

TOWN OF LOUDON  
LOUDON, NEW HAMPSHIRE

**APPROVED**

PLANNING BOARD MINUTES  
OF JULY 17, 2008

**Meeting called to order at 7:00 p.m. by Vice Chairman Stanley Prescott.**

**Attendance:**

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

Jess Storey was present to represent the Conservation Commission.

**Acceptance of Minutes:**

**June 19, 2008 Regular Meeting Gary Tasker made a motion to approve the minutes as written; seconded by Dustin Bowles. All were in favor.**

**Discussion:**

Dan Aversa – Mr. Aversa was not able to attend the meeting but had sent a letter asking to address two matters. The first request was to extend the completion date of the off-site improvements to the Bee Hole and Chichester Road intersection that are a condition of the approval of phase two of Loudon Woods Estates subdivision. The approval stated that the improvements were to be completed by the end of the 2008 construction season. The minutes of the 8/16/07 meeting were reviewed for the wording of the approval. There was lengthy discussion of the best way to handle an extension of the work timeframe, bonding of the improvements as well as the construction of the new subdivision road, not being able to sell lots on the new subdivision road and increase the traffic on Bee Hole until the improvements are complete, and needing a new construction estimate before a bond is requested by the applicant.

**Bob Ordway made a motion to grant a one year extension to the end of the 2009 construction season for off-site improvements of the Bee Hole and Chichester Road intersection with the following conditions: 1) The completion of the off-site improvements must precede the sale of any lots on the new subdivision road and Lots 8 and 9 on Bee Hole Road. 2) An updated construction estimate is required at the time of the surety request. 3) A performance surety must be in place prior to the beginning of the off-site improvements. Motion seconded by Gary Tasker. There was no further discussion. All were in favor.**

The second matter addressed in Mr. Aversa's letter was the guardrail on Wellington Lane. In the letter, Mr. Aversa stated that he feels that they have done enough by extending the guardrail by 100', disputed the degree of the slope in the area in question, and asked for an on-site meeting with the Board and/or road agent and their surveyor/representative before any final decisions are made. Gary Tasker asked if anyone on the Board has looked at the guardrail. Stan Prescott stated that he and Dustin Bowles looked at it. Mr. Bowles stated that he and Mr. Prescott located stations and measured. Mr. Prescott said that the Board had initially talked with Mr. Aversa about going close to the next driveway with the guardrail and that he and Mr. Bowles found that the recent extension is 102' short of that. There was discussion about the plan being

designed based on 4:1 slope and that it was not built 4:1, thus the guardrail needs to extend beyond where originally drawn.

Andrew Palhof, a resident of Wellington Lane, stated that he and others on the road feel that this is a safety issue and that the guardrail should be extended further up the hill. There was discussion of a recent memo from Town Engineer Tony Puntin with regard to the liability to the town if this matter is not corrected. The history of the slope/guardrail was discussed. Based on the information heard, **Gary Tasker made a motion to write a letter to Mr. Aversa, stating that he should put up another 100' of guardrail as previously instructed by the Board; seconded by Henry Huntington. All were in agreement.** Mr. Palhof stated that there is supposed to be a culvert under his driveway but it was not installed at the time that the driveway was built. Due to that, he has had problems with storm runoff washing his driveway out and taken measures to correct the situation. There was discussion about who constructed the driveway, how the occupancy permit could have been issued if the work was not done to plan and by the driveway permit, and how best to address the matter. **Gary Tasker amended his motion to include the culvert issue in the guardrail letter; seconded by Henry Huntington. All were in agreement.**

### **Conceptual Review:**

MVSD & LYAA – Site Development, Soccer Fields, Located on Old Concord Road in the RR District, Map 29, Lot 87. Rick Broider represented the Loudon Youth Athletic Association. Also present were Fred Reagan for the Merrimack Valley School District, Erin Reardon for Nobis Engineering, and volunteer Mark Vanson. Mr. Broider explained that three or four years have been spent on various concepts and discussions for this project. He said that the proposed plan is for two soccer fields and an additional parking lot. Mr. Broider pointed out that the parcel is off Old Concord Road behind the elementary school. The lot would provide fifty five spaces and could be used for overflow parking during school events and also for snow storage rather than having to truck it off. Mr. Broider said that this project would be good for the community and the school.

