

**TOWN OF LOUDON
ZONING BOARD OF ADJUSTMENT
MINUTES OF JANUARY 24, 2013**

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, Howard Pearl, Roy Merrill, George Saunderson, and Alternates Jim Venne and Earl Tuson

ACCEPTANCE OF MINUTES

Regular Hearing – Howard Pearl made a motion to accept the minutes of November 29, 2012; seconded by George Saunderson. All were in favor.

DISCUSSION

Meadow Ledge Farm/Ernie Roberts - Mr. Roberts explained that he has a property where he wants to put up an irrigation tank which needs to be in the shade. He started building a post and beam covering and when he went for a permit was informed of the required setbacks. This structure is within 10' of the lot line and he was told that he would have to address the setback before going any further. Mr. Roberts stated that the structure is at the highest point of the property so is the best location for the water tank. He said he thought he would be alright because the abutting lot is his as well. Chairman Powelson outlined the options of a special exception for reduced setback, a lot line adjustment which would be more costly, and an equitable waiver of dimensional requirement. He explained the hearing process and recommended that Mr. Roberts decide the best option and file the appropriate application.

PUBLIC HEARING

Application #Z12-18, Environmental Soil Management, Inc. – Special Exception for Soil Application, C/I District, Map 50, Lot 1-1. Marc Aubrey was present for ESMI. Jeff Green was present as the surveyor for ESMI.

Mr. Aubrey explained that they are asking for a special exception to use their fill in an area of property recently purchased from Fillmore. He said this lot had five acres, and they purchased 11.5 acres through a lot line adjustment to expand the lot. He stated that they want to bring up the elevation of the 11.5 acres to that of the current piece, an estimate of 500,000 tons. Mr. Aubrey pointed out the location of the plant and the five acre lot. He explained the process of moving the material from the plant site to this storage site. Mr. Aubrey said the plan is to open up on the new acreage to give them more room to work and store the material. He noted that the existing road on the lot will be removed. Roy Merrill asked if they will still haul out of the site or just fill. Mr. Aubrey stated that they will still haul to Plourde in Hooksett. He said they will be using the treated soil for fill on this property, and they figure it will be a four to five year project. He stated that ESMI is working with the State to develop other products and they would be able to use part of this area for that, giving them an area for screening or crushing oversized material. Howard Pearl asked to clarify that they will continue to do

the same thing, just on a bigger lot. Mr. Aubrey said that was correct. George Saunderson asked how far this lot is from the river. Jeff Green stated that it is 460' from the river to the boundary line. He pointed out the tree line along the river, some field area, and a swampy area where there are more trees. Marc Aubrey stated that there would be a retention pond at the top of the slope.

Chairman Powelson went through the points of the application with Mr. Aubrey. Bradley Thompson of Northern Precast Design said that his business has been an abutter to ESMI since 1999. He said they have found ESMI to be quality people who do what they say they will do. Mr. Thompson said he sees their operation daily and supports this application. Roy Merrill stated that ESMI is regulated by the State and has always done exactly what they have said. He said he would have no problem giving them more space to work.

Ned Lizotte made a motion to approve the application as presented and to allow the placement of 500,000 tons of ESMI reprocessed soil; 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 #Z13-01, Bradley Thompson/Northern Design Precast – Equitable Waiver of Dimensional Requirement, C/I District, Map 50, Lot 23. The applicant was present as was abutter Marc Aubrey for ESMI.

Mr. Thompson explained that they are applying to the town to construct a new building for finishing, curing, and shipping of their product. He said it was discovered in the process of doing a site plan that a small shed is in the side setback. Mr. Thompson said the 10' x 20' shed is used as an area for cutting rebar on a daily basis. He said it is entirely within the setback, has no plumbing, is insulated, and has a little electric heater and light. Mr. Thompson explained that there is no other place to do the rebar cutting that would work with the full manufacturing process. He said the shed is somewhat concealed and would not appear to be a problem to other properties.

The chairman went through the points of the application with Mr. Thompson. Marc Aubrey stated that ESMI did not realize the shed was within the setback until this came about. He said the shed fits in the area and is not an obstruction. There was brief discussion about the location and how it is best suited for the shed.

Howard Pearl made a motion to approve the application as presented; 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

ADJOURNMENT

Roy Merrill made a motion to adjourn the meeting at 7:55 p.m.; seconded by Howard Pearl. All were in favor.

Submitted by,

Donna White
Administrative Assistant