

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE

APPROVED
With revisions noted on 8/20/09

PLANNING BOARD MINUTES
OF JULY 16, 2009

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

Attendance:

Chairman Tom Dow, Tom Moore, Vice Chairman Stanley Prescott, Steve Jackson, Gary Tasker, Henry Huntington, and Ex-Officio Dustin Bowles
Bob Butler represented the Conservation Commission.

Acceptance of Minutes:

June 18, 2009 Regular Meeting – **Henry Huntington made a motion to accept the minutes as written; seconded by Gary Tasker. All were in favor.**

Conceptual Consultation:

Herm Fortier – Jason Hill of Holden Engineering represented Mr. Fortier. Mr. Hill explained the location of the 100 +/- acre parcel on Oak Hill Road. He gave an overview of previous concepts that have been brought before the Board, stating that they have looked at the project again for the most efficient use of the land. Mr. Hill stated that the intent is to subdivide the property in order to have the existing house on a lot of its own. He said that a 600' road with a turn-around would be created to provide frontage to the lots. Mr. Hill pointed out the proposed 60' right-of-way with a roadside ditch and wall. He said that minor work would be done along the frontage of the existing parcel for sight distance. He stated that the project would not require any zoning relief.

Henry Huntington asked about the acreage of the lots that would be subdivided. Mr. Hill said that they would be 2 to 2.5 acres. He stated that the design of the road allows for possible future extension, noting that the road would be in the location of the existing driveway. Tom Dow asked if the road would be in the setback. Mr. Hill said it would meet the regulations if built as a town road. Stan Prescott asked about the slopes by the existing house. Mr. Hill said that they are approximately 20% but do vary all over the parcel. He said they would fix the grade to avoid any drainage going toward the house. Henry Huntington said that he would rather see a circular cul-de-sac than the proposed turn-around. Mr. Hill said that would mean a lot of fill and more impact when not knowing the future plan of the parcel. Stan Prescott asked the location of the retention pond that was mentioned by Mr. Hill. Mr. Hill said that it would probably be off the end of the cul-de-sac, noting that an easement for access would be provided. He asked about the town's road acceptance procedure. There was brief discussion about what would be required.

Old Business:

#09-08, Del R Gilbert & Son Block Co, Inc – Lot Line Adjustment, Located on Shaker Brook Park Road, in the C/I District, Map 49, Lots 123 & 124. Peter Howard of Steven J Smith and Associates represented the applicant. Del Gilbert was present. There were no abutters present.

Mr. Howard explained the location of the two lots. He gave an overview of the proposed adjustments. Mr. Howard explained that documentation of the road approval has been researched but nothing was found, therefore they had a testing company do three borings. The road width and radius were measured as well. Mr. Howard went over the report, noting that the road met the requirements of the regulations at the time it was built. Gary Tasker thanked Mr. Howard for doing the work and research to verify the road's construction and integrity. Stan Prescott said that they should show the approximate stations where the borings were taken. There was discussion about the need to implement a maintenance agreement for the road which Mr. Gilbert currently owns. Steve Jackson read from Section 23.2 of the Land Development Regulations.

Hearing no further input, Chairman Dow closed the hearing to the public and opened it to the Board only.

Steve Jackson stated that the corner lot setbacks have been honored and all pieces of the project fall within the allowable areas. It was noted that a special exception was received to have the storage building within the 100' building setback. **Henry Huntington made a motion to approve the lot line adjustment upon a maintenance agreement being created and recorded with the plan; seconded by Gary Tasker. All were in favor.**

#09-09, Del R Gilbert & Son Block Co, Inc – Major Site Development, Located on Shaker Brook Park Road, in the C/I District, Map 49, Lot 124. Peter Howard of Steven J Smith and Associates represented the applicant. There were no abutters present.

Stan Prescott made a motion to accept the application as complete and move to a public hearing; seconded by Tom Moore. All were in favor.

Mr. Howard explained the location and proposed business of a fleet fueling facility for Del R Gilbert & Son Block Co, Inc. He presented approvals for the fuel tanks and the septic system. Mr. Howard explained that there would be a 24' x 48' canopy over the pumps and a 12' x 16' storage building with toilet. He said they have decreased any runoff with the improvement of the site. Mr. Howard said that they would move some of the buffer trees to the Shaker Brook Park Road side of the parcel and will enhance the buffer along Shaker Road. There will be lighting on a timer under the canopy and a small coach light at the door of the storage building. There is an existing utility pole on Shaker Brook Park Road. Mr. Howard said that they would rent a PSNH light to cast down on the entrance of the facility for better visibility for the police and fire departments. There will be an alarm tied to the fire department or security company and there will be a 30,000 gallon fire cistern.

Gary Tasker asked if the fire department has reviewed the plans. Mr. Howard said that they have worked closely with the fire department on the facility plans, suppression system, cistern, storage building for foam chemicals, and other related items. Tom Dow said that they should have something from the fire department for the files.

