



# TOWN OF NEW LONDON, NEW HAMPSHIRE

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## NEW LONDON PLANNING BOARD MEETING MINUTES

Tuesday, October 10, 2017  
6:30 PM

**PRESENT:** Chair Paul Gorman, Vice Chair William Dietrich, Selectman's Representative Janet Kidder, Elizabeth Meller, Jeremy Bonin, Tim Paradis, Alternate Joseph Kubit and Alternate Marianne McEnrue. Alternate Casey Biuso was appointed to vote as full member for Michele Holton

**ABSENT:** Michele Holton

**STAFF:** Adam Ricker, Town Planner

### **OTHERS IN ATTENDANCE:**

Jackie Lamprasi, 12 Lovering Lane  
Fred and Karen Mansfield of 33 Prescott Lane  
Kim Bonin of 210 Main Street  
Audrey Martell  
Matt and Karen Conway of 756 Seamans Road  
Holly Walker of 116 Newport Road  
Michael Williams of 123 Mountain Road  
George Quackenbos of 153 Poor Road  
Ashley Perkins of 157 Poor Road  
Pam Perkins of 157 Poor Road  
Richard Beffa  
Ellen Winkler of 12 Lovering Lane

Taylor Knopp  
Christina O'Halloran of 16 Winslow Court  
Dan O'Halloran of 16 Winslow Court  
Ben Barton of 52 Main Street  
Mike Morgan of 721 Little Sunapee Road  
Laurie Schive of 721 Little Sunapee Road  
Stephanie Wheeler of 259 Main Street  
Jim Wheeler of 259 Main Street  
Douglas Peel of 259 Main Street  
Graham McSwiney  
Margie Weathers  
Rachel Ensign  
Karen Hoglund

**CALL TO ORDER:** Chair Gorman called the meeting to order at 6:30PM.

**REVIEW OF MINUTES:** Chair Gorman asked for a review of the minutes of the September 26, 2017 meeting.

**MOTION TO ACCEPT the minutes of the September 26, 2017 Planning Board meeting was made by Elizabeth Meller AND SECONDED BY Janet Kidder. THE MOTION WAS APPROVED UNANIMOUSLY with abstentions from Vice-Chair William Dietrich and Tim Paradis as they were not present for the meeting.**

**PUBLIC COMMENT:** No comment from the public.

**Guimond, David B Revocable Trust Tree Cutting Application.** Located at 17 Wilmot Center Road. Tax Map 077-01-000. Proposal to cut (7) seven trees. Property located in the following overlay districts: Shoreland Overlay District and Stream Overlay District. Town received September 14, 2017.

No comment from public.

**Discussion:** Town Planner Adam Ricker had performed a site walk and reported the site had numerous trees as and was completely covered blueberry bushes so there is plenty of thick vegetative buffer between the house and the water. Most of trees have lightening or insect damage. Planner Ricker showed photos of the canopy and pointed out the broken tops. Point value of trees is under 50 points but if you count the blueberry coverage there are substantially more the needed points.

There was some discussion amongst the board members about the approval process for a tree-cutting application. Planner Ricker explained that representatives don't usually appear if it is an easy/obvious decision.

**MOTION TO ACCEPT the Guimond, David B Revocable Trust Tree Cutting Application located at 17 Wilmot Center Road was made by Elizabeth Meller AND SECONDED BY Tim Paradis. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Schweizer Susan R Trust Tree Cutting Application.** Located at 813 Little Sunapee Road. Tax Map 032-001-000. Proposal to cut (2) two trees. Property located in the following overlay districts: Shoreland Overlay District and Stream Overlay District. Town received September 19, 2017.

**Discussion:** Planner Ricker showed a picture of one tree which is very close to driveway and has caused damage to cars. The other tree is closer to the shore and owners are changing the path for easier access to the dock. This tree is in the middle of a proposed pathway. Currently the point value of the trees is 85 and after removal of the two trees it will be 65.

**MOTION TO ACCEPT the Schweizer Susan R Trust Tree Cutting Application located at 813 Little Sunapee Road made by Marianne McEnrue AND SECONDED BY Liz Meller. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Barton, Benjamin – Site Plan Review.** Located at 52 Main Street. Tax Map 073-045-000. .9 +/- acres. Zoned Commercial (COMM). Applicant is applying to add additions of approximately 360 square feet to house office space and 155 square feet to house a screen porch. Town received the application on September 14, 2017.

