TOWN OF
NEW LONDON, NEW HAMPSHIRE
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PLANNING BOARD
DRAFT MINUTES
July 22, 2014

MEMBERS PRESENT: Bill Helm (Chair), Paul Gorman (Vice-Chair), Michele Holton (Secretary), Peter Bianchi (Board of Selectmen's Representative), Jeremy Bonin, Emma Crane, Bill Dietrich (Alternate) and Liz Meller (Alternate).

MEMBERS ABSENT: Deirdre Sheerr-Gross (Alternate), John Tilley and Michael Doheny (Alternate)
STAFF: Lucy St. John (Planning and Zoning Administrator), Kristy Heath (Recording Secretary)

Chair Helm opened the meeting at 7:00 pm and asked Bill Dietrich, alternate, to sit in for John Tilley, who was absent.

Review of Minutes of June 24, 2014

IT WAS MOVED (Peter Bianchi) AND SECONDED (Michele Holton) to approve the minutes of June 24, 2014, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

Rules of Procedure

Chair Helm said the "Rules of Procedure" were last amended in May 1997. The Rules of Procedure are adopted per RSA 676:1, and may be amended from time to time. A copy of the 1997 version and the proposed revised draft were included in the packet and on the website for review and reading. Proposed edits are incorporated including details to spell out the role of alternates on the Board. He asked for comments from the Board of which there were none. Chair Helm said they would approve these rules at the August meeting.

Conceptual Subdivision. Nina Kozain Trust Property. Located at 55 Page Road. Tax Map 117-021-000. Zoned ARR. Discussion regarding a two-lot subdivision. Clayton Platt, surveyor. Jon Sisson, NH Certified Wetland Scientist and Soil Scientist.

Surveyor, Clayton Platt was there to represent the Kozain's. He said they are proposing to subdivide their property into two lots: one 4.76 acres and one about 15 acres. The property is across from Route103A and consists mostly of woodland and wetlands. They have been to the Zoning Board to get the lot density requirements to be changed, which was approved, provided they do not subdivide the land again. They have done a High Intensity Soil Survey (HISS) mapping on Lot #1. He asked the Board if they would consider granting a waiver to complete the HISS mapping for the larger lot, as the Board has granted waivers in the past for HISS mapping on other parcels.

Mr. Platt explained that a new septic was installed in 2005 and upgraded in 2009 when a yoga studio went in. There will never be a subdivision on the 15 acre lot, nor the smaller lot where the house sits. They would like to take out the scored wetland area on the map as it represents a wetland that had been disturbed by someone else in the past. He felt delineating this portion would be expensive and difficult. They have delineated about 18 acres already and they would like to ask for a waiver for HISS mapping of the large parcel.

Mr. Bianchi asked how access would be attained from Lot #1. Mr. Platt said it would be off of Route 103A and they are in the process of getting a driveway permit from the State and no problems are foreseen in doing so; they met all the requirements. Mr. Bianchi disclosed that he put the septic system in for the Kozains.

Chair Helm reminded everyone that this was a conceptual plan and asked the Planning Board to consider if they had any problems with the application. He noted an important thing to consider was that there would be no future subdivisions of the property.

Mr. Platt anticipated a final application to come before the Planning Board in a month or so.

Other Business

Windy Hill School- Colby Sawyer College (085-033-000)

Ms. St. John explained that she had been contacted by Frank Anzalone, architect on behalf of the college. The College has been asked by their insurance provider to install a fence in an area behind the Windy Hill School. The College is inquiring if Site Plan review would be necessary, as this is an outside change. Ms. St. John explained the proposed location of the fence, and that it would less than 30' in length and no one would be able to see it. The purpose of the fence would be to delineate where the grade changes behind building. Behind it, there is a 25' drop, which is why they are required to install a fence. No one on the Planning Board felt it would be necessary to come before the Board, and therefore no site plan review is necessary to install the fence.

Work Session – Ideas for discussion.

It was noted that the next meeting would be in August. The September 9th meeting is a work session where they could have time to discuss planning issues in the town. Mr. Bianchi said one real concern they have in town is signs. He thought it helpful if all the members review the sign ordinance. Mr. Bianchi said the Planning Board tried to make some changes to the sign ordinance for last Town Meeting. A subcommittee was formed at that time, and recognized that the sign provisions were in need of review, as they are confusing and convoluted. He suggested that that sign provisions be given some attention and discussion to clarify them.

