

MINUTES SELECTMEN'S MEETING - October 30, 1989

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

Jim Daragon, the contractor hired to replace the roof on the former Town Office Building was in to discuss the issue of the leaking that had occurred during heavy rains and what might be done to correct the problem yet leaving the cupola and the exposed refurbished wooden shingles as is. Jim suggested installing copper flashing after cutting back some of the wooden shingles at the cost of approximately \$200.00 for materials and said he would negotiate on the labor.

Donald and Phyllis Byam were in regarding a boundary dispute between themselves and H. A. Scott, the two gravel pits abutting each other. When the dispute had become evident it was agreed by both parties that operations in the disputed area would cease until a mutual agreement could be reached as to ownership. Mr. Byam reported that Mr. Scott had resumed removal operations after having surveying done, the results of which Mr. Byam was not satisfied with and has hired his own surveyor. Mr. Byam also expressed concern with the dangerous slope that Mr. Scott had created removing gravel in this area. Since both gravel permits signed by the respective owners state that the rules and regulations of the Town of New Boston and the State Gravel Law will be continually met and maintained, both parties were sent letters to cease operation in the disputed area. Mr. Scott indicated that ceasing operations in this area would be a hardship for him, this being the case Mr. Byam was asked to let the Office of Selectmen know as soon as possible the results of his surveyor's findings regarding the boundary line. The Selectmen also advised Mr. Byam that he might want a letter going to Mr. Scott regarding the resumption of gravel removal in this area from his attorney as it now would appear Mr. Byam was a non-approving abutor, and since it would also appear that Mr. Scott could be within 10' feet of the boundary line and if, in fact, he were that close to the line he would not be able to comply with the slopes needed for restoration as prescribed in the gravel permit.

Joe Foistner, Edelweiss Development, was in regarding the activation of his gravel permit on Francestown Road. This permit ^{had previously been} approved pending the submission of a letter of credit from Mr. Foistner for \$13,300 for restoration. Mr. Foistner was now offering this amount in cash in order to activate his permit. Mr. Foistner indicated that he was going to remove 10,000 yards, but was discussing with Crotched Mountain the possibility of extending the gravel operation into their ^{land} as a potential profitable situation for both of them. Discussion ensued as to what the operation might become if Crotched Mountain were to agree to open some of their land for gravel removal, but again this whole concept is only in the discussion stages. If Crotched Mountain were to become involved it would make a more desirable situation for Mr. Foistner with regard to being able to meet the required restoration slopes once the gravel was removed. Mr. Foistner has installed the culverts which had been required when the permit was first sought so with the money being presented for restoration, the Selectmen signed the permit which would be good for the removal of 9500 yards to June of 1990. Mr. Foistner was told that he would need special permission for crushing. 9500 was the request in the original permit.

The Office of Selectmen had received a legal opinion from Town Counsel Leslie Nixon regarding the Town's position on St. Jude's Road. It was agreed that the residents of this road would be invited in to discuss the situation on Nov. 20, 1989 at 8:00 p.m. Letters to these people will go out.

Mr. Apt, River Road, had come in earlier in the day to relate further concerns regarding the replacement of his present mobile home on River Road. Selectman Arthur Johnston met with Mr. Apt on site to review the entire project and agreed that Mr. Apt could replace the home as had been originally agreed when the project was first proposed to the Selectmen.

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

Respectfully submitted,


Sandra Gendron
Administrative Assistant

[Handwritten initials: J.M., W.S.D.]