



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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NEW LONDON PLANNING BOARD  
Sydney Crook Meeting Room, New London Town Office  
February 11, 2020 – 6:30PM

**PRESENT:** Paul Gorman (Chair), Marianne McEnrue, Joe Kubit, Katie Vedova, Paul Vance, Janet Kidder (Selectmen's Representative)

**MEMBERS ABSENT:** Jeremy Bonin, Tim Paradis, David Royle

**OTHERS PRESENT:** Adam Ricker, Town Planner, Don Dogan, Dorothy Dogan, Benjamin Barton, Rick Stecker, Ann Page, Matt McClay, Peter Stanley, Kerry McCormack, Rebecca Finley

1. **Call to Order** – Chair Gorman called the meeting to order at 6:30PM. Chair Gorman assigned Katie Vedova to be a voting member tonight in Jeremy Bonin's absence.
2. **Review of Minutes** – January 14, 2020

**IT WAS MOVED (Janet Kidder) AND SECONDED (Marianne McEnrue) to accept the minutes from the January 28, 2020 meeting as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

3. **Public Comment** – None
4. **Tree Cutting - Pike Brook Road Revocable Trust of 2014 - Located at 78 Pike Brook Road. Tax Map 135-010-0-0-0. The applicant is applying to cut down two dead trees. Application received on January 6, 2020.**

Matt McClay attended the meeting on behalf of Dominick Fronte, the owner of 80 Pike Brook Road. There are two dead Scottish pine trees near the shore that need to be removed. They've hired Chippers to remove them. Work was done to try to save the trees but they are no longer salvageable and are a hazard. There are enough points remaining in the North quadrant to not necessitate any replanting but the Southern quadrant (cell F) which is the lot that has the dock will need to have replanting done. They will do either blueberry or bayberry as recommended by Chippers. Chair Gorman asked that the Planning Board be notified once the replanting has been done. They need to replace 10 points in the Southern lot (cell F).

**IT WAS MOVED (Marianne McEnrue) AND SECONDED (Paul Vance) to approve the cutting of two trees with the condition that the Planning Board shall be notified by June 30, 2020 that replanting of Blueberry or Bayberry in cell F has been done. THE MOTION WAS APPROVED UNANIMOUSLY.**

5. **PUBLIC HEARING Final Subdivision - Blunt Shelby C Qualified Personal Residence Trust - Located at 700 Route 103A. Tax Map 091-011-0-0-0. 10.09 +/- acres, Zoned Residential (R2) and Agricultural/Rural Residential (ARR). The applicant is applying to subdivide the property into two lots, one with water frontage on Lake Sunapee that is 2.833 +/- acres in the R2 Zone and the second without water frontage in both the R2 and ARR zones that is 7.25 +/- acres. The town received the application January 9, 2020.**

Peter Stanley attended the meeting on behalf of the Blunts. Mr. Stanley previously attended a Planning Board meeting in December to discuss a conceptual of this plan and there have been no changes since then.

**IT WAS MOVED (Janet Kidder) AND SECONDED (Paul Vance) to accept the proposal as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

**6. PUBLIC HEARING Site Plan Review - Benjamin K. Barton Trust 2019 - Located at 52 Main Street. Tax Map 073-044-0-0-0. 0.91+/- acres, Zoned Commercial (C) and Urban Residential (R1). The applicant is applying to convert storage space above a garage into an apartment on the mixed-use property. The town received the application on January 16, 2020.**

Benjamin Barton attended the meeting. Adam Ricker explained that due to conversations held that afternoon with the Fire Chief regarding the preferred egress from the unit, a variance from the Zoning Board would be required in order to put the egress in the setbacks. This property is unique in that the Zoning Ordinance had been interpreted to allow a two foot setback to be maintained for the whole property line. An amendment has been proposed to the Zoning Ordinance to not allow this to continue. Once a zoning ordinance has been posted, it becomes the ordinance until town meeting. If it passes at town meeting, it continues, if it doesn't pass, then they would revert back to the old ordinance. As it stands right now, they cannot approve an emergency exit access out the second floor window in the rear as it would be in the setbacks. Working under the assumption that this amendment would pass, Mr. Barton would be required to go to the zoning board to seek a variance to build this platform and stair well in the setbacks. Mr. Ricker stated that the applicant has requested to seek a continuance until the meeting on March 24, 2020.

Mr. Barton stated that nothing has changed with the building but the ordinance changed. He doesn't understand how if something hasn't been passed at town meeting it can be enforced and law. Without this change in ordinance, he would be in compliance.

Selectman Kidder noted that Mr. Barton is talking about converting something that was originally proposed to the Planning Board as storage space into an apartment. Mr. Barton stated that he didn't think about making it into an apartment earlier when he came to them about creating storage space. Once it was done, it was bigger than he thought and was a beautiful space. He stated people were coming to him asking when he was going to open that apartment so he changed his mind. Selectman Kidder stated she feels he is pushing the envelope with this. If he had any thought of making this into an apartment, he should have stated that initially. Mr. Barton stated it was not his intention. Selectman Kidder stated this is a significant change. Mr. Ricker noted that this is a compliant use as it is a mixed use property.

Don Dogan attended the meeting and is an abutter. He asked Mr. Barton when he decided to change this from storage space to an apartment. They were not notified of this change. Mr. Barton stated they haven't started working on the apartment yet. Mr. Ricker stated this is the first meeting they have held regarding the proposal for the apartment.

