

ZONING AMENDMENT 2013-2

Are you in favor of adoption of Amendment 2013-2 proposed and recommended by the Planning Board for the Loudon Zoning Ordinance as follows: Amend Section 205.3 AFP District - Uses Permitted by Special Exception to include (L.) Firewood production for resale

Reason: to permit processing of firewood from log to cordwood; would provide a sound basis for the operation of such forestry activities while acknowledging and limiting their potential impact on abutting properties.

YES 397 NO 183

ZONING AMENDMENT 2013-3

Are you in favor of adoption of Amendment 2013-3 proposed and recommended by the Planning Board for the Loudon Zoning Ordinance as follows: Amend Section 205.3 AFP District - Uses Permitted by Special Exception to include (K.) Boarding houses, lodging houses, tourist homes and "bed and breakfast" facilities provided there are not more than six guest units

Reason: This use is already allowed by special exception in the Village and Rural Residential Districts. The use would also seem fitting for the rural character of the AFP District.

YES 400 NO 186

ZONING AMENDMENT 2013-4

Are you in favor of adoption of Amendment 2013-4 proposed and recommended by the Planning Board for the Loudon Zoning Ordinance as follows: Remove Section 601.1 Contiguous Lot Rule from the Zoning Ordinance to comply with RSA 674:39-aa, Restoration of Involuntarily Merged Lots

Reason: To comply with changes in RSA 674:39-aa

YES 381 NO 140

ZONING AMENDMENT 2013-5

Are you in favor of adoption of Amendment 2013-5 proposed by petition for the Loudon Zoning Ordinance as follows: Amend Article III, Section 303.2 Definitions to read (A.) Elderly Housing Unit – A housing unit intended for and occupied by a person or persons fifty-five years of age or older; where such elderly housing unit is so occupied, the occupancy by not more than one other person, fifty-two years of age or older shall be permitted. *The Loudon Planning Board disapproves of this amendment.*

Reason: Current definition is 'housing units for, and solely occupied by persons fifty-five years or older'. Petitioners believe that such limitations exclude partners, spouses, or co-owners of any elderly housing unit occupant who may be fifty-two years of age or older.

YES 301 NO 256

ARTICLES 3-11: Will be taken up at the second session of the annual Town Meeting on Saturday, March 16, 2013 at 9:00 AM at the Loudon Elementary School Gym on School Street.

8:30 AM Selectman Dustin Bowles was sworn in by Wendy Young, Town Clerk. Moderator Michael LaBonte opened the second session of Town Meeting at 9:00AM. Colors were presented by Loudon Police Dept., and then they led the Pledge of Allegiance.

Moderator Mike LaBonte read a presentation to commemorate “Welcome Home Vietnam Veterans Day”. New Hampshire Senate Bill 398, which Gov. John Lynch signed into Law last year, proclaims March 30, 2013 as “Welcome Home Vietnam Veterans Day.” It is a day to acknowledge and commemorate the military services of American men and women in Vietnam. On March 30, 2013, it will be 40 years to the day that the United States armed forces completed the withdrawal of combat troops from Vietnam.

We encourage everyone to note the special Welcome Home Vietnam Veterans Ceremony being held at the NH Veterans Cemetery in Boscawen on Saturday, March 30, 2013 at 11:00am.

I cannot think of a more appropriate time, than now, to recognize and honor not only the Loudon Vietnam and Vietnam-era Veterans present here today and give thanks for their sacrifices in defense of our freedom.

I ask that all Loudon Veterans present here today, please stand and be recognized. Anyone here from World War II, the Korean War-era, the Vietnam-era from 1961 to 1973, those that participated in the Persian Gulf, Iraq, or Afghanistan Conflicts, and finally those that served during peace time but were ready and willing to do their part if duty called. Let’s please give them a big Thank You for their service. I ask that the Vietnam and Vietnam-era Veterans please remain standing.

So, let’s give a big thank you and, at long last, a Welcome Home to all the Vietnam and Vietnam-era Vets, a welcome they never received from the American public.

And finally let’s stand for a moment of silence for all Veterans, and also for those Veterans who are no longer with us and for the 228 brave NH soldiers who died during the Vietnam War.....Thank You!

