



TOWN OF NEW LONDON, NEW HAMPSHIRE

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PLANNING BOARD APPROVED MEETING MINUTES June 26, 2012

MEMBERS PRESENT: Tom Cottrill (Chair), Paul Gorman (Secretary), Tina Helm (Board of Selectmen's Representative), Emma Crane, Deirdre Sheerr-Gross (Alternate), Michael Doheny (Alternate)

MEMBERS ABSENT: Michele Holton, John Tilley, Jeff Hollinger (Vice-Chair)

Chair Cottrill called the meeting to order at 7:00pm. He asked Michael Doheny to sit in for John Tilley and Ms. Sheerr-Gross to sit in for Jeff Hollinger, who were both absent.

Phase III Final Annexation - Map & Lot 118-007 & 119-003

Clayton Platt was there to represent the owners, Robert & Sandra Brown, and the applicants, JP & Kelly Paquette. The parties would like to annex a 1.29 acre triangular parcel onto the Paquette's property. 10 years ago Mr. Brown gave Mr. Paquette an easement for his leach field to be placed on his property. This annexation would do away with the easement and assure that the Paquette's property encompassed all of his needs.

Mr. Platt said they were requesting a waiver for a perimeter survey. He indicated that Mr. Brown's property is a remnant parcel from when I-89 went in and seemed to be undue burden to be required to survey the entire parcel just to annex the small piece. Ms. Sheerr-Gross asked if the existing septic would be within a setback or near a boundary. Mr. Platt said that the location of the boundary to the septic met all the zoning requirements for the town and the state and would be about 80' from the setback.

Ms. Sheerr-Gross explained that they should state the specific reason why a waiver is granted. Mr. Platt said that the request, including the reason for the waiver was submitted to the town in writing. Mr. Doheny confirmed the bounds were found from the survey that was done in 1967, which is recorded with the Merrimac County Registry of Deeds.

**IT WAS MOVED (Michael Doheny) AND SECONDED (Deirdre Sheerr-Gross) to waive the requirement for a boundary survey for the annexation of Map/Lot 118-007 & 119-003, based on the fact that the parcel to be annexed is at least 2,000 feet from any buildings on that parcel, and that the bounds were found on the property from the 1967 survey.
THE MOTION WAS APPROVED UNANIMOUSLY.**

**IT WAS MOVED (Paul Gorman) AND SECONDED (Michael Doheny) to approve the final annexation for Map & Lot 118-007 & 119-003.
THE MOTION WAS APPROVED UNANIMOUSLY.**

Kearsarge Council on Aging - Request for Waiver of Site Plan Review for Temporary Storage Container

Nancy Friese explained that they need a storage container to store items for their annual yard sale. She had provided a map showing where the container would go. It would take up one parking space as it would be placed in a triangular "dead-spot" where there are no parking spaces, but it would end up taking up half of one spot, making the spot un-usable. The container would be there for six weeks, from August 15-October 8.

Ms. Friese said that they borrow seven spaces across the street with Lake Sunapee Savings Bank and have been doing so since 2003. It was noted that a temporary storage container was being allowed through a new zoning change but that the waiver was needed because of the encroachment of one parking space for six weeks.

IT WAS MOVED (Michael Doheny) AND SECONDED (Deirdre Sheerr-Gross) to waive the site plan review for the temporary use of one storage container, to be located as specified and utilizing one-half of one parking space for the six-week time period as stated and based upon the existing lease of seven parking spaces from the Lake Sunapee Bank property parking lot off Gould Road. THE MOTION WAS APPROVED UNANIMOUSLY.

It was determined that under Article II, Section 11c that a Temporary Event Permit would be required, and would be available with Linda Jackman at the Town Office during regular office hours.

Dr. Greg Baker – Requesting a Waiver

Ms. Sheerr-Gross recued herself from voting on this issue, as she owns two condos in the building where the Dr. Baker's office will be located. Jim McKeown was there to represent Dr. Baker. Tom Godfrey, the builder, was also present. After looking at the office space, Mr Godfrey said it was determined that the quarters were too tight for the chair space that they allowed in the initial plans that the Planning Board had approved. They are requesting a change in the floor plan. They would like to eliminate one office space and increase the distance between the three chairs, which had already been approved. There would be no change in parking or staff, but would just be making the space more comfortable for the patients.

