

**NEW LONDON PLANNING BOARD  
REGULAR MEETING & PUBLIC HEARING  
NOVEMBER 29, 2005**

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PRESENT: Karen Ebel (Chairman), Dale Conly, Tom Cottrill, Sue Clough (Selectmen's Representative), and Kenneth McWilliams (Planner).

ABSENT: Sue Ellen Andrews, Celeste Cook, Jeff Hollinger

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

**I. RICHARD DUTTON – Conceptual Review of an Affordable Housing Project**

Richard Dutton introduced Connie Appel, President, and Marybeth Angeli, Vice-President, of the Kearsarge/Lake Sunapee Housing Coalition, and Robert Bryant, Director of Twin Pines Housing in Lebanon.

Connie Appel stated that the committee on workforce housing began meeting several years ago to educate themselves and to look into the availability of housing in the Kearsarge-Lake Sunapee area. She said that they all care deeply about the community and who lives here, what they stand for, the appearance, etc. Ms Appel advised that the committee, because of the geographical location of the area served, could have allied itself either with Twin Pines in Lebanon or with CATCH in Concord. She said that the committee had elected to ally itself with Twin Pines in Lebanon because that agency's director, Robert Bryant, lives in the area. She then introduced Mr. Bryant for further remarks.

Robert Bryant stated that Twin Pines Housing has created 175 units, including 30 single-family homes, of low to moderate income housing. He said that the guideline used is that no more than 30% of family income should be required to cover mortgage/rental payments, insurance, and taxes. He stated that the project began with eight units in Bridgewater, Vermont and then moved on to Lebanon, New Hampshire. He advised that HUD (U. S. Housing & Urban Development) guidelines are used to determine eligibility for housing. He said that 99.9% of the residents work and rent the housing. He stated that 30 of the 175 units were single-family homes for which the owners had obtained assistance to purchase.

Mr. Bryant said that Twin Pines is developing 120 units of mixed housing: 40 units will be apartments, 20 will be single family homes, and the remainder of the units will be made available at market rates. He advised that the town of Hanover had given 25 acres to Twin Pines Housing for the project. He said that the units would be one- to three-bedroom duplexes and that Twin Pines will own the land under the houses by means of deed covenants in order to guarantee that the housing will be available "in perpetuity". Mr. Bryant advised that rental fees would range from \$300 to \$600, single-family homes would sell for \$150,000-\$175,000, and market value of the remainder would be \$225,000-\$250,000. He stated that a similar development of 38 units in Woodstock, Vermont had been completed at a cost of \$500,000. Mr. Bryant said that Twin Pines receives financing through federal tax credits and donations of land.

Mr. Bryant said that the coalition is concerned about the growing need for workforce housing in light of the fact that the 11% increase in wages has not kept pace with the 37% increase in housing costs in New London. He stated that the committee had received support from local agencies and the UVLSRPC, which did a study six years ago and updates it biennially. The proposal under consideration would be for one- to four-bedroom units, with two bedrooms being typical, and would be scaled to the community. He called attention to samples posted at the rear of the room. Mr. Bryant advised that the proposed site would be accessible to municipal water and sewer service and the units would be taxable. He said that the projection in Merrimack County is 1.4 children per unit. In Claremont, he stated, there commonly was one adult and two children. Mr. Bryant stated that there must be a minimum of 15 units in order to achieve economy of scale. He advised that the coalition wanted to get a sense of the PB and the community regarding the support for workforce housing.

Chair Ebel asked how zoning issues had been handled in other towns. Mr. Bryant answered "with difficulty". He described the Woodstock project that was built on property that could support 87 units; however, Twin Pines had been limited to 36 units. In Hanover, he said, the issue went to town meeting to get a zoning change to allow affordable housing. He noted that a proposed site in New London was now zoned for one unit on two acres. He said that it would be possible to scatter site development throughout the town, but Twin Pines would prefer to do it all on one site. Chair Ebel opined that one does not build the community support by getting a

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variance to zoning regulations that one gets through long-term changes in the zoning regulations. She suggested that the group proceed on a slower track by building consensus in the community.

