

APPROVED

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE
PLANNING BOARD MINUTES
APRIL 21, 2011

Meeting called to order at 7:00 p.m. by Chairman Tom Dow.

Attendance:

Chairman Tom Dow, Steve Jackson, Vice Chairman Stanley Prescott, Henry Huntington, Bob Cole, Alternate Jeff Green, Ex-Officio Dustin Bowles for Steve Ives Bob Butler and Julie Robinson represented the Conservation Commission. Fire Chief Jeff Burr represented the Fire Department.

Acceptance of Minutes:

March 17, 2011 Meeting – Julie Robinson referred to page four, second paragraph and asked that it be clarified that it was not that the Conservation Commission was not interested in the parcel. There was brief discussion of how the conversation had gone at the last meeting with reference to the Rattee parcel being offered to the Conservation Commission. **Bob Cole moved to accept the minutes as written; seconded by Henry Huntington. All were in favor.**

Discussions:

Jerry Gappens – NHMS – Mr. Gappens informed the Board that NHMS has proposed a hospitality area for general fans where food, beverage, and entertainment would be available. He explained that this would be a temporary facility that would go up and down for race weekends and would be a fenced-in area. Mr. Gappens showed the Board samples of the mesh type of fence that would be used. He stated that this would be an area to keep people contained, outside the grandstand area, and would be set up Thursday, Friday, and Saturday nights. Tom Dow noted that this would be on the south side of the track. He asked if it would take the place of any previous parking. Mr. Gappens said that it would not. Dustin Bowles noted that the area is full with vendors and they have to be careful not to go beyond that into parking areas. Stan Prescott said that vendor areas were discussed at the Board of Permit and he would like to see a big picture with these locations on it. Tom Dow said that this would be with vendors on the south end and would not be in the parking area. Mr. Gappens said that it changes all the time but has always been a vendor area. Stan Prescott asked Mr. Gappens to provide the different areas on an overview. All were in agreement with the hospitality area idea.

Mr. Gappens informed the Board that Dick Berggren, FOX sports announcer, approached NHMS to have a New England auto racing history museum on track property. He showed conceptual drawings of the museum which would also house the NHMS offices. Mr. Gappens explained that the project would require considerable funds to be raised and they are looking to the Board for their thoughts on the project before

going too far. He said that they would need to do a press conference to get things moving, explaining that there is a Board in place and they have formed a 501C3. Henry Huntington asked when this would be happening. Mr. Gappens said that it would be 2013 at the earliest as it would be a six to seven million dollar project. There was favorable discussion amongst the Board.

John Zudell – NHMS – Mr. Zudell informed the Board that they currently have three 35,000 gallon water tanks and a 300,000 gallon water tank onsite. He said they have had a recommendation to add another tank, that way they will still have enough water to run a race should they lose electricity. Mr. Zudell explained that they have a 420,000 gallon tank that would be 55' in diameter and 24' high and sit next to the 300,000 gallon tank. He asked the Board how he should proceed. Chairman Dow stated that he spoke with Bob Ordway about this matter. He said that they discussed going through a site development but since there was already a water tank there they weren't sure that was necessary. Mr. Dow noted that the regulations state that a site development is needed for any structure over 16' in height. Jeff Green asked where all the water goes if something happens to the tank(s). He said a site development would allow for a plan that would at least show where the flow would go and what could be affected. Mr. Zudell said that it would be on a sandy hill, explaining that the water dissipates well when the tank is drained in the fall. Tom Dow said that he did not feel there is a need to do a site development application. Jeff Green said that he felt that a plan and approval are needed. Dustin Bowles said that they should show the size, detail, etc on a plan, get it approved, and move on. Stan Prescott said that he feels they should follow whatever is necessary and feels that an engineered plan is needed. Mr. Bowles asked if they would be using engineered plans to assemble the tank. Tom Dow said he was looking at the location and didn't feel much was needed. Stan Prescott said he was looking at his responsibility to the Town of Loudon and doing diligence. Mr. Zudell said that his goal is to have the tank in place in July, explaining that it is an Army surplus tank and there are no known plans. Henry Huntington recommended that they put in an application for site development, using an existing plan with the addition of the new tank. The majority agreed.

Mr. Zudell handed out literature on a Whelen emergency warning system that Whelen is giving to NHMS. He explained that this would be for storm warnings as a safety enhancement. Mr. Zudell said that the tower would be no taller than 35' and would be placed near the water tank. It was recommended that this be put on the site development plan for the new water tank.

