

NEW LONDON PLANNING BOARD **APPROVED**

REGULAR MEETING & PUBLIC HEARING AUGUST 26, 2008

MEMBERS PRESENT: Karen Ebel (Chairman), Celeste Cook, Tom Cottrill (Vice Chairman), Jeff Hollinger, Ken McWilliams (Planner), Michele Holton (Alternate), Larry Ballin (Selectmen's Representative) arrived at 7:15.

MEMBERS ABSENT: Dale Conly, Michael Doheny, Deirdre Sheerr-Gross (Alternate)

Chair Ebel called the **MEETING TO ORDER** at 7:00PM. She asked Alternate PB Member Michele Holton to sit in as replacement for PB Member Doheny.

I. **WOODCREST VILLAGE – Concept Site Plan Review: Addition of Two Residential Rooms & a Multi-Purpose Room (Tax Map 84, Lots 13 & 17)**

Bill Andrews presented a conceptual proposal for a 2553-square-foot addition to the Woodcrest Village property. He said that the addition would include two additional residential units and a multi-purpose "common" room. He said that the addition would be within the existing footprint. Mr. Andrews said that Woodcrest was proposing the addition to eliminate a flat roof on one of the buildings and to provide two additional two-room suites. He advised that two-room units sold better than one-room units.

Ken McWilliams reported that at the meeting with municipal department heads, Town Administrator Jessie Levine had advised that Whipple Court was a town road that served only Woodcrest and that there had been some discussion about reclassifying it as a private road. Director of Public Works Richard Lee had pointed out that there would be additional sewer fees. Fire Chief Jay Lyon had advised that it would be necessary to change the door to the extra room so that it opened outwardly. Chief Lyon also advised that the requirement for a second exit could be solved by using the fire exit, but they would not be allowed to block the fire door.

Zoning Administrator Peter Stanley asked if the expansion would be subject to density requirements. Mr. McWilliams replied that he had done some research and found that the PB had previously required a Special Exception for two additional rooms and a community room.

It was **MOVED** (Hollinger) and **SECONDED** (Holton) **THAT THE PROPOSAL BY WOODCREST VILLAGE TO ADD TWO TWO-ROOM SUITES AND A COMMON ROOM BE REFERRED TO THE ZONING BOARD OF ADJUSTMENT FOR A SPECIAL EXCEPTION. THE MOTION WAS APPROVED UNANIMOUSLY.**

II. **COLBY REAL ESTATE – Concept Site Plan Review: Need for Site Plan for Occupancy at Former Office Space of Ausbon Sargent Land Preservation Trust (Tax Map 84, Lot 73)**

Ben Cushing, Principal Broker for Colby Real Estate, said that Colby Real Estate had been advised by Zoning Administrator Peter Stanley, after the agency had already moved from 35 Newport Road to 11 Pleasant Street, that it should have submitted a conceptual proposal to the PB regarding the change in use from *general office* to *real estate office* because of parking requirements. Mr. Cushing said that there were 31 spaces available.

Ken McWilliams said that he had talked with Janet Kidder, owner of the building, who had provided the square footage information. He advised that he had recalculated the number of parking spaces required for the entire building and its occupants, including Colby Real Estate, and found that only 18 spaces were required for the present tenants. He opined that since only 18 parking spaces were needed and there were 31 spaces available, there was no need for Site Plan Review (SPR).

PB Member Holton asked wasn't the change only from *office* to *office*? Mr. McWilliams responded that *Real Estate Office* use required five parking spaces per 1000 square feet, whereas *General Office* use required only

three parking spaces per 1000 square feet. He opined that it was good to review parking requirements whenever a change in tenancy occurred. PB Members concurred.

It was **MOVED** (Hollinger) and **SECONDED** (Cottrill) **THAT NO SITE PLAN REVIEW BE REQUIRED FOR A CHANGE IN USE FROM GENERAL OFFICE TO REAL ESTATE OFFICE AT 11 PLEASANT STREET (TAX MAP 84, LOT 73) SINCE THE NUMBER OF EXISTING PARKING SPACES (31) FOR THE BUILDING EXCEEDS THE NUMBER OF PARKING SPACES REQUIRED (18), FOR THE CURRENT OCCUPANTS, INCLUDING COLBY REAL ESTATE. THE MOTION WAS APPROVED UNANIMOUSLY.**

The PB thanked Colby Real Estate for coming to the meeting.

