

**NEW LONDON PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
AUGUST 14, 2007**

MEMBERS PRESENT: Karen Ebel (Chairman), Celeste Cook, Tom Cottrill, Dale Conly, Jeff Hollinger, Michael Doheny, Ken McWilliams (Planner), Larry Ballin (Selectmen's Representative), Deirdre Sheerr-Gross (Alternate)

ABSENT: Michele Holton (Alternate)

Chair Ebel called the **MEETING TO ORDER** at 7:34 PM. Chair Ebel advised that Alternate PB Member Sheerr-Gross could participate in discussion, but could not vote on issues because all regular members of the PB were present.

**I. NEW LONDON HOSPITAL – Concept Site Plan Review: Change in Drainage
(Tax Map 72, Lots 16 & 17)**

Celeste Cook recused herself from the PB. Chair Ebel asked Alternate Sheerr-Gross to join the PB as a replacement for Ms Cook.

Lori Underwood, Senior Director, Planning and Projects (New London Hospital) and Kevin Thatcher, Assistant Project Engineer III (Clough Harbour & Associates, LLP) appeared on behalf of New London Hospital.

Lori Underwood advised that the materials provided to the PB included a summary of the changes in the plans encountered during construction subsequent to PB approval of the final site plan. She said that she did not believe any of the changes were substantial, but the hospital wanted the expansion plans to be transparent. She then went on to describe the changes as follows:

Removal/disposal of existing hedges and trees along County Road that was not included in the approved site plan. Ms Underwood advised that the reasons for the removal were the poor condition of the vegetation, the extent of grading required on the site, and the safety issue posed by diminished sight distance at the exit onto County Road. She added that the hedges and trees identified on Sheet C-001 of the revised plan presented would also be in the way if the Town of New London were to construct a sidewalk along County Road as part of the proposed roundabout.

Addition of three (3) trees in parking islands. Ms Underwood pointed out locations near the staff entrance and the main entrance areas (Sheets C-501, C-502) where the hospital wanted to plant three additional trees to improve aesthetics of the site.

Elimination of one (1) parking space and narrowed driveway at the porous paving lot. After advising that the lot with porous pavement should be open for use by the end of August, Ms Underwood asked Kevin Thatcher to explain the proposed change due to existing conditions. Mr. Thatcher advised that the existing lot being replaced was fairly new and the edge differed from what they had expected. He said that they had encountered a steep slope leading to wetlands. He advised that they would like to eliminate one (1) parking space and narrow the width from 26 feet to 22 feet for a short distance in order to adapt to existing conditions. Chair Ebel asked if there would be any change in the drainage. Mr. Thatcher replied that there would be no change and pointed out that the pavement would be porous.

Addition of underdrain at porous pavement and editing of erosion notes. He advised that in response to NH Department of Environmental Services (DES) review comments, they had added an underdrain consisting of 3/8-inch stone layer below the pavement to prevent ill effects from ground water capillary action leading to freezing. Chair Ebel asked what the reaction of DES had been to the proposed use of porous pavement. Mr. Thatcher responded that DES was excited. PB Alternate Sheerr-Gross asked what the rate of drainage was from impervious pavement. Mr. Thatcher replied that there was no real percentage because there was no "ponding" of water with porous pavement. He said that some experts recommended vacuuming the pavement to improve effectiveness; others did not.

Modification of SD outlet at "Rummage" building and CB-7. Mr. Thatcher advised that the storm drain outlet near the rummage building originally pointed toward the south; however, they had run into significant bedrock at that site; therefore, the outlet had been rotated back toward the building.

Addition of site renovation at the administration office area. Mr. Thatcher said that the hospital wanted to remove the existing pavement and re-grade the administration office area because the existing walkway sloped upward toward the building. He advised that the elevation of the openings of two (2) existing catch basins were okay. He said that the walkway and pavement would be replaced in the same footprint.

