

**NEW LONDON PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
JANUARY 30, 2007**

MEMBERS PRESENT: Karen Ebel (Chairman), Sue Ellen Andrews, Dale Conly, Celeste Cook, Jeff Hollinger, Sue Clough (Selectmen's Representative), and Kenneth McWilliams (Planner). Tom Cottrill arrived at 7:30 PM.

Chair Karen Ebel **OPENED** the **PUBLIC HEARING ON 2007 AMENDMENTS TO THE ZONING ORDINANCE PROPOSED BY THE PLANNING BOARD** at 7:30 PM.

- I. PLANNING BOARD PROPOSED AMENDMENT NO. 3** – The amendment proposes to amend **Article II Definitions** to revise the definition of “Structure” to clarify items included or excluded from the definition.

Chair Ebel solicited comments and/or questions from PB members and from members of the audience. There being none, it was

MOVED (Cottrill) and **SECONDED** (Conly) **TO PLACE THE PROPOSED AMENDMENT NO. 3 ON THE BALLOT FOR CONSIDERATION BY THE VOTERS IN MARCH 2007. THE MOTION WAS APPROVED UNANIMOUSLY.**

- II. PLANNING BOARD PROPOSED AMENDMENT NO. 5** – The amendment proposes to amend **ARTICLE XXV Enforcement, Section A. Authority, Paragraph 1.** to delegate the Board of Selectmen's power and authority to enforce the provisions of the Zoning Ordinance to the Town Administrator and/or the Zoning Administrator to the extent it deems necessary to assist it in the enforcement of the Ordinance.

PB member Clough asked if the rationale accompanying the draft of the proposed amendment would appear on the ballot. Ken McWilliams responded in the negative, and advised that a separate document conveying the rationale would be made available to voters.

PB member Clough questioned the use of the term “shall” in the first sentence in regard to the duty of the Board of Selectmen. She asked why “is” would not work. Zoning Administrator Peter Stanley responded that the language legally used was “shall”.

Chair Ebel solicited additional comments from PB members and from members of the audience. There being none, it was

MOVED (Hollinger) and **SECONDED** (Conly) **TO PLACE THE PROPOSED AMENDMENT NO. 5 ON THE BALLOT FOR CONSIDERATION BY THE VOTERS IN MARCH 2007. THE MOTION WAS APPROVED UNANIMOUSLY.**

There being no further amendments to consider, it was

MOVED (Cook) and **SECONDED** (Conly) **TO CLOSE THE PUBLIC HEARING ON 2007 AMENDMENTS TO THE ZONING ORDINANCE PROPOSED BY THE PLANNING BOARD. THE MOTION WAS APPROVED UNANIMOUSLY.**

Chair Ebel called the regular **MEETING** of the Planning Board **TO ORDER** at 7:45 PM.

- I. REVIEW OF THE DRAFT BALLOT AND RATIONALE FOR THE 2007 AMENDMENTS TO THE NEW LONDON ZONING ORDINANCE PROPOSED BY THE NEW LONDON PLANNING BOARD.**

A. PLANNING BOARD PROPOSED AMENDMENT NO. 1: PB members Clough and Hollinger opined that the rationale for Amendment No. 1 was confusing. Zoning Administrator Peter Stanley said that “residential” should be inserted before “chimneys”. Ken McWilliams suggested deleting “if they are required” and inserting “in order” before “to comply with state and local fire codes.”

B. PLANNING BOARD PROPOSED AMENDMENT NO. 2: PB member Cottrill asked if it mattered whether an organization was “non-profit” or “not-for-profit”. Ken McWilliams responded that the proposed amendment needed to use “non-profit” in order to agree with the wording found in other town regulations.

