



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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**PLANNING BOARD
DRAFT MEETING MINUTES
Tuesday, October 28, 2014
7:00 PM**

MEMBERS PRESENT: William Helm (Chair); Paul Gorman (Vice Chair); Peter Bianchi (Board of Selectmen's Representative); Jeremy Bonin; Emma Crane; William Dietrich

MEMBERS ABSENT: Michele Holton (Secretary); Elizabeth Meller (Alternate)

STAFF: Lucy St. John (Planning and Zoning Administrator), Chris Work (Recording Secretary)

Call to Order

Chair Helm called the meeting to order at 7:00 PM.

Review of Minutes - September 9 Work Session; September 23 Regular Meeting; September 24 Regular Meeting (continued from 9/23); October 9; October 14; October 16th Site Visit of Police Facilities and October 23 minutes.

Selectman Peter Bianchi asked for clarification of a statement contained in the September 24 minutes which indicated the Town of New London planned to erect a second tower on Mount Sunapee (p. 4, under Police Dept. dispatch presentation by Ed Anderson: “.. It was noted that a second repeater was being added to Mt. Sunapee.”) Mr. Bianchi indicated he had left the meeting early, and was not present when the statement was made. He said the sentence seemed to indicate the decision had already been made to add the tower, when, in fact, this was not the case. It was suggested that the statement be changed to read “It was noted that a second repeater **may** be added to Mt. Sunapee.” Board members agreed this language was more accurate.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Bill Dietrich) to accept the Sept 9; Sept 23; Oct 9; Oct 14 and Oct 16 minutes as presented; and to amend the Sept 24 minutes to include the word “may”. The minutes of the Oct 23 meeting will be discussed at the Nov 18th meeting. THE MOTION PASSED UNANIMOUSLY.

Public Comment

➤ **Solarize Kearsarge: Andover-New London-Wilmot**

Chair Helm drew the board's attention to notices posted about town regarding an organization called “Solarize Kearsarge,” which has a goal of doubling the amount of solar in surrounding communities this fall and winter. He noted that two upcoming events are highlighted on the notice, including a Solar Open House at 438 Hall Farm Road on Saturday, Nov 15th. Chair Helm explained that typically the solar panels are installed on roof tops. He noted that the

placement of solar panels and solar related hardware, may also be ground-mounted. He noted that ground-mounted equipment may raise some questions during the building permit process, as to whether these are accessory structure, and how neighbors might respond if a ground-mounted system is installed in a front yard, or in some other areas of a property.

Peter Bianchi noted that the Energy Committee recently asked the Board of Selectmen for permission and guidelines to put up a sign regarding solar energy and showed a picture of the one proposed.

Paul Gorman asked Peter if the Board of Selectmen has discussed the possibility of using solar in town buildings, and Peter replied they have not.

Tree Cutting Applications

There were no new tree cutting applications submitted for approval. Ms. St. John explained that Mr. Schimberg (196 Pike Brook Road), has requested to continue the discussion of the tree cutting on his property to the Nov 18th meeting.

Other Business

- **Sutton Planning Board notice to New London Planning Board regarding continuance of a public hearing for Jonathan Feins Minor Subdivision Plan, formerly known as Phase II of Harborview Subdivision. Located on Stonehouse Road. Access via New London. Refer to RSA 674:53-Land Affected by Municipal Boundaries.**

Ms. St. John informed the Board that the Town of Sutton sent a notice to the New London Planning Board via email on October 21 regarding this proposed subdivision plan. Access to the subdivision would be through the Town of New London, via Stonehouse Road, which requires notice to the Town of New London, per RSA 674:53. Ms. St. John said that she would have to review the Town files, to learn more about the history and any previous action which may have been taken. She suggested that the Planning Board inform the Town of Sutton that a copy of the plan is needed and that New London Planning Board will need time to review the files.