Alternate Sheerr-Gross asked if the hedges along County Road would be replaced. Ms Underwood replied that it would depend upon the Town of New London's plans for County Road. She said that the hedges had received lots of salt damage; therefore, any replacement would use seasonal plantings. PB member Ballin advised that the hospital should not plan on the town constructing a sidewalk along County Road anytime soon.

Ken McWilliams reported that no issues had been raised at the meeting with municipal department heads. He advised that the consensus was that the proposed changes were minor and filing updated plans would be adequate, i.e., site plan review was not necessary.

It was **MOVED** (Hollinger) and **SECONDED** (Cottrill) **THAT NO SITE PLAN REVIEW BE REQUIRED FOR THE PROPOSED CHANGES, AS PRESENTED, IN THE APPROVED FINAL SITE PLAN FOR NEW LONDON HOSPITAL. THE MOTION WAS APPROVED UNANIMOUSLY.**

Celeste Cook returned to the PB. Alternate Sheerr-Gross stepped down.

II. MELINDA GALLUZZO (formerly Aesthetics) – Change in Use: Need for Site Plan (Tax Map 84, Lot 1)

Melinda Galluzzo and Melissa Owen requested the PB to determine whether Site Plan Review would be required for a proposed change in use at 94 Main Street (Tax Map 84, Lot 1). The proposal was for Aesthetics to occupy one-half the space and the other half (800 sq. ft.) to become a boutique with a new entrance.

Chair Ebel asked what the boutique's hours of operation would be. Ms Galluzzo replied 9:30 AM to 5:30 PM. Chair Ebel asked how many employees there would be. Ms Galluzzo replied that there would be only the two of them. She said that there might possibly be one additional employee in a year or so. Chair Ebel advised that they might need to talk with the Fire Department about their plans.

Chair Ebel opined that the proposed change did not appear to rise to the level for Site Plan Review and sought input from the other PB members and Planner Ken McWilliams. All agreed. She noted that parking requirements for the proposed change would remain the same as those for the existing use. Ms Galluzzo said that she had talked with George Souliotis, who advised that he had extra parking available.

Chair Ebel asked about any plumbing changes and restrooms. Ms Galluzzo replied that all plumbing was in place because of Aesthetics. She said that the two areas would share a restroom.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT NO SITE PLAN REVIEW BE REQUIRED FOR A CHANGE IN USE FROM A HAIR DRESSING SALON TO A BOUTIQUE AT 94 MAIN STREET (TAX MAP 84, LOT 1), SUBJECT TO COMPLIANCE WITH ALL STATE AND LOCAL FIRE CODES. THE MOTION WAS APPROVED UNANIMOUSLY.**

Zoning Administrator Peter Stanley advised Ms Galluzzo and Ms Owen that they would need to obtain a sign permit.

III. HARRY SNOW – Continued Final Major Subdivision

(Tax Map 106, Lot 13)

Harry Snow, owner-developer, and Peter Blakeman (Blakeman Engineering, Inc.) were present.

Peter Blakeman advised that the plans presented were revised after review by Richard Lee, Director of the New London Department of Public Works, and the PB subcommittee for the Rocky Ridge of New London.

Mr. Blakeman pointed out that there had been an addition to the Conservation Notes on the plan regarding implementation of Low Impact Drainage (LID) techniques. He also advised that each lot would be reviewed for erosion control measures. He said that Public Works Director Lee had made editorial changes to many of the “Notes”.

Mr. Blakeman advised that the culverts had been designed for 25-year storms; however, the size of the pipe at entrance to the subdivision had been increased from 24 inches to 30 inches. He said that detail regarding sediment control had also been added to the plans. He said that a 10’x 20’ “four bay” would be used to catch silt before it could enter the fire pond. Mr. Blakeman reported that Fire Chief Jay Lyon had asked that the depth of the pipe in the fire pond be adjusted so that it would be six (6) feet from the top of the pond to reduce the risk of freezing. He said that Chief Lyon had also recommended that a sign designating the fire lane be erected. Mr. Blakeman said that subdivision and “dredge and fill” permits from the NH Department of Environmental Services (DES) were pending. PB member Cottrill asked what the 30-inch pipe at the entrance would do for a 50-year storm. Mr. Blakeman replied that it would bring it down six (6) inches below the surface of the road. PB member Conly said that the property received a considerable amount of runoff from Bog Road.