III. MARK PEDERSON – Final Site Plan Review: Home Business: Signs (Tax Map 132, Lot 7)

Mark Pederson was accompanied by Keith Faccione, Managing Member of 18 Hominy Pot Road, LLC, owner of the property.

Mr. Pederson advised that most of the sign work would be conducted in the garage and he would use a second bedroom in his apartment as an office. He opined that there would not be much traffic. He said most of his customers were local. He also stated that work would be at irregular hours.

Chair Ebel asked about the square footage used for business, his proposed work schedule, any traffic coming to or leaving the site, and whether he would have any employees. Mr. Pederson replied that he would have no employees. He said that he usually went to the clients, rather than having them come to him. He said that there might be an occasional UPS delivery truck coming to the site. He said that, as described in his executive summary, his proposal would comply with New London's home business ordinance.

Chair Ebel asked Mr. McWilliams if any issues had been raised at the meeting with municipal department heads. Mr. McWilliams replied that there had been no issues raised.

It was **MOVED** (Cook) and **SECONDED** (Hollinger) **THAT THE FINAL SITE PLAN FOR A HOME BUSINESS: SIGNS AT 18 HOMINY POT ROAD (TAX MAP 132, LOT 7) BE APPROVED AS PRESENTED BY MARK PEDERSON. THE MOTION WAS APPROVED UNANIMOUSLY.**

PB Member Ballin arrived at 7:15 PM.

VI. COLBY-SAWYER COLLEGE – Concept Site Plan Review for Temporary Housing of Students at Colby Farm: Need for Site Plan? (Tax Map 96, Lot 3)

Douglas Atkins, Colby-Sawyer College Vice-President for Administration, advised the PB that the latest count of students expected to enroll in September was 998. He advised that 907 of them would be residing in college housing and that the college had 915 available beds.

Mr. Atkins told the PB that the college tried to assign compatible roommates, but it needed to have space available to make rooming changes when necessary. He said that the request to temporarily house up to eight (8) students in Colby Farm was for the month of September only. He said that past experience has shown that some students leave during the period when refunds are available and those withdrawals allow reassignment of residence hall rooming.

Ken McWilliams said that at the meeting with municipal department heads, Fire Chief Jay Lyon had advised that a fire alarm system, different outside door hardware, and sheetrock on the wall between the garage and the house would be required.

PB Member Cottrill asked about the number of students that would be housed in Colby Farm. Mr. Atkins replied that it might not be necessary to use Colby Farm at all, but it was important to have the option if the need were to arise. In response to a question from the PB, Mr. Atkins advised that Colby Farm was currently used for overnight guests of the college, small receptions, and trustees.

Chair Ebel asked if the fire department changes would accommodate receptions as well as college housing. She wanted to know if the changes were for the current situation or would they apply to future uses as well. Mr. McWilliams replied that Colby-Sawyer would like to be able to use Colby Farm for the same reason in future years.

Mr. Atkins advised the PB that, as stated in the letter from Jesseman Associates, P.C., the college would come back to the PB if the need extended into October. PB Member Cottrill asked when students would arrive. Mr. Atkins replied that entering students would arrive on Friday, September 5, and returning students would arrive on Sunday, September 7.

PB Member Ballin opined that it would really be a change in use from a single family residence to student housing for up to eight students. He asked if Colby Farm was in the Residential Zone. Mr. Atkins replied that Colby Farm was in the Institutional Zone.

Chair Ebel asked if Fire Chief Jay Lyon had assessed the building for receptions. Stephen Jesseman (Jesseman Associates, P.C.) responded that Fire Chief Lyon had gone through the entire building and talked about all uses, like the occasional college visitors and receptions. Chair Ebel suggested that PB approval could be expanded to include those other uses. Mr. Atkins suggested that the PB could make its approval subject to compliance with Fire Department requirements.