Chair Helm said he had spoken to Tom Cottrill, former Chair of the New London Planning Board to learn more about the history of the Planning Board's review and actions on the previous plans. Mr. Cottrill recalled that in 2007 there were conditions about the culverts from King Hill Road up to the Sutton line, and that the Town carefully reviewed the plans. Chair Helm noted that the proposed new subdivision is only 3 lots, and the previous plans were for 32 lots. Staff will review the files and provide some background history on this issue for the next meeting.

Chair Helm noted that the Sutton Board of Selectmen meet twice in November on days when the NL Planning Board is not meeting, and board members might consider attending one of the Sutton meetings.

Lucy St. John cautioned that previously approvals should be reviewed and that if there are only three lots currently proposed for this subdivision, this could lead to a piecemeal approach for a road that might not be able to handle heavier traffic in the future. Peter Bianchi remarked that the subdivision originally planned on having two access roads – one in New London and one in Newbury – but the Newbury road is gone now. Selectman Bianchi remarked that Laurel Lane is in New London but is accessed from the Town of Wilmot. This happened during the 60's and 70's.

➤ **2015 Planning Board Meeting Schedule draft for discussion**

Lucy St. John had previously distributed a copy of the proposed Planning Board 2015 Meeting Schedule and Zoning Amendment Process Timeline to board members. After a quick review, a motion was called for.

MOTION WAS MADE (Jeremy Bonin) AND SECONDED (Emma Crane) to accept the proposed Planning Board 2015 Meeting Schedule and Zoning Amendment Process Timeline. THE MOTION PASSED UNANIMOUSLY.

Public Hearings and Applications for Site Plans and Subdivision Plans

Colby-Sawyer College Colgate Hall Site Plan. Located at 541 Main Street. Tax Map 085-033-000. Improvements to relocate the lower level nursing lab to the third floor, update the lower level space to become ADA compliant, and divide one classroom into two classrooms. Zoned Institutional. Waivers requested.

Ms. St. John referred to the staff report. The Board accepted that application as complete, determined that it was not a project of regional impact, and decided a site visit was not needed.

Public Hearing Opened.

Frank Anzalone, architect, appeared on behalf of Colby-Sawyer College, and briefly reiterated the details of the proposed improvements. Chair Helm asked for a motion to accept the waivers.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Paul Gorman) to accept the waivers as presented. THE MOTION PASSED UNANIMOUSLY.

Selectman Bianchi inquired whether these improvements would lead to any changes in life safety issues, and Mr. Anzalone replied they would not. He noted the college planned to take what is now a service exit and make it available to everyone. Mr. Anzalone emphasized that all changes made will be presented to the Fire Marshal's office for approval. It was noted that Jay Lyon, Fire Chief, as indicated in the staff report has no issues with the proposed renovation, but he

recommended that the plans be approved contingent upon local and state codes. Chair Helm reiterated that the board wants to make sure all appropriate state and local codes are met.

Public Hearing Closed.

IT WAS MOVED (Bill Helm) AND SECONDED (Peter Bianchi) to approve Colby-Sawyer College's requested improvements to Colgate Hall as presented, with the condition that the plans must be in compliance with all local and state codes. THE MOTION PASSED UNANIMOUSLY.

New London Wood Products Site Plan. Located at 1554 King Hill Road. Tax Map 129-015-000.

Property owned by Dean and Pamela Larpenner. Proposal is to build a 30 x 34 square foot horse barn. Activities currently conducted on the site include a sawmill operation, manufacturing of grade stakes and selling of kiln dried firewood. Zoned ARR. Waivers requested. Public Hearing continued from the September 23rd meeting.

Lucy St. John informed the Board that Dean and Pamela Larpenner have just submitted their application to the Zoning Board of Adjustment and, therefore, it was decided to continue the public hearing to November 18 meeting, and it may be necessary to continue it to the December 9th meeting, pending the ZBA meeting date.

