

**NEW LONDON PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
DECEMBER 12, 2006**

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

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

I. DAN WOLF – Concept Site Plan Review: Redevelopment of the Hayward Property (Tax Map 59, Lot 1)

Dan Wolf advised the PB that the concept presented was for a multi or mixed use of the property. He displayed conceptual drawings and emphasized that they were only conceptual renderings. He advised that the property had been surveyed and that it contained approximately one acre. Mr. Wolf stated that there were two curb cuts, one east and one west, and that the plan would work within those curb cuts. He advised that the plan called for demolishing the existing building and replacing it with a two-story building containing 110 square feet. He said that there would be 12,000 square feet of retail space on the first floor and 7,000 square feet of office space on the second floor.

PB member Clough inquired about the size of the existing building. Mr. Wolf replied that it contained 4500 square feet, approximately one-third of the proposed building. Mr. Wolf advised that he would prefer to have a single retail tenant on the ground floor and the upstairs would be designed for medical offices. He advised that the property was currently under option.

Mr. Wolf advised that he had met with the neighbors to discuss easements to resolve curb cut issues. He said that all curb cuts were on the Hayward property; however, the access points were shared with Griffiths on one side and the VNA on the other side. He demonstrated the traffic flow pattern that he preferred, and he hoped that the neighbors would be accommodating. Mr. Wolf advised that the concept site plan involved two parcels of land: a 12.5-foot strip and the Hayward property. He stated that the plan included 70 parking spaces; however, since the regulations required 80 spaces, he had made arrangements to lease additional spaces. He said that he did not know if the leasing agreement would be permanent. Chair Ebel advised that the PB usually required a 20-year lease for off-site parking spaces. Ken McWilliams concurred. Mr. Wolf stated that he would have to go to the Zoning Board of Adjustment (ZBA) in regard to 15 parking spaces that are located in the R-1 zone. He said that he was requesting a referral from the PB.

Mr. Wolf said that he had discussed with municipal department heads the need for the building to be "sprinklered" and drainage issues and that he planned to "sprinkler" the building. PB member Cottrill asked if outside lighting would be focused downward. Mr. Wolf responded affirmatively. Mr. Cottrill asked if there were any environmental issues that would need to be addressed. Mr. Wolf replied that a Phase I environmental review had been done and the only thing located was an underground oil tank.

Mr. Wolf advised that he had not calculated the 25% minimum landscaped green space, but opined that it might be challenging to meet given the parking requirement. He said that he had learned just that day about the 10-foot landscaped buffer requirement, and he opined that there was no possible way to achieve that. He said that some parking would go over the boundary with the VNA and that would be addressed by an easement. He said that the property would share some parking with the VNA. Mr. Wolf stated that he had moved the building back on the lot to provide green space in front. He said that it would be back even further than the VNA building. He advised that there would be two means of egress, as required, an elevator to the second floor, and handicapped accessibility. He said that the elevator might be brought to the basement level.

PB member Andrews asked about the possibility of constructing a smaller building to allow greater compliance with regulatory requirements regarding green space. Mr. Wolf replied that a smaller building would not be economically feasible given the very full purchase price being asked for the property.

Mr. Wolf showed the topography of the lot and pointed out that the property dropped off sharply. He said that the sewer line had been located 25 feet below grade. He said that over the years fill had been added to the rear of the property. Mr. Wolf advised that he would install a new sewer line rather than dig down 25 feet.

PB member Andrews opined that the proposed building was too big for the lot. Mr. Wolf advised that all setbacks would be met. Ms Andrews responded that green space requirements would not be met. Mr. Wolf reiterated that the green space percentage had not yet been calculated. He stated that he was working with existing conditions, not designing a new site. He estimated that the 10-foot landscaped buffer could eliminate one-quarter of an acre. PB member Hollinger asked how far back on the lot the building would be. Mr. Wolf replied that it would be 20 feet back.

PB member Andrews asked where the entrances would be located. Mr. Wolf replied that the upstairs would be accessible from the side of the building and the street level access would be from the rear. He said that he was trying to comply with the recommendation to have parking behind buildings, rather than in front of them.

