

**Town of New London
Zoning Board of Adjustments
February 15, 2010**

Members Present: Bill Green (Chair), Laurie DiClerico, Cheryl Devoe, Sue Andrews

Also Present: Peter Stanley (Zoning Board Administrator), Paul Roberts (Lyon Brook)

Chair Green called the meeting to order at 7:30pm. He announced that the meeting was a continuation of a hearing from January 25, 2010 and that it was being recorded. He asked all to identify themselves before speaking. New London hospital would be represented by Senior Director of Planning, Laurie Underwood and Mr. Todd French, Facilities Director. Mr. Martin Risley from Harbor Clough and Associates was on hand to help with the presentation to the ZBA. The hearing for the hospital was for the purpose of requesting a variance. Details included below. From the past meeting, the board wanted additional information and clarification on the snow storage site, which would include runoff, management of the area, and how it would affect the wetlands and the abutters.

VARIANCE

**New London Hospital
273 County Road
New London, NH 03257**

**Tax Map: 072 Lot: 016, 017
059 Lot: 004**

PURPOSE OF REQUESTED WAIVER:

Variance to the terms of Article V, Section A of the New London Zoning Ordinance to permit the use of a parcel of residentially zoned land, adjacent to a parcel of land in the Hospital Institutional Zone, for the permanent storage of fill from a New London Hospital construction project and to then use the resulting filled site for winter storage of snow from the New London Hospital parking areas and driveways.

Chair Green asked Mr. Rinsley for a quick overview of the site and to address some of the concerns as to how the topography runs and where the flow of the water would travel from the site in general, and also how it would affect the entire property. Mr. Rinsley said that he had modified the map a bit to make it clearer. He changed the numbering of the general notes section to help it make more sense in the sequence. Mr. Rinsley said that the contractor would grade the existing embankments. The slopes were steep and they found a lot of erosion. It was their hope that the grading would stabilize this from happening in the future. Mr. Rinsley said that the drive would be graded as well so it would all drain to one point. He explained that there were currently several small impressions in the drive, which hold water and cause erosion on the sides of the slopes. Once the grading is done, they would surface the road with crushed gravel to give greater stability. Mr. Rinsley noted that there would be nothing steeper than 1.5:1 once the grading was done.

With regards to the type of soil they are dealing with, Mr. Rinsley explained that the fill contains a mixture of materials including till and rock fragments. He stated that this type of soil is reasonably stable. He explained that they would go around the slope and stabilize any soils that have eroded by adding soil, adding seed and placing an erosion blanket over it to protect it until the seed took hold.

Mr. Rinsley noted that they had moved the sediment barrier away from the toe of the slope on the map. The barrier was intended to be out further than was presented on the older plan, but it had been drawn in at the wrong point. He added that snow would be deposited at the south end of the landing, between the two wetlands.

Mr. Rinsley explained that they drew the map to scale this time, as there had been some question about this at the last meeting. He noted that the area is 70' wide from toe to toe. The length is 220' from the end of the paving by helicopter landing area to the fill. Mr. Rinsley shared that there were no further changes made to the plan, but that the relative location of the site was another topic that needed to be discussed.

The hiking trail near the parcel in question was shown to be a light, dashed line near the Lyon Brook property line. This trail was about 750' from the fill area at its closest point. Mr. Rinsley stated that the area is completely wooded and so the fill area was not visible to anyone.

Mr. Rinsley said that there was some concern over pollution control with regards to the melting snow placed in this area. He noted there had been some question as to the idea of pollution control where they would be storing a larger quantity of snow in that one area as opposed to smaller amounts throughout the parking area. He said it was a quantity and quality question. In terms of quantity, Mr. Rinsley said that the snow would actually melt slower in a larger pile of snow than it would in smaller piles and that actually, a warm parking lot would make it melt more quickly. He opined that the runoff peak would be reduced by moving the snow to one spot. The quality issue was the other part to the question. Water that comes out of the snow melt in the parking lot goes through "storm-ceptors" which catch the suspended solids (sand particles). If the snow is brought to the snow storage proposed site, the sand particles would be collected in the area below the slope. Mr. Rinsley shared that sand tends to go to the bottom of the pile. There would be some sand that goes with the snow melt, but much of it would find itself at the bottom of snow piles in the parking lot. Mr. Rinsley was confident that the sand would be caught either by the storm-ceptor or the sediment fence below the slope. With regards to the salt issue, he said that there was no way to treat the runoff for salt. It is dissolved in the water and goes through the storm-ceptors or would go into the ground and drain in back of the sediment fence as the snow melts. Todd French reminded those at the meeting that they do not use sand for any of their parking lot treatments. Any sand would come from the Town road or the parking lot at the nearby shopping plaza. The hospital uses a mixture of salt and "magic-salt."

With regards to the flow of water from the site, Mr. Rinsley showed on his map that the runoff goes through the wetland channel and through a culvert labeled "Design Point 1." Other runoff can flow off of another channel and into a culvert they call "Design Point 2." Mr. Rinsley explained that having these two culverts helps to reduce the volume of runoff from both locations. Rather than having the impact of increased runoff and volume, they have a decrease in this situation. The amount of impervious surface was reduced by their building over an area that was once a parking lot. Mr. Rinsley noted that the fact that the volume and runoff has been decreased due to this construction has been checked and confirmed by the State.

In terms of elevation, Mr. Rinsley noted that the dark dashed lines were the watershed boundaries. Any water coming off the side of the property goes through the drainage there, and would have to jump over the top of a ridge to cause any overflow onto the abutting property. Due to the improbability of this happening, Mr. Rinsley didn't feel that there was any way that the drainage could have any effect on the Lyon Brook property.

