

TOWN OF LOUDON  
LOUDON, NEW HAMPSHIRE  
PLANNING BOARD MINUTES  
FEBRUARY 21, 2013

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

**Attendance:**

Steve Jackson, Tom Moore, Chairman Tom Dow, Vice Chairman Stan Prescott, Bob Cole, Alternate Bob Ordway, Ex-Officio Dustin Bowles  
Bob Ordway was appointed as a voting member in the absence of Henry Huntington.

Julie Robinson represented the Conservation Commission. John Reese represented the Fire Department.

**Acceptance of Minutes:**

January 17, 2013 Regular Meeting – **Steve Jackson moved to accept the minutes as written; seconded by Bob Cole. All were in favor.**

January 17, 2013 Zoning Amendment Public Hearing – **Tom Moore made a motion to approve the minutes; seconded by Dustin Bowles. All were in favor.**

**Discussion:**

TTD, LLC – Chairman Dow informed the public that it was brought to his attention that all abutters of this property were not properly notified. He explained that the hearing will be rescheduled but in the meantime he would give the applicant's representative ten minutes to explain the proposed subdivision. Chairman Dow stressed that this is not a public hearing and there would be no questions and answers allowed. Jeff Green represented the applicant. He explained the location of the proposed subdivision as being at the corner of Route 129 and Pittsfield Road, Map 25, Lot 5. The proposal is for a six lot subdivision of the 13.7 +/- acre parcel. He said there would be three new lots on Route 129 and three lots on Pittsfield Road, one having the existing house. Mr. Green said that test pits have been done, the wetlands have been delineated, and ledge has been indicated on the plan. He stated that there are three existing entryways on Pittsfield Road and they will have three new driveways on Route 129. Mr. Green pointed out a pond at the lower edge of the Route 129 lots. He said they would put a dry hydrant on the corner lot near the pond. He showed that there is a gradual slope from Pittsfield Road down to the pond. Chairman Dow informed the public that proper notification will be sent to all abutters of the parcel. The hearing will be scheduled for March 21, 2013, 7:00 p.m. in the Community Building.

Paul Askew – Mr. Askew stated that he is interested in the parcel at the corner of Routes 129 and 106, Map 30, Lot 23. He said he would like to buy the property, remove the

trailer, put in a log home, and operate an antique shop out of the basement as a home occupation. The Board reviewed the Zoning Ordinance for permitted uses in the C/I District and discussed the proposal to build a home there. Discussion involved whether the residential use could be continued after the property has been vacant for so long and whether a replacement home could be larger than the existing footprint. Board members agreed that this would be something that should be addressed by the Zoning Board. Mr. Askew was advised to review the criteria for a home occupation and to see the Zoning Board.

### **Conceptual Consultation:**

Colin Cabot, Map 8, Lot 5 – Mr. Cabot explained that he has recently purchased this property which has frontage on Ring Road and the Class VI portion of Sanborn Road. He said he wants to subdivide it into two parcels, one piece of twelve acres where there is an existing foundation/cellar hole and another piece of forty-one acres. He said he would sell the smaller piece to Ben Jones and put the balance of the parcel in conservation. Mr. Cabot explained that he would leave three or four acres on the Class VI road side out of conservation for a future home. There was discussion about the frontage required in the AFP District, Section 23.4 of the Land Development Regulations regarding subdivisions on Class VI Roads, and what would be required for the upgrade of the Class VI road. It was agreed that the parcel does not have the required AFP District frontage on a town road.

### **Old Business:**

Application #13-01, Northern Design Precast – Site Development on International Drive in the C/I District, Map 50, Lot 23. Abutter Marc Aubrey for ESMI and applicant Bradley Thompson were present. Web Stout of FWS Land Surveying represented the applicant. Mr. Stout explained that they went to the ZBA in January and were granted an equitable waiver of dimensional requirement. He handed out new plan sets as he has made a couple of changes to the plans. Mr. Stout pointed out a 10' x 10' infiltration area and a covered outdoor wash area. Lt. Reese said that he has reviewed the building plans and everything is in order on the Fire Department's end, noting that there are no special requirements for the building.

Mr. Stout explained that they are waiting to hear back from the State on the discharge permit. He said the permit is needed because of the discharge created during the process of cleaning the finished product. He informed the Board that they had a good test pit with no seasonal high water and a good base of sand. Mr. Stout reviewed the various aspects of the process and building/site layout. Stan Prescott noted that the plans should show International Drive as a private road.

Brad Thompson handed out a couple of copies of their application to the State. He explained that the design was done by two organizations, one deals with hydrology/water out of Exeter, NH and one being the overseer of the building of the project out of Alton, NH. The building plans and the area for washing were reviewed.

