

**APPROVED**

**TOWN OF LOUDON  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF NOVEMBER 29, 2010**

Chairman Dave Powelson called the meeting to order at 7:00 p.m.

**ROLL CALL**

The following members were present: Chairman Dave Powelson, Vice Chairman Ned Lizotte, Roy Merrill, George Saunderson, Howard Pearl, and Alternates Jim Venne, Jon Huntington, and Earl Tuson

**ACCEPTANCE OF MINUTES**

**Regular Hearing – Howard Pearl made a motion to accept the minutes of October 28, 2010 as presented; seconded by George Saunderson. All were in favor.**

**DISCUSSION**

**Colin Cabot, Sanborn Mills Farm** – Mr. Cabot spoke with the board about the possible designation of Sanborn Mills Farm as a historic district. He said this would provide a way for the town to allow uses of the property that are not permitted in the RR or AFP districts. Mr. Cabot explained that the foundation would like to offer workshops and provide housing and meals for attendees. He gave examples of the types of workshops they might offer, most being over a three day stay. Mr. Cabot outlined what he foresees as the future of the farm and his desire to preserve it as the State's only place that has both a water-powered grist mill and saw mill dating back to the 1830s on their original site. There was discussion on the process to establish a historic district and the time constraints for getting something done for the upcoming Town Meeting. Through discussion with Bob Ordway of the Historical Society, board members, and Mr. Cabot it was agreed that the historic district may not be the best way to address Mr. Cabot's concerns. Zoning Board members felt that there might be ways to address different issues through zoning amendments rather than the creation of an entirely new section of the Ordinance. Mr. Cabot will continue to gather information and work with the various boards. He will meet with the Historical Society later this week and the Planning Board in January for their input.

**PUBLIC HEARINGS**

**Z10-12 & Z10-13, Faith Community Bible Church** – Special Exception for Reduced Setbacks & Variance for Impermeable Coverage, Map 39, Lot 29, North Village Road. Abutters Robert Ballam and Susan Colby were present. Rodney Phillips spoke on behalf of the church. Also present from the church were Pastor Jeff Owen and Tom Stevens of the building committee.

Mr. Phillips gave an overview of the setback requirements for this lot, being a corner lot in the C/I District, and pointed out the location of the proposed addition to the church. The reductions being requested are on the north side from 60' to 38.4', on the North Village Road side from 100' to 68.9', and on the Route 106 side from 100' to 95'.

Mr. Phillips stated that a test pit was done with the results showing a seasonal high water mark of 84". He said they went 100" and no water was found.

Mr. Phillips went through the points of the special exception application. The chairman asked for questions from the board. Earl Tuson asked if the addition would be one or two story. Mr. Phillips showed pictures and explained that it would be a two story addition. Howard Pearl asked about Mr. Phillips' statement on the application that there would be no increase in traffic. Mr. Phillips said that they are simply adding extra space to use for Sunday school classes. He said the size of the sanctuary is not changing and that is what the traffic and parking is calculated on.

Hearing no further questions from the board, the chairman asked if there were any abutters wishing to speak in favor of the application. Hearing none, he asked if there were any abutters wishing to speak against the application. Mr. Ballam stated that he lives to the north side of the church parcel. He said he has concerns of what might come up in the future and what the implications might be for him. Mr. Ballam said he has considered flattening the area between the properties to make it more usable. He asked about the liability of trees on his property falling on the church building and possible changes in runoff. Mr. Ballam explained that he did a lot line adjustment with the church a few years ago and that did not turn out the way he thought it was going to. He said he feels that he was misled by the church at that time so is cautious about agreeing to any new proposals. Howard Pearl noted that the request for reduced setback will not be encroaching significantly. Mr. Ballam said he wants to be sure this does not impact his use of his property. He stated that the addition could be seen from his porch where it will be a two story structure. Mr. Pearl asked Mr. Ballam if he is concerned about this proposal affecting his property value. Mr. Ballam said he did not have much concern about that; his concern is more of future plans. Mr. Pearl referred back to a statement that Mr. Phillips made when going through the points of the application with regard to the lot's development potential being maxed out. Mr. Ballam explained some history of dealings he has had with the church. Mr. Pearl said that the board is bound by what the town's regulations allow and he encouraged Mr. Ballam to work things out with the church if there are unresolved matters. Mr. Ballam said he understands that and is just concerned of future actions. Jeff Owen stated that he owns a tree service and should a tree come down in a storm it is considered an act of God and the party who suffers damage would be covered by their homeowner's insurance. Howard Pearl assured Mr. Ballam that the board would take a good look at the applications and be diligent in their determination.

