



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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JOINT MEETING
NEW LONDON PLANNING BOARD
AND
ZONING BOARD OF ADJUSTMENT
Tuesday, April 12, 2016 at 6:30 PM

WHIPPLE MEMORIAL HALL
429 Main Street at Corner of Seamans Road

PRESENT Planning Board Members:

Paul Gorman (Chair), Bill Dietrich (Vice Chair), Tim Paradis, Liz Meller, Michele Holton, Marianne McEnrue (Alt.) and Janet Kidder (Selectmen's Representative).

ABSENT Planning Board Members:

Jeremy Bonin. Marianne McEnrue would be voting in the absence of Jeremy Bonin.

PRESENT Zoning Board of Adjustment Members:

Doug Lyon (Chair), Ann Bedard, Vahan Sarkisian, Katharine Fischer (Alt.), Frank Anzalone (Alt.) and Jerry Coogan (Alt.).

ABSENT Zoning Board of Adjustment Members:

Michael Todd (Vice Chair), Cheryl B. Devoe & Paul Vance.

OTHERS IN ATTENDANCE:

Bob Brown of 449 Forest Acres Road; John Ford and Maggie Ford of 23 County Road; John W. Hill and Christa A. Hill of 10 Old Village Road; Cheryl Devoe of 84 Woodland Trace; Mark Kellet of 2 Old Main Street; Ryan Carr of 29 Boulder Point; George Pellettieri of Pellettieri Associates, Inc.; Kyle Cummings of 401 Wilmot Center Road; Tom Little of 98 Barrett Road; Roger Smith of 1310 Little Sunapee Road and Peter Schiess, Landforms, Ltd.

CALL TO ORDER: The Joint Meeting of the Planning Board (PB) and Zoning Board of Adjustment (ZBA) was called to order at 6:30 PM by Chair Paul Gorman. He explained the purpose of the joint meeting was to review the New London Historical Society (NLHS) applications for Site Plan Review and ZBA Special Exception application. Public comments will be heard as part of the public hearing. He explained that each Board will render its own decision. Once the ZBA and Planning Board consider the NLHS application, the meeting will continue as the regular Planning Board meeting.

- New London Historical Society (NLHS) Site Plan Application and Special Exception Application. A special exception is needed from the ZBA and Site Plan Review is needed from the PB. Proposal to construct a 441 square feet addition to the barn building for bathroom facilities which are ADA compliant. Property located at 13 Old Village Road. Tax Map 059-037-000. The NLHS site is 5.3 acres and is used for meetings, weddings, celebrations and educational events. A special exception is required per Article XXI, G. Special Exception (4, h) - Historical Village use in the Residential District. Property zoned R-2.

Chair Gorman turned the meeting over to ZBA Chair, Doug Lyon.

Chair Lyon appointed the voting members to be Doug Lyon, Ann Bedard, Vahan Sarkisian, Katharine Fischer and Frank Anzalone. Chair Lyon explained that a Special Exception is a use permitted by the Zoning Ordinance. Chair Lyon asked for a presentation of the application by the New London Historical Society (NLHS).

Roger Smith, President of the NLHS provided an overview of the project referring to the plans and other information submitted with the application materials:

- ✓ The ADA bathroom will be attached to the Phillips Barn.
- ✓ Location of the water, septic and utilities
- ✓ Bathroom facilities are need to better accommodate functions
- ✓ Weddings are the biggest source of income to the Historical Society, per a rental fee
- ✓ No right-of-way problems
- ✓ Height is within restrictions of 27 feet
- ✓ There is nothing that will impair the value of the neighborhood, no light, no dust, not smoke
- ✓ No issues with vehicular or pedestrian circulation
- ✓ Septic plans have been approved at the local and state level
- ✓ Proposed barn addition will be compatible with surrounding buildings in that it will look just like a barn.
- ✓ Requesting waiver to the Site Plan details, referring to only the details included on the plan submitted.

Chair Lyon asked for input from the ZBA members and staff:

Ms. St. John referred to the staff report including details of the history of the NLHS and comments received from the Town Departments and New London- Springfield Water Precinct. She noted that the Water Precinct has requested a full set of plans along with their application, and suggested that this be a conditions, if approved.

