



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

375 MAIN STREET • NEW LONDON, NH 03257 • WWW.NL-NH.COM

NEW LONDON PLANNING BOARD

January 9, 2018

Meeting Minutes

6:30 PM

**PRESENT:** Paul Gorman (Chair), Bill Dietrich, Janet Kidder, Tim Paradis, Maryann McEnrue, Joseph Kubit, Elizabeth Meller

**MEMBERS ABSENT:** Jeremy Bonin, Michele Holton

**OTHERS PRESENT:**

Adam Ricker, Town Planner

Maureen Strachan, Karen Bonewald, Ed & Beth Condict, Bruce King, Wayne Morrill, Mike Black, Joe Hogan, Sarah Adams, Eldon Munson, Katharine Fischer, Doug Lyon, Stefan Timbrell, Phyllis Piotrow, Kimberly Hallquist, Frank Anzalone, Bill Helm' John Ellis, Jamie Hess, Michael Wood

**1. Call to Order**

**2. Review of minutes**

**IT WAS MOVED (Joseph Kubit) AND SECONDED (Elizabeth Meller) to approve the minutes of December 19, 2017 as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

**3. Public Comment- None**

**4. Carlson, Timothy & Lucinda Becky Tree Cutting Application.** Located at 293 Lamson Lane. Tax Map 062-008-000. Proposal to cut (2) two trees. Property located in the following overlay districts: Shoreland Overlay District and Stream Overlay District. Town received December 21, 2017. This will be postponed until the next meeting.

**5. Strachan, Maureen for a Conditional Use Permit – Accessory Dwelling Unit Application.** Located at 1125 Main Street. Tax Map 109-009-000. 1.10 +/- acres. Zoned Agricultural/Rural Residential (ARR). Applicant is applying to convert basement space into an accessory dwelling unit. Town received application on December 14, 2017.

Maureen Strachan attended the meeting to discuss her request to convert basement space into an accessory dwelling unit. Ms. Strachan has a lower level that she rarely uses. She would put an entrance in underneath the back deck and put a 704 square foot unit there. There are currently two bedrooms there now and she would like to convert the larger bedroom into a living room/dining room area. There is already a full kitchen and bath. There is off road parking and a path with steps will be installed.

Chair Gorman commented that for additional lighting be sure to install them pointing down.

**IT WAS MOVED (Elizabeth Meller) AND SECONDED (Janet Kidder) to approve the application as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

## 6. PUBLIC HEARING ZONING AMENDMENTS

Tim Paradis stated that the goal of the sub-committee was to clarify what is currently not in the zoning now and expand on what is presently there.

**Amendment # 1:** The Planning Board proposes to amend Article XXV, Section B. Procedures for Review Sections 1, 2 & 3, addition of Section C Definitions, amend Section C 1, 2 & 3, Section D, Section E and Section F. The current language on Small Wind Energy Systems will be replaced with the proposed amendment language and moved to Accessory Structures in Article II, f.

There are currently some guidelines about wind systems but needed clarification. Definitions and photos were added to make this clearer.

John Ellis asked if a person had a ground mount or roof mount and wished to attach a wind system to that for additional energy would that be covered in this ordinance. Mr. Ricker stated this would be two separate issues. The solar panels would fall under the solar ordinance and the wind would fall under the wind ordinance. They would be looked at independently.

**IT WAS MOVED (Janet Kidder) AND SECONDED (Elizabeth Meller) to put the Wind Energy Systems ordinance before the voters at town meeting day as proposed. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Amendment # 2:** The Planning Board proposes to create a Bike Rack Ordinance. The ordinance adds bike racks to accessory structure in Article II, f. and provides governing language.

Tim Paradis explained there wasn't currently anything in the zoning to address bike racks. The community has expressed a desire for a walkable community (including biking). This is not meant to discourage bike racks but only to give guideline so if a business wanted to install a bike rack this would guide where to put it with regards to setbacks etc.

