

**NEW LONDON PLANNING BOARD  
REGULAR MEETING & PUBLIC HEARING  
FEBRUARY 13, 2007**

MEMBERS PRESENT: Karen Ebel (Chairman), Sue Ellen Andrews, Celeste Cook, Tom Cottrill, Ken McWilliams (Planner). Sue Clough (Selectmen's Representative) joined the PB at 8:12 PM.

MEMBERS ABSENT: Dale Conly, Jeff Hollinger.

Chair Ebel called the **MEETING TO ORDER** at 7:30 PM.

**I. ROBERT DALEY (35 LITTLE SUNAPEE ROAD, LLC) – Continued Preliminary Site Plan Review: Parking (Tax Map 60, Lot 3)**

Robert Daley advised that significant concerns had been raised at the afternoon meeting with municipal department heads. He said that those concerns required that he "go back to the drawing board" and design a new parking plan for 35 Little Sunapee Road. He requested that the Preliminary Site Plan Review: Parking be continued to Tuesday, March 13, 2007.

It was **MOVED** (Cook) and **SECONDED** (Cottrill) **THAT THE PRELIMINARY SITE PLAN REVIEW: PARKING at 35 Little Sunapee Road BE CONTINUED TO TUESDAY, MARCH 13, 2007 AT 7:30 PM. THE MOTION WAS APPROVED UNANIMOUSLY.**

**II. JONATHAN FEINS – Continued Public Hearing on Final Plans for Stonehouse Road Access to the Harborview Subdivision in Sutton**

Jonathan Feins was accompanied by G. Dana Bisbee (Pierce Atwood). Louis Caron (L. C. Engineering Company, LLC), the independent engineer reviewing the project on behalf of the New London Planning Board, was also present. Mr. Bisbee presented resumes for David Eckman (Eckman Engineering, LLC) and Kim Hazarvartian (TEPP, LLC), the two engineers working with Mr. Feins.

Mr. Bisbee advised that continued discussions regarding the Stonehouse Road access had led to "minor" revisions to the plan. He asked if the changes had been made available to the PB. Ken McWilliams replied that the newly revised plans had been distributed to PB members.

Mr. Bisbee stated that the outstanding issues two weeks ago related to drainage from upgrades to Stonehouse Road and the need for drainage easements from abutting property owners. He advised that it was his legal opinion that drainage had to have a significant impact in order for drainage easement(s) to be required. He cited supporting case law and referred the PB to his April 11, 2006 letter to Dan Sundquist, Chairman of the Sutton PB, a copy of which had been provided to the New London PB. Mr. Bisbee opined that the water would discharge in the same locations as it currently did, at no measurable increased flow and with no measurable, if any, impact on abutting properties. He said that both David Eckman and Louis Caron agreed that the changes in the amount of drainage from the proposed improvements in Stonehouse Road would be very small.

Chair Ebel said that the basis for requiring drainage easements was "reasonableness". She said that it was necessary to determine if and how changes in existing runoff patterns impacted on the use of and harm to the land receiving the drainage. She advised that part of the problem at the last meeting was that the PB did not have the drainage calculations for Stonehouse Road after it was paved. Chair Ebel said that she wanted Mr. Caron to look at the impact of the upgrades to determine the extent of any changes in drainage.

Mr. Caron stated that he had reviewed the changes in the plans and had presented his findings in his February 12, 2007 letter to the PB. He advised that an outstanding issue concerned paving. He said that Note 2 on plan sheet OS-1 states that "paving the roadway is not necessary". He stated that the use of curbing must be accompanied by paving. Mr. Caron said that the road work was being pushed right up to the edge of the right-

of-way. He noted that there were no landscape features to identify the right-of-way. He advised that in such cases, it was the custom to put up barriers to define the right-of-way. Mr. Caron advised that New Hampshire Department of Transportation (NH DOT) approval was required for the King Hill Road/Stonehouse Road intersection and drainage design. Chair Ebel asked what the status of NH DOT approval was. Mr. Bisbee replied that there had been lots of verbal communication, but Mr. Feins had not received anything in writing from NH DOT. Mr. Caron advised that the applicant's traffic engineer's recommendation for the placement of 30 MPH advisory signs on King Hill Road at the intersection of King Hill Road and Stonehouse Road also required approval by NH DOT.

