

TOWN OF LOUDON  
LOUDON, NEW HAMPSHIRE  
PLANNING BOARD MINUTES  
AUGUST 21, 2014

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

**Attendance:**

Chairman Tom Dow, Tom Moore, Henry Huntington, Vice Chairman Stan Prescott, Bob Cole, Ex-Officio Dustin Bowles and Alternate Bob Ordway

Bob Ordway was appointed as a voting member in the absence of George Saunderson.

**Acceptance of Minutes:**

July 17, 2014 Regular Meeting – **Bob Cole made a motion to approve the minutes as written; seconded by Bob Ordway. All were in favor.**

**Conceptual Consultation:**

Town Office Building Committee – Chris Adams of Nobis Engineering, Cindy Lewis of Architectural Link, Selectmen Bob Krieger and Dustin Bowles, Committee members Helen McNeil, Brenda Pearl, and Tom Dow were present.

Chris Adams explained that the committee has been working on a new building to be constructed on the former American Legion lot in the Village. The building would be 6700 SF, two stories and a basement. There will be twenty-three parking spaces with one being for handicapped parking. The half-moon drive will remain. They are proposing an emergency vehicle gate at the back of the parcel. The existing septic system will be removed and a new one installed. Capital Well assessed the existing well and recommended that a new well be installed. New gas and underground electric will be installed. A drainage system for storm water runoff will also be installed.

Cindy Lewis presented elevation drawings, explaining that they are planning a two-story colonial with clapboard siding and double-hung windows. The proposed building would sit in the approximate location of the former Legion, facing the southern side of the lot. There are two bathrooms proposed at the back of the building for ball field use if budget allows. That would also be the area for future development. There will be an elevator that will access the basement, first floor offices, and second floor for the meeting room.

Henry Huntington asked about a landscape design, suggesting that there are several businesses in town that would probably be interested in assisting with the landscaping aspect of the project. There was some discussion on how the landscaping will be handled; it was agreed that it would not be part of the bid package. Tom Dow said they had hoped to break ground this fall but were not ready for the bidding process. He said they will do the bids over the winter and start construction in the spring. There was discussion about higher costs of winter construction, having to heat the project as well as the existing town offices. Mr. Dow said the site plan is about completed. He said the committee has been discussing details for materials, contracting site work, and other pieces of the building process. The geo-tech report has just been received; engineers will begin designing the basement which will include a vault for record storage.

## New Business:

Application #14-07, Karen P Mossman Revocable Trust – Minor Subdivision, Map 51, Lot 24. There were no abutters present. Robert & Karen Mossman were present and represented by Jeff Green.

Mr. Green explained the location of the property on Clough Hill Road. He said they are proposing a two lot subdivision of the parcel with an existing house and existing buildings on the lot. The parcel is 14.156 acres with a garage and house, storage, business garage, and office with a gated, graveled entryway to the business. Mr. Green said the applicants are breaking off a lot so one or the other could be sold. The existing residence would be left on a lot of 2.475 acres with 1.73 acres of buildable area and 201' of frontage. The other lot would include the business on 11.682 acres, 2.74 acres of buildable area to the wooded break line shown on the plan. This lot would have 208' of frontage. There is an existing well and leach field on each proposed lot. Mr. Green said the average slopes are 15-20%; there are some areas at 26%. Some of the slopes are because of development on the lot. There is one area of 25% natural slope, there are no wetlands, and the property is not in a flood zone.

Mr. Green stated that the applicants went to the ZBA on May 22, 2014 to allow the division of the property, leaving the business on a lot of its own as shown on the plan. He does not yet have State sub-division approval. **Henry Huntington moved to accept the application as complete and move to public hearing; seconded by Bob Cole. All were in favor.** Tom Dow asked about the ZBA approval. Mr. Green said it was permission to allow a sub-division with the existing business on its own lot. He said a house can't be built on it unless it is a separate lot. Bob Cole asked the history of the property. Mr. Green explained that it is a residential lot, approved for the business in the late 80s. In 1989 they went for an expansion of the business with an office, garage, and storage. He said they came to the Town for approval for a stand-alone business, not a home occupation. He said it will still be a residential lot and would be okay as long as the type of business is the same as what is currently there. Mr. Cole spoke about a property his family had in another town, explaining that once the business use stopped the lot reverted to residential as it was in a residential district. Mr. Cole said his concern would be of a new owner and the type of business that could be on this property. Mr. Green stated that a new owner would have to come back to the Board for a change of use. He said if the new owner had an office and same basic business it would be okay and no change of use would be needed. He said the applicants could actually sell the house and build a new house on the lot with the business. He said they are looking to downsize. Mr. Green said what is there is what is allowed; the ZBA allowed them to separate them and now they are here to meet the requirements of the Land Development Regulations.