Capital Improvements Plan (CIP) Discussion

Chair Helm provided a brief update on the meetings and presentations by the various Town Departments and others used in preparing the draft Capital Improvement Plan (CIP). He suggested that a Public Hearing be scheduled for the next meeting, Nov 18th. The draft document includes three recommendations of the Planning Board; identifies three Long-Range Planning issues; and suggests that the Planning Board form a study group in 2015 to evaluate key issues regarding the CIP. He pointed out that three projects that came to the top of the list which did not require further study including equipment and vehicles replacements for Public Works and the Fire Department; the Tax Map Correction project; and the need to modernize and improve the Dispatch Center. Chair Helm asked each board members if they concurred with the recommendations and priorities presented. Several of the board members commented that they thought the three priority items had been placed in the proper order and the draft document was very well written.

Selectman Bianchi disagreed with considering tax map correction project as a priority item.

With regard to long-range planning issues, Chair Helm asked if those three categories aligned with what board members had heard from department heads at the various CIP meetings. Paul Gorman agreed with the way the project list had been organized. It was suggested that the last page be laid out in a priority progression. With regard to infrastructure improvements for roads

and sidewalks, Paul Gorman noted that parking has been a significant issue, even more than the sidewalks.

Jeremy Bonin noted that under “long range planning projects that warrant further discussion,” the last statement says the Planning Board will form a study committee. He asked whether the study committee will look at these projects in their current order. Helm confirmed this was the case. He noted the way the projects were laid out on the document separated the space issues from the infrastructure issues. Chair Helm thought a good example would be the expansion of the Old Main Street cemetery.

Chair Helm asked John Wilson and Rob Prohl, who were in attendance representing the Budget Committee, if they had any comments. Dr. Wilson noted that he did not agree the tax map correction project should be in #2 position. He felt the dispatch improvements merited a #1 or #2 placement – probably closer to the top priority. Chair Helm responded that the priority identified are the priorities of the Planning Board, and this is an advisory document for both the Budget Committee and Board of Selectmen to use when making decisions about what to include in the budget. Rob Prohl thought the order was just fine.

Chair Helm suggested the Budget Committee should consider setting up reserve accounts and determine how to pay for these projects. The threshold is \$75,000. The salt shed is not on the list because it falls below the threshold figure. Chair Helm noted that he wanted to talk about projects costing big dollars, but it is not the Planning Board’s role to suggest how these funds will be provided.

Chair Helm noted that any suggested final edits should be provided to staff. Staff will prepare the draft final document, for posting and schedule the public hearing for the November 18th meeting. Ms. St. John explained that a public hearing on the draft document is not required, but the Planning Board may have a public hearing if they want to hold a public hearing. Chair Helm mentioned the Planning Board minutes of the CIP process are available on the Town’s website.

MOTION WAS MADE (Peter Bianchi) AND SECONDED (Emma Crane) to schedule a Public Hearing regarding Capital Improvement Plan (CIP) for the November 18th meeting. THE MOTION PASSED UNANIMOUSLY.

Zoning Ordinance (ZO) Amendment Discussion

Chair Helm noted that the Board is continuing its discussion from the October 14th meeting regarding possible zoning amendment language. The Board had been provided a copy of Hanover’s Rental Housing Ordinance, which addresses rental housing and parking issues. It was noted that the real issue is not the definition of “family,” it is rental housing. Bill Dietrich noted that rental housing is an issue in Hanover, as is evident by the recently adopted Ordinance, and is visible for the cars parked in front of residential buildings. Chair Helm asked Mr. Dietrich if Hanover solved its problem with the creation of the Rental Housing Ordinance. Mr. Dietrich was not sure, but said it allowed the town to require a license to put a certain number of people in a

building, as students may be reluctant to discuss tenant related issues, and this is a mechanism to help insure safety and address related occupancy and parking issue.

Peter Bianchi noted that the current definition of family, allowing 5 unrelated persons has been in the Ordinance since at least 1979. Ms. St. John had also reviewed amendment history of this provision, and concurred it has been in the ordinance for many years.

Chair Helm asked Lucy St. John if she had the opportunity to review provisions from other Towns, such as Plymouth or Henniker, and how they address these types of issues. She responded that she had not.

