

APPROVED

New London Planning Board – Minutes of Meeting of August 25, 2009

MEMBERS PRESENT: Tom Cottrill (Chair), Jeff Hollinger (Vice-Chair), Michael Doheny (Secretary), Tina Helm (Board of Selectmen Representative), Emma Crane (Conservation Commission Representative), Karen Ebel, Deirdre Sheerr-Gross (alternate)

MEMBERS ABSENT: Michele Holton, John Tilley (Alternate)

ALSO PRESENT: Peter Stanley (Zoning Board Administrator), Ken McWilliams (Town Planner)

Chair Cottrill called the MEETING TO ORDER at 7:32pm. The first item on the agenda was that of David Cahill, who owned some land in Elkins where “The Point Cottages” reside. There are currently two parcels of land, totaling 2.88 acres. Mr. Cahill said that he wants to take a small amount of land from the larger lot and add it to the smaller lot. The smaller lot is currently non-conforming, and even though it would be made a bit larger, its non-conforming status would remain. Mr. Cahill noted that he wanted to give some waterfront to the smaller piece of land with the hopes of selling both pieces with an attractive attribute. He indicated that the larger lot has 9-10 buildings (cabins) on it. Mr. Cahill said that if someone were to purchase the property, he or they would remove all but one of the buildings on each lot so that each lot would be conforming.

Deirdre Sheerr-Gross asked if both septic systems and cabins would be removed if there were a buyer. Mr. Cahill said that both cabins and systems would be removed.

Mr. McWilliams clarified that lot #1 would become a little bit larger but would still not conform to the two acre minimum lot size. He noted that the annexation would be contingent on him getting rid of the small cabins. At the most, there could only be one dwelling left on each lot.

Chair Cottrill asked if the largest building on lot #2 would stay. Mr. Cahill said that it would, as it would meet the requirement of one dwelling on the lot. He added that lot # 1 would have all the other buildings removed except for one.

Peter Stanley said that in consultation with the town’s legal counsel, Bart Mayer was very clear on this issue. He emphasized that all non-conforming uses on the lots need to end before they can legally subdivide or alter the size of the property. If they are given permission to adjust the lot sizes, Mr Cahill would have to engage in the survey work to be sure that the size of each property was accurate. He suggested bonding or securing the removal of the buildings and the septic systems. He stressed that they must conform to the one dwelling per unit standard.

Mr. Stanley also indicated that any and all permissions granted to other people to use the property to access boats would need to end, as they are non-conforming uses.

Mr. Cahill explained that their intent is to find a buyer for the properties. If they can find a buyer, they will then come to the Planning Board to complete the subdivision, and then they will remove the non-conforming buildings. Mr. Stanley said that they could have permission to adjust the lot lines and sizes of the two properties, contingent on Mr. Cahill following through with his promises to remove the buildings.

Mr. Stanley indicated that there were no frontage problems, as there was plenty of frontage on the property.

Jeff Hollinger asked who owns the moorings off of the property. Mr. Cahill responded that no permits for moorings are required in the waters of Pleasant Lake.

Mr. Cahill asked for some direction from the Planning Board as to what can be done next. He said that he would like to start marketing the lots and wanted to be assured that the town was in agreement of his plans.

Chair Cottrill asked if there were any objections from the board. All agreed that as long as there were no non-conforming uses on either lot, the board would be OK with Mr. Cahill's plans to go forward.

Colby Sawyer College – Final Site Plan Review – Windy Hill School

Nate Fogg, engineer from Jesseman and Associates, said that he was going to move through the comments that have transpired up through the Dept. head meeting this afternoon, regarding the Final Site Plan for the Windy Hill School. He announced that Doug Atkins from Colby-Sawyer College and Steve Jesseman from Jesseman and Associates were both in attendance.