Gary Tasker stated that he had asked for 7' – 8' trees but does not see the changes on the plan. He said he does not like the idea of transplanting what is there and would like to stay with his original request of nursery grade taller trees. Mr. Howard said that he used the verbiage of what is required by the town's regulations. He said there are numerous trees there that are growing well and they would like to use those. Mr. Tasker said that the regulation says 'no less than' which means he can say 7' – 8' and, if others agreed, that is what he wants.

Steve Jackson asked if there would be heat in the building. Mr. Howard said it has to be maintained for the toilet and chemical storage. Mr. Gilbert said there would be electric heat in the building.

Hearing no further input, Chairman Dow closed the hearing to the public and opened it to the Board only.

The following waivers were considered:

Section 13.5.8 – USGS Benchmark survey – **Stan Prescott made a motion to approve the waiver request; seconded by Gary Tasker. All were in favor.**

Section 13.6.26 – Lighting Plan – **Henry Huntington made a motion to approve the waiver request; seconded by Steve Jackson.** Stan Prescott said that it should be noted on the plan that they would be using a high-pressure sodium 150 watt light. Peter Howard said that it is noted on Sheet 6 but he would also reference it on the site plan. Henry Huntington noted that there is a light reference on Sheet 4 as well. **All were in favor.**

Section 13.6.27 – Landscaping Plan – **Gary Tasker made a motion to approve the waiver request; seconded by Henry Huntington. All were in favor.**

Section 13.5.9 – Site Specific Soils Map – **Henry Huntington made a motion to approve the waiver request; seconded by Steve Jackson. All were in favor.**

Steve Jackson made a motion to approve the application as presented with the following conditions: 1) plan to show 7' – 8' high pine trees to be used; 2) letter of approval must be received from fire department; 3) note of 150 watt high-sodium light to be on plan; 4) recording of the lot line adjustment approved with application #09-08; and 5) adjust the profile to show meeting the grade for driveway specs. Motion seconded by Tom Moore. There was discussion about the driveway grade. Stan Prescott said they would be all set if they show breaks in the profile. **All were in favor.**

New Business:

#09-10, BDJ Real Estate, LLC – Major Site Development, Located on Staniels Road, in the C/I District, Map 1, Lot 58. Jeff Brem of Meisner-Brem represented the applicant. Owner Bob Bollinger was present. There were no abutters present.

Gary Tasker made a motion to accept the application as complete and move to public hearing; seconded by Tom Moore. All were in favor.

Mr. Brem gave an overview of the project and location. He pointed out the drainage easement between this lot and Lot 57. Special exceptions have been granted for the 50' building setback and 10' parking setback. The 50' x 200' building will house office and storage space, some units having a second floor. There will be no more than 2,000 sf on the second floor. He pointed out that there would be full circulation around the building and there would be a 5' landscaped strip around the building. There will be a secondary access at the southwest end of the parcel for emergency use only. Mr. Brem stated that parking space calculations came to 49 spaces but they have 53 planned, two being handicap spaces. He pointed out the well location at the rear and septic system at the front of the building. Mr. Brem explained the drainage with an infiltration basin at the front of the property and one at the rear with emergency overflow. He said the parcel has very sandy soils.

Review comments were received from The Louis Berger Group earlier in the day. Mr. Brem said that the comments are fairly simple and will be addressed. Chairman Dow asked that Mr. Brem go through the comments with the Board as they had just received the comments as well. Mr. Brem said that there would be a second floor for some of the units, at the front of the building only, depending on the use of the unit. He presented a letter and stamped plan from the landscape architect.

Dustin Bowles asked about the parking spaces. Mr. Brem explained that the calculation is shown on SP1, noting that they have 53 shown but will lose two because of the dumpster location and drainage in that area. Steve Jackson asked about the height of the building. Bob Bollinger said that it would be 28' - 29'. Stan Prescott asked about the lights on the building. Mr. Brem said they could be found on UL1 of the plan set. He said there would be cut-offs

under the eaves, noting that they are shown as floodlights and this would be corrected. Mr. Brem stated that Jeff Green did the survey and this is shown on the plans. Gary Tasker asked about the siding on the building. Mr. Bollinger said it would be gray vinyl with black shutters and architectural shingles would be used on the roof. Mr. Tasker said he would like to see an upgrade to the landscape plan. He pointed out that there was no size given for a red maple in the corner of the plan. Mr. Tasker said he would like to see the proposed 18" – 24" high shrubs replaced with 2' – 2 ½' shrubs. He noted that this is a high profile location and some concessions were given with the setbacks. Mr. Tasker said some additional deciduous trees and plants would be nice where it is so close to Route 106 and other businesses. There was discussion about the planters at the front of the building, the entries being flush with the asphalt, and drainage. Mr. Bollinger stated that there would be a roof over each door.

Gary Tasker asked about the purpose of the emergency road. Mr. Brem explained that it would be for a second access in the event of a fire and would be posted as such. Mr. Tasker asked about lighting fixtures and that illumination be shown. He asked if there would be signage to direct traffic flow and a sign for the building. Mr. Bollinger said he would like to do signs on each door. It was stated that there would be no freestanding sign.

