

New London Planning Board – Minutes of Meeting of October 27, 2009

APPROVED

**MEMBERS PRESENT:** Tom Cottrill (Chair), Jeff Hollinger (Vice-Chair), Karen Ebel, Tina Helm (Board of Selectmen Representative), Emma Crane (Conservation Commission Representative), John Tilley (alternate), Deirdre Sheerr-Gross (alternate)

**MEMBERS ABSENT:** Michele Holton, Michael Doheny (Secretary)

**ALSO PRESENT:** Peter Stanley (Zoning Board Administrator), Ken McWilliams (Town Planner)

Chair Cottrill called the meeting to order at 7:35pm. He appointed John Tilley, alternate, to sit in for Michael Doheny, who was absent. He also appointed Deirdre Sheerr-Gross to sit in for Michele Holton, who was also absent.

**Public Service of New Hampshire**

**Public Hearing – Trimming & Cutting Trees on Scenic Roads: Davis Hill Road and Camp Sunapee Road**

Jeff Enman from PSNH attended the meeting to share their proposal for a two-part process that would first include the installation of a cable down Davis Hill Road. In order to meet safety codes, they would need to install three new poles, which would necessitate the cutting of three or four trees. Mr. Enman reported that they have permission from the land owners whose land contains the trees, to cut them. He noted that this was only the first part of the project. Chair Cottrill asked which poles would be replaced. Mr. Enman said that they were poles number 2, 4 and 22. He commented that they were 35' tall poles currently, but would be replaced with 40' tall poles. He also noted that the trees included in this part of the construction were currently flagged with green flags. The other trees marked for cutting are not visibly marked, but they are on the list that was given to the Town.

Mr. McWilliams commented that there seemed to be a lot of trees on the list for cutting this time around. Mr. Enman said the greater number of trees they were requesting to cut were the result of the past winter's ice storm, which caused a lot of damage.

Chair Cottrill asked if a notice had gone out to landowners regarding the hearing. Mr. McWilliams said that a notice was not sent out to each landowner, but that it appeared in the paper twice, which was the customary practice in situations like this. Chair Cottrill asked which property owners had granted permission to PSNH to cut trees. Mr. Enman reported that Joe Shelby had granted permission for poles 2 and 4, and for the replacement of pole 22, permission was granted by Barry Wegner. Ms. Ebel noted that owners are notified regarding trimming of trees, and not just for the cutting of them.

Mr. Enman referred to a map that he had provided to the Planning Board (PB). The highlighted section in yellow is the area affected by the poles that are to be replaced. For the rest of the road requiring cut and trim maintenance, Mr. Tilley asked how far the trees would be taken back. Mr. Enman said that the trimming was purely maintenance and they would be removing anything under 4.5 inches in diameter, which accounts for newer brush that had been growing there. Mr. Tilley asked if a certain run of lines was a straight section or if it was diagonal and went over the road. Mr. Enman said that it is mostly straight and was a single-phase line with 2400 volts. The listing of trees in Mr Enman's letter were those that they would like to cut but have not received permission yet to cut.

Mr. Hollinger noted that regarding the 23 trees on the list, they would need to talk to the landowners first. Mr. Enman said that if the landowners don't want a tree cut, they wouldn't cut it. Chair Cottrill asked the PB if they would prefer to have a look at the road before deciding on the cutting. Most agreed a personal

look would be helpful and Mr Enman agreed to flag all 23 trees within a couple days. Ms. Ebel suggested revisiting this case after “cut” permission was given from the landowners. In reference to the Camp Sunapee Road cut and trim maintenance plan, Chair Cottrill asked for the total number of trees to be cut. Mr. Enman said that the Camp Sunapee Road project had seven trees marked for removal. Mr. Enman noted that this project needed to be taken care of by the end of the year.

