



TOWN OF NEW LONDON, NEW HAMPSHIRE

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PLANNING BOARD APPROVED MEETING MINUTES February 14, 2012

MEMBERS PRESENT: Tom Cottrill (Chair), Tina Helm (Board of Selectmen's Representative), Michele Holton, Michael Doheny (Alternate), John Tilley, Jeff Hollinger (Vice-Chair), Paul Gorman (Secretary)

MEMBERS ABSENT: Deirdre Sheerr-Gross (Alternate), Emma Crane (Conservation Commission Representative)

OTHERS PRESENT: Tom Galligan (President of Colby-Sawyer College), Susan Galligan, Dave Sauerwein, Doug Atkins, Steve Jesseman (Jesseman Associates), Bill Helm, John & Kitty Wilson, Joe Cardillo, Jack Harrod, Rick Anderson, David Payne, Doug Homan, Jim & Stephanie Wheeler, Joe Burns, Marilyn Kidder, Peter Bianchi, Greg Baker, Jim McKeown, Tom Csatari, Nicholas Ciarlante, Deb McGrath, Theodore & Barbara Brown, George Jannisan, Tony Constantino, Linda Jaggard, Martha Weisenburger, Beth Cahill, Bill Grundy, Paul Messer, Linda Messer, Eric Paulson, Bill Faccone, Allison Faccone, Bill Clough, Ross Stevens, Chet Reynolds, Virginia Milord, Jody Bergstrom, Carolyn Reynolds, Emily Campbell, Marilyn Kidder, Christopher Lorio, Margaret Andrews, Steve Stokes, James Cook

Chair Cottrill opened the meeting at 7:00pm. He asked Alternate Michael Doheny to sit in for Emma Crane, who was absent.

1) Dr. Greg Baker – Site Plan Review – Change of Use, Everett House

Peter Stanley said that the applicant is asking to bypass preliminary site plan review and instead proceed directly to final site plan review because the requested action is only a change of use. The Planning Board would need to make a motion to approve this, however.

IT WAS MOVED (Jeff Hollinger) AND SECONDED (Paul Gorman) to waive preliminary site plan review and proceed directly to final site plan review for Dr. Greg Baker. THE MOTION WAS APPROVED UNANIMOUSLY.

Mr. Stanley noted that all fees had been paid by the applicant, everything was in order and that the application was complete. A motion by the Planning Board would be needed to accept Dr. Baker's application as complete.

IT WAS MOVED (Tina Helm) AND SECONDED (Jeff Hollinger) to approve Dr. Baker's application as complete. THE MOTION WAS APPROVED UNANIMOUSLY.

Mr. Jim McKeown was present to speak along-side Dr. Baker, regarding this issue. It had been noted that there was a parking issue associated with this change of use. The proposed dental office would be short one parking space. Mr. McKeown said that there were three assistants who would be traveling to the New London office to work once/week and that Dr. Baker has volunteered to carpool to save that one space. He also explained that Marilyn Kidder has helped them do some surveying of traffic flow in that parking lot for one week. She checked usage of parking spaces three times during the day. The most spaces she saw occupied were 11 and the average was around eight spaces. Mr. McKeown said that Dr. Baker has some patients who walk to the office from school, and another five or six are accompanied by parents

who drive. They see about five patients an hour and believe that they there are enough spaces available, based on these findings.

Mr. Stanley said that they have an approval from the Fire Chief, who also offered some recommendations. Dr. Baker has thoughts of using the office for two days/week instead of just the one, as he does now in his current location.

Mr. Stanley said that he calculated the number of required parking spaces per office unit for the building based upon the updated parking regulations and determined that the lowest level office unit in the back-side of the building requires 6.6 spaces. Each of the two floors above requires 4.95 spaces. The office unit on the main level facing Main Street also requires 4.95 spaces, which makes a total of 24 parking spaces specified per site plan review regulations. He said that in the original site plan for the building, two less parking spaces were required and that the Planning Board would have to determine which standard should apply. Mr. Stanley said that because of recent changes in the way real estate office staff conducts its business by requiring less office time for each staff member, it could be argued the site plan specifications for the number of parking spaces for a real estate sales office may be too aggressive, thus requiring too many parking spaces. There will be an overall increase of 1.08 spaces, which he determines as just one space. The spaces are figured by the raw square footage of the building. Changes in occupancy now require a site plan review, but this was not the case in the past. Mr. Stanley added that this issue was discussed with the Police Chief and the Public Works Director, who had concerns about the parking and potential overflow on to Hayes Road and Main Street that may cause some visibility issues to other drivers. No written information was submitted by either the Police Chief or the Publics Works Director.