- C. **PLANNING BOARD PROPOSED AMENDMENT NO. 3:** PB members recommended replacing “provide more specifics on” with “clarify”. Chair Ebel recommended deleting “and what is not” from the sentence. PB members also recommended putting a period after “Structure” and replacing “which” with “This” to start a new sentence.
- D. **PLANNING BOARD PROPOSED AMENDMENT NO. 4:** PB member Cottrill suggested that capitalizing or putting in *italics* the names of the permits (“residential building permit” and “on-site sewage disposal system permit”) might help to make the rationale more understandable. Mr. McWilliams and PB member Hollinger agreed. PB member Andrews and Chair Ebel opined that the last sentence in the rationale was necessary to explain fully the reason for the amendment.
- E. **PLANNING BOARD PROPOSED AMENDMENT NO. 5:** PB member Cottrill recommended replacing “wants” in the last sentence with “at any time”. Chair Ebel asked why a portion of a sentence had been underlined. Mr. McWilliams replied that Town Administrator Jessie Levine had recommended the underlining. Mr. Cottrill suggested put the underlined word “not” in bold letters. PB member Clough noted that the fourth line of the actual amendment stated “to the extent it deems,” and she recommended replacing “it” with the “Board of Selectmen”.

PB member Hollinger opined that it would not be clear to the voter whether he/she should vote “yes” or “no”. He said that the rationale should begin with guidance for the voter. He opined that the rationale was so long, that people would give up reading it before reaching the guidance portion. PB member Andrews said that perhaps the rationale should state the reason that the amendment was needed and suggested beginning with “the purpose of Amendment No. 5 is . . .”. PB member Cook suggested beginning the rationale with the second paragraph. PB member Clough asked where the third paragraph fit. Mr. McWilliams replied that the first paragraph should be a synopsis, the second paragraph should be “yes” or “no”, and the third paragraph should be the rationale. Chair Ebel recommended putting the third paragraph first. PB members Andrews and Hollinger concurred. Consensus of the PB was to switch paragraphs two and three and to change “whenever it wants” to “at any time”.

- F. **PLANNING BOARD PROPOSED AMENDMENT NO. 6:** PB member Cottrill asked if “domicile” meant the legal residence of the person conducting the business. Zoning Administrator Stanley advised that “domicile” was the legal term used.
- G. **PLANNING BOARD PROPOSED AMENDMENT NO. 7:** PB members had no comments on the rationale presented.

PB member Clough said that she was still concerned about Amendment No. 5. She opined that the first paragraph sets a tone that people might misconstrue and questioned the need for it. Ms Clough said that she hoped that all paragraphs regarding Amendment No. 5 would appear on the same page and not be split between two pages, as was the case with the draft. Mr. McWilliams said that he would ensure that it was all on the same page.

Chair Karen Ebel **OPENED** the **PUBLIC HEARING ON AMENDMENTS TO THE DRIVEWAY REGULATIONS PROPOSED BY THE PLANNING BOARD** at 8:00 PM.

Chair Ebel solicited comments regarding the proposed amendments to the driveway regulations from members of the PB.

PB member Cook asked about the fine amount on page 10 of the draft. She asked if the amount should be \$550 rather than \$5550. Ken McWilliams advised that it was incorrect and should be \$550. PB member Clough asked if in **PENALTY: B.** shouldn't restoration be of the “highway and . . .”. She asked how a violator would be made to comply. Zoning Administrator Peter Stanley advised that Town Road Agent Richard Lee was concerned with damage to the highway during construction of a driveway. PB member Cottrill noted that the portion of the regulation that stated that violation of the regulations was a misdemeanor had been deleted. He asked if violation was no longer a misdemeanor and the violator was now only required to bear the cost of repair. He asked why “misdemeanor” was dropped. Mr. McWilliams replied that he did not recall; however,

town counsel had reviewed the penalties and enforcement provisions. Zoning Administrator Stanley advised that there was still a State statute, so it was a misdemeanor in any event.

Chair Ebel suggested in ENFORCEMENT on page 10 adding “other official designated by the Board of Selectmen” to take care of the delegation issue that arose under the Zoning Ordinance.

PB member Clough asked if the permit on page 13 applied to entrances only. Upon review, it was the consensus of the PB that “entrances” should be deleted in three places on page 13. Ms Clough asked if item 4. on page 13 needed to be changed to say “runoff from driveway”. Consensus of the PB was to leave the item as presented.

