

**APPROVED**

**TOWN OF LOUDON  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF MAY 24, 2012**

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

**ROLL CALL**

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

**ACCEPTANCE OF MINUTES**

**Regular Hearing – Ned Lizotte made a motion to approve the minutes of April 26, 2012 as presented; seconded by George Saunderson. All were in favor.**

**Site Visits – Howard Pearl made a motion to approve the minutes of two site visits done on May 1, 2012; seconded by Ned Lizotte. All were in favor.**

**PUBLIC HEARING**

**Application #Z12-06, Lois Choroszy – Special Exception for Reduced Setback, RR District, Map 58, Lot 98, Clough Pond Road. There were no abutters present. Chairman Powelson stated that the Board did a site visit on May 1<sup>st</sup> and the application was covered at the April meeting. Hearing no comments from the public, the chairman closed the hearing. **George Saunderson made a motion to approve the request for a reduced setback for a driveway from 30' to 4'; seconded by Ned Lizotte.** Dave Powelson said that Clough Pond is a difficult area with small lots and this request seems fitting for the neighborhood. **A roll vote was taken: George Saunderson – yes; Ned Lizotte – yes; Dave Powelson – yes; Roy Merrill – yes; Howard Pearl – yes. Unanimous - APPROVED****

**Application #Z12-09, Joseph Maynard for B & D Harvey Realty Trust – Special Exception for Reduced Setback, RR District, Map 66, Lot 16, Route 106. Mr. Maynard, of Benchmark Engineering, represented the applicants. There were no abutters present. Applicant Brian Harvey was present. Chairman Powelson reviewed the site visit that was done on May 1<sup>st</sup>, noting that the request is for reduced side setbacks of 18' on one side and 29' on the other. The points of the application were covered at the April meeting. Hearing no comment from the public, the chairman closed the hearing. **Ned Lizotte made a motion to approve the application with a reduced side setback on the south side from 30' to 18' and a reduced side setback on the north side from 30' to 29'; seconded by Howard Pearl. A roll vote was taken: George Saunderson – yes; Ned Lizotte – yes; Dave Powelson – yes; Roy Merrill – yes; Howard Pearl – yes. Unanimous - APPROVED****

**Application #Z12-10, Revonda & Associates, LLC/DOM Customs, LLC – Special Exception for Automotive Uses, C/I District, Map 30, Lot 24, Route 129. Property owner Harry MacLauchlan and applicants Rick Broider and Dan Mainville were present.**

Mr. Broider explained that they plan to do light automotive repair, motorcycle repair, and parts fabrication. He said the primary focus would be on motorcycles. When asked about the noise level, Mr. Broider explained that the decibel level would not be any more than the vacuums and driers that were used when the car wash was in operation. He said there would be no more traffic than seen with the previous use of the facility. Mr. Broider stated that one abutter was present at last week's Planning Board meeting and her questions were satisfied at that time. Mr. MacLauchlan explained that the applicants will rent the two middle bays of the former car wash. He said he maintains a clean appearance on his property and that will not change.

Dave Powelson said it appears that the applicants plan to offer an assortment of repairs and custom work. He asked about the number of vehicles they plan to have onsite. Mr. Broider stated that there is parking for up to about fifteen bikes. He said all vehicles will be inside at night for security purposes. There will be no vehicles for sale. It was noted that the hours of operation were set at the Planning Board meeting. They will be Monday through Friday from 9 a.m. to 5 p.m. and Saturday from 7 a.m. to 1 p.m.

Chairman Powelson went through the points of the application with the applicants. Stan Prescott asked about the floor drains in the bays. Mr. Broider said they will be capped off. George Saunderson asked about recycling used oil. Mr. Mainville stated that they will use Safety Kleen and will find a source that can use the waste oil in their furnace. Harry MacLauchlan stated that the fire department visited the property and went over what they want in place.

