



TOWN OF NEW LONDON, NEW HAMPSHIRE

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PLANNING BOARD APPROVED MEETING MINUTES August 27, 2013

MEMBERS PRESENT: Tom Cottrill (Chair), Paul Gorman (Secretary), Emma Crane (Conservation Commission Representative), Peter Bianchi (Board of Selectmen's Representative), Michele Holton, Deirdre Sheerr-Gross (Alternate), Bill Helm (Alternate)

MEMBERS ABSENT: Jeff Hollinger (Vice-Chair), John Tilley, Michael Doheny (Alternate)

STAFF: Lucy St. John (Planning and Zoning Administrator), Kristy Heath (Recording Secretary)

Chair Cottrill called the meeting to order at 7:04pm.

Bill Helm was welcomed to the meeting as a new alternate to the Planning Board and was asked to sit in for John Tilley. Deirdre Sheerr-Gross was asked to sit in for Jeff Hollinger.

Colby-Sawyer College – Site Plan for Improvements to Mercer Field.- Javelin/Discus/Hammer-Throw Plans. Tax Map 085-033-000.

Ms. St. John referred to the staff report, providing a brief overview of the proposed project. Of specific concern were safety issues for vehicles traveling on Seaman's Road and pedestrians. Arsen Hambarzumian from Nesra Engineering presented the proposed plan.

He said that the right of way of Seamans Road is 50'. The grass will remain and stripes would be painted. A launch area would be added and a cage that would prevent the discus and the hammer from going outside the intended area. The record for hammer-throw is 268' and 222' for discus. The distances they have set for the throwing area exceeds world record distances but gives room should someone break a record. Mr. Hambarzumian said that the world record for the javelin throw is 292'4" and they have designated 300' for that event. The landing area for these throwing events is visible from the road. It was noted that the throwing events draw less attention than the other events so parking should not be a concern.

Chair Cottrill and other members of the Board expressed concern about how drivers would respond if they saw a javelin or discus heading their way, causing them to swerve. This could also create some safety issues for pedestrians walking along Seamans Road or by Mercer Field. Atkins said that it wouldn't be any different than a soccer ball or a field hockey ball that is currently used on Mercer Field. Mr. Bianchi wondered if the direction intended for the landing was far left, a thrower could potentially throw their javelin very close to Seaman's Road. Mr. Hambarzumian said this was very unlikely to happen at this level of competition.

It was asked why these events couldn't be held at Kelsey Fields along with other track and field events. Mr. Hambarzumian said that these throwing events would compromise the fields, creating divots in the field. Mr. Bianchi said it was possible that people could be walking on the grass along-side Seaman's Road which could be dangerous during this event. Chair Cottrill said he has seen orange plastic fence surrounding landing zones at track and field events to keep people out of the area. Mr. Atkins said they could look into marking the landing area during events. Mr. Bianchi said it was a liability to the college if someone were to become impaled. Mr. Hambarzumian agreed that this was true. Mr. Bianchi thought there should be some measures taken to protect the public (including animals) from getting injured.

Chair Cottrill inquired as to when the college might have this event at the Kelsey Field site. Mr. Atkins said they would, but it depended on resources. Any move of this sort would not happen for probably 7-10 years when Kelsey Fields are more developed.

IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Peter Bianchi) to approve the site plan for Colby-Sawyer College's Mercer Fields for the javelin/discus/hammer with the following conditions:

- 1. The event field space orientation (launch pad and landing zone) shall be rotated at least 5 degrees to the east toward Mercer Field.**
- 2. Temporary highly visible fencing is erected for each event along Seaman's Road and 50' inward on each side of the landing zone along Seamans Road when such field space is used for javelin, discus, hammer throw or other events.**
- 3. Safety signage shall be posted along Seamans Road at all times during such events and located outside the safety fence on each side of the landing zone (along Seaman's Road) to warn the public that a track and field event is in progress. Permits for this signage will not necessary. THE MOTION WAS APPROVED UNANIMOUSLY.**

College Master Plan:

Mr. Atkins said that the Master Plan for the College has been completed. He would be willing to present the plan to the Board of Selectmen and or Planning Board upon request. Chair Cottrill thanked Mr. Atkins and said this sounded like a good idea.

Fast Track Application – John Wilson 299 Main Street (Tax Map 084-072). Pediatric dental practice.

Ms. St. John said that Dr. Wilson is planning to have another dentist move into a space where a dentist currently was. There would be fewer doctors there and it would be a less intense use.

