

**NEW LONDON PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
March 28, 2006**

PRESENT: Sue Ellen Andrews, Dale Conly, Celeste Cook, Sue Clough (Selectmen's Representative), Ken McWilliams (Planner).

ABSENT: Karen Ebel (Chairman), Tom Cottrill, Jeff Hollinger

Chair pro tem Andrews called the **MEETING TO ORDER** at 7:30 PM.

I. CONSTANCE GRANGER – Final Minor Subdivision: 2 Lots (Tax Map 61, Lot 14)

Douglas Sweet (Bristol, Sweet & Associates, Inc.) accompanied Constance and James Granger. Mr. Sweet advised that the Grangers wished to divide Lot 14 containing 46 acres into two lots: one lot containing 6.67 acres and an existing house and one lot containing the remaining 40 acres. A plan for the proposed subdivision was presented for PB review.

Mr. Sweet advised that a topographic map showing two-foot contours and HISS mapping of almost all of the property had been submitted. He said that the Grangers were seeking a waiver of the requirement to conduct a test pit on Lot 1. He advised that Lot 1 would include the existing house with a working sewerage disposal system and that the 6.67 acres would provide ample area to construct a replacement system. He said that the plans displayed the test pit on Lot 2. Mr. Sweet pointed out that the plan contained a note regarding compliance with recently adopted zoning regulations relating to steep slopes and wetlands. He said that the proposed access from Lot 2 out to Pleasant Street had been moved down approximately 50 feet to widen access off Pleasant Street. He advised that municipal department heads had recommended including more detail on the point of access; therefore, the plan included a close-up view of the point at which access meets Pleasant Street. Mr. Sweet also pointed out that wetlands were depicted on the plan.

Chairman pro tem Andrews asked if the municipal department heads had identified any issues relating to the proposed subdivision. Ken McWilliams replied that the department heads had not reviewed the plans again. He said that he saw no problem with the requested waiver.

It was **MOVED** (Clough) and **SECONDED** (Cook) **THAT THE REQUEST FOR A WAIVER OF THE REQUIREMENT FOR A TEST PIT ON LOT 1 BE APPROVED AS PRESENTED. THE MOTION WAS APPROVED UNANIMOUSLY.**

It was **MOVED** (Clough) and **SECONDED** (Cook) **THAT THE APPLICATION FOR A MINOR SUBDIVISION OF TAX MAP 61, LOT 14 BE DEEMED COMPLETE INASMUCH AS ALL REQUIREMENTS IN SECTION V., ARTICLE B. OF THE LAND SUBDIVISION CONTROL REGULATIONS HAVE BEEN MET. THE MOTION WAS APPROVED UNANIMOUSLY.**

Chair pro tem Andrews asked if there were any abutters present. There were none at that time. PB member Cook asked if the Grangers would be constructing a road now or would road construction be deferred until the property was sold. Mr. Sweet replied that the buyer would probably put in the drive. PB member Clough said that the subdivision simply separates the homestead from the remainder of the property. Mr. Sweet said that was correct. Ms Cook said that there was ledge in the area where the drive would be located and asked if blasting would be needed. Mr. Sweet replied that blasting would be needed if the buyer decided to build the drive in the location indicated on the plan.

Abutters Konopka and Irving arrived during deliberation and were invited to view the plans. A brief summary of the PB's discussion was given for their benefit.

It was **MOVED** (Conly) and **SECONDED** (Clough) **THAT THE FINAL MINOR SUBDIVISION – TWO LOTS OF TAX MAP 61, LOT 14, BE APPROVED AS PRESENTED BY CONSTANCE GRANGER. THE MOTION WAS APPROVED UNANIMOUSLY.**

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

II. SARAH H. & THEODORE S. BACON, JR. – Voluntary Merger of Lots of Record (Tax Map 50, Lots 9 & 15)

Ken McWilliams reminded the PB that it had approved a Voluntary Merger of Lots of Record for Tax Map 50, Lots 9 and 15, owned by Sarah H. and Theodore S. Bacon, Jr., at the March 14, 2006 meeting. After explaining that the original form signed by the PB had been lost, he presented a duplicate Merger of Lots of Record form for PB signatures and forwarding to the Merrimack County Registry of Deeds.

It was **MOVED** (Cook) and **SECONDED** (Clough) **THAT THE DUPLICATE VOLUNTARY MERGER OF LOTS OF RECORD FORM FOR TAX MAP 50, LOTS 9 AND 15, BE CIRCULATED FOR SIGNATURE BY THE PB AND BE FORWARDED TO THE MERRIMACK COUNTY REGISTRY OF DEEDS. THE MOTION WAS APPROVED UNANIMOUSLY.**

III. DANCY, TAPPEN, & HOPWOOD – Final Annexation Plan (Tax Map 76, Lots 10, 12, 13, & 22)

Ken McWilliams stated that Mr. Dancy had contacted him to advise that the ownership of the Hopwood property was not the William T. and Jane T. Hopwood Trust as noted on the mylar signed by the PB on March 14, 2006; rather, the property was owned by the Hopwoods outright. Mr. McWilliams said that Mr. Dancy had made this discovery while straightening out the deeds for the final annexation plan and had delivered a revised mylar showing the correct ownership.

