

TOWN OF LOUDON  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF APRIL 23, 2015

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

**ROLL CALL**

The following members were present: Roy Merrill, Dave Powelson, Ned Lizotte, Earl Tuson, and alternate Charlie Aznive. Charlie Aznive was appointed as a voting member in the absence of Howard Pearl.

**ACCEPTANCE OF MINUTES**

Regular Hearing – **Ned Lizotte made a motion to accept the minutes of February 26, 2015 as presented; seconded by Charlie Aznive. All were in favor.**

**DISCUSSIONS**

Miranda Milano – Mrs. Milano explained that her family operates Maple Ridge Sugarhouse on the Ridge. She said they would like to hold events/weddings there and would like to know how they can make that happen. There was discussion of their own wedding at the farm, what they envision for events, and some concerns discussed with the fire department in regard to tents. Earl Tuson referred Mrs. Milano to the state RSA that defines farming, suggesting if the use could be found in there then it would probably be a permitted use in the AFP District. He spoke about the concept of agri-tourism, part 6 of the RSA. There was discussion of the Zoning Ordinance, parking, noise, tents, and catering since they would have everything brought in. It was suggested that they decide exactly what they want to do and offer, check with towns with similar venues, and go from there. It was noted that changes can be made to the Zoning Ordinance by ballot in March.

D S Cole Growers – Doug Cole, Mark Sargent, and Jeff Burd attended to speak with the Board. It was explained that Mr. Cole wants to expand his greenhouse operation on North Village Road. It was recently discovered that the proposal would exceed the allowable building and impervious coverage for the RR District, and it was suggested that they talk with the ZBA about how to address the matter. Mr. Burd stated that the building coverage would be 16.4% and the impervious coverage would be 33.3% when the limits are 10% and 20% respectively. The current operation is already in excess of the limits. The group discussed the parcel in question and other pieces owned by Mr. Cole, although not contiguous. There is a 50' strip between Mr. Cole's two parcels; there was discussion about using the vacant parcel as a type of mitigation to offset the excess coverage. Filing an application for a variance was discussed, noting that the district restrictions could cause a hardship.

**PUBLIC HEARINGS**

Application #Z15-02, Loudon Mart – Special Exception for Bulk Storage Tank, Map 49, Lot 115. Rabid Imad and Jeff Green were present; there were no abutters present. Mr. Green presented an as-built plan so the Board could see the current tank location and parcel layout. It was explained that they want to replace a 500 gallon propane tank with a 1,000 gallon propane tank. Mr. Imad told the Board that they have been using Blue Rhino service but they keep running out of tanks so they want to refill tanks themselves. He said they could put the tank closer to the building, getting it out of the setback, noting that the electrical conduit is already in place when the parking lot was paved. The chairman went through the points of the application with Mr. Imad and Mr. Green. There was brief discussion about getting the tank out of the setback; it was agreed that the new tank would be cited out of the setback. **Earl Tuson made a motion to approve the application as presented;**

**seconded by Ned Lizotte. A roll vote was taken: Earl Tuson – yes; Ned Lizotte – yes; Dave Powelson – yes; Roy Merrill – yes; Charlie Aznive – yes. Unanimous - PASSED**

Application #Z15-04, Richard Emmons & Kimberly Stevenson – Special Exception for Wetland Crossing, Map 44, Lot 8. Abutter Dana Locke was present. Cindy Balcius of Stoney Ridge Environmental represented the applicants who were also present. Ms. Balcius pointed out on a plan the large forested wetland that will be crossed in order to reach the buildable upland of the parcel. She explained that the driveway impact is planned for the narrowest area for the least impact. Ms. Balcius pointed out the old woods road that goes through this property. She said there will be a 5500 sf temporary disturbance for the driveway. It was noted that the driveway falls in the side setback closest to the Epp and Sanborn boundaries. The applicants were advised that they will need to apply for a special exception for reduced setbacks. It was also noted that the driveway does not meet the setbacks at the beginning where it will fall within the 50' strip leading to the open area of the property. The chairman went through the points of the application with Ms. Balcius. He asked for questions from the Board; there were none. He asked for abutters in favor of the proposal; no response. He asked for abutters against the proposal; no response. There were no comments from the public. **Roy Merrill made a motion to approve the application as presented; Ned Lizotte seconded the motion.** The chairman read a statement of approval from the Conservation Commission; Donna reported that the Planning Board has reviewed the plan and had no concerns. **A roll vote was taken: Earl Tuson – yes; Ned Lizotte – yes; Dave Powelson – yes; Roy Merrill – yes; Charlie Aznive – yes. Unanimous – PASSED**

Application #Z15-05, ESMI – Special Exception for Modification of Operating Hours, Map 50, Lot 24. Marc Aubrey represented ESMI. He presented a table of times the plant was used off hours for the Board's review. He explained that it was a hard winter for construction and their operation. Mr. Aubrey said they are at zero product right now but know that construction is picking up and they will be getting calls from businesses looking for space. He explained that they would like the additional hours so they can keep up with processing once product starts coming in. At this point the plant is permitted to operate from 6 a.m. Monday through 5 p.m. Saturday. They would like to avoid the shutdown. There were no abutters or members of the public present. The chairman read a statement of approval from abutter Northern Design Precast. Ned Lizotte said, when reading the applicant's letter, he is thinking of giving it a try for a year and see how it goes with winter business, etc.

The chairman went through the points of the application with Mr. Aubrey. It was suggested that a six month trial could be approved; then ESMI and the Board would have some data for further consideration. **Ned Lizotte moved to approve the proposal for a trial period of six months; seconded by Charlie Aznive. A roll vote was taken: Earl Tuson – yes; Ned Lizotte – yes; Dave Powelson – yes; Roy Merrill – yes; Charlie Aznive – yes. Unanimous - PASSED**

### **ELECTION OF OFFICERS**

Roy Merrill moved to elect Dave Powelson as Chairman and Ned Lizotte as Vice Chairman; seconded by Earl Tuson. All were in favor. Dave Powelson nominated Charlie Aznive as an Alternate for a three year term; seconded by Ned Lizotte/Earl Tuson. All were in favor.

### **ADJOURNMENT**

Earl Tuson made a motion to adjourn the meeting at 8:42 p.m.; seconded by Charlie Aznive. All were in favor.

Submitted by,  
Donna White  
Administrative Assistant