Mr. Caron referred PB members to pages two and three of his letter regarding increases in stormwater flows due to paving the roadway. He said that calculation of the pre-development storm water flow to an existing 12-inch pipe just uphill from the Messer Drive and the calculated post-development flow to that location would add 0.09 cfs for a 25-year storm event. He advised that the water flowed into an open field that did not appear to have been cut recently where it spread out into sheet flow. He said that this location was described as the Messer pipe. Mr. Caron opined that the increase of 0.09 cfs would not be cause for property damage or loss of use of any portion of the Platte property. He said that stormwater flowed to that pipe only during a storm event. He said that the proposed increase in pipe size from 12-inch to 15-inch did not reflect the need for a larger pipe; rather, it was good engineering practice to provide a minimum size pipe less likely to become obstructed by debris during a storm event.

Mr. Caron stated that the second pipe was on town property near the town line. He noted that the pipe drained into a well-defined channel of long-standing. Mr. Caron advised that the pre-development and post-development calculations showed a 0.3 cfs addition to the pipe in a 25-year storm event. He said that an evaluation of the pipe culvert operating under inlet control showed a maximum of 6 cfs would flow through the pipe before stormwater would overtop the roadway. He said there was no evidence that stormwater had ever flowed over the roadway. Mr. Caron described "inlet controls" as how much water can get into a pipe. He said that he could not explain why the applicant's engineers had recommended two 15-inch pipes.

Mr. Caron opined that for the pipe with its outlet onto the Webster property, the drain area contained some wetlands that likely drain continuously to the pipe. He advised that drainage from the pipe followed a well-defined drain way toward Messer Pond. He said that Richard Lee, Road Agent for the Town of New London, had advised that the existing pipe had never been overtaxed in the last 15 years. Mr. Caron opined that replacement of a 12-inch pipe by a 15-inch pipe did not reflect a need for a larger pipe; rather, it reflected good engineering practice to provide a minimum size pipe that is less likely to become obstructed by debris during a storm event. Mr. Caron said that the project engineer had initially proposed placing two 15-inch pipes at this location based upon their drainage design calculations. He advised that, based upon his evaluation of the pipe inlet capacity and discussions with Town Road Agent Lee, it was determined that the drainage calculations by the applicant's engineer overestimated the flows to this pipe. Mr. Caron opined that a single 15-inch pipe would be adequate.

Mr. Caron said that he had looked at possible physical damage or increased flow due to property use or development. As noted in greater detail in his memo to the PB, he opined that changes in drainage due to the upgrading of Stonehouse Road would have no significant impact on the use of abutting properties already receiving stormwater drainage from Stonehouse Road.

Stacey Viandier, step-daughter of abutter Jean Platte, advised that the field mentioned in connection with the "Messer" pipe had been hayed every year but last year.

PB member Cottrill asked if the numbers would change in the case of a 50-year or 100-year storm. He asked if Mr. Caron's recommendations were based upon the numbers presented and would they increase exponentially. Mr. Caron responded that the percentages would actually decrease. He referred PB members to the chart showing the percentage changes in pre- and post-development flows for a 50-year storm event as well as a 25-year storm event.

Chair Ebel advised that the issue was whether the town's existing Stonehouse Road drainage easements should be renegotiated due to potential increase of flow resulting from upgrading and paving the road. She said that because the PB's independent engineer, Mr. Caron, had advised that the drainage change at both locations would be marginal and that it would not cause property damage or loss of use of any portion of the property, she opined that it would be unreasonable to require the drainage easements to be renegotiated. She asked for a sense of the PB members and they concurred with her opinion.

PB member Cottrill asked if an abutter were to subsequently come to the town regarding problems or damage due to drainage, the town would have to pay. Chair Ebel said that was precisely the problem. Landowners could likely successfully sue the town for damages based upon a faulty decision of the PB, so the drainage issue had to be carefully considered. She said the drainage increases were only due to Stonehouse Road improvements and that she understood no flow was coming from the development. Mr. Caron confirmed that that was correct. PB member Cook asked if the heavy equipment passing over the culverts during development of the subdivision cause damage. Mr. Caron replied that he recommends using concrete pipe for culverts; however, Town Road Agent Lee has been using a form of PVC for the pipes.