Chair Ebel reported that the PB subcommittee had met and a draft of the Minutes had been included in the materials provided to the PB for that evening’s meeting. She said that the subcommittee had discussed enforcement of the covenants and restrictions. She advised that Gerald Rogoff (583 Forest Acres Road) had sent an e-mail to the PB asking that the PB include a stipulation that the Rocky Ridge covenants include a ban on floating docks, and if that was not possible, that the covenants state that no pond access by Rocky Ridge owners and residents would be permitted over his property along Bog Road.. Chair Ebel advised that making such a stipulation was not within the purview of the PB. PB members were provided with copies of a letter to Harry Snow asking him to prohibit Rocky Ridge landowners from using floating docks. Chair Ebel asked Mr. Rogoff if he would like to speak on this issue.

Gerald Rogoff stated that he had worked with the Kellners for a long time to develop covenants and restrictions that would reflect their wishes. He opined that the idea of floating docks was not in keeping with the covenants or the Kellners’ wishes. He advised that the Bog Road launch area was not public; rather, the property belonged to him and his wife. He said that, absent any stipulation banning floating docks, he planned to place restrictions on access to the boat launch area in order to accomplish what the PB could not. He said that the Rocky Ridge document should indicate that Rocky Ridge property owners and residents would not be permitted to use the Bog Road pond access area. Chair Ebel asked how much property the Rogoffs owned. Mr. Rogoff replied that they owned a corner lot up to the culvert to property owned by Brown from the water to Bog Road. PB member Ballin asked if the Rogoffs had allowed others to have access to the boat launch. Mr. Rogoff responded affirmatively. PB member Cook asked, and received, confirmation that the prohibition would only apply to Rocky Ridge property owners and residents. Chair Ebel stated that the matter was between the Rogoffs and Rocky Ridge of New London; however, she wanted Mr. Rogoff to have the opportunity to state his position. Mr. Snow did not comment on the matter.

It was **MOVED** (Conly) and **SECONDED** (Ballin) **THAT THE FINAL SITE PLAN FOR ROCKY RIDGE OF NEW LONDON (TAX MAP 106, LOT 13) BE APPROVED, SUBJECT TO (1) SUBMISSION OF A COST ESTIMATE FOR SITE IMPROVEMENTS FOR REVIEW BY THE DIRECTOR OF PUBLIC WORKS, (2) ACCEPTANCE BY THE PB OF THE TYPE AND AMOUNT OF SECURITY, (3) RECEIPT OF NH DEPARTMENT OF ENVIRONMENTAL SERVICES (DES) APPROVAL TO SUBDIVIDE AND DES WETLANDS APPROVAL, AND (4) FINAL ACCEPTANCE OF THE BY-LAWS AND COVENANTS. THE MOTION WAS APPROVED UNANIMOUSLY.**

IV. ROBERT EWING – Preliminary Major Subdivision & Annexation (pt. Tax Map 96, Lot 15)

Robert Ewing was accompanied by Charles Hirshberg, P.E. (CLD Consulting Engineers).

Charles Hirshberg explained that the plans displayed had two parts: (1) proposed Annexation and (2) proposed Subdivision.

Mr. Hirshberg reminded the PB that approximately a year earlier, Tax Map 96, Lot 15, a 23-acre lot, had been broken off from a 96-acre parcel, and a two (2)-acre lot with frontage on Main Street had been created. He advised that Robert Ewing's house was located on Lot 15.4 (596 Main Street). Mr. Hirshberg said that the plan was to take a piece of the 23-acre lot and annex it to Lot 15.4. He advised that there was a conservation easement on the piece to be annexed and on Lot 15. He further advised that Lot 15 would then contain 16 acres which would be subdivided into three (3) lots having 7.2 acres, 4.4 acres, and 4.5 acres respectively.

