



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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TO: Planning Board (PB) and Zoning Board of Adjustment (ZBA)
FROM: Lucy A. St. John, AICP
FOR: April 12, 2016 Joint Meeting
RE: New London Historical Society (NLHS)
ZBA Special Exception (SE) and PB Site Plan Application

Property Statistics:

Owners: New London Historical Society (NLHS)
Location: 13 Old Village Road
Tax Map: 059-037-000
Total Site Area: Approximately 5.3 acres
Zoning: Residential, R-2
Frontage: Little Sunapee Road, County Road and Old Village Road
Watershed: Warner River Watershed (Master Plan, Map V-1)
Surrounding Uses: Residential properties

Plans Prepared By:

- ✓ Jeremy Bonin, Architects- Architectural rendering of proposed bathroom addition

Project Description:

Proposal to construct a 441 square feet addition to the barn building for bathroom facilities. The site is used for meetings, weddings, celebrations and educational events. Waivers requested of the Site Plan Review Regulations.

Property/History Details:

NL Historical Society owns several other parcels including Tax Map parcels- 059-022-000 (old # 059-015-000); 059-025-001 (old # 059-020-000); and 059-025-002 (old # 059-021-000).

Below is a brief summary of selected information included in several files. It may not represent the complete history of the NL Historical Society properties. Staff has not been able to locate the Site Plan required as part of the Planning Board approvals of May 9, 2000 and Sept 26, 2000 (both minutes attached). Staff contacted Jim Perkins, NL Archives to inquire about plans showing the NLHS properties. Refer to Jim Perkins email response of April 6, 2016. Refer also to the information which has been posted on the website.

- Oct 4, 1965 Public Hearing, Petition #1 Said read crossed land of Walter S. Bucklin and provides access to land donated to the New London Historical Society by Mr. Bucklin, and agreed to by the Selectmen in the acceptance of two acres of land as a gift to the Town of New London from Mr. Bucklin.
- Dec 29, 1986- Date reference in the letter dated Feb 10, 1986. Letter to Board of Selectmen from NLHS Treasurer Doug Atkins, regarding Lots 3 & 4 of Plan 2731 A.

- July 20, 1988 ZBA Notice of Decision (NOD) appeal of NLHS for a SE, as provided in Article XIV, Section C (12 a and b) of the Zoning Ordinance, to continue as a Non-Profit Historical Village, Meeting the purposes of the Zoning Ordinance Definition has been granted.
- May 3, 1994 Letter to PB from Tomie DePaola, regarding annexation of Tax Map 59, lots 18 & 19.
- May 10, 1994- Planning Board Minutes Final Annexation of Tomie De Paulo, Tax Map 069, Lots 18 &19 (059-025-000).
- September 13, 1995 – Letter to Attorney Darrell Hotchkiss, Esq. – describing list of dePaola property and two lots, and amending a subdivision plan.
- April 17, 1996- Memo to ZBA from Darrell Hotchkiss, Attorney for Tomie dePaola, regarding Variance from provisions of Article V, Section B. 1.
- May 1, 1996- ZBA Public Hearing for Tomie DePaola for a Variance to the terms of Article V, Section B of the Zoning Regulations to allow access to the two lots owned by the NLHS over the property owned by Tomie dePaola with access off of County Road (Tax Map 59, Lots 18, 22-25 and 49). Motion- to allow access to the two lots owned by NLHS over property owned by Tomie dePaola with less than the 150' frontate requirement to be accessed only from County Road. Approved by the ZBA.
- June 24, 1996- Letter to Ken McWilliams, Town Planner from Lynne Bell and Donald Sisson of the NL Historical Society.
- March 11, 1997 PB minutes- Tomie DePaola merge six lots (Tax Map, Lots 18, 22, 23, 24, 25 and 49). Mr. DePaola wants to annex the 6 lots he owns making one lot of record. Abutting these lots are two lots owned by the NLHS who have a deeded right to access these lots via a 45' strip right of way across Mr. dePaola's property. Final annexation, 6 lots merged.
- Feb 29, 2000 NLHS Conceptual Site Plan to the PB to add a Carriage Conservation Building 4,700 square and one-story high. PB sent the applicant to the ZBA to seek a Special Exception.
- April 12-2000 granted SE from ZBA to construct a building to be used for vehicle conservation and storage at the Historical Society ground on Little Sunapee Road (Tax Map 059-038-000) in the R-1 zone.
- May 9, 2000 PB Minutes for Site Plan Review for the Vehicle Conservation Building, Tax map 059-038-000. Motion reads: *That the Planning Board require a Site Plan be drawn by a licensed professional engineer in accordance with Site Plan Regulations, the same to be signed, stamped and sealed.*
- Sept 26, 2000 PB Minutes of Site Plan Adjustment to the Final Site Plan for the Vehicle Storage Building, Tax Map 059-038-00. Minutes note an amended plan was distributed, showing the proposed building five feet closer to a stone wall bordering property owned by Tomie de Paola. The motion reads: *That the proposed change in the New London Historical Society Site Plan is a minor adjustment and no further deliberation is necessary.*

