

APPROVED

Planning Board Meeting

July 28, 2009

MEMBERS PRESENT: Tom Cottrill (Chair), Jeff Hollinger (Vice Chair), Emma Crane (Conservation Commission Representative), Tina Helm (Selectmen's Representative), Michele Holton, Deirdre Sheerr-Gross (alternate)

MEMBERS ABSENT: Michael Doheny (Secretary), Karen Ebel, John Tilley (Alternate)

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

Chair Cottrill called the **MEETING TO ORDER** at 7:30pm. He appointed alternate Deirdre Sheerr-Gross to sit in for Karen Ebel.

The first item on the agenda was the Colby Point Easement Plan (Tax Map 31, Lot 13). Mr. McWilliams provided a copy of an email that was sent to him that requested the postponement of this agenda item, as the Cleavelands felt that they needed more time to prepare. It is their hope to appear before the board in September.

1. Colby Sawyer College – Preliminary Site Plan Review – Windy Hill School (Tax Map 85, Lot 33)

Doug Atkins, Vice President of Colby-Sawyer College came to the meeting to help explain the plans for the new Windy Hill School. He introduced Ingrid Nichols from Banwell Architects and Nate Fogg, engineer from Jesseman Associates. Mr. Fogg reviewed the plan set he brought to cover the project in brief.

Mr. Fogg showed that the new Windy Hill School would be moving to a location near the tennis courts and Colby Farm. Ms. Nichols said that the building has been positioned in such a way to take advantage of the southern exposure and the mountain views. Mr. Fogg showed the building entrances and exits. Ms. Nichols said that they have met and spoken with New London's Fire Chief, Jay Lyons, who is satisfied with the egresses available, and the sprinkler system that has been proposed. Ms. Sheerr-Gross asked if there would be an elevator in the building. Ms. Nichols answered in the affirmative, and remarked that it actually worked out to be less expensive to install an elevator than to construct ramping for handicapped access within the building.

Mr. Fogg showed the site plan and explained that the road to the site will be upgraded and widened. The road will have blue stone added and will be graded. The entire pick-up and drop-off driveway will be paved. Mr. Fogg mentioned that there were 10 spaces for drop-off and pick-up for parents within the loop, which was an increase from the previous plan that included only eight spaces.

Mr. Fogg noted that the utilities for the site had been approved at the previous month's meeting. A map showing the drainage plan was shown. He mentioned that Mr. Lee (Public Works Director) had some concerns about the drainage on the side of the road that services the tennis courts, and that they will be addressing this so that it would remain stable in the years to come.

Mr. Fogg showed the erosion control plan, which included their efforts to keep material that is removed into the rear of the new building where a playground would be built. Some of the material would also be kept behind a silt fence until the areas are stabilized. Ms. Nichols said that they are looking into keeping within the LEED standards but that they were not planning to follow them strictly.

Mr. Fogg presented the building floor plan. Steve Jesseman from Jesseman Associates had a request for the Planning Board (PB) at this time. He noted that once funds were raised, there would be another wing added to the building. He asked that the current plan be approved with consideration of this future wing. He said that they are doing their calculations of the drainage plans and site plans taking into mind the future wing and that when funds are

available for the future wing, they would like to have only a final site plan review for the new part to avoid wasting time during winter construction.

A floor-plan map of the building was reviewed. Included in the building would be a common room that is approx. 1000 square feet, a toddler room, a nursery room, a nap room, an art room, a Kindergarten area, bathrooms, and a utilities room. These would be heated by radiant heat. Ms. Nichols stated that in the future, they are hopeful in adding rooms for grades 1-3, depending on where the program leads them. She also stated that there were a number of add-on items that have been removed from the plans to make the building unique, such as a Timber-Frame element to the outside of the building. Once more funds are available, other design features will be added back into the final plans.

Mr. Stanley remarked that the copula may need to be altered for height requirements. Mr. Jesseman said that it had been measured recently and to his knowledge, the building without the cupola would be within the ordinance for height.

Mr. McWilliams added that at the Department Head meeting, Richard Lee asked that a drainage pipe on the Northeast section of the parking lot needed to be included in the plans. Also, he suggested adding another drainage map to show drainage and runoff.

