

**TOWN OF LOUDON  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF JUNE 27, 2013**

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

**ROLL CALL**

The following members were present: Chairman Dave Powelson, Howard Pearl, Roy Merrill, Ned Lizotte, Earl Tuson, and alternates Jim Venne and George Saunderson.

**ACCEPTANCE OF MINUTES**

Regular Hearing – **Ned Lizotte made a motion to approve the minutes of May 23, 2013 as written; seconded by Earl Tuson. All were in favor.**

**DISCUSSION**

John Moretto, Open Hands Resource Center – Mr. Moretto stated that he is the director of the OHRC which is a 501 C (3) non-profit organization. He said the group currently has a storefront on Main Street in Concord where they give away clothing and supplies to the needy and homeless. Mr. Moretto explained that they are interested in purchasing the Lovejoy Farm and setting up a working farm and housing to help those in need get back on their feet. He said the property fits their needs where it has rooms and bathroom facilities separate from the main house. Mr. Moretto said that there would be a very structured set of rules for residents and there would be no drugs or alcohol permitted on the property. He said there would be random tests and searches allowed by the contract signed by each resident. Mr. Moretto said this program is for motivated people wanting to get off the street and back to living. His own family will live in the main house and will supervise the entire operation. Mr. Moretto stated that the residents of the property could be volunteer labor force in town if they are not gainfully employed elsewhere. He said the property could also serve as emergency housing for Loudon residents in the event of a house fire, storm damage, etc.

Dave Powelson asked how long residents would be in the program. Mr. Moretto said it would vary. He explained that the farm would raise beef, pork, chicken, and vegetables, being self-sustaining and provide work for those living there. He said residents will be required to work eight hours a day on the farm or elsewhere. Individuals could be there a couple of weeks to several months, depending on finding work, transportation, etc. Mr. Moretto said the program is for individual men only, not families. Earl Tuson asked if they would accept a mother and children. Mr. Moretto said the property is not conducive to a family environment with the current set up of the facility. Roy Merrill asked if these residents would have criminal backgrounds or be sex offenders. Mr. Moretto said his family will be living there so he will not be subjecting them to anything harmful. He said the resident contract has strict curfews, lights out, certain time up in the morning, and his family will be on site at all times. Mr. Moretto said he feels the public will not notice anything about the property other than family

living. He said if residents violate the contract they would be removed from the property for a period of time or permanently, depending on the infraction. He explained that the residents have to save money, learn budgeting, etc. in order to have a security deposit/first month's rent. He said to begin the process out residents may have to pay a small stipend in order to get accustomed to paying rent; they will have to fulfill any child support obligations once employed.

Dave Powelson said this seems to be a worthy cause and there is a need for this type of facility. He told Mr. Moretto that the organization would have to figure out how it fits in the zoning of the Town of Loudon, noting that the property is currently approved for a six-unit bed & breakfast. Pastor Jeff Owen spoke about a similar program that was established in Skowhegan, Maine. He said that program is a real tool for the town, is working really well, and is a very positive program. He explained that the building was built by the homeless and about 1,000 people have gone through that program. Roberta Hixson explained that many homeless currently use the OHRC address as their mailing address. She said this could be done with the facility residents if the town preferred.

Loudon resident Preston Lawrence stated that he supports this endeavor, noting that it is finding much needed shelter as well as getting projects done in the community to better the town. A gentleman who lives directly across the street from the farm stated that he feels he would welcome this program. He said we all have to look out for our fellow human beings and this is a worthwhile program.

Howard Pearl said multi-family dwelling seems to be the best fit in the Zoning Ordinance (S 504). He noted that it would require a variance for the distance from the Village District. Henry Huntington, member of the audience, said the Planning Board might want to see the proposal as well where it would be a change of use.

Mr. Moretto said they have a purchase and sale agreement on the property, contingent upon approval by the town. He explained that they have a \$50,000 donation and will also be doing a fundraiser which will involve a media blitz so he feels it is important that the Board know the intentions of the group. There was discussion on how to pursue the proposal. Howard Pearl mentioned that they might want to apply for a variance in addition to the multi-family proposal. He said one could be pulled if not needed.

## **PUBLIC HEARING**

Application #Z13-12 & #Z13-13, New England Flower Farm, LLC/Pleasant View Gardens – ESMI soil application & Variance for Wetland, RR District, Map 6, Lot 3 on Pleasant Street. Tim Bernier of T F Bernier, Inc. represented the applicant. Abutter Wes Jones and Pleasant Street residents Link Moser and Chris Barrett were present.