Susan Colby said she feels better after hearing more about the project. She said she does not have as much concern of drainage on her side of Currier Road as a result of this addition. She stated that the water problem on her land is more from across North Village Road and the wet area on the west side of the road. Roy Merrill said he wanted to be sure that adding more impermeable area would not increase Ms. Colby's drainage concern.

Mr. Phillips went through the points of the variance application. Chairman Powelson noted that in Mr. Phillips' discussion in October there were slightly different numbers given on the impermeable coverage. Mr. Phillips said that he thought they would be higher but Mr. Stout's calculations on the as-built plan proved otherwise. Roy Merrill asked if there was any detention pond on the south end of the property. Mr.

Phillips said the only detention areas would be on the north side of the driveway where it was left as a natural detention area. He said that the lot's runoff does not go across Currier Road.

Chairman Powelson asked if there were any concerns from the abutters. Hearing none, he asked Mr. Ballam if there was anything he would like changed to satisfy his concerns. Mr. Ballam said there was not. Roy Merrill asked Susan Colby if she was all set with the application. Ms. Colby said she was.

Howard Pearl stated that a corner lot imposes some pretty strict setbacks, particularly in the C/I District. He noted that this lot is surrounded by residential properties. Earl Tuson pointed out that this lot would not need reductions if it was zoned RR or AFP. George Saunderson said he felt largely the same way but wondered if a site visit was needed. Mr. Phillips said that there are stakes to mark the area. Mr. Pearl asked Mr. Phillips if it would be an issue if the applications were held until next month. Mr. Phillips said they have more planning to work on so the delay would not cause delays for them. Roy Merrill said he would like to see the drainage areas and the increase in the impermeable coverage. Mr. Pearl said it would be best to look at this closely where there are abutter concerns. A site visit was scheduled for Saturday, December 4<sup>th</sup> at 8:00 a.m. at the church.

Howard Pearl moved to continue both applications to the meeting of December 23, 2010, 7:00 p.m. at the Community Building; seconded by Ned Lizotte. All were in favor. There will be no further notification.

### **BOARD DISCUSSION**

Chairman Powelson said that he will not be able to attend the December Board of Permit meeting. Vice Chairman Lizotte will attend the meeting in the chairman's absence.

Howard Pearl and Earl Tuson said that they would not be able to attend the December board meeting.

Chairman Powelson noted that his and Howard Pearl's terms expire in March.

Roy Merrill said he would like the board to suggest to the Planning Board that the front setback in the C/I District be reduced from 100' to 60'. He said that the current setbacks make the usable area very limited on a small lot. Dave Powelson said he could appreciate Mr. Merrill's suggestion but wasn't sure about changing it. Howard Pearl said he felt businesses should be able to be closer to Route 106. Given the already wide State right of way, the 100' setback puts the building quite a bit off the road. George Saunderson suggested that the setback be left as is and business owners come in on a case by case basis for reduced setbacks if need be. There was discussion of the appearance of the 106 corridor and appealing to businesses. No final decision was made.

### **ADJOURNMENT**

Jon Huntington made a motion to adjourn the meeting at 8:27 p.m.; seconded by Jim Venne. All were in favor.

Submitted by,

Donna White  
Administrative Assistant