

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE

APPROVED

PLANNING BOARD MINUTES
OF FEBRUARY 19, 2009

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

Attendance:

Chairman Tom Dow, Vice Chairman Stan Prescott, Tom Moore, Gary Tasker, Alternates Bob Ordway and Jeff Green, and Selectman Steve Ives.

Bob Ordway was appointed as a voting member in the absence of Henry Huntington.

Jeff Green was appointed as a voting member in the absence of Steve Jackson.

Selectman Ives was appointed by the Board of Selectmen to sit in the absence of Ex-officio Dustin Bowles.

The Conservation Commission was represented by Julie Robinson.

Acceptance of Minutes:

January 15, 2009 Zoning Ordinance Public Hearing – **Bob Ordway made a motion to accept the minutes as presented; seconded by Jeff Green. All were in favor.**

January 15, 2009 Regular Meeting – **Stan Prescott made a motion to accept the minutes as presented; seconded by Jeff Green. All were in favor.**

Conceptual Review:

Fortier – Mark DeGrace of Holden Engineering spoke on behalf of Hermel Fortier about Map 28, Lot 12, a 90 acre parcel on Oak Hill Road. Mr. DeGrace stated that there is an existing house and septic system on this parcel. He explained that Mr. Fortier would like to dedicate a lot around the house and necessary acreage. Mr. DeGrace pointed out that the lot has 248' of frontage, noting that using that frontage for the house lot would restrict access to the backland. He said they are proposing to build a short section of roadway into the parcel to create frontage for the house lot, noting that the proposed plan would create an odd shaped lot configuration. Tom Moore asked if they would have a fifty foot right-of-way for the road. Mr. DeGrace said that they would and that they would have to redirect the existing driveway. He asked if the proposed cul-de-sac could be constructed at the time of subdividing the back portion of the acreage. Tom Dow said that the Board prefers not to set any precedents.

Gary Tasker said that the lot shape is of concern. He asked if the cul-de-sac would be built as a private road and if the road has to be built to town standards to be considered frontage. Mr. Tasker said it would be risky to do without the cul-de-sac. He said even with the cul-de-sac he is not sure that the lot is not gerrymandered. Jeff Green stated that the 180 x 240 configuration is there and the lot meets the 4:1. Mr. Tasker asked if the Board has been seeing more cul-de-sacs to create frontage. Stan Prescott said that it is not unusual, but this is a funky lot and he is not sure there is any better way to accomplish Mr. Fortier's intention. He noted that the current house is inhabited by Mr. Fortier's daughter, and he said this is the most opportune time to see future plans for the remaining acreage. Gary Tasker said that Mr. Fortier might want

to consider building a road knowing that future development is possible. The Board agreed that the shape of the lot is of concern and they recommended bringing the road in further.

Shaw – Bill Dufresne of Merrimack Engineering spoke on behalf of Clinton and John Shaw about Map 3, Lot 3, a 209 acre parcel on East Ricker Road. Mr. Dufresne explained that the Shaw brothers want to divide the parcel, which has an existing hunting camp on it, for their children. He said that he has a general sense of the wetlands and slopes on the property and has done a conceptual for four pieces by dividing the upper and lower sections. Mr. Dufresne said that they are here to discuss how they can do the division without having to survey the entire piece and doing soil testing. He explained that this is just to split between the brothers and there are no plans to develop. He said this is simply to deed the pieces to their sons as inexpensively as possible. Mr. Dufresne said that a perimeter survey would be done and he has done some random soil testing. Through USGS and site visits, Mr. Dufresne has shown wet areas. He asked if the parcel could be subdivided with the understanding that there would be no further development, again noting that this is merely for conveyance at this point.

