

**NEW LONDON PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
APRIL 24, 2007**

MEMBERS PRESENT: Karen Ebel (Chairman), Sue Ellen Andrews, Celeste Cook, Tom Cottrill, Dale Conly, Ken McWilliams (Planner), Larry Ballin (Selectmen's Representative)
MEMBERS ABSENT: Jeff Hollinger

Chair Ebel called the **MEETING TO ORDER** at 7:30 PM.

I. GEORGE CROZER – Concept Site Plan Review: Greenhouse

(Tax Map 56, Lot 7)

George and Katie Crozer stated that they wanted to construct a greenhouse in order to start a business growing orchids for wholesale, internet, and retail sales. They opined that the location was good as it was right off the highway and close to town. Ms Crozer advised that they wanted to minimize, as much as possible, the visual and physical impact on the land and on the neighborhood. She stated that there was plenty of room on the property.

Chair Ebel asked how much land there was. Ms Crozer replied that the property contained 26 acres. Chair Ebel asked for confirmation that the property was located in the Agricultural and Rural Residential (ARR) District. Ken McWilliams verified that it was. Ms Crozer stated that the business would comply with all of the requirements of the ARR district and that they would conduct retail sales from a farm stand on the property. She advised that the property already contained a cottage that would be used as office space and a driveway that would be used to access the business. Ms Crozer opined that the proposed business would have no impact on the neighbors. She said that the proposed greenhouse would be invisible to the neighbors.

Mr. Crozer advised that they planned to grow the orchids for wholesale distribution via the internet or by shipping to other growers via Federal Express or UPS. He said that within two years they would like to begin retail sales; therefore, they would like to have a parking lot next to the greenhouse. He advised that during construction all deliveries to the business would be directed to the main house or "in town". Ms Crozer said that they would need to widen the road leading to the cottage.

PB member Ballin noted that the Crozers were seeking approval for the greenhouse and orchid sales as a home business. He asked if they would be living on the property. They verified that they would be living in the main house.

Ken McWilliams advised that the business entrance would be off Burpee Hill Road via an existing drive. He said that Richard Lee, Road Agent for the Town of New London, had expressed concern about the poor sight line off Newport Road. Ms Crozer said that they would be willing to make any necessary change in the access drive. Mr. McWilliams said that Road Agent Lee had now visited the site and thought that shifting the road a bit further back on Burpee Hill Road would be better than leaving it where was. Ms Crozer asked how much of a shift. Mr. Crozer advised that he would be meeting with the landscaping architect on Sunday to discuss the location of the proposed greenhouse.

PB member Ballin asked where employees would be accommodated. Mr. Crozer replied that employees could be located on the site of the cottage; however, there were no plans to have employees. He advised that he had verified that greenhouses were allowed under the terms of the Ausbon Sargent Land Preservation Trust (ALSPT) easement on the property.

PB member Cottrill opined that there seemed to be two issues under discussion: (1) construction of a greenhouse and (2) a home business.

Ken McWilliams read from the New London Zoning Ordinance Article VI. Section A. Uses Permitted in the ARR District. He advised that the New London Zoning Ordinance does not contain a definition of farming or agriculture; however, the definition of agriculture used in the State of New Hampshire RSAs includes farm stands and greenhouses.

Chair Ebel asked the Crozers if the PB decided that the proposed activity required a Site Plan Review (SPR), were they prepared to include the retail business in the plan at that time. Ms Crozer replied affirmatively and added that they wanted to do everything at once. She opined that many of the SPR requirements would not apply to them. Mr. McWilliams read Article III. Paragraph C. of the Site Plan Review Regulations which lists "a change in use or layout of multi-family or non-residential property or building(s) which involves changes in traffic flow, parking, drainage, water, sewer, or other utilities" in the Types of Development Requiring Site Plan Review.. He said that the greenhouse would be a new non-residential building. He said that he would be happy to give the Crozers guidance in preparing for SPR.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT A SITE PLAN REVIEW BE REQUIRED FOR THE PROPOSED CONSTRUCTION OF A GREENHOUSE TO BE USED IN A PROPOSED HOME BUSINESS TO GROW ORCHIDS FOR WHOLESALE AND RETAIL SALES. THE MOTION WAS APPROVED UNANIMOUSLY.**

Chair Ebel advised the Crozers that Ken McWilliams would offer guidance regarding the SPR requirements. Ms Crozer asked how soon the SPR could be conducted. Mr. McWilliams outlined the 15-day advance submittal requirement. Chair Ebel advised that the Crozers should get a definitive read from Road Agent Lee regarding the proposed business entrance prior to SPR.