Mr. Hirshberg used colored maps to demonstrate that .75 acres of contiguous land would be available on each lot. He said that all three lots would be served by municipal sewer and water services. He pointed out that part of the property was in the R-2 District and part was in the ARR District, and he noted that, in keeping with the New London Zoning Ordinance, the more restrictive requirements would apply. He advised that the new lots would be accessed off Balsam Acres Road. He advised that the right-of-way had been expanded and the hammerhead moved over. He said that there would be two driveways, one of which would be shared by two of the lots. He said the latter would also share a wetland crossing. Mr. Hirshberg said that the driveway would be moved off the corner, as recommended by Director of Public Works Richard Lee.

Mr. Hirshberg advised that the wetlands had been mapped; however, most of the time they were dry and were mainly the result of runoff. He said that the wetlands led to property owned by the Town of New London and, thence, to Lyon Brook. He stated that the land in the new lots contained crests that provided good house sites. He said that the plans did not address issues contained in pending regulatory revisions. Mr. Hirshberg advised that he had compared pre- and post-development drainage and found that peak flow increased by 20% on each lot; however, the increase in drainage volume was not as great (without application of Low Impact Development (LID) techniques). He said that it was not possible to meet a "zero change" requirement without implementing LID techniques; therefore, the plans proposed included LID. He alluded to using tables developed in Maryland as guidelines on LID effects. He said that he had run an analysis for one lot and determined that it would be possible to contain drainage on site using LID techniques. He said that LID techniques could be landscaping or swales, etc. He said to make LID work it would be necessary to break up the drainage sites and adapt to soil conditions to increase infiltration. Mr. Hirshberg advised that he had created a tabulated form to demonstrate containment based upon a 25-year storm. He reiterated that property owners could choose the LID components, e.g., gardens, swales, etc. He opined that it was necessary to keep the approach simple in the subdivision. He said that the LID requirements would be enforced by the building permit stance that requires a site plan and tables to assist in the determination of compliance. He opined that there would be enough LID components with infiltrative capabilities available to comply with the proposed changes in the regulations.

Chair Ebel noted that they were proposing using an LID approach generally and evaluating how to implement the techniques on each individual lot later. PB Alternate Sheerr-Gross asked how the information would be passed to the property owners. Mr. Hirshberg replied that it would be conveyed with the subdivision approval. Zoning Administrator Peter Stanley opined that the information needed to be on the deed and on the plan and copies of the documents needed to be included in the tax file of each lot. Planner Ken McWilliams recommended that the condition should be noted on the plat and there should be something in the deed to advise property owners of the requirement.

Zoning Administrator Stanley advised that the Town of New London needed to have access to inspect the building sites. Mr. Hirshberg said that the LID requirement was not a detriment. He reiterated that it could be a garden, simply a shallower one. He referred to a cookbook approach. Chair Ebel recommended that Mr. Hirshberg work out some language to be included in the deeds. PB member Ballin asked if that would not be presumptuous since the regulation was pending. Chair Ebel responded that the existing regulations prohibit any increase in peak flow anyway and the proposed regulations would also prohibit any increase in volume.

Mr. Hirshberg opined that property owners would want to use LID techniques on the site anyway due to the topography. Zoning Administrator Stanley, recounting experience with the Great Pines subdivision, opined that property owners would want to alter the on-site conditions after construction, e.g., level lawns, thereby changing the conditions. He said that if LID techniques were required, follow-up needed to be required.

Ken McWilliams asked if the subdivided lots would be subject to any covenants and/or restrictions. Mr. Ewing and Mr. Hirshberg replied that there had not yet been any discussion in that regard. Mr. McWilliams advised that it was a good way to get information out to property owners. Mr. Ewing said that he preferred putting something in the deed, and asked if that would not be adequate because he had no other need to create an association.