**IT WAS MOVED (Karen Ebel) AND SECONDED (John Tilley) to approve the request by PSNH for the removal of three trees total in the highlighted construction zone on Davis Hill Road and for PSNH to return to the PB after first obtaining land owner permissions for the request for maintenance trimming in the removal of 23 trees on Davis Hill Road and 7 trees on Camp Sunapee Road. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Karen Ebel) AND SECONDED (Emma Crane) to continue the hearing of the maintenance portion of PSNH cutting requests to November 24<sup>th</sup> at 7:30pm. THE MOTION WAS APPROVED UNANIMOUSLY.**

Karen Ebel suggested moving the next agenda item regarding revisions to the Planning Board Fee Schedule until after the public hearings had taken place. The PB agreed and the next item on the Agenda was called.

2. Dan Wolf – Concept Site Plan Review (Tax Map 72, pt. Lot 17)

Dan Wolf presented a concept review for improvements on a piece of land approximately 6.5 acres in size and currently owned by New London Hospital. He said that he has an opportunity to purchase the property and wanted to see if his ideas could meet PB approval. Mr. Wolf’s described a small, locally owned retail village, presently being called “The Shops of New London Village.” They would consist of a series of one-story retail shops approximately 38,000 square feet in all. The property lies between WNTK and Huberts. Mr. Wolf noted that overhead power lines split the property so they would have to work around them. He hopes to have five buildings and believes the design shown complies with the Town’s Zoning ordinances. He explained that the buildings would be set nearest Newport Road and that parking would be in the rear of the lot. He said that there would be an 8’ drop between Newport Road and the first floor elevation of the first building on his map. Mr. Wolf showed an access from the sidewalk through to the pedestrian mall. Access was also provided to New London Hospital. He said that it was noted at the department head meeting that there has been a long-term desire to have a walking path from Lyon Brook up the power line to the corner of Newport and County Roads. He said that there would be a 15’ residential setback buffer between the proposed buildings and the WNTK building where the walking path could be directed around the development to end on Newport Road. The only thing that Mr. Wolf felt that did not comply with the zoning had to do with the stormwater detention basins, which were currently in the residential zone. He said that he was aware that they would need a variance or special exception from the Zoning Board if they went through with this project. Mr. Wolf commented that stormwater management may be included on-site depending on the soil testing. He was interested in hearing what the PB thought and wondered if he should go on to the next step.

Mr. Wolf went on to note that the wetlands impact was figured to be 1730 square feet, for which he would need a special exception. There will be a 4’ retaining wall to be built in the rear of the parking lot, which could be pulled in a bit, should it interfere with wetlands. He explained that he had the land re-delineated a few weeks ago, as the engineers felt that the old wetlands maps were incorrect. Even using the old maps, they were still able to comply with the zoning. Mr. Wolf indicated that snow storage was still being physically calculated. He also added that he had no tenants in mind at the time, and no drawings on design as of yet.

Chair Cottrill asked Mr. McWilliams if he had any comments on this project. Mr. McWilliams said that during the department head meeting, Richard Lee said that later on he would need to see more detail on drainage improvements to the site. Currently there is a culvert crossing on Newport Road that led to detention ponds. There are also two wastewater lines (one that is gravity fed and one forced main that goes through a 100' wide easement). They need to maintain the minimum coverage over those lines to protect from frost and from the weight of vehicles. It was also noted that the hospital would lose some spaces once the connection was made between the proposed village mall and the hospital parking. With regard to the wetlands delineation issue, Mr. McWilliams said that the previous mapping was done by the hospital about 15 years ago. This fall, Mr. Wolf hired an engineer to do another wetlands mapping of this lot and the surrounding area and that engineer found less wetland, thus creating a discrepancy between the two maps.

Peter Stanley said that he visited the site and reviewed the difference between the two maps. He opined that the new wetlands maps were more accurate but that there were some areas that still needed to be worked out. Mr. McWilliams suggested that either an independent third-party wetlands scientist could be hired to come in and review the area, or Mr. Wolf's current scientists could work with Mr. Stanley to resolve the exact location of the wetland boundaries. He added that Ms. Levine, Town Administrator, commented that the stormwater basins were shown and proposed to be off the subject lot and in the residential district and that stormwater treatment needs to be on the same site as where the use was occurring. Ms. Levine had also suggested using LID techniques if possible but if using off-site drainage measures, they would need a variance. Further, she thought that the PB should look critically at the balance between parking and drainage facilities to try and get it all in one site. Parking could be reduced to accommodate getting drainage on the site.

