

**NEW LONDON PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING
SEPTEMBER 13, 2007**

MEMBERS PRESENT: Karen Ebel (Chairman), Celeste Cook, Tom Cottrill, Dale Conly, Jeff Hollinger, Michael Doheny, Ken McWilliams (Planner), Larry Ballin (Selectmen’s Representative), Michele Holton (Alternate)

MEMBERS ABSENT: Deirdre Sheerr-Gross (Alternate)

Chair Ebel called the **MEETING TO ORDER** at 7:00 PM. Chair Ebel advised that Alternate PB Member Holton could participate in discussion, but could not vote on issues because all regular members of the PB were present.

**I. JAMES CLEVELAND REVOCABLE TRUST & MARILYN KIDDER MARITAL TRUST – Final
Minor Subdivision: Signing of Mylar (Tax Map 101, Lot 9)**

Pierre Bedard ((Pierre J. Bedard & Associates, P.C.) explained that the Merrimack County Registry of Deeds had returned the previously approved and signed mylar because the name of the town was missing from page 2. He presented a corrected mylar for PB signatures and asked permission to hand deliver the newly signed mylar to the Merrimack Country Registry of Deeds because of a closing scheduled for Friday, September 14, 2007.

The corrected mylar was circulated for PB signatures and then returned to Mr. Bedard for delivery to the Merrimack County Registry of Deeds.

II. LINDA HOWES – Concept Site Plan Review: Need for Site Plan – Change from Camera Repair Shop to Nutritional Counseling & Massage Therapy (Tax Map 84, Lot 56)

Linda Howes advised that her business was conducted by appointment. She said that she planned to rent one room to a massage therapist, whose business was also conducted by appointment. She said that the site consisted of about 500 square feet and contained a waiting/reception area, her office, the room to be used for massage, a bathroom, and a utility closet.

Ms Howes said that it would be unusual for the massage therapist and herself to be there at the same time; however, if they were both on-site and both had clients, the maximum number of people at the site would be four (4). She said that there were four (4) parking spaces available. In response to a question regarding the hours of operation, she reiterated that clients would be seen by appointment only. She said that the massage therapist might have some evening appointments.

Chair Ebel asked if any issues were raised at the meeting with municipal department heads. Ken McWilliams reported that the Fire Department had many concerns and recommendations, but he opined that the PB could make any approval contingent upon compliance with state and local fire codes.

Chair Ebel inquired about the prior use of the site. Ms Howes replied that it had housed a retail operation. Mr. McWilliams advised that the prior use was a camera repair shop where people would drop off cameras in need of repair and would pick them up when notified that repairs were completed. He said that it had not been a “drop-in” business. Chair Ebel asked what the parking requirements would be for the proposed use. Mr. McWilliams replied that two (2) parking spaces would be required and there were four (4) available.

It was **MOVED** (Hollinger) and **SECONDED** (Cottrill) **THAT NO SITE PLAN REVIEW BE REQUIRED FOR A PROPOSED CHANGE IN USE FROM CAMERA REPAIR SHOP TO NUTRITIONAL COUNSELING AND MASSAGE THERAPY OF 500 SQUARE FEET OF RENTAL SPACE AT TAX MAP 84, LOT 56, CONTINGENT UPON COMPLIANCE WITH ALL LOCAL AND STATE FIRE CODES.** The **MOTION** was **APPROVED UNANIMOUSLY.**

III. COLBY-SAWYER COLLEGE – Concept Site Plan Review: Need for Site Plan – Bleachers at Kelsey Athletic Fields (Tax Map 86, Lot 1)

Doug Atkins, Colby-Sawyer College's Vice-President for Administration, displayed a plan showing the proposed location of bleachers at the Kelsey Athletic Fields. He advised that they were rated to seat 220 people and would provide 4 wheelchair spaces. He asked the PB if site plan review (SPR) would be required in order to construct the bleachers.