Site Plan Application for EPG Colonial c/o Paul Feinberg. Property owned by Mountain View Shopping Center. Located at Newport and County Road. Tax Map 059-008-000.

Ms. St. John referred to the staff report, noting that numerous waivers were requested. The application was deemed complete. Mr. Feinberg said he was the ground lessee tenant of the Mountain View Shopping Center. He was asking to install an interior stairway that services three tenants. There was one space on the ground floor that they subdivided and one portion is being used. The existing staircase took up space in the remaining tenant space, which makes it hard to rent. They would like to eliminate two staircases and move a furnace and then add one staircase that would service the tenants. Mr. Feinberg said he and Chief Lyon have talked about having a second means of egress from the apartments. To meet this, they are proposing a fire escape ladder that would go from the roof down to the ground. There are three apartments and all bedroom windows are on the roof side and not the street side. The apartments already have doors to the roof. The tenants are not allowed to have access to the roof, per their lease. Mr. Feinberg said he would agree to a condition that their approval be contingent on this secondary egress being satisfactory to the Fire Chief.

Public Hearing Opened. No comments. Public Hearing closed.

The Planning Board had no problems with this plan, as long as the Fire Chief had addressed life safety concerns. Mr. Bonin noted that the second floor plan needed to have the door to the stairs swinging towards the direction of the egress.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Michele Holton). Specific waivers were granted and the Site Plan application was approved with the condition that the Fire Chief's comments be addressed with regards to the secondary stairway, movement of the furnace, and that the door swings towards the egress. THE MOTION WAS APPROVED UNANIMOUSLY.

Site Plan Application for Susan Cowan Morse. Property owned by CNJJ Investments (Christopher Broom). Located at 428 Main Street. Tax Map 085-042-000. Professional Office for Consulting.

Ms. St. John referred to the staff report, noting that numerous waivers were requested. The application was deemed complete.

Ms. Morse said the site has been used as "Reiki in Paradise," "Faces Studio," and other similar uses. Currently she has an office in the Stallman Building on Pleasant Street. She works with one student at a time and sometimes meets with parents as well. She said what she does is similar to a counseling practice. A map of the space was shown.

Ms. Morse said the hours of 3pm – 8pm are when she is busiest. She does work with some home-school students during the day but a lot of that work is done via Skype. She may want to have occasional group sessions where they will have a maximum of 8-9 students and/or parents at the space at once. Chief Lyon came and looked at the property with Stephanie Wheeler (leasing agent), and he approved everything. She does need to install a new light bulb in the exit sign and a new battery in the smoke detector. Sliding doors off the sunroom were deemed appropriate as a secondary egress but Chief Lyon did tell her that lit exit signs needed to be added. She envisioned parents dropping their kids off via Main Street and said that was a time of day that the spaces were available. She wants to be more accessible to disabled, which is one reason why she would like to move from her current, second story location on Pleasant Street.

Ms. Morse said along the driveway there is split rail fence which, the owner of Little Bear Pottery has been told by the owner, can be taken down to allow accessibility for wheelchairs. She said there was a small step up to get into her building, which she and the parents would need to navigate. Handicapped parking is located in the back of the building.

Mr. Bianchi wondered how the parking would differ for this business as it did when it was a retail space. Ms. St. John said she thought the business should be classified under "professional office space." Mr. Bianchi said Ms. Morse should be more specific about when the group sessions would be due to the minimal parking in the area. In the past they have learned that an applicant using the term "occasionally" should have defined the word. Chair Helm reminded the Planning Board that the time of day these group sessions would be held was not a busy time of day in that area. Mr. Bianchi said he had no problem with the use or plans; he was concerned with future occupants of the space. Mr. Bonin noted that parking requirements would be less for this kind of a use than they would for retail.

Public Hearing Opened. No comments. Public Hearing closed.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Peter Bianchi). Specific waivers were granted and the Site Plan application was approved with the condition that the Fire Chief's comments to the applicant be addressed, including the need for a smoke detector and a light bulb. THE MOTION WAS APPROVED UNANIMOUSLY.

Site Plan Application for Spring Ledge Farm, Greg Berger applicant. Property owned by Calerin, LLC. Located at 37 Main Street. Tax Map 073-053-000. Add shade arbor and install cold frames, increase parking area.