Moderator then introduced the Selectmen: Robert Krieger, Steven Ives and Dustin Bowles. Ballot Clerks: Dorothy Mulkhey, Charlene Morin, Marjorie Schoonmaker, and Helen McNeil. Supervisors of Checklist: Diane Bullock, Dawn Pearl, and Lynne Riel. Town Clerk: Wendy Young.

The Moderator extended gratitude to the School District, the Principal Mr. Laliberte, Chuck Houston and his staff and the Loudon Highway Dept. for preparing and setting up for the meeting.

The Moderator read the rules of the meeting, then moved to reading the results of Articles 1-2 and Zoning Amendments, and then proceeded to Article 3.

ARTICLE 3: To see if the Town will vote to raise and appropriate the sum of \$137,695 for the purchase of a truck cab and chassis with a stainless steel body with plow setup and sander controls. Funds to be withdrawn from the Highway Department Capital Reserve Fund and further to appoint the Board of Selectmen as agents to carry said purpose into effect. *The Selectmen recommend this article.*

Moved by: Dustin Bowles Seconded by: Steven Ives

Selectman Bowles addressed the article and explained the need for the update of equipment.

Hearing no questions, Moderator asked for a raised hand vote.

Article #3 Passed as read.

ARTICLE 4: To see if the Town will vote to accept as a Class V public highway the entirety of Green View Drive, beginning at the intersection of Voted Road, to the end, and that the name Green View Drive be given to said public highway, and to act on anything relative thereto. Construction of the road has been completed. Currently there are numerous homes located on the road. (By Petition) *The Selectmen do not recommend this article.*

Moved by: Mike Currier Seconded by: Steve Warren

Mike Currier of 197 Green View Drive addressed this article; he and his family have been residents since 2006. They have petitioned to have the road changed to a public road so that they will have all the same benefits as 99% of other Loudon residents, such as plowing and maintenance of the road and safety issues. He gave a brief history of Green View Drive. Between 2006 -2007, the Selectmen were approached by residents of Green View Drive to have the road amended to public; they were advised that those items would not be addressed until all current upgrades were made to the road, which included blacktop and fire retention ponds, which were completed in 2008.

Several points of consideration made by Mike Currier were:

- Child safety issues, especially bus stop area at end of Voted Road, which is particularly dangerous during winter.

- Police presence, would like to see more than just a drive through on occasion. Concern for reckless drivers, possible house break-ins etc. Police presence would help to prevent those concerns and would assist the Golf Club with similar issues.
- Road plowing and maintenance, same as offered to all other residents of Loudon.
- Financing – several residents have looked into refinance to get lower interest rates, however, can't be obtained due to having a private road, causing the value of their homes to be less than they should.
- Mail Boxes – have to be down at the end of Voted Road. Road needs repairs and can be dangerous at times.

The residents of Green View Drive would simply like to have the same privileges as other taxpaying residents, such as having mail delivered to their homes and children picked up for school in safety and proper road maintenance, especially during snow storms. Please vote yes to have this road changed to a public road.

Selectmen Ives addressed the mentioned issues. Selectmen were asked in 2008 by the residents to amend the road to a public highway, the Selectmen refused with the following points:

- The road was created as a private road and all the owners knew that when they purchased their homes. In no meeting minutes did any Selectmen suggest that this road would be changed to a public road.
- It opens the town up to too much liability due to the fact that it goes through the Golf Course, and as a member himself understands that golfers must drive their balls directly across Green View Drive, and golf carts go directly across the road regularly. The Golf Club actually owns a section of the road. We as Selectmen cannot turn a road which is partially owned by someone else into a public road. Golf Course water and electric facilities are under the road. It was designed as a sheeting road with no drainage ditches and if we salt and sand that run off would go directly onto the golf course, which would be a liability to the town.
- Department of Environmental Services has a dam registered on this road, so if something happens to that dam and damages are done to any house, the town again would be liable. As well as salt and sand run off could end up in Clough Pond which would also be a liability to the town.
- The Selectmen have been to court on several occasions over this situation and have won every time. There would be too many issues with eminent domain and lawsuits to make it a wise decision to take this road on as a public road.

Selectman Ives stated, though some of the issues are valid for these residents, other options are available to them such as forming an Association just as the residents of Hardy Road did. They are charged at a higher tax rate, but that money goes right back to them for road maintenance, plowing and sanding. It would have been perhaps better also if the residents of Green View Drive came to one of the Selectmen's meetings and expressed the concern for the children and where they are picked by the school bus, some type of shelter or something might be able to be looked into, instead of addressing here now.