Tom Dow stated that he worked for Mr. Mossman for a number of years but has to take the position of looking at all applications with eyes wide open; it does not matter who the owner might be. He asked if this would be a non-conforming lot/use. He said it would be creating a commercial lot in a residential area, providing it to be on its own lot. Mr. Green said it was determined to be a stand-alone business. He said a new residence cannot be put on the lot as it is now so they have to subdivide first. Henry Huntington asked if there was discussion at the ZBA hearing of this being a commercial lot in a residential zone, how it was justified, and if any conditions were attached to the decision. Mr. Green said there was some discussion about future owners/uses; it was felt that the control is in having to do a change of use. Tom Dow asked what happens if nobody ever builds a house up there, leaving a commercial property on Clough Hill Road that nobody else could do. Mr. Green spoke about another property (greenhouses) that he represented some years ago; Board members agreed that was agricultural, not commercial as in this case. Mr. Dow said he is still confused and concerned about the Board being known for allowing commercial businesses in residential zones. Mr. Green said the business is not tied to the house and that was the line of hardship. Mr. Dow said the grandfathered use exists with the residence at 142 Clough Hill Road. He said the use goes with the land, in this case #142. He said once the line goes in, the business is on another lot and no longer #142. Board members agreed that a use runs with the land. There was discussion to clarify the approved use. Donna read from 1997 PB minutes that they were 'asking for the enlargement of an existing business being Interstate Concrete'. Jeff Green stated that it was approved to be separate as a business and they went to the ZBA to allow this sub-division. He said they followed the channels available through the Town.

Stan Prescott asked if Interstate Concrete still exists. Mr. Green said it does. Mr. Prescott clarified that there is business going on there. Mr. Green stated that the business still exists; trucks, equipment, etc are still there. He said the books are still open and under operating conditions. He said they have eighteen months before a use is considered discontinued. Henry Huntington asked if they are saying it would have to remain that kind of business, office, storage, and garage or only a concrete business. Mr. Green said the applicants were approved in 1989 for a proposed office, storage, and existing garage. He said that he feels the maintenance of vehicles, storage, and office would be an acceptable use, something not open to the public; any changes would require a change of use.

Bob Cole said his concern is what happens in the future. Mr. Green noted that all abutters were notified and none are here so there can't be too much concern. Stan Prescott said he felt a site walk would be in order. Several Board members agreed. A site walk was scheduled for Wednesday, September 10<sup>th</sup> at 4:00 p.m. Mr. Prescott asked Mr. Green to straighten out the line between the two lots. Mr. Green explained the reasoning for the line pointed out by Mr. Prescott. He said the line is parallel to the existing building and the boundary line. He said it also accommodated the landscaping and well.

Tom Moore asked if it made any sense to have a proposed house location on the plan or if a condition could be that a house has to be on the lot in order for the business to continue. He said it would be easier to see a business on the lot with a homeowner on site for better control of the property's appearance and noise. Stan Prescott asked the applicants if their intentions are to keep the property and rent it out or sell. He asked them to think about the future use, the condition, losing control of the property's appearance if sold. He said the property is grandfathered for a concrete business.

**Stan Prescott made a motion to continue the hearing to a site walk on September 10<sup>th</sup> and then to the next meeting; seconded by Henry Huntington. All were in favor.** The next meeting will be on September 18<sup>th</sup> at 6:00 p.m. in the Community Building. There will be no further notification.

#### **Board Discussion:**

Parking Permits - The Board reviewed a copy of the parking lot report that was submitted by the Fire Department for the July 13<sup>th</sup> race parking. There was discussion on who would be the enforcement for the daytime parking permits issued by the Planning Board. It was agreed that Donna should send letters of deficiency to those permit holders noted in the report. All permit holders will be reminded that overnight camping is limited to family where no compensation is involved.

Zoning Amendments – Board members were asked to review the Zoning Ordinance for any possible amendments on next year's ballot. There were none mentioned at this time.

Capital Improvement Program – Donna will soon be scheduling the first CIP meeting and sending letters out to all departments, boards, and committees. Stan Prescott and Bob Cole said they will continue to participate on the CIP committee.

#### **Report of the ZBA:**

There are two applications on this month's agenda: 1) Sthua Sliva for an appeal of an administrative decision and 2) Leo Boucher for a special exception for reduced setback (both continued from last month).

#### **Report of the Board of Permit:**

Stan Prescott reported that there was no meeting this month.

#### **Adjournment:**

Stan Prescott made a motion to adjourn at 8:33 p.m.; seconded by Tom Moore. All were in favor.

Submitted by,

Donna White  
Administrative Assistant