



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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NEW LONDON PLANNING BOARD

Meeting Minutes

June 26, 2018, 6:30 PM

PRESENT: Paul Gorman (Chair), Janet Kidder, Tim Paradis, Bill Dietrich, Maryann McEnrue, Paul Vance, Joseph Kubit and David Royle (Alt)

ABSENT: Jeremy Bonin, Tim Paradis and Elizabeth Meller

OTHERS PRESENT:

Adam Ricker, Town Planner

Michelle Gibbs of 61 Lighthouse View Road

Carol Thrane of 33 Lighthouse View Road

Clayton Platte of Penny Royal Hill Land Surveying & Forestry LLC

Marcia Muller Crimi of 214 Soo Nipi Park Road

Robert Crimi of 214 Soo Nipi Park Road

Michael Craven of 81 Lighthouse View Road

Ki and Bill Clough of 23 Lovering Lane

Barbara Gurnsey of 102 Edmunds Road

Sandy Black of 302 Soo Nipi Park Road

James M Black of 302 Soo Nipi Park Road

Tom Cottrill of 320 Soo Nipi Park Road

Bradley Howard of 196 Hasting's Landing Road

Dan Grace of 1047 King Hill Road

Midge Eliassen of 208 Poor Road

Ryan Carr of 29 Boulder Point (Raoul & Karen LLC)

Chandler N Perkins of 155 Lamson Lane

Debra Perkins of 155 Lamson Lane

Bo Quackenboss of 157 Poor Road

Pam Perkins of 157 Poor Road

Susan C. Gorgi of 812 Route 103A

Barbara Kreisler of 261 Owl's Nest Road

David Ryan of 148 Lighthouse View Road

June Fitcher, Executive Director of the LSPA

Anne Pattison of 9 Claflin Circle, Hanover

1. Call to Order – Chair Gorman called the meeting to order at 6:30pm.

2. Review of minutes: May 22, 2018 meeting

IT WAS MOVED (Janet Kidder) AND SECONDED (Marianne McEnrue) to approve the minutes of the May 22, 2018 meeting. AMENDMENT: Paul Vance was not at the May 22, 2018 meeting. All were in favor of accepting the meeting minutes with the amendment.

Chair Gorman appointed Joseph Kubit to fill in and vote for Tim Paradis

3. Public Comment- None

4. Collins, Maxwell – Proposal to cut thirty seven (37) trees. Located at 466 Otterville Road. Tax Map 042-007-000. Property located in the following overlay districts: Streams Conservation Overlay District. Town received the application on May 10, 2018.

Town Planner Adam Ricker visited the site and found the trees are in the streams buffer of 100 feet and fulfills the requirement to give the Planning Board a plan for review and approval. There is much river frontage on the river that flows from Goosehole Pond into Otter Pond. This site is heavily wooded and there is no problem with any of the trees that are being cut. There are substantially more tree than are shown on the tree plan. Photos have been taken of the leaning tree that is close to the house. For the health of the rest of the trees, some of the trees need to be removed. Plan is not to clear the undergrowth but only to remove dead trees.

IT WAS MOVED (Bill Dietrich) AND SECONDED (Janet Kidder) to approve the request to cut thirty-seven (37) trees on property at 466 Otterville Road. THE MOTION WAS APPROVED UNANIMOUSLY.

5. Radeke, David & Rise – Lot Merger Application. Located 583 Forest Acres Road. Tax Map(s) 119-021-000 (1.68 acres) zoned Residential (R-2) and 119-005-000 (0.6 acres) zoned Agricultural/Rural Residential (ARR). Town received the application on May 8, 2018.

There was no representation for this Lot Merger Application but Town Planner Adam Ricker reviewed the application. He showed the properties on an overhead projection and showed that once these two properties were merged, the smaller lot becomes unbuildable. Mr. Ricker consulted with Town Assessors Norm Bernaiche and Kris McAllister and they did not see a problem. Chair Gorman stated the Board would like to speak to the owners to find out their plan for the property. The owners are not required to notify abutters of this lot merger. Joe Kubit asked if this would have a negative impact on abutters property values and Mr. Ricker stated it probably would be a positive impact since the smaller parcel now becomes unbuildable. This property is located on a town road and it was opined the extra lot could be used for a septic system. The property owners stated they just wanted to get one tax bill. Once the merger is complete the property will be considered a conforming lot and cannot be sub-divided. This application will be continued to the July 24, 2018 meeting at which time it is hoped the owners will attend.