From the afternoon department meeting, Mr. McWilliams noted that Police Chief Dave Seastrand and Ms. Levine had some discussion on the access to the lot and the proposed shops. They said that the connection to the hospital will provide a third access point to the hospital and emergency vehicles. There was a concern that the connection may become a cut-through for employees leaving the hospital to get to Newport Road. There was some discussion about making it a pedestrian only connection. Mr. McWilliams said that there was also discussion about the western-most access to Newport Road. There is currently a left turn pocket for east-bound traffic. There was some concern that the new lot access turn would conflict with the current traffic pattern. Mr. Wolf said that they may need to make some highway improvements to create another turning lane to get to the lot. Another issue with the western-most access off Newport Road was that upon entering the site, there is a left turn (one way) planned that would go adjacent to the left building. Cars could get blocked there, backing up on Newport Road, if there were too many cars waiting to leave the lot on this access. Mr. Wolf said that perhaps they could not allow that immediate left after entering the center and making the traffic flow in a loop around the parking lot further away from the entrance. Mr. Wolf agreed that this could be a viable solution. Mr. McWilliams said that traffic flows and the location of the traffic needed to be analyzed. He commended Mr. Wolf on the use of landscaping and for putting the parking at the rear of the lot. He said that it all goes with the current site plan regulations and that it seemed to be a good start.

Mr. McWilliams said that the hospital had quite a few extra parking spaces, so that taking a few spaces by creating the connecting area should not be a problem.

Mr. Stanley said that he would like to see some vegetative counts in some areas on the map. He was surprised at how dry the site was given the old mapping. There was a lot more high ground than appeared on the map. Mr. Stanley indicated that there was a constant stream present on the land that ran through the area parallel to the hospital parking lot. This stream was visible in the aerial photograph and would be crossed at a crossing that exists already, with the use of an existing culvert. They would need to expand

the crossing to accommodate vehicular traffic. Mr. Stanley said that the parking area would be close to some wetlands that existed. Ms. Sheerr-Gross indicated that this could be taken care of with mitigation.

Chair Cottrill asked if there were any other comments with regard to the wetlands or the maps. It was the consensus of the PB that Mr. Wolf's engineer should work with Mr. Stanley to resolve the wetlands boundary line discrepancies.

Karen Ebel agreed with what Ms. Levine was reported to have said about looking at the parking requirements and to encourage the use of LID techniques to keep stormwater on site. She said that initially, large detention ponds should be minimized. Mr. McWilliams said that perhaps after the soil testing was done to see how much, if any, needed to go off-site, they would revisit this issue. Ms. Ebel asked where the stormwater went from the hospital. Mr. Stanley said that it was not flowing into the wetlands but that it flows down the hill in a southeast direction. Mr. Wolf said that they would try to put stormwater drainage on site and would do a cost analysis on the best way to carry it out. Chair Cottrill said that he would prefer to not have a large parking lot that might only be full on a few key holidays in the summer. Mr. Stanley remarked that there was a negative side to connecting with hospital, but that there was a positive side as well. He explained that on the weekends, the hospital does not use much parking and so the proposed village shops overflow parking could be shared within the hospital parking lot. Ms. Ebel said she felt there was already so much pressure on the wetlands for this new development, that if they could lessen the impact by making a smaller parking lot, it would be better.

Mr. McWilliams said that Chief Seastrand thought that if there were an accident in the area and blocking Country Road it might be beneficial to have the access between the hospital and the proposed lot. Chair Cottrill asked what percentage would be straight retail versus doctor's offices. Mr. Wolf said that it would be straight retail. They have negotiated with the hospital that there be no doctor's offices or related offices in this new space.