Chair Ebel asked if had discussed leasing parking spaces with the neighbors. PB member Clough opined that the VNA spaces were fully utilized. Zoning Administrator Peter Stanley also said that the VNA had no spaces to lease. Mr. Wolf pointed out that the VNA had a lot of unused land below the existing parking area.

PB member Cottrill said that it appeared that the proposed building would have a flat roof. He asked if it would be designed and built to carry another story at some future time. Mr. Wolf replied in the negative. He said that he was looking at the economic feasibility and what potential tenants wanted.

PB member Clough asked what Mr. Wolf would need from the ZBA. Ken McWilliams replied that the ZBA approval would be needed for extending parking into the R-1 zone.

Chair Ebel advised that the PB wanted 80 parking spaces. She asked where the side setbacks had been met. Ken McWilliams clarified that Chair Ebel was referring to the 10-foot perimeter requirement. PB member Cottrill said that it would not be possible along the access ways that were shared with abutters. Mr. McWilliams opined that there could be a 10-foot landscape buffer in the rear of the building and also along the sides if the proposed building were smaller.

PB member Andrews opined that there was a lot of property being used for parking that could better be used for landscaping. Mr. Cottrill opined that the PB could exercise judgment in determining whether to require a site plan designed for the maximum situation/usage or one designed for the usual and ordinary. Mr. Wolf opined that if the combination were retail and medical office space, they would be busy at different times.

PB member Clough asked about the regulation pertaining to a requirement for green space within parking lots. Ken McWilliams read Article XI. C. 7. of the Site Plan Review Regulations that states that "Parking lots in excess of ten spaces shall include landscaping to provide shading of parking areas, break up the mass of parking areas, or facilitate pedestrian and traffic flow and safety. Suggested Guidelines: A minimum of one 2.5-inch caliper deciduous tree shall be provided for each ten parking spaces. Curbing or wheel stops shall be used to protect these landscaped islands." Ms Clough asked what the PB thought about reducing the number of parking spaces and requiring more green space. PB member Andrews reiterated that Mr. Wolf could reduce the size of the proposed building. Mr. Wolf said that he might be able to live with five less spaces, but a retailer would find less than a minimum of 65 parking spaces unacceptable. He reiterated the need to make the proposed plan economically feasible. Chair Ebel advised that it was the consensus of the PB that there should be more green space in the design, and she recommended that Mr. Wolf talk with the neighboring property owners.

PB member Cottrill asked Mr. Wolf if he had asked about leasing more than the ten parking spaces mentioned earlier. Mr. Wolf replied that there were no additional spaces available for lease.

Trying to get a sense of the footprint of the proposed building, PB member Andrews asked how large Hubert's was; was it 10,000 square feet? Mr. Wolf replied "not quite". He added that Colonial Pharmacy was 8000

square feet and Clarke's Hardware was 7500 square feet. Ms Andrews asked if the top floor were to be approved as medical offices and that use were to change, would Mr. Wolf be required to return to the PB. Both Chair Ebel and Ken McWilliams replied that if the change were to be toward a less intense (less non-conforming) use, he would not be required to return to the PB. Ms Andrews opined that a mixed use would be good. Mr. Wolf said that a mixed use was being proposed to mitigate the impact.

Ken McWilliams asked how the setbacks had been met. Mr. Wolf explained where the building would be located, and he said that it would comply with the setback and be further back on the lot than neighboring buildings. PB member Cottrill asked Mr. Wolf if he had tried the alternative of a longer narrow building. Mr. Wolf replied affirmatively. He opined that a long, narrow building would not be appealing to a retailer nor would it screen from view the parking in the rear, as the proposed design would do.

It was **MOVED** (Hollinger) and **SECONDED** (Conly) **THAT THE PROPOSAL PRESENTED BY DAN WOLF FOR RE-DEVELOPMENT OF THE HAYWARD PROPERTY BE REFERRED TO THE ZONING BOARD OF ADJUSTMENT FOR A VARIANCE FOR A MAXIMUM OF 16 PARKING SPACES THAT WOULD EXTEND INTO THE R-1 DISTRICT. THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Wolf advised that he was planning to ask for waivers of the 25% green space requirement, the 10-foot landscaped perimeter buffer requirement, and the number of required parking spaces.

PB member Clough asked about drainage and about keeping drainage on the site. Mr. Wolf replied that he would do whatever was necessary. He advised that he had in mind doing something similar to what had been done by Ledyard Bank.