6. Kinzler, Thomas & Carol – Storm Water Management System. Located at 212 Poor Road. Tax Map 091-002-000. .56 +/- acres. Zoned Residential (R-2) and in the Shoreland Overlay District. The applicant is building a small addition to their home that will increase the impervious area by 0.1% to 27.08%. Town received the application on May 25, 2018.

There was no representative for this application and Town Planner Adam Ricker explained the owners are redoing the house and increasing the impervious surface 0.1%. Although this is a small amount it still must be approved by the Town. Mr. Ricker showed the property on an overhead projection and pointed to the 12 foot by 2 foot area that will be expanded on the rear deck entryway. There was discussion amongst the Board and questions that could not be definitively answered. Chair Gorman would like the property owners to come to the July 24, 2018 meeting so questions can be answered. This application will be continued to the July 24, 2018 meeting.

7. PUBLIC HEARING – Debra L. Perkins Trust - Annexation –Located at Bunker Road & Lamson Lane. Tax Map 062-014-000, 9.3+/- acres and 049-026-000, 2.2 +/- acres. Zoned Residential (R-2). Applicant is applying to annex 7.1 acres from 062-014-000 to 049-026-000 resulting in lot sizes of 062-014-000 2.15 +/- acres and 049-026-000 9.3 +/- acres. Town received the application on May 24, 2018.

Clayton Platt presented on overhead projection and stated he would like to move land from one building lot to another. The 150 feet of road frontage remains the same. The lot will still be buildable after annexation.

The hearing was opened to the public but there was no comment.

IT WAS MOVED (Joseph Kubit) AND SECONDED (Janet Kidder) to approve the annexation of 7.1 acres from TM 062-014-000 to TM 049-026-000, resulting in lot sizes of 062-014-000 2.15 +/- acres and 049-026-000 9.3 +/- acres. THE MOTION WAS APPROVED UNANIMOUSLY.

8. PUBLIC HEARING – Crimi Holdings of NH LLC-Major Subdivision Preliminary –Located at 214 Soo Nipi Park Rd. Tax Map 127-001-000, 67.5+/- acres. Zoned Residential (R-2) & Agricultural & Rural Residential (ARR). Applicant is applying to subdivide lot into 9 additional new lots for total of 10 lots. Town received the application on June 4, 2018.

Clayton Platt of Penny Royal Hill Land Surveying & Forestry LLC presented the plan to create eight new building lots off Lighthouse Road and one building lot on Soo Nipi Park Road. Each of the non-waterfront building lots will be between two and three acres. There will be three waterfront lots. The remaining lots will be across the street from the lake. Lot #3 will have a single driveway and lots #'s 1 and 2 will have a common driveway. A more suitable turn-around area needs to be created at the end of town-owned Soo Nipi Park Road as Public Works Director Richard Lee has stated a hammer-head would not be sufficient as snow storage would necessarily be placed at either end of hammer-head. This is not a good scenario. He suggested a cul-de-sac would be more appropriate as it allows for equitable distribution of the snow loads. Currently there are not plans for the rest of the property. Janet Kidder inquired about the town road portion that leads to the water and wondered if it was at least 20 feet wide to meet current requirements. The presenter stated there would not be water rights for the lots that are not on the water nor can any rights or easements be created. The Town of New London has no provisions for creating an association for access to the waterfront.

Chair Gorman opened the public hearing.

Q. One resident stated there is much water run-off going down to the lake in the spring-time.

A. Mr. Platt stated there would still be a lot of acreage retained in lot #9 to absorb water.

Q. Is there anyway to allow the non-lakefront residents to use the 25foot strip?

A. This would not be a legal access. The separate access parcel is owned by Crimi Holdings but cannot be used for access from any other lots.