II. PETER MOORE – Concept Lot Line Adjustment (Tax Map 21, Lots 1 & Tax Map 33, Lot 15)

Peter Moore advised that since he had not sold the property on the lake yet, he was taking another look at the property. He stated that if he were to stay on the lakeside property, he would want to keep his vegetable garden on the lot across the road and away from the lake.

Mr. Moore advised that he would like to annex 3.2 acres from a 6-acre parcel across the road in order to make the one-acre lot on which he lives a 4-acre conforming lot in the R-2 Residential District. He pointed out that the existing lot is a non-conforming lot in that zone.

PB member Cottrill asked where the existing lot lines were located. Mr. Moore responded that 250 feet of frontage and a small strip of land had been given over to the 6-acre lot. He said that another issue was that the property crossed zones from the R-2 Residential District to the Forest Conservation District.

Chair Ebel asked Ken McWilliams to review the existing and proposed lots and lot lines. Mr. McWilliams said that Mr. Moore was proposing to take 3.2 acres from Lot 21-1, a 6.27-acre lot, and annex it to Lot 33-15. This would make Lot 33-15, now a 1.33-acre, non-conforming lot, a conforming lot in the R-2 Residential District. Mr. McWilliams said that Lot 21-1, that contained land in both the R-2 Residential District and the Forest Conservation District, was a non-conforming lot in the Forest Conservation District that requires a minimum lot size of 25 acres. He advised that the proposed change would make Lot 21-1, currently a non-conforming lot in the Forest Conservation District, more non-conforming. Mr. McWilliams displayed a plan showing the proposed change in lot lines.

Mr. Moore said that he had thought that because he would be moving the 3.2 acres of Lot 21-1 that were in the Forest Conservation District to a lot in the R-2 Residential District, it would move out of the Forest Conservation District. Mr. McWilliams advised that the changes in lot lines would not change the zone district boundaries.

PB member Andrews said that the proposed lot line adjustment would make one lot that was entirely in the R-2 District and that would be conforming. Mr. Moore said that he would not know the exact acreage amounts without a survey. Mr. McWilliams said Mr. Moore was proposing to annex 3.2 acres to Lot 33-15 that contained 1.33 acres, all of which would be in the R-2 District.

PB member Ballin asked why Lot 21-1 was non-conforming. Zoning Administrator Peter Stanley explained that when a property crosses a zone district boundary, the more stringent requirements apply. He advised that the Forest Conservation District minimum lot size was 25 acres. He said that Mr. Moore was proposing to take 3.2 acres of land outside the Forest Conservation District to add to the 1.33-acre lot (33-15) to create one

conforming lot. He advised, however, that Mr. Moore would need to obtain a Variance from the Zoning Board of Adjustment because the proposed change would make the non-conforming Forest Conservation lot more non-conforming.

It was **MOVED** (Ballin) and **SECONDED** (Cottrill) **THAT PETER MOORE BE REFERRED TO THE ZONING BOARD OF ADJUSTMENT FOR A VARIANCE REGARDING THE MINIMUM LOT SIZE REQUIREMENT IN THE FOREST CONSERVATION DISTRICT. THE MOTION WAS APPROVED UNANIMOUSLY.**

III. JONATHAN & JENNIFER PAUL – Final Lot Merger & Right-of-Way Re-alignment
(Tax Map 91, Lots 7, 8, & 14)

Clayton Platt (Pennyroyal Hill Land Surveying & Forestry, LLC) appeared on behalf of Jennifer Paul. Mr. Bedard advised that the Ms Paul was proposing a voluntary merger of two separate lots of record. He further advised that Ms Paul had obtained a wetlands crossing permit from the State of NH.