PB member Cottrill asked if item 5 applied to the first 20 feet that is within the town road right-of-way or if the town could tell people how to maintain their entire drive. PB member Clough opined that the latter would have a huge impact. Some PB members opined that people would not allow their driveways to get that bad. Fire Chief Peter Stanley advised that driveways needed to be passable by emergency vehicles.

Chair Ebel noted that in the last line of item E on page 6 “provided that” had been inadvertently dropped. PB member Cottrill noted that the second “width” should be deleted. Ken McWilliams advised that the last word should be access.

Chair Ebel asked if any members of the audience wished to comment. There were none.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **TO APPROVE THE PROPOSED AMENDMENTS TO THE DRIVEWAY REGULATIONS, SUBJECT TO THE REVISIONS MADE BY THE PB, AND TO CLOSE THE PUBLIC HEARING ON 2007 AMENDMENTS TO THE DRIVEWAY REGULATIONS PROPOSED BY THE PLANNING BOARD. THE MOTION WAS APPROVED UNANIMOUSLY**

The regular meeting of the Planning Board resumed.

II. MARTHA HARRIS – Final Minor Subdivision – 2 Lots

(Tax Map 46, Lot 2)

Doug Sweet (Bristol, Sweet & Associates, Inc.) asked if, since he would be presenting for both Martha Harris, who would not be in attendance, and for Donald and Christine Sheffield, who were in attendance, the PB would be willing to alter the order of its agenda so that the Sheffield request could be presented first. Chair Ebel asked if anyone in the audience had come for the Harris subdivision review. Seeing three hands raised in response to her question, Chair Ebel denied Mr. Sweet’s request.

Mr. Sweet advised that the Harris property to be subdivided contained 46.2 acres with frontage on Morgan Hill Road and Little Sunapee Road (NH Route 114). He said that Lot 1 would contain 3.51 acres with 1200 feet of frontage on NH Route 114 and Lot 2 would contain 22.73 acres.

Mr. Sweet advised that two-foot contours had been mapped on Lot 1 and on a portion of Lot 2. He also advised that the property had been reviewed by Gregory Howard (North Country Soil Services), a wetlands scientist, and four jurisdictional wetland areas had been identified. He said that a soil survey conducted by Gregory Howard, a soils scientist, showed that soils were “Woodbridge” primarily. Mr. Sweet reviewed the findings of the High Intensity Soils (HISS) mapping. He advised that the subdivision approval from the NH Department of Environmental Services was noted on the plan. He said that the report from the wetlands scientist and the HISS mapping had both been submitted. He advised that a driveway permit with access off NH Route 114 had been issued by the NH Department of Transportation January 29.

Mr. Sweet advised that the tables on the plan showed compliance with both the 15% steep slopes and the 15% maximum wetlands requirements. He said that the requirement that there be a minimum of .75 acres of contiguous area not including wetlands or slopes in excess of 15% would be met on both lots.

Mr. Sweet said that the applicant was seeking a waiver of the requirement to conduct a test pit on Lot 2, which would contain 22.7 acres. He said that a portion of the lot was wetland investigated and a high intensity soil

survey had been conducted on 2.9 acres. He said that those investigations indicated that there were suitable soils and ample area for construction of a sewage disposal system. Mr. Sweet advised that the applicant was also seeking a waiver of the requirement to prepare a topographic map and high intensity soil survey on all the property. He said that a two-foot contour interval topographic map had been prepared as part of the HISS mapping process on each lot. He opined that sufficient area had been mapped on each lot to demonstrate compliance with the soil-based lot size requirement.

PB member Andrews asked if the purpose of the proposed subdivision was to permit the sale of the newly created lot. Mr. Sweet replied that it would permit the sale of the lot as a residential lot. Abutter Gail Waring (451 Little Sunapee Road) asked if Ms Harris could return to the PB for additional subdivision of the property. Chair Ebel responded affirmatively. Abutter Waring asked what the minimum lot size was. Ken McWilliams replied that the minimum lot size in the R-2 District was two (2) acres. PB member Clough opined that it was necessary to have more than two acres in order to allow for reductions due to steep slopes and wetlands requirements.