- David Ryan wants more definition and clarity to what is being proposed for the town portion of the road. He would not like to see the road change.
- Pam Perkins, who is a realtor stated you can't sell rights if those rights cannot be conveyed. If a water-front owners desires then he/she can allow access on a friendly basis.
- Ryan Carr, who owns the land that the "public right-of-way" crosses stated that south of the right-of-way is a beach. According to the deed, Crimi can transfer deed to his family but no one else. He too is concerned about water run-off into the lake because the land is steep. Storm water run-off mitigation is important.
- Carol Swain expressed her concern for the storm water run-off and clear cutting of the property.
- Jim Black, who lives across the street from the propose lot #7 stated the Town has already moved the culvert once and now his property floods. All of the new construction will add more run-off into the lake. This will include fertilizers and other potentially harmful ingredients. Mr. Black stated that previously there was a right-of-way but this was wiped out in the hurricane of 1938. It used to exist just below the old tennis courts and he remembers using it as a child.
- Anne Pattison, who is an abutter to the north of the project stated her house was built in 1896 and there indeed was a road next to the tennis courts. She expressed concern that what is shown as a spring on the map is actually her well. She is afraid the well water will be contaminated.
- Tom Cottrill expressed his concern for storm water run-off. He stated the Town did make changes to culverts and now the land is very wet. The same thing happened to residents on Squires Lane when the college was built. Now they have water issues on their property. Mr. Cottrill wondered if clearing the land for lots and installing culverts under driveways if a good idea. He asked if the water

from the streams is going to be treated before it enters the lake? There are two springs at the intersection of Soo Nipi Lake Road and Lighthouse View Road. He stated there is so much water coming down that ducks swim in his driveway in the spring. He would like to see the storm water treated and retained on the land. He stated that the town-owned road is next to his property and goes directly into the lake and many people disrespect his privacy and use his property. Sometimes twenty (20) to thirty (30) cars are parked in this area. There is no beach or place to put a towel or beach chair. The right-of-way is to go directly into the lake. As for the road termination, Mr. Cottrill is in favor of the hammerhead design as he feels it is preferable visually to a large cul-de-sac. He also asked to be on the notification list so he could receive by mail all meetings concerning this project.

- Barbara Guernsey wondered if the road must be widened to accommodate the new traffic.
- Another resident felt there should be more police presence to ticket the vehicles that are parked illegally.

Clayton Platt stated there are strict regulations regarding compliance in the water front overlay district and stated the setback of the houses on the lake to be 250 feet. The existing road could not be connected to Hastings Landing.

Adam Ricker explained that wetlands is defined by the state of New Hampshire and has to do with soil types, vegetation and drainage. Since there are no construction plans at this point in time he can only speculate. Currently there is a 160 dock that was used as a steamship landing long ago. This is grandfathered, and any additional docks could not impede access to this dock. Mr. Ricker stated that docks are the purview of NH DES.

- Bill Clough owns property on Hastings Landing and pointed to a piece of land that has been “celebrated” by local residents as a habitat for remaining wildlife such as sea and lake otters. He stated this piece of property is missing on the map and hope that someone will conserve this land for future generations to enjoy to which a resident replied that Ausbon Sargent would be interested.
- Dan Black wondered if the traffic circle will become town property for what was once private property? This means the town will have to plow and maintain like any other town road.

Q. Mike Craven owns 81 Lighthouse Road, which would be directly across the street from lot #6. He asked if there were regulation as to what kind of house could be built as it might adversely affect his property value.

A. Mr. Ricker replied no.

Q. Chair Gorman asked about the process for the road

A. Planner Adam Ricker stated there are very specific requirements for the road and the Public Works Director determines these. Richard Lee, Public Works Director of 40 years for the Town of New London has retired as of June 30, 2018 and the new PWD Robert Harrington is being brought up to speed on the issue.

Chair Gorman closed the PUBLIC HEARING and expressed a desire to answer/address all concerns. He suggested that residents should write their concerns so that the correspondence could be placed in the permit and property file. Board member Janet Kidder said a site visit will be scheduled when the plans are further along and Planner Adam Ricker stated another abutter notice will be sent out when the next phase of the project is submitted.

9. PUBLIC HEARING – Messer Family Revoc Trust - Minor Subdivision Final –Located at 125 Tracy Rd. Tax Map 117-010-000, 26.7+/- acres. Zoned Agricultural & Rural Residential (ARR). Applicant is applying to subdivide lot into a total of 2 lots. Town received the application on June 5, 2018

Dan Grace represented this application and stated all the requirements have been completed and owners wish to go forth with the subdivision and start building.

