



TOWN OF NEW LONDON, NEW HAMPSHIRE

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PLANNING BOARD APPROVED MEETING MINUTES

December 11, 2012

MEMBERS PRESENT: Tom Cottrill (Chair), Tina Helm (Board of Selectmen's Representative), Michele Holton, John Tilley, Emma Crane (Conservation Commission Representative),

MEMBERS ABSENT: Jeff Hollinger (Vice-Chair), Paul Gorman (Secretary), Deirdre Sheerr-Gross (Alternate), Michael Doheny (Alternate)

STAFF: Lucy St. John (Planning and Zoning Administrator), Kristy Heath (Recording Secretary)

Chair Cottrill called the meeting to order at 7:00pm.

Deirdre Sheerr-Gross, alternate, was appointed to sit in for Jeff Hollinger, Vice-Chair, who was absent.

Messer Subdivision – Lot Line Adjustment – Continuation from November

Ms. St. John said that the plan being discussed was approved by the Planning Board on February 22, 2011 and they have recently discussed it in the September and October Planning Board meetings. Both property owners did not sign the application to show agreement for the new lot lines. The surveyor used for the adjustment came to the last meeting and explained what had been. It was Ms. St. John's opinion that they would need to revoke the plan in whole, to rectify the situation.

Peter Messer, who was present, said he had no further comments and nothing had changed on his end. Joe Messer was not present at the meeting. Peter Messer noted that he wanted to gift the property in question to his daughter and his attorneys have assured him that this problem will not affect this. Chair Cottrill said that they will have to vote to revoke the plan, have a hearing next month to officially revoke it, and then Peter Messer will have to resubmit a plan. Peter Messer said that his brother, Joe, will not agree to anything. The original boundary line has to be agreed to, which Joe Messer was contesting. Ms. St. John said that the abutters will be notified at each step of the application process. Joe Messer's signature will be needed to complete the subdivision.

IT WAS MOVED (Tina Helm) AND SECONDED (Emma Crane) to revoke the minor subdivision plan of Peter Messer from February 22, 2011. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (Tina Helm) AND SECONDED (Emma Crane) to hold the public hearing for the Peter Messer Revocation on January 8, 2013. THE MOTION WAS APPROVED UNANIMOUSLY.

Hopwood and Lockwood Plan of Annexation & Merger

Ms. St. John said they are trying to make a lake side parcel a little bigger and to merge two others parcels on the south side of Bunker Road.

IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Tina Helm) to declare that this merger would not be a regional impact. THE MOTION WAS APPROVED UNANIMOUSLY.

Ms. St. John said the application is complete and a mylar is available for signature should they accept the plan.

IT WAS MOVED (Emma Crane) AND SECONDED (Tina Helm) to approve the application as complete. THE MOTION WAS APPROVED UNANIMOUSLY.

Pierre Bedard, surveyor, was there to represent the Hopwood and Lawson families. He said that families are abutting owners of a piece of land on the Pleasant Lake side of Bunker Road. There is a small piece of

property which is commonly used for parking, which the Hopwoods were using and would like to own. They would like to annex it from the Lawson's property. They Hopwoods would then propose to annex their three other lots into one parcel, making them less non-conforming. Ms. St. John said that Bunker Road is identified as a potential scenic road nomination in the Master Plan, but that is not something that they are considering at this point in time. Ms. Sheerr-Gross clarified that the Hopwoods would be splitting a parcel, annexing it, and then merging their lots with other parcels.

IT WAS MOVED (Tina Helm) AND SECONDED (Emma Crane) to approve the annexation and merger for the Hopwood and Lawson families. THE MOTION WAS APPROVED UNANIMOUSLY.

Continuation of Hearing for Installation of Windmill at Colby-Sawyer College

Ms. St. John said that there had been a balloon test done on the Friday and Saturday following the last Planning Board meeting, and a notice had been sent out to alert abutters of the test. Information was made available about results gathered from the test as well. Ms. St. John said that she has provided information that is included in the Town's zoning and site plan ordinances to the Planning Board members regarding the installation of a windmill.

