

TOWN OF LOUDON  
LOUDON, NEW HAMPSHIRE

**APPROVED**  
**With changes noted 10/16/08**

PLANNING BOARD MINUTES  
OF SEPTEMBER 18, 2008

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

**Attendance:**

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

Fire Chief Jeff Burr, Police Chief Bob Fiske, and Conservation Commission representatives Jess Storey and Bob Butler were present.

**Acceptance of Minutes:**

August 21, 2008 Regular Meeting Steve Jackson said that he would like to clarify details of a discussion listed as Don Boyer on page 3 of the minutes. Mr. Jackson referred to the section on the length of the road that read “Mr. Jackson said it would be about 3000’ to access all five lots and 3500’ to the end of the cul-de-sac.” He said that he would like that to read “Mr. Jackson said it would be about 3000’ to access all five lots and an additional 3500’ to the end of the cul-de-sac.” **Steve Jackson made a motion to accept the minutes with that change; seconded by Tom Moore. Majority in favor; Dustin Bowles and Gary Tasker abstained from voting as they were not present at that meeting.**

**Discussion:**

New Hampshire Motor Speedway – Chairman Dow pointed out that this section of the meeting is for discussion purposes only and that there would be no decisions of any sort. He reminded the public that all questions and comments were to come through the chairman. Canterbury Planning Board members Tyson Miller and Jim Snyder. Mr. Snyder stated that he recuses himself from any Planning Board matters concerning the track so he was present as a Canterbury resident this evening. Matt Monahan represented Central NH Regional Planning Commission.

Jerry Gappens, Executive Vice President and General Manager of NHMS, spoke on behalf of the track. Mr. Gappens said that they are here because communications need to be stepped up. He spoke of the ‘phantom writer’ that has been appearing in the Concord Monitor on several recent occasions. Mr. Gappens said that it would appear that Terry Lessard is non-existent in Loudon and is perhaps a pen name for someone who unfortunately does not care to identify themselves. He stated that there have been no communications from this person with the Speedway and voiced his disappointment with the Monitor for running the letters without verification. Mr. Gappens said that he would like to see any community concerns addressed to the track so that they may be properly dealt with rather than having them circulating through various forums and creating misinformation.

Mr. Gappens stated that the new signs at the track do have proper approval despite the letters. He said that the sign representatives went to Canterbury, and it was his understanding that they had good plans and information and there was a good meeting. Mr. Gappens said there was a communications breakdown on the Loudon end apparently. He pointed out that the sign ordinance did not take into account changes in technology at the time it was written. He spoke of recent discussions about the type of sign that has been installed and the various interpretations

of the ordinance. Mr. Gappens explained that the sign at the main gate has many capabilities that they were not aware of at the time of installation and that they have chosen not to use many of those capabilities. He said that they have toned down the colors and speed upon hearing of concerns from the town. Mr. Gappens stated that they want to become partners with the community and can promote community events with the sign.

Mr. Gappens gave a recap of the September race. He said that they are trying to enhance the fan experience and realize that the economy has an impact on everyone. Mr. Gappens said things went fairly smoothly, the police department had fewer arrests and no big problems, there was increased security at the facility and in the camping and parking lots, and a fair was added as a daytime event with a \$5 all day pass with proceeds going to the Speedway Children's Charities. He handed out folders with photos of other facilities owned by Mr. Smith and an outline of the history of this track. He went through the outline with Board members. Mr. Gappens pointed out that the majority of the improvements that have been done have been handled by local contractors and businesses.

Mr. Gappens stated that they are in the process of working with the state and federal agencies on mitigating wetlands of the infield. He said they are continuing Mr. Bahre's work to improve the sight lines for drivers and spectators as well as increase the useful area of the infield. Mr. Gappens said that they will explore lighting options so that major events can finish on the same day in the event of a late start. He said it is a matter of safety so that they do not have to unload the facility on Sunday and bring everyone back in on Monday. He said that gives them options that are not currently available. Mr. Gappens explained that they would like to update the scoreboard and use video screens for the major events. He also said that they hope to work on the camping areas to create larger spaces due to the increased number of larger vehicles. Mr. Gappens spoke briefly about a road course renovation and that they would like to get the higher level bike race back to the facility. He also spoke about grandstand and concourse improvements.