Mr. Bianchi said he felt having Dr. Wilson coming before the Planning Board was completely unnecessary. There were three dentists and 16 people working there and now they are proposing there will be just three people working there. Ms. St. John said the fire chief had made some comments about the space. Ms. Sheerr-Gross said the reason these requests have to go before the Planning Board is because there could have been changes made to the space since the last tenants were there. There are circumstances where buildings are changed and it is a good safety practice to keep everyone compliant with current regulations. Mr. Bianchi agreed with Ms. Sheerr-Gross but didn't feel this was the venue to address these issues. Ms. Sheerr-Gross said someone needs to do it and as long as someone is doing it, that is fine.

Ms. St. John said the first site plan was approved in the 80's and there have been changes over time. Ms. St. John said this was a mixed-use building, containing both business and residential space. Things need to be looked at to make sure the site complies with the current regulations. Mr. Gorman said they should discriminate between the issues that come before them at meetings because things like this can be a big waste of their time.

There were no concerns or comments from the Planning Board. Ms. St. John referred to the email from Jay Lyon, Fire Chief dated August 12, 2013 which includes details about fire codes and a concluding statement, "Adding adequate egress from the second floor will take Planning Board approval and additional funding, and therefore a written schedule shall be developed and submitted to the New London Fire Department, I would recommend that Fast Track approval is contingent upon the second means of egress being installed by December 31, 2013.

Mr. Wilson said he toured the building with Chief Lyon and it was found that some emergency light batteries needed to be changed and the egress was noted as necessary to add. Dr. Wilson said that egress was an issue when they built the building. Their solution was to purchase one of the fold-up ladders that go outside the upstairs windows.

IT WAS MOVED (Peter Bianchi) to not require a Fast Track application or site plan review for this change in use. There was no second to the motion.

Ms. St. John said a change of use or change of layout of a non-residential space requires a site plan review. There are five units in the building and when there is a change, it gives the town a chance to look at the building to make sure it is up to date with current regulations. Ms. Sheerr-Gross said the purpose of this was not to prohibit the change of use, but to make sure things were built in a responsible and prudent manner. It appears that Mr. Wilson is doing this the right way and it wasn't a big deal. Mr. Bianchi said if the intent of the review is to make sure buildings are up to current regulations, they should review all buildings every five years. Ms. Sheerr-Gross said the site plan review is a vehicle for the town to review buildings from time to time. She felt responsible to the upstairs tenants, to be sure they had safe egress from the building. She said if they could set up another vehicle, perhaps in the role of a Building Inspector, they could be the ones to review buildings.

Dr. Wilson said he didn't envision a large amount of revision in the floor layout of the building. Ms. St. John said that Dr. Wilson is trying to attract another dentist to the office and the ability to change the floor layout would be an important factor in securing a new tenant. Dr. Wilson wants to be able to accommodate the new tenant with simple floor plan changes, yet to be determined. Chair Cottrill said typically, floor plan design is made, then presented to the Planning Board. Chair Cottrill said that the fire chief will want to know the layout of the building. Dr. Wilson said the changes would be minor. Ms. Holton said if they are willing to comply with the suggestions of the fire chief, they should be able to move forward. Dr. Wilson said they were willing to comply.

IT WAS MOVED (Deirdre Sheerr-Gross) AND SECONDED (Michele Holton) to approve the fast track application for Dr. John Wilson, contingent upon approval by the Fire Chief once the interior layout has been decided upon and the applicant agrees to comply with the current recommendations of the Fire Chief. THE MOTION PASSED. Mr. Bianchi abstained from the vote.

Fast Track Application - Robert Stahlman, 74 Pleasant Street (Tax Map 084-079)

Mr. Stallman was not present at the meeting. Ms. St. John provided a brief overview of the history of the site, referring to the information provided to the Board. She explained that a site plan application was approved in 1987, changes in 2006 and that several fast track applications has been approved for other interior changes in the building. The proposed change is for a new tenant on the 2nd floor – corporate offices for a medical group. No changes are proposed to the exterior of the building or site. She explained that Fire Chief Lyon would need to inspect the 2nd floor. They have 20+ parking spaces which meet the requirements for the intended use and square footage.

IT WAS MOVED (Emma Crane) AND SECONDED (Deirdre Sheerr-Gross) to approve the fast track application site plan review for Robert Stahlman, contingent upon the applicant complying with the recommendations from the Fire Chief prior to occupancy. THE MOTION WAS APPROVED UNANIMOUSLY.