Key issues related to the discussion on the definition of family included:

- If the Town would adopted a similar Rental Housing Ordinance, would it be retroactive, or apply to all rental housing units? Paul Gorman commented that the board did talk about grandfathering current properties, but Jay Lyon, Fire Chief, noted that there is no “grandfathering” in New Hampshire – there is existing and new. Chief Lyon’s guess is that is why the number three is also referenced in the current definition of lodging house. Chief Lyon also stated that the tough thing in town is that if someone can rent to 5 students at \$850 apiece, these landlords can make substantial money if they increase it to more than 5 residents. Chief Lyon referred to some local examples where there are currently more than five unrelated persons in a housing unit.
- Should the definition of family include a specific number such as five (5), should the whole definition of family be deleted, should the Town consider some rental housing ordinance similar to what Hanover adopted, should the term “domestic servants” be removed from the language, should the number change from 5 to 3. Jeremy Bonin noted that the Hanover ordinance seems to leave the word “family” alone. Chair Helm said at least these two revisions should be made.

Peter Bianchi commented that another problem with regard to rental housing are the pitfalls in trying to enforce these ordinances. He assumed there would be pushback from Colby-Sawyer College because they have put a lot of their housing needs in 6 buildings on College Lane. Colby-Sawyer has a vested interest not to be in favor of this housing ordinance. Bill Dietrich noted that in Hanover, fraternities and sorority houses are excluded from the ordinance. So, the town might be able to exclude properties owned by the college. Selectman Bianchi thought this was a good avenue to explore.

Chair Helm said he would like the Selectmen to consider a rental housing ordinance for the Town of New London. Peter Bianchi responded, be prepared to have this thrown back in the Planning Board’s lap. Chair Helm replied that the Selectmen can pass ordinances, and it is better than taking the issue to Town Meeting. Selectman Bianchi noted that all proposed zoning ordinances are voted on at Town meeting. Chief Lyon commented that he thought it was a great topic for the Selectmen to address.

The Board also discussed the need to review provisions regarding accessory uses/accessory structures. Peter Bianchi asked why a duplex should be permitted on a lot, and not two houses. Staff will prepare a summary of where in the ordinance the terms are used. It was noted that changes to one provision may necessitate changes to other provisions.

The Board also discussed the need to review the Sign provisions due to the ongoing complaints and issues brought to the attention of staff. For example, is a flag which says- OPEN a sign?

Chair Helm asked Lucy St. John to keep a list of proposed changes to the ordinance, which the Planning Board will then debate and hold public hearings to discuss.

Fire Ward Group Housing Discussion. Steve Ensign, who was attending the meeting, brought up the topic of quarters for volunteer firemen. Peter Bianchi commented that if there was a need for group housing, the building would have to be owned by the town. Fire Chief Jay Lyon said he hoped to find a remote location and finance it with donations. The fire department does not have a building in mind. Chief Lyon explained that New London volunteer firemen have a difficult time renting in New London because of the cost and so they end up living in Sunapee, Springfield, or Wilmot. He thinks it would be great to offer them housing in close proximity to the town, and have them help pay for utilities and property taxes. In return, they would be required to respond to calls. This would result in better response times. Chief Lyon mentioned the current TDS building, due to the close proximity, should it ever become available this may be a building worth considering for this purpose. Chief also noted that some of the volunteer fire personal had been Colby-Sawyer students that are anxious to be affiliated with the fire department, but they need to be closer to the fire station.

Correspondence

The letter from David Marshall of Marshall's Garage (077-037-000) was discussed. The Chair will prepare a response to Mr. Marshall Letter explaining that the Notice of Decisions (NOD) and minutes of the Planning Board meetings are permanent public record and can't be removed from the record.

Motion to Adjourn

Motion to adjourn made by Michele Holton and seconded by Peter Bianchi. Motion passed unanimously.

Meeting adjourned at 8:30 PM.

Respectfully submitted,

Chris Work, Recording Secretary
Town of New London