

**TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE**

**PLANNING BOARD MINUTES
OF APRIL 20, 2006**

I. MEETING CALLED TO ORDER AT 7:00 P.M.

II. ATTENDANCE:

Gary Tasker, Chairman; Tom Dow, Vice Chairman; Stanley Prescott, Henry Huntington, Tom Moore, Bob Ordway and alternates Clem Lyon and Jason Masse were present. Dustin Bowles, Ex-Officio was not present.

Conservation Commission representative Julie Robinson was present.

Selectmen representative Roger Maxfield was present.

III. ELECTION OF OFFICERS:

Stanley Prescott made a motion to nominate Tom Dow as Chairman. Seconded by Bob Ordway. All were in favor. Bob Ordway made a motion to nominate Stanley Prescott as Vice Chairman. Seconded by Tom Moore. All were in favor. Gary Tasker thanked the board for 15 great years.

IV. ACCEPTANCE OF MINUTES:

March 16, 2006 Public Hearing. Henry Huntington made a motion to accept the minutes. Seconded by Gary Tasker. Stanley Prescott stated under application #06-08 he made a motion stating they need a waiver to allow the wetlands to be shown and Mr. Stout wrote as shown per the licensed land surveyor. Mr. Prescott stated this is against our zoning and was not his intent. Mr. Prescott stated his intent was that they not be shown or be required to be shown. Mr. Prescott stated the land surveyor aspect needs to be stricken from the minutes. The line should read, "Stanley Prescott stated they need a waiver to allow the wetlands not to be shown." Gary Tasker seconded the minutes as amended. All were in favor.

V. DISCUSSIONS:

1. Russell Lee – Tom Dow stated Mr. Lee from NH Picket Fences in here for a one year site review. Mr. Lee stated they have had a much better start this year than last year. Mr. Dow stated the site looks good and clean and asked if the board had any comments. Gary Tasker stated he thinks it looks good too. Mr. Dow stated the board is satisfied and Mr. Lee does not need to come back to the board again.
2. Marcia Flynn – Ms. Flynn stated she is representing Mr. Bob Hibbard. Ms. Flynn stated Mr. Hibbard would like to do a minor subdivision on Kenney Road and would like to know if anything is required since it is a class VI road and not a class V. Ms. Flynn stated this lot has 400' of frontage and 5 acres in the AFP district. Gary Tasker stated he knows the selectman require a sign off because it is a class VI road. Ms. Flynn asked if that is the building write off on the waiver of liability. Mr. Tasker stated that is correct and stated

there is an RSA that governs private roads but does not know if that includes class VI roads; Ms. Flynn can look that up. Ms. Flynn stated there is a maintenance agreement on the class VI road already and there are other lots on the road that have been built on. Stanley Prescott stated he did not think the planning board was allowing subdivisions without bringing the road up to standards.

Selectman Roger Maxfield joined the board as the alternate ex-officio.

Roger Maxfield stated the town requires on a class VI road that every resident that builds needs a class VI waiver stating they will upgrade the road to town gravel standards. Ms. Flynn stated she understands this regulation but Mr. Hibbard is not proposing construction he is proposing a minor subdivision. Mr. Tasker asked the board when was the last time they subdivided on a class VI road without having them upgrade. The board could not recall. Tom Dow stated the board will need a week to research this, can they give Mr. Hibbard an answer next month. Alvin Davis stated he brought something in on a class VI road, he was not using the class VI for access, and the board turned him down two years ago. Mr. Dow stated they want to make sure they point Mr. Hibbard in the right direction. Ms. Flynn stated Mr. Hibbard will be here next month for a discussion.