Mr. Paul Roberts, representing Lyon Brook, asked about the surface areas behind the hospital. He wanted to know if it would absorb the water and not go into the culverts. Mr. Rinsley said that the volume decrease was caused by the pervious material used in the parking lot and that water is absorbed instead of sheeting off of it. He said that it is not working perfectly but is working better than an impervious material would.

Chair Green thanked Mr. Rinsley for coming to the meeting to present this information. He confirmed with Mr. Rinsley that there was a natural ridge of land that was approximately four to five feet in height that would contain the water before it would go onto the Lyon Brook property. Mr. Rinsley agreed that this was the case. He showed a cross-section of the rear of the Lyon Brook land. He had exaggerated the vertical scale to better show the elevation of property line, the ridge on the land, and where the water flows out. At its highest, the ridge was 8' high.

Mr. Roberts asked if the water flowed slow enough to be a vegetative channel. Mr. Rinsley answered in the affirmative.

Ms. Andrews said that to her, the sediment barrier being moved out was a key piece of information to her because now it seems that the snow wasn't going to fall over it and not be contained. Ms. Underwood agreed with Ms. Andrews' point and said that in the spring, they will work with Peter and Richard and would make any further adjustments needed based on their feedback. Mr. Stanley noted that the hospital would still need to go to the Planning Board before anything more was done to this property. Ms. Underwood said she understood.

Ms. Andrews asked about the silt fence that was included on the map and wondered if it was permanent. Mr. Rinsley said it would be there until the fill was completely stabilized. He said that he'd like to leave it up until all the work was done.

Ms. DiClerico asked if there would be any maintenance required of the sediment barrier over time. Mr. Rinsley said that there was not; it would turn into a berm and will turn to soil eventually. He explained that it would need to be inspected once in a while and if something was found to be escaping from it, more mulch could be added.

Ms. Andrews said that as long as they would dump the snow off the end as opposed to the sides, it would be as effective as they could get to stop the flow of the salt right into the wetlands. Mr. Rinsley said the trucks will have to back down the road as it is very narrow, and would certainly not be able to dump off the side as there was no room to turn in that direction.

Mr. Stanley said that once they got to the Planning Board level, they would be looking for some details on the maintenance of this site. He explained that due to the steep slope, they wouldn't be able to use a lawnmower or heavy machinery, but they wouldn't want any seedlings to grow. Mr. Stanley suggested possibly maintaining the site with the use of weed-whackers. Mr. Rinsley agreed that this would be the best option.

**IT WAS MOVED (Bill Green) AND SECONDED (Cheryl Devoe) to discuss.
THE MOTION WAS APPROVED UNANIMOUSLY.**

In the previous meeting, the members of the Zoning Board wanted to go through each of the criteria separately, keeping in mind the two separate proposed uses for this property. Now that the information had been presented to them from Mr. Rinsley, they felt much more comfortable with the plans and noted that they did not need to go through each criteria separately. They all thanked Mr. Rinsley for coming to the meeting to help them understand the proposed projects, and to provide them with the details needed to make their decision.

1. The proposed use would not diminish the surrounding property values because:

Chair Green noted that the fill was already there as a result of a construction project that had already been done. Excess fill was placed there and the zoning boundary had changed from Institutional to Residential. He didn't think the fill or snow storage would diminish any surrounding property values. Ms. Devoe agreed and said she felt comfortable with the measures of erosion control that were being taken. Ms. DiClerico agreed and added that it was a large piece of property and was well-buffered. Ms. Andrews agreed.

2. Granting the variance would not be contrary to the public interest because:

Ms. Devoe said she didn't believe granting the variance would be contrary because it was well-buffered and wasn't fearful that erosion would effect the wetlands. Chair Green said he didn't think it would be contrary to the public either. He shared that his major concern he was how the water would impact Lyon Brook. Ms. DiClerico agreed with Chair Green and felt they were taking good measures to protect the abutters. Ms. Andrews had previously been worried about the water quality but felt pushing the berm out would help. She said that at the last meeting there were some issues regarding safety that were brought up which she felt were not valid, as it is well buffered.

3. Denial of the variance would result in unnecessary hardship to the owner because:

- a) **The following conditions of the property make an area variance necessary in order to allow the development as designed.**
- b) **The same benefit cannot be achieved by some other reasonably feasible method that would not impose and undue financial burden because:**

Chair Green said that his view of the request for both uses of the area (fill and snow storage) are reasonable and a benefit to the site. He said that of important consideration was the safety at the hospital. He felt that the reasons the hospital had to request both uses for the property made sense and didn't see anything contrary to the ordinances. Ms. Andrews, Ms. Devoe and Ms. DiClerico all agreed with Chair Green's views.

4. Granting the variance would do substantial justice because:

Ms. Devoe thought it would. Chair Green said his main concern was the impact the project could have with Lyon Brook. He didn't want to help make a bad situation worse. From the information presented that evening, Chair Green didn't feel this would happen. Ms. DiClerico agreed and felt convinced that this was actually an improvement to the property. Ms. Andrews agreed, as did Ms. Devoe.

5. The use is not contrary to the spirit of the ordinance because:

Ms. Devoe felt it was in the spirit of the ordinance and that she was comfortable with what was being proposed. Ms. DiClerico agreed, as did Ms. Andrews and Chair Green.

IT WAS MOVED (Laurie DiClerico) AND SECONDED (Cheryl Devoe) to approve the Variance to Article V, Section A, to allow the permanent storage of fill and also to use the fill site for winter storage of snow for New London Hospital. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (Cheryl Devoe) AND SECONDED (Bill Green) to adjourn the Zoning Board meeting of February 15, 2010. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 8:15pm

Respectfully Submitted,

Kristy Heath, Recording Secretary
Town of New London