to create a larger buildable lot.

*Consensus recommendation:* Upon merging with 15-125, offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction or sell on open market.

### **15-125 Presidential Drive**

Nan Schwartz described the site and site visit, Lynn Cook concurred with Nan's description. And said that the cost to develop due to wet areas would be a major factor in building.

*Consensus recommendation:* Upon merging with 14-331, offer to abutter(s) with merging of lots as a Condition of Sale or as a Deed Restriction or sell on open market.

### **14-343 170 Coolidge Drive**

Nan Schwartz described the site and site visit. The house and lot(s) are highly problematic and potentially a serious public health hazard. The house is in poor condition and has no well or septic. Barrels, shed, equipment and junk on the property need to be assessed for hazardous materials and other risks. The property consists of two lots though no record of the merger was found.

*Consensus recommendation:* Arrange for a hazard assessment as soon as possible.

### **14-368 Stowell Road**

Nan Schwartz described the site and site visit and said that no deed was found; Lynn Cook concurred with Nan's description and said that the building condition factor was 50.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

### **14-378 Coolidge Drive, corner of Buchanan Drive**

Nan Schwartz described the site and site visit and said that an engineer

had declared the site unbuildable in '84. Lynn Cook said that it had a 50-condition factor due to topography and ledge. There is a snowmobile trail on the property.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

### **15-127 Adam Drive, corner of Presidential Drive**

Nan Schwartz described the site and site visit, It was agreed that this site which is in a Conservation Priority Area (CPA), and has the highest ranking in the NH Wildlife Plan was a high value site from a conservation perspective. The brook is the outflow water from Millen Pond and is in a flood prone area; Lynn Cook said the lot had a building condition factor of 50.

*Consensus recommendation:* Offer to abutter(s) with merging lots as a Condition of Sale or as a Deed Restriction.

It was noted that the stream that crosses the rear of lot 15-127 has a bad problem of siltation due to the lack of a headwall on the culvert where it crosses under Presidential Drive. This appeared to be an ongoing problem that needs to be fixed to protect the water quality in the brook.

Carol Andrews pointed out that the town does not have to accept lots for back taxes. It was agreed that this is fact and the implications of not taking lots for taxes should be considered in the future.

An important part of the process of offering lots to abutters is transparency. Letters offering lots to an abutter should state that merging the lot with their existing lot(s) would be a Condition of Sale or Deed Restriction. (Perhaps, in rare cases, both.)

The meeting ended at the conclusion of this review. As noted, above details on the lots and a summary of the site visit notes are attached and available for review.

**WASHINGTON PLANNING BOARD  
and CONSERVATION COMMISSION  
Joint Site Walks on June 18 and June 30th, 2011**

**Site Walk Lot Notes – Nan Schwartz**

**1. TM 10-60 – 1.77 acres**

Steep path going into property at front right corner, bouldery, leads to a cleared area, which was excavated sometime in the past. Very sandy soil, lots of ledge with water running off, crusty lichen growing all over cleared area, fallow soil. Nice western view of Huntley Mountain from clearing. Mountain laurel and low bush blueberries, small balsams, golden thread around clearing. Dense forest behind clearing, ground rises very steeply. Up top deer prints were found, mixed hardwood and soft woods, very steep lot. Lower part of lot is birch, white pines, and hemlocks.

**2. TM 14-12 – 1.49 acres**

Brook on corner of lot, large wetland area across road with active frog population, filled narrow driveway into property (higher than the lot), must be used because it is grassy and not yet growing in with trees, very wet all the way in on either side of roadway, hardwoods and pines, tamaracks, birch, balsam, with an obviously cleared area near the waterfront (starting to grow in), ferns, low bushy growth, DES declared lot unbuildable in 1988, the owners tried to give it to CC a few years ago for open space, CC was unable to accept it because LAE would not waive fees, so owner let it go to the town for taxes.

**3. TM 14-57 – 1.67 acres**

Large white pines, some hardwoods, large Black cherry tree down in middle of lot, wetter down in rear, golden thread, brook cutting through property toward rear, brook is underground in some spots where you can hear babbling, running water. Orchid found near stream (identified as either round-leaved bog-orchid (*Platanthera orbiculata*) or large-leaved bog-orchid (*Platanthera macrophylla*) an uncommon species),

ferns, bouldery with wet areas in rear, middle and near road, lots of sphagnum, large ledgy area next to road.

**4. TM 14-65 – 1.5 acres, corner lot**

Wet wooded lot, mix of pines, soft and hardwoods, low and bouldery in front corner, lots of ferns, many very wet areas and wetlands.

