

**APPROVED**

**TOWN OF LOUDON  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF NOVEMBER 30, 2009**

Vice Chairman Ned Lizotte called the meeting to order at 7:00 p.m.

**ROLL CALL:**

The following members were present: Vice Chairman Ned Lizotte, Roy Merrill, Howard Pearl, George Saunderson, and Alternate Jim Venne

Jim Venne was appointed to sit as a voting member in the absence of Dave Powelson.

**ACCEPTANCE OF MINUTES:**

**Regular Hearing – Howard Pearl made a motion to approve the minutes of September 24, 2009; seconded by George Saunderson. All were in favor.**

**PUBLIC HEARINGS:**

**#09-20, Pleasant View Gardens/New England Flower Farm** – ESMI Soil Application, Map 6, Lot 3. Abutters were notified; none were present. Henry Huntington represented Pleasant View Gardens. Mr. Huntington explained that they are requesting approval for 25,000 yards (40,000 ton) of ESMI reprocessed soil to fill an area for a bio-mass plant. He said they did a similar plant at their Pembroke facility. Mr. Huntington stated that they have a spot that needs to be flattened. The bio-mass plant replaces fuel oil with wood chips. Mr. Huntington showed the members some plans of the area and proposed project. He outlined the area that would be filled, off to the side of the leachfield. The plans showed the layout of the existing buildings at the site as well as the location of the proposed bio-mass plant. Mr. Huntington explained that they dug a pond on the other side of Pleasant Street and piled that material at this location. He said that material will be used as fill as well. Mr. Huntington said that they need just less than 20,000 yards of the ESMI soil which would be the bottom layer of the filled area. He said the fill from the pond would then be applied and the top layer would be gravel.

Mr. Huntington explained that there would be two buildings, one for the boiler room and one where the chips would be dumped, and other details of the bio-mass plant. It was asked what makes this soil more attractive over other material. Mr. Huntington explained that it is less expensive fill. He said they applied ESMI soil under their new greenhouse in 2004. George Saunderson asked if there have been any negative problems with that application. Mr. Huntington said there have been no problems. It was asked if it is alright to cover the leachfield. Mr. Huntington explained that the septic system is chambered, currently under a parking area, and is vented.

George Saunderson noted that the 2004 minutes involved a lot of talk about the road, who would be responsible for inspecting it and any damage that may occur as a result of the trucking of the soil. Roy Merrill stated that the traffic to Pleasant Street was a big concern. Howard Pearl asked if they would have a fleet of trucks hauling the soil to the site. Mr. Huntington said there would probably be two trucks hauling over a couple of months. Ned Lizotte asked about the zoning where this soil would be applied. Mr. Huntington said that it is zoned as rural residential but would be for agricultural purposes. There was discussion about the property having been considered grandfathered commercial when the 2004 application was done.

Vice Chairman Lizotte asked if there were any comments or questions from the Board. Roy Merrill suggested that a site visit be scheduled. Mr. Huntington said that the Board could look at the Pembroke facility as well so that they could view the bio-mass plant. He said they will be before the ZBA in the future for another part of the process, as well as going to the Planning Board for site review. **George Saunderson made a motion to continue this hearing to Saturday, December 5, 2009 at 8:00 a.m. at the applicant's site on Pleasant Street, noting that a decision could be made on the request at that time; seconded by Howard Pearl. All were in favor.** The Board members will go from the Pleasant Street location to the applicant's Pembroke location immediately after this site visit. There will be no further notification.

#09-21, Red Hat Realty – Special Exception for Underground Storage Tank, Map 20, Lot 24. Abutters were notified; none were present. Dan Plourde was present as the applicant. Mr. Plourde explained that the State will allow him to use the tanks that are currently in the ground at the Village store until 2011. He said if gas sells he needs to be able to take bigger drops so would like to have approval for larger tanks when the time comes to replace the current ones. He said he would want to install nothing less than 18,000 gallons or anything more than 20,000 gallons. This would be a split tank that would allow him to carry diesel and one grade of gasoline. Mr. Plourde stated that the tank would go in the same location as the two 3,000 gallon tanks that are currently in place next to the store.

Roy Merrill clarified that Mr. Plourde is asking not to exceed 20,000 gallons. Mr. Plourde said that was correct; he would probably be looking at 5,000 gallons of diesel and 15,000 gallons of gasoline. He said Lakes Region Environmental will do the plans for him when he is ready to go to the State for the replacement. Mr. Merrill asked if Mr. Plourde needs an approval for 20,000 gallons in order to go forward. Mr. Plourde said that was correct. Howard Pearl asked if anyone knew what the Beanstalk or Rymes have for tanks. Nobody had that information. Mr. Plourde said that he will sell only one grade of gas. He stated that he will have to go to the Planning Board for site review before doing anything. Ned Lizotte said that it would be nice to see what is being done. Discussion of tank sizes continued. There were no further comments or questions from the Board. **George Saunderson made a motion to continue this hearing to Saturday, December 5, 2009 at approximately 9:30 a.m. at the applicant's site on South Village Road; seconded by Howard Pearl. All were in favor.** There will be no further notification.

**BOARD DISCUSSION:**

Copies of a letter received from David Huckins of Huckleberry Heating Oils were handed out to the members. Mr. Huckins wrote to voice his disappointment with the way he was addressed by a board member at the September public hearing on his application.

**ADJOURNMENT:**

Howard made a motion to adjourn the meeting at 8:00 p.m.; seconded by Jim Venne. All were in favor.

Respectfully submitted,

Donna White  
Administrative Assistant