PB member Cottrill asked how involved the group gets in town governments where the units are built. Mr. Bryant replied that Twin Pines would do a traffic study, a market study, and environmental studies (in Vermont, Act 250 requires any development over 10 units to do an environmental impact study), and he described experiences in other towns. Mr. Cottrill asked how Twin Pines regulates the sales to incorporate increases in property value. Mr. Bryant replied that the covenant requires an appraisal at the time of purchase and another appraisal at the time of sale. The homeowner may recoup the original purchase price plus 25% of any increase. Any increase in value remains with the house. Mr. Cottrill asked if the percentage of increase was based upon the Consumer price Index (CPI). Mr. Bryant replied in the negative and stated that using the CPI would not work for perpetual affordability. Mr. Cottrill asked if the apartments would be rented or condominiums. Mr. Bryant replied that they would be rentals and rents would be based upon HUD guidelines. He said that the intent would be to set rental fees that meet maintenance obligations (cover fuel, taxes, insurance) and still remain affordable. Mr. Cottrill asked what would happen if a family's income should improve beyond the level in the guidelines. Would the family have to move? Mr. Bryant replied that Twin Pines does obtain income updates; however, it does not evict families if their financial circumstances improve. In fact, he said, Twin Pines is happy to see a family improve its circumstances.

PB member Conly asked how Twin Pines attracts mixed income groups, and he opined that those situations seemed to be the most successful. Mr. Bryant replied that Hanover, where Twin Pines is developing 10 units at market rates and 14 at affordable rates, is the only mixed project now. He said that it is difficult in a rural area, and that there can be no discrimination in marketing. He added that Twin Pines now maintains a waiting list. Mr. Bryant said that Twin Pines asks the town what it wishes for residents.

PB member Cottrill asked if the committee had done any market study. Mr. Bryant replied that Ms Appel and Mr. Dutton had canvassed Colby-Sawyer College and New London Hospital a couple of years ago. He advised that a formal study would be conducted if the concept of affordable housing were to be approved/acceptable. PB member Clough opined that New London was receptive to the concept. She suggested that the site and zoning of the site might be more difficult than the concept. She asked how Twin Pines had helped towns with re-zoning without spot-zoning results. Mr. Bryant replied that it would be necessary to determine the need and to incorporate changes into the Master Plan.

Ms Clough asked if a town had ever selected a plot of land for the purpose of affordable housing and assisted in making the land available. Mr. Bryant replied that what she described was exactly what had happened in Hanover. He described similar situations in Enfield and Norwich. Ms Clough asked if the towns had purchased the land for Twin Pines. Mr. Bryant replied in the negative and stated that the Hanover land had earlier been donated to Dartmouth Hitchcock Medical Center (DHMC). The plot available for affordable housing was the less desirable portion of the property, a reclaimed landfill, not used by DHMC.

PB member Clough asked if the proposal was for mixed-income housing or for workforce housing. Mr. Bryant replied that the goal is always for mixed-income housing. He said that "it's a process" and the committee wanted input from the town. PB member Cottrill asked if the proposal was for mixed-income instead of workforce. Mr. Bryant replied that mixed income included workforce. Mr. Cottrill opined that New London would want young families, as it already has many older residents. He asked if there were any similar initiatives in any of the surrounding towns. Mr. Bryant responded that the committee was looking into surrounding towns and would be visiting those planning boards. He advised that the committee needs to determine the acceptance of and need for affordable housing before focusing on a specific site; although a possible site has come to the coalition's attention. He added that Twin Pines would not want to build affordable housing at the risk of alienating the community.

Chair Ebel asked how the advent of affordable housing would affect property values and property taxes. She asked if the 1.5 children projected was a local demographic. She also asked about the citation of the 1988 California study of no impact on property values in the brochure provided with their materials. She said that seemed like a dated number in an area quite unlike New London. She advised that questions about property

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values and taxes were the most frequently asked questions. Mr. Bryant replied that statewide the projection is .4 children per unit; whereas in Merrimack County, the projection is 1.4 children per unit. He said that the impact on taxes depended upon the host town. He also said that it was very difficult to convince neighbors that property values won't be negatively impacted over the long term. Chair Ebel asked if New London was preferable to other towns. Mr. Bryant replied that New London is the employment center of the area and also has town water and town sewer; however, those positives may not outweigh the cost of the land. Chair Ebel asked if any of the outlying towns had municipal water and sewer. Mr. Bryant replied that only Sunapee offered those services and that this was a significant issue.