The parcel consists of twenty acres and is owned by MVSD. Mr. Broider said that they have to file for an Alteration of Terrain permit. He said that they would flag out the area and have an abutters meeting so that everyone could see the project and address any concerns. Steve Jackson asked if the traffic flow would be through the school lot. Mr. Broider said that was correct. Gary Tasker asked if the parking would be sufficient should there be a function at the school and field at the same time. There was discussion of the chance that there would be two functions at the same time and that the school use would take precedence.

Steve Jackson asked about the current natural slope. Erin Reardon stated that it is 10-15% and they want to reduce the grade. She said they will not be touching the steep slopes. Ms. Reardon said that they are moving the fields closer together, noting that they are still in the design phase of the project. There was discussion of the restoration of slopes, access to the fields, finalizing the conceptual, the school district handling the permitting, and that there would be no impact to the town. Gary Tasker said it is a good idea and location and has been well thought out. He asked if there would be lighting. Rick Broider said that there would be lights at the parking area only. Mr. Tasker how much more detail has to be added. Fred Reagan said that they are trying to meet the drainage requirements and will do as little cutting as possible. He said that the lights are for safety only. Mr. Reagan said that Loudon does not have enough fields, noting that MVSD would maintain the fields. He said that they will come back in August with the final product and abutters. Rick Broider said that they can cut but cannot stump before receiving the permit. He said that MVSD is handling the permitting, and LYAA will be using

their funds and lining up sponsors to raise additional funds needed for their portion of the project. The Board agreed that the applicants do not need to file an official application. Fred Reagan said that he would like to do the application and abutter list for notification.

**New Business:**

**Application # 08-12, Susan Bourdeau** – Lot Line Adjustment, Located on Bear Hill Road in the RR District. Map 4, Lots 7 & 9. Jeff Green (J L Green Enterprises) stepped down from the Board to represent the applicant. There were no abutters present. A letter was received from abutters Scott and Kathy Gilbert stating that they support the proposal.

**Henry Huntington made a motion to accept the application as complete and move to public hearing; seconded by Dustin Bowles. All were in favor.** Mr. Green explained that they are proposing to move a boundary line that would leave Lot 7 with 24.09 acres, 440.69' of frontage, and the existing house. Lot 9 would be increased to 63.51 acres. Mr. Green stated that the applicant has a buyer for the back lot (Lot 9), the same owner of other acreage abutting that piece. Hearing no questions from the public, Acting Chairman Prescott closed the hearing to the public and opened it to the Board only.

Mr. Prescott asked if there are any waivers being requested. Mr. Green said there were no waiver requests. Steve Jackson said that the proposal seemed straightforward. **Henry Huntington made a motion to approve the plan as presented; seconded by Steve Jackson. All were in favor.**

Jeff Green returned to the Board.

**Application # 08-13, John R Walters and Laurie & Margaret Dockham** – Lot Line Adjustment, Located on Ricker Road in the RR District. Map 1, Lots 59 & 60. Dave Collier of Richard Bartlett & Associates represented the applicants. Abutter Shirley Waters was present.

**Steve Jackson made a motion to accept the application as complete and move to public hearing; seconded by Gary Tasker. All were in favor.** Mr. Collier explained that Mr. Walters owns Lot 59 with 2.81 acres and that this application is for a lot line adjustment with the owners of Lot 60 which has 2.71 acres. He said that a small portion of Lot 60 would go to Lot 59, giving Lot 59 a total of 2.94 acres (2.82 buildable) and Lot 60 a total 2.58 acres (2.42 buildable). Mr. Collier said that the monuments would be set prior to recording of the plan. Ms. Waters said that a previous lot line adjustment was done with these properties and she wondered why another was being done. Mr. Collier explained that the first one was done to allow area for a garage and that this one is a matter of helping the neighbor. Hearing no further questions, Mr. Prescott closed the hearing to the public and opened it to the Board only.

