

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE

APPROVED

PLANNING BOARD MINUTES
OF JANUARY 15, 2009

Meeting called to order at 7:32 p.m. by Vice Chairman Stanley Prescott.

Attendance:

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

Code Enforcement Officer Bob Fiske

Acceptance of Minutes:

December 18, 2008 Zoning Ordinance Workshop **Dustin Bowles made a motion to accept the minutes as presented; seconded by Bob Ordway. All were in favor.**

December 18, 2008 Regular Meeting **Henry Huntington made a motion to accept the minutes as presented; seconded by Steve Jackson. All were in favor.**

Discussion:

Code Enforcement Officer Fiske was present to discuss various concerns about plan revisions and recordkeeping. Vice Chairman Prescott said that Mr. Fiske was to be brief, concise, give one example of problems encountered, and not bring impact fees into the discussion. Mr. Fiske stated that he is asking for any help that the Planning Board may be able to give. He said that it appears that applicants are getting extra compassion and not being held to the regulations and stipulations. Mr. Fiske gave Loudon Woods Estates as an example. He said he is not sure why plans are not approved and left at that approval, why all the contingencies. Mr. Fiske said that developers should do the project or nix it, not be allowed to ask for revisions. He said that it has been agreed at Board of Permit that seven Planning Board members could have seven interpretations. Mr. Fiske said that he could say something that may be different from what the Board meant.

Vice Chairman Prescott said that he has discussed this with Mr. Fiske and they understood one another. Mr. Prescott said that developers come back for revisions and he understands that there may be no semblance of order to the changes. He said that the Board may need to think things through a little more. Mentioning that Len Lapadula may ask for changes to his approved subdivision, Mr. Prescott said that it is his personal thought that if a developer wants to change their subdivision approval they should first have to take the approval off the books and then start the whole process over. Dustin Bowles said that he has had problems with some of the changes on the Loudon Woods Estates project. Steve Jackson stated that the Board has asked for very significant off-site improvements on both of those subdivisions, improvements that would benefit the town. He said it had been a long process for both projects. Mr. Jackson said that the Board was asked to look at the project again due to weather-related delays and the market. He said that they held to the off-site requirements. Mr. Jackson explained that the cistern/sprinkler situation was looked at closely, noting the 1000' rule for fire

safety requirements. He spoke of various items that the Board made the developer address and said that they kept the restrictions in place.

Mr. Fiske said that the members are not counselors and that a project either fits the criteria or it does not. He asked why they felt the need to cater to developers who need to be set up to do their project or get out. Jeff Green said that he would agree but it is still difficult. He asked if Mr. Fiske came to the Board because they are making changes or because of a lack of information getting to him. Mr. Fiske said that he has six other examples. He said he was not at this meeting because of a lack of communication but because of issues relative to revisions of plans. Vice Chairman Prescott said that he felt that the Board had the message. He said that a final plan should be provided to the building department so they know what they are working with. Mr. Fiske asked if a new set of plans would be submitted when a developer asks for a waiver. Mr. Prescott said that a revised plan should be submitted with changes clearly marked on the new plans. Henry Huntington said that the Board has to be disciplined and remember that a new set of plans needs to be submitted each time a change is made, no matter how minor. Donna stated that the changes made to Loudon Woods Estates were done in an agreement as requested by the Board and recorded at the Registry so as to create a sequence of changes. There was discussion about the best way to handle revisions.

Dustin Bowles said that they are not seeing department representatives at the meetings. He said it is a common thing and each department should have a representative at meetings to voice any concerns and offer input. Steve Jackson agreed with Mr. Bowles. He said that he is bothered that Mr. Fiske has six examples but was never at meetings to see the thought and work put into those decisions. Mr. Fiske gave another example as the notice of decision received on the Lapadula revision where the Board agreed to allow Mr. Lapadula to build on the first lot. He asked if he is supposed to make the determination as to which lot that means. Steve Jackson asked if the concern was that they did not clarify which lot. Stan Prescott said that the Board came to the consensus that Mr. Lapadula was entitled to build a house on a lot in the subdivision but it was not specified which lot was the 'first' lot. It was agreed that decisions need to be more specific.

Conceptual Review:

Jeff Green of J L Green Enterprises presented a conceptual design on behalf of a client who wants to subdivide off the existing house. He explained that the parcel is at the end of the Class V portion of Bear Hill Road from the Chichester end. Mr. Green said that there is 1200' of frontage on the Class VI portion of the road but there is a lot of ledge in the road. He pointed out that there are 110 acres in the parcel. Mr. Green said that he is proposing a cul-de-sac at the end of the Class V road to help the town as it would give the busses and plows a place to turn around. He said there would be 231' of frontage on the loop as it would extend into the parcel. Mr. Green explained that there is a 30' easement that was granted to the client's son originally. He said there was also an easement to the Tombarello property. Steve Jackson asked if the town allows the classification of frontage on Class VI roads. Mr. Green said that an applicant would have to bring a road up to Class V in order to subdivide. Dustin Bowles stated that he did not like the proposal. Mr. Green asked if it was a reasonable solution, noting that waivers have been allowed for frontage and this would give busses and plows a place to turn around. Mr. Bowles said that he does not disagree with the concept but it is not in the books. Stan Prescott said that Mr. Green could do a town road there and develop the parcel. Mr. Green said that he could do a road, gain 200' of frontage and put the cul-de-sac in on the property. There was discussion about paving a cul-de-sac off a gravel road and possible options for Mr. Green to pursue with his client.