Ken McWilliams advised that the athletic fields were located in the Institutional Recreational District and that bleachers were a permitted use in that district. He asked if the area would be lighted. Mr. Atkins replied that it would not be lighted. Mr. McWilliams asked if the presence of bleachers would attract more people. Mr. Atkins replied that he would like to think so. He said that the college wanted to encourage more students to attend athletic events. He opined that there would be little, if any, increase in vehicular traffic. He said such traffic was generated by parents attending events, not by students arriving on foot from other parts of the campus.

PB member Ballin asked if there would be an increase in vehicular access. Mr. Atkins responded in the negative. PB member Cook asked if the bleachers would be taken down during winter. Mr. Atkins again responded in the negative. PB member Conly said that he attended many of the games and that he liked to sit on the grass. He opined that the request was rooted in the desire to provide more comfort for spectators. In response to an inquiry about whether the bleachers would be constructed on the grass or on gravel, Mr. Atkins said that they would be constructed on a bluestone pad.

It was **MOVED** (Cottrill) and **SECONDED** (Conly) **THAT NO SITE PLAN REVIEW BE REQUIRED FOR THE PROPOSED CONSTRUCTION OF BLEACHERS AT COLBY-SAWYER COLLEGE'S KELSEY ATHLETIC FIELDS AS PRESENTED BY THE COLLEGE.** The **MOTION** was **APPROVED UNANIMOUSLY.**

IV. GAVIN CAMPBELL – Final Site Plan Review: Addition (Tax Map 84, Lot 78)

Gavin Campbell displayed plans showing elevations for the proposed 2300-square-foot addition that would be erected perpendicular to the existing building. He advised that Bob Stewart (RCS Designs) had drawn the site plan.

Chair Ebel asked if the plan was to have two offices. Mr. Campbell responded that the plan was to have three offices. He said that he now had two offices. He said that the entire front 2000 square feet would be one office.

PB member Cottrill asked how much parking would be required for the proposed addition. Ken McWilliams advised that 14 spaces would be required; however, Mr. Campbell had 15 spaces available. Mr. Cottrill asked how much "green space" would there be. Mr. Campbell responded that the "green space" was identified on the plan, and he opined that there would be plenty. He advised that the plan showed "green space" at 25%, as required. He said that he had sacrificed one parking space in order to achieve the 25%. He pointed out the green areas on the plan displayed.

Chair Ebel asked if there were any abutters present who would like to speak. There were none.

It was **MOVED** (Cottrill) and **SECONDED** (Conly) **THAT THE FINAL SITE PLAN FOR A 2300-SQUARE-FOOT ADDITION TO THE EXISTING BUILDING AT TAX MAP 84, LOT 78 BE APPROVED AS PRESENTED BY GAVIN CAMPBELL.** The **MOTION** was **APPROVED UNANIMOUSLY.**

V. WILLIAM DOWD – Tree Cutting Request

(Tax Map 45, Lot 35)

PB member Conly presented a request from William Dowd to cut three (3) large pines located within the 50-foot buffer at 160 Camp Sunapee Road. He said that Mr. Dowd believed that the pines had suffered storm damage and posed a threat to the house. PB member Conly advised that he had visited the site, and he was not altogether convinced that the trees posed an imminent threat to the house. He recommended, somewhat reluctantly, approval of the request for two reasons: (1) the extensive replanting proposal submitted by Mr. Dowd and (2) to avert any possible liability for the Town of New London that might arise if the PB were to say the trees were non-threatening and then one of the pines were to fall onto the house causing damage. Mr. Conly said that the trees were definitely leaning in that direction. Discussion ensued about the location of the trees to be cut.

PB member Conly advised that he had given Mr. Dowd the list of possible native and naturalized shore land plantings recommended for New Hampshire. He said that Mr. Dowd had reviewed the list and agreed to plant several fairly mature (8-10-ft.) trees, including maples. Mr. Conly added that Mr. Dowd had a good history of planting. PB member Ballin asked for clarification.