Abutter Daniel Carlin (111 Morgan Hill Road) discussed boundary markers and asked about the location of a stone wall. Mr. Sweet showed the location on the plan. Mark Ashton (375 Little Sunapee Road) said he wasn't sure why he had received notice of the meeting. Chair Ebel explained that abutters are routinely notified of PB hearings on applications that might have an impact on their properties.

Zoning Administrator Peter Stanley advised that there was a buffered stream along Lot 1 that should be shown on the plan. Mr. Sweet responded that he had observed a stream 100 feet away on the map, but he could not find it when he conducted an on-site search. He said that he had sent all of the data to the wetlands expert, who found no stream on the property. Mr. Sweet advised that a ditch had been dug on the abutting Badmington property (492 Little Sunapee Road), but it disappears behind the property. Mr. Sweet opined that it was not subject to buffering because the stream ended before the Harris property. He said there was no washed channel. Zoning Administrator Stanley admitted that he had never walked beyond the Badmington property. Chair Ebel explained that the PB looked at the New London Streams and Wetlands Protection Map to get a general idea and then relied on information from an on-site visit for confirmation of conditions on the property. She said that the on-site visit sometimes reveal more wetlands and streams and sometimes revealed less, as in this case.

It was **MOVED** (Clough) and **SECONDED** (Conly) **THAT THE REQUESTED WAIVER OF SECTION V – PARAGRAPH B., ITEM 4. A TOPOGRAPHICAL MAP SHOWING TWO-FOOT CONTOURS, AND SECTION V – PARAGRAPH B., ITEM 5. A SOILS MAP BE GRANTED. THE MOTION WAS APPROVED UNANIMOUSLY.**

It was **MOVED** (Clough) and **SECONDED** (Cook) **THAT THE REQUESTED WAIVER OF THE REQUIREMENT TO CONDUCT A TEST PIT ON LOT 2 BE GRANTED. THE MOTION WAS APPROVED UNANIMOUSLY.**

It was **MOVED** (Cook) and **SECONDED** (Cottrill) **THAT THE FINAL MINOR SUBDIVISION – TWO LOTS, OF TAX MAP 46, LOT 2 BE APPROVED AS PRESENTED BY DOUGLAS SWEET ON BEHALF OF MARTHA HARRIS. THE MOTION WAS APPROVED UNANIMOUSLY.**

The mylar was presented for PB signatures and forwarding to the Merrimack County Registry of Deeds by the Town of New London.

III. DONALD & CHRISTINE SHEFFIELD – Final Minor Subdivision – 2 Lots (Tax Map 39, Lot 5)

PB members Sue Clough and Celeste Cook recused themselves.

Donald and Christine Sheffield were accompanied by Douglas Sweet (Bristol, Sweet & Associates, Inc.). Mr. Sweet advised that the final plan was similar to the preliminary plan presented at an earlier meeting of the PB.

Mr. Sweet advised that the Sheffield property located at 375 Whitney Brook Road consisted of 9.7 acres and had frontage on both Forty Acres Road and Whitney Brook Road. The proposed subdivision would create one

lot having 4.22 acres and a second lot having 5.47 acres. He said that the Sheffield's house was located on the latter.

Mr. Sweet said that Gregory Howard (North Country Soil Services), a wetland and soils scientist, had identified three jurisdictional wetland areas on the property. Mr. Sweet reviewed the soils identified by the High Intensity Soils Survey (HISS) and demonstrated the locations of the wetland areas on the plan displayed. He advised that the table created by Mr. Howard showed compliance with the Agricultural and Rural Residential District minimum lot size of four (4) acres, the 15% maximum wetlands and steep slope requirements, and the .75 acres of contiguous area not including wetlands or slopes in excess of 15% on both lots.

Mr. Sweet advised that NH Department of Environmental Services had approved the subdivision on December 20, 2006. He stated that Richard Lee, the Road Agent for the Town of New London, had reviewed the proposed access to Lot 1. Ken McWilliams said that Mr. Lee had advised that the sight distance to the south of the access was okay and that some trimming was needed in order to improve the sight distance to the north. Mr. Sweet added that it would be necessary to cut down five to eight maple trees and cut back a bank a bit to improve the sight distance to the north. He said that cars approaching on the road had good sight distances, but the sight distance needed to be improved for cars exiting the property.

