

Selectmen's Meeting Minutes

Tuesday, July 27, 2004

**Present: Selectman Maxfield and Bowles. Selectman Kardaseski is not present.
Also present: Road Agent David Rice.**

Chairman Maxfield called the meeting to order at 6:30 PM.

- I. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, July 20, 2004 as presented. Seconded by Chairman Maxfield. All in favor. Motion carried.
- II. The Board met with Road Agent David Rice.
 - a. Mr. Rice advised the Board he had reviewed the letter from the Department of Justice regarding ADA issues at the polling place at Town Hall. Mr. Rice said the highway crew would be addressing the issues sited. Chairman Maxfield inquired about the handicap parking. Mr. Rice stated the handicap parking by the highway garage is pretty level and the handicap ramp will be addressed as well. Chairman Maxfield stated he would be the contact person for this issue.
- III. The Board began their review of weekly correspondence.
 - a. Chairman Maxfield discussed the septage disposal fees. He stated the Concord facility charges \$75.00 per 1,000 gallons of septage delivered to their facility and that Loudon will begin charging \$70.00 per 1,000 gallons of septage delivered to the Loudon septage lagoon beginning on August 10, 2004. Chairman Maxfield stated the Board agreed the \$70.00 per 1,000 gallons delivered to Loudon's septage lagoon stands.
 - b. Chairman Maxfield discussed the need to order additional voting booths as required. He stated the money is in the budget for the additional voting booths and the Selectmen agree the Office Manager could place the order.
 - c. Mr. Raymond Cummings asked the Board why they were spending Town funds to support a private business, specifically Freedom Hill Cooperative. Selectman Bowles stated that the Selectmen are assisting Freedom Hill with acquiring a Federal Grant for a new water system, at no expense to the town. Further, that this assistance was necessary to verify and insure that federal funds were used for what they were intended for. Mr. Cummings stated that there was an expense because the Town is paying Concord Monitor for advertising and the Town Treasurer has to process the paperwork, which is a cost to the Town. Chairman Maxfield stated that Mr. Cummings statement was not accurate. Chairman Maxfield stated that Freedom Hill composes all advertisements and writes all checks not the Town. Further, the Town will incur no monitory obligation. Chairman Maxfield stated that the Town held a

public hearing regarding this matter, and all details of the Town's involvement were thoroughly discussed and understood.

- d. The Board received a letter from Attorney Peter McGrath regarding the Town's moratorium on building permits. Attorney McGrath's letter states the annual building permit limitation is not legal and will not stand up in court. Chairman Maxfield stated the legislative body voted on a petitioned warrant article at the March 2002 Annual Town Meeting, which reduced the number of new building permits to 2% per year. An inquiry was made as to whom Attorney McGrath was representing as well as what he was basing his letter on. The Board stated Attorney McGrath was representing Peter and Gary LLC, who have recently purchased the John Richards Trust property, Tax Map #038, Lot #008 containing approximately 118 acres. The letter questions the growth management ordinance relative to conflicts with the Master Plan. Attorney McGrath has requested his letter be forwarded to Town Counsel as soon as possible. The Board will look into less expensive resources before sending this to Town Counsel.
- e. The Board discussed the supplemental current use lien release penalty for Alvin Davis III. The Board agreed they would not send Mr. Davis a supplemental bill, that the initial bill has been paid and accepted.
- f. The Board reviewed a letter from Darlene Johnson inviting a representative from the Town to visit a wastewater treatment plant in Maine on August 4th. Either Selectman Kardaseski or Steve Bennett of the Highway Department will attend.
- g. The Board reviewed a copy of the Fire Department billing sent to NHIS for fire personnel coverage at the Nextel Cup race event in the amount of \$28,892.50. The Board also reviewed a copy of the Police Department billing to NHIS for police personnel coverage at the Nextel Cup race event in the amount of \$170,681.25 as well as a billing for security to C. N. Brown for the Big Apple Convenience Store in the amount of \$1,881.25.
- h. Chairman Maxfield discussed a letter sent from Town Counsel to the Planning Board regarding Wellington Properties and road bond issues.
- i. The Board received a copy of a letter sent to Robert Saunders of The Louis Berger Group from DES accepting the Town of Loudon Septage Lagoon response plan with conditions.
- j. Selectman Bowles moved to accept the petition and pole license from Verizon New England Inc., Unitil Energy Systems Inc., and Capital Doc, #9AAKCT for two telephone poles. Seconded by Chairman Maxfield. All in favor. Motion carried.
- k. Raymond Cummings questioned the issues discussed at last weeks meeting regarding Hilltop Drive. He asked if Mr. Roy Merrill was being required to submit a State approved septic plan as well as the other required documents. Discussion ensued regarding Hilltop Drive, Terry Drive, and Crabapple Way. The Board stated based on the RSA, a building permit could be issued on "paper streets" and Class VI Roads as long as they met the requirements as stated by law. They also stated all the required paperwork must be submitted with the building permit application.

- l. Selectman Bowles moved to authorize the Chairman to sign the 1-year contract with Waste Management of New Hampton, NH and to waive the \$250.00 license fee. Seconded by Chairman Maxfield. Chairman Maxfield explained the commercial hauler fee is waived for Waste Management due to the fact they provide the Town with a demolition dumpster for the year at no charge to the Town. All in favor. Motion carried.
- m. Chairman Maxfield stated he had contacted Don Cleveland at Comcast Cable regarding John Plummer of 994 Loudon Ridge Road being told he would need to pay a large sum of money to get the cable wires connected to his home. Mr. Cleveland went out to Mr. Plummer's home and stated that Mr. Plummer is well within the area for free cable hookup. All Mr. Plummer needs to do is call Comcast Cable.
- n. Matthew Cheney was recognized from the audience. He expressed his concerns about a house being built with a building permit and the lot is in current use. Discussion ensued regarding Mr. Cheney's subdivision and the recent subdivision approval for Tax Map #047, Lot #001. Selectman Bowles stated a building permit was issued for Tax Map #047, Lot #001 for the whole lot. Since the building permit was issued, a subdivision application was submitted and approval was given. Selectman Bowles stated this is allowed as the building permit was issued for the full 31 acres. Mr. Cheney questioned the current issue with putting in a foundation or having a building permit issued prior to paying the current use penalty. Mr. Cheney questioned lot numbering after a subdivision and issues relating to not being able to transfer building permits. Chairman Maxfield suggested Mr. Cheney speak with Bob Fiske regarding this issue. Bob Landry discussed current use issues.
- o. Marge Schoonmaker inquired if copies of the weekly correspondence list, which is provided by the Office Manager to the Selectmen, could be available for audience members at each Selectmen's Meeting. Chairman Maxfield stated the Board would take this under advisement.

Selectman Bowles moved to adjourn at 7:35 PM. Seconded by Chairman Maxfield. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

 Roger A. Maxfield, Chairman

 Deborah A. Kardaseski, Selectman

 Dustin J. Bowles, Selectman