Mr. Hirshberg said that the drainage pathway had been mapped to Lyon Brook. He questioned the applicability of the 100-foot buffer requirement for connected wetlands. He opined that it would not apply because (1) there were breaks in the wetlands and (2) the property would not be discharging drainage water directly into wetlands. He advised that the wetlands on the Ewing property were not wet all year long. He said that he had followed the drainage path to Lyon Brook and found it dry. He described it as forested, vegetated, but no cat tails. Ken McWilliams said that Article XIII. G. of the New London Zoning Ordinance addresses the wetland buffer requirements. He pointed out that drainage from the Ewing properties came in above the mapped wetlands across from property owned by the Town of New London and entered where there's a berm and three (3) culverts. Zoning Administrator Stanley clarified that the area contained a road and ditches, not a berm, around the lagoons. Chair Ebel advised that the PB needed to determine whether "finger" buffering requirements applied.

Chair Ebel asked how much drainage would get into the wetlands if LID techniques were used. Mr. Hirshberg replied "not very much" in a 25-year storm, although it did have an overflow point, unless there was a very major event. Chair Ebel stated that the point of the regulations was to deter contaminated drainage from pouring into protected primary wetlands. She opined that the intent was not being obfuscated by the proposal.

Zoning Administrator Stanley opined that the PB needed to have a policy so that when a property owner applied for a building permit, he/she could be made aware of the requirements and given accurate advice. Chair Ebel asked if there would be any cutting restrictions. Mr. Ewing responded affirmatively. Chair Ebel asked if they would be included in the deed. Mr. Ewing replied "probably". He said that he was struggling to understand how the PB thought the proposed development would cause any more problems than if he were to do nothing. Mr. Hirshberg opined that the distance between the property and the mapped wetlands made additional buffering unnecessary. PB member Hollinger opined that there was no need for a 100-foot buffer. Chair Ebel asked how much interruption there was in the wetlands along the way. Zoning Administrator Stanley advised that there was precedent for not requiring the buffer. He cited Snow, Cordingley, and Stoney Brook, none of which went below the culvert. He said that he would be comfortable if the PB were to determine that no buffer was required upstream of the first culvert. Chair Ebel opined that the wetlands were not all connected and were interrupted by the lagoons, the road, and culvert before reaching Lyon Brook.

Chair Ebel opined that it was man-made constructs that interrupted the course of the wetlands that made in this case different than others the PB faced. The wetlands in question met the zoning ordinance definition, so the decision could not be based on the nature of the wetlands in question, i.e., they are dry part of the time. Mr. McWilliams said that wetlands naturally appeared and disappeared. Chair Ebel asked to what extent. Mr. Hirshberg said that they had not all been mapped. Chair Ebel then asked how much of a buffer was proposed by Mr. Ewing. Mr. Hirshberg replied 20 feet. PB member Cottrill recommended indicating "No Disturb" areas on the plan sheet showing the .75 of contiguous acreage. PB member Conly noted that the plan contained building envelopes. Mr. Cottrill recommended showing both building envelopes and "no disturb" areas. Chair Ebel asked what cutting restrictions Mr. Ewing was planning. Mr. Ewing replied that he was not ready to say at that time, but did point out that the first house closest to the property line was 400 feet away.

PB member Conly recommended a "no-cutting" area to buffer wetlands similar to the buffer cutting requirements in the zoning ordinance. Discussion ensued about how wide a buffer should be required. Mr. Hirshberg said that the plan showed a buffer of approximately 20 feet. Zoning Administrator Peter Stanley read from Article XXII. D. (3) regarding cutting with a woodland buffer. Mr. Ewing said that there would

probably be a “no-cut” area. Chair Ebel opined that the simplest thing would be to apply the rules in the ordinance to the buffered area.

