



TOWN OF NEW LONDON, NEW HAMPSHIRE

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**PLANNING BOARD WORK SESSION
DRAFT MEETING MINUTES
Tuesday, September 9, 2014
7:00 PM
Sydney Crook Conference Room**

MEMBERS PRESENT: William Helm (Chair); Michele Holton (Secretary-late); Peter Bianchi (Board of Selectmen's Representative), Jeremy Bonin; William Dietrich (Alternate); and Elizabeth Meller (Alternate)

MEMBERS ABSENT: Paul Gorman (Vice Chair); Emma Crane; John Tilley; Deirdre Sheerr-Gross (Alternate); and Michael Doheny (Alternate)

STAFF: Lucy St. John (Planning and Zoning Administrator), Chris Work (Recording Secretary)

Call to Order: Chair Helm called the meeting to order at 7:00 PM. William Dietrich, Alternate, and Liz Meller, Alternate were asked to sit in for Paul Gorman and Emma Crane, both of whom were absent.

Resignation of Board Members: Chair Helm announced that John Tilley, Deirdre Sheerr-Gross and Michael Doheny have submitted their resignations from the Planning Board. None of these members have been able to attend meetings since last spring. The Planning Board Rules of Procedure require a specific time commitment for attendance at meetings. All three of these members travel and or have various professional and personal responsibility which have limited their ability to participate. Chair Helm extended his appreciation on behalf of the Board for the multiple years of service each of them has provided to the Town of New London.

Public Comment

Chair Helm noted that 15 minutes had been allocated for members of the public to discuss any items of concern not on the agenda.

Gary Anderson of 750 Little Sunapee Road. Tax Map 021-001-000.

Discussion of two projects: a temporary 12 feet wide access path in the waterfront buffer and a wooden security and privacy fence in the waterfront buffer. He said he's lived in New London since 1995 – he owns three lots in town, two on the water. He has received over 15 permits from the Town of New London and the State of New Hampshire for various projects over the years.

He explained he is here at the meeting tonight to request that the Board clarify the basic information on the Town's website, the need to clarify the language in the Zoning Ordinance, the Town's building permit process including the frequently asked questions and clarify the language about the waterfront buffer. With regard to building permit requirements, he noted there is nothing included in the information about the waterfront buffer. That is a real issue because there are specific rules required by both the Planning Board and Zoning Board of Adjustment regarding this buffer. Mr. Anderson pointed out that on the second page, under "Frequently Asked Question," it states that the "Zoning Ordinance specifically excludes fences, stone walls, flagpoles and playground equipment from the definition of structure (and

therefore from the building permit requirement).” Nowhere is there any reference to the waterfront buffer, which does have special rules. If he wants to put a fence in the waterfront buffer, he has to get prior approval from both the Planning Board and possibly the ZBA. Mr. Anderson feels the Planning Board should take steps to fix this misinformation. Mr. Anderson remarked that there is no language in the regulations about digging a hole to put a mailbox in. He said he could plant a tree, but not put in a wooden fence post, because the rules are silent.

Chair Helm responded that Mr. Anderson’s comments were very timely; he noted that Lucy St. John was currently in the process of updating the building permit application. He also explained that the Planning Board will be reviewing the current Zoning Ordinance language, as they recognize the need for some amendments. Liz Meller commented that she was glad Mr. Anderson brought up this subject. Peter Bianchi noted that the state has a shoreland protection regulations, so everyone, whether they live in New London or Newbury, has to abide by state regulations. Mr. Bianchi stated he is very sympathetic to people not being able to understand the confusing language in the Zoning Ordinance.

New London Barn Playhouse. Tax Map 073-040-000 and 073-042-000. Main Street. Update.

Chair Helm explained that the Barn Playhouse was discussed at the June 24th Planning Board meeting. At that time he noted that considering the summer theatre season was in full swing, he suggested that the Barn Playhouse be asked to attend a meeting in September to discuss the parking issue and any other plans for the site.

Tom DeMille from the New London Barn Playhouse was present to speak about concerns regarding the parking lot next to the Barn. Jay Lyon, New London Fire Chief, was also present to speak to these concerns.

Mr. DeMille said he thought it would be useful to inform the Planning Board about future plans for the Barn going forward. He commented that the Barn had had a fantastic summer season. Ticket sales are up about 8-1/2 %, revenue is up about 12 % and subscription sales are good.

With regard to parking at the “white house,” Mr. DeMille said the property became available and since it was adjacent to the Barn property, and there being a big need for additional housing, the Playhouse purchased it. The property has been used to house equity actors and choreographers, which has worked out well. Barn management put a parking pad in back of the house, after removing several large trees. He explained that the easiest way to access these new parking spaces was through the Barn’s existing parking lot. Mr. DeMille said parking areas aren’t really connected because they installed a roping mechanism, which they extend across to keep the public out. They plan to add a permanent fence, so there is no direct link from the parking at the “white house” with the existing parking at the Barn Playhouse site, and plan to include this project in their next year’s budget. Mr. DeMille noted that the white house has only 4 bedrooms and he did not understand why the Barn needs a site plan for this building.

Lucy St. John stated that because this use is associated with the Barn Playhouse that Site Plan Review is required and changes to the driveway would also require a revised driveway permit. Peter Bianchi said the use of the parking area on the adjacent “white house” property is really an expansion of an existing nonconforming use of the Barn Playhouse which is in a residential zone. It does not matter who is parking there – whether it is someone on the playhouse crew, or the public, or a personal vehicle. Chair Helm commented there are safety concerns, the Fire Department has concerns, and there is terminology used in the Zoning Ordinance related “unrelated people,” “boarding house,” etc. which applies.