It was **MOVED** (Cook) and **SECONDED** (Hollinger) **THAT THE REQUEST TO REMOVE THREE (3) LARGE PINE TREES LOCATED WITHIN THE 50-FOOT BUFFER AT 160 CAMP SUNAPEE ROAD (TAX MAP 45, LOT 35) BE APPROVED, SUBJECT TO REPLANTING AS SET FORTH IN WILLIAM DOWD'S LETTER OF AUGUST 6, 2007. The MOTION was APPROVED UNANIMOUSLY.**

VI. KATHY MULHERN – Tree Cutting Request

(Tax Map 141, Lot 1)

PB member Conly presented a request made by Kathy Mulhern to take down a hemlock that is located approximately 45 feet from the water and 25 feet from the house. Mr. Conly explained that Ms Mulhern submitted a letter and photograph instead of the standard cutting application. In her letter, Ms Mulhern states that she fears the tree might fall onto the house. Mr. Conly advised that the hemlock was not in good shape, and he recommended approval of the request to remove the tree and replace it with five (5) blueberry bushes.

It was **MOVED** (Cook) and **SECONDED** (Cottrill) **THAT THE REQUEST TO REMOVE ONE HEMLOCK TREE LOCATED WITHIN THE 50-FOOT BUFFER AT 157 OWLS NEST ROAD (TAX MAP 141, LOT 1) BE APPROVED, WITH THE REQUIREMENT THAT IT BE REPLACED BY FIVE (5) BLUEBERRY BUSHES. The MOTION was APPROVED UNANIMOUSLY.**

VII. NEW LONDON HOSPITAL – Concept Site Plan Review: Add Partial Basement for Mechanical Equipment

(Tax Map 72, Lot 16)

Celeste Cook recused herself from the PB. Chair Ebel asked Alternate Michele Holton to fill in for Ms Cook.

Lori Underwood, Senior Director, Planning and Projects (New London Hospital), and Kevin Thatcher, Assistant Project Engineer III (Clough Harbour & Associates, LLP) appeared on behalf of New London Hospital.

Lori Underwood advised that as the project moved forward, locating the mechanical room right off the lobby as proposed in the approved site plan seemed not to be the best use of prime space within the building. She said that originally the idea of having a basement under the addition had been eliminated due to the prohibitive cost involved. Ms Underwood said that the hospital was now, however, proposing to have a partial basement beneath the new main entrance to provide a 1200-sq.ft.mechanical room to house the boilers, the elevator mechanics, and some of the electrical system. She advised that an outside stairway would be added to provide an additional means of egress from the basement. She said that a stairwell would provide internal egress. Ms Underwood stated that the proposed change would leave 750 square feet of prime space off the lobby for future use by the hospital. She said that the hospital was aware that it would have

to return to the PB for a Site Plan Review regarding the use of the 750 square feet; however, there were no definite plans for its use at this time.

Ken McWilliams opined that the proposed partial basement for a mechanical room was not a significant change in the approved site plan; however, any future use of the 750 square feet of space off the lobby might require additional site plan review. Reporting on the meeting with municipal department heads, Mr. McWilliams advised that Police Chief David Seastrand was concerned about the safety of the external stairwell. He asked if the stairwell would be lighted. Ms Underwood replied that it would be lighted. Director of Public Works Richard Lee had advised that sump pumps, floor drains, and roof drains must not be hooked into the sewer line. Fire Chief Jay Lyon asked what would happen if there was an oil leak in the mechanical room. He pointed out the proximity of wetlands and asked where contaminated drainage would go. Fire Chief Lyon also said that the location would be very difficult for fire fighting. He said that he would check the regulations regarding oil tank placement.

Ms Underwood advised that the area under discussion was where the MRI van would park. Chair Ebel and PB members Ballin and Cottrill all opined that no additional site plan review (SPR) should be required.

It was **MOVED** (Ballin) and **SECONDED** (Conly) **THAT NO SITE PLAN REVIEW BE REQUIRED FOR THE ADDITION TO THE APPROVED SITE PLAN OF A 1200 SQ. FT. PARTIAL BASEMENT TO HOUSE BOILERS, ELEVATOR MECHANICS, AND SOME OF THE ELECTRICAL SYSTEM, AS PRESENTED BY NEW LONDON HOSPITAL.** The **MOTION** was **APPROVED UNANIMOUSLY**.