Zoning Administrator Peter Stanley said that the uses mentioned could be allowed in a single family residence, but the PB might want to cap the number. He said that the college was using the garage for storage of maintenance equipment, which would not be allowed for a single-family residence. He said that use described was a permitted use in the Institutional Zone, but it was a change in use for that building. He opined that there should be a Site Plan Review of the entire property

It was **MOVED** (Hollinger) and **SECONDED** (Cottrill) **THAT NO SITE PLAN REVIEW BE REQUIRED FOR TEMPORARY HOUSING OF UP TO EIGHT STUDENTS IN COLBY FARM FOR A PERIOD NOT TO EXTEND BEYOND SEPTEMBER 30, 2008, CONTINGENT UPON COMPLIANCE WITH FIRE DEPARTMENT REQUIREMENTS. THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Atkins advised that the driveway access to Colby Farm had been changed so that vehicles would no longer enter off Main Street; instead, access would be through the campus.

V. COLBY-SAWYER COLLEGE – Discuss Revised Plan for Installation of Pervious Pavement at Parking Lot O (Tax Map85, Lot 33)

Douglas Atkins, Colby-Sawyer College Vice-President for Administration, told the PB that there was no change in the design of Parking Lot O. He reminded the PB that originally the plan called for 25 feet of pervious asphalt pavement and 25 feet of pervious concrete pavement. He advised that the college had been unsuccessful in finding a vendor willing to provide only 25 feet of pervious asphalt. The college, therefore, proposed to construct both 25-ft. sections using pervious concrete paving.

Chair Ebel asked if the parking lot base levels would differ. Stephen Jesseman (Jesseman Associates, P.C.) advised that the college had spent considerable time with Director of Public Works Richard Lee discussing how to design and build the pervious concrete experimental pavement in a way that would allow it to be monitored. He said the sub-grade would be shaped with a slight slope toward the center and toward the detention pond side. He said that any outflow would be collected in a container and released later into the detention basin; thus, allowing any water that did not drain into the parent soil to be collected at a common point and measured. He

said that he believed that Colby-Sawyer College students would be monitoring the project from two different points, a rain gauge near the drive, a known surface area, and a means of determining the amount of water that does not get absorbed into the earth. He advised that concrete pavement could be placed over stone, which would allow the water that passed through it easy access to the parent soil. He said also said that they had run into drainage problems when a combination of the two different types of pervious pavement were involved.

Zoning Administrator Peter Stanley advised that the college could put down a layer of fabric with stone on top of it. Mr. Jesseman advised that asphalt paving machinery could not pass over a stone base; it would get stuck.

It was **MOVED** (Holton) and **SECONDED** (Hollinger) **THAT THE FINAL SITE PLAN APPROVED FOR CONSTRUCTION OF PARKING LOT O ON THE COLBY-SAWYER COLLEGE CAMPUS BE MODIFIED TO INCLUDE TWO 25-FT. SECTIONS OF PERVIOUS CONCRETE PAVEMENT, RATHER THAN 25 FEET OF PERVIOUS ASPHALT AND 25 FEET OF PERVIOUS CONCRETE. THE MOTION WAS APPROVED UNANIMOUSLY.**

Chair Ebel requested that the PB be provided with performance data after six months. Mr. Jesseman advised that the base had already been installed, and he invited PB members to go to the site to view it.

VI. NEWPORT ROAD DENTAL OFFICES, LLC – Final Site Plan Review: Phase 2 Addition
(Tax Map 59, Lot 1)

Darren Phipps, DDS and Greg Gutgsell, DDS were accompanied by Peter Blakeman (Blakeman Engineering, Inc.) and Jim Bruss (Bruss Construction, Inc.).

Peter Blakeman briefly recapped Phase 1 of the project, which included renovation of the former Hayward Refrigeration Building located at 125 Newport Road to create 4200-4500 square feet of dental office space and provide 40 parking spaces. He advised that subsequent to the dentists' last meeting with the PB, they had purchased the 12-foot strip of land adjacent to the west side of the property.

Mr. Blakeman said that Phase 2 would consist of adding approximately 5430 square feet of space that would allow for two new dental offices and one general office. He explained that acquisition of the 12-foot strip allowed for 12-14 feet more building. He said that the Phase 2 addition would require 41.3 parking spaces and the plan has 44 spaces, 6 of which would be located in the 12-foot strip. He said that those six parking spaces would be used by employees.