PB member Ballin advised that the Pauls had obtained Zoning Board of Adjustment (ZBA) approval subject to their receiving wetlands crossing approval from the State of NH. Ken McWilliams advised that there was nothing in the file from either the ZBA or the State of NH regarding wetlands approval.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT THE VOLUNTARY MERGER OF TWO LOTS OF RECORD, TAX MAP 91, LOTS 7 & 8, BE APPROVED AS PROPOSED BY JENNIFER PAUL, SUBJECT TO RECEIPT OF THE ZONING BOARD OF ADJUSTMENT PERMISSION TO CROSS WETLANDS AND THE STATE OF NEW HAMPSHIRE PERMIT TO CROSS WETLANDS. THE MOTION WAS APPROVED UNANIMOUSLY.**

The Voluntary Merger of Lots of Record form and a Mylar were circulated for signing by the members of the PB and forwarding to the Merrimack County Registry of Deeds by the Town of New London.

IV. NEW LONDON HOSPITAL – Final Site Plan Review
(Tax Map 72, Lots 16 & 17 and Tax Map 59, Lot 4)

Celeste Cook recused herself from the PB.

Bruce King, New London Hospital CEO, stated that New London Hospital was appearing for final PB review and approval of the site plan for the proposed expansion of its facility located on County Road. Mr. King advised that a group of individuals involved in the project, including members of the hospital's Board of Trustees, hospital administrators Lori Underwood and Todd French, architects Jeff Galvin and Steve Clayman (Lavallee/Brensinger Architects), project engineer Kevin Thatcher (Clough Harbour & Associates, LLC), and legal counsel (Andrew Eills, Hinchley, Allen & Snyder) were also present. He stated that the hospital had met with the Zoning Board of Adjustment (ZBA) and the Conservation Commission and that all concerns had been satisfied.

Chair Ebel observed that the "Sunapee swirler" was missing from the final plan presented for review and that the hospital was proposing to do something else to "clean" the storm water drainage before it enters the wetlands.

Ken McWilliams reported that at the meeting of municipal department heads it had been recommended that the proposed snow storage along the wetlands be eliminated. He said the plan presented reflected that change and the snow storage north of parking lots in areas C and D had been eliminated. He pointed out that snow storage was now focused off parking lots in areas E and F on the plan. He said that Town Road Agent Richard Lee had opined that the proposed parking lot in area F might require additional tree removal in order to accommodate snow storage. He said that Jay Lyon of the New London Fire Department had advised that there needed to be some adjustment in the fire alarm system. Mr. McWilliams reported that Town Administrator Jessie Levine had advised the hospital that improvements to the intersection of Newport Road and County Road would extend the sidewalk to the first entrance to the Medical Office Building and she was talking with the hospital about cooperative efforts to extend the sidewalk from that point to the hospital entrance. Mr. McWilliams said that

Zoning Administrator Peter Stanley had advised that sediment and erosion control plans were required and provisions must be in place before any building permit could be issued. Town Road Agent Lee and the project engineer had visited the site of an installed "Sunapee swirler", but the device had been covered by snow. Because it could not be observed, the hospital had been reluctant to put a "swirler" on the plan sight unseen. The department heads had discussed with the hospital the problem of proposing vortex units and then doing something else. Department heads recommended proposing vortex units or something satisfactory to the Public Works Department". Finally, Mr. McWilliams advised that the hospital did not yet have a site specific approval from NH DES.

Chair Ebel asked about the outside lighting and noted that the information presented labeled it as "nighttime friendly". Architect Steve Clayman (Lavallee/Brensinger Architects) replied that all light fixtures chosen would be "dark skies" compliant. Chair Ebel advised that there was a great deal of concern regarding exterior lighting among the townspeople.

Abutter Nancy Welch (292 County Road) said that her house was located across from the proposed addition. She said that she probably should have come to earlier meetings, but she had thought the addition was to be a second story on the existing building. Hospital representatives responded that the proposed addition would be a two-story building. Jeff Galvin (Lavallee/Brensinger Architects) advised that because of the topography of the hospital lot, only the second story would be visible from County Road. He displayed conceptual drawings of the proposed addition. Mr. Galvin advised that the second story would be entirely medical offices.

