

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE
PLANNING BOARD MINUTES
OCTOBER 17, 2013

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

Attendance:

Chairman Tom Dow, George Saunderson, Henry Huntington, Tom Moore, Stan Prescott, Bob Cole, Ex-Officio Dustin Bowles, and alternate Bob Ordway
Bob Butler represented the Conservation Commission.

Acceptance of Minutes:

September 19, 2013 Regular Meeting – **Tom Moore moved to accept the minutes as presented; seconded by Bob Cole. All were in favor.**

October 10, 2013 Mills Site Visit – **Stan Prescott moved to accept the minutes as presented; seconded by George Saunderson. All were in favor.**

New Business:

Application #13-14, Ernest & Lisa Mills – Lot Line Adjustment/Minor Subdivision on Old Shaker Road in the RR District, Map 47, Lots 12 & 20. Web Stout of FWS Land Surveying represented the applicants. Lisa Mills was present; there were no abutters present.

Mr. Stout handed out new plans with everything on one sheet, noting that he has changed a couple of things since the site walk. State subdivision approval has been received. The contiguous buildable area for Lot 20 was refigured. Lisa Mills has signed the wetland crossing application; it will be submitted to the State in the near future.

Bob Butler pointed out that there should be a note on the plan about the size of the culvert at the wetland crossing. He also asked that a note be added about the plantings close to the 25' wetland setback line as agreed to at the site walk. Mr. Stout said the only item outstanding at this point is the State wetland crossing. Tom Dow stated that there is a lot going on with the plan and the site walk showed that the property is not nearly as unbuildable as you might think. George Saunderson agreed. Mr. Dow said the driveway with the special exception from the ZBA is in a good place.

Mr. Stout noted that the lot numbers would typically be Lot 12 and Lot 12-1 after the subdivision but he left them on the plan as Lot 12-2 and Lot 12-1 because those were the numbers used on the preliminary plan at the time of the ZBA approvals. Donna was asked to check with the assessor about the numbering of the lots. Mr. Stout will make a note on the plan about the numbers in relation to the ZBA approval. The Board agreed that the lots should be Lot 12 and Lot 12-1.

Bob Cole made a motion for approval with the following: plantings note added to the plan; culvert size on the wetland crossing noted on the plan; a note on the plan explaining the lot numbers; and pending State approval of the wetland crossing. The motion was seconded by George Saunderson. All were in favor. It was realized that there

was a waiver request that had not been addressed. Chairman Dow re-opened the hearing for consideration of the waiver request. He read the request for a waiver of Sections 12.4.10 and 12.5.12. **Henry Huntington made a motion to grant the waiver; seconded by Bob Cole.** Mr. Stout explained changes made to the Alteration of Terrain process. Dustin Bowles pointed out that there are two waivers for the same thing; one is on the existing conditions checklist and the other is on the subdivision layout checklist. He asked if they should be handled separately. Tom Dow said they are for the same thing so should be alright with one request listing both sections. **All were in favor.** All three lots are subject to impact fees.

Application #13-15, Debra Rattee – Minor Subdivision on School Street in the RR District, Map 38, Lot 27. Jeff Green represented the applicant; there were no abutters present. This application has been continued from last month at the request of the owner. New plans were handed out to the Board. Test pit data was submitted for the record. Mr. Green pointed out the remaining land of the large piece and stated that this will be the final subdivided lot that the owner will be looking for. He said this request is for a three acre lot in the corner of the remaining piece. Mr. Green pointed out that four lots were done on Batchelder Road and one on School Street; those are all connected. This lot is removed from the last lot divided from the parcel, leaving frontage enough for a road if anyone wanted to pursue that in the future. Mr. Green said it is not real feasible due to the topography, and the large parcel is not being marketed at this point. This lot goes behind an abutting lot, squaring it off. Mr. Green gave the frontage and buildable area of the lot and will add it to the plan. He showed the locations of the test pits, noting that they went 72” with no seasonal high water as it is all sand, one soil type, two grades. The proposed driveway is shown on the plan. Mr. Green stated there is 302’ of remaining frontage and 22.446 acres.