Ben Barton spoke to the board and reminded them he appeared previously in June of 2017. The original site plan had been approved for which he was grateful but when he received the contractors estimate price it was too expensive. Mr. Barton presented a revised plan on the overhead projection. This is simply a reduced project that adds office space on the ground floor extending off the present building. There will be no garage. He also showed the extension off the back of the building for the addition of screened porch with deck that will extend to the office area. A sliding glass window will replace the kitchen windows for access to deck. Mr. Barton showed rear access stairs for fire purposes only. Various office spaces were shown to the board. In response to question from Liz Meller about handicapped parking spaces Mr. Barton replied "no handicapped spaces but they can be delineated easily." There is plenty of parking and at present people seem to park any old way but perhaps it may be useful to have painted lines. Planner Ricker stated that parking exists and meets requirements.

**Chair Gorman opened the Public Hearing:**

Karen and Fred Mansfield of Prescott Lane expressed their support of Mr. Barton's plan.

**MOTION TO ACCEPT Barton, Benjamin – Site Plan Review located at 52 Main Street was made by Tim Paradis AND SECONDED BY Janet Kidder. THE MOTION WAS APPROVED UNANIMOUSLY.**

**Bonin Architects & Ellen Winkler – Continuation of Site Plan Review.** Located at 12 Lovering Lane. Tax Map 084-059-000. .27 +/- acres. Zoned Commercial (COMM). Applicant is applying to change the use of the property to a restaurant/bakery establishment. Town received the application on August 8, 2017 and the hearing is continued from the September 26, 2017 New London Planning Board meeting.

Jeremy Bonin recused himself and Alternate Joseph Kubit was appointed to vote by Chair Gorman.

Chair Gorman explained the process and thanked everyone who has participated and written letters and/or expressed comments at previous meetings. With that in mind, in order to keep the process expeditious, there should be no repetition of data that has been presented previously. He went on to express his concern that there seems to be some misunderstanding on the part of the residents that previous Planning Board actions/decisions are precedent setting. This is not the case. It is useful to read the things that were done 10 to 15 years ago concerning the property although that is not the way it is going to be decided on tonight. He shared the frustration he experienced at the recent Mount Sunapee trail expansion meetings where so much repetition was allowed.

Graham McSweeney asked that the previous minutes be corrected to reflect that he did not say that he had agreed to the widening of Lovering Lane. Planner Ricker apologized for the mistake and said he would rectify.

Jeremy Bonin introduced himself as representative for Ellen Winkler, the property owner and the two new prospective property buyers Laurie Shive and Michael Morgan. He stated he will present only new information. There are two items before the board tonight; specifically there is an application for a change of use and a waiver request for 8 outdoor seats. Mr. Bonin stated he would like to address a few things that were touched on the last time but some items have not been clarified.

- There has been a lot of conversation about traffic study but at the time the traffic study was done (12 years ago) there was middle school there, in fact there were two schools, twice the traffic and twice the children. There are not two schools there today. There is not the same traffic coming through parking lots to drop off/pick up children.
- Matt Conway's letter goes into depth concerning previous proposal concerns for Dead River Oil location. Perhaps the location uphill about 1800 feet from the Lyon Brook may have caused concern that the number 2 heating oil was a class 3 flammable liquid, a class 2 skin corrosive, a class 4 acute inhalation toxic substance and a category 2 aquatic toxin. Mr. Bonin stated he thought the Planning Board did due diligence in that case. There is no heating oil proposal here.
- Mr. Conway also pointed out there was much input from the Planning Board which Mr. Bonin assumes came from the Fire Chief Lyon in regards to a mixed use building and the requirements for sprinklers. The proposal for 12 Lovering Lane is not a mixed-use building. Chief Lyon's proposals have been submitted and they don't coincide with this project.
- Mr. Bonin went on to state "Mr. Conway came to Planning Board in 2006 and 2007 (which was an entirely different Planning Board) but what was perhaps omitted was that on March 22 of 2016, November 15 of 2016 and May 23 of 2017 he came to this exact Board. He came to this Board with a change of use from office to retail and the application was approved unanimously. He came on November 15 of 2016 with a waiver request for a coffee bar that under our regulations qualifies as a restaurant, the waiver was granted and the application was approved unanimously. He was deficient a parking spot but he was granted that waiver. In 2017 he came for a waiver request for 8 outdoor seasonal seats without the parking. The waiver was granted and approved unanimously. Those three items do set a stage for what was different in 2007."