Ann Bedard asked where the entrance for the bathrooms would be located, exterior lighting, if there would be lights near the doors, what vegetation (what trees would remain), if the stone wall would be impacted, occupancy limits of the barn, if tents are used during events how this impacts the overall occupancy limits, impact and capacity of the septic system, and what is the maximum capacity for an event which may take place on the NLHS grounds.

Frank Anzalone asked about occupancy limits for barn, septic loading consideration, no survey is provided and concern about setbacks, and the maximum number of people allowed in the barn. He calculated this to be 123 people.

Vahan Sarkisian commented that he has watched the area grow over the years and he felt the numerous improvements have been good. Mr. Sarkisian voiced his support for the project.

Roger Smith, President NLHS responded to comments:

- ✓ Barn occupancy maximum of 123.
- ✓ Meets the setbacks, and the NLHS also owns the adjoining lots.
- ✓ An ADA compliant ramp to the bathrooms will be on the exterior and additionally there will be interior steps.
- ✓ The restrooms will only be open when there is a function in progress.
- ✓ They are working with the Water Precinct also to be sure all codes are addressed.
- ✓ Stated the Historical Society has not set a limit beyond what the legal capacity is.
- ✓ There are two (2) existing floodlights on the outside corners of the barn and there will also be lights on the outside of the door.
- ✓ Current vegetation will remain.

Chair Lyon opened the Public Hearing, asking for comments/questions from the audience.

John Ellis had several comments:

- ✓ He asked to be shown the location of the proposed bathrooms on the overhead map and the septic tank capacity. He suggested that it might be sufficient for the current maximum occupancy but what would happen if a tent was erected and another 200 people use the bathroom facilities? Would this overload the system?
- ✓ What is the construction cost?
- ✓ If the additional revenue that was expected by the installation of these bathrooms would off-set the construction cost?
- ✓ Concern about overflow of the septic system during an event.
- ✓ Where the parking area is located and the capacity of the parking area, how many cars would this hold?
- ✓ How does the parking impact the abutting homeowners and the neighborhood?
- ✓ Asked about the entrances to the barn and ADA compliance.

Maggie Ford, an abutter comments:

- ✓ Concerned this would create more vehicular traffic now that the barn becomes a more desirable venue.
- ✓ Believes is going to change the neighborhood.

Christa Hill, an abutter comments:

- ✓ Agreed that all these new events will impact the neighborhood and desirability when she wants to sell her house.
- ✓ Her property is right up against the Historical Society and she will have many more people in her “back yard.”
- ✓ Noted that people don’t understand the impacts, unless they “walk in our shoes”, that is being a direct abutter.
- ✓ She enjoys the wedding ceremonies for the most part and when the music was to her liking, she and her husband would open the windows so they could listen.
- ✓ Agreed the bathrooms are needed but also stated the additional number of people that will use the property will have a huge impact on the neighborhood.
- ✓ Stated that they did not know when they bought the house how active the Historical Society was going to be and that this could be a problem for her in the future when she wishes to sell her home, as there has been an increase in activities at the property.
- ✓ Noted that some people park along the Old Village Road.
- ✓ Asked about wheelchair access to the bathroom facilities.
- ✓ Referred to a recent NLHS brochure about a summer camp to be held this summer.

John Hill, an abutter comments;

- ✓ His concern is the use of the word camp and what that implies.

Roger Smith, President NLHS responded to comments:

- ✓ Explained the septic tank has a 1,000 gallon capacity.
- ✓ The improvements are for the comfort of wedding guests and not entirely about profit.
- ✓ The bathroom facility is expected to be open by June 1st.
- ✓ There will be steps from the barn and a handicapped ramp from the outside, as the elevation was needed to accommodate the septic system design.
- ✓ There won’t be an increase in the hours it is open.
- ✓ The summer camp is for about twenty (20) kids at each camp and the activities are generally held within the various historic building on the site.

Tom Little, also of the NLHS commented:

- ✓ Noted the maximum number of weddings would be 15 but there are other occasions to open the facility, including for example the recent Town of New London Recreation Department Easter Egg event.
- ✓ The return on the construction cost, will take about 6 years.

Chair Lyon closed the Public Hearing.

MOTION TO DISCUSS BY VAHAN SARKISIAN AND SECONDED BY CHAIR LYON SECONDED. Motion carried.