VIII. NEW LONDON HOSPITAL – Revised Final Site Plan Review: Change Porous Asphalt Parking Lot to Regular Paving (Tax Map 72, Lots 16 & 17)

Lori Underwood, Senior Director, Planning and Projects (New London Hospital), and Kevin Thatcher, Assistant Project Engineer III (Clough Harbour & Associates, LLP) appeared on behalf of New London Hospital.

Lori Underwood advised that the hospital was actually proposing a different kind of porous pavement than that which was approved in the Final Site Plan Review (SPR).

Ms Underwood explained that on August 22, 2007 there was an on-site meeting with Pike Industries regarding the pouring of the final layer of porous asphalt pavement. She said the meeting occurred two to three weeks after new mix specifications were issued by the University of New Hampshire Stormwater Center, with which Pike had been working in regard to porous asphalt paving. She advised that Pike Industries had refused to mix to the old specifications contained in the hospital's final site plan and initially Pike said it wouldn't be able to mix asphalt to the new specifications until spring because there were too many unknowns. Ms Underwood said that Pike finally did agree to mix to the new specifications but said that it would not stand behind the results.

At that point, the hospital had called all of the players, plus Ken McWilliams and Director of Public Works Richard Lee, to come up with an alternate plan. She said that Mr. McWilliams had advised the hospital to design a bio-retention plan as an alternative. The hospital was concerned about the added cost and about the need for the additional 80 parking spaces for use during the winter.

Ms Underwood said that subsequent to those conversations and the hospital's August 27, 2007 letter to the PB, there was late breaking news as the result of conversations with Carroll Concrete. She advised that Carroll Concrete is trying to introduce porous concrete paving to the northeast and that the concrete industry has also been working with the University of New Hampshire Stormwater Center on this endeavor. She said that the hospital and Carroll Concrete have been working on the hospital parking lot design and that porous concrete paving could use the same base that was constructed for the porous asphalt paving. She noted that the porous concrete was cheaper than the bio-retention plan. She described Carroll Concrete as being very interested in the project and very cooperative. Ms Underwood advised that S & S Concrete would lay the concrete. She said that she had spoken with Les Norman, Chair of the Conservation

Commission, who had advised that he didn't think an additional review by the Conservation Commission was necessary, but she was on the agenda for the commission's September 19 meeting anyway.

Chair Ebel pointed out that Richard Claytor (Horsley Witten Group), who was working with the PB on Low Impact Development (LID) techniques for New London's subdivision regulations was in the audience.

Kevin Fletcher displayed the plan for using porous concrete pavement in the parking lot. He advised that it was the same layout and that the grading was the same as the earlier plan for porous asphalt paving. He noted that the driveway areas would be non-porous. He said the pavement would be Portland cement. Mr. Fletcher advised that they had looked at the salt shed location and thought that it would be better to have non-porous pavement in that area. He said that drainage from the driveways would flow across porous parking areas and be absorbed through three to four inches of crushed stone. He opined that it would be the same plan with a different final layer, i.e. porous concrete instead of porous asphalt.

Chair Ebel asked about maintenance of porous concrete, e.g., would it require vacuuming? Mr. Fletcher replied that it would need vacuuming as well as power washing. He said that the hospital uses very little sand and mostly uses something called Magic Salt. Chair Ebel opined that if it were poorly maintained, it would lose its porosity. Mr. Fletcher advised that the recommendation was to use very little to no salt and sand.

Richard Claytor opined that porous concrete would actually be better than porous asphalt, especially in the summer, because it would not be subject to softening. He said he was surprised to hear that it might be less expensive, but that perhaps he had misunderstood. Lori Underwood advised that porous concrete was less expensive than a bio-retention system, but significantly more than porous asphalt. She estimated that the porous concrete would cost approximately \$50,000 more than porous asphalt. She said that the hospital believed that having a willing partner that would stand behind the work would justify the additional cost. Richard Claytor advised that the key was proper installation.

Ms Underwood said that Carroll Concrete wanted to showcase the hospital project in the entire northeast. Mr. Claytor observed that both the concrete and asphalt industries know that this is the wave of the future. Celeste Cook stated that she had a concrete driveway and has had no problems and uses no salt.

