



TOWN OF NEW LONDON, NEW HAMPSHIRE

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PLANNING BOARD APPROVED MEETING MINUTES June 28, 2011

PRESENT: Tom Cottrill (Chair), Tina Helm (Selectmen's Representative), Emma Crane (Conservation Commission Representative), Peter Stanley (Zoning Board Administrator), Michael Doheny (alternate), and Deirdre Sheerr-Gross (Alternate)

NOT PRESENT: Jeff Hollinger (Vice-Chair), Paul Gorman, Michele Holton, John Tilley

Chair Cottrill called the meeting to order at 7:00pm. He asked Alternates Ms. Sheerr-Gross and Mr. Doheny to sit in for two of the four regular members not present for this meeting

June Fichter RE: status of the Comprehensive Shoreland Protection Act (CSPA)

Ms. Fichter thanked the Planning Board for allowing her to come speak about this issue. The concern that she and LSPA had was that Senate Bill 154 is aimed to amend the CSPA. There have been some "irritants" included in the bill. She opined that the bill they ended up with was "nothing to write home about." The whole idea for Shoreland protection is to have a working buffer so that stormwater can be treated before going into the water body. SB 154 is making it far less effective than it ought to be. One good part about the bill was that DES would need to treat applications in a timely manner, but in the process of re-writing it, they took good things out of the existing law and several other things were changed. For example, "Permit by Notification" should be a simple way to get the State permit; they widened the door on that permit to include substantial projects. Also included are things like whether a horticulturist has to be licensed; in this bill they do not, and anyone is able to apply chemicals as they see fit. The words "native" and "non-evasive" have been removed from the wording. A 6' pathway to the waterfront, plus any number of access ways people would like are allowed. The whole thing was blown open with definition changes and so forth. The points needed in waterfront sections of land have been reduced. One big oak tree and grass counts as substantial points. Ms. Fichter said that this is not in the scientific spirit of a buffer that will treat the stormwater before it reaches the water body. This bill will go forth at the end of the week and the Governor said he would not veto it.

Ms. Fichter posed the question of where this leaves the local lakes and ponds. She felt it left the Towns of New London, Newbury and Sunapee the leaders of the situation. She believed that these towns all currently have pretty good Shoreland protection regulations on the books. Her message was to keep what they have on the books and not to follow Concord on this one. She said they should also keep in mind that the state Shoreland protection regulations change every two years. But they probably don't want to follow those regulations either.

Ms. Fichter said that some of the people she is associated with will be trying to steer the State back to where it should be without the irritants but they don't know how successful they will be. Mr. Stanley said that the entire bill was written by one lay-person, without any expertise, for personal benefit who called the changes the "Clean Water Act." Politicians follow that person and do what he wants. Mr Stanley thought that this Act was nonsense and had the opposite effect of preserving "Clean Water." Mr. Stanley said he was pleased that the State in 2008 had come up with a good law and it made good sense. In the meantime with a couple of minor tweaks they should keep what they have to clarify a couple of things.

Ms. Sheerr-Gross said the law has evolved to where it was in 2008 and came with a lot of people looking at it. It always had the intention to be good for the lake. Politicians name things to make them sound good. Some environmental groups that sound like they are “for” the lake actually were for HB154. Senator Bradley was bragging about this. But if they went for the back story, they would find that they were in danger of losing the whole Shoreland protection act completely. DES would be gutted and they would get rid of the shoreline protection agency altogether. They came very close to not having it pass until they removed the REGGI bill (greenhouse gas initiative) to it. Enough people were against it that they had to take it out and add it to another bill. She felt that the pendulum would swing back over time and things would be evened out. Ms. Sheerr-Gross said that now although there would be two permitting processes, this will be better for New London for the stewarding the quality of their lakes.

Ms. Fichter said she met Mr. Montrone (the gentleman who wrote the bill) and tried to convince him otherwise but he was set in his vision. She said she got an email notice from DES that Bear Island in Meredith had a bacteria warning, which was the fifth this year. This is attributed to the nutrients in the water. Mr. Montrone and the rest don't connect the dots unless it affects their property.

Ms. Fichter said that she hasn't officially spoken to Newbury and Sunapee, but has talked to individuals who feel the same way; they want to keep their own regulations. She will go before their planning boards as well to provide information about this bill. She opined that their local protections are the best protections.

Mr. Sheehan from Checkerberry Lane said they've lived in New London for some 30 years. He supports keeping the regulations as they are. He has about 25 years of water quality data and can clearly show that development has led to gradual deterioration of the water quality. Keeping their regulations stringent is necessary to prevent even more deterioration. He added that they have had significant renovations made subject to the current Shoreland regulations in 2008/2009 that required compliance. While it was a little inconvenient and difficult to build, they supported it anyway because it was in their best interest.