Steve Jackson said that he did not see anything of concern, noting that there is nothing in the proposed setbacks. **Gary Tasker made a motion to approve the plan as shown; seconded by Jeff Green. All were in favor.**

**Application # 08-14, Kenneth St. Cyr** – Minor Subdivision, Located on Clough Hill Road in the RR District. Map 33, Lot 13. Steve Luger represented Mr. St. Cyr. Abutter Henry Barnowski was present. Mr. Luger stated that they are waiting for state subdivision approval. He explained that this property is at the corner of Clough Hill and Coaster Roads, is five acres, and currently has a house, garage, shed, and pool on it. Mr. Luger said that the subdivision is cutting the parcel in half with 2.58 acres staying with the existing house and the other parcel having 2.43 acres. He said that Peter Schauer has located the wetlands. Mr. Luger said that he apparently had outdated regulations and had used 25% slopes on the plan but has since

recalculated the slopes. He handed out the corrected information and said that the changes would be made on the final plans. Mr. Luger showed the lot sizing calculations. He said that the existing shed and pool would be moved or taken down as they are in the setback of the proposed lot. Mr. Luger stated that he has a preliminary septic design for the proposed new lot.

Steve Jackson noted that they have provided 50' setbacks on both roads as required. Donna reported that abutters Elgie & Rosemary Goodwin and John Shimanoski came to the office to review the proposed plan. None had any concerns with the subdivision. Mr. Goodwin did point out that there is a culvert near the proposed new driveway on Coaster Road that needs maintenance and/or repair. Hearing no further questions from the public, Acting Chairman Prescott closed the hearing to the public and opened it to the Board only.

Steve Jackson said that he would recommend that the shed and pool be removed from the setback before the plans are recorded. Mr. Luger stated that the pool has been removed and the shed is to be moved over the coming weekend. A memo from Code Enforcement Officer Fiske was read, stating the same concern of the pool and shed in the setback. **Steve Jackson made a motion to continue this hearing to August 21, 2008, 7:00 p.m. at the Community Building.** Steve Luger asked for a conditional approval, noting that the only thing outstanding is the state subdivision approval. Stan Prescott said that the Board does not do conditional approvals. **The motion was seconded by Dustin Bowles.** Gary Tasker stated that the applicant needs to remove the shed before coming back to the next meeting. There was discussion about the 'no build' buffer; clarification will be made on the notes. **All were in favor of the motion to continue.** There will be no further notification.

#### **Old Business:**

**Application # 08-07, DJP Realty Trust** – Major Subdivision, Located on Bee Hole Road, in the RR District. Map 12, Lot 4. There were no abutters present. Applicant Joe Bohi and his representative, Shane Stewart, were present. Gary Spaulding of G R Spaulding Design Co. represented the applicant in the absence of Web Stout. Mr. Spaulding reported that they have received subdivision approval and gave the approval number to Donna for the file. **Gary Tasker made a motion to accept the application as complete and move to public hearing; seconded by Steve Jackson. All were in favor.**

Mr. Spaulding stated that this is for a three lot subdivision on Bee Hole Road. He pointed out that some notes have been added to the subdivision plan as requested. A note about fire suppression is note #10 on page 3 of the plans and a note about underground utilities is note # 11. Mr. Spaulding stated that the wetland scientist stamp has also been added. He said that they have received comments dated 7/15/08 from the town engineer in response to their comments on his first review. Mr. Spaulding asked to discuss some of the comments with the Board.

**Design plans: #1)** Mr. Spaulding said that they checked the sight distance and it is 400' to the right and 250' to the left, 25' short of the 275' required for 35 mph zones. He said that a note of those distances was added to the plan and that the additional distance can be picked up by clearing and brush removal. Mr. Spaulding said that they feel they can achieve the required distance and requested that they be allowed to add a note not to do a plan/profile. He pointed out that they are not doing any improvements to Bee Hole Road and that the expense of doing a full profile is unwarranted. There was discussion about who owns the lots in that sight distance, being able to cut the vegetation in the right-of-way, and the engineer's comments. Stan Prescott said that he feels they should do a profile as recommended by the town engineer and get the details on paper so they can see what needs to be done. Steve Jackson and Dustin Bowles agreed. **#2)** Mr. Spaulding said that the monuments are shown on the subdivision plans but they