K & M Farm – Brett Lazar – Mr. Lazar explained that he is considering buying property at 100 Kenney Road to operate a poultry farm and farm store. He said that the access is an easement right-of-way through the Epp property. Steve Jackson noted that the easement would transfer to a new owner. Jeff Green reviewed the deed and said that there does not seem to be any restrictions in the deed but he would suggest having an attorney look at it. Mr. Lazar said that he cannot know what the traffic would be until he has the business going. He said he will have turkeys, chickens, Cornish game hens, and eggs. He would bring in pork to make sausage and smoked items. Bob Butler recommended putting together a business plan, noting that the idea seems reasonable, as that would help determine traffic. Mr. Lazar said that a good portion of the business

would be internet sales and farmers markets. Chief Burr asked what size store and building would be planned. Mr. Lazar said that there are two outbuildings on the property and he would use one bay of the smaller garage for the farm store with freezers and refrigeration. Henry Huntington said that this all qualifies as agricultural uses. Steve Jackson read from Section 205.2 which refers to permitted uses in the AFP District. Roy Merrill explained that Mr. Lazar had a different easement deed at the ZBA meeting and that raised concerns because of its restrictions. Mr. Merrill said that he would recommend that Mr. Lazar speak with Mr. Epp and/or an attorney about the easement. It was agreed that the use is permitted and no new structures would be built so there was no need for a site development at this time.

Manchester Sand & Gravel – Ron Corriveau – Mr. Corriveau stated that he received notification from the Selectmen’s Office about their pit on Route 106 being abandoned. He explained that the RSA states that a gravel pit that reports no excavation for a period of two years is considered abandoned. Mr. Corriveau said that they bid on projects all the time but the economy has been tight and they have not had any need to pull material from this pit. He said this pit is not abandoned. Mr. Corriveau said that their site specific permit is still active and they are due for a new six-year 485 permit in December of this year. He said their bond is still in place and is renewed annually. Bob Cole stated that he and Stan Prescott looked at the excavation files last year. He said they mentioned at the time that it was quite possible that some pits would be dormant because there is no work. Mr. Cole said that they felt there should be three criteria to be met: 1) sand/gravel supply – which they have; 2) plan/map – which they have; 3) bond – which they have. Mr. Corriveau said that their numbers are way off and he realizes that Mary Pinkham-Langer of the State is reading the RSA and following what it says. He said everything is current and he would like the Selectmen to know that it is not abandoned. As the Planning Board is the regulator of excavation permits, a letter will be written to inform the Selectmen that Manchester Sand & Gravel is in compliance.

Speedway Convenience – restaurant – The manager of Speedway Convenience was asked by the owner to speak with the Board about putting in a twenty-seat restaurant beside the store. She explained that it is an existing building that was formerly used as the Rymes office, noting that the size of the building will not be changed. The Board discussed this being a change of use, parking availability, and the status of the existing septic system. The store manager said that they are planning to have a new system installed. The Board reviewed the site development regulations and suggested that the owner come back once there is a plan in place.

Old Business:

#11-03, Debra Rattee – Major Subdivision, in the RR District, Map 38, Lot 27. Steve Jackson recused himself from this matter. Chairman Dow read a letter from Jeff Green, the applicant’s representative, requesting that this application be continued as they are still working on the Board’s requests from the last meeting.

Henry Huntington made a motion to continue the application to May 19, 2011, 7:00 p.m. at the Community Building; seconded by Bob Cole. All were in favor. There will be no further notification.

New Business:

#11-04, Michael Milligan - Minor Subdivision, in the RR District, Map 38, Lot 27. Steve Jackson remained off the Board for this matter. Jeff Green of J L Green Enterprises stepped down from the table to present this application for the applicant. Henry Huntington asked if there could be two applications for the same lot on the agenda. Mr. Green stated that the first application, in Ms. Rattee's name, was not accepted as complete. **Henry Huntington moved to accept this application as complete and move to a public hearing; seconded by Bob Cole. All were in favor.**

Mr. Green stated that they are looking for a two lot subdivision, noting that this is the identical location seen on Ms. Rattee's plan last month. He explained that they have reconfigured the corner lot so as to make better use of the remaining lot. Mr. Green said the original intent was to take this lot off the larger parcel and the first plan had grown from there. He said this lot has frontage on School Street and Batchelder Road. Mr. Green said that they are still looking at the other lots and build out as requested by the Board. He handed in paperwork for the State subdivision approval. Mr. Green said that the corner of this lot where the road crosses would be deeded to the Town.