Mr. Stanley asked Lori Underwood from the New London Hospital if there was a pattern to the employees leaving the hospital. He was curious as to the quitting times and if there was staggered traffic or a large flow of traffic at certain times. Ms. Underwood said that there are currently no traffic jams. Shifts run 7am-7pm but everyone else comes and goes between 6am and 9pm. She said that the Clough center runs on 8-hour shifts. This schedule lends itself to quite a bit of traffic-staggering throughout the day. Mr. Stanley said that he had never seen a stack-up of traffic going in or out of the hospital. He was not concerned that there would be a flood of people trying to get out. He also thought that employees would not try to go through the parking lot to leave, as there was not a problem being able to leave via the already present exit.

Chair Cottrill asked if the hospital has a directive whereby the hospital seeks to stagger the shifts so as to decrease potential traffic problems. Ms. Underwood said that they did not plan their schedules to prevent traffic problems, but that it seemed to be a useful way to do so. She said that the hours put in place are such to best meet the needs of their patients.

Mark Kaplan, a member of the Board of Selectmen, said that at the roundabout, the majority of the traffic coming out the hospital goes to exit 12. He remarked that to cut through the parking lot and then go West on Newport Road didn't make sense. He opined that people would not find it beneficial to cut through the lot in that direction.

Chair Cottrill asked if that was necessary to have the western access point to the lot. Mr. Wolf said that it was extremely necessary. He said if they end up with a higher end grocery store there, the elderly in New London could use that entrance as a pick-up/drop-off point. He said that it would be a single lane. Mr. Wolf reported that there were two entrances because without them, people wouldn't see the stores and

wouldn't stop. He felt that it wouldn't be a desirable location for retailers if the entrances weren't as apparent. Mr. Wolf confessed that a lot of the details for this project are still unknown. He said that much of the rest of the project would be up to the tenants to give specifics on what they would like to see/have.

Ms. Sheerr-Gross said that in thinking of how the Town was laid out, she thinks this is one of the most visible spots in town, especially for guests arriving in Town from the west and the development of this lot is an opportunity to plan it right for this end of Town. She felt it would help the retail side of the Town to bring people into the village. Ms. Sheerr-Gross was curious about the flat roofs and how much lower they were compared with Huberts. Mr. Wolf was not settled on having flat roofs. The only reason they would have them was in an effort to have a "Green Roof." Ms. Sheerr-Gross said that it would be a very large roof to make green. Mr. Wolf said that it will probably have a fake pitch to it.

Ms. Sheerr-Gross asked how people would get to the one spot that didn't seem to have any parking near it. He said that was the one tough spot on the lot. She also noted that with the grade of the land, all the one-story buildings would be very visible. She wondered if that was really what people wanted to see. Mr. Wolf stressed that these were all preliminary plans. Ms. Sheerr-Gross said that they were large footprints being proposed and she wasn't sure that this current design was conducive for retail because it wouldn't be easy to access by foot, especially in the winter months. Mr. Wolf said that they have done many iterations of the plan. He said that he wasn't sure of the retail demand but wanted to try finding tenants. He said that he'd had some discussions with people in town who may be willing to relocate. Ms. Sheerr-Gross said that the concept was interesting and that the hospital should be commended for bringing in some interesting use to the land. She said that the PB may not have jurisdiction on how it would affect the look of New London, but that she was interested in the project. She was curious on how this village mall would look in the winter.

Ms. Sheerr-Gross asked about how the electricity would be handled. Mr. Wolf said that it would be underground. He expressed that what he has done was to try and figure out what the maximum was that he was able to put in the area. He felt that he needed to find a retailer to see what they'd like to see in the space and then he could change things to accommodate them.

Ms. Sheerr-Gross asked what the elevation of road was. Mr. Wolf said that he thought it was 577 which was about a 10' drop from the first floor elevation. She asked if there would be any issues with plowing and for cars to exit the lot. Mr. Wolf said that there shouldn't be a problem, as it was about the same elevation as Scytheville Road. Ms. Sheerr-Gross asked if they could come up with other uses and including a second floor. Mr. Stanley reminded the PB that parking requirements would increase when a second floor was added.