3. Bob Bahre – Mr. Bahre stated he would like to build a helicopter pad towards the Laconia side in a parking lot. Mr. Bahre stated the reason for this is the FAA would shut everything down completely if there was ever an accident on the current pad. Mr. Bahre stated they would like to pave a portion of the parking lot and have the helicopters come in here; on Sunday night the helicopters would still leave from the infield. Mr. Bahre stated they have been told when they pave parking lots they do not have to come in. Roger Maxfield asked if the area will be fenced off. Mr. Bahre stated the area has to get FAA approval; they wanted to be sure the planning board was aware of what is going on in case someone asks them about it. Tom Dow stated as long as the FAA approves that is the boards biggest concern. Bob Ordway stated the board should have a site plan that shows this. Mr. Bahre stated they need some fill to level the area off but would like to get going on the project. Stanley Prescott reviewed site plan review requirements. Mark Sargent stated the area is 100' x 100' and all they are doing is putting down pavement and a little grading to meet FAA requirements. Mr. Prescott stated the regulations say expansion of aggregate parking, driveway, and loading and unloading areas of a site by more than 25% and Mr. Bahre is not doing that but it would be nice to have a site plan on file. Mr. Tasker stated this is less than 25%. Mr. Bahre stated they will start and he will have Mark bring down some plans.

VI. CONCEPTUAL CONSULTATION:

1. Application # 06-14, DRED, Major Site Development, Located on Tower Road, in the RR District. Map 37, Lot 1. Tom Dow stated abutters have not been notified. Tammy Davis stated this is a government project. Jim Kowalik from the NH State Police Communications Maintenance at the Department of Safety presented the application. Mr. Kowalik stated this project is to expand the state wide communications system for the state police and other state and local law enforcement entities. Mr. Kowalik stated they are creating a shared command center in Concord and therefore need to make some changes to existing locations; one of these being the Oak Hill communications site in Loudon. Mr. Kowalik stated they have submitted an application and information related to that project. Mr. Kowalik stated they are ready to follow through with the

application and provide any information the board needs; they would like to proceed with the installation of the three legged self-supporting communication tower at the site, and provide the board with any documentation required for this review. Mr. Kowalik stated there is an existing fire tower which supports the communications up there now; the expansion project is to get a better support structure for the communications that are going to be changed. Mr. Kowalik stated the tower is 21' across at the base and they will utilize the existing communications shelter; they will add equipment in the building but will not make any changes to the building. Mr. Kowalik stated they will move as much as possible onto the new structure. Mr. Kowalik stated they have received authorization for a certain height from the FAA and this project will not require a blinking light; the contractors will be working with a stamped drawing. Gary Tasker inquired to the height of the tower. Mr. Kowalik stated 160', the fire tower is 65'. Mr. Tasker asked if there has been balloon tests done. Mr. Kowalik stated no, he has driven around and took some pictures drawing in the proposed tower. Mr. Kowalik stated the tower will be a twin to the one up there now with the exception that their tower will not have cellular panels. Mr. Tasker asked if they will be leasing space on the tower. Mr. Kowalik stated they lease the land from the Department of Resources and Economical Development, DRED, and the state police retain ownership of the tower. Mr. Kowalik stated they provide space as available to other public safety agencies and any space that they do not use, DRED has the right to use. Mr. Tasker asked if DRED would lease space to a cellular company. Paul Leary from DRED stated only if it was the will of the town; their policy is they would notify the town and the company would have to come before the town for a site plan review. Mr. Leary stated at this point in time there has been no interest shown on the Oak Hill site. Bob Ordway asked if this will create an obstruction to the visibility from the fire tower. Mr. Kowalik stated they have worked with DRED and the fire watchman to place the tower in such a location, that as they gaze out, at least one side has a clear view; they have tried to make the face of the tower as clear as possible to the fire watchman. Julie Robinson stated Tower Road is in bad shape and asked if they will be fixing the road after all the equipment that will travel up there to build the tower. Mr. Kowalik stated they have the opportunity to work with other agencies like DOT and can repair damage that is done. Henry Huntington asked if there is room on the existing 180' tower for any of this equipment. Mr. Kowalik stated that structure would not support the additional weight to accommodate all their equipment. Stanley Prescott asked if this has a regional impact. Mr. Leary stated he notified the Town of Loudon Selectmen and Planning Board, placed an ad in the local paper, and notified the regional planning commission. Mr. Kowalik stated they still have to undergo a 106 review for historical areas. Mr. Tasker stated RSA 674:54 Governmental Land Uses covers this project. Tom Dow stated they will be back in when they have their 106 information and stated they should send out abutter letters and regional impact notifications. Abutter Barbara Cameron stated she would like her lease people to know what is going on. Mr. Kowalik stated one requirement for the DRED permit is to study the radio waves and their effect on the surrounding area. Ms. Cameron asked if the DOT is going to move on to this tower. Ms. Cameron stated she offered space to the DOT as a courtesy but if they can move to this new tower she would be able to lease their space out to someone else. Mr. Kowalik stated he will be in contact with them. Tom Moore asked how much mass is going to be at the top of this new tower. Mr. Kowalik stated the microwave dishes will be moved off the fire tower and some other antenna, about 13 of them; the fire watchman does have a radio system and a weather station antenna that will remain on the fire tower. Mr. Kowalik stated these will be staggered and the parabolic bowls will have to remain at the same height they are now. Henry Huntington asked how they determined the 160' tower height. Mr. Kowalik stated the weight of the dishes, the existing path of