II. GEORGE M. DELAFIELD– Referral from the Sutton Planning Board of a Minor Subdivision Application with Sole Access from New London via Stonehouse Road

For the benefit of the Delafields, and the audience, PB Chair Karen Ebel summarized the status of improvements to the portion of Stonehouse Road that is in New London and to the intersection of Stonehouse Road and King Hill Road. She advised that plans for the necessary improvements were moving along, but no dollar figures were yet available. She also advised that the matter would be on the agenda for the January 9, 2007 meeting, at which time estimated costs for the improvements could be available.

Ken McWilliams added that after the subcommittee meeting the engineers had left to draft the final design for the road and the intersection. He said that the 7% grade would be reduced to 4% and the intersection design would be changed from a "Y" design to a "T" design. He advised that as soon as the designs were completed, cost estimates could be assigned, and the costs could be divided between the Harborview Subdivision and any other proposed subdivision(s).

George Delafield asked what the PB had done about the line of sight at the intersection of Stonehouse Road and King Hill Road. He asked if it wasn't about 50%. Chair Ebel recapped the subcommittee meeting that included both the engineers and the NH Department of Transportation (NH DOT). She said that it had been determined that using the NH DOT Intersection Sight Distance (ISD) guidelines would require a significant re-design of King Hill Road and was not necessary; rather, it was agreed to use American Association of State Highway and Transportation Officials (AASHTO) Stopping Sight Distance (SSD) guidelines instead. Chair Ebel briefly summarized the engineers' evaluation of the sight distances that could be achieved by a "T" intersection design at the intersection of Stonehouse and King Hill Roads and the comparison with the SSD guidelines.

Chair Ebel stated that town counsel had informed the PB that it could not advise the applicant regarding the action he should take. Town counsel had advised that it must be Mr. Delafield's choice whether to proceed with his subdivision application at this time or not.

Mr. Delafield opined that his application was being held up because of somebody else's project. He said that he would like to proceed if the PB could approve the request with a cap on the cost. He stated that he would be

agreeable to a \$5,000 contribution. Mr. Delafield said that he didn't understand why the PB had to wait for the actual number and that, under the circumstances, a cap seemed appropriate.

Ken McWilliams advised that Mr. Feins was scheduled to return to the PB on January 9, 2007 with final plans for the New London portion of Stonehouse Road and the intersection of Stonehouse Road and King Hill Road. He also noted that the number of lots in the proposed Harborview subdivision had still not been set. Mr. Delafield opined that Mr. Feins would be getting the majority of the benefits of the improvements. He also opined that there would be no need for any improvements to the road or the intersection without Mr. Feins' proposed subdivision. He said that he thought the PB should have some idea what a reasonable cost for the Delafields to assume should be. Chair Ebel replied that the PB could not estimate a cap when there was no cost data available. She then solicited the input of the other PB members to determine whether the other members thought the PB should approve the proposed subdivision with a cap on Mr. Delafield's contribution for the improvements. It was the sense of the PB that placing a cap on the contribution with no financial information available would be unwise.

PB member Hollinger opined that the Mr. Delafield's dilemma was due to timing. He said that if Mr. Delafield were to wait for a year or so and then propose a subdivision, there might be no cost to be met by the Delafields. Chair Ebel reiterated that the PB could not direct Mr. Delafield regarding what he should do. She opined that the PB would know the costs within four to six weeks. She said that Mr. Feins might change the number of lots in the proposed Harborview subdivision, as he had done in the past.

PB member Clough opined that if the PB were to cap the cost for one lot, Mr. Feins could use that as the cost per lot standard and say that the total calculated by multiplying the cost per lot by the number of lots is what he should pay toward road and intersection improvements. The town of New London would then be responsible for any remaining costs.

Mr. Delafield opined that the expectation that the cost estimates provided by Mr. Feins might not be dependable. Ken McWilliams and Chair Ebel responded that Mr. Feins would be required to post security for the improvements and New London Town Road Agent Richard Lee would review the amounts estimated to determine reasonableness. They advised Mr. Delafield that he could either request a continuance of the review or withdraw his application and re-apply after the Stonehouse Road and intersection issues have been resolved. Chair Ebel apologized to Mr. Delafield for the inconvenience.