PB member Cottrill asked what the target was for affordable housing based upon the informal study – New London or the Kearsarge Regional School District. Mr. Dutton responded that the coalition had spoken with Colby-Sawyer College, New London Hospital, and Cricenti's Market to determine the number of employees with incomes that fell within the HUD guidelines and the number living in New London. Chair Ebel asked if any of those three employers had indicated that it had had difficulty getting employees. She stated that part of the argument to provide workforce housing is usually to create an employment pool. Mr. Dutton and Ms Appel replied that none had reported difficulty. Ms Angeli, a realtor, stated that she had originally had listings under \$150,000; however, in the past ten years, prices of real estate have been rising and now prices begin at \$250,000. She advised that people "on call" cannot find housing and the realtors cannot serve them because there are no listings within their affordability range. Fire Chief Peter Stanley advised that the approximately 50% of the firemen live in New London and 50% live elsewhere. Mr. Bryant stated that there may not be a problem getting employees in New London, but many would like to live closer to their place of employment. He suggested that it might be more of a problem in a wider area where more maintenance is required, e.g., Timken. Mr. Cottrill questioned a statement about the lack of affordable in Lebanon. Mr. Bryant replied that Lebanon is now what Hanover was five years ago. Mr. Cottrill asked what the number of available homes in New London is according to Ms Angeli. Ms Angeli replied that listings under \$200,000 were very scarce, and estimated that there were approximately seven.

Ken McWilliams addressed an earlier reference to "spot zoning". He advised that the piece of property that might be available to the coalition is contiguous to the R-1 District; therefore, re-zoning the property would only be extending a zone district, not "spot zoning". He stated that the R-1 District permits one unit/10,000 square feet or four units/acre. He advised that the PB's Master Plan update should include a review of the areas around the village areas to see if R-1 zoning should be extended. Allen McDonald opined that the problem extends throughout the state and could be a problem for New London. Roger Wells, a property owner whose land adjoins the possible site, stated that he was very supportive of the endeavor. He advised that his mother now resides in a house on the adjoining property; however, it was very difficult to find anything available when they were looking for real estate. He also mentioned that his son had recently moved back into the area and could find nothing available in New London. Both he and his son now reside in Sutton.

PB member Clough asked if rehabilitation of properties or sites elsewhere would not provide economy of scale. Mr. Cottrill reminded her that a minimum of 15 units would be needed. Mr. Bryant advised that Twin Pines had only one project running at a loss and that was a three-unit rehabilitated property that was not paying expenses with affordable rents. He stated that new construction was preferable and that Twin Pines would want to rehabilitate no less than six units. Ms Clough asked if the coalition had had any discussions with the Kearsarge Regional School District about the future use of the middle school building in the event that the location of the middle school changes. Mr. Dutton replied that the coalition was open to possibilities, but the time factor might be an issue.

PB member Clough asked if, when town support was mentioned, there had been discussions regarding other efforts, for example the Ausbon Sargent Land Preservation Trust (ASLPT). Mr. Bryant described donations and said that Lake Sunapee Bank had secured \$2,000 in land grant bank funds for developmental costs.

After consulting with the PB members, Chair Ebel opined that the sense of the PB was that the coalition should also discuss the matter with other towns in the area. She suggested that the group not to follow the variance route, but instead build support for the project first. She added that she would like to include the issue of affordable housing in the Master Plan discussion; however, updating the Master Plan would take approximately

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two years. She said that she wasn't sure the group would want to wait that long. Chair Ebel said that the PB needs to pursue and investigate the affordable housing issue.

Chair Ebel encouraged the coalition to participate in future meetings relating to the Master Plan update. PB member Clough also encouraged Master Plan involvement and public discussion. Ms Appel responded that the existing Master Plan speaks strongly in favor of affordable housing. Ms Clough opined that the Master Plan supports the concept; however, the concept needs to be translated into policy. Chair Ebel acknowledged that the affordable housing issue was already in the 1998 Master Plan and read the recommendation re increasing the housing density in areas with public water and sewer. Mr. Dutton asked how the coalition should go about building community support. Chair Ebel suggested that one way would be for the PB to put members on the Master Plan update committees.