Mr. McKeown said that he did not foresee any parking space change due to this reconfiguration. Chair Cottrill indicated that parking space requirements are different based on general office space (3.3 spaces) and medical space (4.5 spaces). If there is more square footage for medical, it would require more parking. Mr. Godfrey said that it was a little bit larger for medical space with this change, and estimated it to be an increase of about 80 square feet. Chair Cottrill believed that this change might require more parking spaces.

Mr. McKeown said that they may decide to sublet the office space at some point but not right at the moment. Chair Cottrill said that parking would need to be considered again if any portion of the office is under consideration for sublet. It has already been made a condition of approval for the use of the space that Dr Baker has offered to carpool with another employee to compensate for having one less parking space than is stipulated by zoning, and that the office is to be open just two days per week. Ms. Sheerr-Gross said that speaking as a condo owner in the building, she is aware that if the parking gets too tight they will need to pave and stripe the lot, which would be paid for by the owners of the condos. Mr. McKeown said that he understood this and felt Dr. Baker would be amenable to this.

Mr. McKeown said that nothing has changed with regard to staff size or number of chairs in the office. They are just moving things to allow for more space to make it more comfortable for the patients.

Chair Cottrill read from the February 14, 2012 minutes where the approval for the orthodontist's office was given. It was noted that there would be no more than five patients serviced per hour, that some patients would arrive by foot, and that some patients would arrive by school bus. At that time it was determined that there would be an increase of 1.08 spaces required, which was not available. Chair Cottrill considered that due to the slight change in the space that Dr. Baker is now requesting, it may not be enough of a change to warrant very much more than the 1.08 spaces they were already short. He noted

that in the minutes of February 14, it was stated that if needed, a dumpster could be moved to provide one more space.

Chair Cottrill suggested that the Planning Board waive the need for Site Plan Review. He felt this is justified provided that there will be no more than three servicing chairs as stated by the Applicant in the original approval, no increase in staff from the number originally stated and a reduction in the number of offices from two to one.

IT WAS MOVED (Michael Doheny) AND SECONDED (Paul Gorman) to waive the requirement for a Site Plan Review provided there be no increase in chairs or staff, and the previous two conditions of approval from the February 14, 2012 Planning Board Approval will apply. This waiver is intended for this specific orthodontic practice and is based on February 14th testimony that many customers arrive by bus or by foot. THE MOTION WAS APPROVED UNANIMOUSLY.

Chair Cottrill clarified that should there be a desire for the office to be open more than two days per week or for the staff to increase, a Site Plan Review would be required.

Mr. Godfrey asked about using parking spaces during the construction of the office for a temporary construction container and to store his tools. It was decided that he could use the spaces that were allotted for Dr. Baker's practice during construction/demolition. Construction would take approximately six weeks.

Flying Goose – New Day Energy Silo – Waiver Request

Ted Fountain from New Day Energy Silo was present. He said that he spoke with Peter Stanley on his last day working for the Town of New London. Mr. Stanley told him that there shouldn't be a problem getting a building permit but said that he would need to go before the Planning Board for approval. He explained that Tom Mills at the Flying Goose would like to have constructed an 11'x11'x13" concrete pad which would hold a 17.2 foot high wood-pellet fuel silo. The silo would be nestled into where a Blue Spruce tree is now standing. The tree would come down.

Mr. Fountain said that Fire Chief Lyon looked at the plans and saw no fire issues. He explained that the silo is made of a galvanized steel material. Ms. Sheerr-Gross wondered if the silo would be as high as the railing of the outdoor eating area and wondered if the silo would deter people from wanting to eat in this area. Mr. Fountain said that the silo would be almost the same height as the tree but that Mr. Mills was in favor of the silo being seen as it is part of the energy-saving example he is trying to make. He added that there would be no snow-issues with the structure, as the silo is cylindrical in shape. Mr. Fountain said that the engineer on the job would inspect the foundation to make sure it is done right. They will have crushed rock put underneath it and it would be tamped.