Dr. Baker said that many kids take the bus to the office. He anticipates that some parents would be parking at Ellie's Café while their kids are having orthodontic treatments done. Mr. Doheny agreed that from experience, the trips to the orthodontist are mostly "drop off and pick up" not "drop off and stay."

Eric Paulson, current owner of the office unit that is to be sold to Dr Baker, was there to explain the area. He said that snow is piled up on either side of the dumpster at present. He showed that there are two islands in the lot. For his office, he has had as many as eight full-time employees there around the clock without any parking problems. The lot is un-paved and un-lined. Ms. Kidder said that Dave Carey removes the snow from the lot. Mr. Paulson said there were no designated spaces in the lot for certain businesses, but that it could be done. Chair Cottrill was concerned that the lot would not accommodate all necessary vehicles for the office building. Mr. Paulson said it has never been a problem and they've had ample parking in the past.

Ms. Kidder said that their real estate clients never park in the back parking lot because the design of the building doesn't make it handy. They tend to come and go fairly quickly. She felt that five spaces for her office space were more than would ever be needed.

Chair Cottrill reminded the board that Dr. Baker said he would be carpooling in to the office, which could be a condition of an approval.

Mr. Hollinger asked if an extra space was needed, could they find any space in the area to allow for one. After looking at the site plan map, he asked if they could relocate the dumpster to allow room for one parking space. Mr. Paulson said that if needed, they could move the dumpster to create one space, but they wouldn't want to do this until a parking problem appeared. Mr. Stanley said they cannot add a parking space in place of the dumpster as the site needs a 10' setback from the property line, and a 35% green space requirement on the property. The setback is a zoning issue and can't be negotiated.

Mr. Joe Burns said that the Planning Board should consider that it will be used just two days per week and the fact that Dr. Baker would be willing to carpool in. Chair Cottrill said they also need to consider that if his office loads up on space usage during lunch, for instance, and other employees return from lunch and find no spaces available, there could be a problem.

IT WAS MOVED (Jeff Hollinger) AND SECONDED (Michele Holton) to approve waiving one required parking space at the Everett House, conditional on Dr. Baker carpooling with at least one employee and having the office open a maximum of two days per week. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (John Tilley) AND SECONDED (Jeff Hollinger) to approve the final site plan for Dr. Greg Baker. THE MOTION WAS APPROVED UNANIMOUSLY.

2) Zoning Amendments – Institutional Recreation (“IR”) Zone

Chair Cottrill said that Colby-Sawyer College (“CSC”) has requested support from the Planning Board to alter requirements in the Institutional Recreation zone that was a zone created specifically for the college athletic fields east of Seamans Road. The formal hearing on these possible changes will be at the next Planning Board meeting, but the college was there that night to make a presentation to the board, to the abutters, and to the community.

Mr. Galligan, President of CSC said that they had written to their neighbors and met with many of them in December to discuss the college’s intentions with regard to growth, including the area of Kelsey Fields. He has met with some other neighbors individually, as had Jim Wheeler and Linda Jaggard.

Mr. Galligan noted that he has been reminded that when Kelsey Fields were first developed in 1997, there was no intention to put lights on the fields, to pave the roads, to have any cars on it, or to have any structures there other than maintenance structures. The college came to the Planning Board in 2004 and got a variance to park cars on the field. At that time, they still had no intentions of putting any of the other things aforementioned in that area. Mr. Galligan said that he understood that he is the voice of the college, even though he wasn’t the speaking president at the time when these promises were made. He said that he is asking for these things because time does and has changed. The college has a business aspect and has to be able to change and adapt to new circumstances. If they can’t do that, they will die and won’t be able to exist.