Ken McWilliams advised that the issue could be included in Master Plan update discussions or the matter could be addressed sooner by means of zoning amendments, not in 2006 because those amendments are well under way, but in the following year. In the meantime, the coalition could hold meetings and discussions to raise public awareness. Roger Wells asked what the PB policy was for citizens to propose amendments to be placed on the warrant. Mr. McWilliams advised that the PB has authority to propose amendments. He also advised that 25 or more citizens may submit a proposed amendment to the Board of Selectmen 90-110 days before the annual town meeting. The PB would hold hearings on the proposed amendment and would add a notation on the warrant regarding PB support or non-support of the proposed amendment.

PB member Cottrill opined that affordable housing in any of the surrounding towns would impact on New London more than it would impact any other town, i.e., the infrastructure would be strained. He advised the coalition that, if a developer presented a similar proposal, the PB would investigate the proposal very thoroughly. Chair Ebel inquired as to the population of other towns where Twin Pines had constructed affordable housing. Mr. Bryant replied that both Woodstock and Norwich had populations of approximately 4,000.

Dick Dutton advised that the coalition was looking for both long-term and immediate ways to address the issue. He said that the coalition would hate to wait two to three years for resolution. He asked for the PB's help in looking for land in the R-1 District.

PB member Cottrill opined that the coalition would need to talk with prospective neighbors and build support for workforce housing before settling on a property. Ms Appel replied that the coalition had met with abutters of the site being considered. Lots of public forums are needed to reach out to the community.

Chair Ebel asked if the property under consideration contained any wetlands. Mr. McWilliams replied that Zoning Administrator Stanley had said that one corner was wet. Mr. Bryant stated that the coalition housing could stay away from the wetland and still be okay. Mr. Wells stated that the coalition believed that the property could accommodate multi-family housing. Mr. McWilliams advised that the presence of wetlands would exacerbate the density issue on that particular property.

**II. LEO MASLAN / ELIZABETH GRAHAM TRUST PROPERTY – Tree Cutting Request  
(Tax Map 82, Lot 25)**

Leo Maslan presented a request for selective thinning of approximately 28 acres of woodland. He advised that the current stocking level ranges from 90 to 140 square feet of basal area per acre. He proposed cutting ice-damaged trees, pulp wood, and white pines, the latter to generate income, and cleaning up the wood lot. The PB was shown a photograph of the area where the cutting would cross the stream buffer. He described the density of the basal area as 125 square feet/acre. Mr. Maslan advised that he plans to put in the crossings as soon as cold weather arrives and would be using an existing driveway and landing on an adjoining property; thereby eliminating the need to create an additional driveway and clearing along Columbus Avenue. He stated that he wanted to maintain the aesthetics of Columbus Avenue. Mr. Maslan advised that the crossings would probably be put in by Brian Carey.

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Chair Ebel asked how much invasion of the buffer area there would be. Mr. Maslan replied that the invasion would involve one crossing and an estimated 150 feet along the stream. He stated that he would leave all trees located along the stream bank. He advised that there was an existing crossing with skid trails on either side.

Chair Ebel expressed concern that the PB was being asked to approve something with no familiarity with the site. She inquired as to whether a Special Exception would be required to cross the stream. Zoning Administrator Stanley explained the circumstances under which stream crossings are permitted. Discussion ensued regarding the location of the property and the stream on the property. Zoning Administrator Stanley retrieved from the files an aerial view of the area to assist the PB in its deliberation.

PB member Clough observed that Mr. Maslan planned to cut some of the ice-damaged trees. She asked if the entire parcel contained 28 acres or if the area to be logged was 28 acres of a larger parcel. Mr. Maslan replied that he would be logging 20 acres of a 28-acre parcel. Ms Clough said that it seemed as if he would be traveling over the stream for a very short time and asked if that was correct. Mr. Maslan responded that he would only travel over the stream for five days. He added that he did not want to disturb the view.