Ms. Sheerr-Gross asked Mr. McWilliams if there had been any problems with the request for a final approval for the future wing, when it is able to be funded, at the Department Head meeting. Mr. McWilliams answered in the negative. He said that there was no problem, especially since they would be doing the drainage and other calculations at this point while taking into consideration the future wing. He added that it would be helpful for the PB to give some direction to the applicant by making a motion to waive the preliminary site plan review. Mr. Hollinger noted that they could always reject the final plan if it something within it needed further attention.

With there being no other comments, Chair Cottrill asked for a motion.

At this time, Ms. Helm noted that she would abstain from the vote, as she is an abutter of Colby-Sawyer College.

**IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Emma Crane) to waive the requirement for a preliminary Site Plan Review for the future wing of the Windy Hill School.
THE MOTION WAS APPROVED UNANIMOUSLY.**

2. Public Hearing on Proposed Amendments to the Site Plan Review Regulations

Mr. McWilliams explained that the purpose of the amendments were to expedite the process of approving changes of occupants or changes of use where parking requirements were not changed or where changes were not significant. He shared that there are instances where simple decisions could be made without taking up the time of the PB and would enable the applicants to get a quicker response. Mr. Stanley said that the new regulations gives them a chance to take a quick look through the buildings to make sure the building requirements match the site plan reviews that had been submitted and approved. He opined that it would help the owners to get their rents, and allow the tenants to start their businesses in a timely fashion.

Mr. Stanley noted that within the "Eligibility Checklist" the second item should have the word "Significantly" added to describe the changes that are being requested within a building or a business type. Chair Cottrill asked how "significantly" could be defined. Mr. Stanley said that it would be up to the discretion of the Zoning Administrator. He went on to say that the idea is that if it doesn't affect the site in any way or does not change the gross floor area available for the use intended, it isn't significant. If it changes the building in such a way in that it changes how business is done, it is significant. Chair Cottrill said it would be helpful to change the phrasing to:

“The new occupant use will not significantly change the footprint of the building, as determined by the Zoning Administrator or the Town Administrator.

Mr. Stanley added that a signature block would need to be added so that they could show approval by the Town Administrator or the Zoning Administrator.

Letter of Credit – Chair Cottrill asked if the intent of this within the regulations was that the applicant copy the letter on their own letterhead and fill it in. McWilliams answered in the affirmative.

Appendix I – a new part of the application, which includes the “Fast Track Application.” This would be used in the cases where the Zoning Administrator or the Town Administrator could make decisions without coming before the entire PB.

Documents Required – This section included some wording that Mr. Cottrill found a bit confusing. He thought it sounded as if the property Tax card could be used as a basic floor plan reference. Suggested text instead, was “Applicant may use an assessor’s sketch from the tax card only as a basic floor plan reference.” Mr. Stanley stressed that they did not require a fancy drawing from an architectural firm, but that a sketch from the applicant would do.

Certification by Applicant – Mr. Stanley said that he would like to have the lines provided for initialing before each of the paragraphs removed. Instead of this initialing request, below the heading, he would like it to read “In signing this document, the applicant certifies that they have read and understand the conditions below.”

Home Business Application – Mr. McWilliams said that it would be helpful to add a Home Business Checklist of Application Requirements, and noting a reference to it (appendix D).

Article V.

- A. Add a reference to appendix E. for checklist.
- B. Add a reference to appendix F. for checklist.
- C. Add a reference to appendix G for checklist.

Chair Cottrill asked if there were any comments regarding the amendments to the site plan review regulations. There being none, he asked for a motion.

IT WAS MOVED (Jeff Hollinger) AND SECONDED (Michele Holton) to approve the site plan review proposal as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

3. Public Hearing on Proposed Amendments to the Land Subdivision Control Regulations

Section IV - Recording the Plat - Mr. McWilliams shared that the amendment to would tighten up the process of recording the plat. Mr. Stanley said that the order of how things are done is more clearly stated. The plan has to be done first. Next, the final document with the appropriate references should be received by the town. Then, the state will record it. In addition, a separate check is now to be sent to the registry for every plat to benefit the state mandated “LCHIP” program. Also, it has been suggested within the amendments that the time limit may be extended by the PB to within 30 days after the plat is signed.

