

COPY

**TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE**

**PLANNING BOARD MINUTES
OF DECEMBER 15, 2005**

I. MEETING CALLED TO ORDER AT 7:00 P.M.

II. ATTENDANCE:

Gary Tasker, Chairman; Dustin Bowles, Ex-Officio; Henry Huntington, Tom Moore, Stanley Prescott and alternates Clem Lyon and Jason Masse were present. Vice Chairman Tom Dow and Bob Ordway were not present. Alternate Clem Lyon will be a voting member to replace Tom Dow and alternate Jason Masse will be a voting member to replace Bob Ordway.

Conservation Commission representative Dan Geiger was present.

Highway Department representative Dave Rice, Road Agent, was present.

III. ACCEPTANCE OF MINUTES:

November 14, 2005 Zoning Workshop. Clem Lyon made a motion to accept the minutes as written. Seconded by Stanley Prescott. All were in favor.

November 17, 2005 Public Hearing. Jason Masse made a motion to accept the minutes as written. Seconded by Dustin Bowles. All were in favor.

Bob Ordway joined the Board. Jason Masse stepped down.

Gary Tasker stated tonight's meeting was published on December 6, 2005 in the Concord Monitor, giving nine days notice instead of the normal ten days. Mr. Tasker stated all abutter's letters were mailed in a timely manner and public notices were posted at the Ivory Rose, Beanstalk, Library, Town Dump and the Town Offices on time. Mr. Tasker asked if anybody had any issues with the newspaper notice being a day late. There were no objections.

IV. DISCUSSIONS:

Dave Rice – Mr. Rice stated the Driveway Regulations drafted by Lucy St. John from Central New Hampshire Regional Planning Commission dated November 21, 2005, were discussed at the December 6, 2005 Zoning Workshop he was unable to attend. Mr. Rice stated number five should read minus 2% on the pitch and number eight should be added back in. Stanley Prescott stated number five should read pitched 12 feet a minimum of minus 2% away from the road. Dave Rice stated yes it should be pitched a full twelve feet. Gary Tasker stated in number six "greater" should be "no less". Pauline Touzin asked if it was the appropriate time to address the driveway on Berry Road. Mr. Tasker stated not by this Board; could check with Code Enforcement. Mr. Rice stated that permit was issued prior to him. Mr. Tasker stated these need to be sent to Town Council for review. The Zoning Amendment for driveways is as follows:

208.4 Driveways.

- C. Standards: A residential driveway shall serve two or fewer lots or housing unit. Each housing unit of a condominium type of development shall be treated as a separate unit for the purposes of this definition. In addition the following shall be used in defining a new driveway and standards for a driveway.
1. Be pitched a minimum of -2% away from the road for a distance of twelve feet and paved, so not to create unsafe conditions such as the creation of puddles of water, formation of ice patches and create additional drainage onto the road network.
 2. The width of the driveway shall be dictated by the existing and proposed uses, with proper consideration given to providing adequate turning radius for emergency vehicles and the type of vehicles which typically frequent the site, no residential driveway shall be no less than ten (10) feet in width.

