

BOARD OF SELECTMEN WORKSHOP
Minutes of 04-04-11
4:15 p.m.

Selectmen:

Colette Worsman, Chairman
Peter F. Brothers, Vice Chairman
Miller C. Lovett
Nathan J. Torr
Herbert Vadney

Town Manager:

Phillip L. Warren

Recording Clerk:

Karin Landry

Call to Order: Chair Worsman called the meeting to order 4:15 p.m. She introduced the Board, Town Manager, and the Recording Clerk and made safety announcements.

W 11-05 Discuss Road Standards Waiver Request

Community Development Director John Edgar presented a staff report to the Town Manager and Board of Selectmen regarding a request from Carl Johnson, Jr., on behalf of Ambrose Brothers, Inc. for a waiver from the Town's road standards in order to permit three house lots to be served by a common driveway. Historically, if more than two house lots are served by a common driveway it is considered a road, and the Board must consider the propriety of a waiver. The shared driveway is located on Parcel S-24, and currently provides a second means of emergency access to the Clover Ridge Subdivision, as well as a single family residence owned by David Blake (Lot 15), and a 52-acre vacant lot owned by Ambrose Logging Co., Inc. (Lot 12-A). On February 22, 2011, the Planning Board conditionally approved the subdivision of Lot 12A, into two lots. As a result of the subdivision, the applicant proposes to utilize the common driveway to serve two building lots on his land in addition to the Blake lot, which gained conditional approval from the Planning Board in 2009. Mr. Edgar reviewed the terms of the 2009 approval, which allowed for the relocation of emergency access to Clover Ridge, and the relocation of the driveway to Lot 15. The Agreement included a document executed by Messrs. Ambrose and Blake that stipulates that that the Town would have no responsibility or liability for maintenance, repair, or replacement of the driveway and that the driveway shall never become a town-owned or maintained road.

The Board viewed photographs of the common drive facing northeast, the abandoned drive and new drive from the Blake property, and one of two cross culverts installed to improve drainage. The Fire Chief has inspected the parcel and is satisfied with accessing the three lots from a common drive. The Planning Board supports this waiver request with the following provisions:

- A note will be added to the plan that there will be some limited turnaround capability at the end.
- There is written confirmation that the express intent is for private maintenance.
- There is written confirmation that there is no dedication of any of this area for future public use.

Town Manager Phillip Warren visited the site. In keeping with the goal of reducing the road surface, there will be enough room for the largest piece of fire apparatus to make a three-point

turn. From a precedent standpoint, the Select Board has granted similar requests in the past. The Town Manager recommends that the Board take action on the matter as described by Mr. Edgar in his Staff Report, with the sample language provided therein.

Selectman Lovett inquired about the reasoning behind the town regulations that limit access to two lots. Mr. Edgar explained that while he can only speculate on the thought process when the regulations went into effect in the 70's and 80's, they were probably largely boiler plated. As long as alignments are good, there is adequate site lines, and the grades are not too severe, he is generally comfortable with a waiver request, but does not support more than three house lots be served by a common driveway. As more experience is gained with waiver requests, they may be looked at as a standard rather than an exception. The Town Manager explained how fire trucks would most likely be positioned in an emergency event.

Selectman Vadney believes there is appropriate access for fire equipment. His biggest concern is drainage. When the driveway was relocated in 2009, it was a big improvement over the old drainage. If the waiver is not granted, and a new driveway is cut to serve the third lot, it will pose a drainage issue that doesn't exist right now.

Selectman Brothers has served on the Planning Board for a little over a year, and pointed out that there are additional considerations in granting the waiver, including reducing the possibility of future land mergers, keeping the rural nature of Pease Rd., and not contributing excessively to drainage issues.

Selectman Worsman inquired about future subdivision potential. Selectman Vadney explained that while it could physically be done, it probably wouldn't be wise. The property could be accessed from 104 and utilized for something much larger in the future. While Mr. Edgar generally agrees, Lot 2 is a million dollar view lot, and once a nice house is built on it, the property most likely will not be further subdivided.

Selectman Torr inquired about the difference in elevation from the top of the driveway to the bottom. Mr. Edgar explained that there is a very gentle slope of 60' to 80' over the course of the driveway. Carol Johnson, Jr. explained that there is no gain in elevation until after the point where it services the first dwelling.

There was a general agreement among the Board that they are prepared to move forward on the matter. Dialogue ensued regarding scheduling the matter for action. Because there is no compelling reason to act on the matter immediately, and the Board wishes to remain transparent, it will allow additional input until the next Board meeting, which is scheduled for April 18.