Mr. Delafield said that he still did not understand why the PB could not approve his request subject to some portion of the road and intersection improvement costs not to exceed some pre-determined cap on the total cost of the improvements to be allocated to his proposed subdivision. He opined that review of the Fein subdivision could go on for a very long time, and he objected to his proposed subdivision being held up because of someone else's project. Chair Ebel reiterated that if he wanted his project approved now without a cost estimate, that was his choice. Mr. Delafield said that he would withdraw his application and re-apply at a later date once the cost estimate for the road and intersection improvements was settled.

It was **MOVED** (Cottrill) and **SECONDED** (Andrews) **THAT THE PLANNING BOARD ACCEPT THE WITHDRAWAL OF THE PETITION SUBMITTED BY GEORGE DELAFIELD FOR APPROVAL OF THE SOLE ACCESS VIA STONEHOUSE ROAD IN NEW LONDON TO A SUBDIVISION LOCATED IN SUTTON. THE MOTION WAS APPROVED UNANIMOUSLY.**

III. DONALD & CHRISTINE SHEFFIELD –Preliminary Minor Subdivision

(Tax Map 39, Lot 5)

PB members Cook and Clough recused themselves from the PB.

Douglas Sweet (Bristol, Sweet & Associates, Inc.) stated that the Sheffield property located at 375 Whitney Brook Road abutted the Wilmot town line and was bounded by Forty Acres Road and Whitney Brook Road. He advised that the property contained 9.7 acres. Mr. Sweet displayed a topographical map of the property and explained the detail contained therein. He advised that the soils mapping had been completed by Greg Howard, a

soils scientist, (North Country Soils) and that Mr. Howard had identified the jurisdictional wetlands as well as conducting the High Intensity Soils Survey (HISS). Mr. Sweet stated that the property was located in the Agricultural and Rural Residential (ARR) District and had 200 feet of frontage. He advised that the Sheffields wanted to subdivide the property into two approximately four-acre lots. He stated that the subdivision would comply with the 15% wetland limit and the steep slopes regulations.

PB member Conly asked if there was an existing house on the property. Mr. Sweet replied affirmatively. He also said that several wells had been located on the property. PB member Hollinger asked if there were any old water lines. Mr. Sweet mentioned that one line going up to the road was broken right off.

Abutter Barry Wright (360 Whitney Brook Road) said that he was aware that access was not yet being addressed, but he wondered where the proposed access to the new lot would be located. Mr. Sweet pointed out a possible access at the curve in the road. Chair Ebel asked if the house site had been identified. Mr. Sweet identified the area where the test pits were and opined that it would be the logical place to locate a house.

Abutter Judy Reynolds (84 Forty Acres Road) asked what the minimum lot size was in the ARR District. Ken McWilliams advised that the minimum lot size was four (4) acres, after the required exclusions for steep slopes and wetlands. He pointed out the table on the plan presented. PB member Andrews advised that 15% of the Wetland could be counted in the calculation of minimum lot size.

Abutter K. C. Slocum Wright (360 Whitney Brook Road) asked where the drive for the newly created lot would be located. Mr. Sweet demonstrated on the plan displayed the probable location. He said that it might be necessary to cut off an existing stonewall. Ms Wright said that she was concerned about safety and that there were blind spots on Forty Acres Road. Abutter B. Wright added that he was concerned about the uphill traffic on Forty Acres Road and opined that the driveway should comply with all sight distance requirements.

Abutter Dennis Reynolds (84 Forty Acres Road) stated that he had purchased his property because all of the surrounding properties were large and there were no subdivisions. He said that he was looking at the impact of subdivision on his property values and that he was concerned about lot sizes of less than five (5) acres. He also stated that there were definitely springs and wetlands located in that area.

Chair Ebel advised that the PB could discuss cutting restrictions as part of the application review. Zoning Administrator Peter Stanley advised that he had walked the property with the owners and, while there were wetlands on the property, there were certainly building sites.

Celeste Cook (79 Whitney Brook Road) asked what plans the owners had for the new lot. She asked if they planned to sell it as a house lot or did they plan to sell the property as a house and lot. Mr. Sheffield responded that he had put the property on the market, but had stated that it had the possibility for subdivision. He said that he felt that the only valid way to say that would be to go through the subdivision process. He said that he did not plan to market the new lot himself and he hoped that a new owner would maintain the status quo.