Chairman Dow stated that they have done a good job at the track and explained that the Board's job is to be sure that they conform to the Land Development Regulations. He said any new drainage, parking, buildings, work in wetlands, or other changes need to be reviewed by the Board. He pointed out that the track has to adhere to the same regulations as everyone else. He informed Mr. Gappens that they should come to the Board once they get their ideas on paper.

Gary Tasker welcomed Mr. Gappens to Loudon, expressing the same sentiments as the chairman. He said that the Planning Board has to look after the best interest of Loudon and all businesses must conform to the Land Development Regulations. Mr. Tasker asked Mr. Gappens if they have reviewed the plans of changes over the last ten years, some of which had stipulations. He said it would be best to review those and ensure that they are not doing things against those stipulations.

Stan Prescott said that they all feel that the track is a big part of the town and do not want to see them or the Planning Board criticized. He said that they need to be able to talk and understand what is going to be done at the track. He said that the sign was an issue and he personally feels that they should go to the Zoning Board and see what they have to say. Mr. Prescott said it is not a big deal but they need to address it. Mr. Gappens said that he will be going to the ZBA next week and will continue to work toward improving communications.

Gary Tasker said that Bob Bahre always came to the Board with any plans that he might have and the Board gave him direction. He pointed out Section 7.2 of the Land Development Regulations and urged Mr. Gappens to familiarize himself with them.

Bob Ordway told Mr. Gappens that he appreciated him coming in to talk with the Board. He spoke about Mr. Bahre using a local engineering firm for all of the work done at the track and that the Board had a good relationship with that firm. He said that might help keep transactions

smooth. Mr. Gappens said that they have retained the same people that Mr. Bahre used. He said that there have been some bumps and that he is working to be sure those are ironed out, emphasizing that their intentions are to have a first class facility for all to be proud of.

Bob Butler stated that the Conservation Commission had a tour of the facility a couple of months ago, noting that there are significant changes to the wetlands on the inside of the track. He said that they have not yet seen a mitigation plan. John Zudell, Vice President of Facilities and Operations, said that they have to submit the wetlands application by October 1<sup>st</sup> to get on the docket. He said that they are moving forward and should soon have copies. Mr. Butler said they would have expected to see the plan for input before the final plan was submitted. Mr. Zudell explained that they have used the same firm that has been used at the track for the last ten years to keep the process flowing smoothly. Mr. Butler said that they would like to see the plans.

Tyson Miller stated that there was a previous agreement with codicils to the deed that limited certain activities such as night racing. He asked Mr. Gappens if they anticipate trying to change that or violate that codicil to the deed. Mr. Gappens said that he is aware of that agreement and that Bob Bahre has been very forthcoming about agreements that are in place. He said that the issue with the lights is with NASCAR and he is not aware of any plan for night activities. Mr. Gappens said that the primary reason for lights would be for weather-related delays which is permitted in the agreement. Mr. Miller said that he has a concern with moving the grandstands from one side of the track to another, noting that it would affect the noise to the Canterbury side. Mr. Gappens explained that this has been done at other facilities but there are no plans at this time to do that. He said that they have looked at the reconfiguration of the track but there is nothing in the works. Mr. Miller asked if Mr. Gappens was aware of the RSAs relative to regional impact. Mr. Gappens said the he is and that they will keep the communications open. Chairman Dow said that notification would definitely go out as soon as a formal application is received on any improvements. He stated that it has not been done because they have not felt that there has been anything of significance thus far.

Jim Snyder asked if the Board retains a consulting engineering firm to review and comment on plans. Mr. Dow stated that they do. Mr. Snyder noted that there had been a significant number of recusals at previous hearings, asking how many Board members would have to step down on this matter. Steve Jackson and Dustin Bowles each stated that they would recuse themselves if an application from the track came before the Board.

