

Selectmen's Meeting Minutes

Tuesday, February 10, 2009

Present: Selectmen Bowles and Maxfield. Chairman Ives was not present.

Also present: Police Chief, Code Enforcement/Compliance Officer Bob Fiske, Fire Chief Jeff Burr, ZBA Chairman David Powelson, and Road Agent David Rice.

Selectman Bowles called the meeting to order at 6:30 PM.

- I. Selectman Maxfield moved to approve the Selectmen's Meeting Minutes of Tuesday, February 3, 2009 as presented. Seconded by Selectman Bowles. Majority vote in favor. Motion carried. Selectman Maxfield moved to approve the Selectmen's Meeting and Final Budget Hearing Minutes of Wednesday, February 4, 2009 as presented. Chief Burr said that there was a comment he made relative to volunteers covering the stand-by shift and in the minutes it states "Chief Burr said part of the criteria of the town for the volunteer position is that the individual must reside in the town." He said what he meant to say was the volunteer had to be present in the town during the shift they cover. Seconded by Selectman Bowles. Majority vote in favor. Motion carried.
- II. Selectman Bowles opened the Board of Permit.
 - a. Bob Fiske stated that Earl Tuson of Pittsfield Road has inquired about a 4 X 6 sign with 1 X 4 pieces of wood hanging by chains from the sign advertising particular produce that is in season. Dave Powelson reviewed the Zoning Ordinance relative to signs as well as the AFP District. Discussion ensued. The Board felt if Mr. Tuson could shrink the main part of his sign down to 12 square feet maximum, and the hours of operation sign cut to 8 inches X 3 feet and then 1 foot squares with the produce pictures would be allowable. Mr. Fiske will advise Mr. Tuson of the Board's decision.
 - b. Dave Powelson discussed a request for an Auto Inspection Station for Mr. Gagne on Clough Hill Road. Discussion ensued regarding the length of time this property had been operating as Loudon Repair and Fabrication, zoning issues, status of being grandfathered, if there had been a lapse of eighteen months or more where the business was not in operation, as well as concerns regarding assessment of the property. Selectman Bowles stated he wanted to be sure that the board proceeds with caution to be certain that nothing is overlooked. He said there have been other property owners who have had to adhere to conditions set by various boards. Mr. Fiske stated that he is familiar with this particular property as the business had originally been his brother's and is now being run by his brother's son-in-law. He said the business has been ongoing continuously and was never in jeopardy of being

part of the eighteen month lapse issue. Discussion ensued regarding the state inspection permit and the role that the town plays. Selectman Bowles stated that there appears to be enough information on this particular property that shows the business was in operation prior to zoning. He said his only concern is if there is enough proof to show that there was no lapse in operation or use at any point. Mr. Fiske said he would go on record to say that he sees nothing out of the ordinary about allowing this inspection station permit to be signed. He said he would have already been at the property shutting them down if there were any zoning violations. Mr. Fiske stated there have been no complaints on this property and they have continued to do the transmission work. Selectman Bowles stated that he agreed and his concern is that this information has not been real public that it is an ongoing business for the zone it is located. Mr. Powelson discussed the issue of the possible increase in clientele with an inspection station versus the transmission repair. Mr. Fiske discussed other property owners with businesses and stated he felt that they could also apply for the state inspection permit if they chose. Discussion ensued regarding stipulations and conditions that have been set on other properties. Mr. Powelson stated he felt he does not have a big issue with allowing a repair center as it predates zoning, but he is concerned that the owners might consider it an expansion of their business. He said it would be something to watch for as he does not know how many vehicles they process per day or week. Mr. Fiske asked how a number could be put on a grandfathered business if it has no stipulations. Mr. Powelson said it could be based on the busiest day per month. Chief Burr said he felt the owners are asking for an inspection station which would increase the number of vehicles they see so asking for the previous figures based only on the repairs would be like comparing apples to oranges. Mr. Powelson said that if the amount of vehicles increases over what is currently serviced it could be an issue. He asked if the property owner would be willing to define the size of the business. Mr. Fiske said he felt they would. The Board stated they felt a new form should be obtained as the current form had been marked as “defer action pending further investigation”. Selectman Bowles said when the new form arrives the Board will comment that they have reviewed the application, that it is grandfathered, and the town is satisfied. Mr. Powelson stated he felt it might make the Board feel better if there was some restriction on how much business they will be allowed to do. David Rice stated that there are restrictions by the State on how many inspections can be done in an eight hour period per bay, and they only have one bay. He said he thinks the number is thirteen per day. Selectman Maxfield stated it does not mean that they will actually be doing thirteen inspections per day. Mr. Fiske asked if everybody was aware that this was an inspection station before as part of the grandfathered use. Selectman Bowles said if it were an inspection

station before then it must have lapsed and asked how long the lapse was. Mr. Fiske said they could let the inspection station lapse for as long as they want, it does not change the requirements of the town's zoning. He said the State is only asking if they meet the requirements of the Town of Loudon. Mr. Fiske said they have. Mr. Powelson said they have to be a repair station and an inspection station is customarily a part of repair. Selectman Bowles stated the Selectmen will forward the application back to Mr. Gagne advising him that the Board would like to have a clean permit to sign and add their comments. Discussion ensued regarding having a letter of intent on record stating the hours of operation, number of vehicles, etc.