Chair Ebel asked if porous concrete would require a different mixture. Mr. Fletcher replied "not really" and said that it was all about placement.

PB member Conly and Chair Ebel expressed appreciation to the hospital for its efforts throughout the process and said they were excited to move forward with the project. They urged communication with the UNH Stormwater Center.

It was **MOVED** (Conly) and **SECONDED** (Cottrill) **THAT THE REVISED SITE PLAN TO CHANGE A POROUS ASPHALT PARKING LOT TO A POROUS CONCRETE PARKING SURFACE BE APPROVED AS PRESENTED BY NEW LONDON HOSPITAL.** The **MOTION** was **APPROVED UNANIMOUSLY.**

Celeste Cook returned to the PB. Alternate Michele Holton stepped down.

IX. RICHARD CLAYTOR/HORSLEY WITTEN GROUP – Presentation & Discussion of Low Impact Development Techniques for Subdivision Regulations

Richard Claytor narrated a Power Point presentation relating to low impact development practices and revisions to the land subdivision regulations. Following the presentation the PB reviewed copies of the proposed revisions containing Mr. Claytor's recommendations.

Page 54: Chair Ebel opined that the maintenance issues contained in section L.2.g. would increase enforcement needs and town officials needed to be made aware of the requirements so that they could anticipate the potential for increase enforcement activities. She opined that the requirements were similar to requirements included in

homeowner's association documents and would be no problem. Zoning Administrator Peter Stanley said that he understood this.

Page 55: Rich Claytor advised that he had highlighted in yellow the decision points to be addressed by the PB. On page 55, the PB had to decide which definition of redevelopment it wanted to adopt. He said that the stormwater recharge rate could be lessened in redevelopment property; however, the PB needed to agree upon how to address the issue. Chair Ebel asked if the PB wanted to include a limitation of 5,000 square feet of impervious surface in the definition. Ken McWilliams advised that the revised Site Plan Review Regulations contained a trigger and the two sets of regulations should agree. He said that the revised Site Plan Review Regulations contain 2,500 square feet of impervious surface. He reiterated that the two sets of regulations should be consistent. All agreed that the limit should be 2500 square feet, rather than the 5,000 square feet suggested by Mr. Claytor. They agreed to include the more specific definition of redevelopment and suggested that the definition be moved into the definition section of the regulations.

Page 56: Eliminate the extra ampersand in the last line on the page. Rich Claytor opined that it was important to locate detention ponds in the proper locations for overall watershed protection and that ideally such ponds would be planned out regionally; however, towns approve projects one at a time. He said the provision to allow for Downstream Analysis was a stop-gap measure.

PB member Hollinger asked how much water would fall in a 100-year 24-hour storm. Mr. Claytor replied seven (7) inches. PB member Cottrill asked how much in a 25-year 24-hour storm. Mr. Claytor replied six (6) inches and five (5) inches in a 10-year storm and three (3) inches in a 2-year storm.

Chair Ebel asked how true was the statement that the first inch of rain contains the most pollutants. Mr. Claytor replied that it was accepted wisdom that 90% of pollutants were contained in the first inch, with the exception of bacteria. He said that bacteria seemed to show up later, according to related drainage studies. He said that it is probably because they come from septic systems which are not as affected by minimal storms; however, further study is being done on this issue.

Page 59: Definition of "redevelopment" – All PB members agreed with the definition recommended by Mr. Claytor per the discussion regarding the definition reference on page 55.

Page 60: Mr. Claytor advised that the items in red type represented industry standards. Chair Ebel asked if one-half acre was an industry standard. Mr. Claytor responded affirmatively.

PB member Conly asked if it would be difficult for the PB to convince developers that LID techniques were a good idea. Mr. Claytor replied that developers were already doing a lot of it. He said that it would probably result in higher design costs, but the industry was moving rapidly in the direction of LID. He opined that developments using LID would retain their value or become more valuable with the passage of time.

