

**APPROVED**  
**May 26, 2009**  
**Planning Board**  
**Regular Meeting**

**MEMBERS PRESENT:** Tom Cottrill (Chairman), Jeff Hollinger (Vice-Chair), Michael Doheny (Secretary), Tina Helm (Selectman's Representative), Emma Crane (Conservation Commission Representative), Ken McWilliams (Town Planner), Michele Holton, Karen Ebel, and John Tilley (Alternate)

**MEMBERS ABSENT:** Dierdre Sheerr-Gross (Alternate)

Chair Cottrill called the **MEETING TO ORDER** at 7:30pm.

**1. Olivia Powers – Concept Site Plan Review – Need for Site Plan? (Tax Map 84, Lot 78)**

Olivia Powers came to the Planning Board (PB) to explain that she is starting a chiropractic care office in New London. She is wondering if a site plan review is required for the space she will occupy, which has already been an office. Ken McWilliams, Town Planner, remarked that although it would be a change of use, there were more than enough parking spaces available. He did not believe that there would be a need for a site plan. John Tilley asked a general question regarding parking and how the needs for parking are calculated. It is currently calculated as a decimal and that the number of spaces needed are generally rounded up. Mike Doheny asked how many chiropractors would be working at the office. Ms. Powers remarked that she would be the only chiropractor and would be seeing at most, three patients per hour with a maximum of one person waiting at a time.

Chair Cottrill asked if there were any concerns from the PB. There being none, he asked for a motion.

**A MOTION was MOVED (Michele Holton) and SECONDED (Karen Ebel) to not require Olivia Powers to have a site plan for her chiropractic care facility located at 71 Pleasant Street. THE MOTION WAS APPROVED UNANIMOUSLY.**

**2. Camp Wallula Inc. – Final Major Subdivision (Tax Map 33, Lot 16)**

Chair Cottrill asked Mr. McWilliams if there were any outstanding issues with this case since the last time the PB met: Mr. McWilliams said that the bounds for the property need to be set, and that the amount of security needs to be established and approved by Richard Lee and the PB. He said that both of these items need to be taken care of before the plat can be signed. It was shared that at the last meeting there were suggested items that were requested to be on the plat and in the deeds. Those were conditions from the covenants and bylaws. All of the items in the email from Ken were agreed upon by Mr. Cook and they will be added to the plat and in the deeds for recording. These items were:

1. From the Restrictive Covenants dated April 9, 2009:
  - a. #4 pertaining to tree cutting within the shore land overlay district;
  - b. #5 pertaining to tree cutting outside the shore land overlay district; and
  - c. #20 pertaining to maintenance of improvements and remedying any environmental problem.
2. From the Bylaws:
  - a. Article V #8 pertaining to Septic System Design.

Nate Fogg, the engineer from Jesseman Associates, shared that a bond of \$130,000.00 was agreed upon by he and Mr. Lee. Attorney Brad Cook was said to be currently in the process of preparing for said bond at the bank.

The PB opened the floor to a review of “Covenant Relating To Release Of The Town Of New London...” created for the Wallula Subdivision. The review did not create any comments. Next, a review of the Declaration of Restrictive Covenants ensued. The following corrections and/or clarifications were discussed:

On Page 2, #4 Chair Cottrill brought attention to the use of the language “breast-high” in reference to a unit of measurement. It was suggested that this language should be changed to 4½’ high. On this same page, Karen Ebel noted that paragraphs 4 & 5 it should say “shore land” overlay, not “shoreline.”

Page 3 #10. The text saying “Also, structures not permitted by.....” should be changed to “Also, no structures shall be erected.”

#12(b) The time of construction was described as being “no earlier than 7am and no later than 6pm.” Chair Cottrill asked if weekends would be utilized for construction. Mr. Cook noted that in an earlier draft, there was a specification noting construction would not take place on weekends would not be utilized. It was suggested by the PB that because the visitors to Wallula would be present mostly during the weekends and in the summer, that it would be a given that weekends would not be utilized for construction, and so any mention of weekend construction should be removed.

