

TOWN OF LOUDON, NEW HAMPSHIRE

DRAFT

**PLANNING BOARD MINUTES
OF DECEMBER 6, 2006**

2007 ZONING ORDINANCE WORKSHOP

1. Meeting called to order at 6:05 PM by Chairman Tom Dow.

2. Attendance:

Planning Board – Chairman Tom Dow, Vice Chairman Stanley Prescott, Tom Moore, Gary Tasker

Zoning Board – Chairman Dave Powelson, Roy Maxfield, Roy Merrill, Ned Lizotte, Howard Pearl, George Saunderson

Conservation Commission – Jessica Storey

Public – Steve Jackson, Raymond Cummings

3. Minutes of November 20, 2006 workshop:

Dave Powelson made a motion to accept the minutes as presented. Tom Moore seconded the motion. All were in favor.

4. Discussion:

- ◆ Public Notice-Dave Powelson stated that this is covered in two ways in the Zoning Ordinance and another in a warrant article from the 1995 town meeting. He noted that some of the posting places are no longer available. Mr. Powelson suggested listing the posting places currently used, such as the post office, Beanstalk, dump, and town offices. There was discussion about having to post in specific places or if it could simply be listed as five public places. Gary Tasker noted that in the past whoever is sponsoring an amendment has been asked to write it in the proper format and hand it in to the secretary. Mr. Powelson will do so with this section. It was suggested that he simply list post office rather than a specific location for it in the event that it moves again. The chairman noted that an explanation of the change should be included.
- ◆ Wetlands Conservation District-Jessica Storey reviewed the rewrite by Julie Robinson that was presented earlier to all Board members. There are a couple of points (Section 301.1 #4 reference to RSA 483.A 1-B and Section 301.4 F) that she has to verify with Julie. Ms. Storey explained that the purpose of the rewrite is to clarify the intent of the Conservation Commission and to simplify the language of the section. There was discussion of special exceptions for buffer and wetlands. Dave Powelson said there needs to be a definition of wetlands, a definition of buffer, and then a definition of special exception. Gary Tasker asked if the CC is ok with the ZBA request. Ms. Storey said she sees inconsistencies and will bring the article back to the CC meeting scheduled for next week. Mr. Tasker suggested that they write it up and bring it back to the next workshop.

Discussion included accessory buildings being allowed by special exception in the wetlands if relative to the use of the property. Tom Moore said there should be an explanation of any changes included with amendment submissions.

- ◆ Accessory buildings-Dave Powelson read the definition that he had written as follows: “*uninhabited storage building, permitted use by special exception in the Village, RR, or AFP Districts*”. Roy Maxfield said the town has never allowed accessory use without a primary use and does not see why there is any reason to change that. Gary Tasker asked why that has been the rule. Roy Maxfield said it is because they do not want people moving into them or parking trailers next to them, etc. Dave Powelson asked if Mr. Maxfield has a problem with farm application. Mr. Maxfield said he did not. He said the property could be farmed, used for trees, hunt, etc but as soon as a building is built there could be problems that could affect the value of surrounding properties. He discussed potential misuse of the building. Tom Dow read the definition that he had written as follows: “*accessory buildings can be built prior to the dwelling by special exception, provided that a building permit has been applied for*”. Discussion included keeping the definition simple and having it connected to a building permit. It was decided to use Mr. Dow’s submission.
- ◆ Two uses on one property-Discussed last month; no new information; no changes to be made
- ◆ Corner lots-There was discussion about frontage and setbacks for corner lots. It was noted that frontage is required on both roads therefore there would be ‘front’ setbacks from both roads as well. Steve Jackson suggested a clarification and will submit it in writing to the secretary at the request of the Board. It was stated that this piece could be added as Section 208.3 (C).
- ◆ Section 401.3 (F) – Clarify; to read “*Setbacks will remain the same as the pertaining district per the Loudon Zoning Ordinance.*”
- ◆ Driveways-There was brief discussion about driveways in side setbacks and crossing wetland buffers. This brought the group back to the earlier discussion of the wetland district. It was decided to see what the Conservation Commission comes back with. Roy Maxfield suggested that Tom Dow write an explanation of the Conservation Commission’s recommendations, something explaining that the amendment is making adjustments and clarifying what is already in the Ordinance. This should note that the Planning Board is allowing this to occur with oversight and the amendment will allow the Zoning Board to make exceptions in certain situations. Steve Jackson asked if the Planning Board would submit a clarification of buffer in case the Conservation Commission’s submission is not accepted. Stan Prescott stated there would be a public hearing and if there was opposition of what the Conservation Commission submits they may have to go back to the drawing board. Roy Merrill recommended keeping it simple by allowing the use of the buffer through special exception. Roy Maxfield said this could be used as back up to what the Conservation Commission is proposing, allowing the use of the Wetlands Conservation District buffer by special exception. Roy Merrill said if too much verbiage is added it will scare people; keep it simple. Stan Prescott said it comes down to whether the Board wants to adopt the Conservation Commission’s submission or is it too cumbersome and the Board wants to adopt this simpler suggestion.

He said he feels the Board has to come to a consensus. Roy Maxfield stated that he does not see any problem with the Conservation Commission's proposal and would let them both go to the voters, saying the proposal is better than what is in there now. Tom Dow asked where this would go in the Ordinance. Roy Maxfield stated it would be under Section 301.5. Discussion continued about the proper placement of this change, verbiage of the Conservation Commission's proposal, stringency of the Ordinance as compared to state regulations, and other related points.

- ◆ Steep slopes-Dave Powelson referred to a recent site walk that the ZBA did on a piece of property that the owner is asking for a variance for a driveway in the steep slopes. He asked if the Boards should be considering changes relative to steep slopes. There was discussion about needing to make sure there is enough room for snow, various examples of problem slopes in other subdivisions in town, and past discussion and changes to the steep slope section. It was noted that past discussions took the slope from 25% to a suggested 15% and then a compromise to the current 20% slope. Roy Merrill stated they should have stayed with the state's 25%. He said there is no provision in the Ordinance to go through a small section of steep slopes. Stan Prescott said he would be willing to consider submission with provisions. Dave Powelson was asked if he could write something for submission. He said he could try and asked the group how much area would be reasonable and if it would be a special exception every time. Roy Maxfield said less is better. Ned Lizotte said to make it a special exception. Stan Prescott said not to make it be acres. There were a variety of suggestions and related discussion. Tom Dow suggested that Roy Merrill also write something and submit it to the secretary.
- ◆ Maintenance bond-Tom Dow brought up the fact that there is no provision in the Land Development Regulations for the calculation of this bond as there was in the 1990 version of the LDR. This should be added back into the LDR with 'irrevocable' added to the letter of credit under forms of surety.

All proposed amendments must be submitted as soon as possible in draft form and will be forwarded to town counsel for review and comment prior to the next workshop.

The next meeting was scheduled for Thursday, December 21, 2006 at 6pm prior to the regular Planning Board meeting.

A motion to adjourn at 8:10pm was made by Roy Maxfield; seconded by Gary Tasker. All were in favor.

Respectfully submitted,

Donna White