Dorothy Dogan is also an abutter. She stated her concerns about parking. She also discussed snow pile up and the water run off that could potentially run onto her property. Mr. Barton stated he has plans to have the snow removed and has a plan for the drive way permit to raise the edge so the water runoff goes away from the neighbor's house. A gutter system has also been installed to capture water runoff from the roof.

Rick Stecker attended the meeting and is also an abutter. His property is below Mr. Barton's property. He shared photos with the Board to show what their view is now that the addition to Mr. Barton's property has been constructed. Mr. Stecker stated he was unaware of what Mr. Barton's intentions were until last July. The information he received was insufficient about what he was planning to build. Since it was supposedly an addition that was to be used for storage, he was confused as to why there would be four windows facing his property. Windows wouldn't be needed for a storage facility. This was an extensive project. He began to hear that it was going to be used as an apartment at the dry cleaners and Hannaford's. Mr. Stecker stated that the lack of empathy and communication from Mr. Barton has been stunning. Everything they have is now affected by this garage and he wishes to challenge the conversion of this storage space to an apartment. He is wary of additional noise, tenants, toys and equipment, exterior lighting and is angry that this structure blocks their sunlight. All of the shrubbery and trees have been removed that would have buffered much of this. Their past experience with renters in their area was not positive.

Mr. Barton responded that it is not his intention to upset people. His intentions are good and he will look to have a couple or a single tenant rent the apartment. He admits that he did remove trees but they were dead and he is willing to replant on the edge of the property to provide a visual screen.

**IT WAS MOVED (Paul Vance) AND SECONDED (Janet Kidder) to continue this hearing until March 24, 2020. THE MOTION WAS APPROVED UNANIMOUSLY.**

7. **PUBLIC HEARING Site Plan Review for Home Business – Avila-Marin, Paola Andrea – Located at 246 King Hill Road Tax Map 122-026-0-0-0. 6.1+/- acres, Zoned Agricultural/Rural Residential (ARR). The applicant is applying to open a home business, limited to 10 customer/client/delivery/service visits per day, of a bakery and tea room. The applicant would utilize 736 square feet of the existing home for the bakery and tea room and is proposing to host baking classes of no more than four students at one time. The town received the application on January 17, 2020.**

Andrea Avila and her husband attended the meeting. They moved to the United States about a year and a half ago. Ms. Avila studied in Paris and her specialties are high end pastries and tea service. Her proposal is to have a small tea and pastry shop on the first floor of her home. The house has three stories and is located at 246 King Hill Road.

Mr. Ricker stated that home businesses are tightly regulated. She would only be allowed to have 10 trips a day to her home related to the business. This includes deliveries, customers and clients. None of the business venture can occur outside of the structure. She would be able to provide catering services. The total square footage would be 736 feet. Mr. Ricker stated that regarding signage, she would only be allowed one 4 square foot sign.

They have received approval from DES for the septic system. Ms. Avila will have to go through the state inspection process for a commercial kitchen. The Fire Chief has requested that as a condition of approval he be invited to come do a life safety inspection. The abutters have been notified but they have not heard any feedback from them.

The following five conditions were proposed:

1. The home business will not generate any more than ten customer/client/delivery or service trips per day.
2. Any baking classes that are held will not have more than four pupils at any one time.

3. Only four square feet of signage is allowed on the property. It can be on both sides but only one sign.
4. Conduct a site visit with the New London Fire Chief to review life safety code compliance.
5. All other conditions articulated in Article 2 Section 15.b.ii will be observed.

**IT WAS MOVED (Marianne McEnrue) AND SECONDED (Paul Vance) to approve the proposal as presented with the five conditions stated above. THE MOTION WAS APPROVED UNANIMOUSLY.**

8. **PUBLIC HEARING Site Plan Review Mountain View Shopping Center, LLC – Located at 277 Newport Road Tax Map 059-005-0-0-0. 9.539 +/- acres, Zoned Commercial (C). The applicant is applying to relocate signage and corresponding lights on the Colonial Place building. The town received the application on January 21, 2020.**

Kerry McCormack and Rebecca Finley with Crosspoint Associates attended the meeting. They represent ownership of the New London shopping center. They have been working with Concord Orthopedics who is looking to open their space in mid-March. They are looking to get site plan approval for the externally illuminated signage with gooseneck lighting. The gooseneck lights illuminate the building signage and they also proposed some wall sconces. The sconces will project lighting up and down the building.

There was discussion about the possibility of installing a sidewalk area in front of the building due to safety concerns. Paul Vance stated it is poorly designed. Mr. McCormack stated currently there are wheel stops but there is not a sidewalk along the building. Chair Gorman stated that drainage is also a problem but Mr. McCormack commented there are multiple catch basins across the front. Mr. McCormack stated there are challenges due to grading issues but they can look into improving it.

**IT WAS MOVED (Paul Vance) AND SECONDED (Janet Kidder) to approve the lighting and signage location proposal as presented. THE MOTION WAS APPROVED UNANIMOUSLY.**

9. **Other Business – None**

10. **Master Plan** – There will be a Master Plan subcommittee meeting on Thursday morning.

11. **Motion to Adjourn**

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

The meeting adjourned at 8:29pm

Respectfully submitted,

Trina Dawson

Recording Secretary  
Town of New London