

## **APPROVED**

Planning Board – Regular Meeting  
June 23, 2009

**MEMBERS PRESENT:** Tom Cottrill (Chair), Jeff Hollinger (Vice-Chair), Emma Crane (Conservation Commission Representative), Tina Helm (Selectmen's Representative), Michele Holton, John Tilley (Alternate), Deirdre Sheerr-Gross (Alternate)

**MEMBERS ABSENT:** Michael Doheny (Secretary), and Karen Ebel.

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

Chair Cottrill called the **MEETING TO ORDER** at 7:30pm. He appointed alternate Deirdre Sheerr-Gross to sit in for Karen Ebel and alternate John Tilley to sit in for Michael Doheny.

### **1. Elizabeth Graham Estate – Concept Minor Subdivision – 2 Lots (Tax Map 82, Lot 25)**

Louise Graham, eldest daughter of Elizabeth Graham, attended the meeting to explain the subdivision in question. Peter Stanley, Zoning Board Administrator, had a map on an overhead screen that displayed the parcel of land. Mrs. Graham stated that 28 acres of land had been purchased by her parents in 1947. On the land, a house was soon built. In 1965 Mr. Graham constructed another house, a smaller, two-bedroom, two-bath house on the same parcel of land, which had a separate driveway. This smaller house had a garage added and was winterized. Mrs. Graham explained that her youngest sister would like to purchase the small house with hopes of retiring there at some point. Chair Cottrill asked how many acres would be included with the house within the new subdivision. Mrs. Graham said that there would be about 3 acres included but that this was an estimate. They would not know the exact acreage for sure until the surveyor had measured all of the land, taking into consideration a steep hill on the property, as well as a former cow trail that has stone walls on either side of it. Mrs. Graham went on to share that the house had its own septic and was on Town water. She stated that both homes have been used as family summer properties for a long time however they would like to see this property broken off and become its own parcel.

Chair Cottrill asked Mr. McWilliams about any issues. He said that there were no issues with this request for a subdivision. He stated that both properties would meet the minimum lot size and road frontage requirements. He believed that the high intensity soil mapping and topography could be waived because houses are already present on the lots and this will be addressed at the final review.

Mr. Stanley added that in the 1960's there were several incidences where more than one house was built on a single lot illegally, and is now being made legal.

### **2. Concord Cooperative Market – Concept Site Plan Review – Need for Site Plan? (Tax Map 59, Lot 33)**

Planning Board member Deirdre Sheerr-Gross recused herself from this issue, as she is a member of the Concord Co-Op.

Ms. Donna Harris, General Manager of the Concord Co-op and the General Manager of Kearsarge Cooperative Grocer were present. Mr. McWilliams provided a brief overview of the issue. The location is the former Central Supply/14 Carrots store just west of the Lamplighter Inn. The new occupants would like to use first floor as it was used previously (retail), but would like to change how the 2<sup>nd</sup> floor would be used. Mr. McWilliams stated that previously the entire second floor was used for general office space. The new occupants are proposing a mix of uses on that floor. They would use some of the space for storage, some for general office, and a large space would be used as a wellness center, holding classes during off-peak, evening hours. Mr. McWilliams noted that a couple of issues came up at the Department Head meeting: from Richard Lee, Sewer Dept., the new occupants would need a commercial grade grease trap for the food service area. The other issue related to parking. As it stands, there are currently 13 spaces laid out with the proposed occupancy, and they would actually need 14 spaces. If the wellness center were to

be used for office space during the day, additional parking spaces are needed. Peter Stanley said that the maximum number of spaces that exist are 13. He said that he had gone to the site himself to measure and found no opportunity for additional spaces in the area. In addition, he shared, on the Newport Road side of the building, there is a landscape setback perimeter needed, so there was really no place to add another space. Mr. Stanley shared that the site is 60% undeveloped so although there is more land available around the site, getting to it to utilize it and parking on it would be difficult.

Mr. Hollinger suggested letting the new occupants go ahead with only the 13 spaces. Michele Holton agreed. Tina Helm, Selectmen's Representative, asked about the 3-bay sink that was mentioned in the letter to the PB. She wondered why they would need the sink if all the food would be prepared off-site and brought to the New London site. Ms. Harris said that it would be used for some food preparation in the event that there would be a demand for hot, fresh soups. They would need to see how business went but wanted to install the sink now instead of having to come back in to ask permission to install it later on.