Ms Viandier said that the former DesBarres property had been farmed for years. She asked if the proposed road improvements would cause damage to the types of soils on the agricultural fields. She asked if the drainage would damage their agricultural use. Mr. Caron opined that most of the agricultural property was on the high side of the road. Ms Viandier asked if the town would be treating a paved Stonehouse Road with salt, in which case the salt would have a negative impact on the agricultural fields. Mr. Caron replied that the property owner could request that the road be a "low salt" road. PB member Cottrill pointed out that sand is used on "low-salt" roads, the sand becomes pulverized, and the dust settles on the fields. He opined that pulverized sand and salt could damage agricultural fields. Chair Ebel advised that only the small incremental increase in drainage water was under consideration. She said that she didn't know whether or not Town Road Agent Lee used salt. Zoning Administrator Peter Stanley advised that salt was used to keep sand from freezing.

Mr. Caron said that he had made a site visit to the "Messer" pipe. He advised that the pipe has water only when it rains. He said that there were no signs of erosion.

Ms Viandier asked if there had been any discussion about snow storage. Mr. Caron replied that there would be the normal snow banks; however, if there were any significant amounts of snow, loaders and trucks would need to be used. PB member Cottrill asked if the snow storage would be within the town right-of-way. Mr. Caron replied that it would probably not be entirely with the right-of-way and that it would encroach on private property. Mr. Cottrill opined that storage of snow containing salt would be of concern to abutter Platte.

Chair Ebel thanked Ken McWilliams for preparing a list of conditions of approval to be met by the applicant and asked for review of the list by the PB.

1. Written approval of the intersection design by NH DOT. PB members revised the condition to be approval of "intersection and drainage designs".
2. Written approval of the 30 MPH advisory speed control signs on King Hill Road by NH DOT. PB members agreed.
3. The entire length of Stonehouse Road in New London shall be paved with three (3) inches of bituminous concrete. It was the sense of the PB, based upon recommendations from its engineer and the fire department, that the entire length of Stonehouse Road in New London should be paved with Hot Bituminous Pavement (HBP). Mr. Bisbee advised that the applicant was opposed to paving the entire length of Stonehouse Road located in New London. He said that he wanted his client's position to be reflected in the record for the purposes of substantive due process. Mr. Caron recommended inserting "minimum" of three (3) inches of bituminous concrete. He advised that the Town of Sutton was requiring four (4) inches.

4. Agreement to construct the road and intersection improvements prior to the subdivision development to provide adequate and safe construction and emergency vehicle access. Mr. McWilliams opined that there needed to be an adequate and safe road before people began to reside in the development.

DISCUSSION ENSUED: PB member Cottrill asked if there should be a provision that the road be inspected after construction vehicles have passed over the road to hold escrow to make sure the road is still safe. Mr. McWilliams responded that normally 1% of the security would be retained for one year after completion. Mr. Cottrill asked if that was one year after all houses were built. PB member Andrews opined that it seemed unfair to hold security until all houses were built inasmuch as that could be a timeframe of several years.

Mr. Caron recommended withholding security to cover the cost of applying the running course of one (1) inch of wearing course. He opined that a good point for application of the wearing course would be when the subdivision roads were paved. PB member Cottrill opined that the access road could have large trucks traveling over it for a long period of time. Mr. Caron advised that the base course must be maintained and that a certain percentage of the security could be withheld. Mr. Cottrill asked what the policy was in regard to withholding a percentage of the security. Mr. McWilliams replied that there currently was no policy, although the matter had been discussed. Mr. Cottrill asked what amount was typically withheld in other towns. Mr. McWilliams advised that not many towns were addressing the issue, but usually security was withheld until 75% of the houses in the subdivision had been built.

PB member Andrews asked if the subdivision roads would be paved. Mr. Bisbee responded affirmatively. PB member Cook opined that it could take a long time for the subdivision to be fully developed. Ms Andrews opined that the most abuse would occur during construction of the roads in the subdivision. Mr. Caron concurred. He said that home construction was much less intense, with concrete trucks being the heaviest vehicles using the access road.