Mr. Blakeman said that the Phase 2 building would be lower than the Phase 1 building. He said that Phase 1 water and sewer connections had been installed with Phase 2 in mind; however, a Phase 2 sewer connection would be needed. He said that there would be 36.6% green space on the site, compared to the 35% green space requirement. He said there would be plenty of space for snow storage and the locations were shown on the plan. In regard to drainage, Mr. Blakeman said that there would be bio-retention rain gardens for full build out to assist landscaping. He said that there would be no change in drainage flow. He advised that there would be a couple of yard drains between the building and the sidewalk and foundation drains. He pointed out that all of the utilities would be in one area.

Jim Bruss said that he had a plan to protect the public from construction equipment. He said that he would be trying to limit the area of construction and maximize parking availability. He said that Phase 1 had required 20 spaces, and they would have 23 with the proposed construction staging for Phase 2. Chair Ebel asked where the construction traffic would be. Messrs. Blakeman and Bruss demonstrated the location on the plan and said that the foundation would be completed before the dental offices opened. Mr. Bruss advised that they had a signed agreement with Lake Sunapee Bank to allow for up to 10 spaces, if overflow parking should be needed. He said that the Lake Sunapee Bank parking lot was seldom full. PB Member Ballin asked if the Lake Sunapee Bank parking would be used only for construction workers. Mr. Bruss responded affirmatively. He advised that the first priority after the foundation would be construction of the six parking spaces for employees.

Chair Ebel asked Ken McWilliams what issues had been raised at the meeting with municipal department heads. Mr. McWilliams advised that the dentists would need to obtain a temporary Certificate of Occupancy

for Phase 1, apply the finish coat of paving, and loam and seed where needed. Mr. McWilliams advised that additional comments by department heads were: Lake Sunapee Bank excess parking for construction people would require a safe pedestrian crossing over Newport Road. Director of Public Works Richard Lee had stated that there would be additional sewer fees for the new offices. Mr. Lee had also discussed a plan for stabilizing the area if the foundation were not completed by October. Zoning Administrator Peter Stanley had advised that permits would be needed for the construction trailers and a Certificate of Occupancy would be required for Phase 2. Fire Chief Jay Lyon had pointed out the need to connect the sprinkler system in the basement to Phase 2 and to add bollards in front of the gas tank.

It was **MOVED** (Holton) and **SECONDED** (Cottrill) **THAT THE FINAL SITE PLAN FOR THE PHASE 2 ADDITION OF TWO DENTAL OFFICES AND ONE GENERAL OFFICE TO THE RENOVATED BUILDING LOCATED AT 125 NEWPORT ROAD (TAX MAP 59, LOT 1) AS PRESENTED BY NEWPORT ROAD DENTAL OFFICES, LLC BE APPROVED. THE MOTION WAS APPROVED UNANIMOUSLY.**

VII. UPPER VALLEY LAKE SUNAPEE REGIONAL PLANNING COMMISSION – Discuss Zoning Boundary Study

Zoning Administrator Peter Stanley introduced Rachel Ruppel, a GIS Analyst with the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC). He said that, as the person who had spearheaded the effort to have a zone boundary study done, it seemed appropriate for him to introduce Rachel to the PB.

Rachel began by stating that the charge to the UVLSRPC was to locate and describe the boundaries of the town's zoning districts so that the boundaries would be easy to understand and to determine on a map or in the field, i.e., establish concrete zone bounds from existing conceptual bounds. She opined that any and all zoning boundaries should be easily locatable, in that a boundary's position is referenced to notable landscape features, such as roads, lakes, and parcel boundaries.

Rachel advised that the UVLSRPC's staff used a set of simple rules in the development of the proposed changes to the zoning district boundaries: (1) boundaries follow road center lines OR (2) boundaries follow parcel boundaries OR (3) on lakes and ponds, boundaries follow shore-side parcel boundaries rather than the shoreline itself, as the shoreline is assumed to change over time OR (4) boundaries follow a specified offset distance from any of the previously mentioned landscape features. She added that where current zoning boundary lines did not follow the rules, the change with the most simplicity was selected.