Abutter Sue Clough (306 Whitney Brook Road) said that she was concerned about safety and mentioned the drivers coming up Whitney Brook Road and cutting the corner in the area of the proposed driveway. Abutter K. Wright advised that Whitney Brook Road had been designated as a "scenic road". She displayed a photo of the road that had been taken within the last few years and that showed the scenic nature of the road. She said that she was concerned about the impact of the driveway on the road's scenic nature.

Mr. Sweet advised that he would submit the plans to the State of New Hampshire for subdivision approval, and then he would return to the PB for a Final Site Plan Review.

Sue Clough and Celeste Cook returned to the PB for the remainder of the meeting.

IV. ROBERT DALEY (35 LITTLE SUNAPEE ROAD, LLC) – Continued Preliminary Site Plan Review: Parking (Tax Map 60, Lot 3)

Chair Ebel announced that the PB had received a letter from Jesseman Associates, P.C., Agent for 35 Little Sunapee Road, asking to have the Preliminary Site Plan Review continued to January 9, 2007.

It was **MOVED** (Cook) and **SECONDED** (Cottrill) **THAT THE PRELIMINARY SITE PLAN REVIEW: PARKING FOR 35 LITTLE SUNAPEE ROAD, LLC BE CONTINUED TO TUESDAY, JANUARY 9, 2007 AT 7:00 PM. THE MOTION WAS APPROVED UNANIMOUSLY.**

V. JOYCE JOHNSON – Concept Site Plan Review: Need for Site Plan Review for Change of Use (Tax Map 84, Lot 89)

Joyce Johnson advised that she would like to locate a writer's workshop in space previously designated as medical office space under the New London Inn. She said that she would offer creative writing workshops, assistance to high school juniors and seniors in writing their college admissions essays, writing instruction for elementary and middle school students, and three (3) to four (4) overnight creative writing workshops a year. She stated that the space would be used for tutorial and writing class purposes.

Chair Ebel asked if the overnight creative writing workshops would be offered in conjunction with overnight lodging at the New London Inn. Ms Johnson replied that the maximum number of participants would be 12, and she anticipated that they would be local area residents. Chair Ebel questioned what the fire code maximum would be for that space. Ms Johnson advised that she had been in contact with the New London Fire Department and Jay Lyon had told her that the fire code maximum occupancy would be 18 people.

Chair Ebel asked if there were any parking issues that needed to be addressed. Ken McWilliams replied that the square footage required that there be one parking space. He pointed out that the previous use had been for medical office space which required more parking than general office space. Ms Johnson said that parking would be available in the New London Inn parking area. She said that she had observed, however, that people parked on the street rather than in the parking lots. Chair Ebel asked where she would park. Ms Johnson advised that she would park in the New London Inn parking lot.

PB member Cottrill opined that the proposed use seemed to be less intrusive. PB member Andrews opined that there would be more pedestrian traffic with the offer of services to the elementary and middle school students. Chair Ebel opined that it did not seem to be that much of a change in use. She said that the massage parlor had served individuals and the proposed service would also be serving individuals.

It was **MOVED** (Hollinger) and **SECONDED** (Andrews) **THAT NO SITE PLAN REVIEW BE REQUIRED FOR THE CHANGE IN USE FROM MEDICAL OFFICE TO WRITING WORKSHOP FOR SPACE LOCATED UNDER THE NEW LONDON INN (TAX MAP 84, LOT 89). THE MOTION WAS APPROVED UNANIMOUSLY.**

PB member Clough recommended that Ms Johnson's letter to the PB be appended to the Minutes for future reference. She said that paragraphs two and three of the letter documented the circumstances and provided the basis for the PB's decision not to require a site plan review.