Mr. Fogg had several items that he shared with the Planning Board, regarding updates to their plans. Approval of the Site Plan would be contingent upon the following items being completed and included in the plans (these items are included on an outline of changes filed with the Planning Board):

1. Snow removal from parking lot "O" is being complicated by the walkway from the parking area down to the school. This location is necessary to get the required length to meet ADA requirements. The college will have to remove the snow from parking lot "O" and from the walkway by whatever means necessary [i.e. plow, bucket loader.]
2. Drainage from the area between Colby Farm and the proposed Windy Hill School will be controlled by swales and sheet flow as the water makes its way down beside the road. This runoff will be picked up by a culvert near the new transformer and piped to the existing detention basin behind Lethbridge Lodge. A small [4" – 6"] berm will be added to slow the runoff down and allow a little extra time for treatment and infiltration before the runoff enters the drain pipe.
3. The note to remove the under drain from the existing infiltration area is being removed and the new pipe existing the area will be installed to ensure that the area continues to infiltrate runoff.
4. The parking spaces along the drop-off drive have been lengthened from 20' to 25' to more than meet the regulations for parallel parking [24']. The number of spaces has been reduced from 10 to 8 to fit within the same drop-off area.
5. The exit area corner of the drop-off drive will be widened to make the turn exiting easier to navigate.
6. The bottom of the two water infiltration areas will be changed from stone to loam and seed. The loam and seed will still infiltrate runoff and the vegetation will provide some uptake of runoff.
7. The outlet pipe at the lower infiltration basin will be raised 6" to allow extra infiltration volume.
8. The road below the site will be re-graded to get the runoff to run in the ditch.
9. The small culverts under the access way to the shed near the tennis courts will be repaired or replaced so that the runoff can run down through the ditch as designed.

Following Mr. Fogg's list of updates to the plan, Ms. Sheerr-Gross commented that she appreciated them making the changes suggested by the Town's Department Heads, however she wonders what would happen if Mr. Lee didn't catch the items he caught. She opined that there seemed to be a lot of "tweaking" to be done. She again noted that she appreciated them making the changes so that they wouldn't be challenged after the structure was built.

Mr. McWilliams referenced a letter from August 10, 2009, that referred to requested waivers by Colby-Sawyer College regarding the Windy Hill School. He noted that if the waivers were granted, their application would be considered complete.

Regarding the infiltration areas, Ms. Ebel was curious as to why the plans were changed from the stone base to loam and seed around the culverts. Mr. Fogg admitted that he wasn't really sure why this change was made. He explained that neither works better than the other. He opined that visually, the grass looks better than the stones and that the grass would absorb the heat better and cause even more vegetation to grow. Mr. Fogg noted that the switch came because the design manual did not use stone and so they changed to grass to keep in line with the manual.

Peter Stanley said that the point is that there is no water uptake from stone. He explained that the more vegetation in one of these drainage areas, the better. And, that during the summer months, grass and vegetation gets rid of the water quicker than using stones to infiltrate. He referenced some drainage systems at Dartmouth-Hitchcock Medical Center that used vegetation with shrubbery that created a very stable system.

Ms. Ebel asked Mr. Fogg if he expected the water to pool at all. Mr. Fogg answered in the affirmative. He said that there would most likely be some storms that will fill the bottom of the first drainage area and spill out into the second area. With some of the big storms, water would come out of the bottom culvert for sure. He believed that most of the smaller storms would be taken care of well using this system. Ms. Ebel asked if the water keeps pooling in an area, if it would it turn to dirt. Mr. Fogg said that it wouldn't because it is depressed. Mr. Stanley said that wetland vegetation works better than grass because it soaks up more of the water. Mr. Jesseman and Mr. Stanley agreed that over time, wetland vegetation would begin to grow in these areas on its own.

Chair Cottrill asked where the overflow parking would be located at the school. Mr. Fogg said that there would be eight spots available for people who were coming and going and so they saw no particular need for overflow parking. Chair Cottrill said that as a past user of Windy Hill School he has observed more than eight cars at times and the spots are filled at drop-off and pick-up time. Mr. Atkins said that people who anticipate spending more time than is necessary for rapid drop-off at the school should park down below in Parking Lot "O".

Mr. Fogg added that they plan to put notes on the plans to indicate that the staging area would be stabilized to minimize erosion.

Mr. McWilliams requested that the PB go through the waivers.

