

Selectmen's Meeting Minutes

Tuesday, November 8, 2005

Present: Selectman Maxfield, Bowles, and Little.

Also present: Planning Board member Bob Ordway, Road Agent David Rice, Fire Chief Jeff Burr, ZBA Chairman Roy Maxfield, David Powelson ZBA member, and Police Chief, Code Enforcement/Compliance Officer Bob Fiske.

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

- I. Selectman Little moved to accept the Selectmen's Meeting Minutes of Tuesday, November 1, 2005 as presented. Seconded by Selectman Bowles. All in favor. Motion carried.
- II. Chairman Maxfield opened the Board of Permit.
 - a. Roy Maxfield discussed a letter received from Bob Blake regarding a parcel on Chichester Road. He discussed the road closing and right-of-way and the Zoning Board's letter stating there were a few issues with this lot being developed. He stated if the landowner is developing that lot the ZBA would want to see them regarding the CI/Residential issue and the driveway setback situation. Mr. Maxfield stated he would inform Mr. Blake and the Compliance Officer that if there is development down there beyond using that right-of-way access to the property the ZBA wants to see them. Selectman Bowles stated he recalled someone coming into the Planning Board for a subdivision on this lot. Bob Ordway discussed the issue of properties having been subdivided in the past with the frontage going with one lot and the backland being retained with a fifty foot access. He stated the intention was that the access would be the roadway into the property. Mr. Ordway said over time the regulations have changed and the road/driveway now has to abide by the setbacks and with a situation like this it becomes a problem for the property owner. He stated he does not feel a driveway should have to abide by the setbacks set for subdivisions. Discussion ensued regarding parcels having either twenty-five or fifty feet access. Mr. Maxfield stated he felt it would call for a Special Exception from the ZBA. Discussion ensued. Roy Merrill ZBA member was recognized. Mr. Merrill discussed the approval by the Planning Board for a subdivision for this parcel within the last two years with the twenty-five foot access being on Chichester Road even though there is road frontage on Route 106. Selectman Little asked if an individual had fifty-foot right-of-way and they were going to put in a driveway for their own use would they have to meet

the setback requirements. He also asked if that fifty-foot Right-of-way were to be turned into a road how would it work. Mr. Maxfield stated that is the issue with this parcel, they have to put in a fifty-foot road to get to the back property and use the right-of-way to make the road. He stated the ZBA would have to look at the two properties they are trying to go in around and determine where to put the road. Selectman Little asked if the two abutters would be getting more road frontage. Mr. Maxfield stated that was a good question and it states driveways not roads and all that is required is a fifty-foot right-of-way to put a road in for a subdivision. Mr. Maxfield stated Mr. Fiske should look into what the property owners are doing on this lot and send them to the ZBA for approval.

- b. Mr. Maxfield stated he wanted to discuss Dee Dee Maratea's request for a building permit extension for Tax Map 58, Lot #21. Chairman Maxfield discussed the possible change to the Ordinance. He stated the previous Board of Selectmen had extended building permits for hardship cases, not the current Board. He went on to say the ordinance states a foundation must be in place within one year of the issuance of the building permit in order to qualify for an extension. He went on to say he wanted to know who can issue an extension for a building permit as the ordinance does not say the Selectmen can't extend it nor does it say they can extend it. Chairman Maxfield stated he understood that Buttrick Construction would be going in and getting the foundation in place for Dee Dee Maratea. He stated if someone's building permit expires it could be three years before they could get another one issued due to the length of the building permit waiting list. Chairman Maxfield asked the Boards to discuss this at their meeting to determine if an extension should be given by Zoning, Selectmen, or Bob Fiske. Mr. Fiske discussed his concerns regarding the one year time limit for the foundation and one additional year for the house to be built. Discussion ensued regarding property owners having more than one building permit at a time as well as the requirements that have been in place for many years. Discussion ensued.
- c. Selectman Little discussed Roy Merrill's request to replace a mobile home on Map #52, Lot #007. Selectman Little stated Mr. Merrill wants to replace the old mobile home with a new one for rental purposes. He went on to say the problem is that the old mobile home had never been connected to a well or septic system nor did it ever have a Certificate of Occupancy. Chairman Maxfield stated the Selectmen recommended Mr. Merrill go before the Zoning Board with this issue. Mr. Roy Maxfield agreed the ZBA should review this issue.

III. The Board met with Bob Ordway.

- a. Mr. Ordway discussed the Mill Pond with regards to the dam after the damage due to the recent high water. Mr. Ordway discussed the possibility of Federal money for assistance in the repairs of the dam.

He reminded those present there is a plan in place for the repairs. Mr. Ordway discussed the erosion that has taken place over the years as well as the details of the plan already in place. Selectman Little explained that he and Road Agent David Rice attended the Disaster Declaration meeting at EOC and FEMA was present. He stated they were advised there is some funding in place for Hazard Mitigation for recurring issues that pop up like floodwaters. Selectman Little stated the available money would be based on a share formula of 75% Federal money and 25% local money. He went on to say it was discussed there is a possibility the 25% could be split between the State and Local Municipality but it is not definite yet. Discussion regarding the potential for damage to the bridge, dam, and roads ensued.