the microwaves, and the strength of the loading criteria determine the height of the tower. Mr. Kowalik stated as engineered this tower will produce less movement of the dishes and increases the reliability of the dishes. Tom Dow stated he hopes they are not setting themselves up for a large tower with a lot of equipment. Mr. Kowalik stated they separate the transmit antenna's from the receiving antenna's to determine the height as well. Stanley Prescott asked what the highest antenna is and what the separation is. Mr. Kowalik stated the parabolic is at 70', the combiner system has a 20' separation minimum, the top antenna is 12'-15' tall and 20' below that is the transmit antenna. Mr. Kowalik stated there are three legs on the tower, at each height a leg holds one antenna; there are three receivers and three transmit antennas. Mr. Dow stated next month the board would like to see the 106 study, a drawing of the tower showing what it will look like, and send out regional notifications to surrounding towns and abutters. This application will be heard on May 18, 2006, at 7:00pm, at this facility. This is the only notice.

VII. OLD BUSINESS:

1. Application # 05-11, Wildwood Sanctuary Association, Inc. – Major Subdivision, Located on Youngs Hill Road, in the AFP District. Map 34, Lot 2. No abutters were present. Tom Dow read a continuance request from the applicant. Henry Huntington made a motion to continue this hearing. Seconded by Stanley Prescott. All were in favor. This application will be heard on May 18, 2006, at 7:00 pm, at this facility. This is the only notice.
2. Application #06-05, H. Wayne Thistle, Lot Line Adjustment & Major Subdivision, Located on Young's Hill Road, in the RR District. Map 25, Lots 11 & 23. Abutters Earl Tuson and David Trow were present. Web Stout from FWS Land Surveying represented the applicant. Mr. Stout stated the board has a copy of Tony Puntin's comments; everything has been addressed and is all in order. Mr. Thistle met with the road agent and the board has a letter from Dave Rice. Mr. Stout stated eight borings were done to Young's Hill Road; one had organic matter three feet down. Mr. Stout stated Young's Hill Road will be lifted a little and then paved; maybe widened a foot to create ditches. Mr. Stout stated the engineering firm had a concern about a culvert at the intersection of the new road; this has been taken care of and the road is pitched and runs onto the property. Tom Dow asked if this has been reviewed by Tony Puntin. Mr. Stout stated Mr. Puntin has not reviewed Young's Hill Road only the new road. Stanley Prescott asked where the additional storm water is going. Mr. Stout stated it drains into the wetland on Mr. Thistle's property. Tom Dow asked if there were any questions or comments from the public. David Trow asked what the boring in front of the farm house depicted. Wayne Thistle stated one hit ledge at 30" and one hit organic matter at about 2½ feet; that was the only spot that showed organic matter. Roy Merrill asked if there will be engineered drawings for Young's Hill Road. Mr. Thistle stated he is planning on keeping the road as it is; if it is widened out to town standards it will take everything out on the other side of the road. Mr. Merrill stated this is a major road and it should be widened to town specifications. Mr. Thistle stated if the planning board wants him to widen the road he will. Mr. Dow stated there are some issues here and it is very narrow in this area. Bob Ordway stated when they first talked about this, the abutters they did not want the road on their doorstep. Gary Tasker stated he would like to see where the road will be in relation to these houses. Mr. Stout stated the existing road is approximately 18' wide, widening would add 10'; the road has been pushed to one side of the right-of-way; most of the widening will take place on the opposite side of the road. Mr. Thistle stated if the road is widened past the right of way on his side, the wall and trees will have to come

