

APPROVED

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE

PLANNING BOARD MINUTES
APRIL 15, 2010

Meeting called to order at 7:00 p.m. by Vice Chairman Stan Prescott.

Attendance:

Steve Jackson, Tom Moore, Vice Chairman Stan Prescott, Alternate Bob Ordway

Bob Ordway was appointed as a voting member in the absence of Henry Huntington.

Dan Geiger represented the Conservation Commission; Firefighter John Reese represented the Fire Department.

Member Resignation/Appointment:

Vice Chairman Prescott read a letter recently received from Gary Tasker. The letter, written March 30, 2010, asked that Chairman Dow accept Mr. Tasker's resignation from the Loudon Planning Board effective April 1, 2010 due to his relocation to Northwood, NH.

Mr. Prescott explained that it is up to the Planning Board to fill the term with an appointment. He said that Bob Cole has been asked, and has accepted, to fill the term vacated by Mr. Tasker's resignation through next March. **Bob Ordway moved to nominate Bob Cole to fill out Gary Tasker's remaining term; seconded by Tom Moore. All were in favor.** Mr. Cole was advised to see the town clerk to be sworn in.

Acceptance of Minutes:

March 18, 2010 Regular Meeting – **Bob Ordway made a motion to accept the minutes as prepared and place on file; seconded by Steve Jackson. All were in favor.**

Discussion:

Dan Plourde – Mr. Plourde stated that he would like to change the gas tanks at the store in the Village. He explained that he has to have engineered plans to go to the State and that he will pull out two tanks and put in one big tank. A special exception was granted by the Zoning Board to allow up to 20,000 gallons. Mr. Plourde said that his intention is to see if gas will sell once he gets the store re-opened before making his final decision to replace the tanks. He is permitted by the State to operate with the existing tanks until July of 2011. Mr. Plourde explained that he would like to hold off on going before the Planning Board until the time that he makes the decision of going forward with the tank replacement. Steve Jackson asked if there would be a difference between the State's engineered plans and the town's site plans. Stan Prescott said it would seem that they

would show the whole facility. Mr. Jackson said it sounds like the State's engineered plans would suffice for the town. Mr. Plourde said he would not be changing anything until he is sure the gas will sell. Stan Prescott said that he would agree that the State's plans would meet the town's site plan requirements. Mr. Jackson advised Mr. Plourde to look at the Land Development Regulations to be sure that everything is met if using the State plans. Mr. Plourde said he is working with Lakes Region Environmental. Mr. Prescott said he assumed that the tanks would be grandfathered with distances for wells and boundaries. Mr. Plourde said if gas sells then he would replace the tanks; if it does not, then he would remove the tanks. There was discussion as to what initializes a site plan review. Firefighter Reese said that he has met with Mr. Plourde. He said as long as Mr. Plourde meets the State requirements he will exceed anything that the fire department would be looking for. Steve Jackson said he would not think there is any reason for Mr. Plourde to come to the Planning Board if not changing anything at this point. Stan Prescott agreed. Tom Moore asked if the tanks would be fiberglass or steel. Mr. Plourde said it would be whatever is recommended by Lakes Region Environmental. There was discussion as to what is currently on site and what constitutes the need for a site plan review application. Mr. Prescott advised Mr. Plourde to see Donna with his plans if there were any questions on the disturbed area.

Old Business:

#10-03, Michael Milligan – Site Development, Wales Bridge Road, in the C/I District, Map 20, Lot 58. Tim Bernier of T F Bernier, Inc. represented the applicant. Abutters present were Elaine Flick and her son Brian. Mr. Milligan and the owner of the proposed business, Jay Canney, were also present. Tim Bernier of T. F. Bernier, Inc. represented the applicant. Mr. Bernier gave an overview of four items that were requested by the Board at the last meeting. 1) dimensions on the architectural plans; 29' 4" building height, 12/9 pitch roof. 2) display area/road – dust control issues; reclaimed asphalt to be used for now. 3) drainage – added infiltration basins at the retention area in the center of the display area, near the entrance to the lot, and at the corner of the parking lot. Roof gutters were added and piped to the infiltration basin. Jeff Burd of RJB Engineering did a drainage analysis; a letter from Mr. Burd was submitted for the record. 4) landscaping – added three islands along the Route 106 side; expanded others; changed trees from maples after locating all of the existing oaks, maples, ash, and pine to some with color such as non-fruit bearing Cleveland pears, plum and dogwood. There will be 85 shrubs between the site and Route 106. Mr. Bernier added the existing trees to the plan, noting that those have to stay per the State. Stan Prescott noted that there are five purple plum trees on the list but only four shown. Mr. Bernier said that one was changed to a dogwood earlier in the day and he would correct the list.

Stan Prescott noted that when looking at the site it appeared that the grade has been raised significantly compared to the plan. Mr. Milligan said that the finished grade will go up against the building and will slope away to meet the fence when done. Steve Jackson asked if the contours on the plans will be a representation of the finished grade. Mr. Milligan explained how the grading will be tapered from the building instead of steep ramps. Mr. Bernier said that they had the grade coming up pretty steep to the back of the

building so they tapered it more. Mr. Milligan said it will not be up against the silt fence when done.

