

Loudon Zoning Board of Adjustment
Regular Meeting Minutes
March 28, 2024

Chairman Earl Tuson called the meeting to order at 7:01 p.m.

Attendance: Vice Chair Todd Phelps, Peter Pitman, Chair Earl Tuson, Charlie Aznive

Alvin See and Alternate Steve Ives were not present.

Election of Officers:

Peter Pitman made a motion to nominate Earl Tuson as Chair. The motion was seconded by Charlie Aznive. All in favor, Earl Tuson abstained. The motion carried. Earl Tuson remained Chair of the ZBA.

Peter Pitman made a motion to nominate Todd Phelps as Vice Chair. The motion was seconded by Charlie Aznive. All in favor, Todd Phelps abstained. The motion carried. Todd Phelps remained the Vice Chair of the ZBA.

Charlie Aznive made a motion to appoint Steve Ives for a 1-year term as an alternate member of the Board. The motion was seconded by Peter Pitman. All in favor, the motion carried.

Acceptance of Minutes:

February 22, 2024, Regular Meeting Minutes:

Peter Pitman made a motion to approve the February 22, 2024, Regular Meeting minutes as written. The motion was seconded by Vice Chair Todd Phelps. All in favor, the motion carried; the minutes were approved.

February 26, 2024, Osborne Site Walk Minutes:

Vice Chair Todd Phelps made a motion to approve the February 26, 2024, Osborne Site Walk Minutes. The motion was seconded by Peter Pitman. All in favor, the motion carried.

The Zoning Board hears appeals for rehearings, special exceptions, variances, and administrative appeals. They need to be filed within a timely basis within 45 days of an action. For further information, applicants can see the Loudon Zoning Ordinance, the RSAs, or can stop by the Zoning Office and talk to Lindsey during business hours.

Chair Earl Tuson explained that there were 3 applications before the Board tonight. They did have a quorum with 4 members present, but it was not a full 5-member Board and they had no alternates present to appoint. Any application before them needed 3 “yes” votes to pass. He said that all applicants had the option to continue their application to the next month’s regularly scheduled meeting in hopes of a full board to hear testimony and made a decision.

Public Hearings:

Old Business –

Application #Z23-36 Osborne – Map 21 Lot 11 – Variance to allow an auto repair/body shop in the RR District – REHEARING

Applicant Joe Osborne was present. Abutters present included Sid and Linda Porter of 24 Plateau Ridge Road, Judy Hayes of 128 Route 129, and Joe Jackson of 35 Plateau Ridge Road.

Selectmen Jeff Miller and Roger Maxfield were present. Meredith Goldstein represented the applicant.

Meredith Goldstein requested to continue the application to the April meeting. **Vice Chair Todd Phelps made a motion to continue the application to the April meeting. Peter Pitman seconded the motion. All in favor, the motion carried.** The rehearing of Application #Z23-36 was continued to the April 25, 2024, regularly scheduled Zoning Board meeting. There will be no further notice.

Application #Z24-06 Hague Map 53 Lot 7-1 – Variance to allow a duplex in AFP

Jon Rokeh, Rokeh Consulting, was present. Abutter Michael Harris of 485 Lower Ridge Road was present.

Vice Chair Todd Phelps made a motion that Application #Z24-06 did not constitute a Development of Regional Impact. The motion was seconded by Charlie Aznive. All in favor, the motion carried.

Jon Rokeh explained that the applicant wants to build a duplex on the lot. He included an example of what the house to be built looked like for the Board members to review. The AFP District does not allow for duplex houses so they were requesting a variance. The applicant was planning to rent both sides of the duplex to help with the workforce housing supply in town. The septic design was completed to ensure that it could accommodate a duplex. There would be a driveway and ample off-street parking.

Jon Rokeh went through the points of the application. **Peter Pitman made a motion to continue the application to a site walk. The motion was seconded by Charlie Aznive.** Charlie Aznive asked if there was a consideration for an ADU on the property. Jon Rokeh answered that in an ADU situation, one of the houses needed to be owner-occupied and the intention was to rent out both units. **The Board voted unanimously in favor of continuing the application to a site walk.** Application #Z24-06 was continued to a site walk on Wednesday, April 3, 2024, at 5:00 PM, at the site on 495 Lower Ridge Road. There will be no further notice.

New Business –

Application #Z24-07 NH Consistory Map 20 Lot 100 – Special Exception to treat the entirety of the lot as Commercial/Industrial

Gary Roy from the NH Consistory was present. Abutters Donna and Frank Trombley of 151 South Village Road were present.

Gary Roy explained that a special exception from Article II Section 201.4 D was requested, which reads “Where a district boundary cuts across a lot, the boundary location shall be determined from the scale of the Official Zoning Map, unless otherwise indicated by dimensions noted on the map. If more than 60 percent of a lot is classified in the Commercial/Industrial (C/I) District, the entirety of said lot may be considered to be zoned as C/I for the purposes of this ordinance, subject to special exception approval by the Board of

Adjustment per S 701.3.” During the surveying of their property, it was discovered that the RR District zoning line ran through it but more than 60% of the lot was in C/I. Gary Roy reviewed the points of the application. There would be no additional demands or injurious/detrimental effects as a result of the granting of the special exception. All buffers would be maintained as required.

Alvin See joined the meeting at 7:28 PM.

Abutters Linda and Frank Trombley shared concerns about traffic to the site. They had not been able to attend previous meetings regarding this property. Gary Roy explained the basis of the project, that they have 2 part-time employees, that business meetings are held 4 times per year with 20-30 people, and the design was maxed out for 200 people. Alvin See asked if there were plans for any future development of the rest of the site. Gary Roy explained that there was the potential to utilize the land.

Vice Chair Todd Phelps made a motion that Application #Z24-06 did not constitute a Development of Regional Impact. The motion was seconded by Peter Pitman. All in favor, the motion carried.

Chair Earl Tuson closed the public hearing at 7:38 and opened Board discussions. The Board discussed the findings of fact for the application. They found that the area of the lot in the commercial/industrial zone is in excess of 60% of the total area of the lot. **Vice Chair Todd Phelps made a motion to accept the application as presented based on the findings of fact. The motion was seconded by Charlie Aznive. Roll call vote: Vice Chair Todd Phelps – yes, Peter Pitman – yes, Chair Earl Tuson – yes, Charlie Aznive – yes, Alvin See – yes. The motion carried.** Application #Z24-07 was approved.

Board Discussion & Correspondence:

The Board received correspondence from Code Enforcement from the Lagaces on School Street regarding the tiny home on their property. They will take the letter under advisement.

Adjournment:

Peter Pitman made a motion to adjourn the meeting at 7:41 PM. Charlie Aznive seconded the motion. All in favor. The meeting was adjourned.

Respectfully Submitted,
Lindsey Roy, Administrative Assistant