down. Mr. Dow stated the board has discussed this before and the people who live on this road have brought forth their feelings on this and did not want to see that happen. Mr. Thistle stated he is improving 740' of Young's Hill Road. Mr. Tasker stated he would like to see the town engineer review the upgrades to Young's Hill Road. Stanley Prescott stated there are requirements for travel width; everything may not be able to be done but at least we could make it a decent road. Mr. Prescott stated he agrees the town engineer should look at it. Mr. Tasker suggested a maintenance easement should be granted on Mr. Thistle's side if needed for the future. Mr. Stout stated an easement would be better than losing all the trees. Mr. Prescott stated the town engineer should look at the road to see what can be done to upgrade it without putting it on people's doorsteps. Julie Robinson inquired if the conservation easement is noted on the back lot. Mr. Thistle stated it will be in the deed. Mr. Dow asked if there were any questions or comments from the public. There were none. The hearing was closed to the public and open to the board only. Mr. Thistle asked if the only concerns were Young's Hill Road because he would like to ask for final approval subject to discussing the road with Tony Puntin. Mr. Tasker stated the road is a big part of the approval; does the road have to be completed before any of the houses are sold. Mr. Stout stated the standard note has been put on the plan that no lot may be sold until the upgrades are completed and they will add Young's Hill Road to that note. Mr. Dow stated they would like the town engineer to review Young's Hill Road. Mr. Thistle stated he would like to subdivide the front lot off now. Mr. Dow stated the board does not want to set a precedent. Gary Tasker made a motion to continue this hearing. Seconded by Tom Moore. All were in favor. This application will be heard on May 18, 2006, at 7:00 pm, at this facility. This is the only notice.

3. Application # 06-07, William Taranovich, Minor Subdivision, Located on Bee Hole Road, in the RR District. Map 21, Lot 23. Abutters Kendall and Kary Gay were present. Gary Tasker made a motion to accept this application as complete and move directly to a public hearing. Seconded by Henry Huntington. All were in favor. Dave Dolan from David. M. Dolan Associates, PC represented the applicant Dan Aversa. Mr. Dolan stated this lot has 600' of frontage on Bee Hole Road and frontage on Wiggins Road; they are not utilizing any of the frontage on Wiggins Road for access. Mr. Dolan stated the wetlands have been delineated by Peter Schauer. Mr. Dolan stated lot 1 is 3.46 acres and lot 2 is 7.5 acres; access to lot 2 is a deeded 50' wide easement through lot 1. Mr. Dolan stated the 180' x 240' block is on both lots. Tom Dow stated last month the board felt the property didn't look accessible given the wetlands and steep slopes. Mr. Dolan stated they found the elevations were not as restrictive as they thought after doing spot elevations on the lot; they did have to weave the driveway through the steep slope area. Mr. Dolan stated the easement does go into the slope but the driveway itself should not affect the slopes. Tom Dow stated the conservation commission has a 75' setback from the wetlands with a 50% allowance to cut the basal area. Mr. Dolan stated driveways are excluded from the Shoreland Protection Act. Julie Robinson stated that is not the conservation commission's intent; to have a driveway go within 25' of a wetland compromises the wetland. Ms. Robinson stated she will have to review the regulations to see if he can put a driveway in. Bob Ordway asked if the construction of the driveway will create a lot of surface disturbance in that area. Mr. Dolan stated he has not generated a profile; they are not designing the driveway. Mr. Dow asked if there were any questions or comments from the public. There were none. The hearing was closed to the public and open to the board only. Tom Dow stated the driveway is a big concern. Mr. Dolan stated he would like to suggest a site walk. Ms. Robinson stated the more trees removed the more disruptive to the wetland and she does not feel this is a reasonable request.