Stan Prescott said that he did a tape and compass survey on this property years ago. He said he is more concerned with seeing a building lot on each parcel than having to do a complete survey. Mr. Dufresne asked if it would be satisfactory to identify a building lot on each parcel to the town's regulations rather than survey the entire 209 acres. Gary Tasker said that the Board has not made others do the entire survey. Bob Ordway stated that it would be very helpful to identify buildable lots with frontage and acreage. Stan Prescott said that they would be meeting the requirements that way. Gary Tasker felt that was a good idea. Mr. Prescott said they are not talking about finite, just make it four lots. The Board agreed to identifying a building lot on each parcel.

Old Business:

Application #08-16, Peter & Margaret Schauer – Minor Subdivision, Located on Cross Brook Road in the RR District. Map 12, Lot 44. Jeff Green stepped down from the Board. Jeff Green of J L Green Enterprises represented the applicants. There were no abutters present. Mr. Green gave an overview of the plan. He explained that he has made changes based on comments from the Planning Board and the Louis Berger engineer. Mr. Green said that he has created a drainage easement on Lot 44, noting that there is currently an easement on Lot 45 from the center of the existing cul-de-sac. He went through the town engineer's initial comments, his own response to those comments, and the follow up comments from the town engineer.

Mr. Green talked about the town engineer comments #10 and #11. Stan Prescott said that he does not like sheet flow as it can be icy in the winter. He noted that there is mention of a level spreader but did not see it on the plan. Mr. Green explained that it is on the detail sheet. Mr. Prescott said that it appears that the water will go on the neighbor's property. He asked if the road agent has looked at the plan for drainage work. Mr. Green said that he can make the easement as big as needed as that point of the parcel is not usable. Mr. Prescott said that it is important that the road agent have input on the easement. Mr. Green noted that the town's engineer said that the easement was sufficient for drainage but he can have the road agent look at the plan. In addressing comment #11, Tom Dow said that he would recommend leaving the drainage as designed by the applicant's engineer. Stan Prescott said that he would agree.

Stan Prescott asked if there was supposed to be a note about no further subdivision. Mr. Green said that he would add that as Note #9. He said that he also has to add the -2% driveway requirement. Stan Prescott asked if that would be on the recorded plan. Tom Dow said that the note has to be on the recorded page so anyone looking at the plans can see it.

Mr. Green said that he shows the existing driveway and the profile. He asked if it could be done as a note. Tom Dow said that he thought it could be done as a note. The consensus of the Board was that Mr. Green could draw the driveway.

Chairman Dow closed the hearing to the public and opened it to the Board only. The chairman read a request for a waiver of Section 12.4.9. **Tom Moore made a motion to approve the waiver; seconded by Stan Prescott. All were in favor.** The chairman read a request for a waiver of Section 23.1.7. **Bob Ordway made a motion to grant the waiver; seconded by Gary Tasker.** Steve Ives asked if the plan involves a cistern or sprinklers. Jeff Green stated that neither is required as this is a minor subdivision. **All were in favor of the motion.**

Mr. Green is to provide the following for the next meeting: 1) profile of driveways, sheet 2; 2) speak with the road agent about the easements; 3) note #9 about no further subdivision; and 4) construction estimate. Stan Prescott asked about the bounds being set. Mr. Green said that he will not provide final plans for recording until they are set.

Gary Tasker made a motion to continue this application to the meeting of March 19, 2009 at 7:00 p.m. in the Community Building; seconded by Tom Moore. All were in favor. There will be no further notification.

Jeff Green returned to the Board.

New Business:

#09-01, Sceptre Custom Homes – Minor Subdivision, Located on School Street in the RR District. Map 38, Lot 7-3. Tony Merullo represented the owner. There were no abutters present. Mr. Merullo explained that the plan is to divide this lot into two lots. He said that the new lot, shown as 7-4 on the plan, would have 2.74 acres, 1.5 acres buildable, and 390+ feet of frontage. He said that lot 7-3 would have the remaining 2.8 acres, 1.9 acres buildable, and 393+ feet of frontage. Mr. Merullo stated that State subdivision approval was granted on 2/17/09. He said they have State wetland crossing approval #208-02112 and received Loudon ZBA approval for the crossing on 1/22/09.