W11-06 Discuss Abatements

There have been a total of 22 abatements received for 2010, down from 39 received in 2009. One 2009 appeal is pending, which is the Rice property on Stonedam Island. The owner has also appealed this year. Mr. Commerford presented 17 of the 2010 abatements, and recommended 13 for approval and 4 for denial. Assessments are running higher than market value, with an overall ratio of 104.1%, as determined by the Department of Revenue. The ratio was determined by comparing sales to assessments from October 1, 2009 to September 30, 2010.

- Olde Province Commons, LLC, S23-40; 2010 Assessment: \$3,313,800
 Remove cooler values
 Adjust value to \$3,195,800

- Dean & Crystal Cascadden, R14-24; 2010 Assessment: \$148,700
Adjust for typography: steepness
Adjust value to \$130,100
- Gregory Rempel, R17-32; 2010 Assessment: \$266,100
Adjust based on interior inspection: quality grade, basement finish, bathroom listing
Remove listing for custom wood panel in majority of house and view factor
Adjust value to \$227,400
- Kevin & Janet Burke, U39-22; 2010 Assessment: \$204,300
Similar in value to sale price of abutting property when equalized
Recommend no change in value
- McElrath Family 2001 Trust, S06-48; 2010 Assessment: \$192,000
Adjust based on interior inspection: bedroom/bathroom count, crawl space area
Rear acreage for steepness
Adjust value to \$187,900

(Selectman Brothers inquired if efforts to market the property were considered when the recommendation for an adjustment was made. Mr. Commerford explained that he procured an overview from the realtor and it appears that an appropriate effort was made to market the property).
- John & Ginette Mace, U28-27; 2010 Assessment: \$111,500
Reduce for failure to sell property listed at \$85,000
Reduce due to typography of lot
Adjust value to \$74,700
- Susan Mangers, S25-11B-16; 2010 Assessment \$178,900
Two appraisals provided by owner for unit at Waukegan Village Condominiums
Both are within 10% of the lowest appraisal and 5% of higher appraisal.
Recommend no change in value
- Shops at Meredith Place, LLC, U06-142; 2010 Assessment \$164,000
Two family property next to shops on Mill Street
Owner intends to tear down and erect office building on site
Adjust based on interior inspection: condition in lower range
Adjust value to \$119,500
- James & Nahill, Sharon Schor, S26-86; 2010 Assessment \$211,600
Not structurally sound
Adjustment based on value of land
Adjust value to \$146,500
- Arthur Thomas Allen, U15-44; 2010 Assessment \$268,600
Adjust for view factor
Adjust value to \$261,900
- Estate of Karen L. Cail, U37-18; 2010 Assessment \$212,600
Appeal based on appraisal of \$193,000

Equalized assessment is within 5% of the appraisal value.
Recommend no change in value

- Estate of Karen L. Cail, S05-4; 2010 Assessment \$155,500
Remove view factor
Adjust site - septic on abutting lot
Remove garage - located on abutting lot
Adjust value to \$132,700
- Estate of Karen L. Cail, U37-4; 2010 Assessment \$106,800
Site will not accommodate house dwelling: swampland
Adjust value to \$34,800
- Currier Meredith Realty Trust, U20-15-1; 2010 Assessment \$721,000
Adjust for typography: ledge, steepness, access
Adjust value to \$651,600
- Jonathan T. White Realty LLC, U10-34B; 2010 Assessment \$618,600
Adjust grade and condition (based on Marshall Swift manual for bowling alleys)
Adjust value to \$521,700
- Virginia L. Goodby Rev. Deed Trust, U25-7; 2010 Assessment \$1,096,600
Appraisals provided by owner based on family transaction and pressured sale
Adjust grade to average
Adjust for land condition factor: water frontage on two sides of island
Adjust value to \$1,001,400
- Emery Rice, I14-1A; 2010 Assessment \$1,035,046
Adjustment in value made in 2009
Owner appealed to BTLA
Matter not scheduled for hearing at this time
Recommend no change in value

The Board will take action on the matter at the Board meeting scheduled for April 18.
On behalf of the Board, Selectman Brothers expressed appreciation for the time, effort, and thoroughness Mr. Commerford puts into the process.

Selectman Brothers motioned to adjourn the Workshop at 5:25 p.m. Seconded by Selectman Torr. 5-0. All in favor. Motion passed unanimously.

Respectfully submitted,

Phillip L. Warren, Town Manager

Colette Worsman, Chairman

Peter F. Brothers, Vice Chairman

Miller C. Lovett

Nathan J. Torr

Herbert Vadney