will show them on the site plan as well. He had a note from Web Stout asking to clarify that the PC and PT are to be granite bounds and iron pins can be used on the lot corners. Jeff Green said that granite bounds are used to mark the right-of-way and pins are acceptable for the lot corners. Steve Jackson referred to Section 12.6.1 of the Land Use Regulations. **#3)** Mr. Spaulding said that the dark line referred to in the comments was a drafting error. He explained where the curb and wall would be and where the runoff would go. **#4)** Mr. Spaulding explained that they have put the underdrain on the plan as wanted and a note will be added to better define as recommended by the town engineer. **#5)** Mr. Spaulding said that the driveways will be graded at the same time as the road. He said they will be taking the driveways beyond the right-of-way as shown on SP-1. Mr. Spaulding said these were revised based on Mr. Puntin's first letter. **#6)** all set.

**#7)** The guardrail limits and end treatments are shown on the plans. Mr. Spaulding said he was not sure why the engineer did not see them. He said he would like to address other comments relative to the guardrails as well. He referred to MISC-1 in the plan set, noting that they provided guardrail detail and showed the end section that is proposed. Mr. Spaulding said that the town engineer would like to see shock-absorbing ends. He said they designed it with the wrap-around end because this is not a through road, is only serving three lots, and there will be minimal traffic. Steve Jackson asked what the grade of the road would be at that spot. Mr. Spaulding said that it would be 5%. Stan Prescott asked if they would be using the posts with holes. Mr. Spaulding said they would be standard DOT design as shown on MISC-1. Steve Jackson asked Mr. Spaulding why he thought the engineer was asking for shock absorbing ends. Mr. Spaulding read comment #13. Mr. Jackson asked if there would be a headwall on the culvert and if it would be exposed at the area of the guardrail. Mr. Spaulding said there would be a headwall but it would not be exposed at that area. He explained that the Wetlands Bureau put conditions on the permit. Because of the Blanding turtle, they had to go with an open bottom culvert to get the permit. Mr. Spaulding said that the road is 20' through the whole subdivision but they had to go from a 4' shoulder to a 2' shoulder to fit the Wetlands Bureau requirements. Steve Jackson said that may be why the engineer is asking for the shock absorbing guardrail. Mr. Spaulding said that the engineer is also asking them to raise the headwall. He said that they would like to mimic the entrance which cannot be done with a 10' headwall. Mr. Spaulding also noted that the abutter would be looking at a 10' headwall. Stan Prescott said that the restricted road width could be a snow plow problem. Mr. Spaulding said there would only be 150' of restricted width, explaining the restriction of wetlands impacting within 20' of abutting property, thus creating width restrictions to meet all of the requirements. Henry Huntington asked if the absorbing ends would be used if the road is left as it is designed. It was noted that raising the headwall lessens the pitch and widens the shoulder. Dustin Bowles said that it creates maintenance problems if not meeting the typical design. Mr. Spaulding was advised to go to the engineer with a 10' headwall and that the Board would accept 'G' ends on the guardrails.

**#8)** Mr. Spaulding said that the road profile shows a low point at 4+27 on WP-1, the uphill side of culvert. He said there is no curbing and they were not proposing a catch basin. It was stated that it could be a dropped inlet at that point. Mr. Spaulding said they would probably just do a catch basin. **#9)** all set. **#10)** (> = bullets as listed on the engineer's response letter ) > The width was previously discussed. > Mr. Spaulding said they have verified the guardrail spacing and a note was added to the plan. > The contour elevation was not previously labeled but has been revised on the plan. > Taken care of with the raising of the headwall. > Will add 'Redi-Roc' note to the plan. Mr. Spaulding said that the permit limits make the area tight to work in but they will make it work. > They will have the structural engineer provide information. > riprap – in order to meet the wetlands conditions (turtles won't walk on

aggregate) they had to add vegetative material per DES and Fish & Game. > headwall #11) all set. #12 & #13) guardrail was previously discussed.

