



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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NEW LONDON PLANNING BOARD

Regular Meeting

Tuesday, January 24, 2017

6:30 PM

PRESENT: Paul Gorman (Chair), Bill Dietrich (Vice Chair), Janet Kidder (Selectmen's Representative), Michele Holton, Jeremy Bonin, Casey Biuso (Alt), Marianne McEnrue (Alt) and Joseph Kubit (Alt).

ABSENT: Liz Meller and Tim Paradis.

Chair Gorman appointed Marianne McEnrue to replace regular member Liz Meller.

OTHERS IN ATTENDANCE: Deb Langner, Soo Nipi Hollow Farm; Craig Langner, Soo Nipi Hollow Farm; Jim Morris, Orr & Reno P.A.; Harry Burgess, Surveyor and Agent for Arnold and Anne Wood; Andrew Deegan, Ausbon Sargent; Tyler Webb, Harding Hill Farm; Dave Carey, DA Carey Property Management; Lamont Thomas, New London Resident; Jane McMurrich, New London Resident; Tim McMurrich, New London Resident; and Clayton Platt, Surveyor.

CALL TO ORDER: Chair Gorman called the meeting to order at 6:30 p.m.

Chair Gorman thanked the Board for attending last night's public hearing. He thanked members of the ADU Subcommittee, Jeremy Bonin and Marianne McEnrue; and thanks members for Sign Subcommittee, Liz Meller and Janet Kidder for their participation.

PUBLIC COMMENT: The Chair may allow public comment for items not listed on the agenda and may limit the amount of time for public comment.

Lot Merger Application. Timothy & Lizette Sliter, owners (formerly Elizabeth Trayner Trust). Located at 431 Shaker Road. Tax Map 111-018-000/019/020. Zoned Agricultural & Rural Residential (ARR).

- ✓ **Motion to APPROVE the Lot Merger Application at 431 Shaker Road, as presented.** It was MOVED (Joseph Kubit) and SECONDED (Michele Holton) to approve the Lot Merger Application, as presented. The motion was APPROVED UNANIMOUSLY.

Lot Merger Application. Owner Ausbon Sargent Land Preservation Trust. Located on Checkerberry Land and Route 11. Tax Map 045-001-000 (8.18 acres), 044-035-000 (0.57 acres) and 044-036-000 (0.36). Zoned Residential (R-2) and in the Shoreland Overlay District.

Andrew Deegan indicated that the intent was to consolidate the three tax bills into one.

- ✓ **Motion to APPROVE the Lot Merger Application at Checkerberry Land and Route 11, as presented.** It was MOVED (Joseph Kubit) and SECONDED (Michele Holton) to approve the Lot Merger Application, as presented. The motion was APPROVED UNANIMOUSLY.

Wutz, Paul Tree Cutting Application. Located at 153 Owls Nest Road. Tax Map 141-001-003. Continued from Dec 13th meeting.

Tyler Webb stated that the way the trees are currently situated, they have the potential of coming down and hitting the house. He explained that there are sufficient points in each 50 segment. Ms. St. John commented she visited the site with Mr. Webb, and the tree removal as requested would be acceptable, as there are plenty of points.

- ✓ **Motion to APPROVE the Tree Cutting Application at 153 Owls Nest Road, as presented.** It was MOVED (Jeremy Bonin) and SECONDED (Janet Kidder) to approve the Tree Cutting Application, as presented. The motion was APPROVED UNANIMOUSLY.

Frieze, Kenneth Tree Cutting Application. Located at 45 Pilothouse Road. Tax Map 080-010-000. Town received Jan 9, 2017.

Dave Carey described which trees he was proposing of cutting down, in order to remove one dead red pine, as well as open up the view from the deck. Ms. St. John commented she visited the site with Dave Cary and the tree removal as requested would be acceptable, as there are plenty of points.

- ✓ **Motion to APPROVE the Tree Cutting Application at 45 Pilothouse Road, as presented.** It was MOVED (Marianne McEnrue) and SECONDED (Michele Holton) to approve the Tree Cutting Application, as presented. The motion was APPROVED UNANIMOUSLY.

Radeke, David & Rita Tree Cutting Application. Located at 583 Forest Acres Road. Tax Map 119-021-000. Received January 10, 2017.

Ms. St. John stated she visited the site. The applicant's agent was unable to attend due to the dead in the family. She noted that the applicant has also submitted a Variance application to the ZBA relative to other proposed improvements on the property. Per the plan they meet the points.