Chair Ebel asked if any members of the PB or any members of the audience had any comments. There were none.

Mr. Sweet advised that he was requesting a waiver of the requirements for a topographic map showing two-foot contours and HISS mapping of the entire property.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT THE REQUESTED WAIVER OF SECTION V – PARAGRAPH B., ITEM 4. A TOPOGRAPHICAL MAP SHOWING TWO-FOOT CONTOURS, AND SECTION V – PARAGRAPH B., ITEM 5. A SOILS MAP ON ALL THE PROPERTY BE GRANTED. THE MOTION WAS APPROVED UNANIMOUSLY.**

It was **MOVED** (Hollinger) and **SECONDED** (Cottrill) **THAT THE FINAL MINOR SUBDIVISION – TWO LOTS, OF TAX MAP 39, LOT 5 BE APPROVED AS PRESENTED BY DOUGLAS SWEET ON BEHALF OF DONALD AND CHRISTINE SHEFFIELD. THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Sweet presented a mylar of the subdivision to be signed by members of the PB and forwarded to the Merrimack County Registry of Deeds by the Town of New London.

Zoning Administrator Peter Stanley requested copies of the recorded plans for each of the tax files.

Sue Clough and Celeste Cook returned to the PB.

IV. JONATHAN FEINS – Continued Public Hearing on Final Plans for Stonehouse Road Access to the Harborview Subdivision in Sutton

Dana Bisbee (Pierce Atwood), David Eckman (Eckman Engineering, LLC), and Louis Caron (L. C. Engineering Company, LLC) were present. Mr. Bisbee and Mr. Eckman represented Mr. Feins and Mr. Caron appeared in his role as the independent engineer hired by the Town of New London to evaluate the proposed changes to Stonehouse Road and the its intersection with King Hill Road.

Mr. Eckman advised that he had revised the plans for Stonehouse Road and the intersection of Stonehouse Road and King Hill Road in response to the January 29, 2007 letter from Louis Caron in which Mr. Caron reported the results of his review of the plans. Mr. Eckman distributed copies of the new plan with minor revisions and copies of a written response to a letter from George Mason Delafield. He advised that all revisions to the plan had been highlighted.

Mr. Eckman presented an item by item response to Mr. Caron's letter:
(1) A typical "Curb Section" has been added to the plans.

- (2) Note 1 – geotextile fabric will be placed throughout the area as recommended, and Note 1 will be revised accordingly.
- (3) Paving will be put anywhere where there is curbing. Chair Ebel asked how much further would paving need to be extended in order for the entire portion of Stonehouse Road in New London to be paved. Mr. Eckman replied that approximately 150 feet of paving would be required. Chair Ebel asked what the status of paving the portion of Stonehouse Road in Sutton was. Mr. Eckman said that the Sutton Board wanted the road paved, but the abutters did not. Chair Ebel advised that the New London PB wanted the road to be paved to facilitate access by emergency vehicles. PB member Andrews opined that the entire portion of the road in New London should be paved. PB Hollinger reminded PB members that the sense of the PB taken at its last meeting was that the entire road in New London should be paved. PB member Clough observed that paving the entire portion of Stonehouse Road in New London was not noted on the plans. Mr. Eckman said that was because his client had not agreed to it.
- (4) The grade of the drain pipe from CB #2 to CB #1 has been dropped as recommended and so noted on the plans.
- (5) In regard to the recommendation that the vertical granite curb be extended to eliminate the need for a catch basis #5, Mr. Eckman opined that the catch basis could not be eliminated. He said that at the meeting with municipal department heads, a preference for slope curbing instead of vertical curbing was expressed. He said that would have to be reviewed with the NH Department of Transportation (DOT) to see if the agency would approve. PB member Clough asked if the curb would extend to the Messer driveway and the apron for his driveway. Ken McWilliams asked Mr. Caron if there were any issues with changing vertical curb to slope curb. Mr. Caron replied that highway officials really liked vertical curb at intersections, but slope curb could be used.
- (6) The 12-inch underdrain pipe has been reduced to 6-inch underdrain pipe and the plan drainage notes revised to reflect the change. All involved, including New London Road Agent Richard Lee, agreed that 6-inch underdrain pipe was adequate.
- (7) The intersection curb radii dimensions have been added to the plans.
- (8) Silt fence locations have been added to the plans.
- (9) Replacing a single 12-inch CM Pipe culvert with one 15-inch HDPE pipe would not be enough for a 50-year storm. Mr. Eckman stated that fill had been brought in and that Road Agent Lee had never seen water flowing over the road. He said that all agreed that 12-inch pipe was adequate. He said that 15-inch pipe takes about 1000 feet of road. Mr. Caron reviewed the calculations. He advised that the calculations were very conservative and using standards was not exact. He opined that the amount of water that could pass through the pipe would never happen. He said that he had consulted Road Agent Lee, who said that the 12-inch pipe had performed well and that two 15-inch pipes were not needed. Mr. Eckman advised that he had reviewed the matter and concluded that one 15-inch pipe would suffice. Chair Ebel asked if the landowner of the property receiving the drainage would notice additional water. Mr. Eckman replied that it would depend upon how fast the water came. He said he had looked at drainage over a 24-hour period. PB member Cottrill asked if the road improvements would channel more water into the ditch. Mr. Eckman responded that it would be the same water that was there before the improvements. Mr. Caron said that the impact would be only one or two houses with driveways. He opined that there would be some increase with paving, but some of the water would drain in the other direction.

