

TOWN OF LOUDON  
LOUDON, NEW HAMPSHIRE  
PLANNING BOARD MINUTES  
January 19, 2017

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

**Attendance:**

Chairman Tom Dow, Vice Chairman Stanley Prescott, Tom Moore, Bob Cole, George Saunderson, Henry Huntington, Steve Ives and alternates Alice Tuson and Dustin Bowles.

**Acceptance of Minutes:**

December 15, 2016 Regular Meeting –**Mr. Huntington made a motion to approve the minutes as written; seconded by Mr. Moore. All were in favor. Motion carried**

December 15, 2016 CNHRPC Meeting- **Mr. Moore made a motion to approve the minutes as written; seconded by Mr. Saunderson. All others were in favor. Motion carried.**

December 8, 2016- **Mr. Ives made a motion to approve the minutes as written; seconded by Mr. Saunderson. All others were in favor. Motion carried.**

**Discussion:**

- **LEF Greenhouses, Canterbury Planning Board**- Mr. Huntington and Mr. Cole recused themselves from the discussion. Todd Bookman from NHPR was present in the audience and recording the discussion. Hillary Nelson from the Canterbury Planning Board spoke about the Canterbury residents complaints regarding the greenhouses. Mrs. Nelson said they would like the Loudon Planning Board to re-open the site plan for the greenhouses as they did for ESMI when there were noise complaints. Mrs. Nelson believes that Mr. Huntington will put up the blackout shades when he is able but would like this added to the site plan and not just be his word. Mrs. Nelson said if something were to happen to Mr. Huntington what would happen then with the blackout shades, this concerns residents. Tom Snyder a Loudon resident questioned what Mrs. Nelson was talking about with ESMI. Mrs. Nelson said a precedent was set when the board re-opened ESMI's site plan to adjust hours and she would like this done again. Mr. Snyder asked if this was something that could be done. Chairman Dow said he wasn't familiar with this being done for ESMI and he would have to look into this. Mr. Snyder asked if he was correct by saying that a study wasn't done for the greenhouses. Chairman Dow asked what kind of study? Mr. Snyder said a study done to see what the ecological, psychological, physiological, biological, and environmental impact of the lights. Chairman Dow said there was not. Mr. Snyder said this has destroyed the beautiful view he has from his home. Many people stop on his property to take pictures and he said he doesn't see that happening now with this huge source of light. Ralph Reil asked what the plan is from the planning board. Vice Chairman Prescott said there was a meeting held by the Selectmen and at that meeting a plan was made. Mr. Riel said they sent him to the planning board meeting and that they need to join forces with the Planning Board. Vice Chairman Prescott said they do and there is a Selectman on the Planning Board in attendance tonight. Mr. Riel read a statement he brought in that came from the dark sky association. The injuries and wide spread use of artificial light at night is not only impairing our view of the universe, it is adversely affecting our environment, our safety, our energy consumption and our health. The moments of light pollution include glare, excessive brightness, sky glow, brightening of the night sky over its inhabited areas, light trespassing, light falling where it is not intended or needed, clutter, excessive groups of light source. This also has an effect on animal habitat glare of the lights affects wetlands, habitats, amphibians like frogs and toads whose nighttime dark is part of the breeding ritual. Mr. Riel added a quote "The sun, the moon and the stars would have

