

Selectmen's Meeting Minutes
Tuesday, March 5, 2013

Present: Chairman Bowles, Selectman Krieger and Selectman Ives.

Also present for Board of Permit: Stanley Prescott from the Planning Board and Ned Lizotte from the Zoning Board.

Chairman Bowles called the Meeting to order at 6:30 PM.

Selectman Krieger moved to accept the Selectmen's Meeting Minutes of Tuesday, February 26, 2013 as written; seconded by Selectman Ives. All were in favor. Motion carries.

I. Chairman Bowles opened the Board of Permit.

Mr. Lizotte stated that Dave Powelson couldn't make it the meeting so he is here for him. He explained that someone came into the Zoning Board meeting last week about the lot at the corner of Routes 129 and 106 to discuss potentially building a single family residence and putting a small retail business there. He explained that they wanted to take advantage of the fact that it is commercial property but also keep it residential. Mr. Lizotte stated that the question came up about how long the property has been vacant. Selectman Ives said he read the Zoning Board minutes and the guy wants to put up a log home with a collectible/gift shop in the basement, a mixed use; residence and commercial. Mr. Lizotte said that Mr. Powelson's concern is that the place has been abandoned and there is an 18 month limit, if no one has been living there then there is no home there and that site is no longer a residence. Mr. Lizotte said the property is now a commercial property not a residential property. Mr. Lizotte said that the question is whether the place is abandoned and both he and Mr. Powelson are of the opinion that it is. Mr. Lizotte stated that because it is abandoned it is not applicable to a major home occupation. Selectman Ives said if you take a commercial lot, establish a residence and put in a major home occupation then decide to not have the home occupation you have a residence on a commercial lot. Mr. Lizotte said that no one has lived there for at least 10 years which exceeds the 18 month stipulation. Mr. Prescott asked Mr. Lizotte if he is saying that this is a non-conforming commercial lot. Mr. Lizotte said yes. Mr. Prescott explained that the people went to the Planning Board for a discussion to find out what they could do before they bought the property. He explained that they wanted to remove the trailer and cellar, move the new house further back on the property to make it more conforming and add parking. Chairman Bowles asked how big the lot is. Mr. Lizotte said 1.5 acres. Chairman Bowles said that is nonconforming for a residential lot. Mr. Lizotte said based on what they have it doesn't meet the criteria. Selectman Krieger clarified that the lot can be used commercially such as for a store just not residentially. Selectman Ives said that this person could put in a gift shop without a residence and be all set. Mr. Prescott stated that if the gentleman doesn't like the decision that they have just made he can appeal it to the zoning board. Chairman Bowles asked if the gentleman was going to

be back to zoning or how he was going to be informed of this decision. Mr. Lizotte will speak to Donna about what happened at this meeting. Chairman Bowles said that he then has the right to appeal this decision with the zoning board.

- II. Chairman Bowles closed the Board of Permit.
- III. Chairman Bowles stated for the record that he signed nine pistol permits. A member of the audience asked who does the background checks for the pistol permits. Selectman Krieger answered that the Police Department does.
- IV. The Board met with Moderator Mike Labonte.
 - a) Chairman Bowles gave Mr. Labonte a copy of a letter that the town attorney would like presented at town meeting in response to the petitioned article regarding accepting Green View Drive as a town maintained road. Chairman Bowles stated that the town attorney wants the letter read aloud so that the people understand the legal ramifications of accepting the article.
 - b) Mr. Labonte asked if the highway guys will be setting up Town Hall for voting on Monday. Chairman Bowles said that he has spoken to them and they will be.
 - c) Selectman Ives said that they will be meeting with Fred Reagan Wednesday at the school to go over setup for town meeting.
- V. Selectman Ives made a motion to appoint Robert Cole as the Primary Representative and Stanley Prescott the Alternate Representative to the Transportation Advisory Committee. Seconded by Selectman Krieger. Chairman Bowles thanked both for volunteering. All were in favor. Motion carries.
- VI. The Board began their review of correspondence.
 - a) The Board received a copy of the current Expenditure Report.
 - b) The Board received a copy of an email from Donna White regarding the Hazard Mitigation Committee and an email from CNHRPC also regarding the Hazard Mitigation Plan. Chairman Bowles said that Chief Burr used to be on the committee so they will need to get a committee member from the fire department. They are also asking for a Selectman to serve on the committee. The orientation meeting is at 8:30 am on March 20, 2013. Chairman Bowles will speak to the fire department about a representative. The Selectmen will discuss who will be their representative after town meeting.
 - c) The Board received a copy of a DES Wetland Routine Roadway Activities Notification regarding 178 Greenview Drive. Selectman Ives asked if this is the lot that has been before the Planning Board. Chairman Bowles confirmed that it is.
 - d) The Board received a copy of the John O. Cate Memorial Van Association minutes for November 29, 2012. Selectman Krieger stated that they are always looking for good volunteers.
 - e) The Board received a copy of the March 18, 1982 Town Meeting Minutes for their information. Chairman Bowles said there was a request from a resident for the minutes. The article reads: to see if the Town will vote to establish an ordinance to prohibit

plowing snow into and leaving it in the plowed portion of Town roads, causing obstruction, and to establish a \$25.00 penalty for each violation. This ordinance applies to individuals, companies and contractors plowing private drives. The article passed by unanimous voice vote. Selectman Krieger stated that there is also a state law regarding this.

- f) The Board received a scholarship thank you note.
- g) The Board received miscellaneous correspondence.