- c. Bob Fiske stated he had spoken with John Zudell of NHMS regarding the drainage and storage pond on Gues Meadow Road as well as the culvert replacement for Gues Meadow Road. He said he advised Mr. Zudell that he needed to provide a finalized stamped plan and approval from DES regarding the drainage pipe. Selectman Bowles said Mr. Zudell met with the Board and discussed the culvert and widening of Gues Meadow Road. Discussion ensued regarding the evacuation plan, possible evacuation routes, as well as roads, bridges and maintaining the right-of-way. Selectman Bowles stated that he wished some of the federal funds could be utilized for widening of two bridges.
- d. Selectman Bowles stated that due to the first session of Town Meeting on Tuesday, March 10, 2009 and Dare Pizza Night on Tuesday, March 17, 2009 the March Board of Permit has been canceled unless something major comes up.

Selectman Bowles closed the Board of Permit and reconvened the Selectmen's Meeting.

- III. The Board met with Road Agent David Rice.
 - a. Discussion ensued regarding pushing snow banks back in preparation for upcoming events and visibility.
- IV. The Board met with Police Chief, Code Enforcement/Compliance Officer Bob Fiske.
 - a. Mr. Fiske advised the Board that he had been approached by the organization that holds the bicycle race through town each year and that they have decided to give Loudon Elementary half of their proceeds for allowing them to stage their event at the school.
- V. The Board began their review of weekly correspondence.
 - a. The Board received a request to respond to the information regarding the NHMS evacuation planning from Reuben Goldblatt. Discussion ensued. Mr. Fiske will fill out the information and provide the Board with copies.

- b. The Board received copies of the draft abutter notices for the Staniels Road warrant article for review and approval. The Board agreed to forward the letters.
- c. The Board discussed the proposed warrant article regarding the Recreation Revolving Fund relative to the wording and understanding of what funds are to be deposited into the fund. Both Selectmen Bowles and Maxfield stated they recommend and support this article.
- d. The Board received copies of an e-mail received from Bob Bottcher regarding the Budget Hearing Minutes. The Board stated they appreciated Mr. Bottcher's e-mail.
- e. The Board received a quote from Harry O Electric for replacement emergency lighting at the Town Office Building as well as information on replacement bulbs and batteries for the emergency lights at the Community Building. Selectman Maxfield moved to have Harry O Electric replace the 3 Battery Emergency Light Units (LED Exits with Emergency Heads) at the Town Office Building for the sum not to exceed \$700.00. Seconded by Selectman Bowles. Majority vote in favor. Motion carried. Selectman Bowles said the Board will contact the fire department and request that they follow through with the purchase of the replacement batteries and bulbs for the Community Building. Selectman Maxfield stated the funds would be withdrawn from the current budget to cover the cost.
- f. The Board received a request for assistance with an ambulance billing issue. The Board will have Office Manager Jean Lee check further on this issue.
- g. The Board received information regarding participation in the NH Public Radio Town Meeting Map project. The Board said they were not interested in participating.
- h. The Board received copies of the NHMA Legislative Bulletin #6 for review.
- i. The Board received information on composting items. The Board will have Steve Bennett place the information in the Loudon Ledger.
- j. Selectman Bowles said the Board had received the maintenance records for the 1999 Ford F-350 Super Duty Ambulance, as requested. He said the repairs have not been extensive; they have been more maintenance items than repair costs. Selectman Bowles said the mileage as of October 2008 was 80,300 and as of February 10, 2009 there are 81,400 miles on the vehicle. He said he is not sure that this ambulance absolutely needs to be replaced this year as it is a diesel and can generally function for more miles and hours than a gas powered vehicle.

VI. The Board recognized John Plumer from the audience.

- a. Mr. Plumer asked if there was a maintenance program for the town buildings to check on things such as batteries and fire extinguishers. Selectman Bowles said he was not sure and would have to look into

this. Discussion ensued regarding monthly inspections as well as the annual inspections.

Selectman Maxfield moved to adjourn the meeting at 8:57 PM. Seconded by Selectman Bowles. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

Steven R. Ives, Chairman

Dustin J. Bowles, Selectman

Roger A. Maxfield, Selectman