

Selectmen's Meeting Minutes

Tuesday, November 1, 2005

Present: Selectman Maxfield, Bowles, and Little.

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

- I. Selectman Bowles moved to approve the Selectmen's Meeting Minutes of Tuesday, October 25, 2005 as printed. Seconded by Selectman Little. All in favor. Motion carried.
- II. The Board met with Wilson Smith.
 - a. Mr. Smith discussed his tax bill for the property he recently subdivided in June. Mr. Smith showed the Board his paperwork from the closing on the property regarding prorating the taxes and stated he felt the Town should generate a new tax bill to show this change. The Board advised Mr. Smith to go over to the Town Office and talk with Mrs. Lee regarding this issue.
- III. The Board began their review of weekly correspondence.
 - a. Chairman Maxfield stated the Board had discussed the building permit extension request by D. Maratea regarding Tax Map #058, Lot #021 but did not take formal action on the request. It has been brought back this week for formal action by the Board. Selectman Little moved to deny the building permit extension request for Tax Map #058, Lot #021 based on not meeting the criteria of the Zoning Ordinance. Seconded by Selectman Bowles for discussion purposes. Selectman Little stated the Zoning Ordinance allows for the Board to extend a building permit if the commencement of work has taken place. Chairman Maxfield stated the Board has granted other extensions in the past. He said he wanted Selectman Bowles to go to the Planning Board and work on changing the ordinance to allow the Selectmen the authority of extending building permits for hardship issues. Chairman Maxfield stated he felt the Board should grant Ms. Maratea the extension for six months due to hardship. Selectman Bowles stated he would go along with a six month extension for her building permit as long as the Board can stipulate something be done regarding drainage issues along Berry Road to prevent the water from crossing over into the pond and also address the driveway. Selectman Bowles moved to amend the motion to extend the building permit for a period of six months and to include the condition that the driveway

drainage/property drainage issues on to Berry Road be properly addressed by the Town Engineer and Road Agent. Selectman Little stated as a rule of order there is a motion to deny the extension which needs to be voted on. Chairman Maxfield stated he would call for a vote on the original motion, then on the amendment. Selectman Little stated he felt there needed to be a separate vote. Chairman Maxfield seconded the amendment. Selectman Little asked can an amendment to a motion completely reverse the initial motion. Selectman Bowles stated he was concerned about that also. Chairman Maxfield stated the motion has been made to deny the building permit extension for D. Maratea for Tax Map #58, Lot #21. By majority vote against the motion, the motion failed. Chairman Maxfield stated the motion has been made and seconded to extend the building permit for Tax Map #58, Lot #21 for a six month period providing the Town Road Agent and Engineer discuss and address the drainage issues. Selectman Little stated by Zoning Ordinance 801:5 it reads "The Selectmen may attach conditions which they deem necessary to the enforcement of this ordinance to the issuance of a building permit." He stated he did not feel this would be relative to an extension. Selectman Little stated he does not feel the Board has the authority to extend the permit unless a foundation is in place. Chairman Maxfield stated he feels the issue is that the Board has done it in the past, even with the other Board on several occasions, and he feels this would be cleaned up with the new ordinance. Selectman Bowles stated he felt if it weren't in the crunch with the building permits being two years out it would be a different situation and he feels the ordinance needs some upgrading. Selectman Little stated until the citizen's vote on a change, he feels it is imperative the people who hold the building permits need to ensure they have the funds necessary to meet the criteria of the Zoning Ordinance. He stated it was his understanding the ZBA could reverse the Selectmen's decision if there is a hardship. Chairman Maxfield asked if Selectman Little was stating he felt Ms. Maratea should go before the ZBA due to a hardship issue. Selectman Little stated if the ZBA has the authority to overrule the Selectmen's denial, then yes. Chairman Maxfield stated he felt Selectman Little was correct. Chairman Maxfield called for the vote. By a two to one vote against the motion, the motion failed. Chairman Maxfield stated the Board will notify Ms. Maratea she needs to meet with the ZBA for this issue.

- b. Chairman Maxfield discussed the Recreation Field Grant inspection. He stated the Recreation Area is considered to be a Federal Park. Chairman Maxfield stated the general maintenance of the Recreation Area was the reason for the inspection. He went on to say he brought Ms. Deely down to the Landry Ball Field on Staniels Road and asked if the Town could buy out the grant. Ms. Deely stated the only way to buy out the grant would be to duplicate what is at the Recreation Field in the Village. Therefore, tennis courts, basket ball court, etc. would

need to be built. Chairman Maxfield stated he didn't think that was an option.

