

**Selectmen's Meeting Minutes**  
**Tuesday, July 14, 2015**

Present: Chairman Bowles, Selectman Krieger and Selectman Ives.

Also Present: Fire Chief Rick Wright, Zoning Board Chairman Dave Powelson and Planning Board Vice Chairman Stan Prescott.

Chairman Bowles called the meeting to order at 6:00 PM.

- I. Selectman Krieger moved to approve the Selectmen's Meeting Minutes of Tuesday, July 7, 2015 as written. Seconded by Chairman Bowles. All in favor. Motion carried.
  
- II. Chairman Bowles opened the Board of Permit meeting.
  - a. Chairman Bowles explained that they have three junkyard permit renewals to consider. He said Chief Fiske has reviewed the permits.
    1. The first is the Eastman permit on Ricker Road. Chief Fiske indicated that he has no issue with this permit.
    2. The second is the Green permit on Bumfagon Road. Chairman Bowles said that DES was called up there for an oil spill recently. Chief Fiske recommended that the permit not be signed until DES clears it.
    3. The third is the Lane permit on Route 106. DES recently inspected that property and found some compliance issues. Mr. Fiske recommended holding that permit until those issues are taken care of.

Chairman Bowles stated that Chief Fiske is the one that deals with these permits so he would go along with his recommendations. Selectman Krieger stated that he would also go along with Chief Fiske. Selectman Ives agreed that the Green and Lane permit should be held until all issues are cleaned up. Chairman Bowles said the Ricker Road renewal is all set and they will hold the other two until they hear from Chief Fiske. Selectman Krieger asked who would be notifying the two. Chairman Bowles said that Chief Fiske will do that, he is compliance. Selectman Ives said the two permit renewals will be held until Chief Fiske gives his okay.

- b. Mr. Powelson asked Chief Wright if there is a fire department rule regarding shared driveways; there is talk about the possibility of one on Route 129. Chief Wright said 911 prefers that it not be done; there is no specific rule. Selectman Ives said he thought Zoning/Planning discouraged it; he wouldn't be in favor of it. Mr. Powelson said there is an application in for two houses on Route 129 to share a driveway and he doesn't see any particular issue with that. Mr. Prescott stated that the town doesn't have any jurisdiction over it if it on a state highway. Mr. Powelson said they are coming to the Zoning Board for side yard setbacks and he doesn't have a problem with them sharing a driveway. Selectman Ives stated that 911 discourages it and they try to discourage it. Mr. Powelson said he is trying to figure out what problems there might be. Chief Wright said numbering; they have them with no numbers that they have been to a couple times and it's a delay to try and locate the right place. Mr. Powelson said there is a shared driveway up the road. Chairman Bowles said that was

- a sight and safety issue. Mr. Prescott said this one is steep but the Planning Board was told they could get in there, they had driveways laid out. Chairman Bowles said he thinks they have changed the location of the driveway. Mr. Powelson said there are three that share his driveway. Chief Wright said there was a question on Berry Road last year and they really tried to discourage it; he said it is not a good idea. Selectman Ives said that just because they have some doesn't mean they should allow more.
- c. Mr. Powelson said someone is looking for 30,000 lb carbon dioxide tank for greenhouses and he thinks the fire department should weigh in on it. He isn't sure if it is on the Zoning agenda this month or not.
  - d. Mr. Powelson explained that someone called the Planning/Zoning Secretary about a house on Route 106. They want to buy the house and put in a home occupation. He explained that it looks like it is a large compound, with a barn or garage and a house. Mr. Powelson said they want a home occupation and build a garage to sell Rhino shelters. Mr. Powelson said it is in the C/I district but is being used as residential. Selectman Ives asked if they can build a separate building for home occupation use. Chairman Bowles said they can; it was changed a few years ago to allow the separate building. Mr. Powelson said he will see if they want to come in for a special exception. Selectman Krieger said he doesn't want to discourage growth.

Chairman Bowles closed the Board of Permit.