- There was another letter that was submitted from Sothebys and while the Board has read the letter, the third paragraph is of most importance: “Our angst over this expansion begins with perhaps an unfair concern that our real estate/insurance customers have always been able to anticipate the ability to park somewhere near our office when they come to see us.” Mr. Bonin acknowledged that this is a legitimate concern but the parking on the street is not owned by any particular business.
- The second point that was brought up is that New London is being promoted as a walking community, which means there should be accessibility to walk from one area to another. Mr. Bonin explained he has been on the Planning Board for several years and this is something that the Board is trying to promote. “A walking community is defined as a place where people walk from one area to another. It’s defined as a measure of how friendly an area is to walk based on its accessibility, the available parking throughout the environment in question and a varied business use and destinations.” It’s not about distance; it’s about what is in that area and available parking. The letter also addresses snow storage concerns of the Dexter’s that are downhill from the proposed business but the proposal presented meets the town regulations for snow storage requirements as well as the drainage requirements. If the Board so requires it can ask for an engineering calculation to be provided as a condition of approval on the building permit application.
- Mr. McSweeney stated he does not want his yard ripped up but 6 feet of what he has been mowing is not his property; it is in the Town’s right-of-way. If the town decides that Lovering Lane would be a safer place, have better fire access, have better vehicular and pedestrian access, the Planning Board can make a recommendation to the Select Board. When you read through all the letters, the major concern is for the size of Lovering Lane.
- Lovering Lane has been compared to Haze Road, Whipple Court and to all the other uphill roads on that side of Main Street. Because they are on a uphill grade, it prohibits your line of sight. All of those roads have the same problem but Lovering Lane has an extra space striped out so that it is easier to make a left hand turn. This proposal is to add an additional space (either striped or as an ADA space) thus increase the amount of visibility.
- Mr. Bonin went on to say we have letters from abutters that say there is more traffic, and some abutters say the traffic is the same or less. This is a hard one to address. Surveys and studies say that a 4% increase is normal.
- He went on to say the client application is now compliant by meeting the loading and off-loading space and illustrated on the overhead map. This is a designated parking space except for specific hours when it is to be used for purveyors delivery.
- The application meets the snow storage loads.
- There are no regulations for dumpster requirements, there is no requirement to prohibit parking in front of it.
- The waiver for request for additional seating has been granted for several different buildings throughout New London. It was granted for Hole in the Fence which is now Cataleyas, it was granted for 74 Main and it was granted for Grounds just recently.

#### **Questions from the Board:**

Q: Tim Paradis stated that the waiver is addressed but he suggests that these are truly two different issues. Mr. McSweeney or Ellen Winkler does not own loving Lane. The Town should address the problems of Loving Lane.

A: Mr. Bonin replied he had conversations with Director of Public Works Richard Lee and that it would not be that expensive to widen the part of Lovering Lane that is only 14 feet. If Lovering Lane were widened to the 18 feet that is needed it would be sufficient space for fire apparatus to get through. It also appears that the two abutting properties are commercial and they are in favor of the widening.

Q: Casey Biuso was concerned about what the size of a handicapped van in that it would be tight getting out of at the curb.

A: There is no handicapped access from the parking lot and since it is uphill it would be a challenge. If you were in a handicapped van and using the curb, the van could lower onto the curb. The Board would have to make that request to the town and it would then not be specific to this building since it is on the street.

Q: William Dietrich stated Main Street has four lanes, two are for traffic and two are for parking. These are pretty tight. If a handicapped person pulled into that space they would have a hard time getting out of their car.

A: Mr. Bonin stated this is part of the parking proposal presented to the town in that there be more handicapped spots on streets. This is not the perfect solution but it will also improve visibility to make left hand turns coming out of Lovering Lane.

