

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE

APPROVED

PLANNING BOARD MINUTES
OF JUNE 18, 2009

Meeting called to order at 7:00 p.m. by Vice Chairman Stanley Prescott.

Attendance:

Vice Chairman Stanley Prescott, Steve Jackson, Gary Tasker, Henry Huntington, Ex-Officio Dustin Bowles, Alternates Bob Ordway and Jeff Green

Bob Ordway was appointed as a voting member in the absence of Tom Dow. Jeff Green was appointed as a voting member in the absence of Tom Moore.

Acceptance of Minutes:

May 21, 2009 Regular Meeting – Steve Jackson asked that the word ‘more’ be removed from a statement that he made on page 1, application #09-06. He said that it should read: Steve Jackson stated that this would take a non-conforming back lot, make it bigger with frontage, and make it conforming. **Bob Ordway made a motion to accept the minutes as amended; seconded by Henry Huntington. All were in favor.**

New 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. **Gary Tasker made a motion to accept the application as complete and move to a public hearing; seconded by Steve Jackson. All were in favor.**

Peter Howard of Steven J Smith and Associates represented the applicant. Del Gilbert and Roy Creley of Lakes Region Environmental were also present. There were no abutters present. Mr. Howard explained the location of the two lots. Lot 124 currently has 2 acres and Lot 123 currently has 6.39 acres. Each lot currently has frontage on Shaker Road and Shaker Brook Park Road. Mr. Howard explained that Lot 123 has an odd configuration and they are creating better lines with the proposed lot line adjustment. Lot 124 would have 2.89 acres after the adjustment and Lot 123 would have 5.50 acres. There was discussion of the original subdivision and frontage on Shaker Road. Dustin Bowles said that he was not sure that they could do away with the frontage on Shaker Road for Lot 123. Gary Tasker asked if Shaker Brook Park Road was built to town standards. It was agreed that research should be done on the road history and construction. Mr. Bowles said that core drillings could be requested. Mr. Tasker said that they could have a lot on a private road but they need to be sure that the road is to standards.

There was discussion about the requirements of commercial versus industrial uses, acreage and frontage. Donna went to the office to get old roads for the Board’s review. There was no signed copy of the subdivision plan in the file. It was agreed that the road has to meet the standards at the time of approval. The Board asked Donna to get old minutes from the office.

Mr. Howard stated that the plans include a well to be placed in the corner of the area being proposed to be taken from Lot 123 and added to Lot 124. He explained that the well has to be 250’ from the pumps. Jeff Green asked if the well has to be on their own site. Steve Jackson

stated that they could do an easement for the well. It was felt that having the well on the facility parcel would keep things clearer. Gary Tasker said that the records would have to be investigated. Dustin Bowles said that he likes the concept as they are cleaning up the lot but the minutes and other records have to be researched. Peter Howard asked how they would prove that the road was constructed to standards. Mr. Bowles said that they could check the amount of pavement and compaction. Henry Huntington said that they should provide an engineer's sign-off. Stan Prescott stated that the existing lot has frontage on Shaker Road. He said that the applicant should prove that the road was done to standards or do some core drilling.

There was discussion of merging the two lots into one. Steve Jackson stated that commercial use allows for multi-uses. He said with a site plan they could use one lot for multiple uses. Mr. Gilbert said that it would be tough to divide later on if there were multiple uses on one lot. Dustin Bowles said that he felt that would require things to be at today's standards if it was merged and then later divided. Henry Huntington said that the approved plan would show the road and the Board needs to accept that as the plan if it all can be found. It was stated that the applicant has the option of deciding if the road is to standards or merging the two lots. It was suggested that they investigate and come back in July. Stan Prescott said that three samples (beginning, middle, end) would be sufficient based on the length of the road. Mr. Howard said that they would document the width, base materials, and pavement. Mr. Prescott suggested that they research through the planning office first. He said if the minutes of that timeframe show that it was an approved road the Board would accept that and assume that it was done to standards. He told Mr. Howard if that information cannot be found then they could do the core drillings.

The old minutes were reviewed but did not provide much information. Discussion continued about the concept of the plan and cleaning up the lot line, road ownership and maintenance, and setbacks needing to be shown on the plan. Mr. Gilbert said that Priscilla Stewart has been the only one using the road so has taken care of the plowing. Jeff Green said that the lot that they are proposing to build on has frontage and the other lot would have frontage. He said if the back lot was built on in the future the road would have to be worthy to support that site plan. Mr. Green said he thought the site plan being presented tonight could be approved. Steve Jackson asked where Mr. Bowles saw that the regulations require a lot to be on a public road, noting that there are subdivisions with new private roads. Dustin Bowles said that he does not disagree but is not sure how the Board knows that the road meets the standards. Gary Tasker said that he would not be doing the town any favors if he approved the plan as drawn and is not sure that it is on a town approved road. Jeff Green said that the subdivision had to have been approved in order for the road to be built. Discussion continued about the road and the need for further investigation.

Gary Tasker said that he would consider approving the application with some answers as to who owns the road and if it is built to standards. Henry Huntington said that he feels the road should be brought to current standards. He said he would consider approval if the two lots were merged to one, eliminating the matter of frontage on Shaker Road. He said the road should meet today's standards if they eliminate the Shaker Road frontage of Lot 123. Dustin Bowles said he is not comfortable making a decision without a record of the lots and road. Steve Jackson said that he was torn with the frontage requirement on a private road. Jeff Green said that he was alright with the proposed plan. Bob Ordway said that he feels that the Board can safely assume that the road has been approved as built to the standards.

