

**Town of New London
Zoning Board of Adjustments
March 29, 2010**

Members Present: Bill Green (Chair), Doug Lyon, Courtland Cross, Sue Andrews, W. Michael Todd (arrived at 7:40pm)

Also Present: Peter Stanley (Zoning Board Administrator), Joanne and Tom Ferguson (neighbors), Harry Snow, Peter Blakeman

Chair Green called the **MEETING TO ORDER** at 7:30pm. He said that the hearing was being recorded and asked people to identify themselves if they wished to speak. He added that the meeting had been properly noticed in the newspaper and the Town Office bulletin board. The purpose of the hearing was described as follows:

SPECIAL EXCEPTION

**Harry Snow
King Hill Road
New London, NH 03257**

Tax Map: 131 Lot: 008

PURPOSE OF REQUESTED WAIVER:

Special Exception as permitted by Article XIII, Section E. (1) of the New London Zoning Ordinance to cross a wetland in one location in order to access two lots of a proposed seven cluster subdivision. The total wetland impact will be 770 SF.

Chair Green gave the floor over to Mr. Peter Blakeman, the engineer working with Harry Snow on this project. Mr. Blakeman explained that the property was about 40 acres in total. The overall plan is to develop seven lots in a cluster subdivision. The lots would need to be accessed by a new road, about 900 feet in length. The entrance of the road would be across from King Ridge Road. They have had the land delineated by Peter Schauer, who also conducted a high density soil survey. Mr. Blakeman noted that all of the lots on the road meet current zoning regulations, with the exception of the stream crossing. The property is about 75% bisected by a stream and the wettest side of the stream is on Todd Farm, which is primarily wetland. He explained that no development would occur there. Mr. Blakeman said that the purpose of the road is to access two of the seven lots in the cluster. The crossing they have suggested is at the narrowest part of the stream that is most feasible to access. He explained that they went through the State wetland permitting, submitting a minimum impact application. Because a fire pond is an accepted use in the wetlands, (which they have included in their plans) they were at the meeting to approve the crossing of the stream. Mr. Blakeman said that the State has approved the crossing, and the subdivision. Once the Zoning Board has granted their approval, they will get ready to apply to the Planning Board for final subdivision approval. They will then look at all the drainage details for the lots on the road.

Mr. Blakeman said that the responses to the questions for a special exception were distributed to the members of the Zoning Board. Those responses are attached to these minutes.

Mr. Lyon asked about the construction planned for the crossing. Mr. Blakeman said that it would be just a standard crossing with an 18" culvert. Mr. Cross asked if they had any information or details regarding maximum flow for the culvert. Mr. Blakeman said that this would be discussed at the Planning Board level but was confident that an 18" culvert would be adequate.

Chair Green asked if there were any questions or comments.

Peter Stanley said that the land on the map noted as belonging to Peter Messer should be updated, as he didn't own it any more.

**IT WAS MOVED (Doug Lyon) AND SECONDED (Courtland Cross) to discuss.
THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Lyon felt that the conditions have been met for this special exception. Mr. Cross said that it was clear that the engineering homework on the application and with the state agencies has been done and that it seems as though they were on the right track. Mr. Todd said that the applicant has a burden to show that this route (crossing wetlands) is the only way to get to the property. He said that he hadn't yet seen or heard that burden addressed. Mr. Todd asked Mr. Blakeman to elaborate.

Mr. Blakeman said that as far as the crossing goes, they have looked at crossing the wetlands in the narrowest location. The only other alternative would be to run parallel with King Hill Road right in the narrow location between the wetlands and the road, which is in the buffer area for the subdivision. Mr. Todd asked about some line segments that appear to be a row of little round dots with numbers near them. He asked what those markings represented. Mr. Blakeman noted that they were in reference to soils mapping. He added that the wetland they were crossing breaks the lot into two sections; one side would be approximately seven to eight acres and the other five lots would be about 15-16 acres in size. The crossing is being requested to get to the other two lots. Mr. Todd said that they have to show that there is no other way to get there without crossing a wetland. Mr. Blakeman said that the road running parallel to King Hill Road isn't feasible from a planning aspect. The whole point of having a cluster subdivision is to minimize the amount of roads and utilities to put in. Beyond that, if that parallel road was put in, it would also be running parallel to the wetlands and closer to the perennial stream that runs through the perimeter of the property. This could cause a greater indirect impact to the wetlands. Mr. Todd said that this is what he needed to hear for his own deliberation.

Mr. Todd asked Mr. Stanley what the Town's position was on the hammerhead style of driveway. Mr. Stanley said that they don't have any preferences, so to speak. They have acceptable designs and a hammerhead design is one of them. Mr. Todd asked Mr. Stanley, as a former firefighter, what sort of driveway was generally preferred. Mr. Stanley explained that all emergency services prefer a loop. He added that from a planning perspective the Town does not prefer additional roads that need to be maintained, and thus he did not believe that a road running parallel to King Hill Road would be the best solution to this wetlands crossing issue.

Mr. Todd asked Mr. Blakeman if they were going to pave this road. Mr. Blakeman answered in the affirmative. Ms. Andrews said that she thought it was the most logical place to cross the wetland.

IT WAS MOVED (Doug Lyon) AND SECONDED (Courtland Cross) to approve the special exception and note that the three criteria have been met; it is a use that is ordinarily prohibited, (it is crossing a wetlands), it is a use that is specifically allowed as a special exception in the terms of the ordinance, and in the view of the Zoning Board of Adjustment that conditions specified in the ordinance for granting an exception have been met in this particular case. THE MOTION WAS APPROVED UNANIMOUSLY.

Minutes review

IT WAS MOVED (Bill Green) AND SECONDED (Doug Lyon) to approve both the November 17, 2009 and December 7, 2009 minutes, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

Zoning Board Rules Work Session

Mr. Todd indicated that he and Mr. Stanley have been working to update the Zoning Board rules. Mr. Stanley will be making statutory changes and after that is done, they will need to schedule a major work session to work on the rules. Mr. Todd said that they also have to elect a chair in March. Chair Green said that Amy Rankins (Land Use Coordinator) will send the rules out to everyone once Mr. Stanley has had a chance to reviewed them.

IT WAS MOVED (Sue Andrews) AND SECONDED (Bill Green) to adjourn the Zoning Board of Adjustment meeting of March 29, 2010. THE MOTION WAS APPROVED UNANIMOUSLY.

The MEETING ADJOURNED at 7:57pm

Respectfully Submitted,

Kristy Heath, Recording Secretary
Town of New London