Chair Ebel advised that she had consulted town counsel regarding the need for easements for drainage and he had advised that the guideline was reasonableness. Mr. Caron asked if the town had obtained easements for any other increases in the size of drainage pipes. PB member Andrews responded affirmatively. Mr. Caron opined that no one would leave a 12-inch pipe as it was very inadequate. Chair Ebel said that she was really concerned about the impact on the landowners and felt they should be advised. Mr. Eckman advised that no outlet locations had been changed. PB member Clough said that she was concerned about the stone rip rap being placed on the road elevating the landowner's awareness of both drainage and stone rip rap. Mr. Eckman responded that it would be within the town's right-of-way. Ms Clough asked if the culvert would not collect drainage from both sides of the road and from the land higher up on the hill. Mr. Eckman stated that the plan was designed for a 50-year storm and met all 25-year storm standards. Chair Ebel opined that the PB needed to get a good fix on the drainage numbers in order to determine the need for easements. She asked if Mr. Caron could review them. He agreed to do so. Chair Ebel asked if there were any abutters present. Stacey Viandier identified herself as Jean Platte's (Tax Map 130, Lot 2) step-daughter.

Zoning Administrator Stanley asked if the proposed culverts would be new culverts or replacements. Mr. Eckman replied that the culverts would be larger replacements for existing culverts. PB member Cottrill opined that any change in drainage should be discussed with landowners. Chair Ebel said that there were two issues to be addressed: (1) is there a legal requirement for easements generally in these circumstances, and (2) does the PB think, based on the drainage calculations, easements should be obtained. PB member Clough said that in the past the PB had required detention ponds to keep water on a property.

Chair Ebel asked if the increase in pipe size would not increase the drainage peak flow. Mr. Caron responded that the size of the pipe did not increase peak flow. Chair Ebel asked him if the drainage flows through every culvert were available. Mr. Caron replied that the figures were included in the data presented. He advised that there would be an increase in flow of approximately 10% due to paving. Chair Ebel said that the PB would look to Mr. Caron for guidance in this matter. PB member Hollinger opined that the reason for the increase in pipe size was "better practice", not an increase in drainage. Mr. Eckman opined that the 25-year storm standards would increase by 40% when the statistics are recalculated based on current weather data and that was the reason for designing for a 50-year storm. PB member Cottrill asked what the impact of a 100-year storm would be. Mr. Eckman replied that the data was in the drainage report distributed. Chair Ebel reiterated that the PB needed to get a handle on the drainage. Mr. Caron said that he would have to review the data outside of the meeting.