#14 The text should be amended to say “Common area subject to an easement for *a* power line serving...” Also, the New London-Springfield Water System should have a hyphen between the names of the towns.

Ms. Ebel asked Mr. Cook if he could specify where restrictive covenants are incorporated by reference into the bylaws. Mr. Cook noted that #1 on the first page showed the marriage of the documents.

Mr. Tilley noted that he believed #3 to be contradictory regarding private residences having commercial business or home occupations within the subdivision. It was explained that a home occupation does not necessarily mean commercial business. Mr. Fogg gave an example that a gas station could not go into a specific location, but it would be okay for a lawyer to work out of their office in the same location. The PB suggested adding the text “other than as provided here-in” after the last sentence in #3.

Ms. Ebel asked Mr. Cook about paragraph 20 regarding the association being responsible for making improvements to the common area. She believed that the section should be referenced in the bylaws as to how the improvements shall be paid for. She asked where it is made clear in the documents so that it is obvious who pays for improvements. Mr. Cook referenced Article V.2 of the Bylaws (Page 13), the bottom of the first paragraph where it references Paragraph 20 of the Restrictive Covenants. He went on to show that there was also some text added about special assessments in the Bylaws on page 19 Article VII.2.(b)saying, “or in the event there are no insurance proceeds.....” so that it is clear that if additional money is needed, this process could be used to raise the money.

Next was a review of the Wallula Community Homeowners Association – Bylaws.

Mr. Cook noted that the word “ordinance” at Article I.2.(k) needs to be italicized.

On Page 8, Article III.12, first sentence, should read “pro-tem” and not “pro-tern.”

Also Article III.7 in the last sentence: the semi-colon should be removed.

Page 14, Article V.4.(c) the sub-heading in should be italicized.

Page 12, Article V.1.(d): third line under “reserves” remove the period before “D” and 1.(e), remove typo at word, “existing” and at V.2, first sentence, remove the “e” on “fore”.

Page 16, Article V.5.(j): Point of clarification regarding second sentence: “Up to 3 motorized boats,” is for a TOTAL of three motorized boats for all lots collectively, not three PER lot. Mr. Hollinger asked who would monitor the number of boats. Mr. Cook indicated that it would be monitored by the association. Several members of the PB believed that the current text seemed to indicate that there would be room for three boats per lot and not total for the whole subdivision. Mr. Cook said he would put something in the text to specify that there were 3 spots for motorized boats TOTAL for the whole subdivision. Also, same paragraph, reference to “Department of Environmental “Protection” should be “Services”.

Mr. Cook asked that these plans be approved and not passed on for another meeting due to a deadline that they are coming upon.

Ms. Ebel asked if Mr. Cook would consider adding a requirement that the construction comply with best management practices to the notes on the subdivision plan. She stated that this is something the Board had requested in the past and support for it in this case comes from the revised Impact Statement. The wording suggested to be added to the plan and the individual deeds was: "During construction, contractors will be required to use the most current methods for erosion control to insure protection of the lake and the land below the subdivision as required by the State and the Town of New London." Mr. McWilliams noted that the advantage of having this in the deed as well as in the plan is that it is more likely that individual landowners, as well as builders, would see it and comply with it. Other notes agreed to per Mr. McWilliams' April 9<sup>th</sup> email noted above will also be included on the plat and in the deeds. Mr. Cook confirmed that all these notes were acceptable.

Chair Cottrill asked if there were any other concerns or suggestions from the PB. There were none and so he asked for a motion.

