

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE
PLANNING BOARD MINUTES
NOVEMBER 20, 2014

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

Attendance:

George Saunderson, Henry Huntington, Tom Moore, Tom Dow, Stan Prescott, Bob Cole, Ex-Officio Dustin Bowles

The Conservation Commission was represented by Rob Buzzell and Pauline Touzin.

Acceptance of Minutes:

October 16, 2014 Regular Meeting – **Tom Moore made a motion to accept the minutes as presented; seconded by Bob Cole. All were in favor.**

Discussion:

Alice Tuson – Letter of Interest – Bob Cole stated that Mrs. Tuson submitted a letter of interest for an alternate position and the matter was discussed at the last meeting. Because there were only a few members present at that meeting, Mr. Cole, as acting chairman, felt it was best to table the matter until this evening. After brief discussion **Bob Cole made a motion to appoint Alice Tuson as an alternate to the Planning Board; seconded by Stan Prescott. All were in favor.** Chairman Dow signed an appointment paper with the term to expire March 31, 2016.

New Business:

Application #14-09, Robert & Joyce McCullen – Lot Line Adjustment in the RR District, Map 38, Lots 8 and 8-7. There were no abutters present. Jeff Green, surveyor, represented the applicants.

Mr. Green explained that the properties are on School Street where the cistern is located. Lot 38-8-7 is currently a 4.059 acre lot and Lot 38-8 is currently a 76.918 acre lot. Lot 38-8 is the remainder of a larger parcel that has been subdivided multiple times over the years. Lot 38-8-7 will become 60.433 acres with 800' of frontage, and Lot 38-8 will become 20.544 acres with 204' of frontage. Mr. Green stated that Lots 8-3, 8-4, 8-5, 8-7, and 8 are owned by members of the same family. He said the intention is to leave the large parcel, Lot 8-7, as a family lot for recreation. Mr. Green noted that PSNH lines cross through the parcels. Stan Prescott asked if the poles are offset in the right-of-way (ROW). Mr. Green said he did not survey the entire piece but has a note on the plan that was taken from previous surveys of the same parcels. He said the ROW is the ROW, that does not change, but the poles can be changed at any time. Mr. Green said the ROW has been established by four previous plans. Stan Prescott stated that the curves should have tie courses. Mr. Green stated that is not his usual practice. Hearing no further questions, Chairman Dow closed the hearing to the public and opened it to the Board only. **Tom Moore moved to accept the application as complete and move to public hearing; seconded by Henry Huntington. All were in favor.**

Tom Moore noted that there are a couple of intersections and asked if rebar was to be set. Mr. Green said they will be monumented with rebar in the front and probably drill holes where they intersect at the stone wall. **Bob Cole made a motion to approve the lot line adjustment as presented; seconded by Henry Huntington. All were in favor.**

Application #14-10, George Tombarello & Universal Grace Church – Lot Line Adjustment in the RR District, Map 4, Lots 13 & 12. There were no abutters present. Jeff Green, surveyor, represented the applicants. **Tom Moore made a motion to accept the application as complete and move to public hearing; seconded by Bob Cole. All were in favor.**

Mr. Green explained the location of the parcels as being on Bear Hill Road off East Ricker, at the end of the Class V portion. Lot 4-12 has an existing house and 53.6 acres; this will be 6.68 acres after the adjustment. Lot 4-13 has an existing barn and 87.382 acres; this will be 134.305 after the adjustment. Mr. Green stated that there have been a couple of lot line adjustments on these parcels in the past. He pointed out a 50' strip that gave Mr. Tombarello frontage for his back piece; this will go away. That parcel will now have 800' of frontage. Mr. Tombarello's main driveway is now on his own land rather than using the 30' easement through the Anderson property. Mr. Green said that Mr. Tombarello will have about 900 acres after this adjustment; he does wildlife management and preservation of the land. The Board reviewed the plans. After brief discussion, **Henry Huntington made a motion to approve the lot line adjustment. Stan Prescott said he would like the note of Bear Hill gravel class VI moved to the area on the plan where the road tapers. Mr. Huntington was in agreement with the condition; motion seconded by Stan Prescott. All were in favor.**

Application #14-11, Inisfree Investments, LLC – Major Site Development in the RR District, Map 11, Lot 12. Abutters Ed and Kenny-Lynn Dempsey and Selectman Steve Ives, representing the Town as an abutter, were present. Jeff Green represented the applicants.

Chairman Dow confirmed with Mr. Green that they will be going to the ZBA on November 24th for a special exception on the storage tanks. He said this board will want to hear from the ZBA. Mr. Dow said it would appear that the proposed use would have to go back to the ZBA as well. Mr. Green said the site walk was done and the matter of the use did come up in discussion. He said it looks like they will have to apply for a variance for the use. He said tonight he is looking for input from the Planning Board. The chairman asked why this board wouldn't wait to see what the ZBA decides, saying this would only be a consultation at this point. Mr. Green said he would be doing the storage tanks regardless, even if not the distribution use. Chairman Dow said if this is for distribution as on the application, the Planning Board does not have the authority to rule on the use. Mr. Green said if this was a conceptual presentation the board would give input. George Saunderson pointed out that the Conservation Commission, some abutters, and a couple of Selectmen are here so it would be a good time to hear the proposal.