Q: Liz Meller commented that neither Cataleya's nor Grounds have handicapped parking spaces.

A: Planner Ricker stated that the actual code is easy for new construction, and then you get into this grey area for when you are renovating an existing structure as to what is required to bring it up to code. The perspective of the ADA is that they want you to choose the most accessible means to get into the building. Although the street parking is not a super-safe form of handicap parking it is probably the best option for this project primarily because in the rear of the building there are steps to get in. The walkway on the front is the most accessible and there is no hindrance from the entry of building to the actual bakery. ADA regulations went into effect in 1991 so there are many buildings with limitations but we must look to the best possible option.

Q: William Dietrich expressed concern about the bottle-neck of traffic that occurs about 8AM.

A: Janet Kidder stated that the Town should ask the State to put a handicapped spot on Main Street and lower the speed limit but she does not think it is a priority for them. If there was an increase in traffic on Lovering Lane and the homes on Lovering Lane became hard to access it may become a priority. If there has been a conversation with Richard Lee and he feels this is feasible (he is a very creative person) then the street should be widened. This will be a very successful business but what if Laurie wants to sell and we get an occupant that is even more successful? Ms. Kidder worries about the increase in traffic on Lovering Lane and the homes on Lovering Lane. If we can solve the problem of the width of the street then that is something we should do.

Mr. Bonin stated the regulations require 12 parking spaces for the property whether the business is wildly successful or just moderately successful. The loading will be in the same place. Currently the lot is hard-packed dirt but a paved parking lot that is striped will look more organized and easy to choose a defined parking space.

Q: Joseph Kubit applauded Ms. Kidder's idea to take it to the Selectmen. After doing some research he found that in 2006 there was much discussion about widening Lovering. It seems this has been ongoing. He asked Mr. Bonin for clarification of his requests.

A: Mr. Bonin stated he is asking for a change of use and waiver for need for parking when 8 seasonal seats are approved. There will be a negligible change in the vegetation on the site.

Q: Liz Meller asked about the drainage and stated a marked handicapped space would benefit the bookstore across the street as well as the offices. It would be wise to also ask for a handicapped parking space across the street but that could take a long time.

A: Mr. Bonin stated there would be infiltration drainage and showed the detail that was submitted to Richard Lee. The parking lot will be paved with asphalt. Currently there is a dirt parking lot, which does not meet requirements, and a dirt parking lot is not permeable.

Q: Marianne McEnrue: How does anyone turn around in Lovering Lane? What do people do when the lot is full? Do they back up into Lovering Lane?

A: Mr. Bonin stated it is possible to back into the aisle, which is 26 feet as required by regulations. It is possible to make a three-point turn in this area to get back onto Lovering Lane. Lovering Lane is a dead-end street and is so marked. If Lovering Lane were widened to 18 feet it could accommodate two-lane traffic. It is not possible to have two-way traffic unless you drive onto Mr. McSweeney's lawn.

**Public Hearing opened and Chair Gorman invited the public to comment.**

Pam Perkins, one of the owners of Sotheby's across the street, asked if approval could be conditioned with getting handicapped parking on the street and getting Lovering Lane widened and getting the speed limit lowered? It would be nice to have handicapped parking up and down the street but it is a challenge to find parking for all the businesses. It will send people further away hunting for a place to park. Is there a master plan to include more handicapped parking on the street?

Ms. Kidder stated there is work on master plan, which includes looking for ways to find more parking.

Audrey Martell, daughter of Ed Dexter whose property abuts the rear of Ellen Winkler's property, expressed concern as to where the snow will be stored on the revised site plan. She requested a definition of a as it relates her father's property. Mr. Bonin explained there is not a set-back for snow and the snow will be stored on the 26 foot aisle that is the town's right-of-way next to Ellen Winkler's property. It will not be pushed up against her father's property. If the snow were to get pushed up against the garage it becomes a zoning violation and the town should be called to have this addressed. If the snow pile gets too high it will be taken off the property with a bucket loader. In addition there will be conifers planted to replace the existing bushes and no large trees will be removed. It is hoped that this additional natural screen will prevent Mr. Dexter from having to view the parking lot.