Chair Cottrill asked Mr. McWilliams if there were any issues regarding the waivers. He said that there were none.

Tina Helm recused herself from the voting, as she is an abutter to Colby-Sawyer College.

Chair Cottrill asked for a motion.

IT WAS MOVED (Karen Ebel) AND SECONDED (Jeff Hollinger) to grant the five waiver items as requested, for the Windy Hill School. THE MOTION WAS APPROVED UNANIMOUSLY.

Mr. McWilliams said that, regarding the Windy Hill School project, outside inspections of the property/building needed to be addressed. This could be done by town staff, or by an outside consultant. He indicated that if the inspections were outsourced, an escrow account would be need to be created to pay for the services.

Mr. Doheny asked what the square footage of the new building would be. Mr. Atkins responded that it would be 10,343'.

Peter Stanley noted that inspection fees would be applied to the inspection process. He wanted this to be recognized so that the college would be prepared to pay them.

Mr. Hollinger suggested that Public Works Director, Richard Lee be the one to inspect the site and the Board agreed.

Mr. Hollinger asked if fees such as these are charged to any large project in the Town. Mr. Stanley clarified that it would apply to all large projects. He also indicated that it was the Board of Selectmen who would decide what the fee structure would be. Mr. Stanley said there was a question on whether to bill the applicant or escrow the fees.

Mr. McWilliams said that the applicant will also need to estimate the cost for improvements and submit that to Richard Lee for review for determination of the security deposit to be provided to the town. The estimate should include coverage for items such as landscaping, lighting, parking, access, and drainage. Mr. Stanley added that before a building permit is issued, the applicant must provide that amount of security to the Town.

Chair Cottrill asked if there were any other comments. There being none, he asked for a motion.

IT WAS MOVED (Jeff Hollinger) AND SECONDED (Dierdre Sheerr-Gross) to approve the site plan for Colby-Sawyer College's Windy Hill School, contingent on Mr. Fogg's list of changes as presented, submission of the security deposit and the continued practice of stabilization of the staging area and the inclusion of notes on the plans to reflect staging area stabilization. THE MOTION WAS APPROVED UNANIMOUSLY.

Other Business

Letter from Wallula

Mr. McWilliams noted that he had received a letter from Camp Wallula explaining that the NH Secretary of State has requested a letter from the town showing approval for the subdivision. He said that the Planning Board will need to authorize Chair Cottrill to sign that letter, drafted by Camp Wallula so that they could submit it to the Secretary of State. Mr. McWilliams said that this request appears to be something new that is being required by the State.

Mr. McWilliams further noted that Camp Wallula is filing their project with the Attorney General's office for condominium projects and that office has requested a more formal notice of decision than just a copy of the minutes from the meeting.

Chair Cottrill asked if there were any further comments. There being none, he asked for a motion.

IT WAS MOVED (Tina Helm) AND SECONDED (Jeff Hollinger) to allow Chair Thomas Cottrill to sign the Wallula letter to give a formal notice of decision to the New Hampshire Secretary of State regarding the Wallula subdivision. THE MOTION WAS APPROVED UNANIMOUSLY.

Tree Cutting Requests

1. Peter Stanley indicated that there was a tree cutting request at 273 Forest Acres Road, which is located on Messer Pond (Tax Map 118, Lot 13). Mr. Stanley said that the trees in question are in an extremely well-forested lot. The property owners are over the total points for each of the two segments of land. Mr. Stanley indicated that there are three trees that they would like to remove and they are all dead. He had reviewed the request and felt that it seemed very reasonable.

Chair Cottrill asked if there were any further comments. There being none, he asked for a motion.

IT WAS MOVED (Dierdre Sheerr-Gross) AND SECONDED (Michael Doheny) to approve the tree cutting request for 273 Forest Acres Road. THE MOTION WAS APPROVED UNANIMOUSLY.

2. Ed Gerwig, who lives in the round house at 489 Bunker Road on Pleasant Lake, has two small trees that he would like to remove. The trees are currently on the waterfront on the West side of the property. Both trees are dead. Apparently, there is a large Hemlock that grew up from the base of the two trees and killed them. There is also one Red Maple on the side of property that is standing dead. Mr. Gerwig would like to remove them in the winter, having them felled on the ice and cleaned up at that point in time.