In 1996 when the college first acquired the property that is now Kelsey Fields, they wrote to neighbors and said that no changes to the area would be made until the college grew to 822 students. At the Planning Board meeting on Jan 7, 1997, Mr. Doug Lyon stated numerous times that the college had no plans to build structures in the foreseeable future due to financial restrictions. In 2004 when they sought permission to have vehicles on the fields they met and talked to neighbors. They said they wanted to have gravel roadways, unlighted walkways and it would be used in the daytime only. Mr. Lyon was quoted as saying that “By expanding the permitted use with these limitations they are not anticipating further changes.” At the same meeting, Doug Atkins, Vice President of Administration and Facilities, said that the President of the college had met with abutters and expressed the college’s desire to maintain the rural feeling of the area. It was reported that abutters appreciated the college’s issue but expressed concern of what would happen next. Abutters wanted a contractual agreement to more changes made in this area. This was not done. The college could not and would not waive their right as a property owner and taxpayer to give up these rights of possibly making more changes in the future.

Mr. Galligan said that affordability of college today is difficult. Colleges need to be more athletically and academically diverse. Colby-Sawyer College has grown as they have had to. There are about 1220 students enrolled currently, and their board has authorized them to grow to 1500 if they can do so. Their competition has not stood still. They have built new facilities, added programs and offered more opportunities to students. Colby-Sawyer has to stay competitive. Their intentions are to install a turf field, which they could do now just with a site plan review, add lighting to the field (which they cannot do), create a better way of getting to the field, and offering a space for athletes to change and use the rest-room.

Mr. Galligan shared that 15 of their competitor schools have turf fields. There is also a prevalence of competitors that have lit fields. 6 New Hampshire schools, including high schools and colleges, have turf fields and lights. He said the technology of lighting has evolved so that the radiant glow of lights is much less than it used to be. The lights are higher, have hoods over the tops of them, and the lights shine down onto the field leaving the other areas darkened.

Mr. Galligan said that this growth is important to them because people move to the town because it is beautiful, they have a wonderful hospital, and they have the college. What do people in town get from the college? They get the use of the Hogan Center, to participate in Adventures In Learning (AIL), the use of the college's library for \$1, they get to send their children to the Windy Hill School, and they are invited to participate in the Arts, Cultural Activities, and Athletic Events. He went on to note that the college employs 357 people, not including Sodexo and dining services, and they are the largest taxpayer in the town.

Mr. Galligan said that in the next seven years, they anticipate over \$46 million dollars to be spent in construction, which will go to the immediate and local economy. They invite the public to come forward and talk to them with proposed language or amendments. It is their hope to minimize any adverse impact on neighbors' houses and their lives during this period of growth.

Chair Cottrill opened the floor to meeting attendees who wanted to voice their opinions.

John Wilson brought forth a "relief map" (a three-dimensional topographical map showing watershed flow) constructed by some past Colby-Sawyer College students, which was done as part of an assessment of Pleasant Lake in 2005/2006. The area in pink was the area intended for the field. Between the top and bottom of the field is about 400' feet. Mr. Wilson said that he is the chair of the Pleasant Lake Protective Association (PLPA) Watershed Committee. He lives on Pleasant Lake and the land in question land abuts a piece of property that also had steep slopes where water runs off it, and ledge underneath. They are concerned about runoff into Pleasant Lake due to these changes. Infiltration is not happening in this case. The prospective plans they have heard about, including paved areas, a turf field, riding barn, indoor tennis courts, etc. would be adding greatly to the amount of impermeable surfaces, which would affect the lake. The proposed lighting would add to light pollution which would be visible across from Pleasant Lake. Noise from night events would be bothersome. The agreement was implied and was codified in 2004. Mr. Wilson said that the PLPA requests that the Planning Board study the request of the college very carefully.