Chair Cottrill asked Ms. Harris about the grease trap. She shared that they have bought one from 14 Carrots and would have it installed before they open.

Chair Cottrill asked if there were any further questions from the PB. With no further questions, he asked for a **MOTION**.

**IT WAS MOVED, (Jeff Hollinger), and SECONDED, (Michele Holton), to waive the site plan review for the Concord Cooperative Market, contingent upon installation of a grease trap, fire code compliance and certificate of occupancy. The MOTION WAS APPROVED UNANIMOUSLY.**

### **3. Kidders – Concept Site Plan Review – Add Information Booth to Ice House Museum Site (Tax Map 73, Lot 82)**

Marilyn Kidder came to the board to explain her request. Mr. McWilliams gave a quick overview to the PB explaining that it was the Kidders' proposal to move the old information booth that is currently stored in Elkins, and put it in the site of the Ice House Museum, which lies in the Commercial District. The booth would be used to display brochures as it had been used in the past. Mrs. Kidder was coming to the PB to see if she could be granted a waiver for requiring a full site plan review for this project. Mr. McWilliams said that the Department Heads discussed the issue and agreed that there was really no need for a site plan. Mr. Stanley noted that a portion of the back part of the property still sits in the residential district. He said that if anything in the future is added related to the museum, they would need to obtain a variance for it, as it is in the residential district.

Mrs. Kidder shared that she was excited to hear from Bob MacMichael regarding the moving of the info booth. She believed it to be consistent in preserving things in New London. She remarked that there would be no changes to the site and no plumbing.

Chair Cottrill asked the PB if they believed there was any reason to require site plan review in this instance. There were no remarks from the PB to show that a site plan review was necessary, so Chair Cottrill asked for a **MOTION**.

**IT WAS MOVED, (Deirdre Sheerr-Gross), and SECONDED, (Michele Holton), to waive the need for a site plan review for the addition of an Information Booth to the commercially-zoned side of the Ice House Museum site. THE MOTION WAS APPROVED UNANIMOUSLY.**

### **4. Colby Sawyer College – Final Site Plan Review – Use of Fairway Motel for Student Housing (Tax Map 98, Lot 27)**

Mr. Doug Lyon from Colby Sawyer College came to summarize the expansion plan for the parking lot and an updated fire code at the Fairway Motel, which could hold up to 21 students, plus a resident advisor, during the upcoming school year. In his plan, five parking spaces were added in the front of the building, as was promised to the abutters of the motel. He agreed that this location, shielded by trees, was the least

visible of all possible sites and added enough parking and space for the 26' lane needed. He shared that currently they have 10 students signed up to reside at the Fairway beginning in the fall. Mr. Lyon explained to the PB that they do not want to build any of the extra spaces unless they know that more than 21 students will live at the motel. He said that he would inform the town by Aug. 1<sup>st</sup> if the extra spaces would need to be created, but that he does not anticipate needing them. Mr. Lyon said that he agreed with the Fire Department to make the required modifications to the current system. Alarms have been installed in each room that would all activate if any of the alarms were triggered. Also, an auto-dialer system will be installed into each room to automatically notify the Fire Department of an alarm.

Chair Cottrill asked Mr. McWilliams if he had any additional comments or concerns regarding the Fairway Motel parking and dorm room upgrades. Mr. McWilliams said he did not, and so Chair Cottrill asked for a **MOTION**.

**IT WAS MOVED**, (Deirdre Sheerr-Gross), **and SECONDED**, (Emma Crane), **to approve the site plan for the Fairway Motel subject to the installation of an auto-dial fire alarm in each room, and notification of the Planning Board by Aug. 1, 2009 regarding need of five additional parking spaces which are to be built should there be more than 21 students slated to reside at Fairway Motel for the 2009-2010 school year. THE MOTION WAS APPROVED UNANIMOUSLY.**

Alternate John Tilley left the meeting at 8:02pm.

