

TOWN OF LOUDON  
LOUDON, NEW HAMPSHIRE

**COPY**

PLANNING BOARD MINUTES  
OF JULY 19, 2007

**Meeting called to order at 7:00 p.m. by Chairman Tom Dow.**

**Attendance:**

Chairman Tom Dow, Tom Moore, Vice Chairman Stanley Prescott, Henry Huntington, Steve Jackson, Ex-Officio Dustin Bowles, and Alternates Bob Ordway and Jeff Green were present. Alternate Jeff Green was appointed to sit in the absence of member Gary Tasker. Bob Butler was present to represent the Conservation Commission.

**Acceptance of Minutes:**

May 17, 2007 Public Hearing *Henry Huntington made a motion to accept the minutes as written; seconded by Dustin Bowles. All were in favor.*

June 21, 2007 Public Hearing *Tom Moore made a motion to accept the minutes as written; seconded by Steve Jackson. All were in favor.*

July 10, 2007 Site Walk-Rattee property, School Street *Dustin Bowles made a motion to approve the minutes; seconded by Stan Prescott. All were in favor.*

**Discussions:**

North Country Development – Craig St. Peter stated that he is with the engineering firm representing the development company that is proposing some work at property located at the corner of Routes 129 and 106, the Harry Hill Estate property, Map 30, Lot 23. Mr. St. Peter explained that they are proposing to do a lot line adjustment with Harry MacLauchlan. He said that the lot is 1.5 acres and they will purchase an additional 1.2 acres from Mr. MacLauchlan. Mr. St. Peter stated that both lots would then comply with zoning acreage and frontage requirements. He said he would like some feedback from the Board about the requirement of a maximum of 50% impermeable coverage. He showed a small triangular area between the properties that would help meet the requirement and asked if the Board would be opposed to that kind of geometry or if they would accept 51% versus 50%. There was discussion and the Board members agreed that they did not like the irregular line created by the sliver.

Mr. St. Peter showed colored plans of four options that they are working on for the property. Option 1: Retail, a little less than 15,000 square feet; proposed with a drive-through as they have two tenants looking at this option and one has the need for a drive-through. Mr. St. Peter explained that this property would have a curb cut on Route 129 approximately 100' east of the Fox Pond Plaza entrance and would have a connector to the car wash property. He asked if impact fees apply to commercial property. The Board stated that they do not apply to commercial. He asked if the Board would want a traffic study, noting that there must have been one done with the recent signal changes and improvements at the intersection. Henry Huntington said that he would want to see the flow where the driveway is so close to Route 106. Steve Jackson asked if the elevation of the property would change. Mr. St. Peter stated that they would bring it down and he explained that the parcel is ideal for development since there is no wet and the soils perc well. He said the project would be fully landscaped, including ample green space. Stan Prescott suggested that Mr. St. Peter look at the Route 106 Corridor Study that is available at the office. Option 2: Restaurant with drive-through and a convenience store with

fuel pumps. Mr. St. Peter explained that they have met with the state on the wells in the area and there are no concerns. Option 3: Convenience store with fuel pumps and a bank with double drive-through. Option 4: Like a national chain restaurant footprint and a bank.

Mr. St. Peter said they would like to come in with an application and plans on one of these options. He stated that the soils are good and they could get the infrastructure worked out. Tom Dow asked about the front setbacks. Mr. St. Peter explained that they have 100' on two sides where it is a corner lot. He said they would probably need a special exception for the setback on the east side of the property. Board members agreed that the developer is making the lot more conforming by enlarging the lot. They reminded Mr. St. Peter that there is a heavy emphasis on the design, appearance, and landscape on any project that comes before the Board. It was asked what the proposed timeline might be. Mr. St. Peter said they would like to start construction this year. Henry Huntington stressed the importance of having a building and landscape design right when they come in because the Board will be looking closely at those. Mr. St. Peter said they would have a complete package when they file the application. He said when they did the parking calculations they figured the usable retail space, taking out storage, rest rooms, etc. The Board agreed that was accurate.

Becky Moguee – Mrs. Moguee explained that she has had a preschool in her home on Hardy Road for five years and that she plans to move the preschool to the Loudon Congregational Church in September. She asked if there was anything required by the Board before making the move. Donna reported that the Zoning Board does not feel that there is any reason for Mrs. Moguee to go before them since schools are permitted in the Village District. Cheryl Rice stated that the church has no problem with the preschool being located in the church. Stan Prescott asked about fire and health inspections. Mrs. Moguee explained that the fire chief is on vacation but will be doing an inspection upon his return and that the code enforcement/health officer had postponed his inspection until hearing the Board's decision. Mr. Prescott said he did not see the need for any action by the Board as long as the inspections are done and that she follows the state requirements. There was discussion of traffic, the relief to Hardy Road traffic, fire and health inspections, and state ratios of children and staff. Board members were in agreement that there was no need for Board action. Mrs. Moguee left a form to be signed by the ZBA chairman. Donna will notify Bob Fiske of the Board's decision.