Chair Cottrill asked if there were any comments from the Board. There being none, he asked for a motion.

IT WAS MOVED (Dierdre Sheerr-Gross) **AND SECONDED** (Emma Crane) **to approve the tree cutting request from Mr. Ed Gerwig at 489 Bunker Road.**
THE MOTION WAS APPROVED UNANIMOUSLY.

Planning Board Budget Proposal

Mr. McWilliams said that the only real change in the budget for this year was the proposal of the purchase of a used filing cabinet. He said that purchasing a used cabinet should save about \$1,300 or more. He said that he had gone online and found several places to purchase such an item.

Chair Cottrill asked what items gets stored in the filing cabinet. Peter Stanley said that all the records and files from the past and present Planning Board meetings are kept in the cabinets. He indicated that there are currently four full cabinets already. Mr. McWilliams opined that a new cabinet should be a line-item on the budget every other year or so to keep up with all the files that are generated by the activities in the town.

Mr. Hollinger asked how long the records have to be kept. Mr. Stanley said that there really isn't an end-point. He opined that it is good practice to keep the records so that they can look back in history to see what has happened with the properties/land so that legal and appropriate decisions can be made for the future.

Ms. Dierdre Sheerr-Gross asked if the minutes from the meetings are backed up. Mr. Stanley said that they are bound each year and this set of minutes resides in his office. Ms. Sheerr-Gross opined that it would be a good idea to scan these minutes from the past and keep them digitally. Kristy Heath, recording secretary, shared that the past few years' minutes are kept digitally on the Town's website.

Tina Helm said that the Town would probably be moving towards digitizing the records, and organizing things such as bylaws and important decisions that were made so that they don't get lost. She cautioned against keeping more documents than we really need.

Peter Stanley offered that the Town could require electronic submittal for everything to help get a start on digitizing the records.

Getting back to the topic of the budget, Mr. McWilliams noted that the amount budgeted was adequate for the next year. He said that there were some expenses that came up early in the year that were not anticipated. He believed those sorts of expenses would not come up again.

Ms. Sheerr-Gross asked Ms. Helm if the Planning Board should write in a slightly larger budget number to offset any potential cuts that could later be made by the Budget Committee. She felt that it was probable that unforeseen circumstances would present themselves every year, which would cause the PB to spend more money than they had anticipated and perhaps some extra money added to the budget would insure that the PB would end up with enough to complete the year without any shortfalls. Ms. Helm responded that the PB should submit a true budget as it will be hard enough to come up with a budget for the town even when using "real" numbers from all departments.

Karen Ebel shared that the PB budget had been slashed in prior years, She added that now that the CIP is being handled in-house, instead of through Mr. McWilliams, that expense is now shifted to another town budget.

Chair Cottrill explained that the PB does actually earn revenue by charging fees to applicants before the PB. These fees (revenue) is then steered into the Town's general fund and not credited to the PB budget despite expenses incurred by the PB for consideration of those applicants that have paid the fees. The PB budget is then squeezed despite bringing in revenue.. Chair Cottrill suggested that the Town should credit the Planning Board for revenue it has earned.

Ms. Sheerr-Gross opined that Mr. McWilliams was a great asset to the Town, as he has a vast knowledge and much experience from being with the Planning Board for over 20 years. She said that the Town is lucky to have so much history available with Mr. McWilliams. She said that she wants to make sure the Town is taking good care of Mr. McWilliams and is not taking advantage.

Chair Cottrill said that he would like to know how much revenue has been earned by the PB. Ms. Helm said that she would ask Ms. Levine to look into the matter.

Chair Cottrill felt that the PB should keep track of all fees charged over each year. Peter Stanley said that he could easily come up with something to track this information. He said that the Board of Selectmen should begin to take a broader look at revenue. He said that because people pay taxes to the Town, some service from the Town would be assumed. He said that the Board of Selectmen did not want to be too aggressive in the fees. Ms. Helm said that the topic of fees would be an upcoming discussion with the Board of Selectmen.