- ✓ **Motion to APPROVE the Tree Cutting Application at 583 Forest Acres Road, as presented.** It was MOVED (Joseph Kubit) and SECONDED (Jeremy Bonin) to approve the Tree Cutting Application, as presented. The motion was APPROVED UNANIMOUSLY.

Wood property on King Hill Road Subdivision Plan. Property owned by Arnold & Anne Wood. Located at 1845 King Hill Road. Tax Map 137-019-000. Zoned Agricultural and Rural

Residential (ARR). Proposal to subdivide the property and create two new lots. Plan prepared by Harry Burgess, Surveyor/ Forester. Conceptual discussed at the July 12, 2016 Planning Board meeting. Plan submitted Dec 15, 2016.

Harry Burgess, surveyor presented the Subdivision Plan. He indicated that he has obtained Driveway Permits from the State, as well NHDES State Subdivision approval, and referred to his letter of January 23, 2017 regarding the requirements for the High Intensity Soils Survey (HISS), mapping. He noted that since the last meeting other details have been added to the plan as requested.

Staff referred to the staff report, letter from Harry Burgess on the HISS mapping, and information regarding soils data and HISS mapping provided to the Board.

Chair Gorman asked if there were any comments from the Board.

- ✓ Question regarding the Public Service of New Hampshire (PSNH) Easement shown on the plan which runs through the lots. Harry Burgess explained that the 50 foot PSNH ROW shows on the plan is where the power lines used to run, the lines have been moved closer to the road, but the easement area still existing. No development is proposed in the PSNH ROW area.

Chair Gorman opened the Public Hearing.

Lamont Thomas, an abutter voiced his concerns regarding the property, to include:

1. Property has been clear-cut. No buffer has been left between his property and the Wood property. Trees taken along the stonewall. The site and stumps look terrible.
2. Since there are less trees, drainage into his property through the stone wall may increase, concern about natural runoff, and how this might impact his septic system located in the rear. Concern about the steady stream of water between his property, and drainage under the stonewall.
3. Concern about winds, since it has been clear cut.
4. Noted that when the logger, CMC did the initial cutting, they had left a buffer, and then came back later and cut all the trees. He commented that they cut the trees for greed.

Jane McMurrich, an abutter reiterated Mr. Thomas' concerns, as well as inquired if there were any requirements to cleaning up the property within a reasonable amount of time. She said the property looks like a war zone.

Deb Langner, abutter commented that HISS mapping has not been completed. As the Town Health Officer she witnessed the test pits for the septic, and the soils look good. She commented that having the HISS mapping, and the level of details it provides may help in assessing the issues which have been brought up about drainage. Asked if a certain percent of trees (basal area) must be left along the road per NH forestry laws. Tyler Webb, sitting in the audience for another application said he wasn't current on all the forestry requirements at this time, and couldn't comment. Harry Burgess commented that comments about the forestry should be addressed to the State Forester or forester involved in the cutting operation.

Mr. Burgess responded to the comments raised.

1. He noted that he was not involved in logging operation at all. He surveyed the property back in fall and didn't go back to look at it until today, because he heard of the concerns with the logging and drainage. He confirmed Mr. Thomas' concerns regarding tree removal. He thought it looked better than last fall, where there was a whole bunch of windblown trees and dead trees. He commented he thought the site looked pretty good today based on his experience as a forester.
2. There shouldn't be an issue with drainage, as the land is dry ground up along Mr. Thomas' property. There has been no HISS mapping done, and he doesn't feel it is necessary and he submitted a letter requesting a waiver to the HISS mapping. He noted the wetlands to the rear, as the site's natural drainage. Wetland details are included on the plan. He noted that there is no evident in the field of erosion, and eventually much of the site will likely be lawn, or regrowth (natural succession of plant species). He noted, that within 4- 5 years, there could be trees on the site, as typically pioneer tree species come back, at a rate of 4,000 trees per acre. The owners could also just have the lots be lawn.
3. He indicated that because it's being converted to a house site, there are no permitting requirements, nor stumping requirements.

Comments from the Board and staff.