10. Note 1 on sheet OS-1 was revised as recommended.
11. A note re stone specification for the Stone Check Dam was added at the bottom right of sheet D-1B.
12. The Drainage/Underdrain Pipe Trench detail on sheet D-2 was revised to specify six (6) inches of crushed stone over the pipe as recommended by Town Road Agent Lee.
13. The stone apron will be 1.5 times Stone Fill Class C.

PB member Cottrill observed that annual maintenance on the drainage systems would fall on New London for a development in Sutton. Chair Ebel identified the outstanding issues as paving and drainage easements. Ken McWilliams added that the applicant also needs a letter from NH DOT.

Mr. Eckman read the letter that he drafted in response to a letter from George Mason Delafield dated January 8, 2007. He reiterated that the applicant had worked with NH DOT and had arrived at the best compromise possible for the intersection of Stonehouse Road and King Hill Road. He said that Stopping Sight Distance (SSD) requirements had been met and that there would be a warning speed sign as well as a 35 mph speed limit. PB member Cottrill asked for clarification of the various sight distance requirements. He said that the compromise did not follow New London regulatory requirements. PB member Andrews and Chair Ebel both advised that the sight distance issues had been resolved. Chair Ebel asked Mr. Caron to review the letter and prepare a response for Mr. Delafield and the PB.

Mr. Eckman said that the drainage plans employed curbing instead of open ditches. PB member Cottrill opined that the use of curbing made the road look urban, not rural. PB member Clough said that cutting ditches would require Mr. Feins to acquire additional land. She said that she would like to see another instance where curbing had been used successfully to control drainage. Zoning Administrator Peter Stanley answered that no small streets in New London had curbing. Mr. Caron said that curbing was another technique used to address drainage. He said that vertical curbing stopped vehicles while slope curbing directed drainage. Mr. Eckman stated that curbing was "good practice". Mr. Cottrill asked what would hold the curbing in place. Mr. Eckman replied that the road would be approximately six (6) inches lower than the curbing. He directed to the PB to OS-9 in the plan for a cross-section of the curb. Ms Clough asked where the water would go. The answer was that it would go along the curb into the catch basins and then to the drain pipes.

PB member Cottrill asked about snow banks. Mr. Caron responded that in the event of a very severe snow year, a loader might be required to remove snow, similar to what now happens along Main Street. PB member Clough said that she would like to see a copy of the Eckman response approved by Mr. Caron. She was advised that copies had been distributed before the start of the meeting. Mr. Cottrill asked for additional drainage information. He asked what would happen at station 500 where there would be no underdrain; where would the water go. Mr. Eckman and Mr. Caron replied that it would go the same place that it currently goes. They advised that the land dropped off in that area. Mr. Caron clarified that the underdrains have nothing to do with surface water; rather, they protect the sub-surface of the road. Mr. Cottrill asked why the underdrains

weren't connected. PB member Andrews observed that there was no underdrain on OS-2. Mr. Eckman replied that a drain was missing on the plan. Mr. Cottrill asked if there were underdrains from 450 to 900. Mr. Eckman replied that there were some pipes missing from the plan and would be included in the next round.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT THE CONTINUED PUBLIC HEARING ON FINAL PLANS FOR STONEHOUSE ROAD ACCESS TO THE HARBORVIEW SUBDIVISION IN SUTTON BE CONTINUED TO TUESDAY, FEBRUARY 13, 2007 AT 7:30 PM. THE MOTION WAS APPROVED UNANIMOUSLY.**

PB member Cottrill opined that the applicant needed some communication with neighbors about the proposed drainage changes.

V. CHARLES WHITTAKER – Tree Cutting Request (Tax Map 104, Lot 18)

PB member Conly presented a request from Charles Whittaker to cut two (2) dead trees and plant hemlocks to replace them. Mr. Conly advised that he had visited the site and recommended approval of the request. Zoning Administrator Peter Stanley said that the trees made a boundary with wetlands. PB member Clough advised that one could no longer buy hemlocks in NH. Mr. Conly said that he had advised Mr. Whittaker to plant white pines. PB member Andrews suggested planting evergreens if he wanted to create a landscaping screen. Chair Ebel recommended that Mr. Conly work out with Mr. Whittaker the type of evergreen to be planted to replace the dead trees.