- Nov 27, 2001- PB Minutes- Tomie dePaola/New London Historical Society- Vacating & Relocated an Access Easement, Tax Maps 059, Lots 24-25,25.1 and 25.2. Approved and plan recorded # 15686 MCRD.
- October 21, 2009- Letter to J. Tonner, President of the NLHS from Peter Stanley, Planning and Zoning Administrator regarding Planning and Zoning issued relating to the NLHS properties.
- Nov 23, 2009- ZBA Minutes. Tax Map 059, Lot 022. Special Exception approved to allow a SE to allow the typical historical uses for this lot be approved.
- Jan 26, 2010- PB Minutes. NLHS Lot Merger, Tax Map 59, Lots 21, 37 and 38 needed to eliminate lot lines and establish conforming setbacks for existing buildings. Lot Merger Approved MCRD Book 3178, Page 89.

Master Plan, 2011

- ✓ See Master Plan key word search of Historical Society, selected pages.

Zoning Ordinance

- Article II, General Provisions, # 6 Parking and Loading, see page 5. Refers to Site Plan Regulations
- Article III, Definitions – Historical Village, and Accessory Use # 4
- Article V, Residential Districts, (A.) Uses Permitted- Historical Village not listed.
- Article XXI, Board of Adjustment (G). Special Exception (4, h) - Historical Village use in the Residential District. See also Special Exception criteria.

Site Plan Regulations (amended to Dec 1, 2015)

- ✓ Article I, D. Types of Development Requiring Site Plan Review, # 1- For Multi-Family Dwellings and non-residential Use, all new principal Buildings, Accessory Buildings and additions.
- ✓ Waivers Requested, see (I), page 32.
- ✓ Appendix A- Off- Street Parking Requirements

RSAs:

- ✓ RSA 674:43-44 Power to Review Site Plan. NH Planning and Land Use Regulations 2015-2016 Edition (red book), pages 415-419.
- ✓ RSA 674:33 (IV) Powers of the Zoning Board of Adjustment regarding Special Exceptions. NH Planning and Land Use Regulations 2015-2016 Edition (red book), pages 396-397.

Department/Water Precinct Comments:

- ✓ Fire Department, Chief Jay Lyon email of April 4, 2016. Thank you for the plans, I don't have any issues with the proposal, contingent upon all applicable codes and standards being followed.
- ✓ Police Department, Chief Ed Andersen email of April 7, 2017. Hello I have no issues with this.
- ✓ Public Works, Director Richard Lee email of April 7, 2016. I don't have a problem with this application. As I read it they are going into a private sewer system.
- ✓ Water Precinct, Robert Thorp email of April 7, 2016: I have spoken to Tom Little from the Historical Society. I told him that I needed to see a full set of plans along with an application. So, things are moving on this end.

Potential Issues for Further Discussion:

- ✓ Abutter concerns and issues which may be raised at the meeting.
- ✓ Boundary survey
- ✓ Construction site fencing/construction noise/ staging of equipment/hours of construction/construction vehicles entering and leaving site/ will there be any temporary toilet facilities at the construction site, and if so, will it be in view to the abutting properties.
- ✓ Landscaping details
- ✓ Lighting/Pedestrian Access- Two flood lights are currently located on the corner of the building. No pathway is shown on the plan for pedestrian access to the building and no exterior lighting is shown on the door. Is any additional lighting proposed?
- ✓ Parking lots- in excess of ten spaces shall include landscaping to improve the appearance of the site, provide shading, and break up the mass of pavement and to facilitate pedestrian and traffic flow and safety. ADA requirements for parking spaces
- ✓ Review comments from Town Departments, NL-Springfield Water Precinct and any others
- ✓ Signs and signage on buildings. What is proposed?
- ✓ Traffic impacts/traffic flow on and off site
- ✓ Utilities, including water, sewer, electrical- existing and proposed features, size, location.
- ✓ Waivers requested for Site Plan details