Ms. Robinson stated the conservation commission will meet and discuss this; their next meeting is May 9, 2006 in the library. Bob Ordway discussed driveways and wetland crossings. Stanley Prescott stated the board could have a site walk. Mr. Dolan stated there is an existing driveway cut. Tom Dow stated the site walk is scheduled for Thursday, April 27, 2006 at 4:00pm. Henry Huntington asked if the fire department should review the driveway due to the length. Mr. Dolan stated he has spoken to the fire department and has not heard any comments back on the length. Mr. Dow stated Chief Burr should be contacted to see if he wants to come on the site walk. Gary Tasker made a motion to continue this hearing. Seconded by Henry Huntington. All were in favor. This application will be heard on May 18, 2006, at 7:00 pm, at this facility. This is the only notice.

VIII. NEW BUSINESS:

1. Application # 06-10, Volunteers of America, Major Site Plan, Located on South Village Road, in the Village District. Map 20, Lot 9. Abutter Roy Merrill was present. Tony Marcotte from Bedford Design Consultants represented the applicant. Mr. Marcotte stated they have received variances from the zoning board for 33 units on a lot less than 10 acres. Mr. Marcotte stated they have received site specific and pre-approval on the well. Mr. Marcotte stated they have added the sidewalk to the plan and modified the landscaping slightly. Mr. Marcotte stated they can't get final approval on the well until they get site plan approval. Tom Dow asked if the issues with the cistern have been resolved with the fire department. Mr. Marcotte stated yes there is going to be a 5,000 gallon water storage tank and a transformer pad added for power. Mr. Marcotte stated the tank provides for two days back up water and the septic system is for a 36 unit building. Mr. Marcotte stated the town voted not to utilize the garage at their town meeting so the building will be half the size shown now with some minor grading changes; this is the only change to the site plan. Mr. Marcotte stated the plan is to send the project out to bid on May 1 and final HUD approval for construction in September. Mr. Marcotte stated if they get conditional approval this evening the whole process can move along. Roy Merrill stated there should be a legal zoning meeting before they get final approval. Stanley Prescott asked what that means; don't they have approval. Mr. Merrill stated as far as he is concerned they do not. Mr. Dow asked if that is because of what was discussed at board of permit. Mr. Merrill stated yes. Roy Maxfield stated Mr. Merrill has done several things to delay or slow the process of this development, including appealing a determination that a selectman could sit on the board; we went through our final approval on those guidelines. Roy Maxfield stated the zoning board has ordinances specifically saying a selectman cannot serve and so on the advise of our attorney, if it is challenged on appeal, as was done today, we should rehear the case with that person withdrawn from the board. Roy Maxfield stated the vote was five to nothing and now the vote would be four to nothing; they would welcome the opportunity to rehear and redefine the articles of the variance and proceed. Roy Maxfield stated he does not see any need to delay and do a final approval subject to zoning board action. Roy Maxfield stated he is sure the case will be appealed to superior court and he is sure Mr. Merrill will do everything he needs to do to block the development; he would not let that slow down the concept of the plans at this juncture. Mr. Merrill stated all he can say is review the tape of the January zoning meeting and you will understand; not the minutes the tape. Tom Dow stated new selectman Steve Ives is a member of the zoning board and he sat on the ZBA meeting the night the VOA was approved; the selectmen are not allowed to do that. Roger Maxfield stated Mr. Ives was voted in on Tuesday and sat on the ZBA on Thursday the following week unknowing that he should not have. Bob