Karen Ebel brought up the Wetlands Subcommittee meetings that they had last year. She said that the maps of the wetlands would cost \$15,000. She wondered if they should add this expense into the budget, as the mapping of the wetlands is mentioned in the Master Plan. She noted that even though the CIP process is underway, they could still put some money aside to do the mapping. Mr. Stanley indicated that the Town may be getting some help from the state on the wetlands project. He said that the project wouldn't involve actual mapping, but would give standards for what the regulations would be around the wetlands in the area.

After some discussion, the Board decided not to go forward with adding any money in the budget for wetlands mapping. The consensus was that any money for this project would probably not be approved, especially with the current economy.

The approved amounts for the Planning Board Budget for 2010 were:

Town Planner's Salary:	\$22,500.00
Engineering Reviews:	\$2,500.00
Registry of Deeds Fees:	\$750.00
Conferences & Training:	\$100.00
Printing:	\$100.00
Advertising:	\$1,300.00
Office Supplies:	\$2,000.00
Planning Board Secretary:	\$9,000.00

TOTAL: -----
\$38,250.00

Chair Cottrill asked if there were any comments on the proposed budget. There being none, he asked for a motion.

IT WAS MOVED, (Jeff Hollinger) AND SECONDED (Michael Doheny) to approve the proposed Planning Board budget of \$38,250.00 for 2010.

THE MOTION WAS APPROVED UNANIMOUSLY.

Ms. Helm noted that some of the questions from the last Planning Board meeting were not, as she felt, for the Board of Selectmen to answer. Chair Cottrill suggested that the Board of Selectmen should submit a letter to the School Board to let them know that there were questions from the townspeople regarding the old middle school and their plans to re-populate it. Ms. Helm said that she plans to discuss this with Jerry Frew in the near future and would come back with some answers as soon as she could.

Approval of Minutes from July 14, 2009, July 28, 2009, and August 11, 2009.

Minutes of July 14, 2009

Ms. Helm said that on page 1 the word “Meeting” was missing an “i”.
Ms. Ebel said that on page 4, KIMKO should be written all in capital letters.

IT WAS MOVED (Tina Helm) AND SECONDED (Emma Crane) to approve the minutes from July 14, 2009, as amended.

THE MOTION WAS APPROVED UNANIMOUSLY.

Minutes of July 28, 2009

Ms. Helm said that the second paragraph under #1 the word “from” should be omitted.
Ms. Helm asked about the information that was presented by Peter Stanley regarding projects he had been working on, as there were no details present in the minutes. It was noted that the slide Mr. Stanley presented was at the very end of the meeting and wasn’t necessary to include all the details in the minutes. Instead, Mr. Doheny suggested adding some text in the minutes to say that “Mr. Stanley presented a slide explaining the projects he had been working on.”

IT WAS MOVED (Tina Helm) AND SECONDED (Emma Crane) to approve the minutes from July 28, 2009, as amended.

THE MOTION WAS APPROVED UNANIMOUSLY.

Minutes of August 11, 2009

Ms. Helm noted that on page 2, the 3rd paragraph it should say “suggest” instead of “suggested.”

Ms. Ebel noted that she had sent her revisions to the recording secretary directly. She explained each of her changes to the Board and no one had any problems with her ideas to improve the minutes.

Ms. Helm indicated that the speed control on Gould Road were brought up at a recent Board of Selectmen meeting. They said that it was an ongoing problem and that they would take it under advisement.

Ms. Ebel noted that the woman who had left the August 11 meeting early was Rosemary Fulton . She should be referenced on Page 7.

Chair Cottrill asked if there were any further comments on the minutes from the last three Planning Board meetings. There being none, he asked for a motion.

IT WAS MOVED (Tina Helm) AND SECONDED (Emma Crane) to approve the minutes from August 11, 2009, as amended.

THE MOTION WAS APPROVED UNANIMOUSLY.

The MEETING WAS ADJOURNED at 9:32pm

Respectfully submitted,

Kristy Heath, Recording Secretary
New London Planning Board

Date Approved: _____

Chairman: _____