Ms. St. John referred to the staff report, noting that numerous waivers were requested. The application was deemed complete. Ms. St. John noted that the only other agricultural site plan application which has been before the board in the last couple of years was the Canane Site Plan for the cows on Pleasant Street.

Mr. Berger said there are 60 acres of land behind the farm and he showed a map of the property. His residence is also on this property. He showed where there were currently cold frames and green houses for the production of fruits and veggies. They have been thinking about these additional projects for the last several years.

The shade arbor would be going where the shrub and perennials currently area. He would like to add a 10' tall and 25'x40'arbor or pergola to this area to add shade. It would be see-through would have slats on the top.

The tomato cold frame would be a 60' x 40' and 8' high structure with metal or wooden posts or hoops, with plastic stretched over them. They have had a temporary permit the last two years and would like a permanent permit for the structure. Mr. Berger said they cover the frame in May, and take the plastic off in July. The frame would remain. He said the frame is not visible from the road but probably is from Pressey Court.

The third structure they are interested in adding is called a "high tunnel" cold frame. It is a season-extension structure used to grow certain crops. Mr. Berger said the NRCS helps farmers put these up. He has been doing this for the past 7-8, and recently received some grant funding for this project. This is the same kind of structure as the afore-mentioned structure with the ribs and plastic stretched over it. It will go over existing soil and will be placed over soil they have been using the last 25 years. It can be put up or taken down in a day or two. They are built to withstand New Hampshire winters so they can produce and grow crops, such as spinach, without supplemental heat throughout the winter.

Chair Helm reminded the Planning Board that Spring Ledge Farm is in a residential zone but the activities they are doing there are permitted. Because of its agricultural nature, regulations for current use and the restrictions included in their conservation easement would be adhered to. Mr. Bianchi thought changing the temporary structure to a permanent structure was changing the use and may not adhere to the conservation easement. Mr. Berger thought that if it was to be used for agricultural uses, it would fit within the easement.

Public Hearing Opened.

Mary Beth Angeli asked for the length and width of the additional cold frame near the one that is already there. Mr. Berger said it would be 22' x 96'

Mr. Berger said he would also like to address the parking at Spring Ledge Farm. He showed the current plan and counted 22 spaces. Staff park by the tractor shed and down by the green houses. The lot can become very packed and they haven't been able to figure out how to get additional parking. One idea was to create a parking area behind Angeli Real Estate which would be 50' from the lot line of the Angeli property. He wondered what the Planning Board thought about this idea. A secondary thought would be to carve out about 25' along the access road that runs through the farm for parking, but he wasn't sure if it was allowed and hasn't talked to an engineer.

Chair Helm asked Ms. Angeli how she felt about the proposed plans. Ms. Angeli said she has an issue with the parking going in behind her; her building sits lower than the farm and already the blue stone and bark mulch is 2-3' above her building. Runoff goes under her building and if they build up any more around her, even more runoff would come her way. There were both summer and winter implications with this plan. She thought using the driveway parking would be a better solution and easier for customers to drive in and drive out of. She noted that they had talked about this and Mr. Berger would approve re-doing a swale to avert water. Francoise Crowell noted more parking was needed at Spring Ledge.

Chair Helm wondered if the parking for the farm was considered retail and only required five parking spaces. Ms. St. John commented that she wasn't sure how the existing parking requirements were calculated, not knowing if it was just based on the retails store, or if it included the other temporary structures used in conjunction with the retail operation. Mr. Berger said that the previous owners were not sure either and thought it had to do with the space they use in the farm stand. Chair Helm said they are only required to have four spaces for every 1,000 square feet. Mr. Berger said he believes there isn't enough parking and before it became an issue with the town, he'd like to figure out a good way to address it.

Mr. Gorman suggested Mr. Berger think more on the parking portion and consider the parking expansion at another meeting. Mr. Berger agreed and withdrew the portion of the application showing the expansion of the parking area.

> **IT WAS MOVED (Peter Bianchi) AND SECONDED (Michele Holton). Specific waivers were granted and the Site Plan application was approved subject to the applicant adhering to the provisions of the conservation easement and current use requirements, and that the changes proposed to the parking area are not included as part of this site plan approval. THE MOTION WAS APPROVED UNANIMOUSLY.**

Site Plan Application for TJM Enterprises, dba Flying Goose Brew Pub. Located at the corner of Routes 11 and 114, at 40 Andover Road. Tax Map 122-001-000.