Chair Ebel said that the PB has never approved cutting in a stream buffer to this extent and opined that there was not enough specific information available in this instance for the PB to do so now. Mr. Maslan replied that he had tried to duplicate the materials that he submitted at an earlier date for cutting on the Bucklin property. PB member Cottrill asked which of the items, a. or b., under Article XXII, Section D. 3. applied to the issue under discussion. Zoning Administrator Stanley replied that Mr. Maslan would not be clearing the area; rather, he would be cutting with intent to allow re-growth. Chair Ebel opined that the PB needed to know what trees would be cut when approval was being sought to cut trees within the buffer along a stream. She said that the requested approval was like the approval of cutting in the shore land context and the trees to be cut needed to be specified; otherwise, the approval would not be based on anything other than Mr. Maslan's representation as to what would be cut. Chair Ebel did not think that, in those circumstances, the PB would be doing its job under the regulation.

Ken McWilliams agreed that the requirements for cutting in the stream buffer should parallel those in the shore land buffer. He said that Mr. Maslan had indicated that he could identify the trees to be cut. Mr. McWilliams opined that Mr. Maslan should submit information that would include the identity of trees to be cut, the number of trees to be cut, and in what area of the stream buffer cutting would take place. PB member Clough asked if Mr. Maslan were to walk the area with a knowledgeable official, could the PB approve the request contingent upon receipt of a cutting/clearing plan developed with the expertise of the Conservation Commission. Zoning Administrator Stanley recommended reliance on best forest management practices. Mr. Maslan expressed surprise and disappointment at this result because the Conservation Commission had indicated that this degree of specificity was not required. Chair Ebel apologized for the confusion, but hoped Mr. Maslan understood that this was the PB interpretation of the pertinent regulation and that the PB interpretation prevailed.

PB member Cottrill opined that the PB should have a plan similar to the one included in the application to cut within the shore land buffer area. Chair Ebel advised that the PB could not approve a plan unseen. She further advised that the PB usually has an application constructed with the aid of the Conservation Commission for review. Mr. Cottrill said that usually the map shows all the trees and identifies those to be removed. Chair Ebel advised that the map need not show all the trees, only those to be removed. Mr. McWilliams pointed out that Mr. Maslan had given the basal area measurement. Chair Ebel asked how many trees would be cut. Mr. Maslan replied 25-50. He said he had gotten approval from the Conservation Commission and was willing to selectively mark and ribbon trees located within the buffer. He advised that a 28-acre lot is already a minimal size economically and any income would come from the white pine that would be cut in order for the project to make economic sense.

PB member Cottrill suggested sending the Zoning Administrator and the Conservation Commission out with Mr. Maslan. The Chair of the Conservation Commission could then make a recommendation and, if the PB was not comfortable with that recommendation, the PB could delegate PB member Conly to go out with Mr. Maslan and report back to the full PB. Mr. Cottrill asked when Mr. Maslan wanted to start cutting. Mr. Maslan replied that he needed to do the landing before the ground freezes, approximately December 15. He said that he would

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not invest in the site without PB approval. Chair Ebel advised that the PB only wants a plan to review. Zoning Administrator Stanley said that the PB wants to know what is being cut within the 100-foot stream buffer. He stated that it is a permitted use and noted that Mr. Maslan has a stream crossing permit issued by the state. Mr. Stanley advised that the PB does not want cutting to destroy the “under-story”, which he described as “already not dense”

It was agreed that Mr. Maslan would return to the PB with a cutting plan on Tuesday, December 13.

**III. NEW LONDON SHOPPING CENTER – Certificate of Occupancy (Tax Map 59, Lot 8)**

Philip Hastings (Cleveland, Waters and Bass, P.A.) and Mark Dufton (NH Super, LLC) appeared on behalf of NH Super, LLC, owner of the New London Shopping Center, to request a waiver from the requirement of Article XII of the Site Plan Review Regulations that a Certificate of Occupancy be issued with respect to certain improvements to the former Cricenti’s Market constructed in 2003.

Attorney Hastings advised that, in connection with the potential sale of the property, the owner has been requested to provide a copy of a Certificate of Occupancy for the Improvements or evidence that a Certificate of Occupancy was not required. He opined that obtaining a Certificate of Occupancy at this time for the 2003 improvements that were approved by the PB in 2002 and for which a building permit was issued in October 2002 would entail substantial practical difficulty and hardship for the owner. He stated that at the time the Building Permit was issued, a Certificate of Occupancy was not required; however, subsequently, the regulations were changed to include a requirement for a Certificate of Occupancy. He said that the Building Permit did not indicate that a Certificate of Occupancy would be needed and that the prior owner had been told by the Town Administrator’s Office that a Certificate of Occupancy was not required by the Town. Attorney Hastings advised the PB that the current owner would face cost and timing hardships if required to obtain a Certificate of Occupancy two years after completion of the approved improvements. Mr. Dufton added that he was trying to sell the property before year’s end. He said that he has a buyer ready and willing to close on the sale. He assured the PB that there was no intent to avoid the requirement.