Steve Jesseman, Jesseman Associates, said that on Friday they had several people show up to see the test. On Saturday, one more abutter came and they decided to move the location of the stake, showing where the windmill was to go, about 3 feet so it would be more hidden by a tree. This was satisfactory to the abutter.

Ms. St. John said Colby-Sawyer College will be applying for a building permit which will require, under statute, that they to send out a notice to the abutters for a 30 day comment period. Doug Atkins of Colby Sawyer College said that in Ms. St. John's memo she mentioned that Rob Thorpe wanted to see the easement delineated in the construction but this wasn't a related issue. Ms. St. John said she could have included this in error as it was meant more for another item being brought up that night by the college.

Ms. Helm said she is an abutter to the college. She held an abutter's gathering at her home and a representative from the college was there to answer questions. She felt that abutters were much more comfortable with the windmill than they had been last month.

IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Emma Crane) to approve the application for the installation of a windmill at Colby-Sawyer College. THE MOTION WAS APPROVED UNANIMOUSLY.

Colby-Sawyer College – Sun Shack Preliminary and Final Application

Ms. St. John opened the discussion by noting that the Sun Shack would include 1197 square feet of classroom space. Ian Mallone from the Environmental Science Department was there with several students to give a presentation on what they want to do.

IT WAS MOVED (Emma Crane) AND SECONDED (Tina Helm) to move the Sun Shack discussion from the tabled position from the last Planning Board meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

Ms. St. John said this discussion was tabled at the request of Colby-Sawyer at the last meeting. She explained that abutters did not need to be re-noticed because a date of the postponed discussion was stated at the last meeting.

Ms. St. John said the class hopes to construct an alternative classroom with alternative materials. Comments from departments were included in the staff report. The Fire Department has asked that the road naming of the entire campus be done by March 1 of 2013. It was noted that the college has a committee working on this task.

The Water Precinct easement on the property was the only other issue that was brought up with regard to this agenda item.

IT WAS MOVED (Emma Crane) AND SECONDED (Tina Helm) to declare the Sun Shack has no regional impact. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (Tina Helm) AND SECONDED (Emma Crane) to approve the application for the Sun Shack as complete. THE MOTION WAS APPROVED UNANIMOUSLY.

Leon Milan, Chair of the Environmental Studies Department said the Sun Shack illustrates all the college stands for in terms of their strategic mission. The classroom will be cutting edge and meet the mission of living sustainably. It will be designed by, planned and constructed by students who will learn through the experience.

Sarah Tancreti, a junior at Colby-Sawyer College, said she is currently a student in the Shelter and Sustainability class. They plan to use sustainable measures to construct a classroom within a three-semester course

Laurel Bower, a senior in the Environmental Studies program said their goal is to construct a learning classroom that demonstrates sustainability with locally grown materials. It will be a free-standing building, used year-round. They plan to have it open weekdays during normal business hours, and available for educational programs at night. The maximum occupancy will be somewhere in the high 20's. Ms. Bower said there will be no regular employee based from the building, it will be ADA accessible, and said there will be no rest room facilities.

Ryan Bernstein, another student, said the location of the classroom will be within a two-acre demonstration project area. It will involve the community, will not block the view of Mt. Kearsarge from the library view, and is designed for passive solar energy.

Jenny Shieshta, another student, said they plan to use drainage to harvest rain water and will have two 500 gallon tanks which will be away from view of Main Street, which will hold water to be used for the garden.

Student, Andrew Chase, said a conduit line attached to Ivey Science Center will provide electricity to the building. The heating source will be a mini split heat pump that will comprise of an outdoor unit and a wall mounted unit.

Garret Dunnells, student, said he is the Sustainability Core President at Colby-Sawyer College. The building materials used will create a fire suppression system, there will be a sprinkler system, a 6' frost wall, a slab foundation with 12" tapered to the piers. They will use a straw bale wall system with plaster on each side of the interior and exterior of the building. The timber frame will hold most of the weight of the building. A green roof will be put on the south facing side. It will be convex with passive solar. Mr. Dunnells said that the building will have clapboard siding. The north face wall will have minimal exposure to light and will have just one window. The building will be 18' high and have a 12" pitch of the roof.