disappeared long ago had they happen to be in within reach of predatory human hands. 1923 The Dance of Life. Someone had a vision even then. This is where we stand today folks, we have this glow in our front yards and we need to get together as a community and fight this. Don't let them pass this, get a restriction on these lights and get them under control. Glen Warner from Epsom asked for a layout of what has been done, when was it approved, non residential site plan review, re-hearing period? Chairman Dow stated he was not involved in the public hearings but they took place in June and July 2015 with preliminary discussion in May. Residents have 45 days to appeal a decision from the board. Mr. Warner asked if there were any conditions about lighting. Chairman Dow said there is not. Mr. Warner asked if any abutters were present. Chairman Dow said none. Mr. Warner said this happened in the dark then? Chairman Dow said this was posted around town as well as abutters were notified but nobody came to the meeting with concerns, greenhouses are approved in the C/I district and have been since zoning started in 1985. Mrs. Nelson said that the board did not vote on regional impact and it is a regional impact issue. Sean Muzzey a Loudon resident spoke about the Selectmen's meeting he attended and said someone had mentioned an issue Mr. Huntington's other greenhouses caused so he didn't understand why that wasn't noted at the time of approval. Also a light variance was requested? Chairman Dow said there was a waiver for the outside lighting not indoor. Mr. Muzzey said so they can legally put off that much light? Chairman Dow said that he doesn't think anyone realized that the greenhouses were going to put off that much light. Mr. Muzzey said 2 years is a long time to fix this issue and when his shades are closed they glow orange. Chairman Dow said he appreciates him and everyone in this room telling the board how they are affected by this. The message has been received by the board and the selectmen have heard from the public. Mr. Muzzey said that Mr. Huntington did say the lights won't be on much in the summer. Mr. Muzzey said he was under the impression that the lights were on more on cloudy days so why the lights couldn't be turned on during the day when this isn't affecting people. Mr. Riel spoke about his property values as he is looking to sell his home in the next year or so and who will want to buy in Loudon? Mr. Snyder asked if Loudon had a view tax? Chairman Dow said he didn't know tax information. Mr. Snyder said he believes he pays for his view and it is unfair that he is being taxed for a view that is now being ruined. Molly Spirito, a Canterbury resident said that orange glow wakes her up every night she wonders about the surrounding communities Canterbury, Belmont, Chichester and if maybe they could come together to make change. She believes waiting 2 years to fix this is not good enough. Dennis Jakoboski spoke, what hasn't been talked about yet is how the greenhouses have washed out the stars we would be seeing. We have lost somewhere near 10% of the stars we would see. I emailed over a copy of a dark sky ordinance to the board members and wasn't sure if any members were able to look at that or perhaps are working on incorporating some dark sky ordinances into Loudon's zoning. I have worked in jurisdictions that go by the dark sky ordinances and they were very easy to comply with, it was very simple. If you want to put a light in a parking lot you must use a light that shines down and not all over the place. This wasn't a burden to businesses to follow this. Mr. Jakoboski asked the board if they have looked at it or are willing to look at it. Chairman Dow said he hasn't had a chance to read the entire thing but has started reading it. Mr. Jakoboski asked if there were ordinances in town? Chairman Dow said yes but not for everything not every little thing. Mr. Jakoboski asked then why have them? Chairman Dow said not everyone follows the rules. Mr. Jakoboski said that is exactly why this might be needed. Mr. Saunderson said that it is too late this year to add this to the ballot, if Mr. Jakoboski would like to speak to the board they can arrange a discussion in a more controlled and similar meeting. Mr. Jakubowski said he would like to do that. Kent Ruswick from Canterbury Planning Board said he doesn't know the board and have never been before you before. When we do one of these things Mrs. Nelson a board member says get a study on the lights. He said it seems like you had a member on the board who knew this was going to be an issue with the lights and it never came up and thinks the board needs to put their heads together and come up with something to reassure the community that this will be addressed. He said as a board member that is what he would have to do when these things come up like a campground that had come before the board and it raised a lot of hackles. Mr. Huntington spoke on behalf of the LEF greenhouses and said he has lived in this

