

## WEST WINDSOR SELECTBOARD

Draft Minutes

June 7, 2012

Present: Glenn Seward, Tom Kenyon, Bruce Boedtke, Mike Spackman, Martha Harrison

- 1) Call to Order – Selectboard Chair Glenn Seward called the meeting to order at 2:00 PM.
- 2) Additions - Emergency sewer matter: Tom said he notified the health officer that there is a sewer issue at 752 Route 44. Dog Warrant: **Tom made a motion to sign the dog warrant. Bruce seconded the motion, which passed unanimously.**
- 3) Coaching Lane Road improvements – Glenn said Steve Plaustainer and Frank Brock have asked the town to maintain the road since it is being used by more people to access the Town Forest trail system. Glenn said Steve and Frank would like a response from the town prior to June 13, which is the deadline for requesting a hearing on our Act 250 application. Glenn said he spoke with Steve and Steve agrees that the town may do whatever upgrades are necessary. According to Glenn, Steve also pointed out that the town's right-of-way through his property for access to the Town Forest is a little "loose" and should be addressed prior to his property changing hands. Glenn said one approach would be to leave the road as Class 4 and just doing periodic maintenance. Another approach, Glenn said, would be to reclassify the road as a Class 3 road all the way through to the town forest, including the right-of-way across the Plaustainer property. Tom read from the deed conveying the right of way, which does not specify its width or location. According to Tom, Steve is willing to give the town the land it needs to establish a clear public right-of-way. Tom suggested 3 rods along the westerly side of Steve Plaustainer's property and noted that the Selectboard has the right to lay out roads. Tom said he'd like to get the parties, including Frank Brock and John Giles, to agree. Glenn said he is interested in proceeding as Tom suggests. Bruce said he has no objection but he thinks it's going to have to be done in two parts. In the short term, Bruce said, he thinks we need an interim agreement. Glenn said Steve can rely on the minutes of this meeting as an indication of the Selectboard's intentions. If we want a written agreement, Glenn said, he has no problem with that. Bruce agreed. Tom suggested sending a letter to the abutters. Bruce asked about a turnaround. Tom said Steve agreed to that as well. Bruce said we need to lay that out. Glenn said we need to get the Highway Foreman involved. Bruce said Bob Farnsworth will have to do the research. Bruce asked if that section of road will have to be brought up to town standards. Tom said it could be classified as a "Class 3 – under construction." There was discussion about Coaching Lane Extension and the lot at the end of it. **Glenn moved to start the process of reclassifying the existing Class 4 portion of Coaching Lane to Class 3, contacting a surveyor to get preliminary work done, and contacting the abutting property owners about establishing an interim agreement until the reclassification can be accomplished. Tom seconded the motion. Bruce amended the motion to include, as part of an interim agreement, the property owner's consent to establishing a turnaround. Glenn agreed.** Bruce asked if Town Attorney Matt Birmingham would be drawing up a formal agreement. Glenn said he doesn't think that can be done before the June 13<sup>th</sup> deadline. Tom asked if Frank Brock has any objection to this proposal. Glenn said he thinks the town should have agreements with Frank Brock and John Giles that mirror our agreement with Steve. Town Highway Foreman Mike Spackman arrived and Glenn summarized the situation. Bruce said the Selectboard and Mike should do a site visit and determine an appropriate location for the turnaround. There was discussion about some options that might be suitable and some that would not be suitable. Mike expressed concern about setting precedent by working on a Class 4 road. Tom said that is why we would reclassify the road. Mike said if you reclassify the road, Frank and Steve are going to have to put driveway culverts in. Glenn said he thinks we can give them some time to make the necessary improvements. Glenn pointed out that this section of road is the main access to a very large piece of town property. Mike agreed that this is a unique circumstance. Bruce said we should schedule a site visit and invite the

three abutters to attend. There was discussion about a draft maintenance memorandum. **Glenn called for a vote on the motion, which passed unanimously.**

- 4) Other Business - Coaching Lane Extension: Tom suggested asking each property owner to improve his or her access/culvert and pay a certain amount per year for 10 years to bring the road up to Class 3 standards, with the town doing the work. Glenn said it would basically be a special tax district. Tom said yes. Mike said if they don't pay, you can put a lien on the property. Bruce said he thinks it's a great idea. There was discussion about the most recent estimate for bringing the road up to Class 3 standards. Mike thought the amount was \$50,000. Bruce said he thought it was \$60,000. Bruce said, in lieu of money, Snowdance could deed the property that the road is on. Tom noted that the road is surveyed. Bruce agreed but said Snowdance owns it and would have to deed the road to the town, along with enough property to establish a turn around at the end of the road. Tom said if the parties agree, Mike would have time to lay out what needs to be done. Bruce said he thinks most of the property owners would agree. Glenn suggested that Mike come up with a cost estimate for adding material and culverts to the road, ditching, and constructing a turn around. Bruce said there is a public safety issue with regard to access by emergency vehicles in the winter. Glenn said he will check with the Town Attorney about the legality of establishing a special tax district. Tom said if 10 people on another private road come in and say they want the same thing, the town doesn't have to do it. Mike asked about the town acquiring the lot that Snowdance owns that abuts the town forest because it would be convenient for Coaching Lane Extension to loop around to the town forest access road. Bruce said we could probably slab the hillside; it's steep but we could probably cut into it enough and make it long enough that it would work. Tom said he thinks we should look at all the options. Giles Lot: Glenn said he spoke with John Giles yesterday and John said he is interested in donating his lot to the town but he needs to look into the tax implications. Mike said that would be a better location for a turn around. The Selectboard agreed to schedule a site visit at their June 11<sup>th</sup> meeting. Bruce said he thinks we need to get Bob Farnsworth working on this. Glenn asked Tom to contact Bob. Tom said he would feel more comfortable about contacting Bob after we know about the Giles Lot. Tom suggested adding this, and Coaching Lane improvements, to Monday's agenda, along with the Health Officer issue. Tom said the sewer is open and a kid could fall into it. Bruce said he thought the sewage was flowing on top of the ground. Tom said no; it's a hole.
- 5) Act 250 issues – Glenn said Darryl Dworkin has withdrawn his objection to the section of the trail in the Sky Hawk Lane area. Glenn said John Bossen maintains that the "Home Again" Trail crosses his property and has requested a Certificate of Insurance and an agreement similar to the indemnification agreement the town has with Snowdance and Orange Lake. Glenn said he sent a draft agreement to the Town Attorney for review. Glenn said John Bossen sent him an email granting one-time permission to use his property for the race this weekend.
- 6) Adjourn – **Glenn moved to adjourn at 3:00 PM. Tom seconded the motion, which passed unanimously.**

Respectfully submitted,

Martha Harrison