

**TOWN OF NEW LONDON
PLANNING BOARD
WALLULA SUBDIVISION SUBCOMMITTEE MEETING
April 2, 2009
8 AM AT JESSEMAN ASSOCIATES OFFICES**

SUBCOMMITTEE MEMBERS PRESENT: Dale Conly, Tom Cottrill, Ken McWilliams, Peter Stanley

OTHERS PRESENT: Brad Cook, Attorney for client, Nate Fogg, and Steve Jesseman, Jesseman Associates, Chris Bottinger

GENERAL COMMENTS

Jesseman noted that lots 2 + 9 have been moved to avoid the seasonal stream. Lot 11 has been pulled up and the driveway adjusted also. Since the lots need to fairly equal frontage, Nate indicated that he could add a bit to 11 + 12, and take away from lot 9 to even the frontage out

Ken McWilliams suggested that there be more detail shown of this proposed lot rearrangement for the next sub-committee meeting.

Peter Stanley suggested a site visit may be in order.

Peter also pointed out that the wrong setback dimensions were used to determine the numbers in the table shown on the plans. He and Nate Fogg had previously discussed this and Nate corrected the setbacks prior to meeting.

RESTRICTIVE COVENANT REVIEW

Ken McWilliams noted the term 'site' needs to be changed to "lot" in all documents.

Ken McWilliams noted that in the second paragraph a different term should be used for the term owner since it is defined differently in the bylaws. Brad Cook said he would substitute "developer" for "owner".

Ken McWilliams suggested breaking up the third paragraph into shorter sentences and reference completing the improvements shown on the plans.

Ken McWilliams suggested adding the words "and the Bylaws" after the word "in this agreement...".

Ken McWilliams suggested excepting Lot 17 Common Area from # 2.

Peter Stanley suggested replacing "home office or studio" to "home occupation or business".

Ken McWilliams indicated the name of the homeowners association should be consistently referenced in the documents.

Ken McWilliams noted the term “Ordinance” should be used in the documents and defined in the Bylaws to mean the New London Zoning Ordinance, as amended.

The sub-committee discussed the storage of boats, trailers and other recreation-related items on individual lots versus a designated storage area. The sub-committee concluded that it would be better to plan and designate a storage area for these recreation-related items restricted to use only by the residents of the subdivision in the back of the property where it can be screened from abutting landowners. This should be shown on the plans and cited in the homeowners documents.

Peter Stanley wanted the documents to clarify the language regarding the temporary use of RVs.

In # 5, Dale Conly requested reference also be made to the New London Shore Land Overlay District.

Ken McWilliams also noted # 5 needs to reference the 10 foot setback for driveways.

Ken McWilliams inquired whether the Planning Board wants approval over cutting on lots outside the Shore land Overlay District. Dale Conly thought it is a good idea due to the proximity to Little Sunapee Lake. Tom Cottrill wanted to verify that the plans would show the building envelopes and was assured they would. Tom Cottrill noted the Planning Board will need to be reasonable about the cutting restrictions due to the small lot size involved. After some discussion, Brad Cook agreed to include a provision in the revised documents pertaining to cutting restrictions on lots outside the Shore land Overlay District.

Peter Stanley commented that the provisions about pets in # 6 need to conform to the provisions in the New London Zoning Ordinance.

Ken McWilliams commented that the following should be added to both # 9 and # 11: “changes to the building envelope first require approval of the New London Planning Board.”

In # 10, “house trailers” needs to be defined. Ken McWilliams noted that the New London Zoning Ordinance does permit manufactured housing.

Ken McWilliams noted the term “building envelope” used in # 11 needs to be defined. See the New London Zoning Ordinance.

In discussing # 12, Peter Stanley indicated that if a staging area is planned it needs to be shown and stated on the plans.

Peter Stanley noted that “shorefront” used in # 13 and elsewhere should consistently be “waterfront”.

Ken McWilliams noted that “Common Land” used in # 14 needs to be changed to “Common Area” globally throughout the documents.

Ken McWilliams noted that “System” needs to be added into the name of the water precinct.

Ken McWilliams asked that the term “common water system” as used in # 15 be defined.

Peter Stanley indicated that the applicant should provide the water precinct with an easement for the precinct’s water main that crosses the Wallula lots fronting Little Sunapee Road. This should show on the plans. The applicant should contact the water precinct relative to a written easement document.

Peter Stanley noted that # 16 should exempt the temporary staging area.

Peter Stanley suggested adding “communications” to # 17.

Ken McWilliams suggested that in # 19 and elsewhere that the documents consistently reference all the improvements the homeowners association is responsible for maintaining.

Peter Stanley suggested that the homeowners association have emergency funds available for an immediate response to a catastrophic failure. Ken McWilliams suggested such funds could also cover the cost of cleaning up environmental-related issues such as excessive soil erosion.

The following comments were made regarding the Wallula Homeowners Association By-Laws

In # 2 (a), Peter Stanley noted it should state specifically who members are and those that are not allowed to vote. The eligibility to be a board member should be clarified. Must officers be lot owners? What constitutes a quorum? Who can form the committees?

Ken McWilliams indicated the definition of “Common Area” should cite all the subdivision improvements in the common area.

Peter Stanley suggested clarifying the fiscal vs. budget year in Article V 1. (a).

Ken McWilliams suggested clarifying that the structures referenced in Article V, 4. (a) need approval of the Planning Board.

Ken McWilliams suggested clarifying that the repairs and replacements referenced in Article V, 4. (c) are on Common Areas.

After some discussion, it was decided by the sub-committee to delete Article V, 5 Additions, Alterations or Improvements by the Board of Directors.

Peter Stanley requested something be inserted giving the Town authority to enter on the property to inspect for reported violations.

Ken McWilliams noted that Article V, 6. (h) about a recreational vehicle storage area needs to be consistent with the provision in the Restrictive Covenants.

Peter Stanley indicated that a building permit is required in Article V, 8.

Ken McWilliams recommended breaking out septic systems from Article V, 8 and address it in a separate paragraph. It should include the statement about replacing failed systems with new systems meeting today's standards.

Ken McWilliams noted that Article VII, 1.the word "supervise" needs to be replaced with "buildings".

Peter Stanley noted that a demolition permit and then a building permit are needed under Article VII, 2 (a).

Ken McWilliams noted that Article VIII, 1. needs to reference the Restrictive Covenants as well as the Bylaws.

The sub-committee discussed whether the Planning Board should be given approval authority to changes in specific articles of the Bylaws. Ken McWilliams indicated he would make suggestions to the sub-committee to consider at the next meeting.

In Article XI,1. Peter Stanley suggested changing "Clerk" to "Secretary".

In Article XII, 1. (f) Ken McWilliams suggested replacing the term "Common Area" with "private lot" in (a).

In Article XIII, 1. Ken McWilliams suggested adding after or: "and 1/17th interest in the Common Area".

Ken McWilliams will distribute minutes for review prior to the next meeting with the sub committee.

The next meeting is scheduled for Thursday, April 9, 7:30 am at the offices of Jesseman Associates.

Respectfully Submitted,

Ken McWilliams
Town Planner

Date Approved : _____

Chairman: _____