## **Old Business:**

- 1. Application # 07-02, Loudon Woods Estates** – Major Subdivision, Located on Chichester Road, in the RR District. Map 2, Lot 23. Bob Ordway recused himself as he is an abutter to this property. Peter Holden of Holden Engineering represented the owners. Mr. Holden reviewed the comments of town engineer Tony Puntin. He said he will change the cost estimate that was submitted earlier to the Board based on Mr. Puntin's notes of this date. Mr. Holden explained that he has responded to the Board's comments and requests as follows: showed the changes made to the road (Right Of Way); showed the ROW profile and easements to allow for future grading; recalculated soils and slopes at the 20% with no affect; showed the profile of Bee Hole and Chichester Road intersection; raised Chichester Road as much as he could without going out of the ROW; taking out brush and wall at the west corner would improve the sight distance discussed; and clear 300' to the east on Chichester Road.

Tom Dow asked about the long driveways pictured on some of the lots. Mr. Holden explained that those particular driveways have to go in those locations because of grades whereas the driveways on other lots can go most anywhere. The other lots are

shown as aprons. Dustin Bowles said that should be specified somehow on the plans. Mr. Holden stated that he would note that those driveways have to be as shown. He explained that they will record the subdivision and easement plans so that all notes are recorded.

Steve Jackson said that Bob Butler had asked at the last meeting about moving the new road to lessen the wetland impact. Mr. Holden said he had looked at it and moved it about four feet but there was very little difference in the impact when doing so. Bob Butler mentioned the wells against the wetlands, noting that they have been moved but are still within the 75' buffer on Lots 6 and 7. There was discussion of buffers and wells being in the buffer. Peter Holden said he would move the wells to avoid any questions.

Steve Jackson noted that Lot 8 is only 1.997 acres. Mr. Holden said this would be corrected. He said he will address the following: tangent on the profile of the ROW; driveway note; move wells 75' from wetlands (Lots 6 & 7); 1.997 acre size of Lot 8; go to ZBA; revise the cost estimate, including testing and 'as built' costs; stamped drawings; and two bond notes ('Wellington note' and bond in place for Bee Hole & Chichester Roads before work begins). Bob Butler noted that they would have to get a special exception for crossing the wetland with the ROW. Mr. Holden agreed.

Chairman Dow closed the hearing to the public and opened it to the Board only. Henry Huntington suggested that another note might be added to address that no construction of a new road from the ROW could be done without approval. Peter Holden said it is listed as an access and would have to be built as a road before building on the back land. Tom Moore said 'as built' drawings are required. Mr. Holden noted that there is a note on the plan that says that the town is doing the work on the west corner at the intersection of Bee Hole Road. He said that the applicant will do the work if the town gets the easement on the land.

***Tom Moore made a motion to continue this hearing to August 16, 2007 at 7:00 p.m. at the Community Building; seconded by Dustin Bowles. All were in favor. There will be no further notification.***

Bob Ordway returned to the table.

2. **Application # 07-03, Septic Disposal Solutions**-Major Site Development, Located on Dump Road, in the C/I District. Map 40, Lot 7. Chairman Dow read a request from the applicant to table until the August meeting because they are waiting for engineering work to be complete. Jeff Green recused himself due to his connection to the project. Bob Ordway was appointed as a voting member for the remainder of the meeting. ***Steve Jackson made a motion to continue this application to August 16, 2007 at 7:00 p.m. at the Community Building; seconded by Dustin Bowles. All were in favor. This will be the only notification.***
3. **Application # 07-04, Debra Rattee**-Major Subdivision, Located on School Street, in the RR District. Map 38, Lot 7. Chairman Dow read a request from the applicant's representative to table until the August meeting because they are seeking a special exception from the ZBA. ***Dustin Bowles made a motion to continue this application to August 16, 2007 at 7:00 p.m. at the Community Building; seconded by Henry Huntington. All were in favor. This will be the only notification.***
4. **Application # 07-10, Peter & Gary, LLC** – Minor Subdivision, Located on School Street, in the RR District. Map 38, Lot 8. Chairman Dow read a request from the

applicant's representative to table until the August meeting because they are waiting for state subdivision approval. *Dustin Bowles made a motion to continue this application to August 16, 2007 at 7:00 p.m. at the Community Building; seconded by Tom Moore. All were in favor. This will be the only notification.*

