

TOWN OF LOUDON
LOUDON, NEW HAMPSHIRE
PLANNING BOARD MINUTES
OCTOBER 20, 2011

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

Attendance:

Henry Huntington, Tom Moore, Chairman Tom Dow, Vice Chairman Stan Prescott, Bob Cole, Alternate Jeff Green, Ex-Officio Dustin Bowles
Jeff Green was appointed as a voting member in the absence of Steve Jackson.
Captain Bill Lake represented the fire department.

Acceptance of Minutes:

September 15, 2011 Meeting – **Bob Cole moved to accept the minutes as written; seconded by Jeff Green. All were in favor.** Chairman Dow stated that Mr. Davis’s site was inspected and the engineer agreed with Mr. Davis’s estimate for his bond reduction. Mr. Davis is currently getting an updated bond.

Conceptual Consultation:

Matt Moore for Beanstalk Store – Jeff Green recused himself from this matter. Mr. Moore introduced architect Mark Stewart and store co-owner Robby Imed. He gave an overview of the existing building and layout and explained that the new owners are proposing to install a diesel canopy to the back of the lot, an addition to the back of the store, addition in the right front corner of the building, and a possible drive-through at the back of the building that would exit between the store and the motorcycle shop. In response to questions from Tom Dow, Mr. Moore said that the parking will change, entrances will not change, and there is about 19.5’ between the buildings. Mr. Moore said that the lot line is 7.5’ off the Beanstalk. Mark Stewart stated that the store owners would get an easement from Rhoads for the drive-through. Dustin Bowles asked how all of this would affect the number of parking spaces. Mr. Stewart and the Board discussed the parking requirements. The Board would want to see all of the spaces delineated with the parking areas paved and marked. Mr. Bowles spoke about the 106 widening proposal, noting that the selectmen will be attending a meeting about the project on November 6. He recommended that the applicant look into this before making too many changes to the site.

Tom Dow asked about the square footage increase. Mr. Stewart stated that the existing is 6,193 and they are proposing to add 2,300-2,400 which does not count a second floor office for the store. Mr. Dow voiced his concern of the drive-through and how congested the area already is. He asked about moving the front doors. Dustin Bowles asked how deep the rear addition would be. Mr. Stewart said it would be 18’ from the rear wall, noting that some existing sheds there will go away. He said that the

mechanical and compressor area would be part of the addition. Tom Dow asked if there were any other plans, such as a Subway, for the store. Mr. Imed said there are not at this time. Mr. Stewart said that they are proposing a walk-in cooler/beer cave.

Bill Lake asked what the percentage of increase would be on the sales floor. Mr. Stewart stated that the sales floor would be mostly in the existing store. Mr. Lake asked what is being proposed for diesel pumps. Mr. Stewart said that there would be two pumps, two hoses each. Mr. Lake explained the requirements for the canopy system. The Board advised Mr. Stewart to cover elevations, lighting, landscaping, traffic, parking, and keeping the rural character in mind when doing the project.

Old Business:

#11-06, Kara Realty – Tim Bernier of T F Bernier, Inc. represented the applicant. Also present was the applicant Frank Merrill of Kara Realty and Alden Moore of Loudon Line Development. Mr. Bernier reviewed the conditions of approval set by the Board in June. He said that all conditions have been completed other than the receipt of a deed from Z-1 regarding the access road. He said that the owner of Z-1 has been approached but is unwilling to write the deed. Mr. Bernier explained that the proposed access easement was shown on a site plan that was approved by the Board in 2001. He then referred to an amended site plan from 2002 where the road had been constructed, there was a 30' wide access easement noted, and referred to the 2001 plan. Mr. Bernier said that Mr. Moore has been in discussion with Mr. Nasr who is unwilling to put this in a deed. Mr. Bernier stated that it is a dedicated right-of-way and is used as access to the Red Roof Inn. He said that the Board relied on the site plan when they approved Mr. Moore's subdivision in 2003. Mr. Bernier noted that the easement was a condition of approval of the site plan. He said that Frank Merrill relied on that when he bought this lot. Mr. Bernier asked if the Board would accept the dedication as the right to pass and re-pass. He suggested that a letter from the Board be sent to the owner of Z-1 referencing that the deed was part of the site plan approval and needs to be done.

Stan Prescott mentioned that one condition of the June approval was to do a maintenance agreement for the road. Mr. Bernier said that this has already been done. Bob Cole asked to clarify that the access was presumed to be deeded as a result of the 2001 site plan. Mr. Bernier said that it was accepted as 'would be deeded' and is shown as a proposed 30' wide easement. He said the easement was dedicated, road constructed, and meets all the conditions. Henry Huntington asked what the risk would be if there is no deed for the Z-1 section. Stan Prescott stated that the deed needs to be in place in order for the road to become a public road. There was discussion of forcing the issue. Mr. Bernier said that the family partnership is being dividing which is creating some resistance so the owner wants some time. Jeff Green said the right-of-way is shown on the plat and the road was built. He said the question would be about the town taking over the road without a deed so it would stay private until that time.