- III. The Board met with Fire Chief Rick Wright.
  - a. Chief Wright submitted two confidential memos regarding personnel issues.
  - b. Chief Wright submitted information regarding missing items from the fire station.
  - c. Chief Wright explained they had a meeting at Concord Area Compact regarding the ambulance billing service. He said there were several towns there discussing options. There is a meeting scheduled for next Wednesday with three vendors.
  - d. Chief Wright said they have a new member, a firefighter/EMT, he works fulltime at Pease, he lives on Chichester Road and Chief has heard nothing but good about him.
  - e. Chief Wright said the UJOC will be open Sunday at Station 2 at the State's request from 10:00 – 5:00.
  - f. Chairman Bowles asked if Chief is all set for the weekend, if he has enough coverage. Chief Wright said he is and they do.
- IV. The Board recognized Mark Richards, 1110 Route 129, from the audience. Mr. Richards explained that he is again complaining about the farm across the street. He explained that a chicken coop has been put in directly across from his residence so he's here to find out what can be done about it. Mr. Richards said he called the state and was told they are doing Best Practice but he feels it's a devaluation of his property. Mr. Richards explained that it looks nothing like what it did when he moved in, it was beautiful rolling fields, now there are pigs, goats, cows and he hears there will be chickens. He said he is voicing his concern, he had thirteen cows on his front lawn a week ago that caused property damage, and he just paid \$9,000 for a paved driveway that now has hoofmarks on it. Mr. Richards said they filed a report. He is concerned about his wife's safety, the cows came flying up the road, and she had to run into the house. Mr. Richards said this is the third time they have gotten out this year; he said there has to be a

limit or a fine. He is concerned about the additional flies they are getting now. Mr. Richards said he noticed that the property owner across the street is only paying \$1 per acre; he said he isn't sure how that valuation came about. Mr. Richards said he would like to have that checked into. He stated that he is disappointed; he doesn't know what can be done so now he's dealing State Senators, State Representatives, and the Executive Council. Selectman Krieger stated that he found an RSA 635:3 about trespassing livestock for Mr. Richards. Mr. Richards said he did not know about this RSA. He explained they did file a report when the cows were at his house right after the lawn had been reseeded; there were hoof prints, cow poop all over the place which actually ate part of the pavement. Mr. Richards said if this happens again they will go to civil court and sue for damages. He said he just want to get along; there are 34 acre's so he doesn't understand why it all has to be done across from his yard. He explained that there are days when he can't go out on his front lawn because of the smell. Selectman Ives asked if an animal presents danger to a family can you legally dispatch an animal. Selectman Krieger said yes but a person better be able to articulate it; the best thing to do would be to call the farmer. Chairman Bowles explained that the town has an Agricultural Commission. He said he would like to see them get involved as a mediator if necessary; it's part of their responsibility as a commission. Selectman Krieger recognized Mr. Tuson in the audience and asked Mr. Tuson to review RSA 635:3.

- V. The Board recognized Jerry Gappens from the audience. Mr. Gappens explained that he was in the neighborhood so he stopped by for a few minutes. Selectman Ives explained that Fire Chief Wright was in earlier and said everything was going good. Mr. Gappens stated that Chief Wright is just a really cooperative guy. Mr. Gappens explained that Police Chief Fiske came in and met with the NH Liquor Commission; about the enforcement side of things last week. Mr. Gappens said everyone seems to be working good together and is prepared. Selectman Krieger stated that Chief Wright's father was awesome and Rick is doing a great job too. Mr. Gappens agreed. Selectman Ives said he is providing great leadership in the fire department.
- VI. The Board began their review of weekly correspondence.
  - a. The Board received the Merrimack Valley School District July 2015 invoice in the amount of \$722,040.64.
  - b. The Board received copies of the current expenditure reports.
  - c. The Board received a request from Jean Lee, Kim Bean and Friends regarding the placement of a park bench at the gazebo in memory of Irene Dow. The Board all agreed that the bench can be placed near the gazebo. Selectman Krieger said he thinks it is a great idea; the Dow family has done a lot for the town.
  - d. The Board received a letter from Matt and Patty Smith regarding 7060 Pleasant Street Extension. Chairman Bowles stated that the deal fell through with the person that had the winning bid at the auction for this property. Mr. and Mrs. Smith offered to purchase the property. Selectman Krieger said he appreciates their generous offer but he thinks it would be fair to put it back up for auction. Selectman Ives said he feels they should make a good faith effort to get back as much as they can for the past