Ms. Sheerr-Gross said that she felt the end product could be terrific, but that she had some concerns with the execution of the plans. She asked Mr. McWilliams at what point would the abutters need to be notified about a plan like this. Mr. McWilliams said that once Mr. Wolf goes to the preliminary review, he would have to have a notice sent out.

Ms. Sheerr-Gross asked about the land that was adjacent to the stormwater basins that go down under the power lines. She wondered how it was zoned and who owns it. Mr. Stanley answered that it was zoned as residential and it was owned by the hospital.

Ms. Crane said that the Conservation Commission had a concern about snow storage. Mr. Wolf said that they felt that it had been taken care of but that they still have to have an engineer look at it. Mr. Stanley explained that they cannot store snow within 25' of a wetland.

**Robert Ewing: Concept Lot line review for adjustment**

Mr. Ewing came before the PB to explain his case. He stated that some on the PB were probably familiar with the Jim Bolger subdivision. He explained that it was roughly 24 acres that were subdivided. When they did the subdivision, one lot was divided up into three acres. They had to add an acre of land from another parcel to bring it to four acres. Mr. Ewing bought the property in 2005 under the condition that the subdivision would be permanent provided he put in the improvements (road, water), and the turnabout down below. He let a contractor do the work and when they put the road in, they took out 1 or 2 of the property line bounds on the lot on the lower side. When he had the contractor put the road in, he also had a pond dug in front of his house. When he laid out the pond and the house, he and the surveyor picked up the wrong bounds which were for the old three acre lot instead of the additional acre that was added to it. It was still pretty close to where the old line was but he didn't realize this. Mr. Ewing stated that just recently he has come to the realization that he built his house too close to the property line. What he wanted to do was to borrow ½ acre off of lot #10 and add it to lot #15 and just swap parcels. It would give him additional property where his house was. He recently caught this error and it surprised both him and his surveyors. Chair Cottrill summarized that what he was asking for was a lot line exchange. He stated that there were 22,800 square feet changed. Ms. Sheerr-Gross asked that if his interest was in protecting his house more, why wouldn't he take the land that was closer to his house. Mr. Ewing said that the two other lots could not be combined because there were dwellings on them already.

Mr. Stanley noted that this exchange would have to meet all setback requirements.

Mr. McWilliams explained that this was a concept review only and since the PB seemed fine with it, Mr. Ewing could go ahead with the surveying.

#### **Robert Ewing: Time Expired for Sub-Division Improvements**

Mr. Stanley said that this subdivision in 2006 was approved, but that the required improvements secured by a security deposit have not been started and therefore, the letter of credit for that security deposit has expired.

This subdivision created a lot on Main Street, which has been sold. It readjusted the line on the neighboring lot to provide access to Main Street for Mr. Ewing's house, and it created a 23 acre parcel, and another section of land that was merged with his house lot.

In order for this 23 acre parcel to be a legal lot of record, Mr. Ewing was required to create a hammerhead off Balsam Acres to create appropriate frontage for the lot. At the time, there was some discussion of further subdivision. One condition of the original sub-division was a security deposit of \$77,639 to cover the extension of the road (Balsam Acres), sewer and water construction.

A subdivision of three lots was approved. The required improvements have not been met. This letter of credit expired on October 20<sup>th</sup> 2009. The Town agreed with the bank and Mr. Ewing to hold any action on this until Mr. Ewing was able to come and talk to the PB. Mr. McWilliams said that the original approval was three years ago and Mr. Ewing had three years to complete the improvements. The security was now expired and the options were: 1) To have Mr. Ewing provide security for those same improvements at what they would cost today. According to Mr. McWilliams, Mr. Lee said that he had not been asked to re-estimate those fees. 2) Forfeit the three-lot subdivision originally approved for Mr. Ewing.