#### **5. Colby Sawyer College – Final Site Plan Review – Utilities for Windy Hill School (Tax Map 85, Lot 33)**

Nate Fogg, Engineer from Jesseman and Associates came to the PB to explain the expansion plans for utilities for the new Windy Hill School at Colby-Sawyer College. He stressed that they need to get the infrastructure completed before the students from Colby Sawyer College return in the fall. The Windy Hill school, which will be located near the tennis courts, will need the following utilities brought to the site:

**Electric:** Electric service will come from the Lawson Hall area with the addition of an above-ground sector cabinet. It would then travel through an existing conduit past Lethbridge Lodge, to a man-hole which lies just past the lodge. It would then connect through a new conduit and into a new above-ground transformer that will be installed behind the Colby Farm Building.

**Cable/Internet/Phone:** Mr. Fogg said that these utilities will come from Lethbridge Lodge, through existing and some new conduit to the new school.

**Water:** Mr. Fogg noted that the college is working with the NLSWSP (water precinct) to improve the overall water system in town and on campus. The existing system has large cistern and a 12' line that runs down Main Street. Mr. Fogg said that they plan to tap into this line along Colby farm, past the proposed new building, and then "T" it off for a future run down Seamans Road. A new 8" water line will create a water loop, which would assist the town with its water usage and pressure. He explained that a new hydrant would be added as well.

**Sewer:** A small sewer pump station will be installed below the new building and then pumped to the existing sewer man-hole, then gravity fed, ending up near Seamans Road.

**Stockpile Area:** Mr. Fogg noted that the trenching and staging area for construction is almost adjacent to the building site. Anything taken from the trenches, which isn't replaced once the work was done, would be stored in this area with a silt fence until it is removed or stabilized with vegetation. He noted that the water line, sewer line and electric lines would need trenches dug, which should create a minimal disturbance to the site.

Mr. McWilliams asked about the Water Precinct requirement of valves and if Mr. Fogg could point out where these valves were to be placed. Mr. Fogg indicated that near where the 12" line ties into the town's

12" line, the Water Precinct wants three valves installed to be able to shut off certain areas to be able to control the flow of water.

Mr. McWilliams noted a comment from Richard Lee that the sewer forced main line would need to be tested.

Chair Cottrill asked if there were any erosion control measures being used. Mr. Fogg responded that their main erosion control measure was the maintenance of the material from the trenches, which would be kept stable with the use of silt fence.

Tina Helm asked about the valves from cistern. She wanted to know if they were above ground. Mr. Fogg indicated that they were below ground. He went on to share that most everything but the sector cabinet, the transformer and the pump station would be below ground.

Chair Cottrill asked if silt fence would be used only where the water line is going in. Mr. Fogg answered in the affirmative. Peter Stanley agreed that this would be fine because it would be a minor and temporary disturbance. He said that the stockpiling area is the place that would need the most attention, as it is where the most amount of material would be stored.

Tina Helm recused herself from the vote because she is an abutter.

Chair Cottrill asked if there were any further comments on this issue. There being none, he asked for a **MOTION**.

**IT WAS MOVED**, (Michele Holton), **AND SECONDED**, (Jeff Hollinger), **to approve the final site plan for utilities for the Windy Hill School, subject to the installation of valves as required by the Water Precinct, the sewer forced main line being tested, installation of silt fence along the water line near Lethbridge Lodge, and stabilization of the stockpile.**  
**THE MOTION WAS APPROVED UNANIMOUSLY.**

#### **6. Colby Sawyer College – Final Site Plan Review –Add'l Student Housing (Tax Map 85, Lot 33)**

Nate Fogg noted that no exterior changes would be made to the Danforth or Lawson buildings. He explained that in the dorms, there are currently living rooms, gathering rooms and common areas being reviewed. Their intent is to change some of these common spaces into dorm rooms. In order to do this, they will need to add a wall and a door, and add an open closet within the room itself. Two typical rooms were shown in detail. One issue that was brought up with the Fire Chief was that there were sprinkler heads on the wall and not on the ceiling in some of the rooms and so in these rooms the closet should be placed on the opposite side of the room so as to not interfere with the sprinkler's function.