Ms. Helm asked about what purpose the silo serves. Mr. Fountain explained that it was for the storage of wood-pellets that would fuel a boiler. There is a small metering switch that sits outside the boiler, and a hopper outside the boiler that holds about 120 lbs of pellets. The pellets are brought into the boiler from the silo using a vacuum and auger system.

Mr. Fountain explained that they are also building a mechanical room to enclose a propane and a steam boiler at the restaurant, as it has been out of code without one. There is not enough room in this area to include two pellet boilers, which would be enough to heat the entire building. They anticipate using 40 tons of pellets per year which will offset the propane needed to heat the building and run the brewery, which requires constant hot water. Mr. Fountain noted that Mr. Mills currently has 25 solar hot water

panels on the roof. He has been working with Russ Aney (former member of the Energy Committee) to reduce the propane and oil consumption at the Flying Goose. The payback for the restaurant will be just a few years, rather than 7-8 years, which the general payback timeframe for residential installations of this sort.

Ms. Helm said the Board of Selectmen has received some complaints about the solar panels on the ground. She thought Mr. Mills was going to put some shrubs or trees in the area. Mr. Fountain said that Mr. Aney noted that there was a neighbor to the south who didn't like the looks of them but since they were conforming, there was nothing that they could do. He wasn't involved in this portion of the project.

Mr. Fountain said that the life span of the silo is 50-70 years. He wasn't sure if Mr. Mills would want any shrubs around it. He wants to show that he has a pellet silo.

Chair Cottrill indicated that Mr. Mills would not be making the property more non-conforming by adding a heating element. Ms. Sheerr-Gross said that they are discussing a fuel source. If it was a gas or oil tank it would not be allowed that close to a building but in this case, they don't have to worry. Mr. Fountain said that Chief Lyon went and looked at the set-up of the pellet boiler. He is happy that they are bringing the restaurant up to code. Mr. Fountain indicated that pellets only burn in the presence of moving oxygen as they are too dense to burn alone.

Mr. Fountain explained that the filling of the silo will be by blown air from a bulk-loaded truck through a permanent pipe that is mounted to the side of the silo. The construction of the slab and the silo will be done during normal restaurant open hours but he will orchestrate it during less-busy times so as to not block parking. Mr. Fountain indicated that Chief Lyon approved the venting scheme that will be used by the boiler and added that the boiler they will use is the only ASME rated boiler in the US. He noted that the city of Berlin has two boilers of this type going in and there are about 20 residential boilers in that town as well. He indicated that there was one residential boiler like this in a residence in Wilmot, NH.

In consideration of the request to waive Site Plan Review, Ms. Sheerr-Gross suggested that the Planning Board make the waiver specific to this situation so as to not set precedence for others who may want to do the same type of thing. Mr. Doheny said if this was not a non-conforming lot, they would only need to come in for a building permit. Because it is non-conforming lot they have to consider it. Mr. Doheny thought they should approve it. Ms. Sheerr-Gross agreed with Mr. Doheny and thought it was a great thing for Mr. Mills to be doing. He was making the building more efficient by adding a more efficient heating device.

IT WAS MOVED (Michael Doheny) AND SECONDED (Tina Helm) to approve the waiving of the Site Plan Review for a pellet silo because it is not a continuation or an expansion of a non-conforming use. THE MOTION WAS APPROVED UNANIMOUSLY.

Tree cutting request – C. Bates-Valotto – (Map & Lot 045-009-000)

A tree fell during storm. Dave Carey (Tree Warden) went to site and agreed that the rest of the tree should be removed.

IT WAS MOVED (Emma Crane) AND SECONDED (Michael Doheny) to approve the tree-cutting request by C. Bates-Valotto. THE MOTION WAS APPROVED UNANIMOUSLY.

Master-Plan Executive Summary

Chair Cottrill indicated that Pat Crocker from Upper Valley Lake Sunapee Regional Planning Commission created the Executive Summary from the 300+/- page Master Plan that had been approved in December, 2011.