Mr. Stanley said that Mr. Ewing would be happy if he ended up only doing the road and not the utilities. Mr. Stanley explained that Mr. Ewing really just wanted to go back to one lot and therefore, does not need water and sewer line extensions. The only need was to provide frontage for the lot, which was the hammerhead off of Balsam Acres Road. Mr. Stanley said that this option would be the simplest thing to

do. To finish up, Mr. Ewing would need to figure out what it would cost to build a hammerhead and have Mr. Lee approve the cost estimate and then to secure the amount. The security that expired would be given back to the bank in exchange for the new security. Mr. Stanley said that this seemed to be the most practical solution.

Mr. Ewing stated that, to the contrary, he'd like to get an extension and have some time to study the possibility of subdivision again. He said he wanted to find out what it would cost to do the improvements and maybe get an appraisal on what the land was worth with and without the subdivision. Mr. McWilliams said that he would need to get construction estimates for road, water and sewer and run them by Mr. Lee. The PB would also need to approve it. Mr. Stanley said that Mr. Lee felt that it would be closer to \$85,000-\$90,000 to do this work. If the PB were to extend the security, it would have to be with the condition that there was immediate and adequate security with a number that the PB had approved, and with a date to extend it to. Mr. Stanley said that Counsel had advised that if it was extended, that they get a new letter of credit, or go to the bank to get the check because the letter of credit had expired. Mr. Hollinger asked how long the security could be extended for. Mr. McWilliams said that the work originally had to be completed within 36 months. For an extension, Mr. Ewing said that he would like a one year extension. Mr. Stanley suggested making the security amount \$90,000.

**IT WAS MOVED (Jeff Hollinger) AND SECONDED (Deirdre Sheerr-Gross) that Mr. Ewing's extension would be granted for one year from October 20<sup>th</sup>, 2009, provided there is a new letter of credit in the amount of \$90,000. THE MOTION WAS APPROVED UNANIMOUSLY.**

#### **Planning Board zoning fees**

**IT WAS MOVED (Karen Ebel) AND SECONDED (Jeff Hollinger) to approve changes to the Planning Board Fee Schedule as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.**

#### **Minor Subdivision Memo Regulations of notifying abutters of concept minor subdivision**

Mr. McWilliams said that there had been some instances where the abutters claim they did not know about plans until the final review. If people go straight to final review without a conceptual, the abutters don't have a much of a chance to see and understand the plans.

Chair Cottrill asked if a conceptual review should be required. Mr. Hollinger said that the applicant should seek abutters' input early in the process so that it doesn't look like things have been done behind their back. Ms. Sheerr-Gross agreed and noted that in going straight to final, other people in the neighborhood might not get enough time to get any lead-time to consider the plan. Mr. McWilliams said that when an application is brought before the PB, the PB is under no obligation to approve it. The key is balance the discussion of conceptual-only input of an applicant as they formulate their plans and allowing abutter questions and input when the applicant has the plan. Ms. Ebel said that the property owner should be able to talk to the PB without having to notify everyone. This is going to affect the "little guys" the most. If a conceptual review were to be required, if someone wants to divide a 10 acre piece of property, they would have to notify abutters just for them to talk with the PB for 10 minutes. She was torn with this issue. If abutters were given an opportunity to participate in the final review, do they really need to be there for the conceptual? Ms. Sheerr-Gross said that perhaps they could extend the time between when they are notified and the final review. Mr. Hollinger said that if someone needed to get information on

whether a project would work or not, they could contact Mr. Stanley or Mr. McWilliams and not go to the PB at all. These two resources give the people a feel of where there could be trouble and what would work. Mr. Stanley said that the Town should follow the statutory requirements and nothing else. He felt it was a mistake to come up with a new requirement that no other town. Current requirements are uniform and spelled out by statutes. He opined that the minute a Town wanders from the statutes is when trouble is apt to start.

Chair Cottrill said that one of the keys within this topic is that when abutters come to a final review and there are issues, the PB has in the past, suggested to applicants to take some time to work with the abutters then return to the PB when the problems are resolved. It was the feeling of the PB to not be required to notify abutters for a conceptual review. Ms. Ebel said that they need to continue to make sure abutters have free and open input at a final review. She added that the applicants need to know that just because they are going straight to a final review does not mean they will get approval in that meeting.