Mr. Green stated that they are proposing large storage tanks. He showed the access across Lot 41 to the area where the tanks would be located. They are proposing one 15,000 gallon horizontal tank and six 6,000 gallon vertical tanks. Mr. Green noted that the tanks are being stored there at this time. He described the one-way travel around the tanks, and said they are hoping to contract with someone to distribute the excess of the bulk fuel that is purchased. Mr. Green said they are not really disturbing any new ground. He said they would put in a 4' high earthen berm/vegetated buffer, and power would be carried down from existing buildings on the front lot. Tom Dow asked if there would be any other buildings. Mr. Green said there would not, just a concrete containment in the ground with a roof structure over it. Mr. Dow said lighting would be looked at by the Board. Tom Moore said hours of operation would probably be considered. Henry Huntington stated that a professionally designed plan would be needed. Mr. Green said that would be part of the State process. Bob Cole asked if anyone has checked with MSHA (the US Bureau of Mines) about putting this in a gravel pit. Mr. Green said he was not sure but he assumes the applicant did.

Mrs. Dempsey said there are two houses on their lot and their main house is missing from the site plan. She pointed out where it should be located on the plan, noting that it is about 20' from the line. She said one concern they have is that their property value will decrease because of the facility being so close. She asked why they would choose to put it 150' from the house when there is so much land in the pit. Mrs. Dempsey said they are also concerned about leakage getting into their well water. She said lights would also be of concern because of the closeness to their house. Mr. Dempsey said a 4' berm does not seem like it will do much with tanks of the proposed height. Donna said Julie Robinson had called the office to see how far it is to the river

from the proposed location as the Conservation Commission is concerned about the aquifer. Mr. Green said he would say about 2000'. Tom Moore asked to confirm that there is an aquifer under there. Mr. Green said he assumes there is something there. Mr. Dempsey also said that when the applicant first bought the pit he was told they would not use the road on the plan because of noise concern. Tom Dow said this may not be the best spot on the lot, especially since they have quite a lot of property there and it is something to consider.

Selectman Ives asked about the daily usage of fuel and what the justification for that amount of fuel on that site would be. Mr. Green said the justification is distribution. Mr. Ives pointed out that Mr. Green said he was going to zoning for just a storage facility. Mr. Green said he went before the ZBA for both on his plan. Mr. Ives said that earlier tonight Mr. Green said he was going to zoning for storage tanks. Dustin Bowles stated bulk storage; Mr. Green agreed. He said the application is for bulk storage which is different from the use after. Mr. Ives said Mr. Green had stated that either way he would be going for bulk storage and he asked what the justification would be for that much bulk storage. Mr. Green said if they do not get the distribution approval they may not put all the tanks in. He noted that anything over 500 gallons still has to go to ZBA. Mr. Ives asked if Mr. Green is asking for a certain amount of storage. Mr. Green said he is requesting this amount for the intention of storage and distribution. Mr. Ives said he has to justify the maximum usage and asked what it would be. Mr. Green responded that it would be 51,000 gallons. Mr. Ives asked if that is a three-month supply, a year's supply, or how long that would last. Mr. Green said he does not have their numbers yet but he does not have to justify the amount for that use. He said if they do not get the distribution he would have to redo his numbers. He said he is right now asking for bulk storage to hold 51,000 gallons. Mr. Green said it came to his attention because of the use of distribution that he has to go back to the ZBA with another application. He said if they do not get distribution they may have to reduce the size.

Roy Merrill asked how the approval of 51,000 gallons was going to come back to the ZBA if they don't get the distribution use. He said once approved it would be 51,000 gallons. Mr. Green said he will go to the next meeting and discuss that. He said they might have to hold the tanks until the use is addressed. He said they were first looking for over-sized storage, and then the distribution use came up so he needs information to go back to the applicant with. Dustin Bowles referred to the Zoning Ordinance where tanks over 500 gallons are not permitted in any district. Mr. Green noted that the remainder of the section referred to does allow them by special exception. He said it does not mean they have to give him 51,000 but the Ordinance does not have a limit. Henry Huntington said it depends on the use. He said this parcel is in the RR district, not commercial. He said it does not work in the RR zone, and he hopes the ZBA would look at what would be appropriate for business in there.

Stan Prescott made a motion to continue this application to December 18, 2014 at 7:00 p.m. in the Community Building; seconded by George Saunderson. All were in favor. There will be no further notification.

Board Discussion:

ZBA wetland application – Per Section 301.5 of the Zoning Ordinance, the Board received copies of a request for a wetland crossing for a driveway at Map 47, Lot 13. Board members reviewed the location and proposed impact to construct a driveway to the buildable portion of the lot. Rob Buzzell said the Conservation Commission met with the wetland scientist earlier in the year. He noted that they have increased the CMP size which is even better than the proposal at the time of their site walk. Planning Board members agreed they have no problem with the request. It was discovered that one abutter was not notified but does have the hearing information at this time.

Amendment workshop & public hearing – A workshop for zoning amendments was scheduled for December 18th at 6:00 p.m., prior to the Board's regular monthly meeting. A public hearing for zoning amendments (if needed) was scheduled for January 15th at 6:00 p.m., prior to the Board's regular monthly meeting.

Report of the ZBA:

This month's agenda includes a special exception for a wetland crossing for a driveway on Old Shaker Road, a reduced setback for an addition that was put on a barn on Wiggins Road, and a special exception for fuel storage tanks on Chichester Road.

Report of the Board of Permit:

Stan Prescott reported that there was no meeting this month.

Adjournment:

Tom Moore made a motion to adjourn at 8:22 p.m.; seconded by Dustin Bowles. All were in favor.

Submitted by,

Donna White
Administrative Assistant