Chair Cottrill asked how many students would reside in each of the new rooms. Mr. Fogg indicated that in Danforth, three students would live in each new room. He added that there were four rooms being created on the 2<sup>nd</sup> and 3<sup>rd</sup> floors, and two on the 1<sup>st</sup> floor, for a total of 10 new rooms. Ms. Sheerr-Gross asked if there would be any changes in egresses. Mr. Fogg answered in the negative. He also indicated that even with the increased amount of residents to be added to the dorm, there are still an appropriate number of sinks and toilets available.

In the Lawson dorm, the 2<sup>nd</sup> and 3<sup>rd</sup> floors would each have four additional rooms created. The 1<sup>st</sup> floor would hold three new rooms with two students per room. The same recommendations were made by the Fire Chief regarding the sprinklers in this dorm and their proximity to the closets. Depending on where the sprinklers are located, the closets for each room will be situated opposite sprinkler heads. Chief Lyons also asked that more exit signs be added to equal three more signs per each floor.

Mr. Fogg indicated that this would create 30 new beds in one dorm and 22 in the other, for a total of 52 beds for incoming students. Mr. McWilliams noted that one of the statements made previously with

regards to the increase in the number of students on campus was that the college would not be adding any student parking permits compared to what they issued last year. Mr. Lyon said that parking permits would be offered at a “first come, first served” basis and that there is no off-site parking allowed. Mr. Stanley pointed out that an occupancy permit would be needed once the work is complete, and that they would also need a building permit.

Tina Helm recused herself from the vote, as she is an abutter.

Chair Cottrill asked if there were any further concerns. There being none, he asked for a **MOTION**.

**IT WAS MOVED**, (Emma Crane), **AND SECONDED**, (Jeff Hollinger), **to approve the final site plan for Colby Sawyer College’s additional student housing in Lawson and Danforth dorms, provided that no additional parking permits to be issued, and that the closets are not located near the sprinkler heads as agreed by Colby Sawyer and the Fire Department.**  
**THE MOTION WAS ACCEPTED UNANIMOUSLY.**

#### **7. David Arnold – Final Site Plan Review – Fill (Tax Map 109, Lot 14)**

Mr. Roger Rodewald came to the meeting to represent the land owner, Mr. Arnold. He shared that a considerable amount of fill had been dumped in Mr. Arnold’s back yard and that Peter Stanley had sent a cease and desist letter. Mr. Rodewald had been sent out to shoot topography of the area to try and come up with an estimate of how much fill had been put in place and how to best erect a silt fence barrier so the fill wouldn’t wash all over the place. He noted the map and showed that a garage was planned for the steepest grade. The owner would like to grade the level of fill off and work with Peter Stanley on planting, seeding and maintaining erosion control. Mr. Rodewald indicated that the fill was placed directly below the septic system.

Mr. Stanley said that he met with a neighbor of Mr. Arnold’s and they walked to the site. He noted that there was a fairly significant amount of fill that was present into the edge of the driveway and into the original grade of the property. Mr. Stanley indicated that he was made aware of some fill being added to that lot in the winter, two years ago. He looked into it and the fill had been graded off. He took photos of the fill and lot in that spring so as to monitor the site and to gauge whether the amount of fill exceeded town restrictions. The following winter, additional fill was dumped and graded off. Since then, more fill was dumped but has not yet been graded off. It is now calculated that approximately 400-500 yards or more of excess fill had been dumped. Mr. Stanley said that Mr. Rodewald on behalf of the owner is seeking an “OK” after the fact. Ms. Sheerr-Gross asked if the fill was able to hold a structure. Mr. Stanley said that at present time, it probably was not. He informed the PB that the fill had been placed on the land in a “Spill fill” sort of way, which was described as a truck backing up to a spot and dumping without being compacted into layers. He said that if someone were building a road, each layer would be compacted depending on the materials being used. He said that it would not be a good idea to build anything on the fill at this time. It could, however, be made stable by excavation but currently it is not ready. Mr. Stanley suggested to the PB to consider requiring that the steep slope be graded down subject to the approval of the Public Works Director and the Zoning Administrator.