She had asked to define “aesthetically-pleasing” which was used in the Master Plan. It was determined that this was a subjective term and that the Planning Board cannot weigh in on design or appearance in residential buildings, but can do so with regard to commercial buildings. Ms. Sheerr-Gross said that they can have some say on residential buildings but only if they change the rules. She suggested that the better thing to do is to provide guidelines. This way, it could serve as an educational tool rather than telling people what they can or cannot do.

After reading the “Values & Vision” paragraph that Ms. Crocker created, it was determined that it would not be used.

Other amendments were as follows:

Page 6. Include link to nl-nh.com instead of a specific link, which may change.

Page 8. Type-o on “barn” and addition of “Colby-Sawyer Library”

Page 11. Add “in conjunction with the state of NH” with regard to the shoreland protection regulations.

Page 12. “...young adults are moving out of New London”. This was not a fact but more anecdotal. They decided to end the sentence at “higher incomes.”

Page 14. “downtown” is replaced with “village”, “key village areas”, and “main village area.” Eliminate the word “downtown.”

Page 15. The word “down” with regard to taxes should be changed to “under control.” “Downtown” should be changed to “village” again. ...“have” enabled individuals....

Page 16. “Prevent” changed to “provide for.” Mr. Gorman said that some of the natural terrain does prevent development (steep slopes). Mr. Doheny suggested the following: “...natural constraints or circumstances found in many New Hampshire communities which provide limited use for commercial or residential purposes.”

It was determined that there should not be any maps included in the document, but people could refer to the original document for further detail.

Page 17. “property” to “properties.” Remove the map reference. Community survey results... “56% indicated they are neutral on projected growth.” Instead of “could accept growth.” Refer to Master Plan Survey.

Page 18. Removed “there was strong” and first bullet made into sentence saying: attributes “were highly valued”. Preserve and protect sight lines of ridge lines, scenic areas and views – for public appreciation.

Page 21. 3rd bullet should be removed. Everyone agreed.

Acknowledgements: - change it to a summary of who the summary is for and what it says. Reminding people to review the full Master Plan on the website or to rent from the Town Office.

Ms. Sheerr-Gross said that naming who was involved in creating the Master Plan is helpful for institutional memory. Chair Cottrill said that they all signed the front page of the Master Plan, which could be included in the summary.

Ms. Helm said the Board of Selectmen had hoped to have the summary available for the CAC meeting on July 7th. Chair Cottrill said that he would get this amended draft to Ms. Crocker so she can make the adjustments. Once that draft is created, he would review it and then the draft could go to the CAC for review. Ms. Helm indicated that she would like to use the summary as a talking document and would make clear to the committee that any suggestions may or may not be incorporated. Chair Cottrill thought

this was great and he could get her the draft when it was ready. Ms. Helm thought if it could be done by end of the day on Thursday that would give the CAC members a week to read it.

Ms. Helm said that she had talked to the Board of Selectmen about nominating Mr. Stanley as an alternate to the Planning Board and the idea was overturned. It was determined Mr. Stanley could participate as a citizen and did not need to be an alternate. She added that on July 5th they will hold interviews for six candidates who are interested in the Planning & Zoning Administrator position. They received over 60 resumes and Ms. Hallquist had narrowed the selection down to 14. In addition to the Board of Selectmen and Ms. Hallquist, those involved in the interview process will be Bill Green (Zoning Board of Adjustments Chair), Bob Brown (Conservation Commission Chair) and Tom Cottrill (Planning Board Chair).

Review of Minutes

There were not enough Planning Board members present from the April 24, 2012 meeting to approve the April 24, 2012 minutes.

IT WAS MOVED (Paul Gorman) AND SECONDED (Tina Helm) to approve the minutes of May 22, 2012, as amended. THE MOTION WAS APPROVED UNANIMOUSLY.

The name “William Rowse” was changed to “Samuel” on the tree-cutting request.

It was moved (Emma Crane) AND SECONDED (Paul Gorman) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 9:15pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London