Bob Ordway asked if this lot is close enough to the cistern to be covered. Mr. Green said it is. He explained that he talked with John Reese of the fire department with regard to identifying and listing the location and distance of water supplies. He had penciled in Note #10 about the cistern location on his plan and will carry that over to the final plan. Stan Prescott asked if the 1.5 buildable acres are at the front of the lot. Mr. Green said it is and outlined the area of the contiguous buildable area. Tom Moore asked if it is field at the back of the lot. Mr. Green said it is and the lot owner would be able to get around the wet and slope to access the right rear of the lot. Tom Dow pointed out that a prospective buyer would know there is a recreational trail on the property if shown on the overview plan. Mr. Green said he could make a note of it, saying that sheet will not be recorded but would be on file with the Town.

Tom Moore made a motion to accept the application as complete and move to public hearing; seconded by Bob Cole. All were in favor. Bob Butler stated there is plenty of room outside the wetland setbacks. Chairman Dow closed the hearing to the public and opened it to the Board only. He read a waiver request for Section 12.4.9. **Henry Huntington moved to grant the waiver; seconded by George Saunderson. All were in favor.** The chairman read a waiver request for Section 12.4.10. **Tom Moore made a motion to grant the waiver; seconded by Bob Cole. All were in favor.**

It was noted that State subdivision approval is pending. Tom Moore pointed out that rebar has been set to mark a corner. He asked if the other corners were previously marked. Mr. Green said they were not; he will set them before the plan is recorded. **Tom Moore made a motion to approve the application with the following: note added for contiguous buildable area; Note #10 added for the distance to the cistern; identify the recreational trail on the**

overview plan; pins to be set on corners; subject to State granting subdivision approval; and a note on the subdivision plan regarding the recreational trail. The motion was seconded by George Saunderson. All were in favor.

Application #13-16, Inisfree Investments – Major Subdivision on Chichester Road in the RR District, Map 11, Lot 12. Jeff Green represented the applicant. Abutter Roy Merrill was present. New plans were handed out to the Board. Mr. Green showed an overview of the entire property, pointing out that two lots were subdivided in 2006 and one earlier this year. He explained that this application is for four lots. Mr. Green showed the gravel pit area, wetlands, the river, and several areas of frontage on the large piece. Test pit data was submitted for the record. Mr. Green pointed out that there is a 50' strip left open between proposed lots 4 and 5. He reviewed the contiguous buildable area table and proposed driveway, septic, and well locations. He said there is wetland behind these lots, with 250' before you get to it. Mr. Green pointed out an existing woods road that he has shown.

Henry Huntington made a motion to accept the application as complete and move to public hearing; seconded by Stan Prescott. All were in favor. Roy Merrill stated that access to his land-locked lot is of concern as he mentioned at the time of the last subdivision. Mr. Green stated that Note #10 on the plan refers to the access; he said the access exists but was never delineated in any deeds. Mr. Merrill said there has always been an access to it and it seems it should be delineated and/or described and noted that it will be done. Mr. Green said there will be an access but he cannot put anything on the plan because he does not have a description or location. He said he could change the wording of the note. George Saunderson asked Mr. Green if his client is unwilling to grant a delineated access. Mr. Green said that was the situation as they are not sure what will happen with the remainder of the land. Mr. Merrill said the original access was with a previous owner, before the DeCatos, and should be noted that it will be done. Mr. Green again said he cannot physically show it if it is not described in a deed. He pointed out that he has located roads as known. Mr. Merrill said the access road can be walked. Stan Prescott spoke about when he owned a parcel by Mr. Merrill's; he said if the access can be found it should be shown on the plan. Mr. Merrill said the last subdivision took away the access. Mr. Green stated that the back lots could still have access through the frontages left on the parcel. Mr. Prescott said Mr. Green should put a note on the plan that says the back lots have access and list the lot numbers. Mr. Green said he has been researching but is not finding any descriptions. Mr. Prescott said if Mr. Merrill can prove a definite location then it could be outlined but the burden of proof is on Mr. Merrill. Mr. Merrill asked where he would go tomorrow if he wanted to get to his lot. Mr. Green said Mr. Merrill would have to talk with the landowner. Mr. Merrill said he could have driven in there before the previous subdivision was done. It was suggested that Note #10 could be changed to read 'is subject to' instead of 'may be subject to'.

Dustin Bowles said that Mr. Merrill talked about the lot being a separate lot at one time. He asked how close this is to that line. Mr. Green said it is not; the original line was by the barn. He said this layout with the strip allows access to the back lots and goes around the wetland. He said it could be defined between the two owners with future development. Tom Moore asked if there are any visible signs of an access or trail. Mr. Green reviewed the trails and woods road shown and used by four-wheelers, etc. Mr. Merrill said it is up to them to define the access if they keep moving it. He said it is his feeling that the subdivision should not go forward without that being defined.