- ✓ Janet Kidder, commented on the Intent to Cut process and the logging operation that was done years ago on Seamans and Hall Farm Road. She noted there is no specific time frame to have the site cleaned-up, and residents in that area also experienced some drainage issues, as many trees and vegetation was removed. She noted that people have the right to log their property.
- ✓ Inquired about the drainage along the stone wall and if there is some gully, or if some drainage features could be added to alleviate some of the drainage concerns.
- ✓ Ms. St. John asserted that it may be a good idea to have a HISS map done, in order to alleviate any concerns being raised by the abutters regarding drainage issues. She also referred to the provisions in the Subdivisions Regulations regarding HISS mapping and other information she had posted regarding HISS mapping. She addressed the tree removal issue by stating that the Planning Board does not have jurisdiction over it (Intent to Cut), and if an abutter has concerns about the forestry (logging operation), they should contact the State or County forester. She noted that there is no requirement to maintain a buffer of trees between the properties, as a property owner can cut trees on his property.
- ✓ Concerns expressed on how to address the drainage issues, and that the applicant should provide additional information or retain some expert to address these issues.
- ✓ If the appearance of the site, lack of clean-up could be considered a public nuisance, which would be a legal way in which this could be handled.
- ✓ Suggested that some vegetation or planting of trees, may address some of the drainage concerns, and the issues regarding the appearance of the lots.

Chair Gorman suggested that the discussion be tabled to the next meeting on February 28th, 2017. He requested that the owner present a drainage plan to address the issues raised by the abutters at the next meeting.

- ✓ **Motion that the Public Hearing and discussion be continued to the next regularly scheduled meeting.** It was MOVED (Bill Dietrich) and SECONDED (Michele Holton). The motion was APPROVED UNANIMOUSLY. Public Hearing and discussion continued to the next meeting on February 28, 2017.

Stevens (Samuel, Amelia and William) Subdivision Plan. Located at 217 Owls Nest Road (private road). Tax Map 135-001-000. Zoned Residential (R-2) and in the Shoreland Overlay District. Plan prepared by Clayton Platt, surveyor. Public Hearing continued from the Dec 13, 2016 meeting.

Clayton Platt described the Plan to the Board, including the lots of the required frontage. He indicated that he has received State Subdivision approval for the two lots. He went on to add that, after Department meeting, he did changes to the road design, which added another culvert and extended the ditch another 2 or 3 feet, as well as proposed to put fabric under road. He stated that a HISS map was submitted with the property. He discussed that the Plan was to extend the approved section of Owls Nest Road down to Kreisler property.

Chair Gorman asked for comments from the Board. Comments pertained too:

- ✓ Location of the septic system and removal of the septic system.
- ✓ Maintenance of the private road.
- ✓ Road signage, if any additional signage proposed.
- ✓ Fire Chief, Jay Lyon comments of January 4, 2017 (as noted in the staff report).

Clayton Platt responded to the comments.

- ✓ Septic- he noted that it is fairly new and was barely used. Much discussion was had regarding its placement. He commented that this will be taken under consideration when they plan the new house location.
- ✓ Road maintenance- He noted this is private road, and there are about five (5) property owners along the road that contribute to the road maintenance.
- ✓ Road Signage- He stated that there is a sign as you enter the road.
- ✓ Fire Chief's comments- He stated these have been addressed in the road design.

Chair Gorman noted the Public Hearing was continued and asked for comments.

Deb Langner, Health Officer asked if the septic system for the existing house (which straddles the property line), will be drained, crushed and filled with sand and properly abandoned.

Attorney Jim Morris, Orr-Reno of Concord, NH said he was in attendance to represent his clients, the Kreisler family (abutters). He has several concerns including:

1. The location of the driveways, and if they meet the Town's Driveway Regulations, 10 feet from abutting property lines. The plan should show the proposed driveway locations. Of particular concern is that the proposed lots are narrower at one point, and if there is sufficient room to meet this regulation. The location and curvature of the proposed driveways and if there would be any wetland impacts, as the elevation on the lot changes.

2. The location of the driveway relative to the existing and any proposed septic leach field.
3. If the Board, conditionally approved the plan, would it come back before the Board?
4. Commented that old houses “camps” are being torn down and asked if the Town was going to address this issue, as more “McMansion” are being built.
5. The lot is oddly configured.

Clayton Platt, surveyor responded to Attorney Morris' concerns:

1. The plans he has submitted show both driveways on them.
2. The driveway is 15 feet from the Stevens's property and 10 feet from the Kreisler property at its narrowest point. But he will reanalyze it to ensure that it meets the Regulations.
3. Leech field has to be displayed as a 4,000 square foot designated area, although the actual leech field is only a very small portion of it, and there are no intentions of putting the driveway over the leech field.
4. HISS map shows no wetlands in the area.
5. The applicant proposes to have the Board approve the plan, they will then complete the road improvements per the plans, demolish the house (which straddles the property line) and then submit the mylar for the Board's signature, sometime in late spring.