**IT WAS MOVED (Jeff Hollinger) and SECONDED (Michael Doheny) to approve the major subdivision for Camp Wallula Inc, as presented, subject to Camp Wallula submitting surety in the amount of \$130,000, marking and setting boundaries, adding notes to the subdivision plan and related deeds as agreed, making corrections to the Bylaws and Restrictive Covenants, as agreed, and adding the following statement regarding the utilization of best management practices to the subdivision plan and related deeds "During construction, contractors will be required to use the most current methods for erosion control to insure protection of the lake and the land below the subdivision as required by the State and the Town of New London." THE MOTION WAS APPROVED UNANIMOUSLY.**

### **3. Colby Sawyer College – Concept Site Plan Review – Windy Hill School (Tax Map 85, Lot 33)**

Doug Atkins, VP of Administration at Colby-Sawyer College came before the PB to explain that the college's Child Development Program's lab, the Windy Hill School, currently resides in two basement spaces on campus. He remarked that it is and never has been an ideal space with it being split, it being small, and it being in the middle of the busiest part of campus (both pedestrian and vehicular), and they have long wanted a separate space for the Windy Hill School.

Architect, Mr. Nate Fogg of Jesseman Associates, showed on the map where the facility is currently located. The current plan was to create a separate building between Colby Farm and the tennis courts. This facility would be accessed by a gravel road (to be upgraded) which runs from the Hogan center drive. He noted that the idea is to pave the road with a one-way loop for parents to drop off/pick up their children. Parking would be close with handicapped access. Play spaces were shown, as well as the surrounding landscaped areas. Fire access points were labeled around the building, as well as a delivery access point. Currently there are no utilities at this site but they are hoping to get this approved quickly so that construction could be started this fall. It would be a 2-story building with access to both floors directly to the outdoors.

Mr. Hollinger asked what the square footage for the current space of the Windy Hill School is now. They believed that the space was about 6500 square feet. The new spot would be about 10,000 sq feet. There would be no increased need for parking as the number of teachers would not increase. Targeted move-in date is June, 2010. It was asked if they anticipated a change in the number of children enrolled at the school. Mr. Atkins answered in the negative. He said that for years the program had been tailored to fit the space, and now they hope to tailor the space to fit the program. Mr. Doheny asked about the traffic pattern and how it would work. Mr. Fogg showed that 5 or 6 parallel parked vehicles could fit within the loop. Mr. Doheny believed that more spaces would be needed, as the current location has had some problems with the spots being filled quickly at drop-off and pick-up time, leaving no legal spaces left to park in. Many

members of the PB shared the same concerns, as many of them have or have had children enrolled at the Windy Hill School and have run into the same predicament.

Mr. McWilliams noted a few things that had been raised at the Department Head meeting. Don Bent, Health Officer, raised two issues. One issue had to do with what playground material would be used. He also asked about fencing the play areas, which are located in the back of the building. Mr. McWilliams indicated that due to their location and proximity to the road, the play areas are not considered a safety issue and should not require fencing. Jay Lyon, Fire Chief, asked for a building layout. There was some discussion of the concept for drainage involved it going into two directions and using infiltration as much as possible. Dave Seastrand, Police Chief, said he liked the idea of moving the facility away from the busy part of campus. Mr. Atkins stated that they would be working towards “Leeds” compliance but not certification.

The site is staked out so members are encouraged to go look at the space. They plan to come back in July with a preliminary concept review.

#### **4. Colby Sawyer College – Concept Site Plan Review – Utilities**

This agenda item is linked with the proposed Windy Hill School building.

The intent is to bring water via a 12” water line that comes from Main Street to the new Windy Hill School site. They want to tap into the line and run a 12” water line under the access road. They would “T” this line off and run an 8” line to Lethbridge Lodge, which is currently served by a 6” line. The addition of this larger line would help water pressure and flow to the water precinct and the campus. They would also be adding a hydrant in front of the new Windy Hill School building.

Electricity would come from near Lawson Hall. They would add a sector cabinet and would use existing conduits, and would add a transformer. Some trenching would be done, but mostly the cable would be run through existing conduits. Data lines/fiber optic cable would come out of Lethbridge Lodge through an existing conduit and through a new conduit that would run under the access road and into the new building. It was clarified that a sector cabinet is a switch box where connections are made, which, like a transformer, sits on a concrete slab.

Mr. Fogg noted that the sewer will come out of lower end of building. A pump station would gravity feed to Lethbridge Lodge to another pumping station, which would gravity feed out to Seamans Road behind Lawson and Brook Halls.