Ms. Martell stated that the retaining wall exists but does not meet the setbacks. It is also in need of repair and perhaps this is the time to make it conform to a 10 foot setback. Retaining wall will be repaired and moved to make it less non-conforming but not completely conforming. Since it was not appealed at the time it was constructed it becomes grandfathered and is considered existing. Ms. Martell asked about the existence of a survey to which Mr. Bonin explained the boundary pins are shown as an underlay on the plan. It was also clarified that there is no unusual demand for utility service.

Ms. Martell referred to 165 Main Street waiver request and the note at bottom of page that states there are 10 waiver requests. Mr. Bonin stated this is customary at this is a process and things change as the application moves along. Applications are not always final; the Board makes requests as building goes along. Ms. Martell stated that many questions could be answered if the plans were originally complete. There are still some items that need to be satisfied. The Board has not approved this yet. Ms. Kidder asked Ms. Martell for specific concerns to which she replied she does not believe the plan shows enough room for the snow load.

Bo Quackenboss asked about the width of the parking spaces, which are 9 feet X 20 feet. Line dimension going across the lot is 45 feet long.

Stephanie Wheeler would like a traffic study done as part of this application. She asked and was permitted to show a video of August 30, 2017. Mr. Gorman commented that of course this 1 minute 47 second video is only represents a specific time of day and not representative of all traffic hours. There is a large 18-wheeler parked in front of Ellen's for delivery shown in the video. It was immediately pointed out that the truck is parked illegally. Ms. Wheeler was asked to email the video to include with the file of the public record.

Margie Weathers referenced the traffic study done by the state several years ago. Would like to see bottleneck addressed as she feels this particular area is narrower. This area is congested and it is important to have a traffic study done since there is significantly more traffic now. This is a very dangerous part of town for traffic and the fire station.

Rachel Ensign, owner of The Sparrow School that is directly on Lovering Lane said her 365 SQ FT space with windows and she sees all that is going on with the traffic. She added she spends a bare minimum 50 hours a week in the space. Welcomes new ideas and would like the walking community expand. Would like to see this addressed in a positive way. The whole block would benefit from a new business. There needs to be a willingness to solve problems.

Matt Conway of Grounds clarified a point of his letter that the single most important thing is the safety. He complemented the Planning Board on addressing safety issues. Seems the only one real issue is Lovering Lane that is 14 foot wide. Fix the problem, which is the width.

Audrey Martell interjected there are other 2 properties on Lovering Lane that are residential but this area is zoned commercial so they could turn into businesses.

Ashley Perkins stated she was born and raised in New London. When she was 10 years old she was hit by car pulling out of what was Jack's at the time while riding her bike.

Graham McSweeney stated that he has met with Jeremy Bonin and his clients at his office. He was given a plan but it is not the same plan that is shown on the overhead. The original plan did not show the right of way to take a piece of the land on his property. If we are assuming a new business is successful there will be much more traffic on this road. He does not think it is the same plan but Mr. Bonin showed that it is indeed the same plan but part of it has been cut off to enlarge the plan. The new plan shows adjustment for the loading/unloading area.

Matt Conway explained that even if all the criteria are met, snow will accumulate and will be a loss of the 18 feet required. The Sparrow School is right on the street. He thought there should be a requirement for bollards so that cars/trucks don't hit the building. Liz Meller commented that Mr. Conway was required to install bollards because his parking spaces are under the building.

Planner Ricker informed the audience that Richard Lee said that during bad snow that Town would bring in bucket loaders take the snow away. Ms. Kidder added that the Kidder Building had the same problem and they put the snow out back and pile it up and when it gets too high it has to be bucket loaded out. The Town usually does this in the middle of the night when there is no traffic.

#### **Chair Gorman closed public comment portion.**

Paul Gorman stated there seems there are four options:

1. Accept
2. Accept with long list of conditions
3. Deny
4. Extend the hearing another two weeks and get more information

#### **Board Discussion**

Liz Meller wondered how to get Lovering Lane widened and paved and wondered how long this would take? Ms. Kidder explained first there would be an engineering study, exact property lines be established. As an example, she referenced the sidewalk on Parkside Drive. It is finished but that was several years in the making. It would be difficult to attach a condition like this since it will take so long. You don't know what problems might arise; there could be ledge in this area. A lot more information would be required before it ever comes to the Select Board.

