

Selectmen's Meeting Minutes

Tuesday, August 12, 2008

Present: Selectmen Ives, Bowles, and Maxfield.

Also present: Police Chief, Code Enforcement/Compliance Officer Bob Fiske, Fire Chief Jeff Burr, ZBA Chairman David Powelson, and Planning Board member Stanley Prescott III.

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

- I. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, August 5, 2008 as presented. Seconded by Selectman Maxfield. All in favor. Motion carried.
- II. Chairman Ives opened Board of Permit.
 - a. Chairman Ives stated the first item to discuss is the main entrance sign at NH Motor Speedway. He stated that the Selectmen have a letter that they will be sending to Gerry Gappens, General Manager of NHMS, advising him that he should come before the ZBA to discuss the sign issues. Mr. Powelson stated that in researching this issue Bob Fiske has stated that the new sign at the main entrance is smaller than the previous sign so the size should not be an issue. He discussed the issue with "changeable copy" and its definition within the ordinance. Chairman Ives discussed the interval between the message changes. Mr. Powelson said he could contact NH Traffic Bureau to see what standard is used in timing for the variable message boards that the State uses. Discussion ensued regarding the "special events" signage as well as the sign with "moving parts". It was discussed that the "moving parts" may be temporary. Mr. Prescott discussed the fact that NHMS went before the Board in Canterbury to get that sign approved, and felt that they should come before the Board in Loudon for the approvals. He also discussed the need to know how many days the moving portion of the sign is going to be utilized during the year. Mr. Prescott said he felt it was evident that NHMS is in violation of the sign ordinance. Mr. Fiske said that originally he stated the interval was 5 seconds but now he is counting it at 3 seconds. It was discussed that the State variable message boards do not fall under Loudon's Ordinances. Mr. Fiske asked about the term "changeable" and what the definition truly is. Chairman Ives stated that he would encourage everyone on the Planning Board and all of the Selectmen to attend the Zoning Board meeting when NHMS comes in to discuss this issue so everyone is on the same page. It was agreed that this would not be a hearing, just a discussion. Mr. Fiske said when the track came in

regarding the replacement of the sign it was smaller than the sign it was replacing and it fell within the ordinance regulations. He said the only thing that changed was the changeable message part, but he felt it fell within the criteria of the Zoning Ordinance; however, the initial changeable message needed to be tuned down. Mr. Fiske said if the Town were to set a time limit, the track would agree to abide by it. Chairman Ives said he had spoken with GM Gerry Gappens to let him know that a letter would be forwarded regarding this issue. Selectman Maxfield asked about the ordinance relative to the term “changeable”. Mr. Powelson said that there is a definition for “changeable copy” and reviewed it for those present.

- b. Selectman Maxfield addressed a phone call he received from Michael Harris regarding Tax Map 53, Lot 029, 474 Lower Ridge Road. Mr. Fiske stated this is the property formerly owned by Mr. Harris and Mr. Harris is questioning the Certificate of Occupancy for this property. He went on to say that the C O has not been issued as there are still two items that need to be addressed before it can be issued. Mr. Fiske said one of the remaining issues is the payment of the \$1,523.00 Impact Fee which is due prior to issuance of a C O. He said Ms. Attridge is working on obtaining the funds and the completion of the siding so she can obtain the C O. Mr. Fiske said that there is a temporary camper on the premises which can legally be there until April of 2009 to be used during construction. The Board stated that if the occupants are staying in the camper during construction, they have until April of 2009 before there are any issues. Discussion ensued regarding the Zoning Ordinance and precedence that has been set regarding campers during construction. Selectman Bowles said this new property owner has been working diligently on fixing the mess that they acquired and he feels the Town will work with the property owner if the C O is not obtained by April 2009. Mr. Fiske agreed that the new property owners have been working very hard to address the issues and agreed that he felt the Town should work with the property owners. The Board stated that once April 10, 2009 comes they will see what the status of the building is at that time.
- c. Selectman Maxfield stated Mr. Harris also expressed his concerns regarding noise from the race track.
- d. Chairman Ives stated that it has come to the Board’s attention that Joanne Sanborn is advertising her property for sale as having two income producing apartments. He read the advertisement for those present. Chairman Ives stated that this is a Code Enforcement issue. Mr. Fiske said that he will research this property, but his recollection is that it was an approved in-law apartment at the time it was constructed. Discussion ensued regarding the in-law apartment issue relative to rental or not allowing rentals. Discussion ensued regarding this property and the 50-foot easement.

- e. Chairman Ives discussed the issue of the VOA and the requirement of the landscaping relative to what was agreed to and what has been done. It was stated that Gary Tasker has agreed to review the requirements and view the property.

Chairman Ives closed the Board of Permit and reconvened the Selectmen's Meeting.

III. The Board met with Police Chief, Code Enforcement/Compliance Officer Bob Fiske.

- a. Mr. Fiske provided the Board with a copy of a thank you letter from M. Geoffrey Smith of Pittsfield Road for review.
- b. Chairman Ives stated for the record that one pistol permit was submitted for signature and approval.
- c. Selectman Bowles stated he felt that all went well with Old Home Day including traffic control and he said that the volunteers for Old Home Day do a really good job on the event. The Board agreed.