Conceptual Site Plan for Country Houses (Los Cuatro Amigos) 370 Main Street (Tax Map 84- 004).

Ms. St. John explained that the applicant is here for a conceptual discussion only. A conceptual discussion is not binding on the part of the Board or the applicant. Will Davis from Horizons Engineering, Inc., and Karen Timbrell from Country Houses (owned by Los Cuatro Amigos) then proceeded to explain the plan. Mr. Davis handed out a map of the site. There had been a barn on the property that has been demolished. The site has existing parking and their proposal is to put up a new 1-2 bedroom structure in the old barn footprint to be used as an apartment. This would be a reduction in impervious area and would also increase the landscaped open space. Mr. Davis said the plan outline shows the parking requirement is met with 21 spaces.

The 1st floor of the current building along Main Street is real estate, second floor is general office space, and the third floor is a 2 bedroom apartment. The old barn was 38' x 40' and the new structure will be 24' x 30'. Current parking is 17 spaces. They propose the addition of four spaces to meet site plan requirements. Mr. Davis said in the past they were never required to line their spaces. They would like to cut the pavement at the end of the 7th parking space and make it into green space. The additional access to parking would come off of Whipple Court with the addition of two and a half spaces. The building would be one-story but will have a walk-out basement. Ms. Timbrell said the property line runs down Whipple Court and there are three businesses that have the right of way to pass.

Ms. St. John suggested that the easement/right of way areas be more clearly defined on the plan. Ms. Timbrell said the only major change is to reconstruct a building but smaller in size, and adding parking spaces 21, 20, 19, and part of 18. The dotted line on the map is a boundary line between zones. They also have a right of way down the road between CB Coburn, and behind the Colby Sawyer garage.

Ms. Timbrell said the past Zoning Administrator, had indicated there would be no reason a new structure couldn't be put up once the barn had been demolished. She explained the old barn was recently demolished for safety issues, it had to go and they felt it was an eyesore. Mr. Davis said the building proposed complies with all setbacks.

Ms. Timbrell described the intended design of the new building and showed the floor plan that had been provided with the packet.

Ms. Timbrell said she met with Chief Lyon about putting a tenant in their current building as it is plumbed and ready. Chief Lyon said they needed to provide a fire escape with a drop ladder, which she said she would comply with.

Ms. St. John said the ordinance says the population density shall not exceed one family per 10,000 square feet of lot area. They seemed to be within that number but she wanted to check how that pertained to mixed uses.

Mr. Davis inquired about the stormwater requirements, noting they will be reducing the amount of impervious on the site. Ms. St. John noted this can be discussed with the Public Works Department during the site plan process.

Ms. St. John noted this is just a conceptual discussion and that other site plan details as per the regulations will need to be included on the plan, including but not limited to dumpsters, lighting, snow storage and etc. Ms. St. John said at the preliminary site plan review, if the Planning Board decides that it is detailed enough, they can approve it as a final. Abutters will need to be notified as do those who have easements on the property. The applicant noted they will submit a plan in the near future.

Kate Dulac – Mylar for the Messer Subdivision

Ms. St. John noted the appeal period for the approved minor sub-division plan ended August 22nd. She called Superior Court and found there were no appeals on this application. The Planning Board needs to sign the plan which will be recorded pending arrival of the deed.

David Demers, 624 Bunker Road (Tax Map 076-029)

Ms. St. John referred to the information provided to the Board, including the 2013 DES letter. She explained the property is on Pleasant Lake. Mr. Demers had done some work on his waterfront property after getting a permit in 2011. At that time someone complained of the work he was doing. He built a deck too far out over the water. DES is asking him to move it back 2' as it cannot cantilever over the water. This was reviewed at the July Conservation Commission meeting. The details of the work proposed are outlined in the application. He wants to secure a building permit, so when the lake drawdown is complete he can begin the work.

Tree-Cutting Applications

Stevens Property – 217 Owls Nest Road (Tax Map 135-001)

Ms. St. John said a joint site visit was conducted on August 15th with members of the Planning Board and the Conservation Commission. The forester, Leo Maslan, accompanied the group. It was difficult to determine what trees would be cut, and the applicant was asked to mark the trees. The forester later returned to the site to review the trees and prepared a summary report.

