

TOWN OF LOUDON  
LOUDON, NEW HAMPSHIRE

PLANNING BOARD MINUTES  
OF NOVEMBER 20, 2008

**2009 ZONING ORDINANCE WORKSHOP**

**Meeting called to order at 5:30 p.m. by Chairman Tom Dow.**

**Attendance:**

Planning Board – Chairman Tom Dow, Tom Moore, Henry Huntington, Steve Jackson, Ex-Officio Dustin Bowles, Alternates Bob Ordway and Jeff Green

Zoning Board – Chairman Dave Powelson, Vice Chairman Ned Lizotte, Roy Merrill, George Saunderson, Howard Pearl, and Alternate Jim Venne

Conservation Commission – Dan Geiger, Jess Storey

Small Wind Energy Sub-Committee - Earl Tuson

**Discussions:**

- ◆ Small Wind Energy Systems – George Saunderson reported that the Small Wind Energy sub-committee met to review the model ordinance and make its recommendations. He said that the group thought that the systems should be allowed in all districts, although there would probably be no place in the Village District that would meet the requirements.

He gave an overview of their recommendations:

Allow by special exception.

No maximum height. Earl Tuson said that the towers are typically 60' to 120' and would be based on the wattage of the system. He said that homeowners would erect what would be most cost effective. Mr. Tuson said that the systems would self-regulate based on the setbacks of the districts and wind resources, noting that they would require FAA approval and be considered of regional impact if too tall.

Sound levels not to exceed (TBD) decibels at any location on the property. George Saunderson said that members could listen to Tim Meeh's windmill in Canterbury as a reference to determine reasonable decibel levels, explaining that the sub-committee thought that 75 decibels might be reasonable. Dan Geiger said that 75 sounds high, noting that they could get data from the Lempster project. He also addressed the tower height because of the Historical Preservation Act, Section 106, noting that because of scenic views they might have to get federal regulation approval.

There was discussion of the limits of small scale systems versus multiple towers. Steve Jackson said that it would probably be a site plan if a commercial business wanted multiple towers. It was discussed how to allow multiple towers and towers on larger parcels. Mr. Jackson noted that there was no reference to special exceptions in the model

ordinance. Donna read from the Land Use Legislation 2008 that legal counsel should be consulted before making it a special exception. George Saunderson will research larger parcels and multiple windmills.

Earl Tuson explained the sub-committee's recommendation on conduit placement. The Conservation Commission representatives said that the Commission would like to be involved in the planning process. The sub-committee will come back with further recommendations at the next workshop.

- ◆ Steep Slopes – Ned Lizotte said that he would like to submit the same verbiage that was considered on this topic at last year's workshops because the remaining land in Loudon is more usable with the 25% allowance. Steve Jackson said that there is still a portion missing as there is no definition of the minimum area or size. He submitted suggested wording from another town's regulations for Section 302.2, Description of Steep Slopes District. Mr. Jackson said that he would like to add that section to Mr. Lizotte's submission. He said that there are some situations where a surveyor runs into a knoll that would disqualify a piece of land from being used. Mr. Lizotte said that he tried to make the ordinance simple by changing the current figure of 20% to 25%. There was discussion about the definition that was in the 2004 Zoning Ordinance and the reasoning behind the change.

Dan Geiger stated that the Conservation Commission presented a letter with their recommendation that the percentage not be changed. He said some of their concerns with steeper slopes would be erosion, runoff, soil quality and storm events. He said they want to protect sensitive areas and noted that many towns are reducing their slope definitions to 20%. Ned Lizotte said that it is not so much an issue of the percentage of slope but more the contractors' practices and promoting poor management practices. He suggested letting the voters decide to have more usable properties.

Roy Merrill said that the state allows septic systems in 25% slopes. He also said that there are houses being built on steeper slopes in Loudon right now but they are not being checked or enforced. Mr. Merrill said that almost all systems are approved with 33% slopes. Tom Dow pointed out that they are talking about developments, not septic systems. Mr. Merrill said that contractors cannot legally build an approved system based on the current regulations.

Tom Moore said that some areas in town are more susceptible and suggested that 25% could be allowed by variances. It was stated that they are already doing that and the ZBA has had two in the last two years. Jeff Green gave an example of a better lot configuration if 25% could be used. He talked of driveway provisions that are already allowed and figuring of buildable area. Mr. Green spoke about lowering the amount of buildable area, maybe at 15%, but maintain the lot size at 25%. He said that opens up options. Ned Lizotte asked that it be submitted as presented. Roy Merrill asked that the explanation for the change include that it would match what the State allows.

- ◆ Bigger Lots – George Saunderson said that he feels that bigger lots and frontages would not be a bad thing but now is probably not a good time to consider a change when things are slow. Tom Dow asked Jeff Green how Loudon's lot size requirements compare to other towns. Mr. Green said that they are very similar, other than Canterbury. Mr. Saunderson said that he is not sure what the right system would be. Dustin Bowles said that the town would see some creativity if the requirements ever reverted back, noting that the 200' and two acres works. Jeff Green said that some towns allow typical lot sizes on the road but require that back lots be larger with a 50' access. Steve Jackson said that

he feels that larger lots would increase sprawl. He handed out a section from the Innovative Land Use handbook about planning techniques and lot size averaging. Dave Powelson said that the example promotes smaller house lots while preserving more land. Roy Merrill stated that it was a good illustration in the handout that showed the ideal situation. Earl Tuson said that he would like to see farmland preserved because it cannot be recreated once developed. Jeff Green said that the regulations are forcing developers to build on good farmland versus slopes or wetland. Chairman Dow suggested that the requirements be left as they are for now. George Saunderson said that changes would be a long process and a lot to consider.

- ◆ Zone Change – George Saunderson said that he and Stan Prescott are working on a Zone change from RR to AFP. He pointed out a small corner of the town that runs approximately from Old Shaker Road to Lovejoy Road to the town line, south along the edge of town, back to Old Shaker Road. Mr. Saunderson said that there is a lot of forest, steep slopes, and wetland in that corner of town and they would like to see it preserved. Steve Jackson stated that the change would affect too much of one owner's land.
- ◆ Non-conforming Lots of Record – Bob Ordway submitted a proposed amendment to Section 601. The proposal is to add to the current ordinance after “said lot has a minimum of 50 feet of road frontage”...’access to a road via an easement deeded to the lot or via a public right-of-way connecting the lot to the road, either being at least 50 feet in width’. Mr. Ordway said that the amendment provides other options for use of landlocked lots of record where acquisition of connecting land to provide frontage may not be feasible. Steve Jackson said that the Ordinance used to read this way. Dave Powelson said that the Ordinance was changed to read 50’ of road frontage. He said what Mr. Ordway is doing makes sense and sounds better. It was noted that the Ordinance currently says that the access has to be an owned 50’ of frontage.
- ◆ Signs – Steve Jackson presented some sign ordinance definitions from another town's Ordinance. He said that he feels that clarifying the definitions would be preferable over special treatment of the track signs. Dustin Bowles said that the boards have to be very careful of preferential treatment and this could be avoided by clarifying the definitions.

The next Zoning Ordinance workshop will be held at 6:00 pm on December 10, 2008 if the Community Building is available.

**Adjournment:**

The work session ended at 7:10 p.m.

**Respectfully submitted,**

**Donna White**