Gary Tasker made a motion to continue this application until further investigation is done on the road; seconded by Dustin Bowles. All were in favor. The application was continued to 7:00 p.m. on July 16, 2009 at the Community Building. There will be no further notification.

#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.

Mr. Howard explained the location and proposed business of a fleet fueling facility for Del R Gilbert & Son Block Co, Inc. He stated that they have received NH DES approval as listed as note #16 on the plans. Mr. Howard also noted that they have received ZBA approvals for the use as a filling station, the storage tanks, and a reduced front setback for a building. He pointed out that these approvals are also noted on the plan. Mr. Howard stated that they have also received the approval for the septic system. He informed the Board that there would be a 24' x 48' canopy over a concrete pad and the lot would be fenced with chain link fencing for security. He said the lot would be gated. Mr. Howard said that they have worked with the fire department on the gate, building, cistern, hydrant, and filler. There will be six 5,000 gallon tanks used for the fire cistern. A 12' x 20' building is shown outside the gate. Mr. Howard noted that the building has since been reduced to 12' x 15' and will house a bathroom, electrical boxes, and the product that the fire department would use to create foam. There will be a 5,000 gallon tank for gasoline, a 12,000 gallon tank for diesel, and a 12,000 gallon tank for E85, gas/ethanol. Mr. Howard said that there will be a Knox box on the building for the fire department's use. He stated that there is a suppression system under the canopy and direct alarm to the fire department. Mr. Howard said that the lot is fairly wooded and they are proposing to leave the natural growth. A well will be placed 250' from the tanks.

Mr. Howard stated that they meet the 60' required setback on the residential side of the lot. He said that they meet the lot coverage at 1% for the building and the impervious area at 14.2%. There would be a drywell on the outside of the fenced area that would collect water from the canopy. There would be a spill kit onsite. Traffic would be one way so there would be no backup alarms to bother abutters. Porous pavers are proposed for the entrance to the facility. The base of the driveway is proposed to be crushed concrete. Mr. Howard said that they would be planting additional pine trees for more buffer on the north and east sides, and they will loam and seed the area. He said that the lighting will be minimal, noting that they need some for security. The canopy lights will be on during the hours of operation, controlled by timers. There would be a light on the building, and security lighting for the entrance would be provided by a light on a PSNH pole on Shaker Brook Park Road. Mr. Howard stated that they would be decreasing the runoff of the lot as they are improving the surface and would be creating a swale for any offsite runoff.

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

Gary Tasker said he would like to see 7'- 8' high pine trees planted rather than the 5'- 6' shown on the plan. He asked if the area is fairly flat. Mr. Howard said there would be minimal disturbance. Mr. Tasker asked if there would a sign. Mr. Howard said there is no plan for a sign as it is for the company's use only. Mr. Tasker asked if lighting is shown on the plan. Mr. Howard pointed out the PSNH pole and the lighting in the canopy. Mr. Tasker asked that it be shown on the plan as under canopy lighting, noting that the Board needs to see the type of lights. Mr. Howard stated that the PSNH light is shown on Sheet 6. Stan Prescott said there could be some concern of the light shining on the neighbor's house. Mr. Gilbert said that there are a lot of trees there and that the intent is just to keep thieves out. Gary Tasker asked that they show how they will adjust the light to prevent it shining on the neighbor's house and show the distance to the house. He asked about the crushed concrete. Mr. Howard said that the product packs. Mr. Gilbert said that it would be 10" thick and packs with the dust from crushing. Mr. Howard noted that it is shown on Detail Sheet 4. Roy Creley said that they had discussed this with the fire

marshal's office. He explained that the crushed concrete would stabilize a spill, acting as an absorbent that could be dug out and replaced. He said the fueling area is poured concrete. Steve Jackson read from Section 13.4.9(e) of the Land Development Regulations. Mr. Gilbert said that the crushed concrete looks like ledge pack.

Steve Jackson asked if there would be immediate fire suppression under the canopy. Roy Creley said that, per the fire marshal, it is not called suppression as it is a means of escape for the person in the area. He said it is self-contained in the canopy and targeted for the immediate area. Mr. Creley said there are heat sensors so there is no need to pull anything to activate. Peter Howard explained that the foam and fire cistern are available to the fire department for use in other areas.

Henry Huntington asked if fuel tank plans are available. Peter Howard said that a stamped set would be submitted. Roy Creley said that they could also submit the State application and related paperwork. Mr. Howard said that they would revise the plan to show the smaller building that was discussed earlier. Mr. Gilbert explained that they learned that there would only be two 55-gallon drums of the product used by the fire department for foam, therefore they did not have to construct the building as big as first thought. Gary Tasker asked that the color of the building and the canopy be included on the plans.

Gary Tasker made a motion to continue the application to 7:00 p.m. on July 16, 2009 at the Community Building; seconded by Jeff Green. All were in favor. There will be no further notification.

Board Discussion:

- a. A notice was received from CNHRPC relative to a Transportation Enhancement Program.
- b. A letter and DVD were received from AIA New Hampshire relative to community design programs.
- c. School Street cistern – there was brief discussion about the construction and appearance of the wall.

Report of the ZBA:

Donna reported that the June agenda includes a variance to create non-conforming frontage on a now conforming property on Kenny Road, a special exception for reduced setback on a corner lot on Creekwater Lane, and a special exception for a reduced front setback for the restoration of a grist mill on Sanborn Road.

Report of the Board of Permit:

Dustin Bowles reported that there were several hawkers and peddlers applications discussed.

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

Respectfully submitted,

Donna White