Ordway asked if he had been sworn in by the time he sat on the ZBA. Roger Maxfield stated yes. Bob Ordway stated Mr. Merrill has a right to do anything he wants to but he has not seen or heard anything so far that should effect our actions tonight; as far as he is concerned the variance should stand approved and when we are satisfied with the site plan we should vote on approval. Mr. Ordway stated he is not aware of subsurface requirements for site plans by this board. Mr. Tasker stated he thinks the landscaping is sufficient since he is the one who asked for it. Mr. Prescott asked if the original cistern that was going to be out back is the same size as the new one. Mr. Marcotte stated the fire department is requesting 5,000 gallons per day, which is less than initially mentioned. Mr. Prescott asked if there is a letter from the fire department stating they concur with that. Mr. Marcotte stated no, he can provide that prior to signature. Mr. Prescott stated since there is a difference the board should have a letter from the fire department. Mr. Marcotte stated the architect has been working with the fire department and as part of the building permit process the fire department would have the last say. Gary Tasker made a motion to accept this application as complete and move directly to a public hearing. Seconded by Bob Ordway. Roger Maxfield abstained from voting. Majority were in favor. Motion carries. Mr. Dow asked if there were any more questions or comments from the public. There were none. The hearing was closed to the public and open to the board only. Mr. Prescott stated the big issue with the cistern closer to the street for use does not seem part of the package now. Mr. Marcotte stated the fire department wanted the cistern closer to the water systems. Bob Ordway made a motion to approve the application. Seconded by Stanley Prescott. Roger Maxfield abstained. Majority were in favor. Motion carries.

2. Application # 06-11, David & Annette Case, Minor Subdivision, Located on Clough Pond & Old Shaker Roads, in the RR District. Map 58, Lot 99. Abutter Denyse Merullo was represented by Anthony Merullo. Gary Tasker made a motion to accept this application as complete and move directly to a public hearing. Seconded by Bob Ordway. All were in favor. Chris Bofinger from P.C. Bofinger Land Surveying, PLLC represented the applicants. Mr. Bofinger stated this 8 acre lot is between Old Shaker Road and Clough Pond Road with a duplex fronting Clough Pond Road. Mr. Bofinger stated the lots will almost be equal in size and the duplex lot will have 300' of frontage. Mr. Bofinger stated there are substantial wetlands and they have received state subdivision approval. Tom Dow asked if there were any questions or comments from the public. Mr. Merullo stated their concern is Cross Road that they share a common easement with; the only access to his sister's property is up Cross Road and they have a driveway permit for that. Mr. Merullo stated if that were to be used as a driveway for the new lot it would create a shared driveway situation and diminish the value of that driveway and existing house; there is access for the new lot on Old Shaker Road, and if they use Cross Road they would need to get a special exception first. Mr. Merullo stated he would like the board to consider requiring the driveway come off Old Shaker Road. Mr. Bofinger stated since they have ample frontage and they are not asking for a special exception this is not an issue. Roger Maxfield asked if Ms. Merullo's driveway is the Old Range Road. Mr. Merullo stated yes, it is called Cross Road. Mr. Merullo stated he agrees it is a zoning issue but we could avoid a step by conditioning the driveway come off Old Shaker Road. Annette Case stated Cross Road is supposed to be divided equally; they get half and she gets half. Tom Dow stated he recalls this discussion during a previous subdivision and would rather not bring this issue into this. Stanley Prescott stated he thinks the decision was they both use the road. Mr. Bofinger stated this is a civil matter and not something that should be decided tonight. Mr. Merullo stated it is truly a zoning issue and this was just a suggestion to avoid further discussions down the line. Mr. Prescott

questioned where the buildable contiguous area for the duplex lot is. Mr. Bofinger showed the board and stated he is not counting the area where the duplex is into his acre and a half. Mr. Dow asked if there were any more questions or comments from the public. There were none. The hearing was closed to the public and open to the board only. Mr. Bofinger stated lot 99 is not good by today's standards but he is not making this lot any worse. Bob Ordway made a motion to approve the application. Seconded by Henry Huntington. Stanley Prescott stated he does not think it meets the spirit of the ordinance. Majority were in favor. Motion carries.