Ms. Sheerr-Gross wondered who was designing the building. Mr. Dunnell said the whole class has been planning it and have been using perma-culture techniques. Ms. Sheerr-Gross wondered how long this building would last. Mr. Jesseman said there is no maximum useful life stated. The company selling the plans is reputable and he thought they would be long-lasting.

Mr. Dunnel explained that the convex shape of the building will absorb the sunlight. It will absorb light during the morning and southern exposure. The heat will be absorbed on the northern wall or used for heat right away. Students Lauren Oberg and Nick Capalbo referred to the map where the Sun Shack would be located. The south side is facing Mount Kearsarge. The southwest will be looking at the college's property. The northeast

side faces the Ivey Building. They choose this location so as to be near to the classrooms and to maximize the absorption of sunlight.

Brian Felice said he is one of the instructors for the course. He said that the roofing will be handed over to a subcontractor who will work in the electrical work and sprinkling. It will be a standing seam roof, which is above what they can ask students to be doing, especially on a steep pitch. Mr. Felice said they will be an OSHA compliant job site.

Steve Whitman, the other instructor, said they are looking at potential future modifications, such as the use of photovoltaic cells. The floor will be cement floor and will be treated, but will not be covered.

Mr. Jesseman said he spoke with the Water Precinct. The college granted an easement to them across this property. The easement line will almost touch the building but the building will not encroach on the easement. He said Rob Thorpe (from the Water Precinct) understands what they are doing. The college will maintain adequate access, and the Precinct is okay with what they are doing as long as they can maintain their access to the water line. The easement is 50' - 60' in size (width). Mr. Jesseman said that he has been asked to delineate the property, which he will do. There is a water line in the easement but it is over by the driveway. Mr. Jesseman showed the Planning Board where the water line was on the map.

Chair Cottrill asked about the agreement with Water Precinct with regard to connecting to the Main on Seamans Road. For any future building with water/sewer facilities, beds or food services, the line needs to be connected. Mr. Jesseman acknowledged this line will need to be completed with the next project.

Ms. Sheerr-Gross wondered how the plaster and straw/hay bale is constructed to be free from mold or insects.

Mr. Whitman said the role of plaster is an air barrier. There will be a pony wall underneath so any earthen material will be fully separated by 12" - 16" from any insects or water infiltration. The wall will be 20 inches thick. Bales can lay flat or on edge, giving them 18". Exterior plaster in this climate will need to be maintained. It was noted these are not regular bales of hay. They are compressed bales of straw.

IT WAS MOVED (Emma Crane) AND SECONDED (Michele Holton) to approve the preliminary and final application for the Sun Shack subject to the college completing the street naming by March 1st, 2013 and that they address erosion control during the construction.
THE MOTION WAS APPROVED. Ms. Sheerr-Gross abstained from the vote.

Chief Lyon offered to elaborate on the issue of road naming. He said the concern is that during an emergency call, all of Colby-Sawyer College is shown as "541 Main Street" not as the specific building having the emergency. This is very vague for any fire alarm activation, police department response, or medical call. With personnel turnover in the various companies along with mutual aid personnel from other towns, it is important to have each building numbered.

Vernon Minor Subdivision

Ms. St. John said this property is on Pingree Road and they would be discussing Lot 11 first. This subdivision was discussed during the April and September Planning Board meetings. She indicated that in the Master Plan, Pingree Road is listed as a Scenic Road. Great Brook runs through the property, and PSNH has a Right of Way. The Vernons went to the Zoning Board in June, 2012, and were granted a variance with the condition that no further subdivision is made, or construction be done on steep slopes.

Chief Lyon said any further subdivision to the property will require identifying a new water source, as well as an upgrade to the road.

IT WS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Emma Crane) to declare this application will not have a regional impact. THE MOTION WAS APPROVED UNANIMOUSLY.