Mr. McWilliams said that the developer could withhold application of the final one-inch wearing course on the access road. Chair Ebel asked about the security. Mr. Caron replied that in Litchfield, a certain dollar figure per linear foot of road was withheld. He said that the regulations required the developer to maintain the road for two years in order to cover latent defects. PB member Clough advised that the town would not accept a road until a certain percentage of the homes in the subdivision had been built. PB member Cook pointed out that none of the houses would be in New London. Mr. McWilliams reiterated that no policy had ever been set, although the issue had been discussed.

5. Provide cost estimates for the road improvements, including pavement and drainage improvements, the improvements to the intersection of Stonehouse Road and King Hill Road, and installation of the 30 MPH advisory speed control signs on King Hill Road. These cost estimates must be reviewed for acceptability by L. C. Engineering Company, LLC. The final amount of security, including inflation, for the improvements must be approved by the New London PB. Security in a form acceptable to the New London PB must be submitted.
6. Agreement to establish an escrow account for engineering construction review services with Caron Engineering.

Chair Ebel asked what else needed to be done at this meeting because she recognized that the applicant had to get to Sutton for a meeting of that PB. Mr. Bisbee responded that the amount of the bond needed to be determined. He recommended that the bond amount be set at 110% of the bid. PB member Andrews opined that there needed to be something included to allow New London to retain security to cover "latent defects". Mr. McWilliams opined that the matter needed to be fully resolved and spelled out before the PB grants approval. PB member Clough said that she wanted input from the town road agent and she wanted to know

what was being done in other towns. Chair Ebel asked Mr. McWilliams for guidance. Mr. McWilliams replied that the PB needed to work out the stages at which portions of the bond should be released and in what amounts.

Mr. Bisbee opined that the PB was discussing really refined details that would be determined over time, and he recommended that the PB approval refer to the agreement mentioned in item 4. Mr. McWilliams advised that the term "agreement" used in item 4 did not mean a written document. PB member Andrews said that it didn't appear that the PB had the information that it needed to make a decision. All PB members agreed on the concepts, but wanted wording to spell out the details.

Mr. Bisbee stated that the financial security would be in place and would be reduced in stages. He said that if the PB needed a schedule for security reduction and Mr. McWilliams could produce such a schedule within the next few days, the matter could be concluded.

Mr. Caron advised that items 2 and 3 on the list drafted by Mr. McWilliams could be available with the next few days. He said that the advisory signs could be added to the plan. PB member Andrews said that a requirement that "silt fencing be laid out all along the side" should be added to the list of issues to be addressed.

Mr. Bisbee recommended replacing references to a specific engineer with "town engineer" or "resident engineer". He also proposed that security be set at 110% of the bid amount to be reviewed for acceptability by the town road agent. He opined that the estimate did not need to be reviewed by the engineer.

Mr. Caron advised the PB to consider what would happen in the case of default by the developer and the town having to take over the project and put it out to bid. He said that any agreements that the contractor might have had with suppliers would be non-existent, and he recommended that the bond amount be 15% of the bottom line using state bid practices. He recommended against using 110% of the bid amount to set the bond.

Mr. Bisbee commented that when the PB had, in the case of an application for a small subdivision in Sutton with sole access via Stonehouse Road in New London, considered apportioning the costs of improvements to Stonehouse Road and the intersection of Stonehouse Road and King Hill Road. He acknowledged that the application had subsequently been withdrawn. Mr. Bisbee asked the PB to consider cost sharing should anyone come along to piggyback on the improvements made by Mr. Feins.

It was **MOVED** (Cottrill) and **SECONDED** (Cook) **THAT THE CONTINUED PUBLIC HEARING ON FINAL PLANS FOR STONEHOUSE ROAD ACCESS TO THE HARBORVIEW SUBDIVISION IN SUTTON BE CONTINUED TO FEBRUARY 27, 2007 AT 7:30 PM. THE MOTION WAS APPROVED UNANIMOUSLY.**

**III. JONATHAN PAUL –Preliminary Plan: Road Realignment and Possible Lot Merger**  
**(Tax Map 91, Lots 7, 8, & 14)**

Jonathan Paul was accompanied by Ross Stevens (Stevens Engineering), George Pellettieri (Pellettieri Associates), and Glenn Bonewald.