Abutter Dolores Bausch (209 Squires Lane) said that there was a big gully behind her home. She asked about LID techniques. Mr. Hirshberg advised her that one could not fill in drainages without NH DES Wetlands Permit. He said that Mr. Ewing wanted to clear dead trees located in the woodland buffer. Ms Bausch asked if the building envelopes would be included in the deeds. Chair Ebel said that the buffer and the envelopes would be delineated on the plan. Mr. Hirshberg opined that if it were to also be in the deeds, it needed to be a standardized form and that he did not want to have to monument the envelopes on the lots. Chair Ebel said that wouldn't be necessary and asked if building envelopes were usually in the deeds. Mr. McWilliams replied in the negative and said that they were shown on the plan. PB member Ballin opined that they were part of the approval process, not part of the deed. Zoning Administrator Stanley advised that a building permit would be issued only for the building envelope shown on the plan. Mr. McWilliams advised that the plan indicated that .75 contiguous acres exist; however, a building envelope could be located anywhere therein and need not consume the entire .75 acres. He said that the notes on the plan should show the building envelopes. PB Alternate Sheerr-Gross suggested that the deeds could reference the plan.

Chair Ebel recommended that Mr. Ewing return to the PB with proposals regarding a standard buffer width and cutting restrictions. She opined that the PB would be willing to waive the 100-foot buffer because of the interruption by the road, lagoon, and man-made breaks. Zoning Administrator Stanley pointed out that the 100-foot buffer requirement was a part of the Zoning Ordinance and the PB had no authority to waive it. Chair Ebel agreed and apologized for the mistake. She then advised again that the PB could not base its decision on the fact that the wetlands were not being connected without a mapping of the soils. Alternate Sheerr-Gross opined that the PB wanted a buffer and needed to determine what would be reasonable given the differences in the lots. Discussion ensued. PB members decided that the buffering requirement did not apply because of the man-made interruptions to the natural course of the wetlands making the rationale for the buffering requirement inapplicable. PB members stated that buffering of at least 20 feet still seemed appropriate. PB member Hollinger stated that 25 feet would be preferable. Mr. Ewing said that he was agreeable.

It was **MOVED** (Ballin) and **SECONDED** (Cook) **THAT IN THE CASE OF THE PLAN PRESENTED BY ROBERT EWING FOR ANNEXATION AND SUBDIVISION OF 16 ACRES OF TAX MAP 96, LOT 15, THE 100-FOOT WETLAND BUFFER REQUIREMENT NOT APPLY BECAUSE OF THE INTERRUPTION OF THE WETLANDS BY A ROAD, A LAGOON, AND A CULVERT, SUBJECT TO ESTABLISHMENT OF A BUFFER OF NOT LESS THAN 25 FEET FROM THE WETLANDS. THE MOTION WAS APPROVED UNANIMOUSLY.**

Abutter James Lightfoot (39 Squires Lane) said that he had found the discussion to be enlightening. He said that Mr. Ewing had invited the abutters to view the plan and had told them that he has no intention of building on the lots created by the subdivision during his lifetime. Mr. Ewing confirmed this. Mr. Lightfoot complimented the PB on identifying the proper issues. Ken McWilliams advised that if the PB approved the subdivision, the hammerhead must be built within three (3) years.

Tom Cunningham said that the proposed subdivision did not sound like a high-impact development. He asked what would the concerns be in the event of a catastrophic failure of the systems and how would it be different from what now exists. Mr. Hirshberg responded that at times there was sediment contained in the significant drainage flow onto the property from Main Street. He said that Mr. Ewing was not responsible for treating drainage from above his property. Mr. McWilliams opined that three houses on 16 acres would not have a heavy impact. Zoning Administrator Stanley suggested that the culvert could become blocked, driveways could be washed out.

Abutter John Holton (65 Squires Lane) advised that all of the neighbors had been contacted and Mr. Ewing's efforts to inform them about his plans were appreciated. He opined that the PB had taken a good account of the issues. He said that Mr. Ewing had been very cooperative.