Ms. St. John referred to the staff report, noting that numerous waivers were requested. She noted that the Flying Goose site was most recently discussed at two meetings in October 2013, and that the applicant has three (3) variance applications which will be heard by the ZBA on July 28th.

Mr. Mills said they were looking to build a 30' x 40' expansion to the brewery to enclose the coolers that are outside right now. They have three coolers outside and a trailer for grain storage. They would like to enclose all this and make it safe for year-round usage. The building would be basement-level only and it will not impact any restaurant accommodations. They would like to propose moving the dumpster location which is currently not within the setbacks but has a fence. There would be a new place within the expansion to put the dumpster and the recyclables. It would be fenced in and then they can clean up the old area and improve parking by adding about 5 spaces.

Chair Helm understood Mr. Mills would be going before the Zoning Board for variances the following week. He wondered what Mr. Mills would like from the Planning Board at that point in time. Ms. St. John explained that Mr. Mills was advised that he could submit his both the Planning Board and ZBA application concurrently, and if the Planning Board were to approve the application it would need to be contingent upon approvals from the ZBA.

Chair Helm noted that after construction, they would have a net of three additional parking spaces and would not lose any seating. Mr. Mills agreed and added that just that day they received approval from the NHDES for a wastewater treatment system for the brewery.

Mr. Bianchi recalled there had been some concern at the last presentation regarding drainage behind the building. Mr. Mills said the previous presentation had an additional 40 seat dining area. This has been removed and what they want to add encloses and cleans up the site. It should not impact the drainage as the 40 additional seats would have. He said they were focusing on the priorities to make their operation safer and make it more effective and appealing, and interactive with the neighbors. He recently did some landscaping to buffer the ends of the solar array but he didn't realize he needed Site Plan approval for landscaping improvements.

Ms. Holton asked if they could approve his aesthetic improvement on the dumpsters before he goes to the ZBA. She felt it would be a hardship if he had to come back again. It was noted that the dumpster was going to

go on the end of the addition, which would need to be approved by the ZBA first. Mr. Mills said he was fine to wait on this portion. He said they would be putting the septic system in soon as they just got State approval, but wouldn't be looking to do any of this other work until the fall. He would also like to add 30 more PV panels, and this wouldn't happen until November.

Mr. Dietrich said this planning/zoning dichotomy was present in NH because of the way the state dictates how they function, meaning should they go to the ZBA first or the Planning Board.

Public Hearing Opened.

Mr. Surprenant asked about the roof design. Mr. Mills presented the design which showed windows on one side with the dumpster on the end. The solar panels would go on the larger flat side. There had been a previous design which looked like a sugar house, which Mr. Surprenant said he preferred. Mr. Mills agreed that he liked the other look better, however, it was not conducive to holding solar panels.

Chair Helm wondered about the possibility of the brewery operation becoming a bottling operation. Mr. Mills said they have done some bottling all along. They sell growlers in take-out form, packaged to order by the bartender. It is not pre-packaged. Mr. Mills noted that they did distribute them in some stores for a while but their focus is not on bottling or distribution. They may be able to do some 22oz "bombers" that would be a low-volume, high end specialty market item.

Chair Helm said he suggested being very clear when going before the ZBA to explain their intentions as a brewery so this bottling question doesn't keep coming up. He noted that Colby-Sawyer College would also be coming before the ZBA the following week to discuss a pub on campus, which would sell beer from the Flying Goose. Mr. Mills said the Flying Goose can sell their beer to anyone they want to and the College's brewery science class would sell their beer at the restaurant and, should the college get their own pub, they could sell it there as well.

With regards to the possible relocation of the dumpster and the additional parking spaces, the Planning Board agreed they were OK with it.

> **IT WAS MOVED (Peter Bianchi) AND SECONDED (Emma Crane) to continue the hearing to August 26 at 7:15 pm. THE MOTION WAS APPROVED UNANIMOUSLY.**

Subdivision and Lot Line Application. Property owned by Seamans Road Realty Trust, Martha Peyser Trustee, c/o Tracey Barberen and Mary and James Steproe. Applicant- Cherry Hill Homes, John Langill. Located on the corner of Seamans Road, Hall Farm Road and Blueberry Lane. Tax Map 086-022-000 and 086-021-000.