Ross Stevens displayed a revised copy of the proposed road realignment and possible merger of two lots. He explained that the plan had been revised as a result of the afternoon meeting with municipal department heads. Smaller copies of the revised plan were distributed to the PB. Mr. Stevens showed that the property owned by Jonathan Paul consisted of two pieces separated by a road. He advised that the two pieces were currently taxed as two separate lots. He said that the proposed lot line adjustment would combine the two pieces of property into one lot.

Mr. Stevens stated that there had been a discussion with the Conservation Commission regarding the road geometry and the encroachment on wetlands. He said that he had talked about the proposed road geometry with the Board of Selectmen and the Board had obtained an opinion from Town Counsel. Mr. Stevens advised that the Town of New London has elected not to exercise any rights over the proposed realignment, as the road is a private road. He advised that the existing right-of-way is 35 feet wide and the regulatory requirements for

service road standards would be met. Mr. Stevens advised that the planned road would be 14-foot wide, whereas the existing road width varies from a minimum 10-foot width on up.

Chair Ebel said that she had read the letter that had been sent by the Board of Selectmen to Town Counsel Bart Mayer, and she asked if his response was verbal or written. Mr. Stevens said that apparently it was verbal and that the legal opinions differed in regard to whether Bemis or Paul owned the land under the road. He advised that the issue would be resolved.

Chair Ebel asked Ken McWilliams about any issues raised at the meeting with municipal department heads. Mr. McWilliams replied that the departments wanted wider turning radii to allow better access to the buildings on the property. He said that the Fire Department had also mentioned having a water source on site. Mr. Stevens replied that Mr. Paul had agreed to the town recommendations regarding access and snow storage. Zoning Administrator Peter Stanley advised that the new Driveway Permits would also address the issues. Mr. Stevens said that they had not discussed a specific water source, but had discussed a pond because there were significant wetlands on the property. Zoning Administrator Stanley recommended a pond as a practical solution for many properties. PB member Cottrill opined that other property owners in the vicinity could be interested in a fire pond.

Abutter David Bemis (Tax Map 91, Lot 15) said that he was an abutter on the south side of the property and he was concerned about any impact construction would have on the trees located on his property. He said that he had been assured that no trees on his property would not be damaged or cut during construction and that a fence would be erected to set his trees apart from those on the Paul property. Mr. Bemis said that, other than his concern about his trees, he was in favor of the proposal.

Abutter Woody Blunt (Tax Map 91, Lot 16) advised that there was a right-of-way over his property. He said that he hoped that the construction would be done at the end of the construction season, not at the beginning, when the road could get really torn up during the wet spring season. Mr. Paul responded that he wanted to do the construction before summer and opined that it could happen in a reasonably dry spring. He asked how long the Wilson (Tax Map 103, Lot 25) project had taken. George Pelletieri replied that the Wilson project had been staged and, therefore, took more time to complete.

Abutter Woody Blunt advised that the road used to go through to Poor Road until it was shut down one night by two residents of Poor Road. He said that he wondered about the right-of-way in the event of a challenge. He advised that the deeds contained language re the right-of-way. Abutter Bemis said that a consensus of the abutters preferred to have the right-of-way closed.

Abutter Shelby Blunt (Tax Map 91, Lot 16) asked if any trees would be removed. Mr. Paul replied that only trees on the Thompson property would be removed. He said that the plan included planting more trees along the curve of the road. Chair Ebel asked if there were any large pines along the front of the property. She told the applicant that the PB had recently granted permission to remove huge pines on the nearby Wilson property that had been damaged during construction. She stated that construction at or near the 50-foot shoreland buffer line should be done carefully and that the PB felt that the death of the trees was a direct result of the house being built right up to the buffer line. She said she understood that Mr. Pelletieri had been involved with the Wilson project. Mr. Pelletieri replied that no activity was planned near pines. Mr. Paul confirmed this and said he understood the problem.

Chair Ebel said that the right-of-way ownership issue needed to be resolved and the applicant would have to submit a final plat showing the lot line adjustment. She advised that the PB should refer the applicant to the Zoning Board of Adjustment for a Special Exception regarding the wetlands encroachment.