Suggested Action:

- Decide if this application is deemed a project of regional impact, per RSA 36:54-58
- Decide if a site visit is needed.
- Both ZBA and PB make a determination if the application is complete or incomplete. If incomplete, specific reasons should be provided. If complete, open the public hearing and receive testimony.
- Zoning Board of Adjustment make determination of Special Exception, and if approve include any conditions in the motion.
- Planning Board make determination if waivers will or won't be granted (Site Plan, Article VIII- I Waiver of Requirement, page 33). Waivers have been requested.
- Make a motion to approve, disapprove or table the application and state the reasons.
- If the Planning Board acts to approve the plan, staff suggests that any and all conditions of approval be clearly stated and included in the motion, including compliance with all comments identified by the various Town Departments, Water Precinct and others as deemed appropriate.

059-037-000

**NEW LONDON PLANNING BOARD
REGULAR MEETING & PUBLIC HEARING**

APPROVED

May 9, 2000

PRESENT: Karen Ebel (Chairman), Laurie DiClerico, Sue Ellen Andrews, Tom Cottrill, Sydney Crook, Edmund Taylor, Mark Kaplan (Selectmen's Rep.), Kenneth McWilliams (Planner).

Chairman Karen Ebel called the MEETING TO ORDER at 7:30 PM.

**I. NEW LONDON HISTORICAL SOCIETY - Final Site Plan Review for Vehicle Conservation Building
Tax Map 59, Lot 38**

Bruce Parsons presented the plan on behalf of the New London Historical Society. No abutters were present.

Mr. Parsons opened the discussion by requesting that the Planning Board waive the requirement that the final site plan be prepared by a licensed engineer. Mr. Parsons stated that, in light of additional projected costs resulting from a need to install a sprinkler system as required by the Fire Department, the Historical Society was requesting the Board to accept the site plan as prepared by Mr. Parsons rather than by a licensed professional engineer, as required by the Site Plan Regulations. Mr. Parsons indicated that the plan submitted for review includes all required elements except a licensed professional engineer's signature, stamp, and seal. He stated that, since the topography of the site is fairly flat, drainage is "no problem", and the proposed structure will not be near any other buildings. He further stated that there is precedent for such a waiver.

Chairman Ebel suggested that the waiver decision be postponed until the Board had an opportunity to hear the Fire Department's position on sprinklering the new building. The Board agreed, and the decision on the waiver was postponed.

Peter Stanley, Fire Chief, New London Fire Department, reported that he has reviewed the plans and has requested the addition of an automatic sprinkler system, if the building is to be open for public use. Mr. Stanley outlined safety concerns, including proximity to other buildings and the fact that the facility has a potential occupant load of 300 people. (The proposed building contains 4500 square feet; the standard is 15 square feet/person according to chapter 8 of the NFPA, which has been adopted by the State of New Hampshire.) Tests on materials to be used in construction indicated that they are fire resistant, but NOT fireproof, as suggested by the Historical Society. Mr. Stanley stated that any newly constructed building of sufficient size to require automatic sprinklers should be so equipped. He would be agreeable to a "phase-in" approach to installation. Mr. Stanley further outlined the need for a new centrally located fire hydrant and upgrade of the water service to the compound.

Mr. Parsons responded that the Historical Society has agreed to install the sprinkler system, as requested, and will revise its plans to include the sprinkler system. He stated, however, that any public use of the building will be limited to pre-arranged guided tours of small groups of individuals; never will there be 300 people in the building at the same time. He did indicate that the acclimatization room might be used as a classroom or temporary waiting room.

Ken McWilliams, town planner, asked about any provision for public rest rooms. Mr. Parsons responded that, since the building will not be open to the public at large, no provision has been made. Function contracts for events held at the compound require the rental of portable toilets. Mr. Parsons stated that both the Scytheville House and Meeting House contain functional bathroom facilities to which individuals could be directed in case of emergency during public events. He stated that, otherwise, the Society believes that the restroom facilities are adequate.