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 of J L Green Enterprisers represented the applicants. There were no abutters present. Mr. Green gave an overview of the plan. He said that the cul-de-sac was redesigned, the lot would be split, and the proposal meets all slope and wetland requirements. Mr. Green said that an engineer designed the cul-de-sac and because the utilities fell behind onto an abutter's land it was decided that the tear drop was more suitable. Henry Huntington asked for a clarification on the utilities. Mr. Green said that the utilities would be where the original lot line was so he had redesigned the tear drop to stay away from that corner. He pointed out the right of way for the proposed road.

Hearing no comment from the public, Vice Chairman Prescott closed the hearing to the public and opened it to the Board only. Steve Jackson referred to previous meeting minutes where Mr. Prescott had asked that the steep slopes be colored. Mr. Green said that he had outlined the slopes on the existing conditions page of the plans but they do not show on the copies that the Board has. He pointed out the area of Mr. Prescott's concern and said that he made some changes and the lower area is now being counted as steep slopes. Mr. Green said that the numbers reflect that change from the original submittal. Stan Prescott said Mr. Green should submit a plan that shows the slopes. It was noted that the town engineer has not had time to review the road plans. His comments will be forwarded once received. Steve Jackson also noted that previous minutes mentioned that a note would be put on the plans stating that there would be no further subdivision of this parcel. Mr. Prescott stated that the note should be put on the plans. Henry Huntington asked about the fire suppression for the original subdivision. It was stated that there was no requirement at the time of the original subdivision.

Mr. Green asked if there were any comments from the Board on the engineering. Steve Jackson said that the Board saw some things they would have liked different when doing site walks on Creekwater Lane and Thistle Hill Road. He said he hoped that the town engineer looks at the plans closely with those thoughts in mind. Mr. Green said that there is good drainage, noting that there are ditches and culverts under all of the driveways in the area and this plan is just moving those out further. Tom Moore asked if Mr. Green had any comments from the road agent. Mr. Green said that he showed the plan to Mr. Rice and that is one of the reasons that they went with the tear drop. Dustin Bowles asked if the backside of the cul-de-sac would be too sharp for the plows. Mr. Green said it is 66' and creates a smooth access and radius at the entrance compared to the current cul-de-sac. He noted that there would be no water over the cul-de-sac as there would be ditching all the way around. There was discussion of the drainage. Mr. Green said that he could show an extended grass swale. He said that the engineer used a natural swale. Stan Prescott asked about the nose radius. Mr. Green said it would be 15'. Dustin Bowles asked if the water would be going to the same spot as the water on the existing culvert. Mr. Green said they were changing the outside drainage to a different area and that the inside would still go to the existing drainage. There was discussion about snow removal and drainage. It was noted that the town will want slope and drainage easements.

Steve Jackson asked if this would be the time to address the -2% driveway requirements. All agreed that the proposed driveways and requirements should be on the plans.

Henry Huntington made a motion to continue this application to the meeting of February 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.

Board Discussion:

Regional Impact Notice – Donna read a notice from the Town of Bow for a project being presented by PSNH.

Currier Road Holdings – Donna read a letter that was recently sent to the owners of Currier Road Holdings as directed at the December Planning Board meeting.

Workforce Housing – Tom Moore asked if anyone had heard more on the new laws regarding workforce housing. Donna reported that she has contacted CNHRPC a couple of times for assistance with review of the town’s current ordinance but has yet to receive a response to make arrangements. As the Board’s representative to CNHRPC, Steve Jackson was asked to go to the office of CNHRPC to initiate the process. Stan Prescott will work with Mr. Jackson on this matter.

Wetland Crossing – The ZBA will be reviewing an application for a wetland crossing. Donna reported that this is the same crossing that was seen and granted by the ZBA at the time of the Rattee subdivision. Sceptre Homes now owns a parcel from that subdivision and has applied for, and been granted, a State wetland permit. Mr. Merullo told Donna that there was a change in the culvert from the original plan. The plans were not available at the time that the application was sent to the Board for review and comment to the ZBA. The Board voiced concerns about the culvert change and the need to see plans on future crossings. Steve Jackson stated that the State did a lot of work reviewing their application before granting the permit. Stan Prescott said that the Conservation Commission should come to the Planning meetings and share their comments before signing a State application. There was discussion of the culvert. Donna was asked to inform the ZBA of the Board’s concern of the culvert change.

Public Hearing – A public hearing to act on proposed Amendment 2009-3 was set for February 2, 2009 at 6:00 p.m.

Report of the ZBA: Donna reported that there is an application for a Special Exception for a wetland crossing on School Street and requests for seven building permit extensions.

Report of the Board of Permit: There was no meeting this month.

Adjournment: A motion to adjourn at 9:07 p.m. was made by Dustin Bowles; seconded by Henry Huntington. All were in favor.

Respectfully submitted,

Donna White