VI. WILLIAM J. WILSON – Tree Cutting Request (Tax Map 103, Lot 25)

PB member Conly advised that he had been in contact with William Wilson regarding the plan prepared by Pellettieri Associates, Inc. that accompanied Mr. Wilson's request to cut five (5) tall pine trees located within the 50-foot buffer at 89 Sunset Shores. Mr. Conly told the PB that Mr. Wilson had agreed to plant two (2) 5-foot to 6-foot tall pines and a minimum of four (4) blueberry bushes for *each* of the five (5) very large white pines. PB members observed that the deck was right at the 50-foot shore land buffer line. Mr. Conly opined

that the trees were probably killed by damage inflicted on the trees and their roots during construction of the large house and deck and those were the trees that Mr. Wilson now requested permission to cut.

Chair Ebel said that she would like to see a plan showing the locations where the new trees will be planted. PB member Andrews opined that disturbance to the buffer created by planting large trees could be more damaging, but that if it was done by hand and carefully, it should be all right. Zoning Administrator Peter Stanley opined that the larger trees would stabilize the shore land and that the trees could easily be planted by hand. Ms Andrews opined that the PB needed to make it clear to Mr. Wilson that the stumps of the five tall pines must be left in place, the trees must be removed from outside the 50-foot setback, and planting the new trees and blueberry bushes must be done by hand.

PB member Cottrill asked if the PB knew where the new trees were to be planted. PB member Cook asked if there were any other trees nearby. PB member Conly replied that there were approximately eight (8) other trees in that area. Mr. Cottrill opined that the PB should require Mr. Wilson to submit a plan showing where the plantings would be placed. Chair Ebel questioned whether two (2) trees were enough to replace each large tree removed. She asked why not require more trees instead of blueberry bushes. PB member Conly explained that blueberry bushes were better at preventing erosion than pine trees. Mr. Cottrill recommended leaving that decision up to Mr. Conly, as he was the Conservation Commission's representative on the PB. PB member Conly recommended that three (3) additional trees be planted, and PB member Cottrill was agreeable.

It was **MOVED** (Hollinger) and **SECONDED** (Cottrill) **THAT THE REQUEST TO REMOVE FIVE (5) LARGE WHITE PINES THAT DIED DUE TO DAMAGE INFLICTED DURING CONSTRUCTION OF A HOUSE AND DECK AND THAT ARE LOCATED WITHIN THE 50-FOOT BUFFER AT 89 SUNSET SHORES BE APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS: (1) STUMPS FROM THE FIVE (5) LARGE PINES MUST BE LEFT IN PLACE; (2) THE DEAD TREES MUST BE REMOVED FROM OUTSIDE THE 50-FOOT SETBACK; (3) ALL REPLACEMENT PLANTING MUST BE DONE BY HAND; (4) EACH OF THE FIVE PINES REMOVED MUST BE REPLACED A MINIMUM OF FOUR (4) BLUEBERRY BUSHES; (5) THREE (3) FIVE- TO SIX-FOOT TALL TREES MUST BE PLANTED IN THE 50-FOOT BUFFER, AND (6) PLANS FOR REPLACEMENT PLANTINGS MUST BE SUBMITTED. THE MOTION WAS APPROVED UNANIMOUSLY.**

VII. CAPITAL IMPROVEMENT PROGRAM (CIP)

Ken McWilliams advised the PB that the revisions made at the November 28, 2006 meeting of the PB had been incorporated and the document was ready for PB final review and approval.

Chair Ebel advised that PB members Hollinger and Cottrill were the PB's representatives on the CIP Committee.

PB member Clough questioned the revision to Table 12 and asked why the van for the recreation department had been removed. Mr. McWilliams responded that the PB had asked that the dollars be removed because of the lack of justification for the expenditure and that an explanatory note be added. He advised that the same approach had been used in regard to the library's request for a new furnace. He said that the dollars could be reinstated by the Budget Committee or by the Board of Selectmen. Chair Ebel advised that the PB opined that justification of an expenditure should precede allocation of any dollars.

PB member Cottrill said that at the third meeting of the CIP Committee, he had understood that Town Administrator Jessie Levine was going to advise the recreation director and the library that they needed to supply additional information to substantiate their requests. Mr. McWilliams advised that he had not attended the third meeting. He advised that Ms Levine had chaired that meeting.