**IT WAS MOVED (Elizabeth Meller) AND SECONDED (Bill Dietrich) to put the Bike Rack Ordinance before the voters at town meeting day as proposed. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Amendment # 3:** The Planning Board proposes to create Solar Energy Systems Ordinance within the Accessory Structures Article II, f. The ordinance is proposed to govern the installation and specifications of Solar Energy Systems.

Work was done to determine what types of systems based on size are allowable and what is required for the applicant regarding site plan review. They also clarified in what zones the various systems would be allowed. A grid was presented to make the information more user friendly.

They also addressed setbacks.

Frank Anzalone inquired what the regulations would be if solar panels were mounted to a wall rather than a roof. It isn't currently defined in our accessory structures ordinance. Mr. Anzalone suggested categorizing it somewhere where this would be allowed.

Mr. Anzalone also had concerns related to the dimensions on the roof. This relates to the 3 foot clearance on the gable end. His recommendation is to make it clear this means the edge of the roof.

Chair Gorman stated letters were received from Ed and Beth Condict and from a company that installs solar panels. The comments addressed the reduction in physical space the panels can be placed by the buffer and the switch to turn these panels off.

Mr. Condict attended the meeting and clarified his concerns. He stated that they have a roof that is easily accessible. They have contracted to have a system designed and installed next summer. They did the contract last year when there were no regulations. The regulations will reduce the size of his array so it will produce roughly 30-40% less power to meet the 3 foot setbacks. His roof has about three feet on each side of a dormer that the fire department could lay a ladder to get easy access up to the ridge. The roof has a slow pitch as well. If the firefighters had to walk on the panels, it would be as supportive as a metal roof would be. He understands the need for guidelines but there may be a need for a site by site definition. Mr. Condict supports the shut off switch but has an issue with the setbacks. On a small, modest house, there won't be enough surface area.

Adam Ricker shared the letters with ay Lyon, Fire Department Chief and he provided the feedback that these are necessary elements to protect the firefighters so they can safely and adequately access the roof. The concerns weren't necessarily with walking on the panels; it was more about the ladders being able to hook onto the roof and for the ladder to lay flat on the roof.

John Ellis asked if a site review could be added to the ordinance, perhaps by the fire chief. The age and structure of the house should be considered. Chair Gorman asked what the committee thought about this suggestion. Mr. Paradis feels that Chief Lyon is the expert so would like him to weigh in on this.

Ms. Hallquist stated that generally speaking, this would be done by a variance. She hasn't ever heard of having a town employee be able to determine if a zoning ordinance would apply or not.

Chair Gorman feels that the committee has a responsibility to follow the advice and direction given by the consultants. The direction the Fire Chief has given is clear. He feels we should proceed as presented and if necessary, people can go through the variance process.

Mr. Analone stated that a variance is hard to obtain. He asked Chair Gorman if he would consider making it a special exception which is easier and more realistic. Work would need to be done to obtain what the criteria would be to grant a special exception.

Doug Lyon commented that as the Chair of the ZBA he urged the committee not to make assumptions on how firefighters fight on roofs and agrees with Mr. Anzalone that a special exception is a lot easier than trying to obtain a variance.

**IT WAS MOVED (Tim Paradis) AND SECONDED (Bill Dietrich) to continue the Solar Energy Systems Ordinance hearing until January 30, 2018. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Amendment #4:** The Planning Board proposes to combine the current three Institutional Districts (Articles X, XI & XII) into a single article, Article X. Additionally, the board proposes adding an Institutional Theater District to the article. The Theater District would include properties 073-042-000 & 073-040-000, owned by New London Barn Playhouse Inc.

There was a request by the New London Barn Playhouse to create an Institutional Theater District. We now have institutional district ordinances for the Hospital and the College. It was decided this was a reasonable request. Mr. Ricker clarified that there was an organizational shift within the zoning ordinance. There used to be individual institutional zones for Hospital and College properties. It was the opinion of the Board to just have Institutional zoning and within that there will be sub districts that will have separate zonings for the college, hospital and barn playhouse needs. The only real change would be removing the reference to physical names.