With those issues resolved, the Planning Board resumed the discussion of the waiver for a site plan prepared by a licensed professional engineer. PB Member Crook opined that any project of this size clearly requires a professionally prepared plan. The Board discussed the various aspects of such a plan, including contours, drainage calculations, and land survey information, to determine whether, in lieu of granting a complete waiver, some aspect of the plan might be waived. PB Member Kaplan opined that the project is of a size that demands professional presentation and certification; further, a site plan drawn in compliance with regulations protects all parties. He recommended that a plan with the appropriate stamp, seal, signature, and accurate measurements be prepared in

accordance with Planning Board Site Plan Review Regulations. PB Member Sydney Crook added that the plan should also include

contour data for the area within 200 feet of the proposed building. PB Members Crook and Kaplan also felt that drainage calculations should be included. The Board voiced concern over the additional cost and delay resulting from denial of the waiver, but generally felt that, in light of the Historical Society's growth, its location in a residential area, and the fact that no official plan exists for the site, the waiver should not be granted. After much discussion, Chairman Ebel called for a motion.

It was **MOVED** (Crook) and **SECONDED** (Kaplan) **THAT THE PLANNING BOARD REQUIRE A SITE PLAN BE DRAWN BY A LICENSED PROFESSIONAL ENGINEER IN ACCORDANCE WITH SITE PLAN REGULATIONS, THE SAME TO BE SIGNED, STAMPED, AND SEALED. THE MOTION WAS APPROVED UNANIMOUSLY.**



Chairman Ebel also noted that the Historical Society needs to provide documentation regarding water precinct approval of the water line extension.

II. WILLIAM ROWETT, JR. – Final Site Plan Review for a Home Business: Estate & Financial Planning
Tax Map 98, Lot 8

William Rowett, Jr. presented his request for Planning Board approval to locate an office in a 360 square foot addition to a barn that he has recently built. The primary office for the business is located in Claremont. The home office would be used on the infrequent occasion when it would be more convenient to meet with a client in New London. He does not foresee any additional employees at the site. Any deliveries would be minimal. Mr. Rowett stated that he had reviewed the regulations applicable to home businesses and that he had complied with them.

Abutters Larry Ballin and Janet Kidder were present and voiced no objection to the request.

Chairman Ebel indicated that all necessary documents have been submitted with the exception of the payment of the necessary fee. Ken McWilliams calculated the fee to be \$65.57, and Mr. Rowett was instructed to pay the fee on May 10 during town office hours.

It was **MOVED** (Taylor) and **SECONDED** (Cottrill) **THAT THE FINAL SITE PLAN FOR A HOME BUSINESS: ESTATE AND FINANCIAL PLANNING BE APPROVED, SUBJECT TO THE PAYMENT OF THE REQUIRED FEE. THE MOTION WAS APPROVED UNANIMOUSLY.**

III. NORTH END PUB OF NEW LONDON (Jeff Follansbee) – Concept Site Plan Review for Patio Seating
Tax Map 59, Lot 6A

Jeff Follansbee presented a proposal to use an existing patio on the corner of County Road and Newport Road for outdoor dining. Entrance to and egress from the area will be through existing double doors in the restaurant. An emergency exit gate will be mounted between an existing stone wall and the building. New fencing and latticework to be placed on top of an existing stone wall to a height of five feet will shield the area from County Road and the entrance to apartments. The proposed change will add 300 square feet and will accommodate an additional 20 seats; the current inside seating capacity is 127. Since the restaurant's busiest times are after businesses in the strip mall are closed, parking should present no problems. Mr. Follansbee requested an exception to the site plan review requirement.

Ken McWilliams reviewed Article 3c of the Site Plan Regulations. None of the criteria that require a site plan review are met by Mr. Follansbee's proposal. Planning Board members Crook and Kaplan asked questions relating to "green space" and the 30' setback from County Road. The plans available for review were drawn in 1989 and showed little detail about the area under discussion. PB member Cottrill asked about the type of fencing to be used and the esthetics of the screening barrier.

It was **MOVED** (Kaplan) and **SECONDED** (Cottrill) **THAT THE PETITIONER BE REQUIRED TO PRESENT DETAILED DRAWINGS OF THE SITE GIVING "TOP DOWN" AND FRONTAL VIEWS OF THE PROPOSED PATIO AREA FOR PLANNING BOARD REVIEW. THE MOTION WAS APPROVED UNANIMOUSLY.**

**II. NEW LONDON HISTORICAL SOCIETY – Adjustment to Final Site Plan for Vehicle Storage Building
Tax Map 59, Lot 38**

Stephen Jesseman (Jesseman Associates) distributed an amended site plan. He explained that the building site originally proposed is too close to other buildings. The Society now proposes locating the vehicle storage building five feet closer to a stone wall bordering property owned by Tomie de Paola. The new location still provides for a 20' setback. Mr. Jesseman stated that he had discussed the modification with Mr. de Paola, and the latter had no objection. The New London Historical Society has purchased the only other adjacent property.