*The chairman took a sense of the PB after the discussion and all agreed not to pursue the proposed amendment to the subdivision regulations. It was determined that they would prefer to follow the statutory requirements of the State currently in use.*

## **Zoning Amendments**

### **Article III**

Chair Cottrill suggested that after the word “structure” on line 8: move the following to the end of the sentence: “equipment providing necessary utilities servicing Buildings”

### **Article XX**

Chair Cottrill asked about section “A4, restoration and replacement.” He wanted to know why the terminology “housing” was used. After some discussion, it was decided that the word “housing” should be replaced with “containing.” The same should be changed under the 3<sup>rd</sup> line.

*It was the consensus of the Planning Board to accept the recommendations to the legal nonconforming uses suggested by Peter Stanley, Zoning Board Administrator.*

## **Workforce Housing Overlay District**

Mr. McWilliams noted that he had done some re-formatting of the Workforce Housing regulation and still found the concept viable. He felt they were better off working with a workforce housing developer during an application to learn what works and what does not work. If they felt like they needed to rework the regulations, they could do so then. Ms. Ebel asked how people were responding to the Workforce Housing mandate. Mr. Stanley said that most are choosing inclusionary zoning. Ms. Ebel said that she would like to get permission from the PB to see if there is anything Mr. Mayer was seeing that had occurred in the past year because New London’s regulation’s effective date was postponed until the State statute’s effective date to permit further amendment. Chair Cottrill asked Ms. Ebel to call Bart Mayer to follow up on their conversation a year ago to see if there is anything new we should know.

## **Revocation of Old Subdivision Plats**

*George Owen and Barbara Milmore Subdivision.* Mr. McWilliams noted that this was a two-lot subdivision. A road was proposed to go through one lot to provide access to the second lot. The road has not been built. It was approved in 1991. The plan was recorded but the zoning has changed since that

time. A portion of lot one that was in the conservation district is now in the Forest Conservation district and it is no longer nonconforming.

Mr. Stanley said that there is an option in the RSA to notify the abutters that they will revoke the subdivision, or they can have a public hearing. He felt the simplest thing was to have a public hearing. They are 15 years beyond what they needed to have done. Mr. McWilliams agreed to schedule a hearing on this.

Muriel Deacon subdivision – Mr. Stanley said that the Master Plan update in 1998 included a series of re-zoning. The ARR district increased the minimum size to 4 acres. Three of the lots in this subdivision would no longer conform with the minimum lot size. Several things were never followed through with; the plat was signed but not recorded, the by-laws and covenants and agreements were never signed by the property owner, conditions for PB approval were not met, and the subdivision had never been recorded. Mr. Mayer said one option is to record the plat and then revoke the subdivision. Mr. Stanley said that they got into the problem that the registry wouldn't accept the plat because of its age. A new mylar would need to be prepared. Mr. Stanley talked with Mr. Mayer and he has a memo drafted to be sent to the Deacons indicating that they got conditional approval 16 years ago. Since then, conditions for approval were not met, zoning has changed, they were never vested or built the road, and that the Town would be voiding the subdivision. If they want to appeal this, they can go to the ZBA. No hearing is needed and they won't need to record it.

Mr. McWilliams said that regulations now state that subdivisions have to be done within one year.

#### Other Business

Mr. McWilliams noted that he was running out of Master Plan chapters to work on. The Energy chapter is the last one and is slated to be reviewed during the November 10<sup>th</sup> meeting.

The only other chapter he is waiting to complete is the Community Facilities and Services (library, police dept, rec dept) and Utilities (waste water and water) chapter. He is waiting to hear from Ms. Levine on information to include in the chapter. Ms. Levine said that she wanted to hold conversations with the selectmen and the department heads to get current information before providing him with materials with which to write the chapter. Ms. Helm said she would ask Ms. Levine where she stands on this project and would report back in a few weeks.

The meeting was adjourned at 10:05pm

Respectfully Submitted,

Kristy Heath, Recording Secretary

Town of New London

Approved on: \_\_\_\_\_

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