It was **MOVED** (Cottrill) and **SECONDED** (Cook) **THAT THE REQUEST TO CUT TWO DEAD TREES LOCATED WITHIN THE 100-FOOT BUFFER AT TAX MAP 104, LOT 18, BE APPROVED, SUBJECT TO REPLACEMENT WITH A TYPE OF EVERGREEN TO BE DETERMINED IN CONSULTATION WITH THE CONSERVATION COMMISSION. THE MOTION WAS APPROVED UNANIMOUSLY.**

VI. TOM & SALLY YOUNG – Tree Cutting Request (Tax Map 44, Lot 29)

PB member Conly presented a request submitted by chippers on behalf of Tom and Sally Young to cut two trees located within the 50-foot buffer at 72 Checkerberry Lane. He said that he had visited the site and recommended approval of the request. He said that one tree was a cherry that was threatening birches in a clump of trees and the other tree was a birch damaged by the ice storm. Mr. Conly advised that the Youngs proposed replacing the trees with three to five low growing plants. He noted that the packet did not include the required diagram referred to in the letter from chippers.

It was **MOVED** (Cook) and **SECONDED** (Cottrill) **THAT THE REQUEST TO CUT ONE CHERRY TREE AND ONE DEAD BIRCH LOCATED WITHIN THE 50-FOOT BUFFER AT TAX MAP 44, LOT 29, BE APPROVED, SUBJECT TO RECEIPT OF A DIAGRAM AND REPLACEMENT WITH FIVE LOW-GROWING BUSHES. THE MOTION WAS APPROVED UNANIMOUSLY.**

VII. OTHER BUSINESS

A. TOWN PLANNING SERVICES AGREEMENT

Ken McWilliams presented a proposed Town Planning Services Agreement for 2007 for consideration by the PB. He advised that the only change was in the hourly rate on page 2, item 3. The new rate would be \$52.50 per hour with a maximum for the year of \$46,000. He advised that there would be quarterly budget reviews in order to avoid overspending.

PB members questioned the numbering under item 3 and wondered what was missing. There were d, e, and f, but no a, b, and c. Mr. McWilliams advised that the numbering problem probably occurred when he converted a WordPerfect file to a Microsoft Word file. He assured PB members that nothing was missing and said that he would correct the numbering.

It was **MOVED** (Cottrill) and **SECONDED** (Hollinger) **THAT THE TOWN PLANNING SERVICES AGREEMENT BETWEEN KENNETH MCWILLIAMS & ASSOCIATES, LLC AND THE TOWN OF NEW LONDON BE APPROVED AS PRESENTED BY KENNETH MCWILLIAMS. THE MOTION WAS APPROVED UNANIMOUSLY.**

Two copies of the Agreement were presented for signing by the Chairman of the Planning Board.

B. NEW LONDON MASTER PLAN UPDATE AGREEMENT

Ken McWilliams presented a proposed amendment to the May 23, 2006 Planning Services Agreement for Updating of the New London Master Plan. The proposed amendment modifies the payment schedule for Task #3. Community Workshops & Vision Chapter as provided in Section 3. AGREEMENT COST & PAYMENT SCHEDULE to break out the costs of individual components of Task #3 to permit payment for those portions that have been completed. He advised that the dollar figures were for the remaining 75% of the costs for the task.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT THE AMENDMENT TO THE PLANNING SERVICES AGREEMENT BETWEEN KENNETH MCWILLIAMS & ASSOCIATES, LLC AND THE TOWN OF NEW LONDON FOR THE NEW LONDON MASTER PLAN UPDATE BE APPROVED AS PRESENTED. THE MOTION WAS APPROVED UNANIMOUSLY.**

Two copies of the Agreement were presented for signing by the Chairman of the Planning Board.

C. The MINUTES of the JANUARY 9, 2007 meeting were APPROVED, as circulated.

D. Ken McWilliams advised PB members that the agenda for the February 13, 2007 meeting would include discussion of the draft of Site Plan Review Regulations revisions distributed in July 2006.

The **MEETING** was **ADJOURNED** at **10:15 PM**.

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

DATE APPROVED _____

CHAIRMAN _____