Jeffrey Brown, residing on Beck Road, advised that with his Real Estate background etc., he is in agreement with what Selectman Ives stated and that this situation has cost the town way more money than it should have with court costs and attorney fees. Though we do empathize with these residents and the problems they are dealing with, they purchased homes on a private road and they knew that when they purchased it; we need to vote no on this article.

David King, residing at 122 Green View Drive, feels they are the only residents in Loudon with a road built to town specifications which is not given all the same benefits; Hardy Road mentioned earlier is not built to the town specifications. We can't get cable or high-speed internet. There are other towns with Golf Courses running through them; they don't have a problem because their Police enforce safety rules. Up on Green View, on a Saturday morning you could come across golf carts, people driving too fast etc. due to no speed limits and no Police presence. Again, concern for children and the danger of being picked up at the end of Voted Road. Please vote yes.

Selectmen Bowles advised he was on the Planning Board during Phase 1, 2 & 3 of the construction of this road. It was built to Mr. Crowley's specifications to make it the best quality it could be even as a private road. If it hadn't been built to town specifications, it would be considerably worse, especially this time of year with snow and mud. Selectmen Bowles reconfirmed some of the same items Selectmen Ives mentioned and stated that the Board of Selectmen is concerned with some of the same things that the residents have mentioned and have encouraged these residents to come in and discuss things with them, but no one has come in. It was originally established that this road would be considered a Safety Highway, which means that in the case of any fire or police issue the road agent would plow the road in order that proper safety equipment can reach the residents. Also noted, Police do respond to Green View Drive just the same as any other street in town.

Jodi Doody, resident on Bee Hole Road, spoke in agreement with the Selectmen, just wanted to point out that the Golf Course was there first and the people of Green View wanted to live in an exclusive neighborhood. Also noted that Voted Road where the kids are picked up for school, if it is a public road then perhaps improvements could be made there to make it safer.

Mike Currier advised he did not purchase his property because it was an exclusive golf course community and neither did several of the other neighbors, that statement is simply not true. As concerns the safety issues, they were brought to the Board of Selectmen about 4 years ago when the town lost power during an ice storm and his alarm system went off. His security company ADT called the Fire Department, he was in Belmont when they called, and he went right home and waited 30 minutes for the Fire Department to respond. If this issue is not voted in favor this time, it will be brought up again and again.

Selectmen Ives stated that considering the fact that there was an ice storm a 30-minute response time was actually pretty good considering you were not the only call they had that evening and it is a volunteer department. Also mentioned, that he does not recall any Green View resident attending a Selectmen's meeting to discuss a safe bus stop for the children. The Selectmen would be more than happy to help come up with something to keep the children safer. If the residents want to come back year after year and ask for the same thing, bear in mind it does not change the liability risk or the costs to the town, litigation and attorney fees can cost up to a million dollars. I do not want my tax dollars having to go to paying for the same thing over and over again, especially since it has already been decided by the Supreme Court of the state of NH.

Steve Jakubowski, of Piper Hill Rd., proposed we move the question.

Moderator advised that having two people still in line to speak, he will allow the question to be moved after they speak.

Lisa Laughlin, 185 Old Shaker Rd., presented a signed request by five residents to have a secret ballot for article 4.

Mike Currier made one last statement as concerns the 30 minute fire call; the fire dept had to go house to house to see who it was that was having a problem, he saw them down the road and had to go get them, therefore, he still feels that there is a great safety issue. Also, if the town was concerned about spending a million dollars on this issue, they should have considered accepting it when it was first brought up 4 years ago.

A secret ballot ensued. Article was re-read by the Moderator and a 5-minute break was given to cast the ballots.

Yes 36 No 147
Article #4 Failed

Peter Pittman of LoveJoy Road moved to restrict reconsideration of Articles 3 & 4 and was seconded. Voted on and passed.