Chair Lyon explained that the Special Exception must be granted by the ZBA if it meets the following conditions:

- The use for which the special exception is being asked is normally prohibited in the district and that is true in this instance.
- The use is specifically allowed as a special exception under the terms of the ordinance which is also true.
- Are the conditions specified in the ordinance for granting a special exception met in this particular case?

Comments from ZBA members:

- ✓ Frank Anzalone asked if the camp was something the NLHS has always done, or if this is something new.
- ✓ Ann Bedard asked that the record state that the barn is for seasonal use only.

Roger Smith commented:

- ✓ That the history camp is something new.
- ✓ There will be twenty (20) kids per week (held 2x).
- ✓ That there are not any plans to winterize the Phillips barn.

MOTION TO APPROVE A SPECIAL EXCEPTION FOR THE NEW LONDON HISTORICAL SOCIETY FOR CONSTRUCTION OF THE BATHROOM FACILITIES SUBJECT TO ONE CONDITION THAT THE BARN IS ONLY FOR SEASONAL USE. IT WAS MOVED (Vahan Sakisian) AND SECONDED (Ann Bedard) AND THE MOTION WAS APPROVED UNANIMOUSLY.

Planning Board Chair Gorman continued the meeting.

He appointed Marianne McEnrue to be a voting member, as Jeremy Bonin was absence.

Chair Gorman explained that the Planning Board would now review the New London Historical Society Site Plan application. Chair Gorman asked Roger Smith to address the Site Plan requirements and address any other comments not previously discussed earlier in the meeting.

Roger Smith and Tom Little commented:

- ✓ Stated the Historical Village is a gem in the community and offers much to the New London residents.
- ✓ The septic system was approved by the Town and State.
- ✓ Requested waivers of the Site Plan Requirements.
- ✓ If liquor is served, they are required to provide police coverage.

Chair Gorman asked for comments from the Board and staff:

- ✓ Concern if the new septic system was designed to accommodate the proposed increase in usage, what is the maximum amount the septic system could handle and that additional portable bathroom facilities may be needed depending on the event. Noted that typically current and proposed usage and peak flow is taken into consideration when a septic system is designed. Frank Anzalone calculated that with three new bathroom stalls for men and women this equals to 225 men and 225 women. Could also bring in additional

porta-potty facilities if needed. Chair Gorman noted this suggest a maximum of 450 people.

- ✓ The NLHS is not increasing the number of weddings, they had 15 in the past.
- ✓ That a history camp is a good and legitimate use of the property.
- ✓ Suggested that music end at 10 pm.
- ✓ Suggested that the site be vacated by 11pm.
- ✓ Parking should be on site and not along Little Sunapee or other surrounding roads, except for Town sponsored events such as Hospital Days, or Town sponsored recreation events.
- ✓ Questions about the hours of construction.
- ✓ Lighting should be down-cast, as light pollution is a problem.
- ✓ Janet Kidder explained that when Bud Lauridsen and others envisioned what is now the Historical Society property it was intended to create a Historical Village atmosphere, with more building being brought to the site over time.
- ✓ Asked if the bathroom addition to the historic barn would detract from the Vision and Purpose of the NLHS.

Chair Gorman, opened the Public Hearing and asked if there were any additional comments, not already addressed during the earlier part of the meeting.

John Hill, an abutter:

- ✓ Stated the Historic Society is a great asset, but he does not want to grow into a business.
- ✓ Suggested you can't limit it to 225 or 400 people as it is used for other events, such as Hospital Days, as sometimes there are 1,000 people at Hospital Days.
- ✓ Suggested the use of first-class portable toilets, when the attendance is expected to be more than the septic system can accommodate.
- ✓ Thinks the work "camp" is problematic but this is really an educational experience.
- ✓ Noted that during Hospital Days, people do park on Little Sunapee Road.
- ✓ Has lived next to the site for about 8 years.

Chair Gorman, closed the Public Hearing.

MOTION TO APPROVE SITE PLAN APPLICATION FOR AN ADA COMPLIANT BATHROOM FACILITIES AT THE NEW LONDON HISTORICAL SOCIETY SUBJECT TO THE FOLLOWING CONDITIONS:

1. Waivers to the Site Plan requirements be granted as requested.
2. Events held on the property shall end the playing of music at 10:00 pm and the property shall be vacated by 11:00 pm.
3. Parking shall be on-site and no parking is allowed along neighboring roads, unless a Town sponsored event, such as Hospital Days.
4. An application and plans be provided to the New London- Springfield Water Precinct, and subject to said requirements of the Water Precinct.