town for 40 years and the greenhouses have been a business in this town for 40 years. He said they love this town and have done a lot for the town and the last thing they want to do is upset their neighbors. He said they found this commercial property that seemed perfect for our company to expand and built a business that is extremely sustainable. Mr. Huntington said this provides local food for people who don't want their food trucked across the country, so many things that are really good for this region and the last thing that they thought was that this would be an issue. Mr. Huntington said they have lights at the greenhouses on Pleasant street and dealt with timing of lights at that location so it has little impact on neighbors. Mr. Huntington said this is modern agriculture and how agriculture will be in the future if we want local safe food that we know where it is being grown.. Mr. Huntington said they never realized the lights would be this big of an issue and they will fix this and have already explained that. Mr. Huntington said right now there isn't time or resources to fix it and in terms of if something happened to him tomorrow and he died he guarantees this is a family business and the philology, vision and values will continue on. Mr. Huntington said they have 3 of their next generation involved in this business and if they aren't worried about this then he doesn't know who is. He said this is going to happen; as a family they have given their word and if the planning board thinks that this should be reopened then they will reopen it. He said at this point this is what they are going to do, they have minimized the use of the lights in terms of when they are operating, they have added CO2 into our greenhouses so they can use the lights even less and in a few months they will be on very little, during the summer time they won't be on at all. He said when they expand they will put up the blackout curtains and that other facilities that are using the blackout curtains have had success with completely blocking the light. Mr. Huntington apologized on where they are at, they have made a huge investment in this operation and can't afford to shut down right now. Mr. Huntington said to put up the blackout curtains would require them to completely shut down, that just can't be done right now and that is why he is asking for some patience so they can get this done. Mr. Huntington said the planning board works hard for this town to make sure it has good development and good planning and if people don't like it volunteer, run for the board, get involved. He said he is happy to serve on the board not because he thinks it's a benefit to him but he believes he owes it to the town and that is why he does it that is why every single member sitting at the table does it. Glenn Warner spoke again to question the zoning board's involvement in a variance on lighting. Chairman Dow said there was a waiver for indoor lights not outdoor and it was done by Planning Board. Mr. Warner said indoor and outdoor lighting seems like it should go together. Mr. Merrill helped clear up the lighting waiver, he said he thinks people are under the impression the planning board allowed them extra lights. Vice Chairman Prescott said at the time he was acting chairman, normally they require a lighting plan but Mr. Huntington only has 3 or 4 outdoor security lights. Mr. Merrill said many other site plans include more lighting. Vice Chairman Prescott said yes just the outside lights and like it has been said many times, if anyone thought there would be so many issues with the lights people would have spoke up and they didn't expect this and have apologized. Vice Chairman Prescott said it has gone to the board of permit and selectmen and Mr. Huntington said he will take care of it. Mr. Ives spoke on behalf of the selectmen, Mr. Ives said he served on the zoning board with Mr. Huntington's father and he has always been a man of his word. He said they held a meeting and invited the Huntington's in to discuss this problem and provide a forum to voice their concern and at the meeting a plan was made to fix the lights. He said they didn't foresee the light that would come out of the building, the Huntington's didn't foresee this. Mr. Ives said they are paying for this, it is costing them a lot of money to light up the sky and didn't realize they would be losing all this light they are paying good money for, it makes economic sense for them to trap the light. Mr. Ives said there is a problem, we all agree and he believes this family is true to their word and they will take care of the problem it will just take some time. Mr. Riel asked about using burlap screens that he is familiar with from working at greenhouses. Mr. Huntington said that wasn't possible. Matt Raymor a Loudon resident asked why this needs to take 2 years? Mr. Huntington said the operation needs to be shut down to install blackout curtains for 4-5 months and at this point we can't afford to do that. Mr. Huntington said someone asked about running the lights during the day and that they are currently are doing that.

Chairman Dow asked if anyone had any new information that they haven't heard. He said we are all in this together and to give the Huntington's the benefit of the doubt. Chairman Dow thanked everyone for coming.

**Mr. Huntington and Mr. Cole returned to the Board.**

## **New Business:**

**Proposed Zoning Amendment 2017-1-** Chairman Dow read the proposed amendment on accessory dwelling units and asked if anyone in the audience had questions. Chairman Dow informed everyone in the room that the state passed an RSA that we must comply with to allow accessory dwelling units. Mr. Moore said that the abbreviated ADU should be spelled out as accessory dwelling unit. Mr. Huntington said under reason it should be added that we are complying with a state ordinance. Mr. Huntington said this is required to be added by the state and people should be aware of that. Vice Chairman Prescott agreed and said it should be added at the beginning. If the town does not come up with their own amendment then the town must go by what the state sets up. Chairman Dow closed the public hearing to the public and opened it up to the board for a vote. **Vice Chairman made a motion to add the amendment to the ballot with the changes; seconded by Mr. Moore. All were in favor.**

