



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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NEW LONDON PLANNING BOARD

Regular Meeting

Tuesday, September 27, 2016

6:30 PM

**PRESENT:** Bill Dietrich (Vice Chair), Jeremy Bonin, Tim Paradis, Liz Meller, Marianne McEnrue (Alt.) Casey Biuso (Alt.) and Janet Kidder (Selectmen's Representative)

**ABSENT:** Chair Paul Gorman, Michele Holton and Joseph Kubit (Alt.).

**OTHERS IN ATTENDANCE:**

Chris Kessler of Pellettieri Associates; Chris Alepa of 178 Poor Road, Peter Blakeman of Blakeman Engineering.

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

Bill Dietrich (Vice Chair) noted he is chairing the meeting. Marianne McEnrue (Alt) and Casey Biuso were appointed to act as a full voting members for the meeting.

**APPROVAL OF THE MINUTES:**

- ✓ Review of draft minutes Sept 20th Regular Meeting. It was noted that the minutes were not completed and would be reviewed at the Oct 11<sup>th</sup> meeting.
- ✓ Review of the CIP Subcommittee minutes of Sept 23rd. It was MOVED (Jeremy Bonin) and SECONDED (Janet Kidder) to approve the minutes as presented. The motion was APPROVED UNANIMOUSLY.

**PUBLIC COMMENT:** There was no public comment.

**Christopher Alepa Shoreland Application.** Located at 178 Poor Road. Tax Map 091-004-000. Site Walk conducted on Feb 13, 2016. Review Stormwater management plan.

Chris Alepa, owner noted that Peter Blakeman would present the information to the Board. Peter Blakeman provided an overview of the site features, septic and stormwater infrastructure proposed. Staff noted the Mr. Alepa is currently in the process of securing a new septic system design for the property. Peter Blakeman stated there will be an increase of 402 square feet of impervious surface above the existing impervious surface. There will be infiltration for the roof runoff in two areas and this formula is for a combined roof area of 607 SF, which is more than required. Mr. Blakeman explained there would be a gutter proposed along the roof area and then drops down into a pervious PVC pipe. There will be 2 feet deep and 2 feet wide of stone below the pipe; one pipe to be 18 feet long and one pipe to be 14 feet long and placed in the driveway. Both of these combined will treat water from the 607 SF. Marianne McEnrue asked for

clarification of the volume of stone being used. He noted that it will only take 85 cubic feet of stone to accommodate the volume for a one-inch rain event, and they provide for 128 cubic feet of stone. Mr. Blakeman stated that test pits were done in two locations and found that at a depth of 3.5 feet the sand was clean.

No further questions from the Board and there were no questions from the audience.

- ✓ Motion to APPROVE the Christopher Alepa Shore Land application at 178 Poor Road. Tax Map 091-004-000. It was MOVED (Elizabeth Meller) and SECONDED (Janet Kidder) to approve the application. The motion was APPROVED UNANIMOUSLY.

**Conceptual Discussion of the Hall property.** Located at 333 Bunker Road. Tax Map 062-020-000. Discussion on proposed improvements in the waterfront buffer.

Chris Kessler (CK) of Pellettieri Associates explained that the existing residence was built in the early 90's. He noted that he has met New Hampshire Department of Environmental Services (NHDES) staff. He presented a conceptual plan to the Conservation Commission at their September meeting to get their input and comments prior to submitting a formal application to NHDES. Photographs of the site were shown and staff noted that she visited the property.

Chris Kessler explained details of the existing site conditions and changes they are considering.

- Approximately 216 linear feet of shoreline
- Existing beach that was permitted in 1978 & 1992. Natural shoreline altered in the past.
- Existing stonewall along the lakeside which creates the backside of the beach.
- Lot is about 2 acres.
- Shared serpentine driveway with the Stanzler property
- The site also includes a dock structure.

Perch beach proposed would reduce the sand migration into the lake and rock boulders would be placed in the water, where the previous natural shoreline existed in the past, thus recreating the natural shoreline. The Hall property is experiencing sand migration into Pleasant Lake; sand will not stay on the beach due to the elevation, ice, wind, etc. A viable option would be to perch the beach to DES "perched beaches" specifications. This would rise the present beach 1 foot to 1.5 feet higher than the 804.4 elevation of the lake. Would like to place machine-made weathered boulders along the shoreline edge (as is specified in the 1992 beach application that was submitted to DES) in the water. This would also provide vegetative pockets to be filled in with blueberry bushes or ferns to give a continuous green appearance of the shore of Pleasant Lake. The area between the existing row of boulders and the new boulders is to be filled in with sand. Several steps of granite will provide entrance into the water. This will restore the existing shoreline and solve the erosion problem of sand washing into Pleasant Lake. He stated this is not really beach replenishment, but an erosion problem that needs to be taken care of, and NHDES will allow 10 cu ft. of sand but this does not include the underlying material. He noted that a turbidity curtain would be placed in the lake to keep any material from escaping into the lake. He explained that the plan would meet NHDES speculations for creating a perched beach. The fill

is not regulated and expects to use between 20 to 25 cu. yds. of under-fill to the area. There was clearly a bank there in the past and the plan will be designed within the banked area.