They wish for a quick approval of these utilities so they can begin construction during this building season. They anticipate limited impact and disturbance throughout this process, which would include some trenching, the placement of conduits and a sector cabinet upon a concrete slab. The drainage breaks would be around the middle of the proposed school behind the tennis courts, and the rest being collected near the pump station near the existing retention pond. They wish to use infiltration to get drainage back into the ground. It was asked if during the trenching if there would be any need for handling drainage/run-off. Mr. Fogg indicated that they would use silt fence to contain any run-off during the minimal trenching that is required. They would like to go for the final approval for this project at the June 23<sup>rd</sup> meeting.

Peter Stanley, ZBA asked where the fill from the trench would go. Mr. Fogg said that this has not yet been determined. They were in agreement that a plan would need to be created and reviewed by the Planning Board for the removal and storage of this material.

#### **5. Colby Sawyer College - Concept Site Plan Review – Use of the Fairway Motel for Student Housing (Tax Map 98, Lot 27)**

Ken McWilliams summarized this item by explaining that there would be 24 students and 2 Resident Advisors (RAs) moving into the Fairway Motel this fall. He believed that 5 additional spaces would need to be added to the side of the Motel facing Route 11. This request had gone to the Zoning Board previously

and was approved as an expansion of a non-conforming use. There is currently a 50' perimeter landscape setback requirement off of Route 11, however, this addition of parking spaces would cut that setback to about 42'. The parking aisle would measure 32' on the west end, including the parking stalls (currently the stalls are 20' long leaving a 12' aisle). The New London's Site Plan Regulations require a 26' aisle. Between Route 11 and the proposed additional parking, there is a substantial growth of existing landscaped trees that serve as a buffer to the parking lot. Colby-Sawyer believes it would be best to not disturb the tree buffer, but lessen the aisle requirements.

Doug Lyon, the Treasurer of Colby-Sawyer College, explained the parking situation further. Abutters to the Fairway Motel attended the Zoning Board meeting and there were agreements made between all three parties at that time. The abutters noted that they wanted the parking spaces to stay in front of the building, and not behind it. Both parties agreed that this was the best location for the extra spaces. Mr. Lyon commented that he had asked Richard Lee to look at the parking lot and he also agreed that their Colby-Sawyer's idea was the best. He agreed that the trees should remain to hide the new spaces from Route 11. Who said this? A larger aisle could be created by moving the parking spaces. The existing aisle is large enough to move cars in and out, but the larger the aisle the better. If Colby-Sawyer can move the spaces closer to the tree-line and try to avoid their root mass, the plan would be sufficient. Mr. Lyon noted that they would like to go directly from Conceptual to Final so as to get the work completed in time for students who may need to use the spaces in the fall. He noted that the final plan would give specific dimensions, and would tell the size of the aisle that would be created. Mr. Lyon believed that the required 26' aisle would envision 2-way traffic but this is not what they want. Colby-Sawyer's prepared plan would give a cross-section of the parking lot and how it would be constructed. It was noted that there would be no drainage problems on the site, and that there is an existing storm drain. Mr. Lyon said that Mr. Lee believed that making the surface blue-stone would give it the same permeability as it has now (grass).

Mr. Lyon added that currently they do not have 26 students slotted for these spaces within the Motel and for the extra parking spaces. He would like permission to not build the spaces if they find they do not need them. He said that on average, there are about 100-110 students each year who are commuters. Others rent apartments off-campus. He noted that Colby-Sawyer would prefer that the students be as close to campus as possible and would not put students at the Fairway if it wasn't absolutely necessary.

Michael Doheny asked if they had thought of restricting the number of cars available at the Motel. Mr. Lyon said that the Motel living quarters would be attractive to those students doing internships (upper-classmen), and they would most likely need to use their cars each day. He added that no freshmen would be placed off campus. John Tilley asked about visitor parking in the Motel area. Mr. Lyon said that most visitors will come on the weekend when the chances that some students wouldn't be there, so extra parking would already be available. Another question from Mr. Tilley was regarding snow removal in the Motel parking lot. Mr. Lyon shared that the Lake Sunapee Country Club would remove the snow and the college would work with them to set up a schedule alerting students of when they must move their cars so that the snow removal could be completed.