Page 69: Mr. Claytor said that the indented portion of Section M.1.b. tries to codify the percentage of natural vegetation that should be retained in order to have a more rural community. He said that the PB could provide a waiver provision, if it so chose. Chair Ebel advised that there had been cutting restrictions in the Great Pines, Rocky Ridge of New London, and Fenwood subdivisions. Ken McWilliams advised that there was a waiver in the subdivision regulations. Zoning Administrator Peter Stanley suggested that the PB might want to include in the Master Plan discussions the issue of applying the standard to properties not located in subdivisions. PB member Cottrill asked what the reason was for lowering the 25% to 15% for multi-family residential areas. Mr. Claytor replied that the lower percentage provided more flexibility to areas with greater density. Zoning Administrator Stanley opined that the New London Zoning Ordinance was already very restrictive regarding where multi-family housing was permitted. PB member Ballin added that the lots where multi-family housing could be built were very small and needed flexibility. He said that a developer might want to re-vegetate after construction. Consensus of the PB was to leave the minimum at 25%.

Page 71: Chair Ebel asked why Claytor recommended *well-aged* mulch. Mr. Claytor replied that well-aged mulch was less likely to float and the provision was aimed at trying to create a microbial community rapidly.

Zoning Administrator Stanley asked why hardwood was recommended. Mr. Claytor responded with the same reason.

Page 72: Chair Ebel asked if “turf grass” referred to grass from golf courses. Mr. Claytor replied that compost was the media for filtration and should be free of contamination by pesticides, herbicides, etc., which occurred in turf grass from athletic fields and golf courses. Chair Ebel opined that compost provisions seemed really complicated, and she was not sure how they could be complied with. Mr. Claytor advised that the compost provision was from the PB’s original draft and that he had a simpler version that he would happily forward to Ken McWilliams. PB member Ballin opined that the provision needed to be simpler. He opined that the regulations were aimed at streamlining the waste stream. Zoning Administrator Stanley asked if the town had ever thought of having a compost area for contractors and involving them in the process.

Page 79: Chair Ebel asked if a minimum of 60 feet across was okay for a hammerhead. Zoning Administrator Stanley advised that the subdivision regulations required a minimum longer than 60 feet. He added that Director of Public Works Richard Lee required more than 60 feet for plowing. Ken McWilliams advised that the subdivision regulations contained a minimum of 85 feet across. Mr. Claytor advised that all of the regulations should be consistent. PB members agreed, and the section was amended to 85 feet. Director of Public Works Richard Lee concurred with this decision.

Page A-2: PB member Cottrill asked if there was any pressure to reduce the amount of water on a site in light of recent concerns about triple-e virus. He opined that the various pools created could breed mosquitoes. Mr. Claytor replied that the various types of pools and retention areas noted in the appendix were designed for infiltration, not for detention, to drain rapidly and, thus, would eliminate the ideal habitat for mosquitoes. He said that mosquitoes generally needed stagnant water to breed and that the whole point of LID methodology was to infiltrate quickly. Chair Ebel asked what the difference was between a dry swale and a wet swale. Mr. Claytor replied that a dry swale would be designed to drain rapidly and would usually be dry between storm events whereas a wet swale would always be wet.

Page A-3: Chair Ebel opined that the terms “rural” and “residential” in the BMP Selection Matrix 1 were confusing because New London is basically a rural community. Mr. Claytor replied that “rural” referred to infrastructure in the countryside, e.g. roads, not houses. Chair Ebel recommended including an explanatory footnote or something to clarify the difference.

Page A-4: Chair Ebel asked why the industry no longer recommended the practice of separators. Mr. Claytor replied that the primary pollutant removal mechanism in separators was gravity. He advised that for the removal of phosphorus and nitrogen, there needed to be more organic trapping material, not just gravity that removes only about 50% of contaminants. He said that separators could be used when you could do nothing else on an existing site, but should not be used on a new site. He stated that other methodologies should be used to capture the most buoyant pollutants. He noted that this is not something that the sellers of such equipment want to hear. He also noted that certainly the separators were better than nothing at all because they at least removed silt.

Page A-14: Chair Ebel asked how the Required Elements related to existing buffer requirements. Mr. Claytor replied that “required” elements were linked to science by use over time, while for “recommended” elements, there was less science available.