Jim Wheeler, abutter, stood and said he was sad to have to be there that night and understood that this was something the college had every right to request. He has spoken with President Galligan about this previously and they parted ways still in disagreement on some things. He read from the preamble in Article 11 of the Zoning Ordinance. It said that the Institutional Recreational (IR) District provides an area to conduct collegiate sport and recreational activities while maintaining the rural character of the Town. The Planning Board challenged the college many times asking if these changes would ever come

about and they were assured that they would not. Mr. Wheeler felt that the phrases put in the ordinance were there to enforce Article 11 to protect the abutters. The college agreed to it at the time. He felt that the Town's zoning ordinance should be protected, not decimated. Mr. Wheeler appealed to the Planning Board to weigh the request very heavily. His biggest objections were the use of lights, the excess noise, and the run-off that Mr. Wilson has alluded to. Other than that, Mr. Wheeler said that he fully supports the college.

Ross Stevens, abutter, said he didn't have problem with the college growing. He asked how many of the Planning Board members had received the minutes of the 1997 and 2004 Planning Board meetings. They all had. He said he was opposed to this change in the ordinance because there was a great deal of diligence, care, thought and effort put into crafting the ordinance as it is now enabling certain activities in this spot zone. Through personal and group conversations with former President Ann Ponder, Doug Lyon, Karen Ebel, and Sue Andrews, he learned that they had all been vocal on making sure limitations were put on this zone. Everyone had a degree of confidence that the proposed amendment would help preserve their rural life and community. He would much rather be there in support of the college's plans that would be in harmony with the Town instead of trying to get what they want for their own gain. He opined that some of the negative things they "get" from the college are drainage issues and noise impact. He felt that Mr. Wheeler summed it up eloquently and said he felt the same way; that the Planning Board should uphold the ordinance that was crafted to maintain their rural life.

Virginia Milord, an abutter, said that she has been involved in this issue since 1996 when the college first purchased the property in question. Through the grapevine she has heard about their attempt to alter the meaning of the 11th Article of the zoning ordinance. She wondered why this was never brought up at the meeting she went to in December, when President Galligan laid out the college's plans for growth. They were only presented with campus expansion plans. Ms. Milord said that she received a letter from the Planning Board with an agenda, but there was nothing specific about what the zoning amendments were to be discussed and possibly amended. She opined that these amendments would greatly impact the abutters with regard to noise and light pollution. Ms. Milord added that the colleges that were shown to compare with Colby-Sawyer College were larger in physical size, with 400-500 acres. Colby-Sawyer is different and she didn't think that the town could accommodate these changes. Ms. Milord said that she loves the college, and Mr. & Mrs. Galligan as well. She knows that the Planning Board knows how hard their predecessors worked and they should want to uphold the work that they did regarding this issue.

Mr. Stevens said that as a condition to grant a zoning change, many Planning Board members were very vocal about making sure these conditions were applied to. Karen Ebel and Sue Andrews were the most adamant about this point. They would not have voted in favor of endorsing the proposed zoning change if they knew the present situation would result.

Jack Harrod, who lives on Birch Acres Road, said he was on the Town's Street-Lighting Committee several years ago and learned a lot about light pollution. He was concerned about this in addition to noise pollution. On a Saturday afternoon it is loud at times, which is not a problem, but a Saturday night at 10pm *would* be a problem. Noise and light pollution do not seem to be addressed currently and they should be.

Ms. Jaggard, who lives at 229 Seamans Road and has lived there for 25 years wanted to voice her opinion. She said she has seen a lot of changes in the college and in the athletic fields. These changes affect her enormously. A change in the ordinance at this point changes the whole intent of five and ten years ago to limit the times of the uses of the fields. The ordinances are made for all of them in the town, not just for the college. The old ordinance specified daytime use. She wondered if this change would expand it to unlimited use 24/7. She has lived with the change from a rural wood lot being changed into

Kelsey Fields, as it is now. Several times a week during three to five months of the year, she hears air horns, cheering, commentary and music over the college's PA system.