V. **CONCEPTUAL CONSULTATION:**

1. Steven Luger – Three lot subdivision for Walter and Sarah Lampron on Route 129 and Clough Hill Road. Mr. Luger stated they are proposing to subdivide the corner of 129 & Clough Hill into a 7.82 acre lot, 23-16-2, with a lot of swamp in the corner; subdivide the field area into a 2.07 acre lot, 23-16-1, and the remainder land, 23-16, to be 96 acres for Mr. & Mrs. Lampron. Mr. Luger stated there is an area behind lot 23-16-1 that drains into the larger wetland; lot 23-16-1 has 2 acres of contiguous upland and lot 23-16-2 has a little over 2 acres of contiguous upland. Stanley Prescott stated the 180'x240' box needs to be put on the plans. Mr. Prescott also asked that the State highway plan for Route 129 be checked for the right-of-way. Mr. Luger stated they are in the process of getting that plan; they have received State subdivision approval. Gary Tasker asked how much of an easement for drainage is on Clough Hill Road. Mr. Luger stated they are not doing anything at this stage in the game. Mr. Tasker stated the Board would like to see where the driveways are located on the plans. Stanley Prescott pointed out there is a driveway on top of the roadway on the plans; it should be fixed. Mr. Luger stated they have gotten a hold of the Conservation Commission. Dan Geiger stated there are three different demarcations on the plan and would like to know which the wetland buffer line is; he would like the 75' wetland buffer shown. Mr. Luger stated they used septic design lines and will mark the wetland buffer zones. Mr. Geiger stated there is a significant peat bog out there and there must be adjacent wetlands. Mr. Luger stated they will get a wetland scientist out there. Mr. Prescott asked if the soil types on the two smaller lots are the same for the larger lot. Mr. Luger stated yes. Mr. Prescott stated the right-of-way on Clough Hill Road is 45' and the Board usually asks for 50'. Mr. Tasker stated it should be 25' from the center of the actual traveled way.
2. Web Stout - Web Stout of FWS Land Surveying presented Wayne Thistles concept for Young's Hill Road that has been to the Board for conceptual review before. Mr. Stout stated around a year ago the house was subdivided off the property and now there are four lots left. Mr. Stout added there is about 800' of new road, 600' to the cul-de-sac; Peter Schauer delineated the wetlands. Mr. Stout stated they are 2 acre lots except lot four is 24 acres. Mr. Stout stated the driveway for lot 3 would come up to the 25' wetland buffer and they will need ZBA relief because the driveway is in the side setback. Mr. Stout stated they have preliminary engineering plans for the road; the road comes in at a 2% pitch and turns into a 6½% pitch, they will need a waiver for the slope. Mr. Stout

stated they are 99% sure this subdivision will not require site specific only subdivision approval from the State. Stanley Prescott asked if the topography was done in the field. Mr. Stout stated yes and they will show the driveways on the plan. Gary Tasker asked how far back from Route 129 the subdivision is. Wayne Thistle stated about 750'. Mr. Tasker suggested Mr. Thistle meet with the Road Agent to discuss Young's Hill Road and the Fire Department to discuss the cul-de-sac and water supply. Mr. Stout stated they are planning to meet with the Conservation Commission. Dan Geiger stated he recalled the back area was steep sloping and the large swamp area is the primary concern, the Commission is hoping for as much buffer as they can get in that area. Mr. Geiger stated they should come to the next conservation meeting. Mr. Stout stated the lots are flagged if anyone wants to take a look at it.

VI. OLD BUSINESS:

1. Application # 05-25, Michael Minery, Minor Subdivision, Located on Route 129, in the RR District. Map 30, Lot 26. No abutters were present. Gary Tasker read a continuance request from the applicant. Dustin Bowles made a motion to continue this hearing. Seconded by Bob Ordway. All were in favor. This application will be heard on January 19, 2006, at 7:00 pm, at this facility. This is the only notice.
2. Application # 05-11, Wildwood Sanctuary Association, Inc. – Major Subdivision, Located on Youngs Hill Road, in the AFP District. Map 34, Lot 2. No abutters were present. Gary Tasker stated the applicant called to request to continue. Henry Huntington made a motion to continue this hearing. Seconded by Dustin Bowles. All were in favor. This application will be heard on January 19, 2006, at 7:00 pm, at this facility. This is the only notice.

VII. NEW BUSINESS:

1. Application # 05-32, Northern Design Precast, Inc. - Major Site Development, Located on 51 International Drive, in the C/I District. Map 50, Lot 24. No abutters were present. Owner Bradley Thompson presented the project. Mr. Thompson stated his son came in last month for a conceptual review; since then they have changed the addition to 84' long. Mr. Thompson stated this is a better length for Morton Design. Mr. Thompson stated they have added some parking spaces on the side based on the Zoning Ordinance. Mr. Thompson stated they currently have thirty spaces out front that are rarely always used. Mr. Thompson stated the addition is being done by the same manufacturer as the original building with the same height, slope, siding and roofing material. Mr. Thompson stated the grade in back of the addition is being built up 2½' and they are adding some windows and walk out doors to the facade. Mr. Thompson stated the visual impact is minimal from International Drive. Mr. Thompson stated they have met with the Fire Department and they came out and did an inspection. Mr. Thompson stated they requested a 24hr. fire alarm system, a KNOX box and current MSDS logs. Mr. Thompson stated they are planning to add the fire alarm system to not only the addition but the whole building. Mr. Thompson stated they do not intend to have any new employees. Pauline Touzin asked what the business does and if there are a lot of chemicals. Mr. Thompson stated they manufacture architectural pre-cast concrete products, trim work for the masonry industry. Mr. Thompson stated their product is usually manufactured and sandblasted to simulate some other product like granite, limestone or marble. Mr. Thompson stated hazardous materials are limited to paints,