Variance - Mr. Bernier explained that the applicants are proposing to replace the last bank of greenhouses with a new modern greenhouse. He said the greenhouse would be much more of a fixed structure on a concrete slab. Mr. Bernier pointed out the area of wetland at the corner of the proposed building, explaining that it is existing lawn and partly man-made. Mr. Bernier went through the points of the variance application. He stated that the area is mowed and maintained. He said everything is contained inside for a more environmentally-sound system with the newer greenhouse. Howard Pearl noted that this will be greatly increasing the roof size. Mr. Bernier said that was correct and

explained that they built a very extensive retention area at the last project in anticipation of this project. He explained the system for handling runoff. Mr. Bernier said the roof drains all go to the pond, pointing out the drainage system and areas of hydric soils. Henry Huntington said they built the pond to capture water, and they would like to create a larger pond in order to make it efficient for use. Mr. Huntington said most of the wet area has been created, noting that there is some natural wetland behind this area. Roy Merrill asked if they have applied to DES for a wetland permit. Mr. Bernier said they have, explaining that it fits a minor impact standard application. There was discussion about review by the Conservation Commission. Donna stated that the Conservation Commission, Planning Board, and Health Officer were notified of this application as required by the Zoning Ordinance. No comment has been received from any of the parties.

Mr. Jones asked about the greenhouses that will be removed. Mr. Huntington said six greenhouses will be removed; they will take down 20,000 sf of building and put up 50,000 sf. Mr. Jones stated that it is a big increase in building coverage. Mr. Barrett asked if the current greenhouses have gravel floors. Mr. Huntington said half are gravel, the others are concrete. He explained that they can better control the environment in the new one. Mr. Huntington said they have about 6 ½ acres of coverage with the greenhouses and buildings.

Mr. Moser noted that there has been a good amount of traffic and growth over the years; he wanted to know if there is a point where the Board sets a limit. He said this is a rural, residential neighborhood and the applicant is a commercial entity creating traffic and light impact. Mr. Moser said there will also be additional truck impact when bringing the soil in to the property. Tim Bernier stated that they came in last year to talk about the density requirement but the boards didn't make any changes to the Ordinance. He said the Zoning Ordinance coverage is the restricting factor and this property is maxed to the current regulations.

Chairman Powelson spoke about the applicant's statement on the application with regard to the impact on the neighborhood. Mr. Moser said the impact is already there and this increase is minimal in the grand picture. Mr. Barrett said it would be improving the efficiency of the operation. Mr. Huntington said the only other thing that might be done at the property is to remodel the office facility; there would be no more expansion.

**Ned Lizotte made a motion to approve the variance as submitted; seconded by Howard Pearl.** The chairman asked if the Board had any concerns. Howard Pearl stated that he feels they have met the criteria with their explanations. **A roll vote was taken: Earl Tuson – yes; Ned Lizotte – yes; Dave Powelson – yes; Roy Merrill – yes; Howard Pearl – yes. Unanimous - APPROVED**

Soil Application – Mr. Huntington explained that the soil would be used in the area of the new greenhouse. He said they will be doing some cutting but will also be filling areas. He said they have requested approval for 10,000 yards but probably need about 8,000 yards. This soil would go in the area toward the rear of the new greenhouse, to bring it level for the new pad. Mr. Huntington explained that the pad will be bigger than the building to allow an area for maintenance. He said the soil will slope beyond the greenhouse and then material will be put down for drainage and topsoil. Mr. Huntington explained that when they were filling at the time of the boiler building there were two tractor-trailer dumps, most days 8 to 16 per day, Monday through Friday. Wes Jones said

he learned that each load is approximately 18 yards which would equate to over 1,000 trips in and out, a lot of traffic and a lot of impact. Mr. Huntington stated that it would be a 2% increase in traffic per traffic counts that have been conducted.

Chairman Powelson read from the Zoning Ordinance regarding soil application. He said the Board cannot approve for the use in a wetland area. Mr. Huntington said they could use the material cut for the wetland area as it is a small area.

Jim Venne was appointed as a voting member as Ned Lizotte had to leave the meeting after the previous application. **Jim Venne made a motion to approve the soil application request for Pleasant View Gardens as submitted; seconded by Roy Merrill.** Howard Pearl said the applicant has heard the concerns of neighbors and he would encourage them to do their best to mitigate those concerns, keeping the hours reasonable, etc. Mr. Huntington said he would agree. **A roll vote was taken: Jim Venne – yes; Howard Pearl – yes; Roy Merrill – yes; Dave Powelson – yes; Earl Tuson – yes. Unanimous – APPROVED**

Application #Z13-14, James Rood (Subway) – Special Exception for Sign, C/I District, Map 49, Lot 115 on Route 106. The applicant was not present. A letter from the owner of the store was received earlier in the day stating that he is against an additional sign for Subway. Howard Pearl said he is not sure this is even a valid application if Mr. Rood is not the property owner. Jim Venne had the same concerns. There was discussion on how to proceed. **Earl Tuson made a motion to continue the application to the July meeting; seconded by Howard Pearl. All were in favor.** The applicant and the property owner will be notified with regard to the Board having questions on the application. The application will be carried to the agenda of July 25, 2013, 7:00 p.m. in the Community Building. There will be no further notification.

### **ADJOURNMENT**

Roy Merrill made a motion to adjourn the meeting at 8:27 p.m.; seconded by Howard Pearl. All were in favor.

Submitted by,

Donna White  
Administrative Assistant