Stan Prescott asked about the roof drains. Mr. Bernier explained that the drain water will go into the infiltration system. Mr. Prescott clarified that there would be no runoff from the roof onto adjacent properties. Mr. Bernier said that was correct as it will all be caught into the retention area or leaching basin. He explained the natural drainage pattern that was on the site and the sandy soil of the lot. He said they have intercepted any increase in runoff created by impervious surfaces. He said the water still goes the same way but ends up in three areas, retained or leached.

Dan Geiger asked where snow would be stored. Mr. Bernier pointed out areas along the back of the parking area and the center of the display area. Steve Jackson said that the applicant had Mr. Burd look at the drainage and it is clear from what Mr. Milligan has offered and the types of soils that the runoff is fairly insignificant. He said he feels the applicant has met the Board's requests. Elaine Flick asked if fairly insignificant means none. Mr. Jackson explained that it would mean there will not be any more impact from the road culvert that affects her property as a result of the development of the applicant's property. Mr. Bernier pointed out that the letter from Burd explains there could be a 1/10 to 1/2 percent increase in runoff without the infiltration basins and just the retention areas; therefore, it would be even less of an impact with the basins. Stan Prescott said they are not increasing the flow. He said when this lot was vacant there was still water crossing the lot and by adding the drainage they have done as requested by the Board.

Hearing no further input Vice Chairman Prescott closed the hearing to the public and opened it to the Board only. Tom Moore asked if a plan was submitted for a sign and if it was known that it meets the requirements. Jay Canney said he had the sign design done exactly by the Zoning Ordinance specifications, noting that he has a professional sign maker doing it to the letter. Mr. Moore asked if the type of lighting proposed meets the regulations. Mr. Bernier said the spec sheets were submitted in the application packet and are all by the regulations. Stan Prescott noted that the proposed sign copy was submitted with the application as well. Mr. Canney submitted a copy of the actual design. There was discussion of the sign size and placement. Tom Moore asked about north wall shrubbery. Mr. Bernier said there are so many evergreens on the South Village Road side the building will be blocked.

Tom Moore moved to accept the application as complete and move to public hearing; seconded by Bob Ordway. All were in favor.

Vice Chairman Prescott noted that there are three waiver requests to consider.

- 1) Mr. Prescott read the request to waive the requirement of a Site Specific Soils Survey. Tom Moore asked if the Board was comfortable with the request. Mr. Prescott said he was alright with the request. **Tom Moore made a motion to grant the waiver; seconded by Steve Jackson. All were in favor.**
- 2) Mr. Prescott read the request to waive the requirement for a stormwater management plan. Tim Bernier noted that they pretty much complied with the requirement after submitting the request by having the drainage analysis done by Mr. Burd. **Steve Jackson moved to grant the waiver as written; seconded by Bob Ordway.** Mr. Jackson pointed out that Mr. Milligan offering the exfiltration basins almost qualifies as stormwater drainage in itself. **All were in favor.**

- 3) Mr. Prescott read the request to waive the requirement that the erosion & drainage, lighting, and utilities plans be on separate sheets. All of the details are listed on the site plan. **Bob Ordway moved to grant the request for waiver; seconded by Tom Moore. All were in favor.**

Steve Jackson made a motion to approve application #10-03 site development for Wales Bridge Road as presented; seconded by Bob Ordway. There was no further discussion. **All were in favor.**

New Business:

#10-04, Hermel Fortier – Amended Subdivision (original application #09-15), Oak Hill Road, in the RR District, Map 28, Lot 12. No abutters were present. Jason Hill of Holden Engineering represented the applicant. Mr. Hill gave an overview of the location, noting that the Board granted an approval for the three lot subdivision in the fall of 2009. He said that the Board had advised Mr. Hill at a recent Board meeting that abutters would have to be re-noticed and an amended plan be filed to change a lot line. The original subdivision plan has not been recorded as the bond is not yet in place. Mr. Hill explained that Mr. Fortier wants to utilize an existing stonewall as a lot line instead of the straight line initially used. He said they refiled with the State DES and no further action was needed there. Mr. Hill said this application is procedural so there is a record of the change.

Stan Prescott asked about the old line versus the new line. Mr. Hill said the initial line ran one to six feet off the stonewall. He explained that the lot size does not change and the lot still has the required frontage. Steve Jackson said he likes the revised line better. Mr. Prescott confirmed that the frontage and lot size is the same and that the adjustment to the wall is made up at the back of the lot. Tom Moore stated that all developers should try to use existing walls as lot lines when possible.

