

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE

COPY

PLANNING BOARD MINUTES
OF FEBRUARY 21, 2008

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

Attendance:

Chairman Tom Dow, Tom Moore, Steve Jackson, Henry Huntington, Ex-Officio Dustin Bowles, and Alternates Bob Ordway and Jeff Green were present. Bob Ordway was appointed as a voting member in the absence of Gary Tasker and Jeff Green was appointed as a voting member in the absence of Stan Prescott.

Chief Burr was present for the fire department and Colin Cabot was present for the conservation commission.

Acceptance of Minutes:

January 17, 2008 Regular Meeting *Henry Huntington made a motion to approve the minutes; seconded by Dustin Bowles. All were in favor.*

January 17, 2008 Zoning Amendment Public Hearing *Dustin Bowles made a motion to approve the minutes; seconded by Tom Moore. All were in favor.*

Capital Improvements Program (CIP) Public Hearing:

Chairman Dow stated that Bob Ordway was involved with the update of the CIP and would present it in the absence of Stan Prescott who was the CIP Subcommittee Chairman. Mr. Ordway explained that the CIP is the responsibility of the Planning Board and that it is a projection of capital expenditures for a six year period and advisory only. He pointed out some of the changes with regard to updating statistical information, current projects, and the addition of Capital Reserve Funds information to the book. Mr. Ordway noted that the municipal improvements schedule shows the purchase of a grader in FY 08/09 and that he noticed that it was not in this year's warrant articles. Dustin Bowles said that the selectmen have an article on this year's warrant to establish a Capital Reserve Fund (CRF) for a grader but there is no plan to purchase one at this time. He explained that the current highway department capital reserve fund does not currently have sufficient funds to cover the expenditure. Mr. Bowles said that the selectmen decided to ask the voters to put funds in a CRF specifically for a grader, a fund that could be discontinued after that purchase. There was discussion of the estimated cost of \$210,000 that was used on the CIP schedule. Tom Moore said that he could get a figure from the state and that he felt the \$210,000 was fairly accurate. Steve Jackson suggested that the grader project be moved to 2010/11 on the CIP schedule. There was discussion of how the projects are submitted and prioritized, how capital reserve funds work, and the overall CIP process of projecting capital expenditures and tax impact. Tom Moore thanked the subcommittee for their efforts on the CIP update.

Bob Ordway made a motion to accept the Capital Improvements Program FY-2008/09 to FY-2013/14 with the movement of the grader to FY 2010/11 in the Municipal Improvements Schedule; seconded by Tom Moore. All were in favor.

Old Business:

There was no old business.

New Business:

- 1. Application #08-02, K D RED Enterprises** – Lot Line Adjustment, Located on Route 129, in the Rural Residential District. Map 15, Lots 9 & 11. Abutter Cynthia Rogers was present. Jeff Green recused himself as the agent for the applicants. Mr. Green explained that this lot line adjustment is partly in anticipation of possible future projects on this land. He stated that the wet area divides the five acres of Lot 9 in half which is where they are making the line adjustment and it would help with future development of Lot 11. Mr. Green said the adjustment brings Lot 9 to 2.9 acres with 208' of frontage, a reduction of a little over 15'. He said that 15.61' would be added to the frontage of Lot 11. Mr. Green pointed out that .41 acres would be taken from Lot 11 to give Lot 9 a little bigger buildable area, noting that it makes Lot 11 more usable and a better use of Lot 9.

Dustin Bowles asked about the width of the narrowest section between boundary lines and if it could meet the setbacks for a driveway. Mr. Green said that it is approximately 66' in that area. Steve Jackson questioned how the setbacks for a driveway could be met in that area. He asked if roads are permitted in the setbacks. Tom Dow stated that they have to have a 50' right of way for a road. Mr. Green said that the additional frontage makes the entrance more conforming and helps with the sight distance. He said that they could have taken another 8' from Lot 9 but it would have interfered with the approved proposed driveway location, noting that each of the lots has a state driveway permit. Mr. Bowles said that a road might work but a driveway would not make the setbacks on Lot 11. Tom Moore noted that the regulations ask for more for a driveway than for a road. Mr. Bowles said that they are not proposing a road at this time. He said that even if this narrow area was 68' it would allow the two 30' setbacks but only 8' for the driveway. Mr. Green stated that it is set up for the best crossing of the wet area. Mr. Bowles said that where the driveway is entering may have to go to the Zoning Board. Steve Jackson said that he would suggest being careful not to approve something that would have to go to the ZBA for correction. Discussion continued about possible situations of this being a driveway or road, the regulations for both, and of how moving the line could widen the access but would decrease the buildable area of Lot 9.