It was **MOVED** (Cook) and **SECONDED** (Cottrill) **THAT THE PRELIMINARY PLAN FOR ROAD REALIGNMENT AND POSSIBLE LOT MERGER SUBMITTED BY JONATHAN PAUL BE REFERRED TO THE ZONING BOARD OF ADJUSTMENT FOR A SPECIAL EXCEPTION FOR THE WETLANDS ENCROACHMENT. THE MOTION WAS APPROVED UNANIMOUSLY.**

## V. DRIVEWAY REGULATIONS

Ken McWilliams circulated the approval page for the revised Driveway Regulations for PB signatures.

## VI. SIGNAGE

Ken McWilliams advised that the PB might want to appoint a subcommittee to review recommendations made by the Zoning Administrator regarding signage. Mr. McWilliams suggested that the committee could include members of the PB, representatives of New London Hospital, and representatives of Colby-Sawyer College, as well as others.

Zoning Administrator Peter Stanley said that the PB needed to address the signage needs of the hospital and the college as they were unique to those institutions. He opined that the issue should be addressed within the Institutional Zone regulations instead of by referral to the Zoning Board of Adjustment. He said that the New London Shopping Center also had sign issues. He advised that another sign issue that needed review related to the size of "open" signs that currently fall under Article II.10.d. SIGNS NOT REQUIRING A PERMIT. Zoning Administrator Stanley opined that the maximum size of 16 square feet for flags set forth in the same Article also should be reviewed. He spoke of the proliferation of "open" and "sale" flags. He advised that the maximum size was not now being enforced. He said that if the PB decides that it wants to review the issue in the future, the Board of Selectmen could declare a moratorium on enforcement pending PB action. He opined that a review of signage regulations was both a strategic planning issue and a more immediate enforcement issue.

Chair Ebel asked if most towns restricted "open" signs. Mr. McWilliams replied that New London's regulations were more restrictive than most; however, the regulations varied widely from town to town. Chair Ebel opined that open flags for new businesses, such as that displayed recently by Mesa, served a legitimate business purpose. Zoning Administrator Stanley said that they also helped businesses that were set back from the road.

PB member Clough urged the PB to review the regulations and move into the modern age. Chair Ebel and PB member Andrews agreed that aspects of the sign regulations language needed to be reviewed and the Board of Selectmen should declare a moratorium on enforcement during the review. Zoning Administrator Stanley recommended that the subcommittee have wide representation, e.g., the Chamber of Commerce. He asked if the PB would authorize him to contact the college and the hospital regarding participation on a subcommittee to study the issues. He opined that institutional signage should be address through Site Plan Review rather than by Variance. Mr. McWilliams advised that one or two members of the PB should be on the subcommittee. PB member Andrews volunteered to be on the subcommittee if it were to meet at night.

## VII. DRAFT SITE PLAN REVIEW REGULATIONS – Continued Review and Discussion

Ken McWilliams advised the PB that it had previously stopped its review of the June 6, 2006 draft on page 17, Section F. Parking, Loading and Safety. Chair Ebel asked if he was only looking for comments on sections noted by the PB or on all provisions. Mr. McWilliams responded "just those for which there were comments".

Chair Ebel asked about the basis for the 10,000 square feet contained in Section G. Water Drainage on page 18. Mr. McWilliams advised that, based upon subsequent discussions with town officials, the amount had been reduced to 2000-2500 square feet. Chair Ebel stated that she wanted to encourage low environmental impact for development in the town. Mr. McWilliams replied that the subdivision regulations contained a great deal of low-impact development language which was incorporated by reference into the draft SPR regulation. He opined that Louis Caron (L.C. Engineering Company, LLC) or some other engineer should review drainage. PB member Clough asked if the PB should use a hydrologist instead of an engineer to review drainage issues. Mr. McWilliams called the PB's attention to a 2005 Data Report published by the University of New Hampshire Stormwater Center as a good source of information. Copies will be requested for PB members.

Outdoor Lighting: PB members Cook and Cottrill opined that some of the language was confusing and needed improvement. Chair Ebel asked what the source of the data had been. Mr. McWilliams stated that he had pulled the language from various sources.