Chairman Dow read requests for waivers of the following sections:

- 1) Section 12.4.11 **Bob Cole made a motion to grant the waiver; seconded by Stan Prescott. All were in favor.**
- 2) Section 12.4.10 **Henry Huntington made a motion to grant the waiver; seconded by Bob Cole. All were in favor.**
- 3) Section 12.4.9 **Stan Prescott made a motion to approve the waiver; seconded by Bob Cole. All were in favor.**

Dustin Bowles asked if there has been any discussion on the upgrade of Batchelder Road. He said it is narrow and could be widened a little. Mr. Green said that they are only accessing Batchelder Road about 95' and are already giving up the corner of land to the Town. Mr. Bowles said that they need to look at the future road use which could increase with more development. Steve Jackson stated that Ms. Rattee granted a sizable easement to the Town on the other side of Batchelder Road when doing a previous project. He said she has now agreed to grant the corner piece. Roy Merrill said that the road is awful and needs to be brought up. He noted that a developer on Youngs Hill Road was required to commit to \$160,000 for an upgrade of that road and he feels that at a minimum Batchelder Road should be brought up to be ready for pavement. Jeff Green noted that the drainage issue is coming from the other side of the road which is higher. The Board reviewed the plan and there was discussion about 10' on this side making it a 55' right-of-way. It was agreed that this would put the road in a good spot for future improvement.

Bob Butler asked if they plan to come back with a full build out. Mr. Green stated that they are looking at a potential build-out. He asked if the Board would be agreeable to not cut the corner for the Y in the road if the applicant agrees to grant the cut on the front of the lot along Batchelder. Dustin Bowles stated that he feels an

intersection would be better than a Y. Tom Dow said that he thought the Board was going the right way last month when they asked Mr. Green to grant that corner. Stan Prescott said that he would agree and would leave the plan as shown. Mr. Bowles said that he would rather get 10' along the road than the piece on the corner, saying that they need to be cautious about traffic. Bob Cole asked if 10' would be satisfactory. Mr. Green said that it would. **Bob Cole made a motion to approve the application on the condition that a 10' strip the length of the new lot on Batchelder Road is deeded to the Town; seconded by Henry Huntington.** There was discussion about making the strip the full length of the parcel or just this one lot for now. It was agreed to leave the motion as it stands. **All were in favor.**

Discussion:

Map 47, Lot 44 – Jeff Green explained that Debra Rattee wants to subdivide this parcel so that the area to the right of Rainbow Drive to the pond is a lot for her family's recreational purposes. This lot would be non-buildable and the remainder of the parcel is to be sold. Steve Jackson said this is part of a 188 acre lot. He is working with a buyer who wants to hold the remainder of the land for the future. Mr. Jackson said that the power lines and configuration limit the lot to be subdivided and it would be just for recreational use. Mr. Green said that there would be a stipulation that it is a non-buildable lot and for recreation only. There was discussion about this narrowing Rainbow Drive, a right-of-way for future road work, and the fact that this would be a non-buildable lot. It was agreed that the Board would consider an application for this proposal.

Board Discussion:

Master Plan –Mike Tardiff of CNHRPC was present to talk with the Board about the update of the Master Plan. He said that he feels the key component is the public process and that this could be done in the fall as the first phase of the update. Mr. Tardiff said that there is some funding available for transportation and energy chapters. He said that an electronic version of a survey could be done and that the Board needs to get an idea of what still stands and what needs to be updated. Stan Prescott said that they had discussed doing a survey and he feels that should be done and see what the results might be. Roy Merrill asked about the cost of doing the survey. Mr. Tardiff said that he would figure \$2,500 for his staff and \$1,100 to \$2,200 for the cost of mailing, website, Survey Monkey, and/or post cards. He felt that \$5,000 would cover the survey and assembling the results. Mr. Tardiff noted that there is new demographic information available that should be used in the review and update.

There was discussion of funds, the cost of the complete project, how to reach the public, reviewing the MP in-house, and the purpose of the MP. Mr. Tardiff stated that CNHRPC would assist in any way. Henry Huntington asked what it would cost to have CNHRPC do a professional review and offer suggestions/recommendations. Mr. Tardiff said they would do that for the Town but he also feels that the Board should do a review as well. Discussion will continue as to how the Board wants to proceed with the update.

Parking Permit plan review – Three parking plans have been received; one for James Hoffman, one for Robert Searles, and one for Shakerbrook, LLC. All plans were reviewed and approved by John Reese of the fire department. Letters of approval will be sent to the three owners. It was agreed that notices should be sent to the permit holders that have not been heard from during this permit review process.

Report of the ZBA:

There is one application for reduced side setbacks from New England Flower Farms on the agenda.

Report of the Board of Permit:

Stan Prescott stated that there were three hawker and peddler permits signed. He explained that one was for Dudley's Ice Cream, one was for Speedway Children's Charities, and one was for NHMS general vendors list. Mr. Prescott said that there was discussion about a temporary liquor store at NHMS but that is off the table at this point.

Adjournment:

A motion to adjourn at 10:17 p.m. was made by Henry Huntington; seconded by Steve Jackson. All were in favor.

Submitted by,

Donna White
Administrative Assistant