Chair Ebel summarized the outstanding issues. She advised that Mr. Ewing needed to return to the PB with cutting restrictions, building envelopes, and a “no-disturb” area. PB member Cottrill asked if the regulations addressed not creating lawn right up to the edge of wetlands. Chair Ebel said the issue of “no cut” restrictions for parts of the property and the activity within the buffer were different issues. It was agreed that Mr. Ewing would return to the PB on September 11, 2007.

VI. DAVID & BEVERLY PAYNE - Tree Cutting Request (Tax Map 77, Lot 5)

PB member Dale Conly presented a request by David and Beverly Payne to remove one 34-inch dead beech tree located within the 50-foot buffer at 843 Bunker Road and to replace it with two high-bush blueberry bushes and one mugo pine. Following discussion, it was

MOVED (Cottrill) and SECONDED (Ballin) THAT THE REQUEST TO REMOVE ONE DEAD BEECH TREE LOCATED WITHIN THE 50-FOOT BUFFER AT 843 BUNKER ROAD (TAX MAP 77, LOT 5) BE APPROVED, WITH THE REQUIREMENT THAT IT BE REPLACED BY THREE (3) HIGH BUSH BLUEBERRY BUSHES AND TWO (2) MUGO PINES. THE MOTION WAS APPROVED UNANIMOUSLY.

VI. KENZIE LOBACZ - Tree Cutting Request (Tax Map 51, Lot 11)

PB member Conly presented a request by Kenzie Lobacz to remove one trunk of a two-trunk pine tree located within the 50-foot buffer at 736 Lakeshore Drive and to replace it with five (5) blueberry bushes. Mr. Conly said that he had viewed the site and recommended approval of the request.

It was MOVED (Cook) and SECONDED (Ballin) THAT THE REQUEST TO REMOVE ONE TRUNK OF A TWO-TRUNKED PINE LOCATED WITHIN THE 50-FOOT BUFFER AT 736 LAKESHORE DRIVE (TAX MAP 51, LOT 11) BE APPROVED, SUBJECT TO THE REPLANTING OF FIVE (5) BLUEBERRY BUSHES. THE MOTION WAS APPROVED UNANIMOUSLY.

VII. CAROL CANTOR - Tree Cutting Request (Tax Map 37, Lot 8).

PB member Conly presented a request submitted by Sue Clough on behalf of Carol Cantor to remove three trees located within the 50 buffer at 425 Lakeshore Drive. Mr. Conly said that he had visited the site and agreed that two (2) small birches that were dead and broken should be removed; however, he advised that the third tree, a pine, could be trimmed. He said that the area was heavily wooded; therefore, no replanting would be necessary.

It was MOVED (Hollinger) and SECONDED (Cottrill) THAT THE REQUEST TO REMOVE TWO (2) DEAD BIRCHES LOCATED WITHIN THE 50-FOOT BUFFER AT 425 LAKESHORE DRIVE (TAX MAP 37, LOT 8) BE APPROVED, WITH NO REQUIREMENT FOR REPLANTING. THE MOTION WAS APPROVED UNANIMOUSLY.

VIII. HORSLEY WITTEN GROUP MEMO

Chair Ebel asked PB members for their comments on cover memo regarding the agreement for services to be provided by the Horsley Witten Group at the cost of \$2,000 relative to recommended language for inclusion of Low Impact Development (LID) language in the revised Land Subdivision Control Regulations.

Ken McWilliams questioned Horsley Witten’s recommendation that Filtering Practices, used in high-use commercial parking lots, be eliminated as a suitable technique because of higher construction costs and complexity for installation and maintenance. He opined that there were areas in New London where the techniques would be suitable, e.g., the shopping center, the hospital. He wondered what alternatives Horley Witten would suggest.

Regarding Horsley Witten's recommendation on page 3 of the memo that the specific criteria for the application, sizing, and drainage requirements of Alternative Paving Surfaces be more thoroughly described in the Site Plan Review Regulations, they need to know that the Site Plan Review Regulations contain a reference to the Land Subdivision Control Regulations.