There was discussion about the cistern that Mr. Merullo has installed on the opposite side of School Street. The cistern was to be operational by the end of November, however, due to hitting ledge and winter setting in, the cistern is not yet operational. The Board voiced their concerns with the cistern not being done by the time they were assured it would be, the fact that the cistern is not completely underground because of the ledge, and the fact that there will have to be a retaining wall in front of the cistern.

Gary Tasker made a motion to accept this application as complete and move to public hearing; seconded by Jeff Green. All were in favor.

Gary Tasker asked if this lot was part of the agreement with the cistern. Tom Dow stated that it was to be part of the cistern or have sprinklers. He said that there is a wetland crossing that was approved by the ZBA and asked if the Conservation Commission had weighed in on the crossing. Julie Robinson said that the Conservation Commission had seen the paperwork and agreed to the crossing as long as the impact was kept to a minimum. She asked Mr. Merullo about the culvert. Mr. Merullo said that it would be a 36" high density polyethylene culvert with 6" imbedded in the ground. He explained that it was determined to be an intermittent stream and the culvert was best suited for such conditions.

Tom Dow asked if either lot has a building permit. Mr. Merullo said that there are no permits on these lots. Gary Tasker asked if the plan should have a note concerning the cistern. There was further discussion about the cistern. Mr. Merullo was asked to provide the following for the next meeting: 1) note on plan, operational cistern before CO is issued; 2) reference the

cistern across the street; 3) label the location of the cistern; 4) need wetland scientist stamp; 5) make markers consistent.

Chairman Dow closed the hearing to the public and opened it to the Board only. **Stan Prescott made a motion to continue this application to the meeting of March 19, 2009 at 7:00 p.m. in the Community Building; seconded by Gary Tasker. All were in favor.** There will be no further notification.

Board Discussion:

CIP – There was brief discussion about the need to do a thorough review and update of the CIP book. It was agreed that the update would run for the six year period of 2010/11 through 2015/16 because the 2009/10 budget has already been addressed. Stan Prescott said that he would participate on the sub-committee. The matter was tabled to a future meeting.

CVAD – It was noted that the town engineer’s review of the CVAD site plans had a question about the project needing a construction estimate and bond. Tony Marcotte inquired of the office if this was a requirement. The Board agreed that there was no need for a construction estimate or bond on the site development as there is no road involved.

Parking permits – Donna stated that she asked Chief Fiske and Chief Burr if they had any concerns with daytime parking permits after the last race season. Chief Burr sent a memo with the following remarks: 1) Wilson Smith parks cars but there does not seem to be a permit for that property; 2) a new map should be submitted every time a property changes hands; and 3) a new map should be submitted every four years. The Board agreed that Mr. Smith should meet the same criteria as other permit holders and any parking that is not on NHMS property needs a permit. Gary Tasker said that he did not feel a new map was necessary unless there are layout changes on any of the permitted properties. It was agreed that a permit holder must come in with a new plan if there were changes to the traffic pattern.

Memo on Wellington Lane – A copy of a memo from Bob Fiske to the Board of Selectmen was received. The memo addressed a drainage issue on a property that abuts Wellington Lane. The Board agreed that the drainage issue needs to be addressed by the developer.

Report of the ZBA: Donna reported that there is a Special Exception for a driveway in a side setback on School Street, a Special Exception for steep slopes on School Street, a request for building permit extensions, and a discussion about a property on South Village Road on this month’s ZBA agenda.

Report of the Board of Permit: Stan Prescott stated that he was unable to attend the February Board of Permit. Steve Ives reported that a sign for a farm stand and an inspection station on Clough Hill Road were discussed.

Adjournment: A motion to adjourn at 9:45 p.m. was made by Gary Tasker; seconded by Stan Prescott. All were in favor.

Respectfully submitted,

Donna White