Steve Jackson moved to accept the application as complete and move to public hearing; seconded by Tom Moore. All were in favor. Hearing no further input Vice Chairman Prescott closed the hearing to the public and opened it to the Board only. Tom Moore said that it makes good commonsense and he would encourage more developers to use existing markings. **Tom Moore moved to approve the application; seconded by Steve Jackson.** Stan Prescott stated that this meets the requirements and is a rather minor change. **All were in favor.**

#10-05, New Hampshire Motor Speedway – Amended Site Plan (original application #14-97), Route 106, in the C/R District, Map 61, Lot 5. No abutters were present. Hillary Nelson represented the Canterbury Board of Selectmen. Vice Chairman Prescott read the application. **Tom Moore moved to accept the application as complete and move to a formal hearing; seconded by Bob Ordway. All were in favor.** Mr. Prescott asked the Board if they felt the application should be determined as having regional impact. Bob Ordway said he did not see any reason why it would not be considered as regional impact. Mr. Prescott said he would agree, saying that it would be advisable in curbing any controversy. Steve Jackson said it would be good for all involved if considered as regional impact. Tom Moore said it is a good idea. He said there was a lot

of positive feedback and he did not recall any negatives for the 2010 event but it is the right thing to do in considering it as regional impact. **Bob Ordway moved to declare this application as regional impact and go forward with a public hearing; seconded by Tom Moore. All were in favor.** Vice Chairman Prescott announced that the public hearing would be held on May 20, 2010 at 7:00 p.m. at the Community Building and there will be no further notification to abutters. The surrounding communities and CNHRPC will be notified.

Board Discussion:

Gravel pit transfer – Donna informed the Board that a letter was received with regard to the sale/transfer of a gravel pit and asked how the Board wanted to handle the transfer. Tom Moore suggested that the new owners come in to talk with the Board and maybe do a site walk. Stan Prescott recommended having the new owners come in to discuss their plans for the site.

Parking permit review – Steve Jackson said that he attended the April Board of Permit meeting for Stan Prescott who had another commitment that evening. He said there was good feedback from those present at the Board of Permit. He said Chief Fiske feels that the applicants should appear before the proper Board on an annual basis, the plans need to be updated annually, the RV issue needs to be addressed, and the overnight parking issue needs to be addressed. He continued that Mr. Fiske said if the Board allows overnight campers to be parked on these lots then provisions should be made for septage removal and a certificate of insurance from the property owner should be provided. Mr. Jackson said that Steve Ives has said that he does not agree to RVs being parked on private property for monetary compensation; if friends or relatives are the ones parking there it would be alright as long as not for compensation. Mr. Jackson said that Mr. Ives had agreed with the chief that the permits should be issued annually with an annual fee. He said there was discussion about the annual fee being used for additional personnel to police the parking lots for compliance.

Mr. Jackson recommended that the Board review the permits on a rotating schedule from now through 2011, noting that this year's letters have already gone out. He said there are approximately thirty permit holders and if those were reviewed over the next twelve months it would not be a huge task. Mr. Jackson said this would allow the Board to review all of the plans on file and get updated plans of current parking configurations and any changes that the permit holders have made. He said these could be looked at on a scheduled basis as it would be difficult to review all of them every year. Mr. Jackson also likes the idea of instituting an annual fee for the permit and someone checking the lots. He said if violations are found then the permit holder would go to the Planning Board for further review. It was suggested that the permit include removal of all litter on the permitted lots be done within a certain time after each event.

Firefighter Reese said that an annual review would not be needed if there was a paid person to check the lots each of the days. He said there would be no reason for the permit holder to come to the Board other than if there were changes to their plan/count or violations. It was agreed that something should be added to the permit about fireworks not being allowed per the town ordinance.

Vice Chairman Prescott asked if a small committee should work on this and make proposals to the Board, if the Board wanted to work on it some more at this meeting, or carry it over until next month. Steve Jackson stated that the permits have worked well for a while. He said a committee is not a bad idea and maybe they could come up with an estimated cost of policing the lots. Roy Merrill said that he was not sure that the idea of a paid person was all that well received at the Board of Permit meeting. Tom Moore suggested that a copy of the approved plan should be on premises when the lot is being used. Discussion continued about ensuring that the Board and Code Enforcement are in agreement and working toward the same result. It was asked how much a hawker and peddler permit costs. It was agreed that more information will be gathered as to the cost of other permits and the time and costs involved with parking permits. Firefighter Reese was asked to figure out what time and costs might be involved for a firefighter to do the inspections.

Report of the ZBA:

Donna reported that there is one application before the Board this month. It is a continuation of a special exception for automotive uses.

Report of the Board of Permit:

Stan Prescott reported that he attended the Board of Permit on March 30th. At that meeting they discussed the Huckleberry Heating Oil/fire department/cistern matter. Also discussed was a letter received from a resident on Route 129 with concerns of a motorcycle clubhouse next door to their home. Chief Fiske was to take care of that matter.

Steve Jackson attended the Board of Permit meeting on April 13th. He said they discussed parking permits as he reported earlier and the Huckleberry matter. Mr. Jackson said that Chief Burr feels that the Planning Board and Zoning Board have done their job and the matter now lies in his jurisdiction. The Planning Board discussed the fire department being part of the approval process. It was recommended that a letter from the department be part of the process, perhaps before accepting the application as complete. Firefighter Reese said that the Huckins situation was unique. He said the department would not want to make an applicant spend money before receiving a final approval from the Board as things can change through the application/review process.

Adjournment: A motion to adjourn at 9:25 p.m. was made by Tom Moore; seconded by Bob Ordway. All were in favor.

Respectfully submitted,

Donna White
Administrative Assistant