Joe Cardillo noted that he is an abutter and is relatively new as a resident. He knew what he was buying into; a college community. Mr. Cardillo felt that ordinances are designed to change and opined that parking ordinances will change as more and more business is done over the internet. They are facing a challenge to make some changes to something put in writing in 1997 and 2004. One method to change an ordinance is through petition. With enough signatures, a petition for a zoning change/amendment can then be put on the ballot for a vote. They could limit the times lights could be used, but as far as noise goes, he understands that it will happen and his family likes to get involved so it isn't a problem for him. He opined that the college won't die if they don't get these things, but they have to allow some things to change in order to move forward. He is not opposed to the changes but felt they need to be careful about what is built there and agreed that they have to be careful with regard to runoff into Pleasant Lake. Mr. Cardillo felt it important for New London to have some huge assets such as their lakes, the hospital and the college. They need to insure the strength of all these things.

Mr. Cardillo said that it had been indicated that real estate values will be affected negatively if this change was made. He argued that point and said that if the college does not continue to thrive, they will see a negative result in their values.

Emily Campbell, an abutter who lives at 213 Seamans Road stood to share her concerns. She said that she is all for the college but her real concern is the fact that they already have a serious problem with the parking lot across from Kelsey Fields. People go in and out every day and the impact on this field with lights and that parking lot will be huge. That is something to consider as it is a serious problem.

Chris Lorio, an abutter from 245 Birch Acres stood and said he has been a resident for four years. One impact he sees is that it isn't about putting lights on the field and how they may avoid light pollution, but his concern was for the possibility of indoor expansion. This sort of thing would require 24-hour parking for lighting, and industrial noises. His concern is that the true intention of this growth is to have more structures there, not just the lighting of the fields.

Dave Sauerwein, who works at the college, is also part of the PLPA and has lived in New London for eight years, thinks this is a good idea and opined that some good ideas have come about. He appreciated the tough decision that the Town is being confronted with.

Tony Constantino, an abutter, stood to speak. He said he has been involved with the evolution of the meetings that have occurred. He didn't realize that lights were being requested. He suggested being careful when considering this, as security issues could arise when people are brought in during the evening hours. What President Galligan said about subduing the light halo would actually work against them in a security sense. Mr. Constantino said that it is a short distance from the parking lots to the immediate yards of abutters. He has walked from the fields to Kearsarge Road. It is not that far of a walk and one never knows what the security aspects will be. He felt that the board should consider the impact it would have on the properties.

Michael Waiscoski, a student and athlete at the college stood to speak. He felt that they could come to an agreement somehow. With regard to the noise level, he opined that the noise is coming from a sporting event, which was something positive. He guessed that everyone in the room had, at one time or another, been a part of this kind of assembly. He felt that because people were cheering towards a team becoming one and succeeding, that it was okay if it was loud at times.

James Cook, who lives on Quarry Road, felt that this was a matter of fairness. People make life and financial decisions based on the zoning they perceive they can hang their hat on. Is it fair to not honor that and change it mid-stream?

Rick Anderson stood and said he was not speaking for or against the project. His concern was the watershed. The lake and Colby-Sawyer College are both assets to the Town and they need to understand the impacts. It is incumbent on the college to expose those potential impacts. These impacts could be studied to go beyond the watershed and could go into lighting and noise.

Linda MacKenzie said that she lives on Birch Acres, which is close to the fields in question. She and her husband own the Inn at Pleasant Lake so have concerns about the affect of the run-off to Pleasant Lake. She viewed the college as a business, not unlike her own. She noted that there are limitations put on her family's business because of the zone it is in and has had to make changes in the things they do because of the zoning. Ms. MacKenzie said she had concerns about the college putting such a huge emphasis on sports. She thought the college should be respectful of the zoning as she and her husband are in their line of work.

Mr. Doheny asked Mr. Galligan about the anticipated usage of the fields and lighting if the ordinance was changed. Mr. Galligan said they would try to be wonderful neighbors but people need to understand that change happens. They don't have to change the zoning for turf fields but they would just have to go through a site plan review. At that time, they would have to deal with all the drainage issues. Having the lights would require a zoning change.