coatings and varnishes. Gary Tasker asked if there were any more questions or comments from the public. There were none. The hearing was closed to the public and open to the Board only. Mr. Tasker stated this has not been accepted as complete yet and the Board does not have plans stamped by a surveyor yet. Mr. Thompson stated the issue with the plans is because his surveyor is no longer in business and he is working on submitting new plans to the office. Dustin Bowles stated this is the same situation with plans as on Mudgett Hill. Mr. Tasker stated the Board can give recommendations and by next month tie this up. Stanley Prescott asked about the gas line on the plans. Mr. Thompson stated they tap into ESMI's line. Mr. Tasker stated the Board can make a note of the issues that have been agreed upon with the Fire Department. Tom Moore made a motion to continue this hearing. Seconded by Stanley Prescott. All were in favor. This application will be heard on January 19, 2006, at 7:00 pm, at this facility. This is the only notice.

VIII. BOARD DISCUSSIONS:

1. Zoning Workshop – Gary Tasker stated he would like to go over each item and then submit them to Town Council. Mr. Tasker stated they will be discussing the most recent changes from a letter dated December 9, 2005 by Lucy St.John. Mr. Tasker asked the Board if they would like to put the buildable area into the definitions as written and use the explanation provided. The Board agreed no changes to the definition were necessary. Henry Huntington stated there should be some sort of explanation for the new definition and that the Planning Board recommends this. Bob Ordway stated the explanation should state the existing ordinance does not include a definition and we are adding this definition for clarification; this should also be used as the explanation for the contiguous area definition. The Board agreed. The Board agreed the contiguous area definition was okay as written. Mr. Tasker asked if the wetland definition was okay. Dan Geiger stated the current ordinance uses the state definition from RSA 482-A; the new definition includes reference to RSA 482-A and further includes items that may be redundant. Stanley Prescott stated it sounds like 674:55 clarifies things. Mr. Geiger stated he is okay with the new definition of wetland. Mr. Tasker stated the next amendment is to add a new section 301.6 buffers and other wetland criteria. Henry Huntington asked if someone could further explain #4. Stanley Prescott stated this prevents someone from cutting up a wetland by placing some of it on each lot. Mr. Huntington stated the definition of contiguous area states you cannot divide the minimum buildable area up and the buildable area definition states you cannot include wetlands in the buildable area. Roy Merrill stated #3 states no wetlands on the minimum lot size, so you cannot build on any area less than 2 acres of upland; this use to be based on a percentage. Mr. Prescott stated the contiguous area definition states 70% and this new section is only for the wetland conservation district. Dustin Bowles stated the wetland conservation district is any area with a wetland over 2,000sq.ft. Mr. Merrill stated in the AFP district that would mean 5 acres of high and dry ground. Mr. Merrill stated he would never vote for this the way it is worded. Mr. Bowles stated this is going a little too far and #3 and #4 should be removed. Mr. Prescott stated the Conservation Commission recommended this. Mr. Merrill stated #1 states a 75 foot undisturbed buffer. Dan Geiger stated the Conservation Commission worked hard on their definition in the Land Development Regulations and that should be used as the model to follow. Mr. Geiger stated #3 and #4 should be removed and replaced with 23.12 Section 5 of the Land Development Regulations and #1 should read, "A 75 foot buffer, the first 25 feet undisturbed and the next 50 feet consistent with the shoreline protection act, shall

