

**TOWN OF LOUDON  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF APRIL 25, 2013**

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, Earl Tuson, and alternates Jim Venne and George Saunderson. Jim Venne was appointed as a voting member in the absence of Howard Pearl and George Saunderson was appointed as a voting member in the absence of Ned Lizotte.

**ACCEPTANCE OF MINUTES**

Regular Hearing – **Roy Merrill made a motion to accept the minutes of March 28, 2013 as written; seconded by George Saunderson. All were in favor.**

**PUBLIC HEARING**

Applications #Z13-04 Special Exception for driveway in wetlands conservation district, Z13-05 Special Exception for work in the 50' wetland buffer, Z13-06 Variance for filling of wetlands, Z13-07 Variance for ground disturbance within 75' wetland buffer, and Z13-08 Variance for construction of building in steep slope district, Greenpeace Nominee Trust – C/I & RR Districts, Map 61, Lot 2 on Route 106 & Asby Road. Abutters Jim & Sue Snyder and Michael & Cheryl Moore were present. Planning Board members Stan Prescott and Dustin Bowles were present. Jeff Lewis and Matt Routhier of Northpoint Engineering and applicant Dave Pritchard were present.

Jeff Lewis explained that this parcel is across from the track at the corner of Asby Road and is partially in Canterbury. The parcel is partly in the C/I District and partly in the RR District. Mr. Lewis explained that Mr. Pritchard has owned the land since the late 90s and would like to develop it. He said they knew the property had challenges so began investigating. Mr. Lewis stated that they went to the Planning Board for discussion and then a year ago did wetlands work and a survey. He said they recently went back to the PB with a conceptual plan, and they have also met with the Conservation Commission. Mr. Lewis explained that they are trying to meet with all the groups in town so they can get a sense of direction for the proposed uses. He said they have also had a pre-application meeting with the state wetlands bureau.

Mr. Lewis explained that Phase 1 is to go in and clear part of the lot for a pad site. He said this would be for the initial use and make the piece more marketable as they continue figuring out reasonable uses. He said the current goal is to agree to what the buildable area would be. Mr. Lewis showed Phase 2 as a potential building and parking lot. He pointed out areas as wetlands, vernal pools, wetland buffers, and steep slopes. He noted that a rise bisects the property and slopes vary. There are thirteen acres in Loudon, with only two acres considered as usable. Mr. Lewis said they have identified the best access off Route 106 but will have to cross wetland. He stated that they have

identified five situations where they need special exceptions or variances. Mr. Lewis said they felt a possible joint site walk and/or meeting might be helpful in order to provide a direction for them to proceed.

Mr. Lewis addressed Z13-06, a variance for filling wetlands. He pointed out that this would involve the crossing from Route 106, an area of about 5700 SF at the back of the upland, and an area of about 1900 SF southeast of the upland. Mr. Lewis stated that Wetland Scientist Randy Shuey identified some of the more valuable wetlands. Chairman Powelson pointed out that the Zoning Ordinance treats wetlands and buffers about the same. Mr. Lewis stated that Z13-07 is specific to ground disturbance in wetland buffers. He said if these two variances were granted then Z13-04 and Z13-05 would probably be withdrawn. He said they have not calculated the square footage of buffer impact but would do so if alright to pursue further.

Mr. Lewis addressed Z13-08, explaining that this would be grading the area to two pad areas/two levels. Roy Merrill pointed out that this is a corner lot and the driveway is supposed to be off the lesser traveled road per the Zoning Ordinance. Mr. Lewis said he will look at this and probably file for another variance. Jim Venne said it looked like there would be hardly any impact on wetlands if the access was off Asby Road. Mr. Lewis said they would prefer to access from Route 106 because this would be a commercial lot. He pointed out that Asby Road is not suitable to bring commercial traffic in and there is better sight distance at the 106 access. He spoke about having to impact wetlands and steep slopes and feeling that it would be a trade-off environmentally.

George Saunderson asked about the future building. Mr. Lewis said they do not know right now. He said they have identified the footprint and it could be most any of the uses permitted. He said they only know Phase 1 for the current owner, adding that the parking would have to work for any future Phase 2 plan. Mr. Lewis said they are focused on determining the usable area at this point and have shown an example of something that would fit. He said the perimeter of the parking gives the outline of the area, with Phase 1 being a gravel parking area and Phase 2 having to fit in the buildable area.

George Saunderson said he felt a site walk is needed as it is hard to ask questions without knowing the land. A site walk was set for May 6<sup>th</sup> at 5:00 p.m. The Planning Board, Health Officer, and Conservation Commission will be notified.

Jim Snyder stated that he is an abutter to the north of this property. He said he would like to avoid traffic on Asby Road and would favor the access being from Route 106. He said it would appear they are looking at a lot of alteration of terrain without knowing the final use. Owner Dave Pritchard explained his history with the lot and wanting to do it right for future business. He said he is not a developer but just a guy with a piece of land who wants to do something with it. George Saunderson asked Mr. Pritchard if he does not want to build. Mr. Pritchard said he just wants to prep the land at this point and is not sure who or what may happen in the future.

Chairman Powelson said he did not see any reason to go through the points of the applications at this point. Mr. Lewis agreed, asking whether to table until next month or go to the Planning Board, whatever would be best. Roy Merrill noted that the applicant has paid his fees and it would make sense just to continue to the next meeting. **Roy Merrill made a motion to table the five applications to the site walk on May 6<sup>th</sup> and then to the next meeting; seconded by George Saunderson. All were in favor.** The

next meeting will be May 23, 2013 at 7:00 p.m. in the Community Building. There will be no further notification.

**DISCUSSION**

Jeff Green stated that he would like to clear up a matter relative to a Greenview Drive application from the last meeting. He said the Conservation Commission sent a letter to DES after that meeting, questioning the permit that was received for that property. Mr. Green submitted a copy of the Conservation Commission's letter as well as a response letter from DES to the Conservation Commission. He said he waited for the DES letter before replacing the culvert in question. Mr. Green said he wanted it known that what he did was correct.

**ADJOURNMENT**

George Saunderson made a motion to adjourn the meeting at 8:46 p.m.; seconded by Earl Tuson. All were in favor.

Submitted by,

Donna White  
Administrative Assistant