**IT WAS MOVED (Bill Dietrich) AND SECONDED (Elizabeth Meller) to put the Institutional Districts Ordinance before the voters at town meeting day as proposed. THE MOTION WAS APPROVED UNANIMOUSLY.**

**7. Conceptual – New London Hospital & Continuum of Maine** – Discussion of proposed 112 unit senior living facility at Tax Map 072-017-000.

Mike Black attended the meeting to discuss the proposed plan for a senior living facility. They are looking to move into the New Hampshire market to expand their assisted living facilities. They have been working with New London Hospital for a while to come up with a design that works for the property they are trying to utilize.

Wayne Morrill, a representative from Jones and Beach Engineers has been working with Continuum and New London Hospital. The piece of property that they are working with is 50 acres in size and sits between Parkside and County road. There are 15 acres of wetlands and 23 acres of steep slope.

The site has 2800 linear feet of roadway. There are two cul de sacs. The master portion of the project will house 20 units of memory care on the first floor and on the second floor there will be 50 units of assisted living. On the other side is the lodge building where there will be 16 units of independent living. There are also plans for 36 cottages between 1200-1400 square feet in size to be built. They are trying to utilize the usable areas to minimize the impact to the wetlands. About 8,000 square feet of wetland would be impacted on the entire site. There is a 75 foot buffer around the perimeter of the site. They have been working with a forester with regards to the location of trails on the site. There is a network of trails and they will work to keep the connectivity of those trails currently there.

They met with the water department and DPW to discuss sewer and drainage. They met with the Fire Department to make sure the height and peaks of buildings are accessible. All of the buildings will have sprinkler system.

They will be doing this in phases. They will start with the roadway, one of the large buildings and one of the cul- de- sacs with cottages. They are allowed 155 units and they will be building 122. There is another piece of property, a ten acre parcel on the Southside of Parkside road where they may do work force housing in the future. This would allow people to work and live close by.

While working with the Hospital on this project, they went out and mapped the wetlands to create different parking that will give 80 parking spaces instead of the 40 that they currently have now. The big thing they wanted to ensure is that they be able to access the hospital without having to go back out onto Parkside or town road. Everything will be interconnected. The parking spaces will be pervious pavement. They will be meeting with the Conservation Commission and they have 2 variances they will need to request.

Joe Kubit asked what the timeline is. Joe Hogan, Continuum Health Services, stated that it will depend on sales. They will build the cottages and start a marketing presence in New London. People can make a deposit. The first phase will take 18 months to build. The rest will depend on market demand.

Michael Wood asked if this was a continuing care community. It is not and it will not be licensed as such. Sarah Adams stated that this model is to buy or rent your independent living cottage. When you no longer can live independently and can't utilize home health, you can sell your home and can do month by month rental on campus or go to another facility. It affords more independence when making choices as one's needs advance. They work closely with hospice and home health agencies.

Mr. Wood feels that New London needs a community care facility. He feels we have independent living but what we are missing is Nursing home care. The same thing would happen in this type of model. There is a migration from this town for this care and this is an economic detriment to this town.

Eldon Munson replied that the laws and regulations in New Hampshire regarding assisted living have changed. If you give the proper care, you can maintain a person in assisted living, memory care or even

in their own home. Aging in place is possible as services can be brought into a licensed community and care delivered until end of life. What is being proposed is an extension of what has been the traditional assisted care into a broader spectrum of service. Over time he would be glad to educate the board, the public and others about how the model works. The consumer desire is to age in place and stay in their own environment until end of life.

Mr. Wood stated this is based on staffing. Are you providing skilled nursing care 24 hours per day? Sarah Adams replied that in the other four communities in Maine they are doing that. They are offering a different product. They won't promise they can keep everyone until end of life but if their model specializes in end of life care. Mr. Wood feels there is still a gap if there is not nursing home care.