Alternate Sheerr-Gross questioned Horsley Witten's recommendation not to include "Green Roofs" in the LID techniques. She said that she would like the alternative to be available. Chair Ebel responded that the recommendation was somewhat influenced by the fact that the PB had limited funds available for the purpose of having Horsley Witten develop regulatory language. Omission of Green Roofs reflects the discussion and negotiations between Horsley Witten, Ken McWilliams, and Chair Ebel. Mr. McWilliams said they had selected from a menu of options those things that are used in smaller venues. Chair Ebel asked Mr. McWilliams to find out how much more it would cost to include specifications for Green Roofs. Ms Sheerr-Gross reiterated that she would like to have the option available. PB member Ballin opined that there was no reason a homeowner could not explore the option individually.

Zoning Administrator Peter Stanley disagreed with Horsley Witten's comment regarding soils in its evaluation of the suitability of Alternative Paving Surfaces in New London. Mr. Stanley said that in New London, the highest elevations had the worst soils and the lowest elevations had the best. Mr. McWilliams said that he would advise Richard Claytor, Jr. (Horsley Witten Group) accordingly.

It was **MOVED** (Cottrill) and **SECONDED** (Cook) **TO AUTHORIZE CHAIR EBEL TO SIGN THE HORSLEY WITTEN GROUP CONTRACT AMENDMENT FORM SETTING FORTH THE SERVICES TO BE PROVIDED TO THE NEW LONDON PLANNING BOARD BY RICHARD CLAYTOR, JR. FOR AN ADDITIONAL \$2,000. THE MOTION WAS APPROVED UNANIMOUSLY.**

PB member Hollinger asked what the completion date would be. Mr. McWilliams replied that the language would be available by September 6, 2007 and would be distributed with the PB packet. Mr. Hollinger opined that the expected completion date should be in writing. Chair Ebel said that she would note it on the Contract Amendment Form. Chair Ebel signed two copies of the agreement.

IX. SUBDIVISION REGULATIONS – Review & Discussion of Revised Draft

Ken McWilliams solicited comments on the revised draft of the proposed Subdivision Regulations.

It was noted that information on page 101 would need to be reconciled with new regulations adopted by the State of New Hampshire. Alternate Sheerr-Gross asked what New London was doing in regard to the new state regulations. Chair Ebel advised that the town has until April 8, 2008 to comply. Zoning Administrator Peter Stanley said that he was working on the issue and would recommend coming as close to the state regulation as possible.

There were no further comments. Chair Ebel asked Mr. McWilliams what the next step in the process would be. Mr. McWilliams replied that the PB needed to wait for Richard Claytor's (Horsley Witten Group) recommendations regarding Low Impact Development (LID), integrate the recommendations into the final draft, and then schedule a public hearing.

X. OTHER BUSINESS

A. NH OFFICE OF ENERGY & PLANNING (OEP) – Fall Planning & Zoning Conference

Ken McWilliams called the PB's attention to the State of New Hampshire Office of Energy and Planning's fall conference announcement distributed earlier in the evening. He advised that OEP held two conferences each year, one in the fall and one in the spring. He opined that they provided excellent training opportunities. Mr. McWilliams advised that there was money in the PB budget to cover registration fees and instructed interested PB members to coordinate with Amy Rankins, Land Use and Assessing Coordinator.

- B. The MINUTES of the JULY 24, 2007 MEETING of the PLANNING BOARD were APPROVED as circulated.
- C. The MINUTES of the JULY 19, 2007 MEETING of the PB SUBCOMMITTEE for the ROCKY RIDGE AT NEW LONDON SUBDIVISION were APPROVED as circulated.
- D. MEETING DATE FOR THE FIRST PB MEETING IN SEPTEMBER: Discussion ensued regarding the availability of PB members for the regularly scheduled September 11 meeting of the PB. It was decided to move the first meeting in September to Thursday, September 13.

The **MEETING** was **ADJOURNED** at **10:10 PM**.

Respectfully submitted,
Judith P. Condict, Recording Secretary
New London Planning Board

DATE APPROVED _____

CHAIRMAN _____