Steve Jackson thanked Mr. Gappens for coming in to talk with the Board and Chief Fiske for handling the traffic in and out of the events. Selectman Steve Ives commended Mr. Gappens for coming in to talk with the Board. He said he felt it had been an excellent meeting and he could see a long term bond starting. Mr. Ives said that they have to look at all areas when considering regional impact because these events affect the entire state. He said they have to look at the big picture and plan ahead.

Fred Neergaard, Director of Public Relations and Communications, stated that he has been with the track since 1993, full time since 1999, and when this company came in everyone kept their jobs. He said they were all given the opportunity to stay and show what their team could do. Tom Moore said they have a good thing going and with the lines opened up, they could all grow together.

### **Old Business:**

**Application # 08-06, CVAD, LLC** – Major Site Development, Located on Route 106 in the C/I District. Map 1, Lot 49. There were no abutters present. Chairman Dow read a request from the applicant to table this application until the October meeting. The request stated that they have received their Alteration of Terrain permit but are still waiting for the Shoreland permit

which has been delayed due to lack of staffing at NH DES. **Dustin Bowles made a motion to move this application to the meeting of October 16, 2008 at 7:00 pm at the Community Building; seconded by Gary Tasker. All were in favor.** There will be no further notification.

**Application # 08-07, DJP Realty Trust** – Major Subdivision, Located on Bee Hole Road, in the RR District. Map 12, Lot 4. Abutter Jocelyn Hebert was present. Gary Spaulding of G R Spaulding Design Co. and Web Stout of FWS Land Surveying represented the applicant. Mr. Spaulding gave an overview of the latest comments from town engineer Tony Puntin. He explained that he has an easement for the abutter to correct the sight distance matter. Mr. Spaulding stated that they have all state permits and have addressed all comments and the construction estimate with the town engineer according to an email received from Mr. Puntin.

Mr. Hebert asked how the easement works and how much can be cut in that area. Mr. Stout pointed out the easement area, noting that it goes back 12' and is a triangular area that measures 565 sf. He explained that this allows the contractor to clear back to keep shrubs and vegetation down for safe sight distance. DJP owner Joe Bohi explained that the area has been loamed and blue spruce have been put on the slope. Chairman Dow explained that the easement is to allow the town to maintain that area. Steve Jackson told Mr. Hebert that he would still own the property, it is simply to maintain the sight distance. Mr. Hebert said that he wanted to be sure that a buffer was left. Steve Jackson said that what Mr. Bohi has done is all that will be done. Mr. Hebert stated that he was alright with what has been done and with the easement.

Stan Prescott said that the easement should be on the mylar. Mr. Stout said that he had planned to add it to the mylar once finalized. Mr. Prescott asked if there would be a reference to the easement. Mr. Stout said that the plans would be recorded first and then the deed with the reference. He said that he will add the size of the easement, make the title consistent, and have a blow-up of the area on the mylar. Mr. Hebert said that he was not aware of this easement until this evening. Mr. Bohi stated that he did not take down any trees, only did some trimming. He said that a month ago he spoke with Mr. Hebert's wife when she asked if he would remove a pile of granite stone that was piled on their property, noting that was the main obstacle of seeing. Mr. Bohi stated that he did that and will be using the stone to tie the two walls together. He said that he wanted to clarify that he did have permission.

**Steve Jackson made a motion to approve this application for DJP Realty for a major subdivision on Bee Hole Road, Map 12, Lot 4; seconded by Stan Prescott.** There was no further discussion. **All were in favor.**

**Board Discussion:** The Board will meet at 6:00 pm on October 16, 2008 to address zoning amendments prior to the regular monthly meeting. Donna will gather information on local sign ordinances and small wind energy systems.

**Report of the ZBA:** Donna reported that NHMS will be in for discussion on the sign. There is a building permit extension request, a special exception for a pole barn, two special exceptions for driveways in a proposed subdivision, and two special exceptions for Del Gilbert, one for tanks and one for a filling station.

**Report of the Board of Permit:** Stan Prescott reported that there was no Board of Permit this month.

**Adjournment:** A motion to adjourn at 8:30 p.m. was made by Steve Jackson; seconded by Stan Prescott. All were in favor.

**Respectfully submitted,  
Donna White**