Chair Ebel said that the PB had discussed the matter at the last three meetings and no additional information had been submitted yet. Ms Clough asked when the additional information should have been submitted. PB member Andrews responded that department heads needed to come to the CIP meetings prepared to justify their

requests. Mr. McWilliams explained that there was a lack of any cost estimates for replacing the furnace in the library. PB member Hollinger said that the recreation department request was made verbally. He opined that written requests contain necessary details. Ms Clough said that she needed to know how to advise those without CIP approval how to present future requests. Chair Ebel asked who ran the library. Ms Clough responded that the library was its own entity.

It was **MOVED** (Conly) and **SECONDED** (Andrews) **THAT THE 2007-2016 CAPITAL IMPROVEMENTS PROGRAM BE ADOPTED AS PRESENTED. THE MOTION WAS APPROVED UNANIMOUSLY.**

The cover sheet for the report was circulated for PB signatures.

VIII. CONTINUED DISCUSSION OF POSSIBLE AMENDMENTS TO THE NEW LONDON ZONING ORDINANCE

Ken McWilliams presented the revised zoning amendments for PB review.

AMENDMENT NO. 1: Article II General Provisions, Section 5. Height Regulation. PB approved.

AMENDMENT NO. 2: Article II General Provisions, Section 14. Temporary Ancillary Sales. PB approved.

AMENDMENT NO. 3: Article III Definitions – 123. Structure. PB approved.

AMENDMENT NO. 4: Article III Definitions - “Bedroom” – PB member Cook questioned stating “bathroom not accessed by passing through another bedroom”. She opined that such a situation was not uncommon in older houses. Zoning Administrator Peter Stanley stated that there needed to be a definition for the purpose of determining accurate septic system designs and to avoid “cheating”. Chair Ebel asked about the reference to windows. Mr. McWilliams responded that the windows reference was based on safety and fire egress. Fire Chief Peter Stanley advised that there needed to be a manner of window egress in the event of fire. PB member Cottrill asked if a building permit would be denied if there were no window in a bedroom. Zoning Administrator Stanley replied that it would. PB approved.

AMENDMENT NO. 5: Article XXV Enforcement, Section A. Authority, Paragraph 1. – Ken McWilliams advised that Bart Mayer, town counsel, had reviewed the proposed amendment and liked it. PB member Cottrill asked if “timely manner” should be defined. He asked if it should be defined as twice a month. Zoning Administrator Stanley responded that delegates would follow the procedure established by the Board of Selectmen. PB approved.

AMENDMENT NO. 6: Article II General Provisions, Section 15. Home Occupations/Home Businesses Ken McWilliams advised that he had taken a different approach and rather than defining the term “occupy”, he looked to see where the problem was in the regulations. As a result, the revision replaces “occupy” with “shall live in” in Article II. Section 15 Home Occupations/Home Businesses. Zoning Administrator Peter Stanley recommended changing “shall live in” to “shall have his domicile”. Mr. McWilliams said that he would make that revision. PB approved, as revised.

IX. OTHER BUSINESS

A. MINUTES of the HARBORVIEW SUBDIVISION SUBCOMMITTEE

PB members of the Harborview subdivision subcommittee **MOVED** (Ebel) and **SECONDED** (Conly) **THAT THE MINUTES OF THE NOVEMBER 27, 2006 MEETING OF THE PLANNING**

**BOARD SUBCOMMITTEE FOR THE PROPOSED HARBORVIEW SUBDIVISION IN
SUTTON WITH ACCESS VIA STONEHOUSE ROAD IN NEW LONDON BE
APPROVED AS DISTRIBUTED. The MOTION was APPROVED UNANIMOUSLY.**

B. MINUTES of the NOVEMBER 28, 2006 MEETING of the PLANNING BOARD were APPROVED, as circulated.

C. PROPOSED SNOW MAJOR SUBDIVISION (Tax Map 106, Lot 13)

Chair Ebel advised that the PB had received a letter from Eleanor and Walter Angoff of 64 Surrey Lane in regard to the major subdivision proposed by Harry Snow. She asked that it be distributed to the PB when the Snow subdivision is next on the PB agenda, and she recommended that a copy be sent to Mr. Snow.

D. KIDDER BUILDING LANDSCAPING PLAN (Tax Map 84, Lot 73)

Ken McWilliams displayed the landscaping plan that the municipal department heads approved for the Kidder building and provided a brief update.

The **MEETING** was **ADJOURNED** at **9:50 PM**.

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

DATE APPROVED _____

CHAIRMAN _____