Paul Gorman stated we have heard a lot about traffic. The last traffic report is from 2004 and since then the middle school has moved out but the population has increased. It is possible to make a recommendation that at peak traffic hours this area should be policed more. Police presence in Sunapee has been very effective in slowing down traffic. There are many problems with Main Street. Perhaps a condition that demands delivery and trash removal be done at a time early in the morning. Trucks that are out there double-parked should be ticketed. Planner Ricker said that traffic/police enforcement couldn't be a condition of approval, we can only recommend.

Tim Paradis pointed out that since this area actually feels smaller, it has a "traffic calming" effect. People tend to slow down, as they perceive they are going into a narrow part of Main Street.

Liz Meller suggested a "right hand only turn" sign on Lovering Lane be posted but is was acknowledged this is controlled by the state. Planner Ricker said that would require a study by the state. If there were a roundabout readily available it would be easy to change direction. It was also noted that Main Street is a state road. Any parking changes as far as times and speed limits has to be approved by the state.

Chair Gorman discussion:

- There was concern on the part of Chief Lyon concerning egresses within the building as stated in his letter.
- Richard Lee talked about a curtain drain on the back of the property that abuts Mr. Dexter and the installation of some fencing to block the view.
- One of the issues we (the Board) seem to be struggling with is on page 22 of the Town's Site Plan Review Regulations in F-10 "loading/unloading of deliveries will be provided off-street." Loading space will be available when all available parking spaces are in use.
- The Town Ordinance is not very clear about dumpsters but they must be fenced in. The problem arises when cars park in front of the dumpsters.
- Concerning the issue of outdoors seating, perhaps we could reduce the number of indoor seats if you want to put seats outdoor.
- Widening of Lovering Lane is not a given. The applicants cannot make that happen. It is a good idea for all users of Lovering Lane. Neither the Planning Board nor the applicants have the power to make this happen although all users of Lovering Lane will benefit.

Tim Paradis: Part of the concern over 74 Main was that they had a parking problem. Grounds had a parking deficiency of one parking space for the inside seats and are required to decrease inside seating when outdoor seating is used. It seems like these are parallel situations.

Casey Biuso: Having trouble making a decision this because she feels so much opposition in the audience. If this were at town meeting it would not pass. This is not the same process, she sympathizes for the residents below (down) the street. The applicants have answered every question and exceeded every request made of them. This is too tough a decision to make tonight. "I am torn between the emotional pleas of a majority versus the applicant going above and beyond to please the residents."

Chair Gorman stated the Board would not take any more input from the residents but perhaps it better to take two weeks to think about more. The issue about safety is important but our charge is to advance the application of the ordinance.

Joseph Kubit: I would have a hard time saying no as they are not asking for anything special and they meet the requirements.

Liz Meller: According to our Planning Board handbook we are charged with "designing communities as livable, walkable places means creating a balance among economic, human, environmental and the social health of the community... It protects the development practices of

natural resources by reducing the use of personal automobiles and support business by enabling people to access services locally. To promote social awareness ... by encouraging casual interaction and enhance physical fitness through increased activity, (such as walking to school) and diminished crime and other social problems by increasing the number of people on local streets.”

William Dietrich: We are talking about a building that is already there, the parking is already there. We are being asked to do 2 things: a change in permitted use and site plan review. The site can support a 20 seat restaurant but the board needs to have a better idea of the criteria being used to consider this. Memo sent by Planner Ricker last week that showed 4 concerns. Need more time to think but no new information that will be accepted.

There was more discussion about placing time constriction on the loading/unloading delivery area and when future buyer was asked if this would be a hardship she hesitated to comment as she could not anticipate exact delivery times. Given the location of New London and the distance a delivery truck has to come, it would be hard to dictate to wholesalers what time they would need to come. Perhaps just ask the applicant to make a reasonable effort to only allow delivery during hours when the traffic slows. There will not be a need to have a delivery truck the size of Cisco's pulling up. It was thought the board needed to insist on a time constraint because there are so many other objections from residents. There is also Mr. Dexter's concern about the proximity of the snow load area close to his property and a need for a engineered study for the drainage that is proposed. Maybe we (the Board) could ask the applicant to make every reasonable effort, but this would be hard to enforce. Perhaps a review for both sides would be beneficial.