Rachel opined that the primary benefit of this approach was that interpretation and regulation of the Zoning Ordinance would become easier due to several factors: (1) fewer parcels would fall within two or more zoning districts. (2) Zoning district boundaries would be simplified. (3) Zoning district boundaries would be linked to features with known locations, rather than arbitrary lines in space. (4) Boundaries would more accurately reflect the current and future uses of land, specifically conserved/public land and commercial areas.

Rachel referred the PB to the packet of maps provided and pointed out that for each situation there was a map showing the current bounds and a map showing her proposed changes. She said that these represented some of the areas most in need of boundary clarifications. Rachel walked PB members through each of the maps providing the reasons for her recommendations. She said that she had tried to minimize the impact on property owners.

Zoning Administrator Stanley emphasized that applying the stricter rule whenever a property bridged zones applied to new lots.

PB Member Cottrill asked why not establish two points and draw a line to determine the new boundary. Zoning Administrator Stanley responded that such an approach would be costly as it would entail hiring a surveyor to establish the bounds. PB Member Cottrill said that he was concerned about the impact on lots with over 25 acres. Chair Ebel asked if there were any other areas in which the PB might be interested. Rachel replied that the examples presented were the areas where substantial changes would occur.

Zoning Administrator Stanley advised that the changes in zone boundaries would be an item on the ballot in March. He recommended distributing maps and descriptions before the Town Meeting in order to inform the voters. Ken McWilliams advised that the law required that a public hearing be held. He recommended that a hearing on the issue be scheduled for early December. Mr. McWilliams suggested that the PB might want to notify and/or meet with property owners whose parcels would change districts ahead of time. He said that it wasn't required, but he opined that it would be a good way to communicate the changes and reasons for the changes. Chair Ebel asked who would do the work. Zoning Administrator Stanley said that he could come up with a list of property owners. PB Member Holton stressed how important meeting with and informing property owners whose parcels would be impacted by the proposed changes was. She used as an example her own experience as an abutter of the Ewing property, and praised how well Robert Ewing had kept abutters informed regarding changes on his property.

**VIII. DENNIS AUFRANC – Concept Site Plan Review: Change Use from Bed & Breakfast to an Inn
(Tax Map 56, Lot 15)**

Dennis Aufranc told the PB that the economy was driving his request to change Maple Hill Farm from a Bed & Breakfast to an Inn. He said that, as an Inn, Maple Hill Farm would serve the public, by reservation only, dinners and breakfasts on weekends and holidays only.

Mr. Aufranc said that the change in status would require a Variance from the Zoning Board of Adjustment (ZBA); therefore, he asked that the PB refer his request to the ZBA so that he could begin the procedure.

It was **MOVED** (Cook) and **SECONDED** (Holton) **THAT THE REQUEST BY DENNIS AUFRANC TO CHANGE MAPLE HILL FARM LOCATED AT 1200 NEWPORT ROAD (TAX MAP 56, LOT 15) FROM A BED & BREAKFAST TO AN INN BE REFERRED TO THE NEW LONDON ZONING BOARD OF ADJUSTMENT FOR A VARIANCE. THE MOTION WAS APPROVED UNANIMOUSLY.**

IX JOHN & DOROTHY RIGGS – Final Minor Subdivision: 2 Lots (Tax Map 136, Lot 7)

PB Member Cottrill recused himself.

Clayton Platt (Pennyroyal Hill Land Surveying and Forestry, LLC) presented an application on behalf of John and Dorothy Riggs to subdivide a 102.73 acre lot off NH 103A into two lots: one lot would contain 2.25 acres and an existing house and the other lot would contain 100.4 acres. Mr. Platt advised that wetlands and soils scientists had reviewed the property. Mr. Platt requested waivers of the Land Subdivision Control Regulations requirements for high intensity soils mapping and topographical mapping of the 100-acre parcel.

Chair Ebel asked if there were any abutters present. No one came forward. Deborah Stanley, Executive Director of the Ausbon Sargent Land Preservation Trust (ASLPT) spoke in support of the subdivision. She opined that the probable owner of the larger parcel would be conservation. She said that the ASLPT was an abutter of the property to be subdivided.