At the presentation in December, Mr. Galligan said he noted that they would have to apply for a zoning change for the lighting. He said there are no plans to build an indoor sport facility. Things may change in the future, which is why they put that into the language. The land is zoned for restrooms and changing facilities. In the next few years that would be approached, with a site plan review. Mr. Harrod asked about parking in that area. Mr. Galligan said they don't have the resources to do anything with parking currently, but that their immediate plans included installing the turf field and adding the lights.

Chet Reynolds wondered why they selected the middle field and why not push it back further where there was less of an impact. Mr. Galligan said any impact would be negligible between the two fields. He said they would certainly agree on not having this facility open 24 hours and that they could agree to a reasonable time limitation on when the lights could be on.

Mr. Cardillo asked if they wouldn't anticipate overnight parking for students in that area. Mr. Galligan said that when the fields aren't in use, the area would be gated and closed.

Mr. Doheny asked Mr. Galligan what he anticipated the hours to be for evening events. Additionally, he wanted to know what would be available for the local school district for use of the field. Mr. Galligan said that anyone would be invited to use the track. Use of the field would certainly be permitted, but that would need to be balanced. The field would be used by the college teams from the beginning of October to the middle or end of November, and again from March until the middle to end of April. The length of the day governs this need.

Deb McGrath, Director of Athletics, said a few words about why they wanted lights and what hours they would be used. She assured everyone that they would never have a Boston College arena on campus. They had looked at the turf and lighting being on Mercer field but lights would be more of a problem in that area. There are seven outdoor programs in need of practice space. Four of these programs are in

season at any given time. The Hogan Center is not big enough for them all to practice in. Sometimes the teams practice until after midnight. She opined that 10pm would be the latest the field would be used, with the lights on. Ms. McGrath said they can put three or four groups together to practice on a turf facility. She added that currently, the teams at Colby-Sawyer College are not currently competitive. 10 years ago they were but not now. A turf field will make a difference in the quality of the surface they are practicing on and the earlier they can get out to practice, the better.

Chris Lorio recalled that Mr. Galligan had indicated that these amenities would draw people into the area. He wondered if the college would rent the field and track to the public.

Carolyn Reynolds, who lives on Seamans Road, said that if they have this facility, the college would be tempted to have summer camps there and use it much more for income. Mr. Stanley said the college would be subject to the uses permitted in the ordinance. How much they use it will be up to site approval by the Planning Board and enforced by the Town. That includes whether the public uses it or anyone else. That will be part of any approval through the site plan review process and that there are still constraints. Mr. Galligan said they totally understand this but just want to lay all their cards on the table.

Mr. Doheny asked what is the responsibility of the Planning Board to maintain the desire of the petitioners in a town-wide vote. Mr. Stanley said that one way is by petition and one is through the Planning Board. The college chose to go through the Planning Board this year instead of by petition. Through the Planning Board, there are two public hearings after which the Planning Board would determine whether to place the proposed amendment to the zoning regulations on the ballot or not. After deciding to place the proposal on the ballot, the Planning Board will determine if they support the change or not. All they can put on the ballot is “Planning Board supports” or “does not support.” Mr. Stanley went on to say that they had received a letter of these zoning amendment requests from Jesseman Associates, representing the college, and the Planning Board can include some, none or all of their requests.

Michele Holton said this is a question of timing and fairness. She believed it would become an emotional issue. She thought all of them had come to New London to have their children grow up here and bought houses before sending those children to a fine college like Colby-Sawyer College. They have to consider if expansion at the college would affect property values. It is true that the residential areas don't appear to be as affected as the rest of the town if this ordinance is changed. She had a sale on Seamans Road recently, which the seller finally accepted an offer at a great loss. The only thing the buyers objected to was the college in the background; it greatly diminished the value of the house. The timing for the college to come to them with this is wrong. Homeowners will be affected with lights being there. The re-sale value is what they have to consider. In the 2004 minutes, Atkins and Ponder came and said they met with abutters twice that fall and were interested in the preservation of the rural and natural character of the area. Abutters expressed concern about what might happen next. Whether it was written in a legal document or not, a pact was made with the residents of the town and they have to weigh what this issue is going to do to the homeowners in town.