Ms Welch asked if there would be any trees to provide screening. Kevin Thatcher (Clough Harbour & Associates, LLC), Assistant Project Engineer, replied that some trees would have to be removed and some would be replanted. Architect Jeff Galvin said that efforts to mitigate the visual impact from County Road included the use of clapboards and brick for the exterior and the use of shadows. PB member Cottrill asked how many feet there would be between the pavement and the proposed addition. Mr. Galvin replied that there would be 30-35 feet from the pavement to the building. Mr. Thatcher showed Ms Welch plans for proposed plantings of trees, some of significant height, and shrubs in front of the building and at various points in the parking lot. Lori Underwood, New London Hospital Senior Director of Planning and Projects, reiterated that the visible portion of the addition would be offices and there would be no external lighting in that area.

Abutter Welch asked when construction was scheduled to begin. Mr. King replied that construction would begin this summer and would continue for approximately 18 months. Ms Welch asked if it would be Monday through Friday. Mr. King replied that the schedule would be whatever was amenable to the PB. Chair Ebel said that the days and hours of operation had not yet been discussed. PB member Cottrill asked Ms Welch what she would prefer. Ms Welch replied that she would prefer not to have construction going on during the weekend. Chair Ebel advised that the PB was concerned about construction not starting too early, and she emphasized that the starting time would apply to the time at which the trucks and equipment were started. PB member Cottrill recommended a 7:00 AM starting time. Chair Ebel asked what the ending time should be. Chair elicited the opinions of other PB members, and the consensus reached on construction time was 7:00 AM to 7:00 PM Monday through Friday. Abutters Welch and Jim Cricenti (268 County Road) said they had no objection to the proposed schedule.

Abutter Welch asked if property owners on her side of County Road would be able to tap into the town sewer line during the construction period. Zoning Administrator Peter Stanley advised that the property owner would need to have a right-of-way and would have to run a line at his/her own expense. PB member Ballin asked if that side of County Road was within the sewer district. Zoning Administrator Stanley replied that a property owner could be within the district if he/she wanted to bear the expense. He said that others had done so in the past.

Zoning Administrator Peter Stanley said that the PB needed to discuss the impact on regular parking during construction, the location of any staging area, and where construction employees would park. Bruce King responded that he had an agreement with Colby-Sawyer College to use its further parking lot during the two summers for parking construction vehicles and workers cars. He said that the hospital would run shuttles. Mr. King said that he was also talking with Dan Wolf about using the rear of the Hayward property and talking with the Barn Playhouse regarding off-season parking possibilities. He said that the hospital was also planning to

construct the proposed new parking lot first. Lori Underwood advised that the hospital was working on phasing parking lot construction to leave the maximum spaces available as each lot undergoes construction. She said that the plan was to expand the new parking lot to provide 40 new parking spaces. Mr. King said that the plan did not include parking on County Road. PB member Andrews opined that parking along County Road should not be allowed. Chair Ebel asked about the storage of soils and construction materials. Kevin Thatcher replied that there would be no need for stockpiles of materials. Mr. King pointed out that the addition would have no basement; therefore, there would be no need for excavation.

PB member Andrews noted the silt fence around the wetlands on the plan and asked if it was there for snow storage. Todd French, New London Hospital Director of Facilities, replied that it was and advised that Road Agent Richard Lee had recommended it. Ms Andrews asked about other snow storage areas. Mr. French said that silt fence would be used only if inventory impinged on 20 feet. PB member Andrews advised that it might be too late at that point. She asked what the yellow snow parking areas were. Mr. French explained that there were 45 parking spaces for employee parking if a snow storm should be predicted so that the parking lots can be cleared. Chair Ebel asked about putting silt fencing along the lower edge of the property in the area of the rummage house and helipad. Mr. French responded that it could be installed; however, the hospital could not salt around the helipad. He said that the hospital would have to get a larger tractor to take care of the snow inventory. PB member Ballin discussed the difference between construction silt fencing and long-term silt fencing.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT THE FINAL SITE PLAN FOR THE PROPOSED EXPANSION OF THE NEW LONDON HOSPITAL BE APPROVED, CONTINGENT UPON INSTALLATION OF SILT FENCING BETWEEN SNOW STORAGE AND WETLANDS WITHIN A DISTANCE OF LESS THAN 40 FEET, PB NOTIFICATION IN WRITING BY THE APPLICANT OF THE INSTALLATION OF AN ALTERNATIVE STORM WATER CONTROL DEVICE SATISFACTORY TO THE TOWN ROAD AGENT, HOURS OF CONSTRUCTION ACTIVITY LIMITED TO 7:00 AM TO 7:00 PM MONDAY THROUGH FRIDAY, PROHIBITION OF PARKING ON COUNTY ROAD, AND RECEIPT OF A SITE SPECIFIC PERMIT FROM NH DES. THE MOTION WAS APPROVED UNANIMOUSLY.**