Two issues were discussed: creating a perched beach via reclaiming the previous shoreland which was disturbed years ago and to create a permanent pathway, including altering the grade within the 50 foot waterfront buffer to create a handicapped access path for the residents. Currently there is grassy lawn in the rear (within the 50' waterfront buffer), and they would like to change the grade (hillside at a slant of 10% to 30%), making it difficult for wheelchair access. No retaining walls or impervious surfaces proposed, the disturbed area will be reseeded with grass, as it currently is. The exact location of the proposed path is to be determined. The path would be no more than 6 feet wide, the subsurface area under the proposed path, may include crushed stone or gravel base to facilitate drainage and provide some additional stability. Anticipated timeframe for start of construction.

Chris Kessler explained that the some of the project may be permitted per the DES Permit by Notification (PBN) process and some may require a NHDES Wetland/Shoreland application.

#### **Board Questions/Comments/Concerns:**

- Chair Dietrich asked if the Board would like to schedule a site walk. The Board noted a site walk wasn't needed at this time.
- If the proposed grass area to be used as a path is it really a permanent path and if any ground material would be removed from the site (if a stone subbase is installed below the grass). Suggestions that this is not really a path and perhaps what is needed is the 12-foot temporary disturbance to the waterfront buffer, referring to the Shoreland provisions regarding a 12 foot temporary path.
- Review various provisions of the Shoreland Overlay District pathways, beach replenishment and disturbance of the waterfront buffer. Town allows six (6) cubic yards, State allows 10 cubic yards.
- Turbidity concerns and importance of erosion control features (turbidity curtain and such), if the work is approved.
- Jeremy Bonin agreed that a perched beach has less of a negative impact in that it is pitched backwards and the sand basically stays on the beach area. Mr. Bonin stated that a 6 yds. of sand migrating into the water every 10 years is a lot of sand. Of more concern could be who actually has jurisdiction over the current beach (Town or State)? Previously this was the jurisdiction of New London until the land was excavated and then became a beach. This new beach then became the property/jurisdiction of DES. This is a unique situation in that it is restoring shore land and is a better situation than adding sand every 6 years. The area that is proposed to be perched beach does not currently belong to New London, and is this really under the jurisdiction of the State.
- Marianne McEnrue asked about DES meeting and asked if input from Town Counsel should be sought. How do we navigate this?
- Elizabeth Meller and Tim Paradis said the plan made sense. It means restoring the shoreline from what has slowly eroded into the lake. Tim Paradis suggested the applicant meet with the Pleasant Lake Protective Association and residents around

Pleasant Lake, to explain what is proposed and address questions, as residents may like the plan but they will not go along with any change to the shorefront. Need to explain and educate why this is being proposed.

- Janet Kidder provided a brief history of changes to the lake since the 1950s. She suggested, that those who might be concerned should be notified or this could be an issue.
- Lucy St. John explained most NHDES applications required notification to abutters (per the NHDES) process.

### **Capital Improvements Program (CIP) draft document.**

The Planning Board discussed the draft CIP document prepared by the Subcommittee.

#### **Board Comments:**

- Liz Meller expressed that she thinks the document should include improvements at Whipple Hall. She noted there has been much focus on the 1941 Building and site, and she is not sure that there is community support for the 1941 project.
- Janet Kidder explained that the Whipple Hall building deficiency is the Buker section where the Police Department is located. There have been heating/freezing issues in the attic. She noted that the Recreation Department needs space and much of the discussion does and will hinge on the Recreation Department, as it seems there will be a domino effect once decisions are made, as to where various departments will be located. She believes the voters of New London need to vote on the issues surrounding the 1941 building and site, the voters need to understand what would or wouldn't be renovated, the cost, the long-term maintenance issues associated with the 1941 building. She explained that the Board of Selectmen never voted not to put it on the warrant. She believes the voters of New London should vote on these issues.
- Tim Paradis said the acquisition of the 1941 Building will give the Town many more options. He believes the intent is to have it included on the Town Warrant for a vote. He further commented, that the CIP document is a useful planning tool, it is well written, readable and gives direction to the Board of Selectmen and Budget Committee.
- Casey Biuso said the gym is an important as part of the acquisition discussion (not the kitchen). Other board members agreed the 1941 Building would need to include the gym, otherwise this is not a viable option to consider.
- Board discussed the importance of looking at the issues of the Transfer Station site, which is included in the CIP document.
- The Board agreed that a public hearing is not needed, nor is it is required.
  - Motion to approve the Capital Improvement Program (CIP) document prepared by the CIP Subcommittee and submit to the Board of Selectmen and Budget Committee. MOVED (Jeremy Bonin) and SECONDED (Janet Kidder). The motion was APPROVED UNANIMOUSLY.