Jessie Levine, New London Town Administrator, and Peter Stanley, New London Zoning Administrator, both stated that a Certificate of Occupancy was required in the Site Plan Review Regulations, whether or not the requirement was noted on the Building Permit, at the time the improvements were made. Ms Levine responded that the time hardship would fall upon the town as it is the town employees who must conduct any inspection.

Attorney Hastings read from a 2003 letter written by Attorney Graham McSwiney (McSwiney, Semple, Bowers & Wise, P.C.) advising that upon consulting with the town administrator, no inspection or certificate would be required upon completion of the improvements. Attorney Hastings requested a waiver of the requirement for the reasons stated.

Ms Levine spoke in opposition to the PB granting a waiver. She advised that she wants the owner to apply for a Certificate of Occupancy. She stated that there have been issues with the tenant, Hannaford, regarding the covered passageway being used for cart storage and the location of cart corrals in places other than those approved during Site Plan Review (SPR). Mr. Dufton responded that Hannaford had made changes to the site without authorization. Attorney Hastings opined that the Hannaford changes were not relevant. Ms Levine replied that the illegal changes must be corrected.

Zoning Administrator Stanley stated that he had suggested the waiver route as a way to resolve the Certificate of Occupancy issue. Ms Levine stated that the SPR regulations state the requirement for a Certificate of Occupancy, whether or not the box on the Building Permit is checked. She said that it is a town-wide problem whenever parties are occupying the building when improvements are being made.

Chair Ebel asked if there was any reason why the department heads could not do the inspection within the next two weeks. Ms Levine replied that the only problem would be if the site was not in compliance. Attorney Hastings asked if the PB could issue a Certificate of Occupancy for the building and not the entire site. Ken McWilliams replied that the two could not be separated. He advised that the site is one entity and that the SPR

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was for the entire site. He also advised that the PB had accommodated Mr. Cricenti on his using the building during renovation and on the parking requirement; however, the modified site plan approved by the PB requires a Certificate of Occupancy. Mr. Dufton stated that Hannaford would resolve the cart issues and asked about building inspections. Ms Levine replied that the number of departments would be limited to the Fire Department, the Highway Department, the Water System Precinct, and the Sewer Commission. It was suggested that a Certificate of Occupancy could be issued contingent upon the building passing inspection and completion of other requirements. Mr. McWilliams advised that the PB could require bonding until all requirements have been met. He advised that Richard Lee, Town Road Agent, had issues with regard to parking. Mr. Lee would require return of the handicapped accessible parking spaces and relocation of the shopping cart storage and corrals or bonding for uncompleted items. Fire Chief Peter Stanley advised that the building would not pass inspection because of the products that are placed in front of exits.

Zoning Administrator Stanley stated that in 2003 the building was in compliance, the site was in compliance in 2003; now it is in violation. He also advised New London did not pick up on all of the required Certificates of Occupancy at that time; therefore, he suggested that NH Super, LLC request a waiver of the requirement.

After conferring with other members of the PB, Chair Ebel advised that, by consensus, the PB was not inclined to grant a waiver of the Certificate of Occupancy requirement. She further advised that the town needs to expedite the inspections, the site needs to be brought into compliance, and there should be a bond for any unfinished items.

**IV. CONTINUED REVIEW & DISCUSSION OF ZONING AMENDMENTS FOR BALLOT VOTE AT THE 2006 TOWN MEETING**

Ken McWilliams led discussion of the proposed amendments that had been revised to incorporate suggestions made by the PB at its November 8 meeting...

Amendment 1: Approved by consensus.

Amendment 2: Deleted. The issue will be addressed at a later date.

Amendment 3: Approved by consensus.

Amendment 4: Approved by consensus.