Celeste Cook returned to the PB.

V. ROBERT DALEY - Final Site Plan Review: Parking

(Tax Map 60, Lot 3)

Robert Daley reviewed for the PB the comments made at the afternoon meeting with municipal department heads. He said that Zoning Administrator Peter Stanley had opined that proposed parking spaces 9 and 10 would be difficult to access. Ken McWilliams measured the aisle width and found that it was 12 feet, not the required 16 feet; thus, the plan did not show the dimensions correctly. Mr. Daley said that Richard Lee, New London Road Agent, had opined that the proposed plan was better than the existing parking. Mr. Lee said that it was safer because cars would not be backing into traffic; however, he was not able to turn his truck around within the space provided. Mr. Daley said that Town Administrator Jessie Levine had described the plan as being counter-intuitive.

PB member Cottrill asked if the access through the Lamplighter Motel was closed off. Mr. Daley replied that the easement had been terminated in exchange for the lease of five (5) parking spaces on the motel property. He said that Lamplighter owner David Barry had, however, observed cars cutting through the former easement in order to avoid congestion at the intersection of Little Sunapee Road and Newport Road.

PB member Andrews asked about the aisle width issue. Ken McWilliams explained that parking spaces on the plan had not been extended to the aisle.

PB member Cook asked if there were any additional spaces available at the motel. Mr. Daley replied that there were not. Mr. Daley gave a brief summary of events to new PB member Larry Ballin. Zoning Administrator Peter Stanley showed a copy of the approved parking plan. He said the problem was that the parking

constructed did not comply with the approved plan. Mr. Daley said there was existing parking that did not comply with the regulations and a plan that contained "bad" dimensions and there was reality.

Chair Ebel noted that the plan reconfigured the parking, but did not increase the number of parking spaces. Mr. Daley advised that there were two improvements: the new plan eliminated parking in front of the dumpster and cars exiting the parking area would be able to turn around and enter traffic on Little Sunapee Road going forward rather than having to back into traffic.

Chair Ebel asked how much encroachment on the perimeter buffer would be required by the proposed plan. Mr. McWilliams replied that the plan would need to encroach about four (4) feet. Chair Ebel asked if there was an existing 10-foot perimeter buffer. Mr. McWilliams replied that there was only about a 4-foot buffer. He advised that if cars were allowed to park right up to the property line, the parking area would have a 16-foot aisle width. PB member Cottrill opined that it was a very tight spot and perhaps the PB should waive the 10-foot buffer requirement.

PB member Andrews asked how important was it to have a 16-foot aisle width. Mr. McWilliams replied that it was necessary for two-way traffic. Zoning Administrator Stanley asked PB members to visualize the moves necessary to get into parking spaces 9 and 10. He opined that if there were a car parked in space 4, it would be very difficult to maneuver. PB member Andrews said that she was trying to determine what would be best, giving up the buffer on the Powers side of the property or giving up aisle width. Mr. Daley advised that there was never two-way traffic. He said that cars waited for one another to finish maneuvering. He said that he has problematic parking spaces now. Mr. Daley emphasize that most of his business was conducted by telephone, except when there were training sessions. He advised that employees parked in the spaces leased from the motel. PB member Ballin advised that the PB needed to plan for future ownership of the property as well as the current situation.