Ms. St. John referred to the staff report, noting that numerous waivers were requested. The application was deemed complete.

Ms. McCourt of McCourt engineering, and John Langill (Cherry Hill Homes) and Peter Schauer, Environment Consultants, were in attendance to present the application.

Ms. McCourt explained that on map/lot # 086-022-000 (34.9 acres) they would like to propose dividing it into 8 lots. Map/Lot # 086-021-000 is currently 2.4 acres. When the nearby Hall Farm Road subdivision was done they created a sewer easement on the recorded plan and on the deed said it could be used for water or utilities. Her client went to the owners and asked if they could do a lot line adjustment and create a 25' strip so the 2.4 acre lot could be usable and would not change. They agreed. They could then use Hall Farm Road for five driveways and they could have one driveway off of Seamans Road, which would require a wetlands permit. The wetlands they have found on the property are not on the town's wetland maps but they will still need a wetlands permit from the State. Ms. McCourt noted that she presented a wetlands application and the

subdivision plan to the Conservation Commission at their July 16th meeting. The Conservation Commission had no comments.

Ms. McCourt said there was an easement off of the right of way strip on Blueberry Lane to access one of the lots. There was now only one asymmetrical lot instead of two, as were proposed in the prior plan. She noted that her surveyor went to the State and the Town archives and could not find a layout of Blueberry Lane from the subdivision plan. They did locate a stone bound that signifies the end of the class VI Blueberry Lane. The deed gives rights to pass and re-pass the area beyond Blueberry Lane.

Ms. McCourt reported that test pits were done, as were wells for each lot. Seven (7) lots will need State Subdivision approval (required for lots less than five acres in site). Lot 20 is over five acres in size and will not need State Subdivision approval. HISS mapping was done for the entire property and soil loading of one (1) is required using the Town's chart. The smallest is 2.3 and is mainly because there are 4 acre lots that are required. Wetlands are all group 5 soils; there are no group 6. A forced main goes along Hall Farm but cannot be hooked into, thus the need for wells and septic systems in this development. Ms. McCourt said they plan to put the houses as close to Hall Farm Road as possible to take into consideration the slope of the land and she said they would abide by all setbacks. She noted there would be a fairly large area in the center of the property which would be undeveloped land. This will meet their wildlife and environmental requirements.

Ms. McCourt noted the due to the logging of the property several years ago, the logger left some skid tracks, which have consequently diverted some of the drainage, causing only one culvert to be functioning, and the other culvert left dry (the water no longer drains correctly). She has talked to the developer who is happy to repair this to make the water go where it is supposed to.

She had a discussion with Chief Lyon with regards to cisterns versus sprinklers. They would rather sprinkle the homes due to their benefit of life safety. If the Planning Board wants them to put in a system, they will do so. Ms. McCourt said water source is 2700' away and so is a hydrant location. The Legislature re-wrote the RSAs: regarding this issue, saying that they can offer the sprinklers and they can make a condition on the plan because of this. She explained however that if someone else ends up building the houses, they could ask the Planning Board for the fire cistern, if they don't want the houses sprinklers.

Ms. McCourt said the lot is in current use and they would need to pay the tax to take it out, which is a benefit to the town. Also, if they don't do the cistern, there are no public commitments being put back on the town. She noted that erosion control at 34.9 acres anticipates 3.5% impervious surface. Storm water controls says they have to meet 25% threshold. She noted that the Master Plan talks about at 7%, an impervious surface starts to affect water quality. She anticipates silt fences and plantings to help with vegetation. Along the 10' strip there is a view easement. Lot owners across the road can ask the property owners in this new development to cut trees to allow for the view if they want. They will maintain this aspect of the easement.

Ms. McCourt said the property is not within in a flood hazard zone. They will supply all legal documents to the Town and she noted they will have to submit a NH Wetland Bureau, Dredge and Fill and State Subdivision application. She explained that they have not submitted the applications to the State yet, as they wanted to get input from the Planning Board before moving forward.

Chair Helm recapped that lot lines and subdivisions were the two aspects of the proposal.