Durkin Merger, Map 121, Lots 005-000 & 006-000, 458, Old Main

Mr. Stanley showed a slide of the properties in question. The parcel in green had a conservation easement on it and cannot be developed. The Durkins own both pieces shown. They want to build a shed and if they keep it as two parcels, will have to meet the property boundaries. They wish to merge the two lots so as not to have to deal with a setback issue. He felt it was a legitimate request and the Land Trust had no problem with it either. The rear of the property abuts Lyon Brook and Mr. Stanley said the house lot was 2.5 acres. The entire parcel was about 40 acres.

IT WAS MOVED (Michael Doheny) AND SECONDED (Deirdre Sheerr-Gross) to approve the merger of Lori and Robert Durkin. THE MOTION WAS APPROVED UNANIMOUSLY.

Snow LOC extension for Rocky Ridge Subdivision

Harry Snow has asked for an extension for two years for Rocky Ridge Subdivision, which is supported by Richard Lee (Public Works Director). The Town doesn't want to see the road finished and then have six more houses be built; it would be best to get the houses built and then finish the road. Only one house has been built in this area so far. Mr. Stanley said that if the board would be agreeable, a vote would be needed.

Mr. Stanley noted that the fire pond doesn't hold water as it is supposed to. At the very least the Town won't accept the road unless that is remedied. They have no other mechanism because the Fire Chief

signed off on it during a wet year. This being a lesson learned, it was determined that this wouldn't happen again.

IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Emma Crane) to extend the completion date of the subdivision to July 1, 2013 with the provision that there be \$17,000 in security provided to the Town for the duration of the period.
THE MOTION WAS APPROVED UNANIMOUSLY.

Mr. Stanley said presently there is a letter of credit at the bank that will come due July 1st. They don't want to call the letter so are for extending it, as requested.

Rowse Approved Minor Subdivision Mylar Signing

Mr. Stanley said that the paperwork has been sent around to them and the necessary paperwork has been signed by the property owners and the Board of Selectmen to be recorded. Once they have signed the Mylar, it will be sent to be recorded as well. He was happy with the language used, and was content that everything looked good. Mr. Lee looked at it and was content with it too. They have met the requirements and conditions of the May Planning Board meeting.

IT WAS MOVED (Tina Helm) AND SECONDED (Deirdre Sheerr-Gross) that after having met the conditions of approval, the Planning Board approves the signing of the Mylar for the Rowse Minor Subdivision. THE MOTION WAS APPROVED UNANIMOUSLY.

Approval of minutes from June 14, 2011

IT WAS MOVED (Tina Helm) AND SECONDED (Emma Crane) to approve the minutes from June 14, 2011, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

Master Plan – Implementation Chapter

Mr. McCrory said they had previously talked about putting this chapter in the Master Plan, which assembles the goals of each chapter into one. The intent is to list goals and identify the responsible parties that would deal with them. It would include a timeline and estimate the costs. He made a basic table to be able to see the goals for each chapter. The number of goals was in the high 180's.

Chair Cottrill felt the list was way too long and didn't think anyone would read it. Mr. Stanley noted that this is too voluminous but there was no other way to put it. Chair Cottrill felt the items that said that they should "continue to" do something should be removed, as well as things that have already been done. Mr. McCrory said they could include something that said items that should be continued have been removed from the list. Chair Cottrill felt the only the really important goals should be listed.

Chair Cottrill commented on the first two paragraphs: he didn't recall setting the specifications of the goals and the timeline to reconsider them. Mr. Stanley said that this kind of chapter wasn't in the last Master Plan, and that Karen Ebel was the one who pushed to get things done.

Chair Cottrill said that he supports listing the top priorities, but disagrees with the requirement for review in 15 months. Mr. Stanley said they should glean the things that should be dealt with regarding land use. Any recommendation that doesn't come to a Planning Board function should be removed. He wondered if they wanted to focus on implementation or priorities. Mr. Stanley said they should make another cut through the list and then prioritize. They have to keep it real or the Master Plan doesn't become a working, useful document. It needs to provide vision for the future and they need to either remove or place some things on a low priority so they don't make it to the list. He thought they should explain why things are removed.

Ms. Sheerr-Gross said they should wait to see the list before naming the chapter as a “priorities” or “implementation” chapter. Because this chapter is new, maybe they can take some time to sift through it all first. Mr. Stanley said the number of goals and recommendations was shocking. Everyone was agreeable to paring it down.

It was requested to change the priority rating from “H, M, or L” to “1, 2, and 3.” Everyone agreed that what Mr. McCrory had put together was very helpful and was a good exercise.

Mr. McCrory asked if the project leader column in the table should remain. Mr. Stanley said he would look at it as a planning board document. There is supporting information there, but it is for the Planning Board and wouldn’t need to have a project leader column. Mr. McCrory said that the table would list the related chapter, the recommendation and its priority.

Mr. McCrory said that they would need to hold a public session for the Land Use chapter in September to hopefully get more people involved in it.

Due to summer schedules, it was determined that the two meetings for July and August would be on August 9 and July 26th. Mr. McCrory said he will work on combining all the chapters into one document throughout the summer.

IT WAS MOVED (Michael Doheny) AND SECONDED (Deirdre Sheerr-Gross) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 8:10pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London