Chief Lyon replied that it was considered a rooming house. Jay Lyon explained that if three unrelated individuals live in the same structure, there are specific applicable fire and safety codes which must be implemented in that building. Chief Lyon noted there has been “student creep” throughout the town with regard to off-campus housing and there is currently a lack of code compliance in some single-family dwellings. He suggested that if these issues came before the Planning Board and required a site plan review, then the Fire Department could help educate more individuals about these code requirements. Chair Helm stated that the Planning Board does not deal with fire and safety issues. He asked how the Fire Department has handled the buildings that the College bought. Chief Lyon responded that off-campus housing is a huge concern. He noted that four out of five fatalities take place in off-campus housing. The College is very well aware of this and has made sure their off-campus housing meets all fire and safety codes. Chief Lyon pointed out that the white house next to the Barn playhouse would be an example of a building that needed to “catch up” to current regulations concerning alarms and fire suppression. He noted the house was a large, complicated structure.

Mr. DeMille explained that the Barn Playhouse wanted to add a new building at Williams Street and Everett Park to be able to build “sets” used in the productions, but this idea was not well received by the neighbors. He said the “sets” used for the productions are often constructed and painted outside, they just don’t have the room inside. They have been talking about putting an underground set shop or barn to the left of the red house. He explained that Architect Jeremy Bonin has prepared some draft conceptual plans and they plan to begin a more formal process where stakeholders and local neighbors will be involved in a committee to help with planning. Mr. DeMille expects the Barn will be able to get back to the Planning Board on these plans within the next few months.

Mr. DeMille also indicated that the New London Playhouse would like to have a place to hold meetings and gatherings. He’s not sure it would be possible in that small lot. He said the Barn Playhouse relies on Colby-Sawyer College to help provide housing, because the production staff has grown so much. Mr. DeMille noted they are feeding 55-60 people a day in the summer.

Chair Helm asked Chief Lyon if he had any other concerns and Jay replied there is a concern about fire equipment access to Everett Park. Police have put up temporary “No Parking” signs to help keep the area clear. Chair Helm wondered if the Selectmen could designate this area a “no parking zone.” Peter Bianchi responded in the affirmative and Chief Lyon said some sort of parking plan, with input from the residents, would be beneficial. Chair Helm asked is there would be any problem using the driveway between the two buildings and Jay Lyon said no, as long as there is no emergency. He explained this driveway is considered a fire lane. As long as the fire department has access, there is no issue.

Selectman Peter Bianchi commended the Barn Playhouse for the good behavior of the actors in the lot behind the playhouse this summer. People who recently voted at the primary election made sure to bring this to the Selectmen’s attention. Mr. DeMille was delighted.

Chair Helm asked if there were any more questions for Mr. DeMille, and there were none. He commented to Mr. DeMille that the Planning Board would appreciate some advance notice when Barn management is ready to come before them with the aforementioned new projects. Mr. DeMille noted they would have to raise the money first. Lucy St. John said one of things the Planning Board needs to look at is the zoning in that area, which should be a topic for future discussion. Mr. Bianchi suggested that some zoning designation such as theatre district be discussed.

Conservation Commission- Discussion on conservation land acquisition

Chair Helm noted that the Conservation Commission discussion has been postponed.

Other Business- Signs for Colby- Sawyer (flags and banners)

Lucy St. John reported that Colby-Sawyer had sent her an e-mail about putting up a flag at Kelsey Field when they have events. She referred to the Sign provisions of the Zoning Ordinance. The Board has previously stated that the Sign provisions need clarification. This issue can be discussed at the next meeting.

Capital Improvement Program (CIP)- training session, process, criteria, scheduling meetings

Chair Helm noted the CIP was most recently discussed at the August 26th meeting. Staff had prepared several handouts which were based on information from the Town of Meredith.

Bill Dietrich noted that as of six months ago, Hanover, where he was former Planning Board member, did not have a capital improvement program. He said Hanover's biggest concern is when developers come in and the town wants to charge an impact fee, it has to have a CIP. Ms. St. John referred to Article XXIV, Impact Fee Ordinance which is a section of the current Zoning Ordinance. She commented that although New London has these provisions, there are other requirements to developing impact costs and implementation, and she commented that New London is not ready for impact fees right now.

The Board discussed the handout. Chair Helm commented that he would like to increase voters' awareness about these on-going projects by presenting them with a simplified document that is much easier to read and understand. In addition, there would be project coordination among the different departments in town. Those two things could be useful as New London considers how it is spending its money.

The Board discussed ongoing debt service payments and how projects might be funded, as the CIP is not a funding sources. Peter Bianchi stated that nobody can determine funding except the people at Town Meeting. In the past, New London considered any project over \$5,000. The Board established a minimum based amount of \$50,000 for the CIP process this year. Staff will send an email to the Departments, School District and the Water Precinct regarding the process and meeting dates. All will be asked to complete the "Project Identification Form" for each project idea submitted. The CIP meetings were scheduled for Wed, Sept 24; Thursday, Oct 9; Thursday, Oct 23; Tuesday, Nov 18 and Tuesday, Dec 9th.

Motion to adjourn made by William Helm and seconded by Michelle Holton. Motion passed unanimously. Meeting adjourned at 8:40 PM.

Respectfully submitted,

**Chris Work, Recording Secretary
Town of New London**