- owner. Chairman Bowles agreed. They all thank the Smith's for their offer but it will go back up for auction.
- e. The Board received a memo from the office manager regarding the 2015 Junkyard Permit renewals. The Board reviewed them during Board of Permit earlier in the meeting.
  - f. The Board received an appointment paper for Douglas Towle to be an Agricultural Commission Member. Selectman Ives made a motion to appoint Douglas Towle as an Agricultural Commission member with a term to expire March 31, 2018. Seconded by Selectman Krieger. All in favor. Motion carries. Selectman Ives noted that they make these appointments based on the recommendations of the Agricultural Commission.
  - g. The Board received a letter from Senator John Reagan regarding the State Operating Budget.
  - h. The Board received a copy of a Shoreland Permit Application for Manchester Sand & Gravel and New England Flower Farms for their review.
  - i. The Board received a letter from Conservation Commission Chair, Julie Robinson regarding the Shoreland Permit Application for Manchester Sand & Gravel and New England Flower Farms. The letter indicates that the Conservation Commission has no issues with the application.
  - j. The Board received a thank you note from the Dow family.
  - k. The Board received the Maxfield Public Library Trustees meeting minutes of June 15, 2015.
  - l. The Board received the ESMI Self-report for June 2015.
  - m. The Board received an abutter notice from the Zoning Board of Adjustment regarding an application for a special exception for Larry Stripling of COPART. The meeting date is July 23, 2015 at 7:00 PM.
  - n. The Board received the June 2015 property transfers.
  - o. The Board received miscellaneous correspondence.

VII. The Board recognized Earl Tuson from the audience. Mr. Tuson asked the Board if they have any questions for him. They said they did not. Mr. Tuson said the Commissioner of Agriculture contacted him to share some of Mr. Richards's concerns regarding property values. He said his only property value there is in agricultural production; it's the only property value he has, he can't put houses there. Mr. Tuson said the property is under Conservation Assessment. Mr. Tuson said Mr. Batchelder uses that property to relieve his own small property; this gives the livestock much more room. He said he has asked Mr. Batchelder to work with NRCS. He said he has been working with them and putting their suggestions into place. Mr. Tuson explained that the chicken coop is going there because the field that Mr. Batchelder originally inquired about is more usable for Mr. Tuson for growing vegetables. Mr. Tuson said this field has two entrances; there are wet areas and setbacks that Mr. Batchelder has to work with. Selectman Ives said he believes Mr. Richards moved there with the idea that he had a beautiful view but Mr. Tuson needs to

be able to use his land as a farm; he said there needs to be give and take. Mr. Tuson said it is frustrating to hear that the police and even this Board somewhat advocate violent means of dealing with these things, shooting livestock is not kosher. Selectman Ives said if you have to protect your family if something comes onto your property that's their right. Mr. Tuson said they chase animals onto other people's property; there are laws against harassing animals. Selectman Krieger said they did not advocate anything and that's why he clearly told Mr. Richards his best bet was to call Mr. Tuson or someone that can deal with the animals. Selectman Krieger said by no means are they recommending that anyone shoot anything. Chairman Bowles said that as the property owner it would be in Mr. Tuson's best interest to encourage Mr. Batchelder to keep the fences in order and the cattle contained.

VIII. Selectman Krieger moved to adjourn at 7:22 PM. Seconded by Chairman Bowles. All in favor. Motion carried.

#### LOUDON BOARD OF SELECTMEN

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Dustin J. Bowles, Chairman

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Robert P. Krieger, Selectman

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Steven R. Ives, Selectman