Page A-17: Chair Ebel recommended adding “impervious concrete” wherever a reference to “impervious asphalt” appeared as an example of another alternative.

Page A-22: Mr. Claytor cautioned against being too specific regarding evolving technological processes. He said that he would send Ken McWilliams suggestions for alternative wording. He recommended that the PB avoid incorporating material specifications in the Land Subdivision Control Regulations. Chair Ebel asked if it would be possible for Mr. Claytor to notify the PB if something subsequently was found to be really wrong in the regulations or the methodologies/specifications included in the appendix. Mr. Claytor agreed to do so.

Chair Ebel pointed out two typographical errors in the draft document. She thanked Richard Claytor for his efforts in updating the regulations. All PB members echoed Chair Ebel's thanks. Chair Ebel especially thanked Mr. Claytor for working with the PB by greatly reducing the price of his review of the regulations. She opined that his name should appear somewhere in/on the document.

X. ROBERT EWING – Final Major Subdivision & Annexation (Tax Map 96, Lots 15 & 15.4)

Charles Hirshberg (CLD Consulting Engineers) conveyed Robert Ewing's apology for being unable to attend the PB meeting. M. Hirshberg displayed a plan showing a 25-foot buffer around the wetlands as required by the New London Zoning Ordinance. He stated that it also had the "no-cut" zone for anything larger than four (4) inches in diameter agreed to by Mr. Ewing.

Mr. Hirshberg advised that they were developing building envelopes that would be parallel to lot lines where possible. He said the size of the building envelopes would range from 23,000 sq. ft. to 32,000-33,000 sq. ft. He pointed out the wetlands crossings and advised that they had talked with the New Hampshire Department of Environmental Services (DES). He said that originally they had planned a deep sewer line because the existing town sewer line was deep in that area; however, Mr. Ewing had no need for a deep line. He advised that there would be separate water service and sewer lines going to each of the three newly created lots. Regarding power, Mr. Hirshberg advised that a pole would be set at the stone wall and power lines would go from the pole to each of the lots via underground cable. He said a meter box would be installed near the road. It was noted that a utility easement would be necessary.

Mr. Hirshberg pointed out that the plan did not yet show a 34-foot easement. He advised that sheets LID 1 and LID 2 showed how Low Impact Development (LID) techniques could be employed. He said that the table on LID 1 had been revised to present data for a 25-year storm, rather than a 10-year storm.

Ken McWilliams advised that he wanted to be sure that the property owner was responsible for maintenance of the required design for a LID plan and that an owner could not get rid of LID features at a later time. He also clarified the "no-cut" reference to the regulations. He said that the regulations did not contain a "no-cut" provision; rather they state that the property owner must submit a tree-cutting plan to the PB. Mr. Hirshberg said that the note on the plan should apply to both the buffer areas and the no-cut areas between the lots and the development envelopes. Mr. McWilliams asked if the PB wanted to review cutting plans for areas outside the buffer. He recommended setting a cutting limit. There was general consensus by PB members, after consulting with PB member Conly, that the PB did not want to be responsible for overseeing cutting in those areas. Mr. Hirshberg said that he would discuss the matter with Mr. Ewing.

Ken McWilliams asked if there was some issue relating to the recording of plans with two sheets. Mr. Hirshberg replied that Mr. Ewing was not opposed to filing two sheets. He opined that it was the Merrimack County Registry of Deeds that had an issue regarding "clogging the files". Mr. Hirshberg said that he had been advised by Zoning Administrator Peter Stanley to get the DES Wetlands Permit first and then go to the Zoning Board of Adjustment (ZBA). PB member Ballin said that it was not uncommon for people to go to the ZBA while a DES permit was pending. Mr. Hirshberg said that he was concerned about timing issues and an easement to the Ausbon Sargent Land Preservation Trust (ASLPT). He said it was a very tight timeline. Mr. McWilliams asked if some kind of conditional approval from the PB would allow Mr. Ewing to go forward with the conservation easement. Mr. Hirshberg responded in the affirmative.