3. Application # 06-12, Debra Rattee, Lot Line Adjustment, Located on School Street & Rainbow Drive, in the RR District. Map 46, Lot 39 & Map 47, Lot 44. Abutters Sherry Brooks and Warren and Paula Wells were present. Gary Tasker made a motion to accept this application as complete and move directly to a public hearing. Seconded by Tom Moore. All were in favor. Mark Sargent from Richard D. Bartlett & Associates represented the applicant. Mr. Sargent stated this lot line adjustment is to annex 166 acres from lot 39 to lot 44; this leaves 2.29 acres on lot 39 and 197 acres on lot 44. Mr. Sargent stated the proposed lot line bisects an existing barn and they propose to demolish it if this is approved. Mr. Sargent stated they are asking for a couple of waivers due to the size of the property and have received state subdivision approval today. Mr. Sargent stated lot 44 was before the board a little over a year ago and the barn in back of lot 39 will become part of lot 44. Stanley Prescott stated he believes there is an ordinance that says there can't be out buildings without a residence. Bob Ordway stated there has been some flexibility and have allowed the compliance officer to strike a deal with the property owner contingent that they are on the list for a building permit. Mr. Ordway stated to Mr. Sargent that the ordinance does not permit the creation of a lot with an accessory building without a primary residence. Mark Chamberlain stated Ms. Rattee owns property next door that she is on the waiting list for and would do another lot line adjustment to include the area with the barn and the permit. Mr. Ordway stated there is a mechanism to navigate around this problem and the board has left it in the hands of the compliance officer. Mr. Sargent inquired if Ms. Rattee applies for a building permit for lot 44 the issue will go away. Mr. Ordway stated yes. Gary Tasker stated he cannot find the accessory structure regulation and thinks it is not in the new regulation but he could be wrong. Stanley Prescott asked what has happened with the case on Lower Ridge Road. Roy Merrill stated the one on Lower Ridge Road was intended to be a garage and he had to apply for a 2006 building permit; whether he puts a building there we will have to wait and see. Mr. Dow asked if there were any questions or comments from the public. Sherry Brooks stated there is a lot of surveying going on and the properties on Rainbow Drive, which is a private road, has an informal cooperative to maintain the road; what is going to happen to that road. Mr. Dow stated at this point the most that is going to happen is Ms. Rattee will build one house by the barn. Mr. Chamberlain stated the land for Rainbow Drive is owned by Ms. Rattee. Ms. Brooks stated the road is changing and more full time residents are moving in. Mr. Dow stated abutters will be notified if there are any subdivisions. Mr. Dow asked if there were any more questions or comments from the public. There were none. The hearing was closed to the public and open to the board only. Tom Dow stated if accessory structures are not in the regulation it is not an issue. Bob Ordway stated if it is an issue, the compliance officer contracts a promise from the land owner. Tom Dow stated the first waiver is for natural and man-made features; the features in and around the existing home are shown, as well as a sufficient portion of Lot 1 to depict an area suitable to sustain a home and septic system. Gary Tasker made a motion to approve the waiver for natural and man-made features. Seconded by Tom Moore. All were in favor. Mr. Dow stated the

second waiver is for the survey of the entire parcel; a boundary survey of the front portion of each lot is shown. Mr. Sargent stated this is redundant of the first waiver. Bob Ordway made a motion to approve the waiver for the survey of the entire parcel. Seconded by Henry Huntington. All were in favor. Mr. Dow stated the third waiver is for sufficient data to determine the location, bearing and length of all line; the survey depicts only the front portion of each lot. Mr. Sargent stated this is redundant again. Gary Tasker made a motion to approve the waiver for sufficient data. Seconded by Stanley Prescott. All were in favor. Henry Huntington made a motion to approve the application. Seconded by Tom Moore. All were in favor.