Gary Tasker asked if there was a need for a guardrail in the back where there is a slope. Mr. Brem explained that there is an 8' trench that is even with the parking lot and then it slopes from there. He said there would be no need for a guardrail. Mr. Tasker asked that a profile of that be drawn for the next meeting.

It was asked that the lot calculations be shown on the plans and a letter be received from the fire department.

Hearing no further input, Chairman Dow closed the hearing to the public and opened it to the Board only. **Dustin Bowles made a motion to continue this application to August 20, 2009 at 7:00 at the Community Building; seconded by Gary Tasker. All were in favor.** There will be no further notification.

#09-11, Joanne Sanborn/Dana & Deborah Locke – Lot Line Adjustment, Located on Kenney Road, in the RR District, Map 44, Lots 8 & 14. Mrs. Sanborn and Mr. Locke were present. Abutters Judy Boska and Bob Hibbard were present. Also present were Peter McGrath, attorney for Sanborn, and Roy Weddleton, attorney for Locke. Steve Jackson recused himself from this matter.

Attorney McGrath explained that the town tax map shows a 50' straight strip to the Sanborn property, however, this was never transferred as such. He said that this lot line adjustment exchanges .4 of an acre between the two parcels and does not affect the frontage. Mr. McGrath said that this is per civil litigation as a result of the width and shape of the strip being disputed.

Tracy Sweeney of Richard D Bartlett & Associates spoke about the proposed exchange. He said it would be a total of .49 acres. Mr. Sweeney explained that the Thibodeau property to the other side of this strip had senior rights. Former plans showed that the line was straight. He said they are redefining the 50' right-of-way per the settlement.

Stan Prescott suggested that the info on abutter Georgio be moved back so that it was clear that they owned the full length of the abutting property. Mr. Sweeney said that he would make that note as well as mark the exchanged pieces for clarification.

Gary Tasker made a motion to accept the application as complete and move to public hearing; seconded by Tom Moore. All were in favor.

Attorney Weddleton said that this is per a civil agreement and he would like that agreement to be part of the approval. Ray Dumond, on behalf of Mrs. Sanborn, pointed out that this strip is deeded property, not a right-of-way as stated earlier. Peter McGrath stated that this is

a fee simple absolute strip of land. Tracy Sweeney stated that it is a 50' strip, except at the front where it is 47.7', with no easements.

Marcia Flynn presented a building permit that was issued for the existing house on Mrs. Sanborn's other lot. Ms. Flynn pointed out that a condition of the building permit was that the two lots were to be combined. Steve Jackson stated that the building permit was issued in Bob Hibbard's name. He said he would like to clarify the history a bit. Mr. Jackson said that Mrs. Sanborn purchased the property from Mr. Hibbard in 1990. It was represented to have 55' of frontage and a strip that went straight back to the larger part of the parcel. He said a subsequent survey that was done in 1995 showed a discrepancy, involving a fence line. Mr. Jackson explained that Mrs. Sanborn was using a deeded right-of-way through the Epp property to access her existing house on Map 53, Lot 2. He said Mrs. Sanborn went for a building permit for this lot in 2006 and was told that she needed 50' of frontage. The current agreement came about as a result of the discrepancy. Mr. Jackson said this lot line adjustment leaves the Locke lot conforming and gives Mrs. Sanborn the land that she purchased in 1990.

Tom Moore said that he does not feel that the lot line adjustment would be hurting anything. Tom Dow said the frontage could be addressed at the time of subdividing or building. Tracy Sweeney said that he could note that the 47.7' frontage is per previous surveys so there would be no question of why it was allowed at less than the current requirement of 50'.

Hearing no further input, Chairman Dow closed the hearing to the public and opened it to the Board only. **Tom Moore made a motion to approve the lot line adjustment with the following conditions: 1) a note of the prior 47.7' frontage bounds for the Sanborn parcel; 2) a note added for the .02 acre piece at the front of the parcels; 3) abutter Georgio info to be added in second location; 4) markings of the areas being exchanged to be added; and 5) the document number of the recorded settlement agreement added. Motion seconded by Henry Huntington. All were in favor.** Steve Jackson returned to the Board.

Board Discussion:

1. Donna reported that a letter was sent to Currier Road Holdings by certified mail but was not picked up by the owner of the property. The selectmen will run an ad for bids for the completion of the reclamation. Donna has the reclamation plan and will get it to Gary Tasker for specs to be drawn up for the project.
2. Steve Jackson spoke about a housing assessment that was recently done by CNHRPC. He said that Ben Frost has conducted several workshops on workforce housing. It was agreed that Loudon would host a workshop. Donna is to contact Mr. Frost to make arrangements.

Report of the ZBA:

Donna reported that there would not be a meeting in July as no applications were received.

Report of the Board of Permit:

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

Adjournment: A motion to adjourn at 9:57 p.m. was made by Henry Huntington; seconded by Gary Tasker. All were in favor.

Respectfully submitted,

Donna White