There is a sliver of land in the corner of the property that came from poor planning in the past Hall Farm Road subdivision. Removing the sliver could be done by this lot line adjustment. Ms. McCourt said she has read through all the deeds and there is no reason for the sliver and nothing saying they can't remove it. She referred to it as a "spite-strip."

Public Hearing Opened:

Mr. Larry Ballin, an abutter at 244 Blueberry Lane said he could give some anecdotal history on the sliver of land located on the Hall Road frontage. He said when the Hall Farm Subdivision was developed in the 80's the owners wanted to purchase the land in question now. When they were not able to buy it that is when the "spite strip" was put into place. He didn't think the Planning Board at the time even saw it on the plans and as it was a narrow pencil mark and was poor planning. He would ask if there was a prohibition to reserve strips in their ordinance, how could they explain the 25' strip they were proposing in the current subdivision plan.

Ms. St. John said it was a land exchange. She thought it was a reasonable way to help correct the current layout, with the existing spite strip.

Mr. Ballin thought it would make more sense to remove the strip entirely. Ms. St. John explained that in the proposed new layout, a strip along Hall Farm Road would be removed, and with the lot line adjustment there would be an equal exchange of land area. If this weren't done the applicant would need to apply for a variance,

Francoise Crowell, an abutter at 50 Blueberry Lane asked if the strip abutted the lot. Ms. McCourt showed where the land exchange (lot line adjustment) would occur. Mr. Ballin felt it was poor planning and thought they should come up with a better solution.

Ms. McCourt explained that sewer, water, utility, and a view easement would be written into the lots along Hall Farm Road.

Ms. McCourt was asked to clarify note # 4 on sheet 2, as it conveyed an undeveloped lot. She said this would be corrected.

Ms. Holton was fine with the plan. Ms. Crane was concerned with wildlife in the area.

Ms. McCourt said Hall Farm Subdivision lots are 2-3 acres in size. This subdivision is all 4 acre lots and noted that there is still quite a bit of wildlife in the area. Using the road frontage for driveways leaves a large bulk of land in the middle for wildlife.

Ms. Crane wondered about the turnaround on Blueberry Lane. Ms. McCourt showed where the turnaround was.

Mr. Ballin said the Town used to turn around in the Marshall's driveway. When he put the driveway into his lot beyond there, he opened up an area so the Town trucks could turn around. There was nothing deeded to let the Town turn around in their driveway. That land is for sale, currently, and it will be up to them if the Town will be allowed to turn around there in the future.

Ms. St. John read from an email from Mr. Lee who said a driveway application would be needed for each property but said nothing about the turnaround on Blueberry Lane. Chair Helm thought Mr. Lee should be consulted about the turnaround on Blueberry lane, as the land is currently for sale.

Ms. Crowell asked if there had always been an easement on the property, for the proposed driveway easement which is located across the road from her house (098-005-000). Mr. Ballin said there is a question as to whether the easement also pertains to the land above Lash.

John Langill, developer said he had no problem putting a turnaround easement on the property for the Town trucks to turn around in.

Ms. Meller questioned the depth to the water table and ledge, as shown on the test pit data submitted, and asked if this causes any problems for the placement of the septic systems and wells. Ms. McCourt asked Peter

Schauer, NH Certified Wetland Scientist and Soil Scientist to address these questions. Mr. Schauer explained the test pit data.

Ms. McCourt said they would have to do another test pit or ledge probe to establish the required soils. Mr. Schauer said it was doubtful the home would be placed in that area and was only to demonstrate for state subdivision approval. He noted the homes will likely be placed closer to Hall Farm Road. They'd dig another test pit at that time. Ms. St. John wondered why they didn't do the test pit closer to a place where they envisioned the home/septic would be. Mr. Schauer said the soils get deeper as they get closer to Hall Farm Road. Ms. McCourt said the thorny bushes were prohibitive to digging the pits closer to Hall Farm Road and they just wanted to get them dug where they could to prove the land could sustain such a thing.

Ms. Meller asked if anything would be said in the subdivision to prohibit people from cutting down the trees on their lot. Ms. McCourt said they are pretty much gone already due to the clear-cutting that was done a few years ago.

Chair Helm asked about proposed lot 86-5 and why it is configured this way. Ms. McCourt said is it configured this way to meet the frontage requirements and that the driveway would be from the easement area off of Blueberry Lane. She also noted that the Public Works Director asked that driveway access off of Seamans Lane be limited, thusly only one lot has a driveway proposed off of Seamans Road.