ARTICLE 5: To see if the Town will vote to raise and appropriate the sum of \$225,250 for the purpose of shimming and paving 3675 feet of Hemlock Hill Road, shimming and paving 1930 feet, and the 62' x 100' turnaround of Plateau Ridge Road, to grind 2000 feet of Mudgett Hill Road and shim and pave 6175 feet of Mudgett Hill Road. \$105,250 to be withdrawn from the Roadway Improvement Capital Reserve Fund and \$120,000 to be raised by taxes and further to appoint the Selectmen as agents to carry said purpose into effect. *The Selectmen recommend this article.*

Moved by: Steve Ives Seconded by: Dustin Bowles

Selectmen Ives addressed the article, he advised that he personally drove through all the above areas and found some that were in extreme need of repair. Hemlock Hill is in need of repair soon or we could lose the road. Similar issues on Plateau Ridge and Mudgett Hill. If we take care of these issues now, we will hopefully not have to do it again for another 20 years.

Hearing no questions, vote ensued.

Article #5 Passed as read.

ARTICLE 6: To see if the Town will vote to raise and appropriate the sum of \$18,800 for the purpose of purchasing a new 3 point hitch boom mower. *The Selectmen recommend this article.*

Moved by: Dustin Bowles Seconded by: Robert Krieger

Selectmen Bowles spoke on the need for a new mower. Old mower was bought somewhere around 1980 and has been rebuilt many times and just can't be repaired any more.

Hearing no questions, vote ensued.

Article #6 Passed as read.

ARTICLE 7: To see if the Town will vote to *rescind* the provisions of RSA 41:14-a that gives the Board of Selectmen authority to acquire or sell land, buildings, or both; provided, however, they shall first submit any such proposed acquisition or sale to the Planning Board and to the Conservation Commission for review and recommendation by those bodies.

Article 8 is contingent on the passing of this article. *The Selectmen recommend this article.*

Moved by: Robert Krieger Seconded by: Steve Ives

Selectmen Krieger advised we asked the residents of Loudon to vote this into existence last year, in order to allow us to purchase land for a new Town office building and now having purchased the land, we are following through with our promise to rescind that request.

Hearing no questions, vote ensued.

Article #7 Passed as read.

ARTICLE 8: To see if the Town will vote to change the purpose of the existing Town Office Building Capital Reserve Fund, established by the March 2004 Town Meeting and to allow the appropriations deposited in said fund to be used for the purchase, future construction, or renovation of a Town Office Building and to further name the Board of Selectmen as agents to expend from this fund. This article is contingent on the passing of the previous warrant article. *The Selectmen recommend this article. (2/3 vote required).*

Moved by: Steve Ives Seconded by: Dustin Bowles

Selectmen Ives spoke on the need for this article, now that land has been purchased we now need to make preparations for construction of the new Town Office building.

Hearing no questions, vote ensued. Moderator advised that a 2/3 vote is required; therefore, when raising your response card please hold them up long enough for them to be counted.

Yes 141 No 1

Article #8 Passed as read.

Peter Pittman moved to restrict reconsideration of article 8 and it was seconded. Voted on and passed.

ARTICLE 9: To see if the Town will vote to change the purpose of the existing Road Grader Expendable Trust Fund to the Highway Equipment Expendable Trust Fund and to raise and appropriate the sum of thirty thousand dollars (\$30,000) to be placed in this fund and further to appoint the Board of Selectmen as agents to carry said purpose into effect. (2/3 vote required). *The Selectmen recommend this article.*

Moved by: Dustin Bowles Seconded by: Robert Krieger

Selectmen Bowles discussed that we purchased a new Road Grader last year and we are now looking to be able to raise enough money to at some point replace a loader, and other equipment in the future as needed.

Having no questions, vote ensued. Moderator advised that a 2/3 vote is required; therefore, when raising your response card please hold them up long enough for them to be counted.

Yes 157 No 0

Article #9 Passed as read.

ARTICLE 10: To see if the Town will vote to raise and appropriate the sum of \$461,500 to be placed in previously established Capital Reserve Funds:

- Fire Department Apparatus Capital Reserve Fund \$100,000
- Highway Department Capital Reserve Fund \$50,000
- Bridge Capital Reserve Fund \$30,000
- Recreational Facility Maintenance Trust Capital Reserve Fund \$2,000
- Library Collection Maintenance Capital Reserve Fund \$7,000
- Roadway Improvements Capital Reserve Fund \$100,000
- J. O. Cate Memorial Van Capital Reserve Fund \$2,500

Ambulance/Rescue Equipment Capital Reserve Fund \$40,000
Conservation Commission Land Capital Reserve Fund \$30,000
Town Office Building Capital Reserve Fund \$100,000

(Majority vote required.) *The Selectmen recommend this article.*

Moved by: Steve Ives Seconded by: Dustin Bowles

Selectman Ives reviewed the reasons for this article. These reserve funds act as a buffer for your taxes.

