

**TOWN OF NEW LONDON  
PLANNING BOARD  
WALLULA SUBDIVISION SUBCOMMITTEE MEETING  
April 9, 2009  
7:30 AM AT JESSEMAN ASSOCIATES OFFICES**

**SUBCOMMITTEE MEMBERS PRESENT:** Dale Conly, Peter Stanley, Ken McWilliams; **ABSENT:** Tom Cottrill

**OTHERS PRESENT:** Brad Cook, Attorney for client, Nate Fogg, and Steve Jesseman, Jesseman Associates, Chris Bottinger

**DRAFT MINUTES OF SUB-COMMITTEE MEETING ON 4-2-09**

The sub-committee did not have any changes to the draft minutes of the 4-2-09 sub-committee meeting.

**REVISED PLANS**

Nate Fogg presented the revised plans for lots and drainage. Lots 9, 10 and 11 were rearranged to avoid the seasonal drainage they discovered this spring. Steve Jesseman noted they had their wetland scientist evaluate the drainage and the wetland scientist indicated it was not a wetland along the drainage.

The sub-committee noted an easement needs to be shown on the plans for the New London Springfield Water System Precinct that runs along the front of some of the lots along Little Sunapee Road.

Nate Fogg identified the boat trailer storage area proposed on the north side of the recreation field. Ken McWilliams noted the area shown for the boat trailer storage area needs to identify the aisle or maneuvering area to access this parking area. After some discussion, the sub-committee suggested moving the boat trailer storage area behind and on the east side of the recreation field.

Peter Stanley noted the plans still need to show a construction staging area if one is proposed. Nate Fogg noted they would propose this temporary use on the north side of the recreation field where they had proposed the boat trailer storage

Steve Jesseman noted that Chris Bottinger's parents are buried on the property and that they will propose a 10' x 10' cemetery easement area.

Nate Fogg reviewed the new drainage plan. Nate noted that the stormwater flows in each of the three sub-watersheds on the property will be equal or less than the current runoff

from those sub-watersheds since they will be adding infiltration trenches to intercept and infiltrate surface water flows.

### **FISCAL IMPACT STUDY**

The sub-committee briefly reviewed the revised fiscal impact study. The sub-committee suggested:

1. Use the current school expenditure per pupil for New London;
2. Add in the town expenditures; and
3. Provide the Planning Board with a range of possible fiscal impact based on the development generating 4 to 8 students.

### **DECLARATION OF RESTRICTIVE COVENANTS**

Ken McWilliams noted that the term "sites" still appears in several places in both the covenants and bylaws and needs to be changed globally to "lots".

In the second paragraph Ken McWilliams suggested deleting the word "Updated" before subdivision since the original approval was for a PUD.

In the sixth paragraph, Ken McWilliams suggested adding the words "and in the Bylaws" after the word agreement.

In # 3 on page 2 Ken McWilliams inquired if a copy of the Rules and Regulations of the Wallula Community Homeowners Association is available. Brad Cook indicated they have not been developed yet.

In paragraph 5, the sub-committee discussed and suggested that only 30% of the vegetation remaining on the lot outside the building envelope may be cut and removed based on the basal areas prior to the disturbance and to allow some trimming of brush.

In # 10, Ken McWilliams suggested deleting the words "not permitted by town ordinance" if the intent is to prohibit these uses.

In # 12 (b), Peter Stanley inquired if construction will take place on weekends. Brad Cook noted that weekends may provide the only time for construction particularly for second home owners only coming up on weekends.

In # 14, Ken McWilliams noted the word "System" needs to be added to the name of the water precinct.

In # 15, Ken McWilliams noted the definition of the term "common water system" should be moved to the bylaws with the other definitions. Ken McWilliams also noted that the covenants and bylaws needed to cross-reference each other.

In # 20, Ken McWilliams suggested clarifying that Lot 17 is the Common Area.

## **BYLAWS**

In the introductory paragraph Ken McWilliams suggested deleting the word “Updated” before subdivision and referring to this project as an update of the original PUD, not subdivision.

Ken McWilliams noted the definitions should be rearranged alphabetically. Ken McWilliams noted that definitions for “building envelope” and “common water system” need to be added. Additionally the term “ordinance” should be defined to mean the New London Zoning Ordinance and reference to the New London Zoning Ordinance should be changed to “Ordinance” throughout both documents.

Ken McWilliams requested that the definition of “Common Area” include the additional common improvements not cited that include waterfront area, pedestrian tunnel and walkways.

Ken McWilliams noted the word “subdivision” should be deleted from the definition of “Planned Unit Development”.

In the definition of “Unit” Ken McWilliams suggested changing residence to Dwelling to conform to the terms used in the town Zoning Ordinance.

In Article V, 2 Payment of Common Expenses, Ken McWilliams suggested changing the phrase “combination of more than one lot” to “merger of more than one lot”. Ken McWilliams also suggested Brad Cook review the last part of that section since it appears something was added that does not make sense.

Ken McWilliams noted Article V, 5. Additions, Alterations or Improvements by the Board of Directors should be deleted as agreed at the last meeting.

In Article V, 6. b), Brad Cook Clarified that the trash disposal being discussed is on individual lots. There are not any dumpsters planned on the common area.

In Article V, 6. j), Ken McWilliams suggested adding something about any future docks receiving approval from the appropriate state authority, if needed at that time.

In Article V, 9 Septic System Design, the sub-committee suggested this be rewritten to indicate that if the septic filed fails, then a replacement system meeting current standards will be constructed. If a line to the tank or to the leach field breaks it is okay to repair the line without replacing the entire system to comply with current standards.

In Article VII, 2 (b), Ken McWilliams noted there is a problem with sentence construction with too many commas.

The sub-committee decided to delete Article VII, 2 (e).

In Article VIII, 1, Ken McWilliams noted that the phrase “and the Declaration of Restrictive covenants” should be added after the word By-Laws.

For Article IX, 1 Amendments, Ken McWilliams had distributed an e-mail since the last meeting suggesting the articles in the bylaws that should be reviewed and approved by the Planning Board before any amendments are made to those articles. These include:

1. Article I – Plan of Ownership;
2. Article V – Operation of Property;
3. Article VII – Repair & Reconstruction after Fire or Other Casualty
4. Article IX – Amendment to Bylaws; and
5. Article XIV – Compliance, Conflict & Miscellaneous Provisions.

The sub-committee agreed that these articles of the bylaws should have Planning Board review and approval before amendments are made.

The meeting adjourned at about 8:40 am.

Respectfully Submitted

Kenneth McWilliams  
Town Planner

Date Approved : \_\_\_\_\_

Chairman: \_\_\_\_\_