The conditional approval of the plat – Mr. McWilliams said that it would be useful to set a time frame where conditions would be met or projects would need to be started over. He said that there were many projects that are in limbo, and that nothing in regulations says that there is a time limit. Mr. McWilliams noted that conditional approval is not final because no plat has been signed. Chair Cottrill found the second sentence a bit confusing as it sounded like it referred to conditions being approved more than once by the PB. After much discussion by members of the board, the text, suggested by Mr. McWilliams was:

“If “conditional approval” is given by the planning board, all required conditions of approval must be met by the applicant and accepted by the planning board before the plat will be signed and recorded.”

Section IV – Application Procedures - Mr. McWilliams stated that this helps to make sure that upon annexations, deeds will be recorded with boundary lines. After 30 days, the deeds and plats for the annexation will be recorded together.

Section V - Submittal Requirements – Mr. McWilliams said that this item deals with deeds and annexations within 30 days of the time that the plat is approved by the board. Chair Cottrill suggested the first sentence read “The applicant shall deliver copies of the signed deeds ready to be recorded to the Planning Board.” Also, he suggested that the second sentence end with “approval and signing *of* the plat...”

Section IV – Recording – Mr. McWilliams shared that this helps to identify where recorded copies would go.

Section V – Major Subdivision Requirements – Mr. McWilliams said that this gives a reference to exhibit A1 and A2, which are the application form and the referencing checklist, respectively.

Section V – Minor Subdivision Requirements – Mr. McWilliams said that this gives a reference to exhibit A1 and A3, which are the application form and the referencing checklist, respectively.

Section V – Annexations, Minor Lot Line Adjustments and Boundary Agreements - Mr. McWilliams said that this gives a reference to exhibit F1 and F2, which are the application form and the referencing checklist, respectively.

Chair Cottrill asked if there were any further comments regarding the proposed amendments. There being none, he asked for a motion.

**IT WAS MOVED (Michele Holton) AND SECONDED (Emma Crane) to approve the proposed amendments to the Land Subdivision Control Regulations, as amended.
THE MOTION WAS APPROVED UNANIMOUSLY.**

OTHER BUSINESS

Voluntary Merger of Lots of Record

Mr. Stanley said that there were three lots in the Murray Pond subdivision that were owned by Cynthia Bates-Valotto, who wanted to merge them into one lot. He stated that one lot is about 50’ wide on the water, and another is a sliver of about 30’ wide behind it. Neither of these parcels are considered buildable and were being taxed at a high rate because they are on the water. The merge request was being made to improve setbacks and to save money.

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

IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Michele Holton) to approve the voluntary merger of lots of record for Cynthia Bates-Valotto concerning Tax Map 045 Lot 008, Tax Map 045 Lot 009, and Tax Map 045 Lot 010. THE MOTION WAS APPROVED UNANIMOUSLY.

Tree-cutting Request

Mr. Stanley shared that he had been notified by a Mr. Balson regarding a tree on his property that is very close to his house that had been struck by lightning. Mr. Stanley witnessed that the tree had been split from a few feet below the top all the way to the ground. He agreed with the homeowner that the tree needed to be taken down immediately. At this point, he said that they are just following through with paperwork and that the tree had been taken down the same day he had surveyed it. Mr. Stanley said that it was a safety issue caused by nature and needed to come down.

Chair Cottrill asked if there were any comments regarding the tree-cutting request. There being none, he asked for a motion.

IT WAS MOVED (Deirdre Sheerr-Gross) **AND SECONDED** (Jeff Hollinger) **to approve the tree cutting request for M. Balson of 836 Route 103A, Tax Map 103 Lot 019.**

THE MOTION WAS APPROVED UNANIMOUSLY.

PB/Zoning Administration Report

Mr. Stanley showed a slide that listed some of the activities he had been working on in last few weeks. Upon presentation of a request of change of use/occupancy, he determines whether the change will require an application and presentation to the planning board.

The meeting was adjourned at 8:47pm

Respectfully submitted,

Kristy Heath, Recording Secretary
New London Planning Board

Approved on: _____

Chair: _____