**Stan Prescott moved to accept the application as complete and move to public hearing; seconded by Bob Cole. All were in favor.** Chairman Dow read a

waiver request for Section 13.5.9 of the Land Development Regulations. **Stan Prescott moved to grant the waiver; seconded by Bob Cole. All were in favor.**

**Steve Jackson made a motion to approve the application as presented, conditional upon receipt of the DES permit and a note on the plan that International Drive is a private road; seconded by Bob Cole. All were in favor.**

Application #13-02, Claudette Burke – Minor Subdivision on Greenview Drive in the RR District, Map 59, Lot 48. The applicant was not present. There were no abutters present. Jeff Green represented the applicant. Chairman Dow explained that it was his understanding that this would not be back before the Planning Board until after the applicant went to the Zoning Board for a special exception. He said he was not comfortable proceeding with the hearing based on the fact that abutters were informed at the last meeting that there would be no reason to address the application until ZBA approval was received. Mr. Green stated that he had new plans to present for this application and would like the opportunity to continue the process and explain the changes to the Board. After considerable discussion it was agreed to allow Mr. Green to proceed with the understanding that the Board would not make a decision at this meeting.

He pointed out that he has changed the location of the house so it does not impact the wetland buffer. The proposal is to divide the 8.526 acre lot into one of 3.1 acres with the existing house and one of 5.426 acres that has 2.27 acres of buildable area. Mr. Green showed the existing woods road and snowmobile trail that are on what would become the larger section. He also showed the existing house, septic, and paved driveway on what would become the smaller section. Mr. Green stated that he got confirmation of State subdivision approval on February 20, 2013.

Mr. Green explained that he can use the front of the lot for the proposed house. He said a septic design has been done and meets DES requirements. A 32' x 44' house and 24' x 26' garage would meet all setback requirements. The new plan also showed the required well radius. Mr. Green stated that the new plan avoids going through the wetland buffer. He said it meets frontage requirements, Town requirements, and State requirements, and he is not asking for any waivers. Julie Robinson asked about the location of the wetland buffer. Mr. Green pointed out the buffer line on the plan, noting that it is right against the building area. Mrs. Robinson said she would like to see the proposed well toward the back of the lot removed from the plan to avoid any confusion in the future.

Tom Moore asked about the location of the configuration box, noting that it would typically be used on the road side of a lot. Mr. Green explained that he put the box where he did because there is less detail in that area and it is easier to make out. He said the lot is 200' wide at the road and gets wider so there is no question that the configuration box would fit in the area closer to the road. Steve Jackson asked if there would be seasonal high water that would require a raised septic system. Mr. Green said they found 55" to the seasonal high water so it would be an in-ground system adjacent to the system on the existing lot.

Julie Robinson reported that the Conservation Commission went out to view the site. She said they are not sure if the road or the beaver dam was there first. She noted that there is a 3' elevation difference in the ponds. Mrs. Robinson said they are not sure if there ever really was a road or just a trail over a dam. Mr. Green stated that the culvert

was there in 1978 as part of the woods road. He showed pictures from 1998 Google Earth that have the road going through the wetland. He said the dam is separate from the road.

Stan Prescott asked about the contiguous area. There was discussion about the definition of contiguous area as found in the Zoning Ordinance. Tom Moore asked when the wetland was delineated. Mr. Green said it was done in December. He explained that a portion of the dam has been released at the homeowner's request because the culvert was not working properly. Mr. Green said he has 2.27 acres of contiguous area but does not have the 50' width per the Zoning Ordinance. He said he does have 1.5 acres of buildable area beyond the wetland.

Earl Tuson asked what the abutters concerns had been at the last meeting. Chairman Dow stated that the major concern was the impact to the wetland by the access. Mr. Tuson said it would appear that those concerns may have been addressed with the changes. Mr. Dow said he would tend to agree.

Chairman Dow closed the hearing to the public and opened it to the Board only. Bob Ordway asked if the Board would communicate to the abutters what is being done. Tom Moore suggested that the Board could hold a special meeting in two weeks, doing a site visit before that. Stan Prescott said he feels the proposed plan goes against the intent of zoning with the house at the front of the lot and the 1.5 acres of buildable area at the back. Mr. Green said that the ordinance does not say you have to build in that area. He pointed out that the proposed lot allows for a house, septic, and well at the front. He said there is no need to use the back area. Julie Robinson said the buildable area is not accessible so she wonders how it can be considered buildable. Dustin Bowles said the spirit of the requirement was that the house would sit in the buildable area, however it often gets stretched. He said more and more lots will show up that will need this stretch.

Mr. Green explained that the beavers are being relocated; six have been moved so far. Tom Moore asked if the plan meets the town requirements for a subdivision on a private road. The group reviewed Section 23.3 of the Land Development Regulations. It was agreed that the applicant needs to meet items one and two of that section. Mr. Green stated that he agreed at the last meeting to participate at such time as an association is formed. He was advised that a written maintenance agreement is required.