It was **MOVED** (Kaplan) and **SECONDED** (Cottrill) **THAT THE PROPOSED CHANGE IN THE NEW LONDON HISTORICAL SOCIETY SITE PLAN IS A MINOR ADJUSTMENT AND NO FURTHER DELIBERATION IS NECESSARY. THE MOTION WAS APPROVED UNANIMOUSLY.**

**III. COLBY-SAWYER COLLEGE – Concept Site Plan Review for Tennis Courts, New Residence Hall, and a Staging/Construction Area
Tax Map 85, Lot 33**

Colby-Sawyer College was represented by Stephen Jesseman (Jesseman Associates), Roger Disnard (architect), and Douglas Atkins, Colby-Sawyer's Vice President for Administration.

Mr. Jesseman presented an updated version of Colby-Sawyer's Master Plan showing a residence hall on the current tennis courts, two new residence halls on the other side of Susan's Swamp, and tennis courts on the recently acquired DiLorenzo land. PB member Andrews questioned the number of proposed residence halls; it seems to be going back and forth between two and three. Mr. Atkins responded that the college's Board of Trustees has directed that the planning should extend outward as far as possible to a time when it may be necessary to redirect some of the current residential space to academic space.

Roger Dignard described the new residence hall as being similar in height, volume, and overall size to the recently constructed residence halls. The building will consist of three pods, each of which steps backwards (façade recesses in three steps). It will be brick with gabled ends, double-hung windows with brick molding, and asphalt shingles. There will be a greenhouse conservatory on the Susan's Swamp side. The main entrance will be off Tennis Court Road. The height will be 40' 7 1/4" from grade to the peak of the roof (shorter than other residence halls). The building will house 100 students plus residential advisors, as well as some functional space.

Chair Ebel raised the issue of height limitations. Ken McWilliams verified with Doug Atkins that the college had applied for variances when constructing the most recent residence halls. Mr. McWilliams advised Mr. Atkins that it will be necessary for the college to apply for a variance for the proposed residence hall as it exceeds 35' in height. PB member Kaplan asked about the timing of the variance. Mr. McWilliams stated that the variance must be received prior to final site plan review.

Fire Chief Peter Stanley stated that he has discussed the need for the Fire Department to be able to access college buildings from the rear. He expressed concern that such access does not show on the Master Plan. He also stated the need for the Fire Department to have direct access from the main campus to the Hogan parking lot, as the 250,000-gallon swimming pool located in Hogan is a reservoir for fire protection. Mr. Jesseman assured Mr. Stanley that such access will be provided.

Chair Ebel reported that there had been a meeting that day to discuss concerns raised by the Planning Board regarding the adequacy of the water supply within the water precinct for domestic use as well as "fire flow". ("Fire flow" requirements are defined as the amount of water that can be flowed through a main or hydrant based on ISO [Insurance Services Organization] calculations.) Attendees included Chair Ebel and Ken McWilliams from the Planning Board, Ken Jacques, Jim Cricenti, Richard Bott (water precinct commissioners) and Bob Thorpe (superintendent) from the water precinct, Peter Stanley and Jay Lyon from the Fire Department, Jay Lyon, and Doug Atkins and Stephen Jesseman representing the college. Both domestic water flow and fire flow were discussed. Peter Stanley, Jay Lyon, Ken Jacques, and Richard Bott were present at the Planning Board meeting. Chair Ebel briefly summarized the results of the earlier meeting and asked a member of the water precinct to address concerns about the water supply for the other Planning Board members.

Lucy St. John

From: NL Archives <nlarchives.nh@gmail.com>
Sent: Wednesday, April 06, 2016 11:07 AM
To: Lucy St. John
Subject: NLHS Site Plan

Hi Lucy.

I found a plan of the NLHS grounds and utility services in a binder from 1999. As I recall, this was not the result of an actual survey, but rather it was something that Bill Roos had drawn up in conjunction with the Society's rentals business. He was tired of the tent companies driving stakes into the septic system! I suspect he might also have used another site plan as his base map and then sketched in the utilities and other features.

So, this is not exactly what you were looking for, but it might be better than nothing. We have no records related to the construction of the Transportation Building (2000) or later structures here at the archives.

- Jim