Ms. McCourt has explained that rather than putting in a fire cistern, the homes would have sprinklers, which is allowed under the State Statutes. Mr. Bonin asked what would happen when the power went out. Mr. Bonin was surprised the Chief was in favor of this. Ms. McCourt said the Chief wasn't concerned with fires within the buildings but rather with fires outside the buildings. She thought safety of life most important and thought sprinklers were best. She explained that if a fire, the sprinklers would go off in the fire was in and stop it from moving to the flash point. Mr. Bonin said there was no control over the individual lots once they are sold for individual house placement. He said lot #4 would be beyond the 2000' distance from the water source. Ms. St. John suggested that maybe the deed could include language to alert the homeowner that the house is sprinklered and not on a cistern.

Mr. Bonin wondered if the central area could be preserved and not developed. Ms. McCourt said it is 8 homes on 34 acres and the surrounding subdivisions are half this size. Wildlife is present there already. She thought they would have more open space in this subdivision already and didn't think it fair to prohibit use of the properties. Mr. Bonin said the central area could be eliminated by those who may choose to build further in to get away from their neighbors who have already built homes. Ms. McCourt said people want the view and she didn't think they would move into the middle of the development.

Mr. Langill said his intent is to build 8 houses. There are some views there and in his experience some people will build a long driveway but he didn't anticipate them doing so in this case because it is cost prohibitive. He anticipated putting the homes up 150'off of Hall Farm Road and putting the leach fields up front. He noted the briars on the property were too thick for animals to walk through.

Mr. Bianchi asked if the septic systems and State Subdivision approval have been granted yet. Ms. McCourt said the septic, wetlands and subdivision application have not been submitted to the State yet, as the developer wanted to present the information to the Planning Board and abutters, before submitting the plans for approval. Ms. McCourt said once they get further input from the Town, the applications will be submitted to the State.

Mr. Bianchi said his main concern is drainage and water on the property. He has been putting septic systems in for 35 years and only saw two test pits on this plan he could put a septic system in. He didn't imagine, why the engineer would submitting these test pits and seasonal high water levels to the State. He felt the ground water in this group of lots was extremely high and from first-hand experience, there was a lot of it.

Mr. Bianchi said several abutters came to the meeting where the conceptual plan was presented, in order to talk about the water that is now in their basements because the trees on the property were cut. Ground water goes downhill and will affect more people in that area. More impervious area will be added with 8 homes and it already isn't soaking up the water it did when the trees were on the property. He thought it would be creating a real problem unless they could find a way to mitigate the water and thought the Town should employ their own soils scientist to see if there was any better solution to do this in a less damaging way to the downhill neighbors.

Ms. McCourt gave Mr. Schauer the floor to talk about the HISS Mapping. Mr. Schauer said the reason 24" seasonal high water tables are shown is because the soils are dense and is 24" down which is common in New Hampshire. As vegetation continues to grow, the site will continue to get drier. In 5-10 years the vegetation and trees will come back and help the site dry. He explained that when the property was previously logged, water was sent in different directions and there are divots (skid tracks), that need to be corrected. There should not be additional water in the neighbor's basements due to the logging activity. Mr. Schauer noted that fill material was going to be needed on all the properties to put in a septic tank or leach field. Mr. Bianchi said this was not legal practice in New London; it isn't permitted to make a lot buildable by adding material to it. Mr. Bianchi continued that as an installer of septic systems, he has never seen anyone be able to see these levels as acceptable. He envisioned problems downstream.

Ms. St. John suggested that test pit data be submitted which is closer to Hall Farm Road, where the developer believes the septic system will likely be placed. Ms. McCourt said this could be done. Ms. McCourt said an auger was used to go down 40" to be sure there were acceptable soils on the properties. She added that when doing drainage analysis with a C-soil to impervious, it isn't as big a jump as going from an A-soil to impervious. She knew some LID BMP that could be put in place to help with this concern, but watching runoff this spring and through major storms they have had, she believed the logger did an injustice and rerouted the water, causing problems. Her client wants to help the water to go back to the way it was, not to re-route it.