Mr. Hogan stated that they would be affiliated with New London Hospital and they have swing beds. If any residents are eligible for Medicare reimbursed service for skilled care then they would go to New London Hospital.

Mr. Ellis asked who owns the land. Bruce King, CEO of New London hospital responded that right now the Hospital owns the land. Right now they are working on the definitive agreement on how the land would be conveyed over what period of time. There isn't a final decision on whether it's a land lease or a sale. They are at the conceptual approach and haven't signed a definitive agreement.

Mr. Ellis asked about hiring staff and for more information about the proposed housing. Sarah Adams responded that they will staff according to the State requirements. They are working with State regulators to learn what that percentage is. They are exploring work force housing options with the 10 acre parcel on the Southside of Parkside road. It wouldn't necessarily be dedicated to the staff but they are working with the town on a program where work force housing can be developed as this is an effective recruitment and retention tool. To have an affordable housing option would be beneficial.

Elizabeth Meller asked what the pricing levels would be on the cottages. Ms. Adams stated that this is just conceptual at this point.

Joe Kubit asked about water usage. They used volumes from a similar facility in Maine. When they presented them to the committee, they said there were no issues.

Doug Lyon stated that part of the problem is that there is a CCRC mindset where the thinking is that you go from independent living to assisted living and then to a nursing home. This is not that model. There is no question that some people will end up in a traditional nursing home but that number is shrinking. What Continuum has proved in 20 years of operation is that they can meet the needs of all of their residents, regardless of the level of care they require. There will be education and people need to start thinking differently. In another forum, questions can be answered about the facility, and more can be learned about how Continuum does business.

Mr. Ricker asked about traffic impact. Mr. Morrill stated they have already done a traffic study and will supply information.

Next steps are when the plans are ready to be put forth for a public hearing, the application is submitted and the notification to abutters will begin. A public hearing will be held.

Janet Kidder asked that they come in with a plan with regards to signage and lighting.

Phyllis Piotrow asked what the timeline would be. Mr. Ricker stated submission of the application starts the process. Sarah Adams stated they are in counsel negotiations with New London Hospital. The plan is that the hospital and counsel will agree to a partnership. There is no agreement yet, but they'd like to move quickly. Mr. Hogan is hoping to file the application in the next few weeks.

### **8. Master Plan Update**

William Dietrich reported that they met with the hospital and discussed the senior living facility. Ms. Meller stated they discussed bringing specialists from Dartmouth Hitchcock to New London. The viability of the hospital was discussed. There was an operating loss for the past two years. The next Master Plan meeting will be on January 23, 2018. The questionnaire is still being developed to be sent out in the spring.

### **9. Meeting Updates**

Selectman Janet Kidder reported on a recent ZBA hearing held on December 28, 2017. A contractor started a project on Little Sunapee Road put in a foundation that didn't meet the setbacks. He had not gotten a building permit.

The other issue discussed was Colonial Pharmacy wanted three signs and one of the signs was larger than the ordinance permits. The ZBA denied the request and stated they could have two signs and within the sign ordinance requirements.

At the most recent Board of Selectmen meeting, the Selectmen agreed with the Planning Board to put a Conservation Easement on the Pleasant street property. This will now go on warrant so the town can vote on it.

Also, it was noted that the Pleasant Lake dam will need to be lowered in the fall of 2018. It has been five years and there are holes in the stonework near the dam that need to be fixed.

Work is being done to put together a committee to search for a new Public Works Director. Richard Lee will retire in June 2018.

### **10. Future Meeting Dates:**

Subcommittee – Solar Energy, January 11, 2018 10:00am

Planning Board Meeting - January 30, 2018, 6:30am

Planning Board Meetings in March will be held on March 6<sup>th</sup> and March 27<sup>th</sup>.

### **11. Motion to Adjourn**

**IT WAS MOVED (William Dietrich) AND SECONDED (Tim Paradis) to adjourn.  
THE MOTION WAS APPROVED UNANIMOUSLY.**

Respectfully submitted,

Trina Dawson  
Recording Secretary  
Town of New London