Mr. Hollinger asked about longer term plans in that area. Mr. Galligan said they would like to see bathrooms and a changing facility, and some parking which would need a zoning change. Also they would like to have a media box near the bleachers. Kitty Wilson asked if turf was more impervious than grass. Steve Jesseman said yes, that sand, stone and a drainage system with infiltration is used to impede runoff.

Allison Faccione works at the college and is a 30 year community member. She knows they will come to an agreement but is concerned when they talk about noise pollution. She felt that the noise coming from the field wasn't negative; it was a joyful, cheerful activity that every one of them had been involved in

before. Mr. Lorio said that at 10pm his kids are trying to go to sleep and the field with lights and people cheering at night will be too loud. Ms. Faccione said they should think hard about labeling cheering and students that are learning as a negative thing. Mr. Lorio respected her opinion but said she didn't live near the field – he does.

Mr. Cardillo said he felt they could come to an agreement. He was appreciative that the college chose this process so they could get input from the town. If they take the entire town, empirical data can show that the college's presence in the town has increased property values. Ms. Holton agreed, but noted that numbers were numbers.

Chair Cottrill urged the college to get together with abutters and work toward a compromise. There will be a noticed public hearing on March 13, and the final hearing on the fourth Tuesday in March. Mr. Stanley said the college will need to create and propose any zoning amendment language and that language for the amendment and the notice would need to be created within the next week. Ms. Helm asked what if the Planning Board does not advocate putting this on the warrant. Mr. Stanley said that it then wouldn't be put on the warrant. The other zoning amendments would be on the ballot, however.

Ms. Helm confessed she was a little disappointed in the college although she is a huge supporter and an abutter. She didn't feel that their communication with abutters and neighbors to discuss this was as good as it could have been. She urged the college to look at the proposed amendment change and see if they can come to some kind of recommendation to submit to the Planning Board. They should try and see if there is any window of compromise they could come to on this to then present to the Planning Board. She felt the communication lacked and felt it should have started a long time ago.

Ms. Holton asked if the college had researched other parcels of land for this facility. Mr. Galligan said they had not. They want students to be able to get to it easily. They don't want students to have to drive to the field. Mr. Galligan added that they want to minimize the impact and they understand the concerns being brought forth.

Mr. Wheeler thought the college's credibility was a little suspect at this point. Even if they came to a compromise, they will be back in eight more years to do even more. He feels they should protect the integrity of the ordinance.

Mr. Stevens said his biggest fear was that the college's administration was transient. His neighborhood and neighbors are not and hopefully will remain unchanged. Mr. Galligan said the college started in the present Town Office building in 1837 as the New London Academy and they want to work with their neighbors to do what is right. He said he will never say never. Things and times will change.

Mr. Doheny wondered if they should let the town decide and not just the focused group represented there that night. Chair Cottrill said they have one week to get everyone together and agree. Ms. Helm said if they have to put it off for a year, then they will.

Chair Cottrill said that there were six letters submitted to the Planning Board prior to the meeting. These letters are to be included in the minutes, and he asked if anyone wanted each of the letters read into the minutes or simply added to the minutes.. It was generally agreed to simply add these letters to the minutes. It was determined that the college has 10 days to work with neighbors to come to a conclusion. Mr. Stanley said they will need to follow certain formatting requirements. They will hold the first hearing, take more testimony and possibly change the language then. The second hearing would be next, if the language had changed, and if they can't all agree on it, it won't appear on the ballot. Mr. Stanley said he would need any proposed new language by the following Thursday.

Mr. Hollinger said there are things the college could go ahead with, subject to site plan review. Mr. Stanley said that from the department heads' view, they would try and resolve any drainage problems on the site at that point. Infiltration devices control what happens more so now than when the fields were built in the 90's. Mr. Galligan said that if the zoning ordinance was not changed, they would still attempt site plan review for the track and turf field.

Mr. Wheeler asked if they turfed all their fields, including Mercer, could they disperse teams in daylight hours only and not use the lights. Ms. McGrath said if they turfed all three fields, seven groups might not have enough space, but they will look into it.

Ms. Campbell said her house and the Brown's were impacted by the building of Mercer field. They had to put drainage systems in their basements.