Mr. Stanley went on to share that filling a site requires PB approval. Ms. Sheerr-Gross asked if the PB was approving the site plan or only the fill. Mr. Stanley said it was only the fill that the PB is asked to consider. He indicated that further approvals would be additional, such as a building permit. He said that this individual would not need to come back to the PB unless seeking permission for further filling. Mr. Stanley commented that the slope, the plantings and drainage are all issues with this matter. He said it would be best to decrease the slope and plant accordingly to control erosion.

Ms. Sheerr-Gross asked if the ground cover on which the fill has spilled was surviving, as she has seen this sort of thing kill trees and other flora in the past. Mr. Stanley indicated that the tree-line was stable and was not buried. He added that most of where the fill is now located was void of vegetation. Mr. Hollinger

asked how much more fill the owner was seeking to bring on to the site. Mr. Stanley said that they were done adding fill and need to clean up what is already there.

Mr. Stanley shared that the property owner owns a small concrete business and that someone where he was working had some fill to get rid of and kept bringing it to the point that it became too much. The owner understands that the situation needs to be fixed and is willing to work with Mr. Stanley to make it right. The plan that Mr. Rodewald shared with the PB showed a proposed retaining wall, put in place so that no one drives over the septic. Chair Cottrill asked Mr. Stanley if he was concerned with the stability of the existing septic system in that the new fill is piled next to . Mr. Stanley said he was not.

Abutter, John Donohue came to the PB to share his thoughts on the situation. He said that his property sits just south of the property in question, and that he has a good relationship with the owner. He said that he had told his neighbor that he was going to come to the PB meeting to raise some points. Mr. Donohue indicated that his house sits a little behind where the owner's house is, and that the fill goes almost to the property line. In some spots, the owner's yard goes up about 15' within 15'. He was concerned that Mr. Arnold's fill may have exacerbated the issue of excess water in his own property. He noted that his shed is coming off of its foundation and feels that it is due to more water coming into his property now than there was before. He shared that he wouldn't mind if the excess water continued beyond the shed, but at present time it could be what is causing his shed to come off of its foundation. His second issue was that he has a deck on the back of his house and that aesthetic changes have been made that are not as appealing as before.

Mr. Donohue said that he had consulted an excavating contractor who suggested creating a swail between the two properties that would help divert water. He said that he doesn't necessarily mind if some fill spills on to his property, but the way it is now is not ideal and he'd like it to be taken care of properly. Mr. Donohue asked what the town setback rules are for lots. Mr. Stanley said that setbacks only apply to structures and not to fill. With regard to fill, they are called "yard requirements" and in this case, it complies. He said that the fill must be at least 25' from a building.

Ms. Sheerr-Gross asked if anything could be done about the slope. Mr. Stanley said the best thing to do would be to give Richard Lee and himself (Zoning Administrator) the authority to make on-site decisions as to proper fill dispersment, slopes and contours. He indicated that there was plenty of room on the lot to disperse the fill and lessen the plateau area.

Mr. Stanley said that he envisions following the road and the path down as shown with a level spreader to disperse the drainage at the end. Ms. Sheerr-Gross asked if the vegetation line as shown still exists. Mr. Donohue said that it is on both properties. Ms. Sheerr-Gross asked if Mr. Rodewald would require more of a retaining wall on the south side of the driveway if they were required to pull the fill back from the property line. Mr. Rodewald said that the property owner, along with Mr. Stanley and Mr. Lee would be able to decide when they are on site the best way to deal with these issues. Ms. Sheerr-Gross asked how the PB could word their decision to be more detailed in order to give more specific direction. Mr. Donohue shared again that the contractor he spoke with said he could create a swail to keep the water away. Mr. Stanley said that this would not be the best way to divert the run-off and that it would only cause a problem for the people down the hill.

Mr. Hollinger asked about certain penalties that can be used in the future to discourage such things done without permission. Mr. Stanley said that violators could be subject to a second violation of not following the PB's direction, which would be \$550/day for each day in violation. In this case, it would surely end up in court. He shared that he would rather see Mr. Arnold spend his money to correct the problem rather than to pursue fines. He added that Mr. Arnold didn't seem to be the type of person who would have a problem working with the town to fix the problem.

Chair Cottrill asked if there were any further concerns regarding this issue. There being none, he asked for a **MOTION**.