**5. TM 14-87 - .76 acres, backland**

Back lot with no access, we didn't attempt to get on the lot, deciding we could evaluate by using maps. Wooded lot mixed hardwood and soft. Right 1/4 of lot steep, left 3/4 less steep, with intermittent stream in left rear of lot.

**6. TM 14-236 - .81 acres**

Ditch with water on the side of the road with a larger wet area near middle of frontage, flat and wet nearest road, then the land rises. Wood sorrel, golden thread, lots of princess pine, deer scat. Mixed hardwoods and softwood, black cherry, beech, birch, black birch in center of lot. Possible wildlife corridor path through the lot (front to back). We found a birdfeeder with obvious bear damage done to it. Land rises steeply and is very steep in the rear. Very large hemlocks in the rear, large maples and cherry. Found an old test pit filled with water in lower section.

**7. TM 14-298 - .79 acres**

Rusty well pipe over flowing with water, not plumbed to anything. Mossy, ferns, golden thread. Land falls off, away from road, right front corner near the road is the highest point on the lot, bouldery, mixed hardwood and pines, beech, maple, hemlocks, white pines in rear. Lot gets wetter as you go down and in, very wet area in middle, also catches runoff from road. There is a natural watershed flowing through the property and a deer path in the rear of the lot.

**8. TM 14-300 - .79 acres**

Lot drops off from road, road is steep and the lot is on a sharp corner. Ferns, mixed hardwood, maples, black cherry, large white pines, possible animal trail going into property, Dry lot, can see abutting house in the rear of property.

**9. TM 14-331 - 1.12 acres**

Abuts previous lot 15-125, snowmobile/ATV trail on left side of lot, large white pines, higher ground than 15-125, higher on left side and in rear left corner, right rear is lower and wet, mixed hardwoods, beech, striped maple, golden thread, ferns, seems more buildable than 15-125, section of an old stone wall in front right of property with remains of large old sugar maple tree next to it.

**10. TM 15-125 – 1.08 acres**

Wetlands on front of property, out crops, ledge, active trail (snowmobile/ATV) on right hand side of property now blocked near front of property by small blown down trees, mixed white pine and younger hardwoods, beech, brook/stream runs all the way through the property, Narrow ridge runs between stream and right hand property line, land is higher in the rear and ridge gets narrower there, lots of ferns, vernal pools on right side in rear, trail runs right through one pool, mossy sphagnum forested areas, more vernal pools, golden thread, some large white pine and firs.

**11. TM 13-343 – 3.77 acres with house on lot**

Lots of trash, lawn equipment, barrels with unknown contents, trailer/storage unit, house in disrepair (never finished), no septic system, holding tank sitting behind the house uninstalled, property needs to be cleaned up but a hazardous assessment needs to be done first, possible fire department burn but assessment would need to be done first, possible grants could cover cleanup costs. Property has seasonal stream, mixed hardwoods and pine, steep drive into house site, did not walk the entire lot, focused on the house site.



**12. TM 14-368 - 1.22 acres, corner lot**

Lynn wants to change the address to Presidential Drive, large hemlocks and some hardwoods, flat at road (Presidential) rises high on Coolidge Road side (right), very bouldery in rear and on Coolidge side, steep slope in rear of property, lots of old blown down trees, large boulders, large Black cherry trees, very little new understory growth or ground cover other than fallen leaves.

**13. TM 14-378 – 1.45 acres, corner lot**

Vernal pool at road's edge with pollywogs in it, very bouldery on corner of Coolidge Road, very steep slope on Coolidge road side, golden thread, mountain wood sorrel, very large vernal pool in center of lot, moose poop high in rear of lot, black cherry trees, fir, hemlock, striped maple, several wet pockets, ferns, many trees marked with green tape (? don't know why they were marked), flatter section at top of ridge, boulders, ledgy, snowmobile/ATV trail with deep foot print at top of property (off Buchanan Circle) possibly on the abutting lot.

**14. TM 15-127 - .75 acres, corner lot**

Rocky out crop on left frontage, very wet and swampy, existing driveway (grown in) on right side line, open well pipe, land rises from road then falls in the swampy area, spongy mossy sphagnum areas, ruins of old foundation, old cast iron stove remains and other debris from house, active brook in the rear of property (water exits from Millen Pond), NOTE: where stream crosses under Presidential Drive there is a bad problem with gravel washing out into brook because there is no head wall above the culvert. This is an obvious ongoing problem and should be fixed.

**15. TM 14-369** – Michelle reports that the previous owner is buying this house and property back from the town, so no assessment was done.