Henry Huntington made a motion to accept the application as complete and move to public hearing; seconded by Bob Ordway. All were in favor. Mrs. Rogers said that she would like to clarify rumors that she has heard about future development of these parcels. Mr. Green explained that he came to the Board a couple of months ago for conceptual development of the back lot. He said that they may not see anything done, noting that it would be very costly to do that length of road to access the most usable part of the lot. Mr. Green said that this lot line adjustment makes the front lot more usable which is the focus of this application. Steve Jackson said that he does not want to see this approved and have it need to go to ZBA for a special exception or variance. Henry Huntington said that he is not sure that they could approve something that could force a variance. Jeff Green said that it would not force a variance at this point as it is not crossing setbacks. He said that he is allowing enough to get through the property for the use that it is right now. Mr. Huntington said that unless they are proposing a road there is nothing that they can do but put a driveway in. Steve Jackson said that they could put a road in the area being questioned. Mr. Huntington said that

they are not proposing a road. Jeff Green said that they are leaving the options open without saying that the land cannot be used unless you get a special exception. He said it is saying what has to be done unless you get a special exception. He noted that this is not creating a non-usable or non-buildable lot and has the option to put a road back to where they can get to the building site or get a special exception for just a driveway. Mr. Green said that the driveway is already there and already goes in through the side setbacks so this is not creating something that is different than it was. Dustin Bowles said that it is forcing a special exception should that back lot be sold as a lot and a driveway is to be put in.

There was discussion of alternative options. Dustin Bowles said that he would like to see a minimum of 12' between the setbacks and is not comfortable without an exact number for the area in question. Mr. Green said that they would probably not come back with any alternative plan at this point as it would mean a future lot line adjustment if they chose to do the road since the road has already been designed based on this proposed change.

Hearing no questions from the public, the chairman closed the hearing to the public and opened it to the Board only. The Board reviewed the plan and there was no further discussion. ***Steve Jackson made a motion to deny the application on the basis of the unknown area at the narrowest point between the two boundaries; seconded by Dustin Bowles.*** There was discussion of the minimum standards. Bob Ordway asked Mr. Green if it would be possible for him to measure the area and come back next month with an exact number. Dustin Bowles said that the ordinance calls for no less than 10' but he would like to see 12'. Steve Jackson concurred. Tom Dow suggested that Mr. Green look at it and come back with the information. Mr. Green said that he would be more than willing to do that. ***With that, Steve Jackson withdrew his motion and Dustin Bowles agreed with the withdrawal. Steve Jackson made a motion to continue this application to March, 20, 2008 at 7:00 p.m. at the Community Building; seconded by Dustin Bowles. All were in favor.*** There will be no further notification.

Jeff Green returned to the table.

- 2. Application #08-03, Loudon Woods Estates** – Lot Line Adjustment, Located on Chichester Road, in the Rural Residential District Map 2, Lots 23-11 & 23-12. Chairman Dow read a letter from the applicant requesting that this be tabled to the March meeting because the engineer was unable to put everything together for this meeting. ***Tom Moore made a motion to table this application to March 20, 2008 at 7:00 p.m. in the Community Building; seconded by Henry Huntington. All were in favor.*** There will be no further notification.

Board Discussion:

Land Development Regulations – The Board discussed some final revisions to the regulations. Those included Section 11.3 to read 'of all *recorded* pages'; Article 24 to use *performance surety* throughout for consistency; and to insert a section about maintenance bonds that was omitted in the 2003 revision. Donna asked if the Board wanted the town attorney to review the proposed changes. It was agreed that the changes are not major, most are to make them consistent with the Zoning Ordinance, and there is no need for legal review.

CNHRPC – Steve Jackson handed out information that he acquired from CNHRPC about the services that they provide the town.

Report of the ZBA:

Donna reported that there is an appeal of an administrative decision and an application for a major home occupation on the agenda for this month.

Report of the Board of Permit:

Chairman Dow reported that the Volunteers of America cistern matter was discussed. Chief Burr said that DES has said that they should not use the domestic water source for fire fighting and he gave that information to the Board of Selectmen. He said that the plans for the water system still have to be approved by DES and inspection of the water system done. Dustin Bowles said that Code Enforcement Officer Fiske is working to get the 5,000 gallon water supply accepted as backup for fire fighting or will push to get another 5,000 gallon tank buried onsite. Chairman Dow said that Mr. Fiske wants a letter from the Planning Board that VOA has met all conditions of their approval.

Adjournment:

A motion to adjourn at 8:57 p.m. was made by Tom Moore; seconded by Jeff Green. All were in favor.

Respectfully submitted,

Donna White