**IT WAS MOVED, (Jeff Hollinger), AND SECONDED, (Emma Crane), to approve the final site plan for fill, after the fact, contingent on the work being done with the approval of the Public Works Director and the Zoning Administrator such that slopes are lessened as much as possible, runoff is reduced, the slope adjacent to the Donohue property to the south is reduced as much as possible without further disrupting vegetation, that the driveway be pitched in such a way to direct runoff away from the abutter's property to a level spreader to a lower area of the property where appropriate, and that the site be seeded and planted as directed by the Public Works Director and Zoning Administrator using a plan that would minimize erosion, that abutter, Mr. Donohue, be notified of on-site meetings, and to have said project be completed by July 31, 2009.**  
**THE MOTION WAS APPROVED UNANIMOUSLY.**

#### **8. John McKenna – MYLAR for Survey Plat - for Easement for New London-Springfield Water Precinct**

Ken Jacques, chair of the New London-Springfield Water Precinct Board came to the PB to request the PB sign a MYLAR to register an easement that had not been registered previously. He explained that they have an easement on Colby Point for a well-field, pump station, and access to the well-field. In 1994 the precinct imposed an eminent domain petition to the Cleveland Corp. in order to obtain that easement. The easement was eventually granted by a Superior Court. The Cleveland Corp. is currently in the process of renegotiating an easement with the Society for the Protection of New Hampshire Forests and need to determine the best use of the land. They also have to determine their negative easements and liabilities that reside on the property. The water precinct's easement is considered a negative easement. In talking with Cotton Cleveland and their attorney, they decided to register the easement with Sullivan and Merrimack counties, as both counties are included within the land. They have redone the CAD engineering work so that there are electronic and paper plans available for registry. Mr. Jacques noted that he had two MYLARS, one to be signed by the New London Planning Board, and one to be signed by the Springfield Planning Board. The MYLARS are the same ones as were agreed upon in 1994. There have not been any changes. Mr. Jacques indicated that their attorney didn't believe that they had to be at the PB meeting to be able to register the easement. However, because the easement could be construed as a right-of-way, he thought he should come to the PB to explain it.

Chair Cottrill asked Mr. McWilliams if he had a summary to present regarding this matter. Mr. McWilliams indicated that he had been asked just recently by John McKenna to have this item be put on the agenda and had not been able to review any of the documents as yet. Mr. Jacques passed out a plan that was created by Doug Sweet. Mr. Sweet and the attorneys could not determine for sure whether this matter created a new right of way, or if a right of way already existed on Colby Point. It was their suggestion that to be on the safe side, the easement should be recorded.

Ms. Sheerr-Gross said that she wasn't sure of the correct legal process for this matter, but she felt that they were on the right track. She felt that what has been requested is probably OK, but she wanted to make sure it is right, procedure-wise. Mr. Jacques summarized that the easement is not recorded right now in the deeds. It was all done in 1994 and hasn't changed; it just needs to be cleaned up and recorded the right way.

Michele Holton noted the 1977 easement, and was explained that it was a termed easement which has expired.

Ms. Sheerr-Gross suggested that Mr. McWilliams look at everything and see if the Cleveland Corp. should write a letter or appear at a PB meeting to represent their position on this situation. Peter Stanley agreed that Mr. McWilliams should not be the only one look at this. He stressed that the PB shouldn't do anything in a hurry. He suggested letting everyone involved consider the legal implications so that they are not signing off on something that is not legal.

There was agreement among the PB to wait a month and to revisit the issue once they have had a chance to review the info.

#### **9. Wallula – MYLAR signatures**

Mr. McWilliams explained that all the changes required by the PB at the last meeting were completed, all the documents have been supplied, a letter of credit from Lake Sunapee Savings Bank has been submitted, and a memo from Richard Lee stating that the amount of 130K is adequate has been issued.

Chair Cottrill asked if there were any comments from the PB. There being none, he asked for a **MOTION**.