David Eckman of Eckman Engineering, LLC spoke about the plan and projected on overhead. This is a 27-acre parcel and the previous house has burned down. There is an existing driveway that will service 2

house sites and a variance has been obtained for the frontage. Each lot will be 13.5 acres (in a 4 acre zone) and there will be no further subdivision. There are wetlands at the front of the property and driveway is graded and has been moved a bit at the corner to prevent ponding. The state prefers using the existing driveway but this is unique soil in that when it gets wet it becomes wetlands. Robert C. Stewart who is a licensed wetland scientist has identified the poorly drained soil to determine the best place for the septic system. He has also mapped out the vegetation and designed to avoid wetlands. Currently this land is bone dry although it is considered jurisdictional wetlands by the state. Mr. Eckman showed the approximate footprints on the map including septic location, the existing well and setbacks. He also showed where equalization piping is to be placed that would allow water to travel equitably and be distributed in wetlands area. The old foundation and well currently exist on the property. The well is in good condition but not conducive for use near the the proposed house sites. It could be used for irrigation and appears to have artesian pressure.

It is respectfully, requested that the board consider granting the following waiver from the Town of New London Land Subdivision Control Regulations revise date July 28, 2009 (Minor Subdivision Regulations):

Section V-C:7 Required a Full Topographic Survey of the Entire Parcel

The Waiver Request is that the rear portion of the lot that is not to be developed utilize the 2015 Granite LiDAR Data for topography rather than an on-site survey as completed for the area to be developed and extending well beyond they minimum building envelope.

As set forth in Section II-B Waiver of Requirements, upon written request of the subdivider, the Planning Board may waive compliance with any part of the Regulations if it determines:

II-B.1: That the request for the waiver arises out of unique physical conditions which exist in the proposed subdivision. *The property is unique in that it is 27.3 acres in size and the owner is only proposing a 2-lot subdivision. As a result, there is no need or benefit to extending the on-site topographic survey beyond the limit of development and maximum extent of the building envelopes.*

II-B.2: That literal compliance with the Regulation shall cause the subdivider an unnecessary hardship. (An unnecessary hardship is one where there is no public benefit, which offsets the private detriment). *Literal compliance would cause unnecessary expense and hardship to the owner with no benefit to the public as the develop portion of the land including area well beyond the minimum building envelopes was surveyed on-site. The remaining portion of the lot utilized 2015 Granite LiDAR Data which provides satisfactory information in the area beyond the building envelopes.*

II-B.3: That granting the waiver shall not be contrary to the purpose and objective of these Regulations. *The intent and objective of the regulations is to assure that minimum lot size and building envelopes are obtained which the limited on-site topographic survey did by covering more land area than required to exceed minimum lot size and the minimum building envelopes.*

II-B.4: That the public good shall not be adversely affected. *The public good will not be adversely affected by the granting of this waiver, because more land was surveyed on-site than required to meet the minimum lot size and building envelope areas. The undeveloped area beyond the building envelopes will not be further subdivided as agreed by the owner therefore no public benefit would arise from requiring the extra on-site topographic survey. The 2015 Granite LiDAR Data provides acceptable information without requiring the full on-site survey.*

IT WAS MOVED (Bill Dietrich) AND SECONDED (Marianne McEnrue) to approve the minor subdivision (with variance) for a total of 2 lots at 125 Tracy Rd. Tax Map 117-010-000, 26.7+/- acres. THE MOTION WAS APPROVED UNANIMOUSLY.

10. **PUBLIC HEARING – Canary Systems Inc. - Final Site Plan Review.** Located at 5 Gould Road. Tax Map 084-080-000. .62 +/- acres. Zoned Commercial (COMM). Applicant is applying for site plan review as it pertains to a 46x30 addition for garage & storage space. Town received the application on June 5, 2018.

George Newhart described and expansion of the current building by adding a 30 foot by 46 foot garage of cold storage to equal 1380 square feet. This will accommodate a company truck and provide storage for stockpile of inventory. This company manufactures electronic modules that get shipped out world-wide. No windows are needed as this will be storage only. The existing oil tank to stay where is already enclosed. This tank will be plumbed to the front of the building. The addition will face Pleasant Street as does the rest of the building. The setbacks are clearly delineated and will require a small amount of additional paving.