There was discussion about the maintenance agreement. Mr. Bernier said that Frank Merrill will maintain the road at this point and anyone else who develops on that section will have to join in the agreement at that time. Stan Prescott said the maintenance agreement needs to be on the plan. It was suggested that the road be shown on the tax map as a private road. Mr. Prescott said he feels they have met the condition but they

should keep after Z-1 to get the deed after the dust settles. Tim Bernier noted that the maintenance agreement will be recorded. It was also noted that all of the lots have been sold and any future development would have to come before the Board and the road maintenance could be addressed at that time.

The Board agreed that Frank Merrill of Kara Realty, Map 1, Lot 65, has met the intent of condition #1 set on June 20, 2011; the dedication is there as shown on site plan #15374 recorded at the Merrimack County Registry of Deeds on February 20, 2001.

New Business:

#11-13, Freedom Hill Cooperative – Mike Duffy of Horizon Engineering represented the applicant. There were no abutters present. Mr. Duffy gave an overview of the project to construct a maintenance building and went through the plan set with the Board. He explained the location of the existing and proposed buildings on Magnolia Drive, noting that there are no residences on that section of the road. Mr. Duffy said they will be cleaning up the area of the existing building. There will be access completely around the building. Mr. Duffy said that there may be an office in the building at some point in the future. He said they will design and permit a septic system and make provisions for future water and sewer. Mr. Duffy said he would be doing a full set of bid plans once approved by the Board. He explained the process that must be followed when using grant funds. There is no service to the building proposed at this time.

Mr. Duffy said the 50' x 75' metal building would have an inside height of 14', three overhead doors, and two pedestrian doors at opposite ends of the building. It would be used for storage. There will be a drainage system along the eaves that would dump water into the existing fire pond. Mr. Duffy said the pond is pretty unusable at this time and they hope to clean it up. He said, depending on budget, they would maybe come to the town to add electrical and plumbing. Captain Lake said once the project gets closer to the construction process the department would be reviewing for extinguishers, smoke detectors, etc. He said there would not be much required because of the proposed use. He said the access is good. Mr. Duffy said the old building will be taken down but that slab would remain in place.

Henry Huntington moved to accept the application as complete and move to public hearing; seconded by Bob Cole. All were in favor. There were no requests for waivers. The Board further reviewed the plans; there were no additional questions. **Tom Moore made a motion to approve the application as presented; seconded by Bob Cole. All were in favor.**

Board Discussion:

Master Plan – It was agreed to ask Mike Tardiff of CNHRPC to meet with the Board on November 17th at 6:00 p.m. At that time the group will decide how to proceed with the Master Plan update.

Capital Improvements Program – Stan Prescott said that there was discussion at the recent CIP committee meeting about the need for sidewalks into the Village. He asked if the Board felt this is a project that should be added to the CIP. There was brief

discussion about where the sidewalk would be built and the need for more details in order to add it as a project. Mr. Prescott will investigate and complete the necessary paperwork for the CIP committee's review. A public hearing for the acceptance of the updated CIP was set for November 17th at 6:30 p.m.

Fire sprinkler regulations – Captain Lake spoke about bills regarding doing away with requirements for residential sprinkler systems that are before the legislature. He said that it was the department's suggestion that sprinkler systems be removed from the Land Development Regulations and/or make cisterns part of the Zoning Ordinance. Mr. Lake explained that if a town had a sprinkler ordinance in place as of July 1, 2011 they could continue to enforce their ordinance; however, if there is no town ordinance then the systems cannot be required should these bills pass. He said if the town gets cisterns into the Zoning Ordinance now then they would be better protected if cisterns were also removed by legislation in the future. There was brief discussion amongst Board members. It was agreed that Captain Lake will draft a zoning amendment for the upcoming workshop.

Zoning workshop – A workshop was scheduled for November 10, 2011 at 6:00 p.m. All proposed zoning amendments should be submitted in writing to the office prior to the workshop date.

Report of the ZBA:

There is an application for a reduced side setback and an application for a home occupation for a mobile veterinary clinic base on the agenda for this month.

Report of the Board of Permit:

Stan Prescott reported that there was one hawker & peddler permit approved for a 50/50 raffle to be held by the Loudon Food Pantry.

Adjournment:

A motion to adjourn at 9:00 p.m. was made by Henry Huntington; seconded by Tom Moore. All were in favor.

Submitted by,

Donna White
Administrative Assistant