Mr. Bianchi said he thinks every site for a tree-cutting application on the shoreland should be visited. The Board reviewed the provisions of the Zoning Ordinance, specifically page 67 (3) and (4), noting the Planning Board may authorize (not shall) the removal of trees.

**IT WAS MOVED (Michele Holton) AND SECONDED (Peter Bianchi) to approve the tree-cutting request for the Stevens property provided that the plan is executed with great care to the remaining trees since some sections will be reduced to 50 points.
THE MOTION WAS APPROVED UNANIMOUSLY.**

Mr. Bianchi said the State's regulations on points per segment are much less stringent than New London's. After talking with someone at the state's office, he was told that they hope to make changes to their regulations to mimic more of what New London requires.

Mary West Property – located at 470 103A (Tax Map 080-002).

Ms. St. John said the pictures don't do justice to show the extent of trees on the property. As in all cases she recommends a site visit by the Planning Board. She noted the property includes a small cabin structure, and deck area, where two of dead trees are located. . There were four trees in total to be cut. There are two trees that are dead that are situated within the deck, itself. Another two dead trees are along the path. She said the trees on the property are plentiful and meet the point requirements.

IT WAS MOVED (Deidre Sheerr-Gross) AND SECONDED (Peter Bianchi) to approve the tree-cutting request for West property, as presented. THE MOTION WAS APPROVED UNANIMOUSLY.

Widmer Property - 482 Lakeshore Drive (Tax Map 037-013.)

Ms. St. John explained that she visited the site the day they were cutting the tree. . The tree in question was struck by lightning and was close to the house. They left the trunk, about 15 feet in height. They love their trees. There were plenty of other trees on the property. She referred to the information in the packet, noting they some other trees were removed in previous years.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Paul Gorman) to approve the tree-cutting request for the Widmer property, as presented. THE MOTION WAS APPROED UNANIMOUSLY.

Joyall Property – 64 Checkerberry Lane (Tax Map 044-030).

Ms. St. John said she had visited this site. She indicated that there were two dead trees that the applicant wanted removed in an effort to make sure the other healthy trees on the property would not also become diseased.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Emma Crane) to approve the tree-cutting request for the Joyall property, as presented. THE MOTION WAS APPROVED UNANIMOUSLY.

Bemis Property – Sunset Shores Road. Tax Map 091-015-001.

Ms. St. John said she visited the site and recommends that the Planning Board conduct a site visit, as the tree cutting request is similar to the Stevens request and many trees are proposed to be removed. There is a lot of brush and many smaller trees marked for removal. Ms. St. John said this had not been presented to the Conservation Commission yet. She indicated that tree cutting requests on the shoreland are not required to go to the Conservation Commission; only those in the wetland and streams overlay districts. The Planning Board agreed all the requirements including a detailed map were met.

Ms. Crane thought a site inspection should occur as there are many trees being requested to cut. Ms. St. John said she had been to the site. Chair Cottrill said he would normally agree with Ms. Crane but they were not going down to 50 points, but were going to 70 or 80. Ms. Sheerr-Gross thought this was OK to allow.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Paul Gorman) to approve the tree-cutting request for the Bemis property, as presented. THE MOTION PASSED. Emma Crane was opposed.

Mr. Gorman said until they have a process in place, the Planning Board should give the benefit to the people who have paid to have this work (like tree-counting) done. Mr. Bianchi thought if tree applications are brought in in a timely manner, they should have a couple people go in to look at the property. Ms. Sheerr-Gross said they would also need a follow-up to make sure what was cut was what was on the plan.

Ms. St. John suggested that when a tree cutting application is submitted, that she will inform the Planning Board, and members can volunteer to visit the site (with or without a other Planning Board member), and report back at the next meeting. That way, one person won't be responsible for doing it every time.

Lisa and John Garrahan. Located at 668 Lakeshore Drive (Tax Map 050-020).

Ms. St. John referred to the July 23, 2013 minutes. In addition she noted that a NHDES Shoreland permit application was recently submitted for this property. They proposed to demolish the existing house, construction of a new house, septic system and garage. Refer to the “attachment” list.

Hollinger – Located at 443 Bunker Road. Tax Map 063-002).

Ms. St. John said this is a tree-cutting request on the property of Jeff Hollinger, Vice-Chair of the Planning Board. Chair Cottrill said the tree is dead and the ordinance states that dead trees are of no point value. Therefore, it can be cut.

IT WAS MOVED (Peter Bianchi) AND SECONDED (Paul Gorman) to approve the tree-cutting request for the Hollinger property, as presented. THE MOTION WAS APPROVED UNANIMOUSLY.

