



TOWN OF
NEW LONDON, NEW HAMPSHIRE

375 MAIN STREET • NEW LONDON, NH 03257 • WWW.NL-NH.COM

TO: New London Planning Board
FROM: Lucy A. St. John, AICP
Planning and Zoning Administrator
FOR: November 1, 2016 Meeting
RE: Commercial Blueberry Farm Site Plan Application
Soo-Nipi Hollow Farm

Property Statistics:

Owners: Deb and Craig Langner
Tax Map: 128-010-000
Proposal: Site Plan for a Commercial Blueberry Farm
Location: 1850 King Hill Road
Total Site Area: Approximately 13.3 acres/fields 6.5 acres
Existing Zoning: Agriculture and Rural Residential (ARR)
Frontage: King Hill Road, aka NH Route 11
Watershed: Sugar River Watershed
Natural Features: Open space and forested
Adjacent Uses: Residential, fields and forested landscape

Project Description: Refer to the two (2) page narrative included with the application.

Previous Discussion: Conceptual discussed at the October 6, 2015 meeting.

Reviewer Comments:

- Fire Department, Jay Lyon email of Oct 18, 2016. I don't have any issues with the proposed plan. I am interested in the water supply for the blueberry bushes. Although we have a dry hydrant directly across the road that we have used multiple times for building fires, this pond has grown in and the quality of the water is not desirable. Are there any plan to install a dry hydrant or would the property owners consider installing one during the excavation?
- Police Dept., Ed Andersen email of Nov 1, 2016. My concerns are that this section of road we receive numerous complaints on the speeds of vehicles. The hill crest and traffic turning and exiting from the business could be at higher risks of accidents. I think better signs or not sure if during business hours a flashing yellow sign would help.
- Public Works, Richard Lee email of Nov 1, 2016. I have no more comments. Looks good to me.
- Health Officer, Deb Langner – applicant.
- Water Precinct, Robert Thorp – No comments received.

Key Issues for discussion (Refer to the narrative provided with the application):

1. Abutter comments- Letter of support submitted by Laura Davis, dated 10/16/16
2. Barn Use
3. Best Management Practices (BMPs)
4. Excavation- See Zoning Ordinance, page 4, Excavation, Removal and Filling of Land (a) and (c) Exceptions (iv) To Agricultural activities relating exclusively to the sale of agricultural products grown locally;
5. Fertilizers/ Manure Management–if any, & the use Best Management Practices (BMPs)
6. Future uses- Agritourism, refer to NHMA Law Lecture 2016
7. Groups, if any arriving by bus such as school field trips
8. Lighting
9. Parking including ADA spaces.
10. Pond proposed. Issues of access and fencing of the pond.
11. Restroom facilities – none proposed and currently no septic system at the barn.
12. Waivers Requested to the Site Plan Regulations
13. Water source – pond proposed.
14. Wetland or any wetland impacts

Zoning Ordinance Provisions:

- ✓ Article II, General Provision- #1 Agriculture.
- ✓ Article III, Definitions. Several terms are used throughout the Zoning Ordinance relative to farming-agriculture, including agriculture, all agricultural activities, farm activities, garden (home), garden activities, greenhouses or florist shops, agricultural and farming activities, veterinarian, agricultural or farm buildings, animal fee operations (AFO), concentrated animal feed operation (CAFO) animals (small for personal use and enjoyment), grazing, care and raising of livestock, roadside stands for sale of agricultural products and silo. At the May, 2012 Town Meeting, several zoning amendments passed including one for a definition for a commercial farm and the provision to require Site Plan review for a commercial farm. The Zoning Ordinance includes 173 definitions, six (6) relate to agriculture: # 8 agriculture- see farm, # 32 commercial farm, # 50 farm- refer to the RSA 21:34-a, # 51 farm buildings, # 73 home produce and # 82 livestock. See also # 136 Seasonal Use.
- ✓ Article VI, Agricultural and Rural Residential District
- ✓ Article XIII, Wetlands Conservation Overlay District, D. Permitted uses (2). Cultivation and harvesting of crops according to recognized soil conservation practices including the protection of the Wetlands from pollution caused by fertilizers, pesticides and herbicides used in such cultivation, and (7) Dry hydrants or fire ponds which are constructed to permit unobstructed flow of water (page 50).

Agricultural History in New London:

Much of New Hampshire was forested, and cleared for agriculture in the 1800-1900s. Small family farms dominated the landscape. Details on New London's agricultural history can be

found at the local library and Town Archives. Recent Planning Board discussions related to farming-agriculture include the Canane property on Pleasant Street, Evans-Chouinard alpaca farm on Sutton Road, aka Route 114, and the Len Dorr property on Morgan Hill and Little Sunapee Road. All of these pertained to the raising of livestock. As noted in previous staff reports, New London includes other properties where agricultural activities are conducted for the raising of livestock and or plant/food production (Spring Ledge Farm).

Master Plan:

The Master Plan Executive Summary and the Master Plan includes many references to rural character, farms, protecting natural resources and the importance of each to the local economy. Refer specifically to Chapters, IV- Conservation and Open Space, Chapter V- Watershed and Water Resources, Appendix A- Vision Statement, Appendix B- Community Attitude Survey and Appendix C- Important Open Space Lands and Natural Features.

The Sugar River Watershed is discussed in Chapter V. Watershed and Water Resources of the Master Plan, page 47. The Soo-Nipi farm property is located in the Sugar River Watershed. There are 5,331 acres in New London in the Sugar River Watershed. This watershed is the second largest watershed in New London and occupies 33% of the total area of New London. The Master Plan identifies several potential point pollution sources in New London including agricultural runoff and pesticide use, page 57. The need to employ Best Management Practices (BMP) are discussed on page 61.

NH RSAs:

- RSA: 21:34-a;
- RSA 432- Title XL- Agriculture, Horticulture and Animal Husbandry;
- RSA 672 :1 Planning and Zoning General Provisions
- RSA 674:32-a Agricultural Uses of Land
- RSA 674:32-b Existing Agricultural Uses

Staff Recommendations and Findings:

The Planning Board should:

1. Determine if the application is complete or incomplete. If incomplete, specific reasons should be provided. Address waivers requested.
2. Decide if this application is deemed a project of regional impact, per RSA 36:54-58.
3. Decide if a site visit is needed.
4. If complete, open the public hearing and receive testimony.
5. Make a motion to approve, disapprove or table the application and state the reasons.

If the Planning Board acts to approve the plan, staff suggests that the following recommendations be considered in drafting the motion:

- All farming activities be in compliance with Best Management Practices (BMP).
- Receipt of NHDOT driveway permit.

- Compliance with all applicable State laws as may apply.
- Include specific language in the motion of what the conditions of approval will include.

Attachments:

Refer to the items referenced within and the informational resources included on the website with the November 1st meeting materials.

NHMA Law Lecture Series, 2016, Lecture 1- Part Two- Agritourism.