PB member Andrews opined that the entire perimeter buffer should not be waived. Chair Ebel suggested that a 2-foot buffer and 14-foot aisle width might be a viable alternative. PB members Conly, Cook, and Cottrill agreed. Mr. McWilliams said that widening the aisle width would address the area where most of the problems have been experienced. PB member Ballin suggested 3 and 1-foot buffer possibilities. PB member Cook asked what was on the Powers property in that vicinity. Mr. Daley replied that the area contained grass and lilacs. PB member Andrews asked where the hill started. Mr. Daley replied that the crest of the hill was on the property line. Chair Ebel asked if the PB wanted to eliminate the buffer for parking spaces 9 and 10 and require a 2-foot buffer for the others. Zoning Administrator Stanley was opposed to that idea. He opined that requirements should be consistent, not a "mish-mash".

Mr. Daley asked if the parking was already in the buffer. Zoning Administrator Stanley reiterated that the approved parking plan showed the 10-foot buffer; however, the parking was not constructed according to the approved plan. He said the parking had always encroached on the buffer.

It was **MOVED** (Andrews) and **SECONDED** (Conly) **THAT EIGHT (8) FEET OF THE 10-FOOT SIDE PERIMETER BUFFER ON THE SIDE OF THE PROPERTY ABUTTING POWERS POINT BE WAIVED IN THE INTEREST OF PARKING SAFETY AT 35 LITTLE SUNAPEE ROAD, CONTINGENT UPON RECEIPT OF A PROPERLY DRAWN PLAN TO REFLECT ACCURATE MEASUREMENTS. THE MOTION WAS APPROVED UNANIMOUSLY.**

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT THE FINAL SITE PLAN FOR PARKING AT 35 LITTLE SUNAPEE ROAD BE APPROVED, SUBJECT TO RECEIPT OF A PLAN ACCURATELY REFLECTING PB APPROVAL PRIOR TO ANY CONSTRUCTION. THE MOTION WAS APPROVED UNANIMOUSLY.**

VI. REVIEW AND COMMENT ON THE DRAFT MASTER PLAN MAPS

Ken McWilliams asked PB members if they had all had an opportunity to review the draft maps left with Amy Rankins, Land Use and Assessing Coordinator. The majority of PB members indicated that they had reviewed

the draft maps. Chair Ebel said that she, as well as other PB members, had discussed the drafts with Zoning Administrator Peter Stanley and agreed with many of the changes he recommended. She invited Mr. Stanley to pull a chair up to the table to discuss recommended changes to the maps. PB member Conly commented that Zoning Administrator Stanley had also picked up some errors that needed to be corrected.

Current Land Use Map: Zoning Administrator Stanley opined that the Current Land Use Map lacked one major thing and that thing was that there was no way to see what's left for land in New London. He opined that there needed to be a simple way to see what land has been used and what land remains. He opined that it should include conserved land, as well as land not available for development. He also recommended that there be another map that would overlay the Current Land Use Map with steep slopes and wetlands.

Ken McWilliams said that the map had most of the detail mentioned, including wetlands, depth of bedrock, conserved land, slopes, developed, poorly and very poorly drained soils. He said that he could remove the depth of bedrock and the soils information and that would show what's left for land available for development. He opined that the Current Land Use Map showed how the land was being used.

Chair Ebel opined that it was a very "busy" map. She recommended eliminating the neighboring town details or of reducing their prominence. Mr. McWilliams asked if fading the colors across the town boundaries would work. Chair Ebel opined that fading would eliminate some confusion. Mr. Stanley recommended eliminating the poorly drained soils and depth of bedrock, as well as the 15%-20% slope restriction. He advised that very poorly drained soils were generally categorized as jurisdictional wetlands. Mr. McWilliams said that the very poorly drained soils and wetlands overlap according to the National Wetlands Inventory which says that very poorly drained soils are always jurisdictional wetlands.

Mr. Stanley stated that High Intensity Soils Survey (HISS) mapping has identified more 25% slopes than the draft maps reflect. Mr. McWilliams advised that HISS maps are not site specific, i.e., not identified by individuals developing specific sites, and he opined that was a limitation on their level of accuracy.

Mr. Stanley opined that the map should not include the 15% to 25% slopes if there's no related regulation. Mr. McWilliams advised that Water Resources #2 Map showed the difference in slopes; therefore, there was really no need to have them on the Current Land Use Map.

PB member Cottrill said that there needed to be a disclaimer on all of the maps.

