

Planning Board

Town of Washington

March 2, 2010

0.0 Assembly

Members Present: Jack Sheehy, Nan Schwartz, Lynn Cook, Tom Marshall and Ken Eastman

Alternates Present: Bill Cole and Jim Crandall

Members and Alternates absent: Dennis Kelly

Visitors: Carolyn Russell, Ron Jager, Jim Russell, Bob Fraser and

- 1.0 Minutes-** Eastman motioned to approve the meeting minutes of February 2, 2010 with corrections, February 18, 2010 and February 26, 2010. Schwartz seconded the motion. Jim Russell provided the Planning Board with a written statement and requested that it be included in the minutes.

In Reference to Planning Board Meeting Minutes of 2/2/10: 4.0

I must go on record, at this meeting and in its official minutes, to clarify a statement reported in the published draft of the official board minutes of 2/2/10. By appearing in the printed minutes (published 2/25 for the first time) it has been elevated to a level affecting my personal and family reputations in the community and my five-year responsibility to the Planning Board.

The published draft minutes state that I had been requested to recuse myself from a Task Force meeting on 1/26 and suggest that in fact I had agreed to do so because of some unspecified, absurd "conflict of interest". This incorrect use of legal terms implies a voluntary withdrawal of a judge from judging. The Task Force is not a legal body. It is only a study group in which all five members are equal. They all have been directly appointed by and are answerable to the PB to make certain lay, unprofessional opinions and recommendations about town buildings.

Let me clearly state that I did not "recuse myself", nor did I absent myself from the meeting, nor did I refuse to serve, nor step down, nor excuse myself in any way from the work of the TF. I was, simply, summarily dismissed by the other four members who had

neither authority nor standing to do so! To make matters worse, both the vote and the decision to dismiss me have never been publicly disclosed in any TF minutes. (Yet I still stand by my willingness to serve at the pleasure of the PB)

This "recusal" term was first used in a January 25, 2010 email message to me from the chairman of the TF with copies to the other three members. For all intents and purposes, since the date of that meeting on 1/26, I have been excluded from any further deliberations of the TF. I have received neither minutes nor communications of any of the other several irregular meetings held by the TF among themselves or with the PB or with the Selectmen.

This treatment is a form of civil "excommunication"; perhaps "blackballing" is a more appropriate word for such uncivil behavior. The PB should understand that, as much as I may agree with all or parts of the TF final report, you should not assume that my vote stands behind it despite my name that may be appearing in the final report. I have not seen the report in any form and do not know what opinions or recommendations it contains.

I have taken this unusual step in writing these remarks to correct strongly any damage to my reputation, and perhaps even to my wife's, as reliable, dependable and trustworthy town citizens of the highest integrity. We assure our fellow citizens and I assure the PB that we remain worthy of their trust. You have my word for it.

James S. Russell, 3/2/10

Sheehy said as we have stated before (at the February Planning Board Meeting) the Planning Board apologizes to Russell personally.

Eastman asked how the Planning Board can rectify the issue. Russell said that he would be satisfied with the inclusion (provided hardcopy) of his comments in the Planning Board meeting minutes. Bill Cole said that the Task Force showed bad behavior and no action was taken with more bad behavior to follow. Tom Marshall said that this is what happens, unfortunately when we place ourselves in the public eye, and we all get frustrated. All voted in favor.

2.0 Driveway Permits-

2.1 None.

3.0 Mergers-

3.1 Discuss Olkkola, merging across water, TM 14-443 and 444. Cook reported that she had researched the merging issue she had contacted LGC but that this was a unprecedented issue. Cook said that merging the two parcels would benefit the Town but on the other hand our regulation says contiguous or by road. Cook asked Bob Thompson his opinion on the owner of the second spillway. Thompson said the APDVD is responsible to maintain the second spillway. Thompson said that if a property is separated by water it could be merged. Cook said the Town's subdivision says that the property must be contiguous. Cook asked if the Planning Board merged the property who owns the spillway. Schwartz said that the State would continue to own the property. Marshall asked how do they access the property. Eastman asked if in the merger the wording could be included that they cannot impede the second spillway. Thompson said that you couldn't alter a course of the water in a river without a DES permit. No application was received as of the meeting; the issue will be tabled until an application is received. Sheehy said that he would have approved the request.

4.0 Old Business

4.1 Dakowicz – retail vehicle permit. – No representative,
tabled

4.2 Municipal Space Needs Task Force. – Marshall said that the summary report from the Task Force was sent out today to registered voters and I take this to mean that this is the final draft, as promised. Marshall motioned to thank the Task Force on behalf of the Planning Board for all of their hard work and many hours spent to collect valuable information to the Town; and to dissolve the mandate and the Municipal Task Force Committee, and if Planning Board see a need to

reinstitute a Committee in the future the Planning Board will set a new task specific charge. Eastman seconded the motion. Bob Fraser asked if the Municipal Task Force would be able to speak of their work at the Town Meeting. Eastman said that this was a Committee that was created to do noble work. The Committee may have gotten off track but their intentions were good. Sheehy said that the information brought before the Planning Board was valuable and thanked the members for all of their work. Marshall this is going to be an ongoing complex issue and the Planning Board and Selectmen need to be very diligent with the subject of appointing committee's. All voted in favor.

4.3 Town Meeting-Ron Jager asked that he be allowed to make a comment in reference to the Task Force's report in the Town Report. Jager read page 97 in reference of a mandate made at last year's Town Meeting. Tom Marshall agreed that the comment was incorrect and that he would be more than happy to explain that the mandate was from the Planning Board not Town Meeting. Jager thanked Marshall. Marshall said that the Planning Board should respond to any questions at Town Meeting on behalf of the Planning Board. Ron Jager asked how the Planning Board supporting the warrant article. Sheehy said that the Planning Board voted in favor of the application.

4.4 Subdivision Regulations update – to discuss at the next meeting.

5.0 New Business –

5.1 The Planning Board Member's thanked Jack Sheehy for all of his dedication to the Planning Board for the past thirteen years, he will be missed dearly.

5.2

6.0 Communications:

6.1 UNH, Municipal Turf and Grounds Conference, March 24th –

- Filed
- 6.2 UVLSRPC, information about Ashuelot River management plan, looking for people to participate. - Filed
- 6.3 Minimum impact wetlands application, Delorey, TM14-200 – Filed
- 6.4 Standard Dredge and Fill Permit, Svitok, TM14-365 – Filed
- 7.0 **Adjournment-** Cook motioned to adjourn and Marshall seconded the motion. All voted in favor. The meeting was adjourned at 8:15PM. The next Planning Board Meeting will be held April 6, 2010.

Respectfully submitted,

Michelle Dagesse