protect all wetland area in excess of 2,000 square feet.” The Board agreed. Mr. Tasker stated section 301.3, delineation of wetlands, was okay as written. The Board agreed. Mr. Tasker stated section 302, steep slope overlay district, was okay as written. The Board agreed. Mr. Tasker read the recommendation to remove sections 401, 205.2.B, and 205.2 Note and replace with the new proposed open space section 401. Dan Geiger asked if C.b)1) needs to be consistent with the previous proposed wetland amendments. Mr. Bowles stated as long as it is defined previously it will reflect here. Gary Tasker stated C.a) does not say the Board reserves the right to review smaller tracks of land and needs to be added back in. The Board agreed. Mr. Huntington stated the numbering of this section needs to be consistent with our numbering system. Mr. Tasker stated there is a note that section 701.3.G needs to reflect the current adopted Master Plan, not the 1985 Master Plan. The Board agreed to add this amendment. Roy Merrill asked if anybody knows what C.b)3) means. Stanley Prescott and Dan Geiger understood the section. Mr. Geiger stated this is the language used for septic designers. Clem Lyon stated C.c) reads, “Such details shall include details including,…” for clarity it should read, “These details shall include,…”; also, soil classification was excluded in this list and needs to be added. The Board agreed. Roy Merrill stated C.d) reads that in the RR District a lot must have 1½ acre and in the AFP District 3½ acre lot sizes. Mr. Merrill also stated the side setbacks in C.f) have been cut down to 10 feet and the front setback to 25 feet. Mr. Ordway stated Tom Dow has notes as to the intent of the subcommittee. Mr. Prescott stated at the last meeting the Board felt the well radius and septic should be contained on the lot. Mr. Merrill stated the committee had a few points and now it is a big complicated regulation. Mr. Bowles stated Lucy St. John explained in a true cluster you don’t even have lot lines. Mr. Ordway stated with no lot lines you have a condominium and we took out the word cluster and called this open space. Mr. Tasker stated C.d) has problems. Mr. Merrill stated there are problems with C.f) too. Tom Moore suggested the section mirror the Village District. Bob Ordway stated if you are going to require smaller lots, smaller setbacks should be allowed. Stanley Prescott agreed. Mr. Prescott stated on the previous issue if you get rid of “for that district” in C.d) it should read better. Henry Huntington stated 2½ acres in the AFP district does not work for the intent of the ordinance. The Board agreed it does not matter if the well radiuses overlap or go into the common area. Henry Huntington asked if there is time to work on these some more. The Board reviewed the calendar deadlines. Mr. Tasker stated there should be another workshop with Tom Dow present to address these issues. Roy Merrill stated Tom Dow has notes from all the subcommittee’s meetings. The next Zoning Workshop is scheduled for Monday, December 19, 2005, at 6:30 pm, at the town offices.

2. Capitol Improvements Program – Tammy Davis stated there are copies of the Capital Improvements Program FY-2006/07 to FY-2011/12 for everyone to take home and review for next month. Ms. Davis stated the CIP Subcommittee has accepted this CIP and is presenting it to the Board for adoption at the January 19, 2006 public hearing.
3. Report of the Board of Permit – Bob Ordway stated there were four items on the agenda. Mr. Ordway stated the first was compulsory merging of non-conforming lots. Mr. Ordway stated he though someone was thinking of doing this but it turns out no one was. Mr. Ordway stated the second concerned accessory buildings; people on the building permit list want to build accessory buildings so they are in a better position when they start building their residence. Mr. Ordway stated the Board concluded the Building Inspector could secure a letter of intent from the builder if they wish to put up an accessory building first. Mr. Ordway stated the third item was a discussion about two adjacent homeowners on Foster Road that does not belong at the Board of Permit; the last item

was about building permit extensions. Mr. Ordway stated the Board decided each extension case will need to go to the ZBA to be handled on a case by case basis. Dustin Bowles stated his concern with non-conforming lots stemmed from the issue with the Berry Road lots, the Selectmen had no intention of going from door to door and forcing owners to combine lots. Stanley Prescott stated the Town violated the Zoning Ordinance by allowing people to have two building permits on some of those lots. Mr. Bowles stated there is nothing that can be done about those lots now so don't waste time and energy on them, we now know what to do in the future.

IX. ADJOURNMENT:

A motion to adjourn was made by Tom Moore at 10:15pm, seconded by Stanley Prescott. All were in favor.

Respectfully submitted,

Tammy Davis
Secretary