4. Application # 06-13, Sceptre Custom Homes, LTD., Lot Line Adjustment, Located on Shaker Road, in the RR District. Map 58, Lots 6 & 140. No abutters were present. Anthony Merullo represented the applicant. Mr. Merullo stated the existing lot 6 will receive an additional 48' of road frontage on Shaker Road and gain 1/500 of an acre. Gary Tasker made a motion to accept this application as complete and move directly to a public hearing. Seconded by Roger Maxfield. All were in favor. Tom Dow inquired if the reason for this is the future development of the property. Mr. Merullo stated yes they are about to transfer the property and it seems the preliminary survey did not expose a wet spot that the new road will turn away from. Mr. Merullo stated in a couple of months they will be in with what will happen with the large lot. Mr. Dow asked if this will affect any driveways. Mr. Merullo stated no. Stanley Prescott stated the building setbacks should be shown on the plan. Tom Moore made a motion to approve the plan with the condition building setbacks be shown on the plan. Seconded by Bob Ordway. All were in favor.

IX. BOARD DISCUSSIONS:

1. Gary Tasker stated Tammy Davis is moving on to a new position and thanked her for her work here. Tom Dow thanked Gary for his service as Chairman.
2. Report of the ZBA – Tammy Davis stated there are two applications; one for Jeremy Minery on Rt. 129 and the other is for David and Claire Drake on Clough Pond Road. Ms. Davis stated both are for reduced setbacks. Ms. Davis stated there is an appeal that came in today and the ZBA will have to decide whether to hear the appeal or not.
3. Report of the Board of Permit – Tom Dow stated a hawkers and peddlers application for an ice cream truck from April to September was approved. Mr. Dow stated another COW tower at Sunnyside Maples was approved for the summer months. Mr. Dow stated the ZBA decision for the VOA was discussed.
4. Clem Lyon stated he feels he needs to retire from the Loudon Planning Board; 12 years ago in November he came on the board and has enjoyed it thoroughly. Mr. Lyon stated he has labored over this decision for quite some time and spoke with Gary Tasker; Mr. Tasker suggested he wait to resign until a new chairman took over. Mr. Lyon stated effective tonight he would like to resign and along with that is his association with the regional planning commission. Mr. Lyon stated Stanley Prescott attended the last meeting with Bob Ordway. The board applauded Mr. Lyon. Bob Ordway made a motion to nominate Stanley Prescott as the Central New Hampshire Regional Planning Commission Representative. Seconded by Gary Tasker. All were in favor.

5. Tom Dow stated the board needs to continue with changing the Land Development Regulations to comply with zoning. Stanley Prescott stated at the CNHRPC meeting they talked about impact fees for police and fire and Lucy St. John suggested implementing our CIP's instead, to see they get accomplished. Bob Ordway stated implementing is pretty simple; get an article in the warrant and get the people to raise the money. Mr. Prescott stated she felt we were not diligently fulfilling that. Mr. Prescott stated at the OEP conference they talked about school impact fees and mentioned Bruce Mayberry has worked on several regional school impact fees and could put together an impact fee for us. Henry Huntington stated it seems the school is what we should be going after. Roger Maxfield stated the CIP is a function of the planning board; a planning board member should be the chairman and a selectman should just be a representative. Bob Ordway stated he agrees. Mr. Dow asked if the board should contact Bruce Mayberry. Mr. Prescott stated he will go back to Lucy and have her look into that. Tom Dow stated the workshop for the Land Development Regulations will be Monday, May 1, 2006 at 6:30pm in the Community Building.

X. ADJOURNMENT:

A motion to adjourn was made by Henry Huntington at 10:14pm. Seconded by Roger Maxfield. All were in favor.

Respectfully submitted,

Tammy Davis
Secretary