Chair Cottrill summarized the issues, noting that there were two issues that needed to be considered: parking and setback issues. He asked if the feeling of the PB was to make the setback 26' or if they should leave more of the landscaping. He noted that pursuant to New London's site plan review regulations, the calculation for parking within a dormitory is .7spaces /student, which comes to 18 spaces. He also stated that since this would be an off-campus site, more students would be using a car to get to/from classes or internships. Parallel parking was brought up. Mr. Lyons explained that this method of parking had been investigated, but Colby-Sawyer had decided it would not work well.

The college plans to come back next month with a final review to present to the PB.

Mr. Lyon noted that the last time he came to the PB he had shared that they had a goal set for 380 new students to enroll at the college for the fall. Two weeks before the May 1<sup>st</sup> deadline they were behind in deposits for new students. In the two weeks following, they had 485 deposits for new incoming students. They are currently looking on campus to see how they can create additional beds for these incoming students. Mr. Lyon gave a hand-out of how two resident halls could be changed to include around 52

additional beds. He wanted to add that even though there would be more students on campus, no additional parking permits would be issued. He anticipated that there would be some withdrawing of incoming students due to the limited number of parking permits. He shared that the numbers they have for students enrolling in the fall are slightly exaggerated due to the ice storm this past winter, which interrupted the end of the first semester. They were not able to conduct student dismissal in their usual manner, and so they were not sure that many of the students they had listed would be returning.

Mr. Lyon went on to say that Colby-Sawyer has approved an enrollment of 1000 total students for this year. Last year they were at their highest at 1004 enrolled. In their new plans for making more dormitory space, they would be taking some study areas and turning them into rooms. They have decided not to make triples from doubles or singles into doubles. He added that there would still be common areas for students to study and sit in, but right now they need to use some of the space for beds so they can fit the students they have enrolling.

It was asked if there would be any impact on the classrooms with the increase in enrollment. Mr. Lyon answered in the affirmative. He noted that office space would require additional faculty. He said that they are working to solve those problems but at this point, the beds are the most important issue. He noted that the cafeteria is large enough to deal with an increased enrollment however, scheduling would change, as would the choices the students would be able to make regarding class times/days. Karen Ebel asked if Mr. Lyon had heard that the rate of college attendees/graduates from High Schools may have peaked. She opined that it may be tricky to spend a lot of money into enlarging the school size as attendance may drop off in the coming years. Mr. Lyon agreed with her comment and indicated that they have students coming from international schools as well as graduates from high schools within the US to take classes. He said that it's predicted that nationally there will be about a 2%/year decline, even more in New England. The college is also expanding their international program and are sending students over-seas in the fall semester which will off-set the number of students on campus as well. These are all things the college is doing to insure that their enrollment will remain steady.

Chair Cottrill asked at what point enrollment increases would get the attention of the water precinct, sewer, etc. Mr. McWilliams said that it should get their attention at a final site plan. Mr. Lyon said that while the students are at school, the water and sewer usage for New London is lower. High-season is in the summer when the students are not there. He said that in the 20 years he has been at the college, water usage has increased from 12 million to 15 million gallons. During his first year there were 288 students. There are now 900 students. The slight change in water usage is thanks to more efficient water users and facilities

Mr. Lyon said that he was mentioning this to the PB because it is something that will be coming on the horizon.