- c. Chairman Maxfield stated the Board had the contract for services from Fifield Building Restoration and Relocation LLC for the Town Hall/Freewill Baptist Church in the amount of \$218,500.00 to be split in half between the Town and the Freewill Baptist Church. Selectman Little stated it should be noted the contract states there could be additional expenses as work progresses due to unknown issues that may arise. Selectman Bowles stated he was present during the structural inspection and he was impressed by the detail of the inspection. Selectman Little asked if the insurance money allocated for this project would be enough to get the job done. Chairman Maxfield stated there was enough insurance money to cover this contract. Chairman Maxfield recognized Church Trustee Dick Vincent, Church Treasurer Laura Vincent, and Assistant Treasurer/Trustee Jean Ashland were present. Discussion ensued regarding the \$450,000.00 insurance coverage for the Freewill Baptist Church and the \$150,000.00 insurance payment on behalf of the Church. Mrs. Vincent asked if the \$5,000.00 already paid was part of the \$218,500.00. Selectman Bowles stated that it was in addition to the \$218,500.00. He stated the \$5,000.00 was in addition as it was to pay for the crane for the belfry and storage of it for the winter. Selectman Bowles will contact Mr. Fifield to be sure the \$5,000.00 that has already been paid is not included in the \$218,500.00. Discussion ensued regarding the figures for services. Selectman Little moved to accept the proposal from Fifield Building Restoration and Relocation LLC, Shaker Road in Canterbury for those specific duties and work as detailed in the proposal in the amount of \$218,500.00 to be shared equally between the Town of Loudon and the Freewill Baptist Church. Seconded by Selectman Bowles. Selectman Little stated he felt the Board should increase the building maintenance line during budget season in case there are any issues with the insurance companies. Mr. Vincent stated he faxed a copy of the proposal to Church Mutual. Selectman Bowles stated NHMA has approved the contract for the Town's insurance. All in favor. Motion carried. Selectman Little moved to authorize the Chairman to sign the proposal on behalf of the Town. Seconded by Selectman Bowles. All in favor. Motion carried. Discussion ensued regarding the payment allocations.

- IV. The Board met with Roy Merrill regarding replacement of a mobile home on Tax Map #52, Lot #007.
 - a. Mr. Merrill stated he would like to replace the mobile home currently on the property with a new mobile home for rental purposes. Mr. Merrill stated he had someone stay in the unit for periods of time during the summers. Chairman Maxfield asked if there was a well and septic system in place. Mr. Merrill stated no, he would have to install

them. Mr. Merrill discussed the assessment history for this property. Chairman Maxfield asked how long ago the last time someone lived in the mobile home was. Mr. Merrill stated three summers ago. Selectman Little asked if a Certificate of Occupancy was ever issued. Mr. Merrill stated no. Mr. Merrill stated because the Town has been taxing the mobile home he feels he should be able to replace it. Mr. Merrill stated he has spoken with Bob Fiske regarding this and Mr. Fiske advised Mr. Merrill to seek clarification from the Board of Selectmen. Selectman Little stated if there was no septic, well or CO in place, it appears it is only being stored on the property. Selectman Little stated he knows there have been units utilized as offices in gravel pits but with no CO, well and septic he doesn't think this will pass zoning as far as a grandfathered use. He stated he felt this issue should go before the ZBA for their decision. The Board will take this under advisement until they can review it further.

- V. The Board continued their review of weekly correspondence.
- a. Jim Venne asked if it were an oversight that there is a sign which states Bee Hole Road is not a through road. Selectman Bowles stated it was not an oversight. He stated that portion of the road has not been accepted as a Town Road. Until all outstanding issues have been addressed the portion of road that has not been accepted as a Town Road will remain subject to gates and bars. Mr. Venne stated it was one of the better roads in Town. Chairman Maxfield agreed.
 - b. The Board reviewed the disaster grant briefing meetings. Selectman Little will attend the meeting for the Board.
 - c. The Board received the assessing update proposal from Cross Country Appraisal.
 - d. The Board received the final draft of the inclement weather maintenance policy for review from Dave Rice.
 - e. The Board received the technical information release from DRA regarding the Superior Court ruling on constitutionality of 2002 State Property Tax.
 - f. The Board received a letter from Ray Cummings regarding the Wellington Properties letter of credit. Mr. Cummings letter suggests Wellington Properties may be having some financial issues as there are liens against them and he feels the Town should be careful with releasing any bond amounts. Selectman Bowles stated he advised the Planning Board of the Selectmen's concerns regarding releasing the bond. Mr. Cummings discussed the need to have irrevocable bonds in place so that bonds do not expire and get forgotten about. Discussion ensued regarding the history of bonds and the RSA relative to bonds.
 - g. The Board received a notice stating that Freedom Hill Development did not receive the grant money for the water system they applied for. Discussion ensued regarding the work put into applying for the grant.

- h. The Board received a memo from Representative James Danforth regarding Committee appointments.
- i. The Board received copies of newspaper article from Michael Harris. Selectman Little inquired if Mr. Harris had a 2005 or 2006 Building Permit for the building he is currently constructing on Lower Ridge Road. Discussion ensued regarding having Bob Fiske check on the property.
- j. Selectman Little moved to send past due ambulance bill account #27940 in the amount of \$580.50 to collections. Seconded by Selectman Bowles. All in favor. Motion carried.
- k. The Board received the September Cate Van Committee Minutes. The Board was also advised Barbara Cameron was still waiting to find out about winter storage of the Cate Van. Discussion ensued regarding if Chief Burr had discussed this issue with Ms. Cameron. Chairman Maxfield will contact Ms. Cameron. Discussion ensued regarding storage of the Cate Van.
- l. Discussion ensued regarding changes in cable from Comcast.
- m. Chairman Maxfield stated for the record one pistol permit was submitted for signature and approval.
- n. John Plummer asked if there was a timeline set for the repairs at the Town Hall. Discussion ensued regarding Mr. Fifield starting the work as soon as he is able to. Selectman Little discussed the contract with Mr. Fifield.

Selectman Bowles moved to adjourn the meeting at 8:10 PM. Seconded by Selectman Little. All in favor. Meeting adjourned.

THE LOUDON BOARD OF SELECTMEN

Roger A. Maxfield, Chairman

Dustin J. Bowles, Selectman

David M. Little, Selectman