**Stan Prescott made a motion to continue the application to March 21, 2013 in the Community Building at 7:00 p.m. with a site visit in between now and that date; seconded by Steve Jackson. All were in favor.** A site visit was scheduled for Thursday, March 14, 2013 at 4:00 p.m. with an inclement weather date of March 19, 2013.

#### **New Business:**

Application #13-03, Environmental Soil Management, Inc. – Site Development on International Drive in the C/I District, Map 50, Lot 1-1. Marc Aubrey was present for ESMI. Jeff Green represented the applicant. There were no abutters present. **Tom Moore made a motion to accept the application as complete and move to public hearing; seconded by Steve Jackson. All were in favor.**

Jeff Green gave the site location, noting that a lot line adjustment was done at this location a couple of months ago where they added to the existing area for stockpiling

processed material. He pointed out the location of the processing plant which is on a separate lot. Mr. Green stated that the existing paved road on this lot will be removed. He explained that an existing retention area at the southwest corner will be relocated to the corner at the top of the slopes. Mr. Green pointed out that there will be a small swale at the bottom of the slopes. He said there is 75' of sheet drainage before the buffer area. The existing driveway will remain as the access to the lot and there is a berm along the top of the slopes.

Bob Cole asked if it would be all processed material on this lot. Marc Aubrey said that it would be. He explained that the material has to be approved after processing and then is moved to this lot. He said there will not be much stockpiling initially because the material will be used to fill and level the area. Mr. Cole asked if they plan to go in stages with the filling. Mr. Green said the first thing is to get the swale and then fill. Mr. Aubrey said the site specific plan will have all of the details. Julie Robinson asked why the berm is not all around the north side. Mr. Green and Mr. Aubrey agreed that it could be brought around.

Steve Jackson asked how long before the filling would be complete. Mr. Aubrey said they estimate four to five years. Stan Prescott asked about the wetland buffer line. Mr. Green pointed out the edge of the buffer and said the 25' section goes along the tree line. Mr. Prescott said they should be shown. He then asked about the slope from the top of the berm to the bottom. Mr. Green said it would be 2 ½:1. Tom Moore noted that they would be relocating the southwestern detention areas. He asked if temporary detention areas would be needed as they do the filling, with the grades changing, etc. Mr. Aubrey said the state will determine that as part of the process.

Stan Prescott asked who maintains the road. Mr. Aubrey said that Greg Fillmore takes care of the road. It was asked if the lot is in the shoreland protection area. Mr. Green said the lot is 600' from the river so is not affected.

Chairman Dow closed the hearing to the public and opened it to the Board only. The Board reviewed items to be addressed: show buffers w/explanation; Alteration of Terrain permit; extend the berm/close up almost to lot setback. Tom Moore asked if there should be markers at the back corners. Mr. Green said he will verify them and label them on the plan. Bob Cole asked if there are gates on the lot. Mr. Aubrey said there are and they are locked; the fire department has a key in order to access the lot. Mr. Moore asked if there are lights on the lot. Mr. Aubrey stated that there are none on this lot.

Chairman Dow read a request for waiver of Section 12.4.10. **Bob Cole made a motion to grant the waiver; seconded by Stan Prescott. All were in favor.**

**Steve Jackson made a motion to approve the application as presented conditional upon the receipt of the Alteration of Terrain permit, berm be extended to the setback, 25' and 75' wetland lines shown with explanations, and the rear corners pinned and labeled; seconded by Tom Moore. All were in favor.**

### **Board Discussion:**

Chairman Dow signed the Declaration of Revocation for the LaPadula subdivision. This will be recorded before the end of the month. The Board was reminded of the upcoming candidates' night on March 6<sup>th</sup> at 7:00 and that voting will take place on March 12<sup>th</sup>.

Tom Moore spoke about forming a sub-committee to work on the Transportation chapter of the Master Plan. Bob Cole said that he has been going to the Transportation Advisory Committee meetings and he has found them to be a very knowledgeable, good group. Bob, Stan Prescott, and Dustin Bowles offered to work with Tom on the sub-committee. It was recommended that the fire department, police department, and highway department be involved in the update of the chapter.

There was discussion of project proposals to be submitted to CNHRPC for the State's 10-year plan. The deadline for filing the proposal form is 5:00 p.m. on Monday, February 25<sup>th</sup>. Selectman Bowles took the form and will see that it is completed and submitted.

**Report of the ZBA:**

There is an application for special exception to cross a wetland buffer on the agenda. Board members have reviewed the wetland buffer matter and concur with the findings of the Conservation Commission (letter and pictures in file of 59/48, #13-02).

**Report of the Board of Permit:**

Bob Ordway reported that there was one hawker and peddler permit signed for NHMS.

**Adjournment:**

Stan Prescott made a motion to adjourn at 10:05 p.m.; seconded by Tom Moore. All were in favor.

Submitted by,

Donna White  
Administrative Assistant