**IT WAS MOVED**, (Michele Holton), **AND SECONDED**, (Emma Crane), **to approve the signing of the MYLAR, for the Camp Wallula Major Subdivision.**  
**THE MOTION WAS APPROVED UNANIMOUSLY.**

## **10. OTHER BUSINESS**

### ***A. Capital Improvement Program (CIP) – Nominations for New Representatives.***

Chair Cottrill said that he was looking for two people to represent the PB at the CIP meetings. The CIP Committee (PB, BOS, Budget Committee + town staff) meet with Department Heads to figure out the capital needs of the various town departments. Their mission would be to assess the needs and discuss recommendations for capital improvement over the next several years. The program would involve three meetings from Mid July to September. Jeff Hollinger nominated Michael Doheny for one of the spots, and Emma Crane nominated herself for the other.

### ***B. Hearing for Site Plan Review Regulations and Subdivision Regulation Changes***

Mr. McWilliams noted that he talked with Jessie Levine (Town Administrator) on when a public hearing could be planned to pass the amendment to site plan review regulations and subdivision regulations. Mr. McWilliams asked if the PB would like to add this item to the July 14<sup>th</sup> work session meeting. Chair Cottrill noted that the July 14<sup>th</sup> meeting is a Master Plan work session with 3 items on the agenda thus it could be a long meeting. Jeff Hollinger and Tina Helm indicated that they would not be at the meeting on July 14<sup>th</sup>.

Mr. McWilliams suggested putting the hearing within the July 28<sup>th</sup> regular business meeting even though Ms. Levine could not be present at the meeting. She had indicated in an email to Mr. McWilliams that this would be OK to do, as they already know her wishes. The PB agreed to keep the hearing scheduled for the 28<sup>th</sup> of July.

### ***C. Tree-cutting request – Al Joyall – 64 Checkerberry Lane (Tax Map 44, Lot 30)***

Emma Crane from the Conservation Commission met with David Carey to review this request on behalf of the owners. Pictures of the site were provided so the PB could see the property. All agreed that Mr. Joyall had a reasonable plan to thin out the trees to provide growing room for the surrounding trees, to let in some sun, and to increase air circulation around the home. Upon visiting the site, Ms. Crane noticed that Mr. Joyall had cleared out all the underbrush along the shoreline. She suggested making the replanting of some lower-bush blueberries, or the like, into the approval to make up for this underbrush cutting. Ms. Sheerr-Gross was concerned with the number of points represented in the diagram and how the board is to determine if the points are accurate. Peter Stanley said that people have the option of submitting their own sketches of the area themselves and it isn't mandatory that they get an engineer to come up with a drawing. He also went on to say that New London requires permission for the cutting of any tree, alive or dead. If they have cut or removed shrubbery, the approval should be contingent on replanting. He said that any naturally occurring vegetation would be appropriate and that there should be a number of plants suggested. It was determined that the space in question was very shady and blueberry bushes would not grow well there.

Chair Cottrill asked if there were any further comments on this issue. There being none, he asked for a **MOTION**.

**IT WAS MOVED**, Jeff Hollinger, **AND SECONDED**, Michele Holton, **to approve the request for tree-cutting of 25 trees from the Joyall property contingent upon the replacement of one shrub per each tree removed.** **THE MOTION WAS APPROVED.** Ms. Sheerr-Gross abstained.

***D. Sunapee Master Plan***

Ken shared that the 2009-2014 master plan for Sunapee is available if anyone would like to see it.

***E. Minutes Approval***

Chair Cottrill indicated that Karen Ebel had provided amendments/corrections to the May 26, 2009 minutes, as she was not able to attend the meeting. There were no other amendments to the minutes from the PB so Chair Cottrill asked for a **MOTION**.

**IT WAS MOVED**, (Jeff Hollinger), **AND SECONDED**, (Deirdre Sheerr-Gross), **to accept the minutes from May 26, 2009 as amended per the suggestions from Karen Ebel. THE MOTION WAS APPROVED UNANIMOUSLY.**

There were no amendments to the June 9, 2009 minutes, and so Chair Cottrill asked for a **MOTION**.

**IT WAS MOVED**, (Michele Holton), **AND SECONDED**, (Tina Helm), **to accept the minutes from June 9, 2009 as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.**

Respectfully Submitted,

Kristy Heath, Recording Secretary  
New London Planning Board

Date Accepted: \_\_\_\_\_

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