Amendment 5: Article XXII Streams Conservation Overlay District. Town Administrator Jessie Levine would like new paragraph J. Erosion and Sediment Control Plan. Part b. broken out more and re-arranged. Chair Ebel advised that the language was the same as that used in the Shore Land Overlay District regulation. She hadn't thought that the PB was proposing to amend that regulation; however, Mr. McWilliams advised that there would be an amendment to revise the comparable portion of the Shore Land Overlay District regulations. Mr. McWilliams also advised that new paragraph K had been reworded and the RSA citation had been verified. He noted that the percentage differed from that in the existing regulation. PB member Clough asked if the Effect on Minimum Lot Size/Density would apply to all districts. Mr. McWilliams replied in the affirmative. He agreed to reorganize Part b. of new paragraph J and said that he would contact Ms Levine.

Amendment 6: Article XIII Wetlands Conservation Overlay District. PB member Clough questioned including the statement "if plan is approved by the Board of Selectmen" in proposed C. (2). Mr. McWilliams agreed to revise the erosion control section of the proposed amendment in the same way as noted in Amendment 5. He advised that he had combined all Wetlands issues under discussion in one proposed amendment; however, they could be separated. PB member Clough suggested waiting for public comment before making that change. Mr. McWilliams agreed to wait until after the first public hearing. Ms Clough asked how much development has been done on slopes. Mr. McWilliams cited the current regulation and said that the amendment would require an erosion control plan. He also advised that the amount of wetlands that may be credited toward lot size would be modified to "0" or "50%".

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Amendment 7: Discussion ensued about the presentation of information in the proposed amendment to Article III. Definitions. PB member Clough recommended that the items contained in Building Maintenance be listed. Town Administrator Levine recommended the elimination of “and any other work not requiring a Building Permit” at the end of that paragraph.

Amendment 8: Ken McWilliams said that he would reword the amendment to agree with proposed Amendments 5 and 6.

**VII. BETH GREENAWALT – Tree Cutting Request**

**(Tax Map 105, Lot 17)**

PB member Conly presented a request submitted by Gavin Campbell on behalf of the Greenawalt family to cut a white pine located within the 50-foot buffer at 185 Forest Acres Road. The parties involved agree to plant several high bush blueberry bushes as replacements. Mr. Conly advised that the property owners were taking down a cabin without a basement and building a house with a foundation; in fact the cabin has been removed. He stated that the white pine is alive; however, the root structure will be heavily damaged when the foundation is dug. He recommended approval of the request.

It was **MOVED** (Clough) and **SECONDED** (Cottrill) to **APPROVE THE REQUEST TO REMOVE ONE LIVE WHITE PINE LOCATED IN THE 50-FOOT BUFFER AT 185 FOREST ACRES ROAD (TAX MAP 105, LOT 17), CONTINGENT UPON THE AGREEMENT TO PLANT SEVERAL HIGH-BUSH BLUEBERRY BUSHES AS A REPLACEMENT.** The **MOTION** was **APPROVED UNANIMOUSLY.**

**VII. OTHER BUSINESS**

- A.** Ken McWilliams called the PB's attention to several items:
  - 1. Copies of the final Capital Improvements Program distributed at the meeting.
  - 2. Proposed Regional Plan Amendment re Housing, a new Housing Chapter, and Upper Valley Housing Needs Analysis. He advised that Tara Bamford (UVLSRPC) would e-mail the documents to PB members.
  - 3. NH Housing Finance Authority Article "De-constructing the Myths: Housing Development Versus School Costs" provided to PB members earlier.
  - 4. UVLSRPC Annual Report for FY 2005
  
- B.** Chair Ebel advised the PB that Putnam's Appeal to the Zoning Board of Adjustment was scheduled for December 12. She stated that Town Administrator Jessie Levine and Zoning Administrator Peter Stanley would be unable to attend the hearing; however, she would attend. She invited other members to attend. She advised that Putnam was appealing the PB's interpretation of the 100-foot buffer requirement in the Wetlands Conservation Overlay District regulation. Chair Ebel stated that she would leave the text of the appeal in the PB mailbox so that it would be available to PB members who wished to read it.
  
- C.** The MINUTES of the NOVEMBER 8, 2005 meeting were APPROVED, as circulated.

The **MEETING** was **ADJOURNED** at **10:30 PM.**

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

DATE APPROVED \_\_\_\_\_

CHAIRMAN \_\_\_\_\_