Lisa Laughlin, inquired as to how these Fund amounts are determined.

Selectman Ives advised that they are usually based on the nature of the fund...for example, knowing the full cost of a new fire truck, in order to purchase a new truck say every 5 years, we need to estimate its cost and then plan accordingly to save those funds. We also shift existing funds around as they are needed.

Hearing no further questions, vote ensued.

Article #10 Passed as read.

ARTICLE 11: To see if the Town will vote to raise and appropriate the sum of \$30,000 to be placed in the previously established Expendable Trust Funds:

Transfer Station Maintenance Expendable Trust Fund \$20,000

Septage Lagoon Expendable Trust Fund \$10,000

(Majority vote required.) *The Selectmen recommend this article.*

Moved by: Robert Krieger Seconded by: Steve Ives

Selectman Krieger addressed this article. These are funds that we take and put aside so we don't need to keep asking for more.

Hearing no further questions, vote ensued.

Article #11 Passed as read.

ARTICLE 12: To see if the Town will vote to raise and appropriate the sum of \$3,983,307.00 to defray Town charges for the ensuing year and make appropriations to the same. This article does not include any of the previous warrant articles.

Moved by: Dustin Bowles Seconded by: Robert Krieger

Selectman Bowles advised the need for these funds is as our bottom line budget for the coming year.

Preston Lawrence, asked what the coming tax rate will be now that we've approved all the above articles and if we approve this one. Selectman Bowles advised that the tax rate is not set until September, October by the state based on our assessed value in the town. Selectmen Bowles estimated .25 to .30 cents per \$1000 possibly. Selectmen Ives mentioned that only 68 voters from Loudon attended the school board meeting, and that budget was 1.5 million over their last year's budget and that is going to affect our tax rate a lot more than the towns increase. We do our best to keep the tax rate down as low as possible in Loudon.

Patrick Kiley, of Rte 129, also mentioned the school board budget and that the increase being proposed in this article is not what is going to increase your taxes, the school budget is.

Hearing no further questions, vote ensued.

Article #12 Passed as read.

Elgie Goodwin, of Coaster Road, moved to restrict reconsideration of articles 5,6,7,9,10,11, seconded by Peter Pittman. Voted on and passed.

Herb Huckins Loudon Ridge Road of moved to restrict reconsideration of article 12, seconded by Peter Pittman. Voted on and passed.

ARTICLE 13: To transact any other business that may legally come before said meeting.

Moved by: Robert Krieger Seconded by: Dustin Bowles

Lisa Laughlin of Old Shaker Road, made a public announcement asking people to get involved with the D.A.R.E. program, Boy Scouts, Girl Scouts, recreation committee is looking for more people. Please get involved and make our town even better.

Barbara Parent and Steve Bennett for Recycle Committee with 10 recycling tips:

10. Metal items – does not have to be 100% metal to get recycled.
09. Batteries – alkaline batteries can go in regular trash, except rechargeable batteries.
08. Glass – all glass is recyclable, just please remove caps. No light bulbs please.
07. Corrugated Card Board – must have the ridges to be considered for Corrugated.
06. Yourself – Organ donors. Human items do not belong in trash...no animals either.
05. Mixed paper – if it will tear you can put it in.
04. Please sort recyclables before you come to the dump.
03. Rigid Plastic – lawn furniture, 5 gal buckets etc. – must have less than 2% toxic waste. Please clean items thoroughly.
02. Any questions ask Steve or the crew, they are very knowledgeable.
01. Remember to take caps off all the plastic bottles.....

Steve Del Deo, of Loudon Ridge Rd., Chairman of Library Trustees, wanted to thank the Library workers, and all volunteers as well as all Town workers especially the Highway guys for the wonderful job they have done for the past months with snow removal. Thanked the Selectmen for their fairness, honesty and keeping our town on track.