It was **MOVED** (Cook) and **SECONDED** (Conly) **TO APPROVE THE SIGNING OF A NEW MYLAR SHOWING THE CORRECT OWNERSHIP OF THE HOPWOOD PROPERTY IN THE DANCY, TAPPEN, & HOPWOOD FINAL ANNEXATION PLAN. THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. McWilliams presented the revised mylar for PB signatures and forwarding to the Merrimack County Registry of Deeds by the Town of New London.

IV. DRS. PHIPPS, BAKER, & GUTGSELL – Conceptual Site Plan Review: Dental Office (Tax Map 84, Lot 55)

Ken McWilliams announced that the dentists now planned to come before the PB for a Preliminary Site Plan Review on April 11, 2006. He said that town counsel had been consulted and had advised that the dentists did not need a Zoning Board of Adjustment Variance for the easement.

Zoning Administrator Peter Stanley advised that the right-of-way was substantially closer to the McSwiney property than previously believed, but the paving would need to move only slightly to make the right-of-way 18-foot wide. It was noted that the town right-of-way and the road placement do not agree. The road could be reconstructed. Mr. McWilliams advised that the dentists could petition the Board of Selectmen to re-lay the road and obtain an easement from McSwiney; therefore, a ZBA Variance would not be necessary. He said that since no Variance is needed, the dentists can come directly to the PB with a Preliminary Site Plan.

V. HEAD-IN PARKING ALONG MAIN STREET

Zoning Administrator Peter Stanley said that Town Administrator Jessie Levine had asked him to seek guidance from the PB regarding head-in parking at three sites on Main Street located in areas where additional sidewalks are planned.

Zoning Administrator Stanley advised the PB that Main Street is a State road and that the State does not allow head-in parking along its roads. He said, however, that the State does not enforce its own rules. He said that, if the Town of New London could get the NH DOT to disallow all head-in parking spots, Ms Levine wanted to know if the PB would be willing to waive the on-site parking requirements for three businesses (Lemon Twist, Foremost Builders, and McSwiney, Semple, Hankin-Birke, & Wood, P.C.) until such future time as they might come up for a Site Plan Review. Mr. Stanley advised that there would be some parallel parking allowed along the sidewalks, but the number of parallel parking spaces would be fewer than the existing number of head-in parking spaces. He added that the parking policy would have an impact on the sidewalk plans.

Discussion ensued regarding the availability of parking behind the businesses in question. PB member Clough said that the property behind the Lemon Twist might be subject to a deed restriction that would prevent its ever being used for parking. PB member Cook opined that eliminating head-in parking at the three locations would make the town look better, but it would have a negative impact on the three businesses. PB members Andrews and Clough agreed. Ms Cook and Ms Andrews were especially concerned about the impact on Lemon Twist. They opined that potential customers would not park at Pizza Chef and walk up to Lemon Twist.

PB member Cook asked if Michael Todd had not previously discussed with the PB the issue of parking at the rear of Foremost Builders. Ken McWilliams responded that Mr. Todd had discussed the matter with the PB, but he had never returned with a parking plan. PB member Clough asked if the PB had any way to call people back if they did not voluntarily return as advised by the PB. Zoning Administrator Stanley stated that he would have to review the PB Minutes to determine if a violation had occurred. All agreed that the area around Foremost Builders was very busy.

Ken McWilliams advised that the McSwiney property would be involved in a Site Plan Review for a proposed conversion of Tax Map 84, Lot 55 to dental offices. PB member Clough said that she was reluctant to turn the rear of properties abutting residential neighborhoods into parking lots and that she would be concerned about the potential multiplicity of curb cuts from every little business along Main Street. Mr. McWilliams opined that it was too bad that there was no traffic circulation behind the businesses. Zoning Administrator Stanley stated that each curb cut would have to comply with sight distance standards and that compliance could eliminate additional parking spaces.

Zoning Administrator Stanley said that he thought the sense of the PB was not in favor of "grandfathering" the three businesses mentioned. Mr. McWilliams and Chair pro tem Andrews both responded that the PB needed some time to think about the matter. They also opined that the absent PB members should have an opportunity to consider the matter.

VI. DISCUSSION OF PROCESS & SCHEDULE FOR MASTER PLAN UPDATE

Ken McWilliams announced that the discussion of the Master Plan Update process and schedule would be deferred until April 11 when the full PB would be in attendance.

VII. OTHER BUSINESS

- A. The MINUTES of the MARCH 14, 2006 meeting were APPROVED, as amended.
- B. ALTERNATE PB MEMBERS: The PB briefly discussed the process for participation of Board of Selectmen appointed alternates to the PB in instances of PB member recusal or absence. Ken McWilliams explained that an alternate member to the PB must participate fully, i.e., attend all meetings and familiarize

himself/herself with the records. He added that the alternate must step down when the regular voting PB member returns. He said that it was possible that an alternate might never have the opportunity to sit in or vote on any matter.

The **MEETING** was **ADJOURNED** at **8:15 PM**.

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

DATE APPROVED _____

CHAIRMAN _____