

Minutes

Albany NH Selectmen's Meeting

September 4, 2013

At 4:25 p.m., the Selectmen's meeting was called to order. In attendance were Jack Rose, Kelly Robitaille and Rob Nadler. Also present was Peter Carboni. The following business was conducted.

Regular Business:

- Reviewed & approved August 28 minutes-Jack made a motion to approve the minutes as submitted, Rob seconded the motion and all were in favor.
- Signed checks totaling \$10,410.77.
- Reviewed & approved one veteran credit application.
- Reviewed & signed one Selectmen deed.
- Reviewed & signed MS-1 Extension form.
- Reviewed health officer's pictures and letters of violations.
- Discussed NH RSA 236:13 regarding driveways-see below.
- Reviewed letter from Property Liability Trust (formerly Local Government Center).
- Reviewed letter from Healthtrust (formerly Local Government Center).
- Reviewed letter from Property Liability Trust of surplus being returned to Albany.
- Reviewed letter from NHDOT regarding participation in transportation projects

Peter Carboni:

Peter told the Board the small farm stand that is being built by Suzanne Brown on Route 16 does not have an approved building permit. She told Peter she was of the understanding that a 200 square foot farm stand is listed under permitted uses in the ordinances. Peter told her it is but it still needs a building permit. Jack made a motion to have Peter verbally issue a cease and desist order until the Planning Board gives full final approval of the site plan review. Rob suggested sending Suzanne a letter so there is a paper trail. There was no second to Jack's motion, the motion failed. Jack asked Peter if he had Suzanne's phone number. Peter said he did. He called her and left a message to cease building and not to use the building until the Planning Board gives final approval. Jack said she also needs to meet the DOT requirements for her driveway permit before she begins using the building.

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Peter told the Board he had a building permit application turned into three separate ones because he felt each project would be clear if approved separately. The first is for a new home, the second is for a pole barn to store wood and the third is to relocate a shed. Jack made a motion to place a condition on the permit to remove existing mobile home within 90 days of occupying the new home. Kelly seconded the motion and all were in favor.

Cheryl Gil:

Cheryl joined the meeting at 4:45 p.m. Cheryl came before the Board to discuss her property taxes. She is two years behind right now. She recently lost her full time job and is only working per diem and the hours are minimum. She doesn't see the end of the tunnel and a new tax bill will be out soon. Jack suggested that because Cheryl's property is not in danger of being deeded over to the town, that in a month or two, when her work situation may improve, she should come back to set up a payment plan. Cheryl said she doesn't like being in limbo and this property was her great grandparents. Jack told Cheryl the Board will work with her. Kelly said not to stress out yet and Cheryl coming before the Board is a lot more than others have done. Cheryl thanked the Board for their time and left the meeting.

Steve Parker:

Steve joined the meeting at 4:45 p.m. Steve informed the Board that he spoke with the school bus driver and requested the Piper Meadows school bus stop be moved to inside the park. She agreed to talk to her boss about it. When her boss called Steve he refused to move the stop within the park. He told Steve the bus stop could be moved to the end of Nickerson Rd. at the intersection of Route 16 or it could be moved back to the top of Golden Oaks Rd. at the intersection of Drake Hill Rd. Jack asked where the stop is currently. Steve replied at the end of the cul de sac and nothing can be seen. He feels the children would be safer if they were dropped off and picked up within the park. He contacted Superintendent Nelson who told Steve it was not within the bus contract. Rob asked if the school board should make a formal request and is the new location safe and reasonable. Steve said it is as smooth as a dirt road can get and he would widen a place so the bus could turn around with no problems adding he has seen the bus drive through the park numerous times to drop children off to their homes. Jack offered to call Dr. Nelson himself to see if there may be a remedy to this problem. Kelly noted it would be for the best interest of Albany citizens. Jack asked how far from the cul de sac is the proposed stop. Steve estimated 200 feet. Jack

thought this was a worthwhile cause and will contact Dr. Nelson. Steve left the meeting.

Curtis Coleman:

Curtis said with the recent rainstorms, drainage issues are resurfacing. Wildwood continues to be a main source of the problem but there are others along Bald Hill Rd. The question is in order to fix a problem for good, it would mean performing work on private properties and Curtis asked the Board for direction as to how far they would like him to go. There are two properties on Tabor Circle whose driveways continually wash out, clog the drains and washes down the hill into the paved ditches. He asked the Board to send the property owners a letter asking them to stabilize their driveways. Curtis noted a few years ago, he tried to fix the end of the driveways adding it could help if they paved their driveways with a swale off to the side which would slow the water flow. Rob asked if the temporary fixes were cheap. Curtis replied yes but the cost to the town is building up. Rob suggested sending a letter telling the property owner to fix their driveways. Curtis said it is 40 and 42 Tabor Circle. Rob thought verbiage should be added quoting the RSA 236:13. Curtis said the letter should include, “to stabilize and provide proper drainage to the driveways.”

Curtis told the Board he was asked by a property owner to fix a portion of his yard because it was no longer accessible because a culvert on Bald Hill Rd. washed out and dirt and debris travelled down his driveway washed out the lower entrance to the back yard. Curtis thought if he fixed it, it would be setting a precedence. It is 60’ off of the road. Jack didn’t think the Town was obligated to fix it. Curtis left the meeting.

Meeting with Ray Burton:

Jack noted the Conservation Commission and Selectmen are meeting with Ray Burton and DOT Commissioner, Chris Clement to discuss the abandoned DOT garage on the Kancamagus Highway. It would give Albany permanent access to the town forest farm land. The meeting will take place on Friday, September 6 at 2:00 p.m. at the Albany Town Hall.

RSA 236:13 Driveways:

Jack said he received a copy of RSA 236:13 from Sara. Rob said he was on the Planning Board when the driveway permit process was reviewed. This RSA was read then. Rob added the Town can require an owner to fix a driveway, if they don’t, the Town may opt to fix it and place a lien on the

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property. Rob said if there is an issue, this is where we go. Kelly stated there is no issue right now with the Valladares property until their building permit expires in October. Rob said if it becomes an issue, this is where we go and right now it is not effecting the Town. Jack said there were no signs of washout even with the heavy rains we just received. Jack concluded by saying why don't we agree to keep observing the property until the permit expires. Kelly agreed saying we have no argument at this point. Jack said he didn't think the Board needed to meet with DOT right now.

Town Administrator Report:

Ryan Brooks is scheduled to come in to look at moving the phone and internet wires over the ceiling to the opposite wall as well as running a cable wire to the Sheriff's office. He will give Kathy an estimate on the cost.

Property Liability Trust representative, Carl Wagner, performed a security assessment this morning and had many suggestions that would be a small cost to the Town. He will submit a formal report in about a week.

At 5:45 p.m., Jack made a motion to adjourn, Rob seconded the motion and all were in favor.

Respectfully Submitted,

Kathleen Vizard
Town Administrator