**Proposed Zoning Amendment 2017-2-** Chairman Dow read the proposed amendment on bulk storage. Mr. Moore said it should be added that currently 500 gallon tanks are allowed and we are increasing it to 1000 gallons. Mr. Ives said it should be noted that this was proposed by the fire department. Mr. Jakubowski asked why the fire department wants to allow bigger tanks. Chairman Dow said that 1000 gallon tanks are more commonly used. Mr. Ives said that it is safer to use 1000 gallon tank than use 2 500 gallon tanks. Chairman Dow said this will make it so people do not have to come in and spend the time and money on a special exception. **Mr. Huntington made a motion to add the amendment to the ballot with the changes; seconded by Mr. Bowles. All were in favor.**

**Application 17-1- Apparently Unique Equipment, change of use-** Jeff Green represented the business. Mr. Green said there would be no changes to the outside of the building or pavement. They would like to add a display area up front and add a load and un load area. Mr. Green said they will be adding a bathroom and have an approved leach field. They are looking to hold 12-15 tractors in the display area and smaller equipment will be stored inside. Vice Chairman Prescott asked about the loading area, can we come up with an area they will be. When the tractors were there it was trailers all over the place. Jeff Green said the display area will be neat in front and the loading area will be in the back. Mr. Bowles said he wasn't sure when they would expect deliveries, there was an issue with tractor trailers sitting on the side of 106 like when the trailer sales was there. Jeff Parent owner of the company said deliveries will be small and many picked up by himself. Mr. Green said deliveries will be during business hours, this is used equipment sales so will be more local not trucking in lots of new tractors. Mr. Ives said he doesn't want to see 30 junk tractors sitting out back. Mr. Green said this will be small scale, a used piece of equipment will come in they will do any repairs and put it out for display. Mr. Saunderson asked if Mr. Parent would be against limiting the amount of tractors. Mr. Parent said he would not mind limiting the number of tractors but the small equipment he can bring in is different. Mr. Green said it is hard to guess how many will fit in the display area. Some tractors may have additional parts stored. Mr. Huntington said would it make sense to not set a number but just have it limited to what fits in the display area. Mr. Jakubowski asked about a light plan. Mr. Parent said only a sign will be added. John and Mary Ellen Koyriazis owners of flintlock apartments are abutters to this property and have concerns about DES will be wanting to test the well more often with a garage so close. Mr. Saunderson asked when this would be opening. Mr. Parent said he is hoping for April 1<sup>st</sup>. Mrs. Tuson questioned the amount of parking. James and Diane Hoffman abutters were also present and questioned hours of operation and how much noise. Mr. Parent said

8am-6pm and possibly 4 hours on Saturday and the noise will not be much just the occasional start up of a machine for a few minutes. Mr. Prescott said he believes they need to talk with DES to see if the Flintlock apartments will be affected. Chairman Dow asked about the right of way off Mudgett Hill and told them to speak to the road agent to see if they can use that as a driveway. Vice Chairman Prescott made a motion to continue this until next month and check with DES as well as show loading area on map, seconded by Mr. Bowles.

**Report of the ZBA:** There is one application for a reduced set back for a driveway.

**Report of the Board of Permit: None**

**Board Discussion:**

Mr. Ives said they talked about accepting Dan Aversa's road Bert Lane as a town maintained road. Vice Chairman said the ROW is a deeded road and to except Bert Lane the deed must include the ROW.

Chairman Dow asked Mr. Huntington if he would be willing to discuss adding to the greenhouse site plan the blackout curtains. Mr. Huntington is concerned about putting a date on the curtains. Mrs. Tuscan said it may help to keep the community happy. Mr. Huntington said he would think about this.

**Adjournment:**

**Mr. Moore made a motion to adjourn at 8:54 p.m.; seconded by Mr. Bowles. All were in favor.**

Submitted by,  
Danielle Bosco  
Administrative Assistant