It was **MOVED** (Cottrill) and **SECONDED** (Ballin) **THAT THE FINAL MAJOR SUBDIVISION & ANNEXATION OF TAX MAP 96, LOTS 15 & 15.4 BE APPROVED AS PRESENTED BY CHARLES HIRSHBERG ON BEHALF OF OWNER ROBERT EWING, SUBJECT TO (1) FINALIZATION OF THE LANGUAGE FOR THE LOW IMPACT DEVELOPMENT NOTES ON THE PLAN, (2) ADDITION OF A NOTE REGARDING THE UTILITY EASEMENT, (3) ZONING BOARD OF ADJUSTMENT APPROVAL FOR WETLANDS CROSSING, AND (4) RECEIPT OF A WETLANDS PERMIT FROM NH DES. The MOTION was APPROVED UNANIMOUSLY.**

XI. REVIEW OF DRAFT PLANNING BOARD BUDGET FOR 2008

PB member Ballin asked if the only new item in the budget was the purchase of a file cabinet. Ken McWilliams replied that there were two new items; the fireproof file cabinet and the cost of a boundary study. He advised that a fireproof file cabinet would cost approximately \$3,000. Mr. Ballin advised that there were extra file cabinets in the sewer department, and he recommended checking town inventory before spending any money on a new file. However, he said that he would support the request if Mr. McWilliams determined that there were no appropriate file cabinets in inventory.

Ken McWilliams advised that Zoning Administrator Peter Stanley had put out a request for proposals for a boundary study. He said that it was extremely important to establish identifiable precise boundaries for zoning districts so that the zoning administrator and the PB would be able to determine what zoning ordinances were applicable to properties located along the boundary lines. Zoning Administrator Stanley said that three people had already made offers. PB member Hollinger suggested that the cost might have to be spread over more than one year.

Chair Ebel asked why Mr. McWilliams had sent the town planner's budget information to the PB. Mr. McWilliams replied that he had included it because the PB had talked about taking money from the planner's budget to supplement funds available for Richard Claytor's work, for refreshments for the Master Plan workshop, and for the church rental for the workshop. He wanted to reassure the PB that there were adequate funds to cover those expenditures, plus possible zoning amendments for consideration of the voters in March 2008. Chair Ebel advised that there would be additional costs if Mr. Claytor were to make a presentation.

Ken McWilliams advised that he had been working at reconciling proposed subdivision regulations with the newly adopted State of NH Comprehensive Shore Land Protection Act. He advised the PB that the results of that comparison were summarized in a memo distributed at the beginning of the meeting. He said that Chair Ebel, Zoning Administrator Stanley, and he had been trying to reconcile the town's cutting restrictions that conflicted with the new state law. PB members approved of the changes to the draft subdivision regulations recommended by Mr. McWilliams.

XII. OTHER BUSINESS

- A. MASTER PLAN WORKSHOP NOTICES: PB members were asked to review a copy of the press release regarding the Master Plan Workshops. PB member Cottrill asked where the Presbyterian Church was located. He opined that many people might not know. It was also recommended that the complete name of the church be provided, i.e., Kearsarge Community Presbyterian Church. Mr. Cottrill recalled that the Kearsarge Regional Middle School was used for the last Master Plan Workshops. In response to a question about how many people could be accommodated at the church, Ken McWilliams advised that the sanctuary would hold 177; he was unsure about the capacity of the other room. Chair Ebel said that it might also be necessary to say that the Kearsarge Community Presbyterian Church is in New London. Mr. McWilliams said that he would include that information on the next notices.

PB member Ballin asked if the notice had been sent to any radio stations. Ken McWilliams replied that it had not. Chair Ebel opined that radio announcements would be a good idea. She said that she hoped the notice would also go up on the town's website. Mr. Ballin said that he would mention it to Town Administrator Jessie Levine when she returned to her office.

- B. The MINUTES of the AUGUST 1, 2007 MEETING of the PB SUBCOMMITTEE for the ROCKY RIDGE OF NEW LONDON (SNOW) SUBDIVISION were APPROVED, as circulated.
- C. The MINUTES of the AUGUST 14, 2007 MEETING of the PLANNING BOARD were APPROVED, as circulated.

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

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

DATE APPROVED _____

CHAIRMAN _____