Tom Moore said it was discussed at the time of the last application that the Master Plan recommends aligning intersections. Mr. Green pointed out that the grade drops down into the lot across from Wellington Lane. He said he wanted to keep the access easement as close as possible to its original location, and he put the 50' strip where the owner wanted it. Mr. Moore said they should consider aligning intersections for future projects. Stan Prescott said perhaps the Board should see a plan for future development. Mr. Green said there is nothing planned at this point in time. He said the locations of the strips are ideal for a future road, in one end and out the other. Tom Moore said it is a matter of public safety. Bob Butler said the Commission is all set with the plan. Chairman Dow closed the hearing to the public and opened it to the Board only.

Henry Huntington asked if the Board should look at the property. Several members agreed that would be a good idea. George Saunderson said that would give the parties time to get more resolution on the access. A site visit was scheduled for Saturday, October 26th at 8:00 a.m. The chairman suggested that Mr. Green might be able to talk with his client about access to the back lots. **Stan Prescott moved to continue the application to the site visit on October 26th at 8:00 a.m. and then to the next meeting of November 21, 2013 at 7:00 p.m. in the Community Building; seconded by Tom Moore. All were in favor.**

Report of the ZBA:

There is an application for a variance for required frontage on this month's agenda.

Report of the Board of Permit:

Stan Prescott reported that there was one Hawker & Peddler permit.

Board Discussion:

MP Economic sub-committee report – George Saunderson reported that the committee met with Matt Monahan and Courtney Croteau of CNHRPC. A date has been set for an open meeting with town business owners for the purpose of collecting ideas. The meeting is scheduled for November 13th at 4:30 p.m.

MP Transportation sub-committee report – Tom Moore reviewed the updated impact fee table with current construction costs. He said the impact fee could be adjusted or a separate committee could be created to study the matter. Stan Prescott and Bob Cole moved that they would go to public hearing for acceptance of the updated fee table and increased impact fees. This will be addressed at the time of completion of the MP update.

Documents for the files – Stan Prescott reported that he attended a CNHRPC meeting on October 10th, a TAC meeting on October 4th, and a public hearing on the DOT 10-year plan. He submitted information from all of the meetings for the office files.

PVG/NEFF appeal – Henry Huntington stepped down from the Board. Chairman Dow read a letter from town counsel about the rescheduled hearing on the merits of the case; the hearing is scheduled for January 2, 2014 at 10:00 a.m. Mr. Dow stated that he was not at the PB meeting

where the final approval was given. He said he could go to the hearing but feels it would be best if someone who was in attendance at the PB meeting could go. Stan Prescott said he should be able to go. Donna will get the details of the hearing to Mr. Prescott. Mr. Huntington re-joined the Board.

Land Use books – Donna confirmed which members want a copy of the updated book.

Zoning amendments – Board members were reminded that it is time to review the Zoning Ordinance in preparation for the upcoming amendment period. Contiguous buildable area should be clarified. It was suggested that the Board look at lot sizes or buildable area size. Lot coverage was also mentioned. It was recommended that Board members get their suggestions written and emailed to the Board for review ahead of time.

MP Population chapter – Donna is working on updating tables within the chapter. Bob Cole said he attended a CNHRPC meeting on the economy and age of population; he will get the information to Donna.

Capital Improvement Program – Donna asked the Board about the CIP, what is involved, and how it is meant to be used. She was asked to look into what the CIP is connected to and if it is mandated that it be done annually. It was agreed that a meeting should be scheduled and letters sent out to all departments and committees.

Bonds – Donna reviewed the wording of the section on sureties in the Land Development Regulations, explaining that she has been working on a spreadsheet of the bonds being held on various road projects around town. Some of the bonds have been handled by the Planning Board and others are handled by the Selectmen's office. It was agreed that there should be a complete file on bonds, amounts, and status of each one. There was discussion on the wording of the section and various situations that could occur affecting the duration of the bond.

Adjournment:

Stan Prescott made a motion to adjourn at 9:20 p.m.; seconded by Bob Cole. All were in favor.

Submitted by,

Donna White
Administrative Assistant