IT WAS MOVED (Marianne McEnrue) AND SECONDED (Liz Meller) AND THE MOTION WAS APPROVED UNANIMOUSLY.

MOTION TO ADJOURN THE JOINT MEETING AT 7:45 PM AND CONTINUE WITH THE PLANNING BOARD MEETING. IT WAS MOVED (Michele Holton) AND SECONDED (Janet Kidder) AND THE MOTION WAS APPROVED UNANIMOUSLY.

APPROVAL OF THE PLANNING BOARD MINUTES OF MARCH 22, 2016

- ✓ **MOTION TO APPROVE THE PLANNING BOARD MEETING MINUTES OF MARCH 22, 2016. IT WAS MOVED (Jante Kidder) AND SECONDED (Michele Holton) AND THE MOTION WAS APPROVED UNANIMOUSLY.**

REVIEW OF THE SITE WALK NOTES OF MARCH 31, 2016 FOR THE NIEHAUS PROPERTY AT 155 OWLS NEST ROAD

- ✓ **MOTION TO APPROVE THE SITE WALK NOTES OF MARCH 31, 2016 FOR THE NIEHAUS PROPERTY AT 155 OWLS NEST ROAD. IT WAS MOVED (MICHELE HOLTON) AND SECONDED (LIZ MELLER) AND THE MOTION WAS APPROVED UNANIMOUSLY.**

Public Comment: No comment

- Tree Cutting Application Niehaus Property located at 155 Owls Nest Road. Tax Map 141-001-002-000. Received March 18, 2016. Site Walk conducted March 31, 2016.

Peter Schiess, Landforms, Ltd., for the owners commented that all points satisfied. Motion to approve the plan as presented. Motion by Michele Holton, seconded by Janet Kidder to approve as presented. Motion approved unanimously.

- Robert and Sandra Brown Trust Annexation Subdivision Plan. Property located at 458 Forest Acres Road and 418 Bog Road. Tax Map 119-011-000 (Forest Acres Road) and 119-003-000 (Bog Road). Proposal to add 0.51+/- acres from Tax Map 119-003-000 to Tax Map 119-011-000. Tax map 119-003-000 is 27.3 +/- acres before annexation and 26.8 +/- acres after annexation. Tax Map 119-011-000 is 1.69 acres before annexation and 2.20 acres after annexation. Property zoned Conservation District, Article XIII, minimum lot size is 10 acres. Conceptual plan discussed at the Feb 23rd meeting.

Bob Brown explained that the house and barn were built years ago, and the house does not conform to the setbacks. The proposal is to increase the lot area, which is nonconforming, to allow additional area to accommodate a septic system, as the current system is old. This will also make the site more attractive for sale. The site includes some wet areas.

Public Hearing opened and no comments.

Motion by Liz Meller, seconded by Marianne McEnrue to approve the plan as presented. Motion approved unanimously.

The Board signed the plan, and the plan will be recorded at the Merrimack County Registry of Deeds.

- Raoul & Karen, LLC (formerly Carr property), Shoreland Application. Property located at 29 Boulder Point Road. Tax Map 115-002-000. Shoreland Permit Application. A tree cutting application was discussed at the Nov 17, 2015 meeting; Site Walk conducted Nov 30, 2015; and the tree cutting discussed and approved at the December 1, 2015 meeting subject to a landscape plan being submitted by April 30, 2016 for review and approval by the Planning Board

George Pellettieri showed the landscape plan and pointed out cells A & B, both of which meet state and local regulations, and cells C and D. He provided a history of the site, including the recent fire and damage caused to the structure and vegetation. He explained that the new house will be reduced in size and setback further from the lake, impervious area will be reduced and a more natural landscaped approach to the design is being presented. A rain garden, which is a method for reducing stormwater on site is going to be installed. Discussed the planting list, including the use of some hybrid plants, noting these are not necessary bad as these may be less susceptible to disease. Planting schedule shows native plants. Invasive species are going to be removed. Planting smaller plants as there is less disturbance to existing plants that are there. Root systems will stay in place as sometimes removal causes problems. Area of new growth have started, and the root system of previous plants helps control erosion and stabilize the bank. There is not going to be a big change in the way the site looks. Will look pretty much the same as before. Considering a green roof for the garage area. Rain on roof gets absorbed into plant and dirt mixture on the roof and then is released gradually.