Roy Merrill said this is only a change in use, noting that Harry runs a good business and will keep his tenants in line. Chairman Powelson closed the hearing to the public. **Ned Lizotte made a motion to approve the proposal as submitted; seconded by Howard Pearl.** Roy Merrill said he is all set with the application. Howard Pearl said it is a great use and good transition for the property. **A roll vote was taken: Howard Pearl – yes; Roy Merrill – yes; Dave Powelson – yes; Ned Lizotte – yes; George Saunderson – yes. Unanimous - APPROVED**

Application #Z12-11, N H Motor Speedway – Special Exception for Storage Tanks, C/R District, Map 61, Lot 5, Route 129. John Zudell represented NHMS. Mr. Zudell explained that they went to install propane tanks at the new utility building and were informed that they had to see the ZBA first. He said they were not aware of the requirement, nor was Eastern Propane who is doing the installation. Mr. Zudell said they have 20,000 gallons of storage onsite now, most underground. There was discussion of the reasoning behind the requirement. It was noted that this might be something to look at further when doing zoning workshops in the fall.

Chairman Powelson went through the points of the application with Mr. Zudell. Mr. Zudell said they are flagging all tanks, installing concrete risers and poles so they are visible even if there is a lot of snow. There was brief discussion on the placement of the two tanks. Mr. Zudell explained that they are switching from one supplier to another and all of their tanks are being converted over. He said they also want to put one in the ground by the maintenance building. The 1,000 gallon tank is already there but has been used aboveground until now.

**Howard Pearl made a motion to amend the current application to three 1,000 gallon propane tanks; seconded by Dave Powelson. All were in favor.** John Zudell

asked that it be noted that two of the tanks will be at the new utility building and one will be at the maintenance building. **Howard Pearl moved to approve the amended application for three 1,000 gallon propane tanks, with locations to be reported to the fire department; seconded by Ned Lizotte. A roll vote was taken: George Saunderson – yes; Ned Lizotte – yes; Dave Powelson – yes; Roy Merrill – yes; Howard Pearl – yes. Unanimous – APPROVED**

Application #Z12-12, Matthew Moulton – Special Exception for Home Occupation, RR District, Map 47, Lot 17, Lovejoy Road. There were no abutters present. Chairman Powelson noted that Mr. Moulton came to the Board in April to discuss what he planned to do. There was further discussion at the Board of Permit meeting which led to Mr. Moulton filing an application to the ZBA. The chairman went through the points of the application with the applicant.

Mr. Moulton explained that this is all in the beginning stages and he has no idea how it will go. He said he will have one truck and one trailer unless the business really takes off. Roy Merrill suggested limiting the home occupation to two 1-ton trucks, preventing it from going to a big trash truck coming in and out. Mr. Moulton said he would need the trailer as that is what he would carry barrels on for the sorting of recyclable trash. He said he would probably use a 16’ trailer. George Saunderson noted that two trucks are mentioned on the application and that would mean Mr. Moulton is talking about an employee. Mr. Moulton explained that his father might help him if the business was bigger than he could handle by himself. He said he really has no idea how it will go. Mr. Moulton said if the business did well and he needed to go beyond two trucks and two trailers, he would have to consider other options or locations. He said he has no plan to have a sign at this point as no customers would be coming to the property. If he decided to have a sign he would get a permit from code enforcement.

Dave Powelson asked about hours of operation. Mr. Moulton said it would depend on the number of customers. He said he would probably head out about 7 a.m. and hope to be done in the early afternoon. The hours would be around the hours of the transfer station. Mr. Moulton said he plans to start with one day a week and see how it goes. He said he has no intention of bringing anything back to his house. Stan Prescott, a neighbor but not direct abutter, said his biggest concern was that Mr. Moulton would be bringing trash home. After hearing Mr. Moulton’s explanation, Mr. Prescott said he is alright with the proposal. He explained the discussion that took place about this matter at the Board of Permit meeting. Mr. Moulton explained that he feels that recycling is important and he wants to emphasize that to his customers.

**Howard Pearl made a motion to approve the application as presented, with the business not to exceed two trucks and two trailers and the hours of operation from 7 a.m. to 7 p.m. on the days that the transfer station is open; seconded by George Saunderson. A roll vote was taken: Howard Pearl – yes; Roy Merrill – yes; Dave Powelson – yes; Ned Lizotte – yes; George Saunderson – yes. Unanimous - APPROVED**

### **BOARD DISCUSSION**

Board members signed a card of thanks to be sent to Jonathan Huntington for his many years of service on the Zoning Board. Jon has been on the town's land use boards since 1978.

**ADJOURNMENT**

Jim Venne made a motion to adjourn the meeting at 8:20 p.m.; seconded by Howard Pearl. All were in favor.

Submitted by,

Donna White  
Administrative Assistant