**Planning Board 2016-2017 meeting calendar.** – To be discussed at the next meeting.

**Report from Planning Board Representatives:**

- Conservation Commission: Tim Paradis noted that the last meeting was Sept 21<sup>st</sup> and gave a brief update of that meeting.
- Energy Committee: Tim Paradis discussed the changeover process to install more energy efficient light bulbs on street lights.
- Board of Selectmen: Representative Janet Kidder said there was no update.
- Regional Planning Commission (RPC): Liz Meller explained the RPC is conducting a survey regarding bus service in the Upper Valley. Information about the survey is on the RPC website. Discussed the need to have a location locally to collect the survey, and to inform residents of the survey.
- Sign Subcommittee: Staff noted the last meeting was September 6 and another meeting has not been scheduled yet.
- ADU Subcommittee: Jeremy Bonin reported October 11<sup>th</sup> is the next meeting. Only one member of the public has attended the last two subcommittee meetings so that has been the only public input. It was noted that at the Subcommittee meetings Steve Root commented on corrections he would like included in the minutes, that the issue of detached ADU units may be more controversial and discussed the process to amend the current ADU provisions.

**Other Business**

**New London Hospital Emergency Sign at 273 County Road, Tax Map 072-016-000**

Ms. St. John reported New London Hospital submitted a sign permit application to move the emergency sign located at the entrance on County Road back five (5) feet from its current location. She reviewed the minutes of June 11, 2013 and the May 24, 2016 minutes, and didn't recall the Board approving this action. She referred to the provisions of the Zoning Ordinance, Article II- Signs, Section 10- Sign Regulations (g, 3, found on page 11), which requires Site Plan Review. She explained that Jay Lyon, Fire Chief has reviewed the proposed new location and in an email of Sept 26, 2016 states: "If this is the sign at the main entrance, we have discussed this in the past, because it blocked the line of sign for those leaving the hospital. I wouldn't think that a permit is required for this issue."

Ms. St. John noted that the Zoning Ordinance required Planning Board approval. The Board discussed and noted that the Hospital and Colby Sawyer College have both discussed that coming back to the Planning Board on issues like this is time consuming and costly (with notification to abutters). The Board also noted that the Sign Subcommittee is currently reviewing the signage provisions relative to the US Supreme Court decision (Reed vs Town of Gilbert, June 2015). The Board discussed that this is a safety issues, recognizing the input provided by Chief Lyon email and the members thought it was not necessary for the Hospital to be present, or go through the Site Plan Review process based on the information presented.

- Motion to APPROVE relocating the existing sign, to be moved back five (5) feet (away from the street and towards the building) for safety reasons based on the diagram that was submitted and the input received from Jay Lyon, Fire Chief. Site Plan Review was waived. It was MOVED (Tim Paradis) and SECONDED (Elizabeth Meller) to approve. The motion was APPROVED UNANIMOUSLY.

### **Messer Pond Protective Association (MPPA)**

Ms. St. John provided a brief update explaining that the MPPA is applying to NHDES (State) for a grant to do additional storm water management. John Doyle of the MPPA had previously appeared before the Planning Board to discuss their study, and the Association has offered suggestions on possible zoning amendments to consider. Ms. St. John reported that she and Richard Lee recently met with John Doyle on their grant application, and they would be asking for a letter of support to include with the NHDES grant application.

### **Municipal Law Lecture Series**

Lucy St. John reported that she attended the recent law lecture series in Derry regarding Code Enforcement. She minded board members of the previous information she provided on the law lecture series and that the all-day workshop is Saturday, Oct 15<sup>th</sup> for those that have registered.

### **Tree Cuttings Concerns**

Ms. St. John reported that she received complaints about tree cutting activity on Murray Pond and Whitney Brook Road. She noted that tree cuttings concerns take time to respond to, and other follow-up may be needed.

### **Update on future Planning Board and ZBA meeting applications:**

Ms. St. John reported that Robert Stahlman has submitted an annexation plan to acquire the easement area shown on the recently approved Site Plan application, as the abutter Canary Enterprises does not want to grant an easement. The Colonial Pharmacy and Flying Goose will be included on the October 11<sup>th</sup> agenda. The ZBA will be hearing four applications at their Oct 6<sup>th</sup> meeting, including the New London Barn Playhouse variance application.

### **Future Meeting Dates:**

Refer to the Planning Board Meeting Schedule and the Town's website for updated meeting information. Next meeting scheduled for October 11, 2016.

**Motion to Adjourn**

MOTION TO ADJOURN the meeting at 8:30 PM. IT WAS MOVED (Jeremey Bonin)  
AND SECONDED (Liz Meller) to adjourn. THE MOTION WAS APPROVED  
UNANIMOUSLY.

Respectfully submitted,

Jennifer Vitiello,  
Recording Secretary  
Town of New London, NH