Stormwater Management Report: #1) This is a wetlands permit condition, the culvert has to be 4' in width, and they have no choice. Mr. Spaulding will explain this to Tony Puntin again. #2) added the 25 year storm. #3) all set. #4) There is a culvert at the entrance, the BMP is listed in the executive summary dealing with this, and it is on the plan so that is why the reference is in there.

Construction Cost Estimate: Mr. Spaulding said that a construction cost estimate will be done when all of the changes have been made.

Mr. Spaulding asked if the Board is comfortable with the entrance to the subdivision. He said they are trying to save the two large granite walls. Stan Prescott said that they need to see a cross section. Gary Tasker said that he likes the idea but wants to be sure that the water gets out of that area. Shane Stewart pointed out that the wall on the south end was there and the one on the north end was built by hand to match the original wall. He said they are trying to present an attractive entrance. Gary Spaulding said they have proposed riprap for the runoff areas and he will do a cross section for the first 150' of the road.

Acting Chairman Prescott read a request to waive having to show the topography of the remaining 37.33 acres. **Henry Huntington made a motion to grant the waiver; seconded by Gary Tasker. All were in favor.**

Mr. Prescott read a request to waive having to delineate the wetlands on the remaining 37.33 acres. **Gary Tasker made a motion to grant the waiver; seconded by Bob Ordway. All were in favor.**

Mr. Prescott read a request to waive Section 23.1.7 and allow the proposed road to be approved at a length of 1253.57' +/- . Jeff Green asked if the total includes the cul-de-sac. Mr. Spaulding stated that the road is 745' to the beginning of the cul-de-sac. **Steve Jackson made a motion to grant the waiver; seconded by Jeff Green. All were in favor.**

Mr. Prescott read a letter from Fire Chief Burr with questions about a fire pond on this property. A copy of the letter will be forwarded to Web Stout for his response. Hearing no further questions, Mr. Prescott closed the hearing to the public and opened it to the Board only. **Gary Tasker made a motion to continue the hearing to August 21, 2008, 7:00 p.m. at the Community Building; seconded by Dustin Bowles. All were in favor.** There will be no further notification.

**Application # 08-06, CVAD, LLC** – Major Site Development, Located on Route 106 in the C/I District. Map 1, Lot 49. Acting Chairman Prescott read a request from Tony Marcotte that this application be tabled until next month so that they may address comments from the town engineer, DES, and DOT. In the letter, Mr. Marcotte also requested comment from the Board about Section 208.2 of the Zoning Ordinance. There was discussion about the height of the building, the point from which the height should be measured, access to the building, and the intent of the ordinance. Consensus was that the applicant should seek a special exception for the proposed height from the Zoning Board. **Dustin Bowles made a motion to continue this application to August 21, 2008, 7:00 p.m. at the Community Building; seconded by Steve Jackson. All were in favor.** There will be no further notification.

#### **Board Discussion:**

Steve Jackson said that he would like to bring up several points, more for thought than discussion and answers at this time. 1) How did we get a subdivision bond down so far? (Wellington) 2) How did a CO get issued without a culvert as specified on the driveway permit?

(Wellington) 3) On a previous subdivision, the Board asked for additional topography and wetland delineation within 200' of the new subdivision lines. Should that be done with all large parcels? Discussion ensued about the purpose of the request and how it can be considered on a case by case basis.

**Report of the ZBA:**

Donna reported that there are two applications for special exceptions for reduced setbacks on Memory Lane and Berry Road, another that was withdrawn on Bear Hill Road, and one application for a special exception for a real estate office in the Village District on this month's agenda. Henry Huntington asked if there is anything that can be done relative to the lots on Memory Lane. He said every owner will be coming in for special exceptions because of the reduced lot sizes. There was brief discussion about the setbacks and options.

**Report of the Board of Permit:**

Stan Prescott reported that there was no Board of Permit meeting this month.

**Adjournment:**

A motion to adjourn at 10:30 p.m. was made by Steve Jackson; seconded by Gary Tasker. All were in favor.

**Respectfully submitted,**

**Donna White**