Terri LeBlanc, an abutter at 55 Blueberry Lane said she was concerned about the lot above her. A house will just about be on top of her. When the owners of the property in question clear-cut the lot, she had to spend $30,000 to create a water system to get the water out of their basement which is ongoing. As construction occurs behind their house she expects it to get worse. She added that wildlife was destroyed around them after the cut. For two years they did not see any deer or moose, etc. They will see more of this by putting in eight houses. She has huge concerns about where they want to put the house as it will look down on her home. They can use the right of way as they have the right, but even prior to the clear-cutting, that area it is wet year round and is never dry. She appreciated Mr. Bianchi's comments because it is always wet. Ms. LeBlanc said she snowshoes on that property in the winter and there is a beautiful view of the mountain from any location on the property, so there are lots of places to place the homes on the parcels proposed; not just closer to Hall Farm Road.

Mr. LeBlanc, an abutter at 55 Blueberry Lane said he cleared some area on the north edge of his lot to pick raspberries and his dog went up to her knee in water and it is very wet there, even in the dead of summer.

Francoise Crowell, an abutter at 50 Blueberry Lane understands that here is an easement off of Blueberry Lane, which is directly across from her driveway. She is concerned about the increased traffic on Blueberry Lane with this point of access, and the possible drainage runoff from the easement area, going onto her property across the road. Snow melt will go onto her driveway and freeze. She thought any water coming off from snow will end up on her front lawn, which is lower than the property across the road. Lastly, they talked about correcting some errors the loggers made to fix the runoff problem. She spent a lot of money fixing her water system because of silt coming in. She wondered what guarantees could be made by the applicants that more damage wouldn't be done. All of them have had to spend money in the last couple of years to fix the houses due to errors made by the loggers. She was concerned with the water.

Mr. Ballin, abutter said with regards to a cistern vs. sprinkler: the best thing would be to have both. If there is a power outage the sprinklers don't work. House fires happen when people lose power and go to an alternative heat source. This should be a requirement, especially for the lower lots where they are harder to reach. He added that if utilities off of Hall Farm Road would be underground, the Town and developer would need to come up with a runoff plan as the logging had caused a lot of problems. He thought Mr. Bianchi's idea to get an engineer to work for the town to come up with a surface water plan was a good one. Lastly, Mr. Ballin thought the irregular shaped lot was bad planning and thought it should go away. The other two lots could come off of Seamans Road.

Diane Caldwell, an abutter at 81 Hall Farm Road didn't have water problems but agrees with those who have had problems – the land is very wet. Why hasn't the logger been held responsible for this nonsense? Mr. Bianchi said the town gives a yield permit for those doing the logging. He has been told that they have no control over what a good or bad logger does. This has been the "talk of the town" about how horrible that property was left after the logging. The town has no recourse for a logger leaving skidder marks or slash. Ms. Caldwell asked what the frontage for the lots on Hall Farm. Ms. McCourt said the requirement is 200'. Three of them are at 200.1'. The lots on Seaman's Road are 200' as well.

Chair Helm asked for the sense of the board about having an engineer represent the town in this process.

Mr. Bianchi was in favor of it. Mr. Dietrich agreed as did Ms. Holton and Ms. Crane. Helm asked Mr. Langill if he would be willing to pay for the Town to hire their own engineer to study this. He thought they should go walk the land first. He said it is evident where the logger has disturbed the water. Ms. McCourt would want to know what the scope of work for the engineer would be and would like a proposal and cost for their work.

Chair Helm said they should vote to continue the hearing until the following month and ask Ms. St. John to get proposals from engineers, have the Fire Chief there to discuss sprinklers vs. cistern, and try to understand the issue with Mr. Lee regarding driveways off of Seamans Road. He thought some of them should do a site visit. It was determined that Tuesday, July 29th at 2pm would be the site visit. It would be posted and would take place off of Hall Farm Road.

Mr. Langill, r said if the scope of work and cost is acceptable, he would approve it.

Motion:

IT WAS MOVED (Peter Bianchi) AND SECONDED (Emma Crane) to continue the hearing to August 26 at 7:15 pm. THE MOTION WAS APPROVED UNANIMOUSLY.

A site walk was scheduled for Tuesday, July 29, 2014 at 2:00 pm.

Motion to Adjourn:

IT WAS MOVED (Emma Crane) AND SECONDED (Jeremy Bonin) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 10:10pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London