

Minutes Selectmen's Meeting - November 27, 1989

Present for the meeting were Selectmen Mansfield, Dodge and Johnston with Sandra Gendron taking minutes.

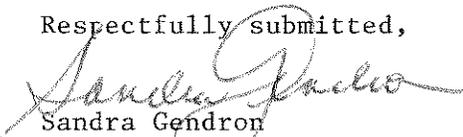
Terry Gordon, landowner on Helena Drive was in to discuss what steps will be necessary for him to build on a Class 6 road. He was shown a copy of an agreement he would be expected to sign releasing the Town from any liability once his home is constructed on a non-maintained roadway. He was further told that the plan would have to be submitted to the Planning Board for their review and a non-binding opinion of the proposed project. The Selectmen also explained that an addition might be made to the disclaimer form with regard to the Betterment Assessment which has just become N. H. Law. The Selectmen agreed to submit their proposal to the Planning Board and then contact them when a decision is made.

Many of the residents from St. Judes Road (Mr. Quimette, Mr. Roy, Mr. Ault, Mr. & Mrs. Dennis Gagnon, and Mr. & Mrs. Jeffrey Walters) came in at the invitation of the Board of Selectmen to discuss the status of their private roadway as it relates to a letter recently received by the Selectmen from Town Counsel Leslie Nixon. Ms. Nixon was asked by the Selectmen to review the situation of this particular roadway and to offer her advise on the legality of a letter which had gone from the Selectmen's Office ^{in 1986} to a lending institution stating the the Town owned the road but contained the signature of only one Selectmen. Generally, her letter stated that any decision in writting by the Selectmen required two signatures and did not feel that this letter could be used adversely against the Selectmen and she went on to say that this roadway would have to be brought to Town Specs and then be accepted for maintenance or would have to be continued to be maintained by the owners along St. Judes as it is being done now. The situation remains virtually the same of it has in the past.

David Bowen was in requesting what avenue would be proper to pursue if he were to rebuild the garage to be used for maintenance of his own equipment on land owned by Robert Riley, but was deeded to the Town of New Boston in 1979 for non-payment of taxes. Mr. Riley had just recently satisfied the outstanding balance of the taxes to the town and the proper legal work is underway which will deed the property back to Robert and Marcelline Riley. The Selectmen explained that even if Mr. Riley himself wanted to resume some kind of business from the existing garage, too much time had elapsed and he would be sent for non-residential site plan review even if he qualified for a "home business". It is the hope of David Bowen to eventually own the property, but wanted to start reconstruction for his own use as stated above as soon as possible. The Selectmen told Mr. Bowen that with a letter of permission from Robert Riley, he could start that process that would go through the Zoning Board of Adjustment and the Planning Board with regard to a small community business. Mr. Bowen was cautioned not to do anything on the property until the deed was sent from the Town to the Riley's by legal counsel thus eliminiating the Town from any liability. David was in agreement and David Nixon's office would be contacted to expediate the trasfer as soon as possible.

Checks were signed and mail was reviewed and the meeting was adjourned at approximately 10:30 p.m.

Respectfully submitted,


Sandra Gendron
Administrative Assistant

RA
WOW