- IV. Chairman Maxfield opened the Public Hearing for accepting the FEMA grant money in excess of \$5,000.00 as a result of the January 2005 snow event.
 - a. Chairman Maxfield explained that as required by RSA 31:95 b III, a public hearing must be held by the Board of Selectmen for acceptance of unanticipated moneys in the amount of \$5,000.00 or more. Any action taken must be duly noted in the Selectmen's Meeting Minutes. The Town applied for emergency snow removal reimbursement due to the storm of January 22 and 23, 2005. The Town submitted eligible expenses totaling \$14,010.78. The Town received federal funds in the amount of \$10,928.41, which represents the federal share of 75%. These funds will become part of the general fund to offset overtime expenses, equipment rental, and materials used to treat the roads. Selectman Bowles moved to accept the \$10,928.41 FEMA Grant money from the Snow Event of January 2005. Seconded by Selectman Bowles. All in favor. Motion carried.

- V. The Board met with Bob Ordway.
 - a. Mr. Ordway discussed the document that accompanies the Town of Loudon Quilt. He explained the book was with the Quilt when it was on display at the Maxfield Public Library. Mr. Ordway went on to say he has been trying to get the book since the Quilt was removed from the Library with no success. He went on to say he would like to have the Board make a request to the Library Trustees to get the book so it can be kept for historical purposes with the Quilt. Chairman Maxfield will follow up on this issue.
 - b. Selectman Bowles discussed the bridge abutment on Wales Bridge Road and asked if Mr. Rice would address it when he meets with the representative from FEMA. Discussion regarding the bridge abutment ensued. Selectman Little asked if Mr. Fiske had checked on a mobile home on Staniels Road relative to the flooding issues. Discussion ensued.

- VI. The Board met with Road Agent David Rice.
 - a. Mr. Rice stated the Highway Crew was working on getting things ready for winter. He stated they are working on grading roads as they can get to them. Selectman Bowles stated there is an area on Lovejoy Road that appears to have a spring running through and it is causing water to form on the road which could potentially cause problems. Mr. Rice will look into this situation and check the ditches.
 - b. Chairman Maxfield asked about the metal pile at the Transfer Station. Mr. Rice stated the Town pays to have it hauled away; however, if the revenue for the tonnage is over the cost of the hauling fee, the Town receives the additional revenue. Chairman Maxfield discussed the issue of not allowing residents to remove any items from the metal pile. Mr. Rice stated no one is supposed to be allowed to remove anything without the consent of the Attendant. Discussion ensued regarding this issue and possible additional signage. Mr. Rice will speak with Mr. Bennett regarding this subject.
 - c. Chairman Maxfield thanked Mr. Rice for removing the flag poles at the triangle in the Village.
- VII. The Board met with Police Chief, Code Enforcement/Compliance Officer Bob Fiske.
 - a. Chief Fiske stated the only item he had was the pistol permit that was signed by the Chairman.
 - b. Selectman Little asked if Mr. Fiske had looked into the setback issue for the property on Lower Ridge Road. Mr. Fiske discussed the history of the property relative to the driveway approval being issued prior to the new setback ordinance. Mr. Fiske stated Mr. Harris came to the Selectmen and requested approval to build an accessory structure on the property prior to the residence being built. Mr. Harris is on the building permit list for the new residence for 2006.
- VIII. The Board met with Fire Chief Jeff Burr.
 - a. Chairman Maxfield asked Chief Burr if he had any room to house the Cate Van during the winter months. Chief Burr stated they are planning on working on the Forestry Truck during the winter. He stated someone had donated a remote car starter so they could let the Van warm up and he believes someone has offered to install it for them. Discussion ensued regarding this issue. Selectman Bowles stated if there is anyway to get it in under cover that would be great but if there is no room then it would have to be dealt with. The Board agreed the J. O. Cate Van is a wonderful program and services many Loudon residents. Chief Burr will check and see if there is any way to move equipment around at Station 2. Discussion regarding a block heater ensued.
 - b. Chairman Maxfield stated he hoped to see everyone at the Veteran's Memorial dedication on Friday morning.
 - c. Selectman Bowles stated he wanted to thank Bob Bahre for the use of the Track for the Halloween party for kids in Loudon. Bob Fiske

stated the Loudon Police Department has sent a thank you to Mr. Bahre.

- d. Selectman Bowles stated he had received a couple of phone calls regarding safety issues with trimming trees. He stated he really appreciates the Fire Department helping out. Selectman Bowles stated he has spoken with Chief Burr regarding this and would like to see the Highway Department work with them on safety gear.

IX. The Board began their review of weekly correspondence.

- a. Chairman Maxfield stated the Board has received a request from William Taranovich, Jr. for a building permit extension for his property on Tax Map #33, Lot #36. Selectman Little moved to deny the extension for building permit #05-019 for William Taranovich, Jr. Seconded by Selectman Bowles. Selectman Little stated by denying it he can go to Zoning for a hardship extension. All in favor. Motion carried.
- b. The Board received copies of the Town's payment to Fifield Building Restoration and Relocation for advance payment of the contract approved on 11-01-05. Selectman Bowles stated he had spoken with Mr. Fifield and it is his hope to begin setup on the Town Hall by the end of this week.
- c. The Board received information on the Community Mosquito Control seminar. Selectman Little will attend the December 2, 2005 meeting.
- d. The Board received copies of the 2005 equalization report for their review.
- e. The Board received a notice of a proposed administrative fine to Peter & Gary LLC.
- f. The Board received a notice of increase on building and property insurance effective July 1, 2006.
- g. The Board received the agenda for the November Planning Board meeting, October 24 Open Space sub-committee minutes, and the draft October ZBA minutes.

Selectman Bowles moved to adjourn the meeting at 8:01 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