VII. The Board received the following reminders.

- a) Wednesday, March 6, 2013, 4:00 pm – the Board has a meeting at LES to discuss Town Meeting arrangements.
- b) Wednesday, March 6, 2013, 7:00 pm - Candidate's night.
- c) Thursday, March 7, 2013 – Deadline for Legion proposals.
- d) Thursday, March 7, 2013 – MVSD Annual Meeting. Polls open at 6:00 for election of School Board members, 7:00 all other articles.
- e) Tuesday, March 12, 2013 8:00 am – 7:00 pm – Voting at Town Hall. No Selectmen's meeting. Town office will close at 4:00 pm.
- f) Wednesday, March 13, 2013 5:00 pm – Selectmen's Meeting. Legion proposals will be opened.
- g) Saturday, March 16, 2013 9:00 am – Town Meeting at the Loudon Elementary School.

VIII. The Board recognized Ken Ross-Raymond from the audience. Mr. Ross-Raymond asked what the Board's understanding of the schools proposed budget is. Chairman Bowles said it is quite high. Mr. Ross-Raymond said that one of our school board members put a letter in their issue of Life Lines; he explained that they have asked for an increase of just under 1 million dollars or just under 3%. Mr. Ross-Raymond said that in his opinion the number that everyone should be aware of is on page 30 of the Merrimack Valley School District Annual Report. He said that this number is never talked about but is the number that directly impacts the tax payer. That number is the District Assessment, it is the amount tax payers in the districts actually pay. He pointed out that last year that amount was 18,307,463 and this year the proposed amount is 19,876,720 he said that is an increase of 1.5 million dollars or just over 8%. Mr. Ross-Raymond said these numbers are never discussed at the meetings. Mr. Ross-Raymond said it came to his attention today that the district asked all students of voting age to go out and vote for their budget on Thursday, they are telling the students they are voting to save their teachers jobs. Mr. Ross-Raymond said that he personally has never suggested that the district save money by laying off teachers. Steve Jakubowski asked if there has been any public campaign; letters to the editor or contacting the Monitor correspondent to publicize this? Mr. Jakubowski suggested that that would have been a much more effective way of getting the word out rather than attending this meeting with only 10-12 people and minutes that won't be published for weeks after the meeting. Selectman Ives stated that in his opinion the town has school board members but those members represent the school not the town, the roles have been reversed. He said they are elected to represent the taxpayers but they aren't doing that, they are representing the school against the taxpayers. Chairman Bowles said he certainly hears Mr. Ross-Raymond loud and clear and

the Selectman met with the school board and tried to explain their concerns. Mr. Ross-Raymond said this is a real impact to the taxpayer.

- IX. Selectman Krieger moved to go into a nonpublic session with Tax Collector Helen McNeil, per RSA 91-A:3, II (c) at 7:25 p.m.; seconded by Selectman Ives. Roll call vote: Bowles – yes; Ives – yes; Krieger – yes. All in favor. Motion carries. Selectman Krieger moved to come out of executive session at 7:40 p.m.; seconded by Selectman Ives. Roll call vote: Bowles – yes; Ives – yes; Krieger – yes. All in favor. Motion carries. Selectman Krieger made a motion to seal the minutes for five years because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. Seconded by Selectman Ives. All in favor. Roll call vote: Bowles – yes; Ives – yes; Krieger – yes Motion carries
- X. The Board discussed who would present each warrant articles at town meeting.
- XI. The Board recognized Steve Jakubowski from the audience. Mr. Jakubowski asked if the Board has received a response to the question that he asked last week regarding police activity. Selectman Krieger said they haven't gotten together as a group yet but he doesn't see why they can't put a little blurb in about things that are happening in the area. Chairman Bowles said he has spoken to the Chief but as a board they will have to push a little harder. Kathleen Ronayne from the Concord Monitor said that a lot of other towns will send them press releases if there is anything going on such as a string of burglaries.
- XII. The Board recognized Kathleen Ronayne from the audience.
- a) Ms. Ronayne asked about the American Legion. Chairman Bowles explained that the town has purchased the property. He said they have asked for proposals to remove the building. Selectman Ives said they want the building dismantled and removed. Ms. Ronayne asked if there is timeline. Chairman Bowles said they are hoping to get the building gone by mid-summer and in the meantime form a committee to design a building to go on that site. Selectman Ives said that they have a start on the building because there was previously a committee and they have some plans. Ms. Ronayne asked how they are paying for the building. Chairman Bowles said that the town has an established capital reserve fund for that purpose and they have been putting \$100,000.00 into it each year. Ms. Ronayne asked why they need a new building. Chairman Bowles said safety, more room and energy efficiency. Ms. Ronayne asked who would serve on the committee. Chairman Bowles said the last committee had the Selectmen, the office help and some residents.
- b) Ms. Ronayne asked if the board has hired a fire chief yet. Selectman Krieger said they have not, they are going to meet with the interim Chief to discuss the process moving forward. Selectman Ives explained that they thought they had one hired but he backed out.

- c) Chairman Bowles asked if Ms. Ronayne could correct an error she made in her last article. She said that the board was giving 1% merit raises when in fact they were giving 1% cost of living raises.

Selectman Krieger moved to adjourn the meeting at 7:56 PM. Seconded by Selectman Ives. All in favor. Meeting adjourned.

LOUDON BOARD OF SELECTMEN

Dustin J. Bowles, Chairman

Robert P. Krieger, Selectman

Steven R. Ives, Selectman