IV. The Board met with Fire Chief Jeff Burr.

- a. Chief Burr discussed the generator replacement for Station 2. He discussed the insurance payment based on the size of the old generator, the estimated costs associated with the purchase and installation of a larger generator, and funding. Chief Burr stated the new generator would be 15 KW and would replace the 7 ½ KW generator. It was stated that the old generator had been used at the old fire station and was transferred to the new Station 2 when it was built. Discussion ensued. The Board will get back to Chief Burr once they get more information.
- b. Chairman Ives stated that the Gator from the Fire Department had been sent to New Hampton for mutual aid purposes as New Hampton had sustained a lot of damage from the storms.

V. Don Boyer was recognized from the audience and stated he had questions regarding Rainbow Drive. The Board advised Mr. Boyer that since he was not on the agenda, they probably would not be able to give him any answers but they would listen to what he had to say. Mr. Boyer stated he was looking to purchase property on Rainbow Drive and to upgrade the road and subdivide a few lots. The Board advised Mr. Boyer that all of his questions relative to the road waiver due to the length, engineering, and bonding will go through the Planning Board. The Board advised Mr. Boyer that the Selectmen are the ones that accept a road, once it is built to town standards and inspected. Mr. Boyer will move forward with the Planning Board and Zoning Board on this issue.

VI. The Board began their review of weekly correspondence.

- a. The Board received copies of an e-mail from Rodney Phillips regarding the signs at NHMS and compliance with zoning ordinances.

- b. The Board received copies of the revised drainage specifications for the Library catch basins. Discussion ensued regarding the drainage project. The Board agreed that there was a need to do the project correctly the first time. Selectman Bowles will try to speak with Mike Bean to see if he can give some recommendations to this project. Discussion ensued regarding the need to have the specifications exact prior to going out to bid.
- c. The Board received copies of an e-mail from the State Purchasing Agent regarding road salt purchases. Chairman Ives said that the supplier to the State has agreed to give towns within District #3 the same price as the State of \$62.73 per ton for road salt.
- d. Discussion ensued regarding third party billing for attorney fees. The Board agreed that the town will not be responsible for bills created by a third party. All correspondence between the town and town counsel will be generated by the office, not individual residents.
- e. The Board received copies of expenditure reports for review.
- f. The Board received information regarding the pending Town Hall repairs and availability of funds. Discussion ensued regarding the maintenance of the building and funding. Selectman Bowles will review the proposal from Fifield Restoration, and the Selectmen will see what repairs can be made with the remaining \$9,500.00 in the building repair line along with the matching funds from the Freewill Baptist Church. Chairman Ives said that the Selectmen will look at increasing this budget line for next year's budget.
- g. Selectman Maxfield advised the Board that Henry and Betty Frost have offered to purchase new carpeting for the Community Building. The Board was presented with carpet samples for review. The Selectmen made their recommendation for the carpet color.
- h. The Board was advised that the carpet price for the Town Office Building lobby and upstairs room have been revised due to the fact that the selection originally chosen is no longer available. The Board agreed to the \$94.00 increase.
- i. The Board received copies of a letter from Rocky Pond Association regarding the contribution to fight milfoil. Discussion ensued. Selectman Bowles said that Conservation Commission Chairman Julie Robinson should be contacted regarding this issue.
- j. The Board received the 2008 Merrimack County Assessment in the amount of \$1,408,490.00 which is due by December 17, 2008. Chairman Ives stated that Loudon pays the ninth highest amount for the County Taxes which is 3.3 % of the budget. Selectman Bowles said that the total budget is \$41,928,579.00.
- k. The Board received copies of the July Library Trustee Meeting Minutes.
- l. The Board received copies of the Merrimack Valley School District alteration of terrain permit notice.

- m. The Board received copies of the ESMI inspection report from DES for review.
- n. The Board received copies of the fee and revenue adjustments from Northeast Resource Recovery Association.
- o. The Board received scholarship thank you cards.
- p. The Board received copies of information from NHMA on Legislative Policy proposals.
- q. The Board received copies of a workshop notice on collective bargaining on September 29, 2008.
- r. The Board received copies of a letter from Comcast on their new billing format for review.
- s. Selectman Maxfield moved to authorize the Chairman to sign the Commercial Haulers Application with Bestway Disposal Services for hauling commercial trash in Loudon. Seconded by Selectman Bowles. All in favor. Motion carried.

VII. John Plummer was recognized from the audience. Mr. Plummer said it was very generous of Henry and Betty Frost to donate the new carpet for the Community Building. The Board agreed. Chairman Ives said the Board was planning to replace the carpet next year as there were not enough funds in this budget to cover the cost. He said the Selectmen were very grateful for their donation and will be sure that the townspeople know about it. Discussion ensued regarding the new Merrimack County Nursing Home.

VIII. Chairman Ives stated he wanted to wish Dave Rice a Happy Birthday. He said Mr. Rice was not feeling well and was not in attendance at tonight's meeting but wanted to be sure to wish him Happy Birthday.

Selectman Maxfield moved to adjourn the meeting at 7:55 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