



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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**NEW LONDON PLANNING BOARD**  
**Sydney Crook Meeting Room, New London Town Office**  
**January 14, 2020 – 6:30PM**

**PRESENT:** Paul Gorman (Chair) Tim Paradis, David Royle, Marianne McEnrue, Joe Kubit, Katie Vedova, Jeremy Bonin, Janet Kidder (Selectmen's Representative)

**MEMBERS ABSENT:** Paul Vance

**OTHERS PRESENT:** Adam Ricker, Town Planner

1. **Call to Order** – Chair Gorman called the meeting to order at 6:30PM.
2. **Review of Minutes – December 12, 2019**

**IT WAS MOVED (David Royle) AND SECONDED (Jeremy Bonin) to accept the minutes from the December 12, 2019 meeting as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

3. **Public Comment – None**
4. **TREE CUTTING – Michael & Karen Miles – Located at 278 Poor Road. Tax Map 079-001-0-0-0. The applicant is applying to cut down one that is dead. Application received on December 23, 2019.**

Adam Ricker explained that this property is all the way at the end of Herrick Cove. The application has been amended to include the removal of two trees. They originally applied to remove one tree but while Mr. Ricker was doing a site visit it was decided to include the removal of another tree that was dead. The plan has been amended and the scores did not change. One cell will be left with 30 points and the one next to it will have 45 points.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Janet Kidder) to accept this proposal as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

**5. PUBLIC HEARING – ZONING AMENDMENTS**

**a. Article II General Provisions, Section 8 Individual Sewage Disposal System, Item a.**

The Planning Board discussed Article II, General Provisions, Section 8 Individual Sewage Disposal System, Items a & d. The proposal is to strike Article II section a & d and insert the following paragraph that states:

Individual sewage disposal system may only be constructed, expanded or maintained provided that they shall meet all state requirements and be set back in accordance with state requirements.

It was decided that the last part of the sentence “and be set back in accordance with state requirements” will be deleted as well since it is redundant. It will now read:

Individual sewage disposal system may only be constructed, expanded or maintained provided that they shall meet all state requirements.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Marianne McEnrue) to move this forward to the town meeting warrant as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

**b. Article XIII Wetlands Conservation Overlay District, Section F Special Provisions, Item 1:**

Chair Gorman explained it was decided that item 1 will be deleted as it was redundant.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Janet Kidder) to move this forward to the town meeting warrant as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

**c. Article XVI Shore Land Overlay District, Section C. Permitted Uses, Item 3:**

Chair Gorman stated the proposal is to delete item 3 under Section C from the ordinance.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Janet Kidder) to move this forward to the town meeting warrant as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

**d. Article XVI, F, Waterfront Buffer**

Chair Gorman explained in Section c, iii, it should read “If the total tree and sapling score in any 25 by 50 foot segment exceeds 25 points, the Town Planner or Zoning Administrator may authorize the cutting of trees and saplings as long as the score for the remaining trees and saplings in that segment does not total less than 25 points. The remaining scores in partial segments shall be treated proportionally.

In section c, iv, it was decided to strike the words “or it’s designee”. This is stated twice in the paragraph and will be removed in both instances.

**IT WAS MOVED (Marianne McEnrue) AND SECONDED (Jeremy Bonin) to move this forward to the town meeting warrant as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

**e. Article XXI, Board of Adjustment**

Section D.1. will now read that the public hearing shall be held within 45 days of the receipt of the application requesting consideration by the Board. It was previously 30 days.

Section J.3 will now read if denied, the Board shall issue a final written decision on an application. The decision shall be filed in the Town Office within 5 business days after the decision has been made. It was previously 72 hours.

Section K. will now reflect a change from 20 to 30 days of the recording and filing of the decision and the Board shall within 30 days (instead of 10) either grant the order of the original application or suspend that order or decision pending further consideration.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Tim Paradis) to move this forward to the town meeting warrant as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

**f. Article XX – LEGAL NON-CONFORMING USES, LEGAL NON-CONFORMING BUILDINGS AND STRUCTURES, AND LEGAL NON-CONFORMING LOTS**

Adam Ricker explained that changes were made to streamline this ordinance so it isn’t redundant. The goal is to make it easier for staff to utilize day to day especially when issuing building permits.

Under the Related Definition to be Amended section, Jeremy Bonin suggested an edit to strike “is structure which” so it would read:

Legal Non-Conforming Structure – A Legal Nonconforming Structure in whole or in part, does not conform to the regulations of the district in which the structure is located, but existed as a Legal Structure, or legally replaced a legal structure, prior to the adoption of the regulation(s) that now make the structure Nonconforming.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Tim Paradis) to approve the changes as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Tim Paradis) AND SECONDED (Marianne McEnrue) to accept these definitions as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

### **Section A**

In Section A. 1-4 changes were made to delete the word “Buildings”. The word AND will also be deleted in the title.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Tim Paradis) to accept these changes are amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

### **Section B, 1&2**

Deleting the word “Building” will be done throughout this section.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (David Royle) to approve the changes made to article XX section B, 1&2 as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Janet Kidder) to accept the changes made to article XX section B, 1&2 as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

### **Section B, 3, 4 & 5**

Deleting the word “Building” will be done throughout this section.

Where the words alterations and expansion are used, it should be changed to use the same language that is used in all other areas which is alteration, expansion, repair or replacement.

It was also suggested to remove “such alteration, expansion, repair or replacement, does not make any existing Legal Non-Conforming structure a”.

#### **It would now read:**

5. Alterations, expansion, repair or replacement of all other legal non-conforming structures: Any other legal non- conforming structure may be altered, expanded repaired or replaced provided that it does not become more Non-Conforming within the terms of this ordinance and provided that all other standards of this ordinance are met.

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Marianne McEnrue) to accept the changes made to article XX section B, 3, 4 & 5 as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Marianne McEnrue) AND SECONDED (Jeremy Bonin) to accept the changes made to article XX section B, 3, 4 & 5 as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Section B, 6**

**IT WAS MOVED (Tim Paradis) AND SECONDED (Jeremy Bonin) to accept the changes made to article XX section B, 6 as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

Deleting the word “Building” will be done throughout this section.

After discussion, section 6 a. will now read:

Legal Non-conforming Structure destroyed by Fire or Other Natural Disaster: Nothing herein shall prevent the restoration, reconstruction and/or replacement within 3 years so long as the new structure is a functionally equivalent use.

Section 6 b. i, ii, will be eliminated.

**IT WAS MOVED (David Royle) AND SECONDED (Jeremy Bonin) to accept the changes made to article XX section B, 6 as amended. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Section C**

**IT WAS MOVED (Janet Kidder) AND SECONDED (Jeremy Bonin) to accept the article XX section C, 1. as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Jeremy Bonin) AND SECONDED (Marianne McEnrue) to accept the all individual modifications made to each sub section of article XX as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

**6. Other Business – None**

- 7. Master Plan Process** – Chair Gorman stated they are in the process of preparing a summary of the Master Plan survey that will be included in the Town Report. There will also be an explanation of what has been done and where we are going with regards to the Master Plan. The summary will also be on the website. Chair Gorman feels it is important to not lose the momentum of this process.

**8. Motion to Adjourn**

**IT WAS MOVED (Tim Paradis) AND SECONDED (Katie Vedova) TO ADJORN THE MEETING. THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 8:11pm

Respectfully submitted,

Trina Dawson

Recording Secretary  
Town of New London