Control of Glare: PB member Cook opined that the section was very wordy and that definitions were required. Mr. McWilliams replied that definitions were in Article V on pages 2 and 3. He agreed to review and revise the section.

Light Trespass & Glare: PB member Clough opined the term “objectionable” was very subjective. She opined that the level/amount should be defined. PB member Cottrill suggested using a number of lumens. He opined that there must be some method for measuring light trespass and glare.

PB member Clough said that she did not want to put an official in the judgment seat regarding outside lighting. Chair Ebel asked if security level intensity could be a specific amount. Chair Ebel asked if the 10:30 PM time cited on page 20 under Lighting for Recreational Facilities was too late. Consensus of the PB was that 10:30 PM was too late. Chair Ebel asked what time limit would be reasonable. PB members Andrews and Clough advised that high school athletic games go beyond 9:00 PM. Ms Clough asked why 10:30 PM was objectionable. By consensus, the PB recommended changing 10:30 PM and 11:00 PM in the draft to 10:00 PM and 10:30 PM, respectively.

Chair Ebel said that she would like to see more detail in section 10. Lighting of Gas Station Canopies on page 20. She also recommended the addition of “drive-through” canopies.

Non-conforming Fixtures and Luminaries: PB member Cottrill asked for confirmation that the replacement mentioned in conjunction with grandfathered luminaires did not refer to replacement of a light bulb. Mr. McWilliams read the definition which states that a luminaire is the whole fixture.

Signs: Chair Ebel recommended that “as amended” be added to “the New London Zoning Ordinance.” She asked if regulations commonly cited specific articles and sections. Mr. McWilliams deleted specific references to avoid problems if the regulations were amended and new article and section numbers were assigned.

Snow Removal and Storage: PB member Clough asked about PB approval of off-site snow removal. Zoning Administrator Stanley replied that New London could not regulate storage areas in other towns; however, it could regulate snow storage areas located within New London.

Chair Ebel asked if the buffers cited on page 22 were the buffers currently in effect and, if they were, should there be some way to track changes in the zoning regulations, so changes were reflected in the SPR regulations. She wondered why it was necessary to stick to the buffer requirements and suggested the required distance from water bodies could be increased for snow storage purposes. She said that snow from parking lots was frequently loaded with salt and sand which were very bad for water quality. She asked why it was necessary to stay only 50 feet from a lake, for instance. PB member Cottrill recommended making the buffer 200 feet in the Shore Land Overlay District. Chair Ebel questioned the 25-foot distance from streams and asked why not go to 50 feet. Ken McWilliams recommended a 100-foot buffer for streams. PB member Clough opined that the PB would make it impossible for anyone to comply with the buffer requirements without going to the Zoning Board of Adjustment.

PB member Andrews asked when a property owner advises the PB about where the snow taken from his property will go. Mr. McWilliams responded that if there is not 20% available for on-site snow storage, the applicant must present a plan, and if the snow storage site is in New London, the PB can review it. Zoning Administrator Stanley asked how the town would police compliance with the regulations. He advised that any off-site snow storage location must meet the regulations. He recommended adding another subsection regarding site approval. PB member Andrews opined that an applicant should not have to identify the site(s) of off-site snow storage. Zoning Administrator Stanley reiterated that any site where snow is stored must meet Site Plan Review Regulations. Chair Ebel said that Mr. McWilliams could review the matter. Mr. McWilliams said that it sounded as if snow storage sites would need to have a Site Plan Review. Zoning Administrator

Stanley stated that New London certainly didn't want snow from other towns being trucked into New London to be stored.

Sediment & Erosion Control. Chair Ebel noted that the "10,000 square feet of additional impervious surface area" appeared again. Mr. McWilliams advised that it would be revised in this section to "2000-2500 square feet" as mentioned earlier with respect to another section. Mr. McWilliams advised that he would also make a global change of all "Board" references to "Planning Board".

Review of the Draft Site Plan Review Regulations ceased at this point.

**VIII. OTHER BUSINESS**

- A. The MINUTES of the JANUARY 30, 2007 MEETING of the PLANNING BOARD were APPROVED, as circulated.

The **MEETING** was **ADJOURNED** at **10:00 PM**.

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

DATE APPROVED \_\_\_\_\_

CHAIRMAN \_\_\_\_\_