Janet Kidder: This has gone on long enough. It is not fair to be people who want to purchase this property or the people who want to sell this property. Posting loading zone times would be hard to enforce. Either we enumerate our conditions if we want to approve it or deny. This proposal was presented almost 2 months ago and we are getting close to the 65 days.

Marianne McEnrue opined restricting deliveries to a particular time would put undue hardship on the applicant. Would rather see a dedicated loading/unloading zone with a sign. Then it is enforceable. There are no time constrictions but applicant will make every effort to have deliveries during a time of day that is not busy.

**MOTION TO WAIVE Change of Use requirement F-10 for one required parking space in order to dedicate parking space #3 for deliveries and be designated loading zone with cross-hatching was made by Tim Paradis and SECONDED by Janet Kidder. All were in favor except Chair Gorman who OPPOSED.**

**MOTION TO WAIVE Change of Use requirement for 2.4 off street parking spaces to allow for 8 additional seasonal seats outdoors was made by Tim Paradis and SECONDED by Liz Meller. THE MOTION WAS APPROVED by Joseph Kubit, Casey Biuso, Marianne McEnrue, Tim Paradis and Janet Kidder. OPPOSED were Chair Gorman and William Dietrich.**

After above the motions were approved there was more discussion as to what will go on the property between the Dexter property and the parking lot. The issue of a fence was discussed but decided against, as there would a maintenance issue. It was agreed that the bushes would be removed and arborvitae would be planted in there since in the winter the trees would shed their leaves and the evergreens would still provide screening.

Planner Ricker read into the record the letter from Fire Chief Lyon: “The two things we focus on is alarm notification and means of egress. If there is an issue in the building, how would the occupants know about it and how are they going to get out in a safe and timely manner. As long as all applicable local and state fire codes are followed (IE: exit signs, emergency lights, etc.) I do not have an issue with their proposal.

**MOTION TO ACCEPT the proposal by Bonin Architects and Ellen Winkler for the development of 12 Lovering Lane at Main Street with three conditions was made by Chair Gorman and SECONDED by Liz Meller. THE MOTION WAS APPROVED UNANIMOUSLY.**

- 1. The applicant will submit engineered drainage calculations provided by a Civil Engineer to the Zoning Administrator prior to the granting of a building permit.**
- 2. All state and local fire codes will be met prior to opening the establishment.**
- 3. The property will conform to the Americans with Disabilities Act (ADA) standards for handicap parking to the fullest extent possible.**

Chair Gorman went on to state that recommendation should be made to the Selectmen identifying problems that the Planning Board has no control over. Would like to see an increase in police presence during heavy traffic hours for some enforceability of the existing parking regulations. Perhaps it is time for a new traffic and parking study of Main Street.

Janet Kidder clarified that this may not be the most desirable spot but as long as it conforms to our commercial regulations we have to approve. Unfortunately there are commercial sites in town that not conducive to economic activity but that is no fault of the individuals involved. We have to be realistic and comply with what our Zoning Ordinance and Site Plan Regulations dictate. We have to do the best we can with what we have.

**Capital Improvement Plan (CIP) Subcommittee** to meet on Tues., October 24, 2017 at 8:00 AM.

**Master Plan Update discussion:** William Dietrich and Jeremy Bonin have met twice and are looking at designing a questionnaire for the town. May use Wilmot as a model as they have developed a questionnaire when they for their Master Plan. Thinking of mailing out the survey about a week before town meeting. Currently focusing on different interest groups. The next meeting is Tuesday, October 24, 2017 at 9:00AM.

Planning Board Alternative Energy Subcommittee: There is an upcoming meeting and will have an update at the next Planning Board meeting.

**Future Meeting Dates:** Refer to the Planning Board Meeting Schedule and the Town's website for updated meeting information. Next meeting scheduled for Tuesday, October 24, 2017.

**MOTION TO ADJOURN**

**IT WAS MOVED (William Dietrich) AND SECONDED (Tim Paradis) TO ADJOURN the meeting at 9:49PM. The motion was APPROVED UNANIMOUSLY.**

Respectfully submitted,

Jennifer Vitiello, Recording Secretary  
Town of New London