## **6. Continued discussion of possible amendments to the Site Plan Review Regulations**

Jessie Levine (Town Administrator) came before the board to discuss the site plan review regulations. She referenced the memo that was sent out in April regarding changes to the regulations that Mr. McWilliams wished to make. She explained various deficiencies and overkill in the proposed process. She said that she felt her goal in the change was to improve the customer service that is offered to the residents. She would like to avoid sending applicants with minor changes of use through the PB process, which consumes the PB's, Planner's, and Department Head's valuable time. Her second goal was to provide some oversight to properties that change in ownership but do not change in use, which are currently falling through the cracks. Her third goal was to streamline and organize the occupancy permit process so that there is a continuation of oversight. Jessie opined that the criteria in Mr. McWilliams' memo was a bit excessive per the regulations.

It was noted that if the site plan regulations are changed, they have to be brought before a public hearing.

Mr. Doheny said opined that occupancy permits should not be brought back to the PB. He believed that it should be kept with the Board of Selectmen (BOS) and that changes of use that would require that type of review would be better administratively handled through Zoning Administrator (ZA) and the BOS. Since

the BOS meets weekly, why not let the applicants meet with the ZA and BOS to get the approvals done quickly. Mr. Doheny explained that when a building permit is issued by the BOS, they should also be responsible for the occupancy permit. Mr. Stanley, Zoning Administrator, noted that the planning side has to be completed first before a building permit can be issued. He added that he would like a rapid and thorough review of the process. He would like the applicant to provide a floor plan/layout so they can show what they are doing. He believed the process would work effectively in that he could determine if it would be a simple change of use or if it would need to come to the PB for review. Jessie noted that she would like to streamline the process in order to be more responsive in the lag time between meetings. She would like to try to keep some of the minor items off the PB agenda.

In the new process, Mr. Stanley would be responsible for keeping track of the projects he has worked with, would take note of what was going on, and would follow a check list to make sure the appropriate people were involved. Mr. Stanley would report to the PB on a monthly basis regarding these projects, so that they could be documented in the minutes.

It was suggested that a reoccurring agenda item should be “ZBA Report.”

In section D, #4 in Jessie’s list explaining the types of things requiring a PB site plan review it was agreed by several members of the PB that the last sentence should be deleted.

Jessie noted that this section (D) could be listed at the top of the form that is created for people requesting change of use so they will be able to anticipate whether or not they will need to go to the PB. She also said that it is better for people to talk with Mr. Stanley than with Mr. McWilliams regarding change of use issues, as Mr. Stanley is on-site and Mr. McWilliams is generally in the office only every two weeks.

## **7. Dana Bisbee – Harborview Subdivision Plan**

Mr. McWilliams distributed a copy of some email correspondence between himself and Dana Bisbee regarding a subdivision in Sutton, NH. Mr. McWilliams reviewed the issues: the sole access of said subdivision lies in New London (Stonehouse Mountain Road) and the road was required to have improvements made to it in order to continue with the subdivision. Mr. McWilliams noted that there was a question as to whether Jon Feins, the developer, had paid the fees for these improvements. Mr. McWilliams said he would check to see for sure, but he believed the fees had, in fact, been paid. More on this issue will be coming up in future meetings.

## **8. Other Business**

### **A. Advertising in the Intertown Record**

Correspondence from the Intertown Record indicated that they would like the PB to pay for announcements for Master Plan Work Sessions placed in their publication. There was some discussion about advertising options and pricing and it was the consensus of the PB to utilize the Intertown Record over the Kearsarge Shopper to save town funds.

### **B. Approval of Minutes from 5/12/09 Master Plan Work Session**

Amendments to the minutes included:

Page 4 Fix Ms. Ebel’s last name as it was misspelled.

Page 5. Ms. Helm agreed to ask Mr. Ballin where he stood in his process of coming up with new text regarding Elkins. She was not going to come up with text herself. This was clarified in the minutes.

Issues #14 Add Native American *historical* sites, so the scope of review will include more than just Native American grave sites.

**A MOTION was MOVED ( Jeff Hollinger) and SECONDED (Michele Holton) to APPROVE the minutes from May 12, 2009, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting was adjourned at 10:15pm.

Respectfully Submitted,

Kristy Heath, Recording Secretary  
New London Planning Board

Date of Approval: \_\_\_\_\_

Chairman: \_\_\_\_\_