PB member Conly asked if "White" should be added to the Legend as "Developable". Zoning Administrator Stanley suggested that he meet with the "mapper" to go over small corrections in the map details. Mr. McWilliams recommended that he, Mr. Stanley and the "mapper" meet together to discuss revisions details.

Natural Resources, Trails & Conservation Land Map: Mr. McWilliams explained that general locations of rare or endangered species were identified; however, the map did not identify what species were in what locations.

Zoning Administrator Stanley suggested that it might be more useful as an overlay. Chair Ebel asked if it was a "heads up". Mr. McWilliams replied that it was. He advised that if a developer were to present a proposal, it would be possible to call the State to find out what endangered specie, if any, had been identified on that site.

Chair Ebel said that it would be good to fade out the detail related to neighboring towns.

Community Facilities Map: Zoning Administrator Stanley asked what the difference was between the two Community Facilities Maps. Mr. McWilliams explained that one draft showed the town- and state-owned lands and the other draft did not show them. Chair Ebel recommended have only the map with the town-owned land.

Community Utility Infrastructure Map: Zoning Administrator Stanley noted that the map identified a sewer service area. He asked what source had provided the data. He said that the area identified extended beyond the area served by the sewer service. Mr. McWilliams said that he had made an attempt to determine the area that could be served and there was a sewer line that ran down Seamans Road to the Lake Sunapee Country Club. PB member Ballin advised that the sewer line that ran down to the country club was a private line and not

available to any other users. Mr. Stanley recommended that the service area needed to be verified by Richard Lee, under whose direction the sewer service now fell.

Water Resources #1 Map: Zoning Administrator Stanley opined that #1 showing the aquifers, wells, pumping station, and the cistern located at Colby-Sawyer College could be combined with the utility infrastructure map. Mr. McWilliams agreed that the public water supply items could be included on the Community Utility Infrastructure Map. However, he opined that the aquifers and everything else should be kept separate.

Water Resources #2 Map: PB member Andrews opined that it was important to show remediation sites, but asked if the Master Plan should show something that was inaccurate. Mr. McWilliams said that he would move the flood plains and well-head protection area to Water Resources #1 Map and eliminate Water Resources #2 Map.

Agricultural Soils Map: Zoning Administrator Stanley said that some of the land identified as agricultural was fully developed. Mr. McWilliams advised that the map was based upon soil types, not on the current use of the property. PB member Ballin said that the map needed to be adjusted because some of the land had become totally grown up and was no longer available for agriculture. Mr. McWilliams said that he needed to ask if an overlay of the developed areas could be used to clarify the agricultural land available. PB member Ballin opined that the information was questionable. Mr. Stanley opined that the map needed work.

VII. OTHER BUSINESS

A. JONATHAN FEINS: HARBORVIEW SUBDIVISION IN SUTTON WITH ACCESS VIA STONEHOUSE ROAD IN NEW LONDON

Ken McWilliams advised the PB that G. Dana Bisbee, Esquire (Pierce Atwood) had not responded to the letter requesting that his client, Jonathan Feins, forward the necessary funds to fully cover the costs related to the hiring of an independent engineer by the Town of New London at the expense of the developer to evaluate the engineering information. He advised that he had sent a subsequent letter stating that payment must be made by the May 8, 2007 PB meeting or the matter would be referred to legal counsel. He explained that there was approximately \$1,700 in the escrow account; however, the total cost incurred by Louis Caron (L.C. Engineering, LLC) was \$3,000.

Chair Ebel asked if nothing had been paid to Louis Caron. Mr. McWilliams replied that he had not yet been paid anything. Chair Ebel said that she was unaware that Mr. Caron had been paid nothing. She advised that he should be paid whatever amount was in the escrow account.

B. The MINUTES of the APRIL 10, 2007 MEETING of the PLANNING BOARD were APPROVED, as circulated.

C. The MINUTES of the MARCH 27, 2007 MEETING of the PLANNING BOARD were APPROVED, as circulated.

The **MEETING** was **ADJOURNED** at **10:00 PM**.

Respectfully submitted,
Judith P. Condict, Recording Secretary
New London Planning Board

DATE APPROVED _____

CHAIRMAN _____