It was **MOVED** (Hollinger) and **SECONDED** (Cook) **THAT THE REQUEST FOR WAIVER OF SECTION V. ARTICLE C. 7. AND SECTION V. ARTICLE C. 8. OF THE LAND SUBDIVISION CONTROL REGULATIONS PERTAINING TO THE 100-ACRE PARCEL BE APPROVED. THE MOTION WAS APPROVED UNANIMOUSLY.**

It was **MOVED** (Cook) and **SECONDED** (Hollinger) **THAT THE APPLICATION FOR A MINOR SUBDIVISION OF A 102.73 ACRE PARCEL LOCATED OFF NH 103A (TAX MAP 136, LOT 7) INTO TWO LOTS, ONE HAVING 2.25 ACRES AND ONE HAVING 100.48 ACRES, BE APPROVED. THE MOTION WAS APPROVED UNANIMOUSLY.**

The mylar was presented for PB signatures and for forwarding to the Merrimack County Registry of Deeds by the Town of New London.

Tom Cottrill returned to the PB.

X. DRAFT 2009 PLANNING BOARD BUDGET

A. CIRCUIT RIDER PLANNER BUDGET

Ken McWilliams advised the PB that Town Administrator Jessie Levine had prepared the distributed spreadsheet of Circuit Rider Planner hours used over the last three years, excluding special projects.

Mr. McWilliams further advised that he had used a Circuit Rider rate of \$50 per hour for 667 hours (based upon last year) in preparing the draft budget.

Chair Ebel said that using one PB meeting per month for the Master Plan reduces the Circuit Rider Planner hours; therefore, she would be agreeable to reducing the total hours to 500. She opined that regulations pending did not seem to be more demanding.

PB Member Cottrill asked by the hourly rate was being reduced from \$52 to \$50. Mr. McWilliams replied that he had reduced the rate to be more competitive with other proposals under consideration by the Town.

B. MASTER PLAN

Ken McWilliams advised that most chapters in the Master Plan take two meetings. He said the estimate included extra meetings to review draft revisions.

Chair Ebel reminded the PB that it had saved approximately \$4500 by conducting the community survey on-line, and she said that she really wanted to have the opportunity to review revised draft chapters. Mr. McWilliams asked if the PB wanted to place the additional expense into the Master Plan Budget or into the Circuit Rider Budget. Chair Ebel responded that she would like to have it go into the Master Plan Budget.

Mr. McWilliams advised that he had formulated the Scope of Service and Cost of adding a new Energy chapter to the Master Plan after meeting the Chet Reynolds, Chairman of the Energy Committee, and talking with the New Hampshire Office of Energy and Planning. He advised that New London was really at the forefront of New Hampshire towns when it came to energy issues.

Chair Ebel asked if the PB had not decided to not go with commercial wind farms and if it hadn't determined that hydro-electric was not practical.

PB Member Ballin recommended letting the Energy Committee draft a chapter for the PB to review. Mr. McWilliams reminded the PB that at its March 11, 2008 meeting, it had decided not to go that way. Mr. McWilliams advised that the proposal included what the possibilities were, even if the PB were to state that something was not possible. PB Member Ballin said that he didn't want to spend \$5,000 for an Energy chapter. He asked if the PB could just cut the proposed cost by 20%. Mr. McWilliams said that he could rewrite the proposal and determine what would be possible if the proposed cost was 20% less.

PB Member Cottrill opined that New London would pay a price for being at the forefront of the alternative energy initiative.

In response to a question regarding the number of Community Surveys that had been completed, Chair Ebel replied that there were 95 complete surveys as of that date.

XI. OTHER BUSINESS

- A. The MINUTES of the JULY 22, 2008 MEETING of the PLANNING BOARD were APPROVED, as circulated.
- B. The MINUTES of the AUGUST 12, 2008 MEETING of the PLANNING BOARD were APPROVED, as amended.

The **MEETING** was **ADJOURNED** at **9:20 PM**.

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

DATE APPROVED _____

CHAIRMAN _____