5. **Application # 07-11, David K Moody** – Site Plan Review, Located on Dump Road, in the C/I District. Map 40, Lot 7. Chairman Dow read a request from the applicant's representative to table until the August meeting because they are waiting for further engineering work to be complete. *Stan Prescott made a motion to continue this application to August 16, 2007 at 7:00 p.m. at the Community Building; seconded by Bob Ordway. All were in favor. This will be the only notification.*

#### **New Business:**

There was no new business.

#### **Board Discussion:**

Donna reported that she had an inquiry from Dennis Proulx at the self-storage business on Route 106. Mr. Proulx went to the building department for a permit for the last building to be constructed at that site. He was told by Mr. Fiske to check with the Board about any time limits on the approval. The Board discussed the timeframe of the original approval (1999) and agreed that there has been substantial completion and there was no time limit to get the last building up. The Board discussed the lack of landscaping at the site and work that has been done thus far. It was agreed that Donna would inform the building department that the applicant could proceed with the construction of the final building, but he has to meet all landscaping as approved on the drawings submitted. A copy of the original approval with conditions will be given to the building department at the same time.

Donna reported that there were issues with two parking permits for the July race. One was a call received from DOT about a near-miss at property owned by the Paul & Linda Trefethen. The complainant's concern was that there is no snow fence along the front of the property so vehicles were entering directly onto the road from the lawn area. The second was a police report about overnight campers and fireworks at property owned by John Storrs. Letters have been sent to both parties advising them that the matters need to be addressed prior to the September race and if there are any further infractions they will be required to come before the Board and face possible revocation of their parking permits.

Donna reported that she had a phone message from Lorraine Duprez referencing the letter sent to her about the deeding of the conservation lot. She said that Mrs. Duprez stated that she spoke with the Conservation Commission a year ago and there was an understanding that she would deed the lot to the town once there is a cellar hole in the ground and that she does not want to pull that lot out of current use and pay the penalty. Donna said that she talked with Julie Robinson about this and that Julie had tried, to no avail, to reach Mrs. Duprez.. Julie said that there was no agreement, particularly since current use matters are not up to the Conservation Commission to handle. The Board agreed that no further action is needed and that the 90-day timeframe remains in place.

**Report of the ZBA:**

Donna reported that there are four applications before the ZBA this month, a special exception for reduced setbacks and three special exceptions for wetland/wetland buffer impact. There is also a motion for rehearing by Septic Disposal Solutions. Bob Ordway asked how it came to applicants having to go to ZBA for wetlands. There was discussion about the Ordinance and requirements with regard to wetlands. It was pointed out that the ZBA is required to give thirty day notice of such applications to the Planning Board, Conservation Commission, and health officer. Board members felt that there was no reason to hold up the three applications before the ZBA for wetlands since all of the applicants have been before the Board and the Board has done site walks of the properties. Donna was asked to draft a letter to the ZBA stating that the Board has reviewed all three properties. The Conservation Commission will consider the same since they have also see the projects and sites.

**Report of the Board of Permit:**

Chairman Dow reported that there had been discussion about ESMI after it was pointed out at last month's ZBA meeting that ESMI had done some excavation on the lot that they acquired from Fillmore. He stated that ESMI had been given a special exception to stockpile material on that lot. They did some excavation to prep the lot for that purpose but had not filed an intent to excavate. At the Board of Permit, it was decided that ESMI would be allowed to file the intent to excavate form and pay the appropriate tax on the 30-35,000 yards that was excavated.

Work Session – A work session to review the proposed changes/update of the Land Development Regulations was scheduled for Monday, July 30<sup>th</sup>, 6:00 p.m. at the Community Building if available. Reminder cards will be sent to members.

Parking Permits – Dustin Bowles asked about the enforcement of parking permits. He said there are infractions at sites other than those noted earlier and wonders why some are enforced and others are not. Donna told the Board that she was told by Bob Fiske that he only responds to those that they receive calls/complaints on. There was discussion about overnight campers and the possibility that some are friends or family who are staying at the location, which is permitted by the Zoning Ordinance, and not necessarily in the parking area of the permit.

**Adjournment:**

A motion to adjourn at 9:37 p.m. was made by Henry Huntington; seconded by Dustin Bowles. All were in favor.

**Respectfully submitted,**

**Donna White**