Other Business

CIP Process

Ms. St. John said the CIP process usually begins in the fall. She contacted Meredith and Dover and some others and received input on how their process is handled. For the next meeting she'd like to bring some ideas forth to the Planning Board. She indicated she needs to get her budget to the Town Administrator by December 16. The Planning Board needs to get the process started and plan some meetings for October. Ms. St. John said the Planning Board would be meeting twice per month from here on out. Mr. Helm thought it would be helpful to hear what other towns have been doing. It was noted there was no chair of the Budget Committee currently. Chair Cottrill suggested this discussion would be helpful for budget committee members to hear. He would contact Mr. Wilson to see if he would be interested.

Approval of Minutes

May 14, 2013

The Planning Board could not approve these minutes. There were not enough members present who were also at the May 14, 2013 meeting. Ms. St. John would inquire with the Town Administrator about the minute approving process.

June 11, 2013

IT WAS MOVED (Peter Bianchi) AND SECONDED (Paul Gorman) to approve the minutes of June 11, 2013, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

July 23, 2013

IT WAS MOVED (Peter Bianchi) AND SECONDED (Emma Crane) to approve the minutes of July 23, 2013, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

July 30, 2013

These minutes would be circulated and approved at the next Planning Board meeting.

Lawn Areas in the Shoreland Overlay District

Ms. St. John asked the Planning Board for clarification on lawn areas in the waterfront buffer. She said that on page 67, #5 of the ordinance, the construction of new lawns in the waterfront buffer is not permitted. If someone has an existing lawn in the buffer and it isn't doing well and they want to re-seed or take it out and put sod in, would this be considered "putting in a lawn"?

Chair Cottrill opined the ordinance was aimed at new lawns, not repair of an existing one. It was generally felt one can put down sod or new seed. Mr. Bianchi said this is also what the State says and the Planning Board should be aware to require an applicant meet the State regulations when more stringent than the Town's. Anything done by machine is not allowed by the State, but someone can replace or manipulate lawn by hand. Ms. Sheerr-Gross said that lawns within the shoreland overlay are detrimental to the lakes.

Water Related Provisions of the Zoning Ordinance Working Group

Ms. St. John explained that Rick Anderson, several members of area lake associations, and other interested parties are getting together as a work group to discuss some of the zoning ordinance issues having to do with shoreland overlay, wetlands and streams overlay districts and come up with suggestions. Ms. St. John said she would be participating, as would Emma Crane. Chair Cottrill opined the goal of the review is to first look to clarify the regulations and second, to consider modifications. Ms. St. John said she thought the text of the ordinance (streams/wetlands/overlay) would look different than it is now. In certain sections there will be a more extensive review than in other sections.

Correspondence and State Permits- as identified on the "Attachment" list provided to the Planning Board

Ms. St. John referred to the letter from the Upper Valley Lake Sunapee Regional Planning Commission (UVLSRPC) regarding the Sustainable Community Challenge Grant. The RPC is looking for three communities participate. It was decided that the New London would inquire about the details, and is interested in participating in the program.

NHDES Wetland Permit Application – Gary Anderson, 750 Little Sunapee Road (Tax Map 021-001)

Gary Anderson has sent in a state application to remove debris from Hurricane Irene that washed into the lake in front of his waterfront property. They would like to do this work during the major drawdown of Little Lake Sunapee in the fall of 2013.

Fast Track Process

Ms. St. John said a letter was sent to Attorney Barton Mayer (Town Counsel) about the Fast Track process. Mr. Mayer was on vacation last week and has acknowledged receipt of the letter. An answer by the following week is anticipated.

Kearsarge Regional School District – Site Plan Violation

Mr. Bianchi noted the changes to the traffic circulation at the school on Cougar Court, and thought that maybe site plan review may be required. It was noted that Kim Giles and Kevin Johnson were the New London representatives to the school board. Mr. Bianchi said that Ms. Hallquist has talked to the superintendent about this issue.

Climate Change Forum

Bob Crane said that the Regional Planning Commission is holding an open forum about climate change and how it might affect the region. More information can be found on their website and anyone is invited to attend.

It was noted that the next Planning Board meeting is scheduled for September 10, 2013 at 7:00pm.

**IT WAS MOVED (Peter Bianchi) AND SECONDED (Michele Holton) to adjourn the meeting.
THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting adjourned at 9:58pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London