- Marianne McEnrue clarified that this property is adjacent to Bob Stahlman's property and wondered if this addition will have any impact? Mr. Newhart said there will be no impact and showed a simple rendering of the building by architect Diane Piotrow. He added there will not be any added parking and no additional employees. It is a fairly minimal addition within all setbacks. The gutters are on the front side of the new roof and the downspout is located to the right side of the loading dock that lands into a grassy yard. Previously the area had a handicapped ramp but it will not be replaced as it is currently non-compliant. The law requires one compliant ADA ramp and one is existing in another part of the building.
- Planner Ricker noted concern for storm water run-off since the parking lot that is behind and owned by Mr. Stahlman is an impervious lot. This will add more impervious surface that will impact the storm drain in the left-hand corner.

Chair Gorman opened the meeting to public comment.

This addition will replace approximately 1400 square feet of grassy area. Is there accommodation for water run off of this new impervious surface? The Board requested to see the percentage of impervious surface. Janet Kidder stated she does not want more water cascading down Pleasant Street to create more wetland. The total lot size is .67 acre and the Board would like to see the calculation on what is left of open space. Mr. Ricker to meet with George Newhart on Thursday, June 28th to discuss and will present the Board with calculation of impervious surface as well at a storm water mitigation plan. Once discussed it will be considered at the July 24, 2018 meeting and will be first item on the agenda.

Chair Gorman closed the public hearing.

11. State of NH DOT Funding Opportunities

Adman Ricker explained the TAP Program (Transportation Alternative Program) which is a competitive process that allows for funding for projects that include an expansion of options for pedestrian and bicycle amenities. This can happen in tandem with improving vehicular amenities as well. This program is for projects that look at a multi-mobile approach. Some examples of projects would be safe routes to school or the much discussed sidewalks in the middle of town. It would be prudent to cite these projects in our Master Plan and submit a solid plan, not just a suggestion. Must also submit a letter of interest by an application deadline at the beginning. We would not make the deadline this year but next year might be considered. It has gotten so competitive that projects have to be pretty much complete with estimates of exact cost. The DOT has been burned a few times when they took estimates that were incomplete. If the Town has something in mind we could start the application now as it takes a year. Chair Gorman suggested that talk be continued in September so that we would be ready a year from now. Be sure to include the Public Works Director in the conversation. If land acquisition is needed, that would also have to be in place. This is a yearly application and has to be approved at Town Meeting AFTER the grant has been approved.

Janet Kidder suggested a solid plan be in place with costs to get approved at Town Meeting. Many projects require an easement across private property. She also stated that the Town did not fund the Parkside Drive and Seamans Road sidewalks. These were refunds from the state **after** the project was completed. Regulations state the project had to be completed in one construction season or Town would have lost the money. There was money in the budget to get it done in a timely manner.

13. **Master Plan Update** – Postponed until 9:30 am on July 12, 2018. The questionnaire is almost complete and will be ready for approval at the next Planning Board Meeting. Mailings will be sent out to all property owners (there is no list of renters.) Chair Gorman asked that the college get a copy of the questionnaire as well as anyone that works there. Hopefully people will take the digital version and an Internet link will be provided in the next issue of *Municipal Matters. The Newsletter for the Pleasant Lake Protective Association* is also a good source as well as a school newsletter. It was agreed that there should be coverage of the entire town with any vehicle that is necessary.

14. **CIP Update** – will be held on Thursday, June 28 at 8:30 am. Fire Chief Jason Lyon and Police Chief Edward Andersen to attend.

15. **Correspondence Received** – Chair Gorman received a note to the Planning Board stating that it is important to get a trajectory of the town growth rate. This will impact the kinds of services and construction of physical plants to meet the needs in the next ten years. Chair Gorman gave an example from Ken Jacques of New London-Springfield Water System Precinct impact caused by the relocation of the middle school to Sutton when hundreds of children left town.

16. **Future Meeting Dates:** Refer to the Planning Board Meeting Schedule and the Town's website for updated meeting information. Next meeting is scheduled for Tuesday, July 24, 2018. The Planning Board Meeting of July 24, 2018 will be at Whipple Memorial Town Hall. There will be many residents attending since the hospital property is being discussed. It is imperative that a public address system be available to use.

17. **Motion to adjourn.**

**IT WAS MOVED (Janet Kidder) AND SECONDED (Marianne McEnrue) to adjourn.
THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting was adjourned at 9:07 PM

Respectfully submitted,

Jennifer Vitiello
Recording Secretary
Town of New London