Barbara Cameron, wanted to thank the people of Loudon for supporting the J.O. Cate Van. The Van is very busy transporting people with needs, answering phones, etc., we need volunteers, please consider helping.

Peter Pittman, representing Loudon Communications Council, we are looking for volunteers to write articles. For those that don't know we publish the Loudon Ledger. We are also looking for people to be directors on the board. You can find out where and when meetings are by looking in the front of the Ledger. He also wished to thank the Selectmen for keeping their word as concerns rescinding ARTICLE 7 and especially Bob Krieger who gave his word that that would be done and did follow through.

Jeffrey Brown, wished to thank the Board of Selectmen for the great job they do and asked to give them a round of applause. Mentioned next that he is a member of the Lyon's Club and volunteers are desperately needed. Coming up is an annual road race on May 2nd, which will be helping to fund scholarships to MVHS students. Anything you can do to help would be appreciated, volunteers, donations, sign up to race.

Steve Jakubowski, read a resolution: Whereas, the International Baccalaureate (IB) program at MVSD is expanding to eventually include the primary years, middle years and the high school.

Whereas, the funding for the IB program has been largely through State or Federal government grants.

Whereas, because the IB program is expanding and will eventually become so costly that grants will no longer cover the cost or grants will not be available at all. Thus, leaving the entire future cost to the taxpayers of MVSD Towns unknown and impossible to anticipate.

Whereas, the MVSD has never included any accounting of: sources of revenue for the IB program or any accounting of expenditures for the IB program in the MVSD Annual Report.

Resolution: It is resolved that the residents of Loudon, acting as the Legislative Body of the Town Meeting 2013, request that the Merrimack Valley School District and MV School Board publish in the MVSD Annual Report, a full report and accounting of IB activities and a detailed financial statement of all sources of revenue and all expenditures from those sources and further, any expenditures for the IB program from the approved MVSD budget.

Lisa Laughlin, wished to speak on the resolution stated that IB is a staff development program and searched for that line item in the School Board Annual Report, not being able to find the item stated that IB is a method of teaching. She encouraged people to attend the meetings when this is discussed or contact your school board representative with questions; they are very knowledgeable and approachable.

Earl Tuson wanted to simply stand for 3 minutes to allow Lisa to have the time to find what she was looking for in the School Board Annual Report.

Steve Ives said that he believes that what Steve Jakubowski read was not questioning the IB program, but was questioning its funding and how is it being paid. The resolution is not for or against the IB program it is being made in order to bring the actual funding amounts in a clear way so everyone knows what is being spent.

Steve Jackson, of Berry Road, explained the IB program is a curriculum based program originated in Switzerland, it is complex and expensive. It is currently being funded at MVSD primarily by grants. These funds are getting moved around in the budget to pay for application fees, teacher training etc and no specific accounting in the annual report for this program. We are just asking for accountability by putting this information clearly in the annual report.

Steve Jakubowski confirmed that this resolution is for a better accounting of funds for this program.

Lisa Laughlin stated that we have never asked for such a thing in the past from our school board, in her opinion the only reason people want to know about the funding now is due to the rumors that the IB program is evil, and originated in another country.

Hearing no further questions on the resolution a vote ensued. Resolution was passed.

Steve Jackson mentioned that 620 Loudon residents showed up to vote for Town Officers on March 12th, 185 Loudon residents showed up today for this Town meeting, however, only 63 Loudon residents showed up to the school board meeting. The school budget will affect our taxes more than any of these other items and virtually no one shows up. I am asking that Loudon residents please get more involved in the school board meetings.

Elgie Goodwin asked for clarification on some items in town, such as paving. Items put out to bid, what is your procedure?

Selectman Bowles, said they follow a usual protocol, if someone has a problem with what they have done in the past please feel free to ask. Selectman Bowles advised that this upcoming road issue will be going out for bid.

Elgie Goodwin further wanted an update on the new Fire Truck purchased last year. Selectman Bowles advised that it is on its way to us should be here hopefully by mid-April.

Selectman Bowles thanked everyone for coming to the meeting and supporting the town as they do.

Motion to adjourn by David Little and seconded by Peter Pittman. Voted on and approved.

Meeting was adjourned at 11:00 AM by Moderator.

Respectfully Submitted,

Wendy L. Young
Loudon Town Clerk