

APPROVED

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE
PLANNING BOARD MINUTES
AUGUST 19, 2010

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

Attendance:

Steve Jackson, Tom Moore, Vice Chairman Stanley Prescott, Bob Cole, Alternate Bob Ordway, Ex-Officio Steve Ives

Bob Ordway was appointed as a voting member in the absence of Henry Huntington. Bob Butler represented the Conservation Commission, John Reese represented the Fire Department, and Corporal Akerstrom represented the Police Department.

Acceptance of Minutes:

July 15, 2010 Special Meeting on Excavation Regulations – **Bob Ordway made a motion to approve the minutes as presented; seconded by Bob Cole. All were in favor.**

July 26, 2010 Meeting – **Steve Jackson made a motion to approve the minutes as presented; seconded by Bob Cole.** Steve Ives asked if it should be noted that it was a special meeting. Steve Jackson said it was a hearing that was continued from earlier in the month. After brief discussion, Mr. Jackson amended his motion as follows: **to approve the minutes of the continuation of the July 15, 2010 meeting as presented; Bob Cole seconded the amended motion. All were in favor.**

Discussion:

NHMS – Tom Blanchette, Director of Operations at NHMS, explained a program that currently takes place in the track's S3 parking lot for the purpose of educating non-competitive drivers in the skills of operating a motor vehicle in slippery, wet conditions. He stated that there are several clubs who rent the parking lot to do this type of program that is primarily geared toward teenagers and young adults. Mr. Blanchette said that there are typically 30-60 drivers in the course of a day. This program covers different types of driving situations in a controlled environment with a trained instructor in the vehicle with the student. Students use their own vehicles which are street legal and registered to be driven on public roads. Mr. Blanchette explained that NHMS has been approached by some of the clubs to be able to conduct their programs throughout the winter months. The intention would be to maintain the S3 lot so they might operate the safe driving skills program under winter conditions. Mr. Blanchette pointed out that this is not a spectator event and in most cases a parent or spouse accompanies a student and will watch during the program. He said the classes are conducted in the facility's office and parking lot. They would like to be able to open the lot for this program on Saturdays during the winter, with no competition and no spectators.

Stan Prescott thanked Mr. Blanchette for providing the Board with a website where they could learn more about these programs. He asked if there are any classes coming up. Mr. Blanchette said that there is one scheduled for October 2nd. He said

there will be an advanced class prior to that, explaining that these are all about defensive driving. Steve Ives asked how many are in each class. Mr. Blanchette said there are two sessions and there are generally thirty in each session. Steve Jackson said that the settlement agreement does not seem to restrict this type of use. Stan Prescott noted that it takes place in a parking lot, not on the track. Bob Ordway said that the meeting minutes would reflect that Mr. Blanchette came in, the matter was discussed, the Board was alright with the use, and it is clearly not a racing event. Each member was asked if they were in agreement that the program could be conducted without further approvals or any violation of the settlement agreement: Bob Ordway – yes; Steve Jackson – yes; Tom Moore – yes; Stan Prescott – yes; Bob Cole – yes; Steve Ives – yes.

New Business:

Application #10-10, Boar's Tavern – Revised Site Plan for Conditions of Outdoor Seating Area, C/I District, Map 21, Lot 16. Applicants Shae Gaboriault and Matt Alosa were present. Also present were abutter David Zarges and Randy Cummings, one of the owners of the property. Ms. Gaboriault explained that they would like to amend the conditions to allow one horseshoe pit in the fenced outdoor seating area. She said that they are currently allowed to use the area for eating, beverages, and smoking. She stated that they had requests for horseshoes so had put some in, not realizing that they needed permission. Mr. Alosa explained that the fence was deteriorated so they had taken it down and installed a new fence about 3 1/2' back from the original fence location. He said this was still off the property line, noting that they had contacted Chief Fiske and the landlord's office when making the change. Mr. Alosa said that the chief measured and seemed alright with the fence location. Mr. Alosa said that business had been down so they thought they would install the horseshoe pit as an added draw to the business. He said that there is no increase in noise in the outdoor area because of the addition of horseshoes.

Mr. Zarges read from the Board's original decision which states that there would be no activity other than eating and beverages in the area. He said his concern is that it is noisy and they cannot enjoy their yard with the loud conversations that are inappropriate for his young grandson. Mr. Zarges said that the additional noise is getting to be too much and he would like it kept inside. He spoke about the loud music and said that they should not have to ask every time to have the door and windows closed. Mr. Cummings said that he would agree with Mr. Zarges, stating that the Zarges' already put up with enough. Mr. Alosa explained that they have moved the tables closer to the building and they do not feel that the horseshoes will make a difference to the noise level of the outdoor seating area. He said there are no lights in that area and they shut the area down at the time set in the original conditions. He also noted that they have run the air conditioning most of the summer because of the heat so the windows and doors are not open that often.

Hearing no further comment from the public, Vice Chairman Prescott closed the hearing to the public and opened it to the Board only. Bob Cole asked Mr. Zarges how many times he has called the tavern. Mr. Zarges said that the last call was made on July 31st. He said they have kept a log of the calls and gave several dates going back to mid-May. He said the calls were due to loud music. Mr. Prescott stated that he did not feel that the Board could approve anything if the landlord is opposed to the proposed change.

Steve Jackson recalled when the applicants first came in for approval and that the Zarges' were in attendance. He said there was no real opposition at that time, the Board made conditions on the activity and hours, and everything seemed to work until the fence was moved and the pits put in. Ms. Gaboriault said that Chief Fiske met with her and they measured, feeling they were still meeting setbacks. Mr. Prescott said the issue is a moot point if Mr. Cummings is opposed to the proposal. Steve Jackson asked how the Board should handle the application and what would have to be done since the horseshoes are already there. There was brief discussion and it was agreed that the matter of the horseshoes would have to be resolved between the applicants and the landlord. **Steve Ives made a motion to deny the application based on the testimony of the lessor, Mr. Cummings; seconded by Tom Moore. All were in favor.** It was noted that the noise issue will have to be handled by the abutter through the proper channels.

Board Discussion:

Tony Merullo – Mr. Merullo had planned to attend this meeting to talk with the Board about two parcels he owns on Hardy Road. Because he was unable to attend due to an unforeseen situation Mr. Merullo submitted a letter to the Board asking that a site visit be scheduled so that a determination can be made on the status of the lots with reference to RSA 155-E. The Board agreed to conduct a site visit at Map 19, Lots 11 and 13, on September 9, 2010 at 4:00 p.m.

Excavation Regulations – Bob Cole and Stan Prescott offered to work with the administrative assistant to review the excavation files. There was brief discussion on RSA 155-E.

Law Lecture Series – Donna handed out literature on upcoming seminars relative to planning topics.

Report of the ZBA:

Donna reported that there is one application for special exception for reduced setback on this month's agenda. There is also a discussion on a pre-school in a home.

Report of the Board of Permit:

Stan Prescott said that he did not attend the meeting. Steve Ives reported that a letter relative to camping at NHMS was received from Michael Harris; he read the letter to the Board. He said that the selectmen sent a response to Mr. Harris. Mr. Prescott read the Selectmen's response to the Board.

Adjournment:

A motion to adjourn at 7:55 p.m. was made by Steve Jackson; seconded by Tom Moore. All were in favor.

Submitted by,

Donna White
Administrative Assistant