

Loudon Zoning Board of Adjustment
Meeting Minutes
June 23, 2016

Present:

Chairman Dave Powelson, Vice Chairman Ned Lizotte, Howard Pearl, Roy Merrill, Earl Tuson, Charlie Aznive

Minutes:

Earl Tuson made the following corrections to the May minutes:

- Application #Z-16-06, Miranda Milano- Miranda Milano did not withdraw her application it was continued due to an abutter needing to be notified. Howard Pearl recused himself from the vote.
- Application #Z-16-07, Tony Merullo- Howard Pearl's motion was amended to say not to encroach within 60 ft.
- Application #Z16-09, Colin Cabot- Change sentence "Colin Cabot was looking to do classes, trailers, blacksmithing" remove "trailers" "he is looking to make it one entity" it is changed to "all parcels" Earl Tuson did recuse himself from voting on this application.

Howard Pearl made a motion to accept the amended minutes. Earl Tuson seconded motion, all in favor.

Discussions:

Dave Cossette – Mr. Cossette from Terry Drive came in to discuss shifting his house closer to the front set back than what is allowed. He explained that the way the homes were built next to his property does not give him much privacy. Chairman Powelson said that Mr. Cossette would have to fill out an application for a special exception and prove that he will not be offending any neighbors. Ned Lizotte asked to look at a map of the property, the board pulled out map to look at it. Mr. Cossette asked for an application to be emailed to him as he would like to get into the next zoning board meeting.

Bob Anderson- Mr. Anderson from 56 Thistle Hill Rd came into discuss his existing garage on his property. Mr. Anderson said his neighbor had his own property surveyed and informed Mr. Anderson that his garage only has a 15ft side setback not the required 30ft side setback. Mr. Anderson said the land was surveyed prior and he followed guidelines of the 30ft setback as he believed the land had been surveyed correctly previously. Chairman Powelson suggested 3 options to clear the matter; a lot line adjustment, special exception for a reduced side setback or an equitable waiver. Chairman Powelson said he believes that the best way is to apply for a special exception for a reduced side setback. Mr. Lizotte said that the special exception would be best as this garage was built prior to the land being surveyed again. Mr. Lizotte asked the board if the land needed to have a site walk done prior to approval. Chairman Powelson said that would depend on the board and if they feel the strong need for a site walk, they will discuss this once application is submitted.

Public Hearings:

Application #Z-16-06, Miranda Milano – Special exception for event venue, AFP District, Map 36, Lot 3. Miranda Milano and Patrick Colby were present as well as abutter Bonnie Martin. Ms. Milano began speaking to the board about her plans to hold weddings on her property. Ms. Milano would hold weddings at her

property from May-September. Chairman Powelson began by asking the required questions for the special exception. Ms. Milano read the application to the board. Chairman Powelson asked the board if they had any questions. Mr. Lizotte asked if the board should do a site walk. Ms. Milano showed a map of the property and showed site plan for bathrooms, tent and parking. Mr. Lizotte felt comfortable after looking at map. Roy Merrill asked what the maximum capacity they were looking for would be. Mrs. Milano stated she would be asking for 250. Patrick Colby said they could come back in a year if they were to find the need for bigger weddings. Mr. Merrill said that is an option but they would have to start the process over again and file a new application. Mr. Merrill asked how many people were allowed at the last venue that was approved. Chairman Powelson stated 250 on a 5 to 10 acre parcel. Ms. Milano said if they would be willing to allow more people she would be fine with that to save her coming in again and requesting additional people. Mr. Tuson asked how big Mrs. Milano's property is. Chairman Powelson stated 39.98 acres. Ms. Milano has been asked recently to make favors for a wedding that had 350 guests so if they would allow 350 her land can hold that many. Mr. Powelson said they would need to submit a parking plan to the fire department. Mr. Powelson passed around a letter from abutters Steven Kosusko and Nancy Josselyn who are in favor of this venue. Mrs. Martin spoke about a situation in Gilford with a wedding venue that is being brought to Supreme Court. Mr. Merrill said the difference is that this type of venue is allowed by the town and was voted at our town meeting. Chairman Powelson said the town is zoned for it and we are here to decide if Ms. Milano meets the requirements to the satisfaction of the board that she will not disrupt neighbors and not cause too much traffic. Chairman Powelson asked for specific concerns from Mrs. Martin regarding this being approved. Mrs. Martin said she is concerned about noise level, alcohol and no police presence. Mrs. Martin said she is very concerned about the possibility of 350 people. Ms. Milano said she would be happy to have something written up stating over 250 people the renter would have to hire a police officer. Chairman Powelson asked Mrs. Martin for a number she would feel more comfortable with. Mrs. Martin stated she wasn't sure. Chairman Powelson asked Mrs. Martin to show the board where her property is. Mrs. Martin showed the board where her property is and asked why they can't move the venue farther away. Mr. Merrill stated that where the tent will be set up is the farthest away from her property. Ms. Milano stated that the tent location is in the perfect spot for electricity from the barn. Mrs. Martin would like them to move the tent over from where it is intended to be set up. Mrs. Milano's concern is the view would be the side of the barn. Mrs. Martin is concerned about people right outside her window. Howard Pearl asked the Milano's how far from Mrs. Martin's the tent will be. Ms. Milano stated about 12,000-15,000 ft with two tree lines in between and you cannot see her house. Ms. Milano would be happy to send out letters to neighbors informing them of an upcoming event. Charlie Aznive asked Mrs. Martin if it would help if they were to set the capacity at 250? Mrs. Martin said that would help. **Mr. Merrill made a motion to approve the application with 250 people max, 7am start time, 10pm quiet time 11pm end time. Mr. Pearl seconded the motion. A roll call was taken. Howard Pearl- yes, Roy Merrill-yes, Dave Powelson-yes, Ned Lizotte-yes, Earl Tuson-yes. Unanimous – APPROVED.**

Application #Z-16-10 - ABJEH Realty – A soil application request was presented by Tim Bernier and Henry Huntington for Map 50, Lots 6. Mr. Bernier explained that they are looking to purchase 260,000 cubic yards of ESMI soil to fill in an excavated hole on the property to be able to build on, they will also be taking some of the land that is high ground and using that as fill as well. Mr. Lizotte asked how deep are they using the fill? Mr. Bernier was unsure on exact depth, from 10-14ft. Mr. Merrill asked how large the area is, Mr. Huntington said the area is 300,000 sq ft and they will be building on about 13 acres. Henry Huntington said ESMI will fill soil as they are able and it will take about 3 years to complete. The board was given copies of the soil tests from ESMI soils. Mr. Merrill was concerned about how deep they would be digging. Mr. Bernier said they would not be digging underneath the water table. Chairman Powelson spoke of the requirement that the soil cannot be

used to grow crops in which the board believes they are growing the crops in the buildings. Chairman Powelson asked if they are within the recharge area of any drinking water supply. Mr. Bernier explained they kept it set back away from any. Chairman Powelson asked if it is within 100 ft of any surface water. Mr. Merrill would like an elevation plan, Henry Huntington agreed they will provide this. **Howard Pearl made a motion to accept the application on the condition they provide an elevation plan. Roy Merrill seconded the motion. A roll call was taken. Howard Pearl – yes, Roy Merrill – yes, Dave Powelson – yes, Ned Lizotte – yes, Earl Tuson - yes. Unanimous – APPROVED.**

Board Discussion:

None

Adjournment:

Howard Pearl moved to adjourn the meeting at 8:45 pm; seconded by Roy Merrill. All were in favor.

Submitted by,

Danielle
Administrative Assistant