Ms. St. John said there are waivers being requested for contours over the entire parcel and for High Intensity Soil Mapping. The Applicants will focus on the more developable area of the property. Ms. St. John thought these were reasonable requests, considering the size of the parcel and the zoning in the area.

Ms. St. John said the application is complete.

IT WAS MOVED (Michele Holton) AND SECONDED (Deirdre Sheerr-Gross) to approve the application as complete. THE MOTION WAS APPROVED UNANIMOUSLY.

Ms. St. John noted the Vernon's had submitted a letter they wanted sent out with the abutter's notice but were told the letter could not be sent in the same envelope. They were told they could send the letter to abutters on their own. Mark Vernon said they did not end up sending the letter.

Clayton Platt, Surveyor, said the property is a 67 acre parcel on the north side of road towards the end of Pingree Road. In this area there is a 25 acre minimum lot size. It was estimated that six acres of the property is comprised of steep slopes. Great Brook is a designated stream and has a 100' buffer. The steep slopes have been mapped for each property. He believed they had met all the zoning requirements. There is a 6' trail easement along the edge of the brook. Their intent is to maintain the trails that are there. He noted further subdivision beyond the one at hand is restricted by the zoning variance.

IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Emma Crane) to approve the waiver for HISS and Contour mapping. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (Emma Crane) AND SECONDED (Michele Holton) to approve the subdivision plan. THE MOTION WAS APPROVED UNANIMOUSLY.

Subdivision and Annexation Plan for 217 Pingree and 323 Pingree Road

Ms. St. John said the Applicants have asked for several waivers. She reported there is a wetlands crossing and a special exception granted by the Zoning Board stipulating no further development on the property will be permitted. The wetlands application process sent notice of a permit application for the wetlands crossing. The State approval noted several conditions.

The requested waivers are for contours and HISS mapping over the entire parcel, and HISS mapping on lot 5 as there is already septic system on the property. Pierre Bedard sent a letter saying that a replacement septic system could be installed if the current system fails. The last waiver is for buildings and driveways within 200'. The ordinance requires showing those within 200'.

IT WAS MOVED (Michele Holton) AND SECONDED (Emma Crane) to approve the requested waivers THE MOTION WAS APPROVED UNANIMOUSLY.

Mr. Platt said the lot is 52 acres and they are proposing that 7.5 acres be annexed to Mark Vernon's property making it 12.8 acres. 26.54 acres would go to Jeremiah (grandson). The building site is between 400' - 500' from the road and 800' from Great Brook. The remaining land has the farm house on it. Mr. Platt said that there is a fairly large wetland on the property which has been delineated. The wetlands permit is for the driveway and they selected the narrowest point of the wetland to cross.

Malcolm Wain asked how far back the line would be from Little Brook. Mr. Platt said it is about 800 feet. Ms. St. John said that Phyllis Bringham called her with some questions and concern for Little Brook. She sent Ms. Bringham some information and has not heard back from her.

Mr. Platt said there will be 250' of road frontage for the middle lot and 434' for the other lot.

Ms. St. John said the steep slope ordinance applies to driveways and impacts to the wetlands. Mr. Platt said there are some steep slopes they are trying to go around but the last section does go up about 30'. Ms. St. John said the driveway in that area (slopes of 25%) is not permitted by the ordinance and would need to go before the ZBA to get a special exception. Ms. St. John said it varies from place to place and is intended to address access for fire department response and water quality protection. Chief Lyon said there are some driveways in town where they can't access with fire department apparatus.

Ms. St. John read from the driveway regulations and said that portion of the ordinance could be defined several ways. She recommended they don't approve the plan unless the driveway is placed in areas having less than 25% slope area.

Mr. Vernon referred to Article 14 b on p 56 of the zoning ordinance. Mr. Platt said an erosion control plan must be done on driveways steeper than 15% and this will be part of the building permit. Mr. Vernon cited paragraph b, overlay district boundaries. Ms. St. John said there are many ambiguous sections of the ordinance and this was one of them.