Motion by Liz Meller, seconded by Marianne McEnrue to approve the landscape plan as presented. Motion approved unanimously.

- Breed, Judith Revocable Trust. Letter to NH Wetland Bureau. Property located at 47 Moyah's Lane. Tax Map 103-012-000. Prepared by Greg Grigsby, Pellettieri Associates.

George Pellettieri provided a brief history of the site, including working with NH Department of Environmental Services to address the handicapped ramp issues and local zoning violation issues. Asking the Board for a temporary 12 foot wide temporary access path. Reviewed the details of the plan, including handicapped access ramp which will have a dark metal handrail which will make it virtually undetectable from the shoreline. Work to be done in segments to minimize disturbance. Improved stormwater features, including removing the tennis court. Protection of large trees and root structures during construction. All construction will be within 1094.5 foot elevation. Intend to restore the shoreline and create the 6 foot wide pathway. Stone wall will be taken down a small section at a time and then replaced before going on to next section. Site will be kept cleaned up, removing the plywood when not in use, and putting it down when needed. Existing conditions documented and proposed changes all shown. Stonewall and shoreline improvements will be constructed in such a way

to encourage and allow for turtles and amphibians species to migrate from the shore to land. Expects project to take 4 to 6 weeks.

Staff referred to a previous Planning Board discussion regarding the use of equipment in the waterfront buffer. Ms. St. John referred to the July 2, 2015 memo from Jen Drociak which was discussed at a previous Planning Board meeting.

Motion by Tim Paradis, seconded by Janet Kidder to approve the 12 temporary access path and approve the plan as presented. Motion approved unanimously.

- Town of New London Elkins Beach Bathhouse Improvement Project- Update the bathhouse with a new handicap bathroom and update the existing bathrooms. Approved at Town Meeting. Per RSA 674:54- Governmental Land Uses.

Motion Tim Paradis, seconded by Janet Kidder to approve the project as presented. Motion approved unanimously.

- Other Business:
 - ✓ Colby- Sawyer College- Fine and Performing Arts Center. The Board inquired about the conditions of the approval of March 22, 2016 approval particularly asking for an update on the NH Department of Transportation driveway permit issue. Staff asked to contact the engineer to get an update.
 - ✓ Zoning Maps- Ms. St. John reviewed the draft Zoning Map with the new color scheme and other changes previously discussed by the Board. The Board agreed that the map should be presented more clearly and advised staff to inquire with the Regional Planning Commission (RPC) about generating four (4) maps or two (2) maps, depending on cost. The four (4) maps scenario would include one map showing the basic zoning districts, one showing the Workforce Housing Overlay District, one showing the Planned Unit Development (PUD) Overlay District and one showing the Special Flood Hazard Zone. The two (2) maps scenario would be one showing the basic zoning districts on one map and the overlay (PUD, Special Flood Hazard Area, and Workforce Housing) on another map. Each map will be inserted into the respective section of the Zoning Ordinance.
- Future Meeting Dates 2016: April 26, May 10 and May 24. Several members will not be available on May 24 due to a local community events, so the meeting was cancelled. Paul Gorman will work with staff to schedule another possible meeting date in May. (Note, following the meeting, it was noted that the May 24th meeting was not a conflict, and thus May 24th will be a meeting date).
- Accessory Dwelling Unit (ADU). The Board discussed the recent State legislation and the Plan NH workshop several members attended. They discussed the need to create a subcommittee to work on addressing any changes to consider as March 2017 zoning amendments.

- Public Transportation- Liz Meller and Janet Kidder discussed that this is an important issue which the Town should be addressing.
- Regional Planning Commission Appointment – Janet Kidder asked the Board at the last meeting if anyone was interested in serving as one of the New London representatives. Liz Meller expressed interest.

MOTION TO ADJOURN THE PLANNING BOARD MEETING AT 8:40 PM. IT WAS MOVED (Bill Dietrich) AND SECONDED (Tim Paradis) AND THE MOTION WAS APPROVED UNANIMOUSLY.

Respectfully submitted,

Jennifer Vitiello,
Recording Secretary
Town of New London, NH