✓ **Motion to APPROVE the plan with conditions.** It was MOVED (Bill Dietrich) and SECONDED (Michele Holton) to approve the subdivision plan with the following conditions that prior to submitting the mylar for the Planning Board signature and recording, the applicant will:

1. Complete the Owls Nest Road (private road) improvements per the plans submitted;
2. Show that the driveway locations comply with the Town's Driveway Regulations that all driveways must be no closer than 10 feet from abutting property lines in this Zoning District;
3. Show that the house which straddles the property line has been removed from the site;
4. Show that the septic system comply with applicable regulations.

NH 2019-2028 Ten-Year Transportation Improvement Plan. Letter from the Upper Valley Lake Sunapee Regional Planning Commission (RPC) received Jan 17, 2017.

Chair Gorman suggested that the Board Members review the letter and at the next meeting the Board will discuss any specific projects or transportation issues they want to bring to the attention of NHDOT through this process. The Board noted that some general concerns are sidewalks along Main Street in front of the College, Main Street and safety/crosswalk issues previously discussed. Discussed what roads in New London are State Roads. The Board commented that with the new Congress, there could be additional funding resources in the future for transportation infrastructure improvements, and they want to get on the record transportation concerns of the Town, should funding become available. Staff provided a brief overview of the NHDOT Ten-Year Plan process and reiterated, per the letter that if the Town intends to submit a project for consideration the form must be submitted to the RPC by Wed, March 1, 2017 by 4:00 pm, and that the letter explains the types of projects that the RPC Transportation Advisory Committee (TAC) will consider. Board members were asked to share via email with Ms. St.

John (only) any transportation concerns or projects they would like the Board to discuss at the next meeting. Ms. St. John will then comply a list for discussion at the next meeting.

Discussion on amending the meeting calendar to include April – August 2017 dates.

The Board discussed the current meeting schedules and staff will amend the meeting calendar to include the following dates, with two meetings in the months of April and May (2nd and 4th Tuesdays); and one meeting during each of the summer months of June, July and August (with the meeting held the last Tuesday of each month).

Marianne McEnrue inquired whether any work that needs to be happened in timely way can be accomplished at subcommittees, to which Chair Gorman responded yes. Mr. Dietrich went on to state that after Town Meeting there will be Subcommittees doing much of work, and updating the Board during regular meetings.

Report from Planning Board Representatives of following Committees/Boards: Conservation Commission, Energy Committee, Board of Selectmen, Regional Planning Commission (RPC) and Subcommittees.

Ms. Kidder distributed a handout on Capital Outlay 2017-2018 from the Board of Selectman. Much discussion was had regarding the impact that the bond will have on the tax rate. It was noted that some moneys would be used to pave gravel roads.

Ms. Kidder inquired of the Board Members regarding who would like to serve on the Planning Board the following year. All Board Members indicated they would like to serve again.

Other Business

Jeremy Bonin stated that logging and the impact that it has on abutters seems to be something that has come up at least four times in the past year. He suggested that it be addressed as a "hot topic" in the future. Ms. St. John suggested that the Board consider inviting the State or County Forester to attend a meeting, or attend local Forestry Laws workshops.

Plan NH Workshop

Chair Gorman discussed the handout regarding the Plan NH workshop- Adjustments- the Role of Community Design in Supporting the Dynamic Last Third of our Lives, to be held in Concord in March 2017. Bill Dietrich commented that the statistics included on the handout about the aging NH population, is particularly noteworthy considering the current demographics of New London make this workshop particularly interesting. Chair Gorman suggested that Board Members attend, and that the Town will pay for attendance, as this is a topic that needs to be addressed, in terms where the Town is headed, and issues that need to be addressed relative to the Town's future outlook. Several members asked that they be registered (Paul Gorman, Bill Dietrich and Michele Holton) and other members will inform staff if they are interested.

Agenda Attachment List: See list for details including correspondence, State applications, informational items and other items.

Future Meeting Dates: Refer to the Planning Board Meeting Schedule (as revised Jan 3, 2017) and the Town's website for updated meeting information.

Motion to Adjourn

MOTION TO ADJOURN the meeting at 8:04 PM. IT WAS MOVED (Janet Kidder) AND SECONDED (Bill Dietrich) to adjourn. THE MOTION WAS APPROVED UNANIMOUSLY.

Respectfully submitted,

Victoria O'Connor
Recording Secretary
Town of New London, NH