Ms. St. John asked if it would be less than 25% grade and then just a small part of it that exceeds 25%. Mr. Platt said it would cross a 25% portion. Ms. Sheerr-Gross opined as long as the intent is there from the board to change this ambiguity, they could go along with this.

Ms. St. John wondered where they start determining the elevation change. Mr. Platt said that they calculate from where it drops off from 25%. The computer determines this for them. None of it drops more than 20'. Ms. St. John said the general concern is public safety access and affect on the wetlands.

Jeremiah Vernon said John Ohler indicated they would cut the top of the road to bring the finish grade down and use to fill to even it out.

Ms. St. John showed a map of the steep slopes in town.

Ms. Deirdre Sheerr-Gross wondered if they need to address the driveway issue at this time or if they only need to look at separating the property. She opines the Planning Board is not approving the driveway although they can see there is a place for one and that the Applicants will need to apply for the driveway permit anyway. Mr. Vernon said he hoped if they approved the subdivision, it would demonstrate the Planning Board felt it was feasible to put a driveway in on the property.

It was noted by Mr. Platt that the plan says both lots have steep slopes as defined by the ZBA. All future development will comply with steep slope regulations.

IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Michele Holton) to approve the minor subdivision and minor annexation plan at 217 and 323 Pingree Road with the condition the Applicants obtain a special exception from the New London ZBA for the wetlands crossing(s). THE MOTION WAS APPROVED UNANIMOUSLY.

UVRPC Representatives

Ms. St. John said there are now two representatives from New London to the UVRPC. Mr. Crane and Nancy Rollins had been chosen. Ms. Rollins has been invited to a meeting in January to be introduced to the board. She would like input and direction from the Planning Board of expectations and agenda for the RPC meetings.

FY2014 Capital Improvement Plan

Ms. St. John said making changes to the copy pertaining to various graphs in the CIP would be difficult and she recommended maintaining the plan as written, but this desire will be noted for the plan next year. On page one she added a bullet stating the information showed a shift from the calendar to the fiscal year. It gave information of when information was presented to the CIP committee.

With regard to the Fire Department's portion of the CIP, option 17A and 17B were still listed in the plan. Chief Lyon said he recommended option A because it was less of an impact on the Town. He said it was fine to leave it open to both options if the Planning Board wished. Chief Lyon said the Budget Committee was concerned that maintenance was part of the CIP. When the fund was created, it was intended for emergencies as well. \$65,000 in their budget is for telephone, maintenance and repair of apparatus, and clothing. When dealing with a piece of equipment that is worth half a million dollars, it is expensive to fix and so it is helpful to have this fund that is immediately expendable by the Board of Selectmen. He felt it was beneficial to be able to plan ahead and have these funds available.

Ms. Sheerr-Gross said it is a matter of cost that dictates whether something should go in the CIP or not. She saw fire truck repairs as being similar to a building. That is why repairs should be included. She felt it was the responsible thing to do.

Ms. St. John said she could remove the table showing option B and re-name option A as "Maintenance."

IT WAS MOVED (Emma Crane) AND SECONDED (Tina Helm) to approve the CIP with the changes Ms. St. John mentioned above. THE MOTION WAS APPROVED UNANIMOUSLY.

Zoning Amendments

Chair Cottrill suggested Ms. St. John provide 15 of the highest priority issues for zoning amendments and present them at the next meeting for review. The Planning Board could then assess the merits of each and offer up to 10 on the ballot at Town Meeting.

Correspondence

Ms. St. John said someone has applied to the Wetlands Bureau to dredge the mouth of a brook. This came before the Conservation Commission in November. The applicant hasn't received State approval back yet. Other information she gave was educational in nature.

Minutes of November 13, 2012

IT WAS MOVED (Michele Holton) AND SECONDED (Emma Crane) to approve the minutes of November 13, 2012 as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

With no other business, Chair Cottrill called for a motion to adjourn.

IT WAS MOVED (Emma Crane) AND SECONDED (Michele Holton) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 9:17pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London