3) Lake Sunapee Country Club -Article VI and a definition associated into Article III

Doug Homan, owner of the Lake Sunapee Country Club (LSCC) was there with suggested language to Article VI and Article III. Mr. Stanley had no further suggestions for the changes LSCC had suggested. The request is to add a definition for Country Club. The suggested language is:

1. Amend Article III "Definitions" to include the following:

"Country Club": a social and recreational facility, including any structures thereon, offering a golf course, practice areas, tennis, fitness and swim facilities, dining and function facilities, and other accessory uses.

2. Amend Article VI Section A.2 (Agricultural and Rural Residential District - Uses Permitted) to include "Country Club" (as newly defined).

Mr. Homan said that the purpose is to take a business that has been a major financial contributor in the last 80 years and make it an accepted use within the zone. If they want to change a sign integral to their property, they have to go to the Zoning Board of Appeals (ZBA) for a variance. Everything they do requires a variance and is cumbersome. He thought it was an oversight and that it should be an accepted use in the zone they are in.

Mr. Homan said they have wanted to do this for ten years. They have no plans to do anything at the moment but felt it should be in there to enable them to run their businesses the way they want it run. Mr. Stanley said they would still be subject to site plan review. Mr. Doheny asked how much of Twin Lake Villa was in New London. Mr. Stanley said only a small portion.

Mr. Tilley said he was in favor of this addition but said as it is written, he wondered what they would have to do to keep other organizations from calling themselves a country club. Mr. Stanley said they have to have a golf course. Mr. Tilley felt it was very tightly written so if someone else were to try and have a country club they would have to have all of the things listed. Chair Cottrill said it should be a minimum of 9 holes and a certain yardage. He added that many colleges want and have country clubs and perhaps it should restrict this. Mr. Stanley agreed with Mr. Homan's idea. There are only a couple of spots that could lend itself to a golf course/country club situation. It was probably not going to happen but it could.

Chair Cottrill suggested defining the scope and size of a country club. Mr. Gorman said that a nine hole golf course could suffice as there are country clubs all over the country that are that size. Mr. Tilley suggested making the golf course the trigger of it being a country club and the other amenities be

accessories. Mr. Homan said full-sized courses are 3,000' and now there are executive courses and golf is changing as people want to get in and out faster. Mr. Stanley said he would like to be more specific about other accessory uses and not use a blanket statement. Mr. Homan said on their list of things to have is a workout facility but they had no idea what would be coming down the pike in the next 50 years.

Chair Cottrill said with the suggested language for the zoning change, there will be a noticed public hearing. If the language is changed again it will go to a second public hearing. The Planning Board would then vote to put it on the ballot with a recommendation or not to put it on the ballot.

Mr. Stanley then read through the remaining suggested amendments to the Zoning Ordinance, as discussed in the last meeting. It was determined that the following would be included in the first hearing:

Article II, Section 1

Article II, Section 8 – Mr. Stanley noted that if a room is not called a bedroom in an accessory building the state of NH DES doesn't require expansion of the sewer system.

In the rationale: "even if a bathroom" should be changed to "currently"...and there is no formal bedroom...

"Overflow" changed to "space that may be used for guest quarters."

Article II, Section 11

B: changed to 12 months to coincide with a building permit.

C: expanded to allow for two, two-month periods in any calendar year.

Article III, Definitions

Watercourse, Commercial Farm, Fresnel Zone, Average Tree Canopy Height

Article XIII, Section E1

Law no longer requires a wetland permit to cross man-made wetlands, retention ponds, and rain gardens. The Town does not want to require this either.

Chair Cottrill suggested adding "State of New Hampshire" and "per recent NH State law" in the rationale.

Article XIII, Section G

Rationale: science-based

Article XVI, Section I

Article XXIII, Telecommunications

The next meeting is 2/28.

Approval of Minutes

IT WAS MOVED (Michele Holton) AND SECONDED (Tina Helm) to approve the minutes of January 24, 2012, as circulated. THE MOTION WAS APPROVED UNANIMOUSLY.

IT WAS MOVED (John Tilley) AND SECONDED (Jeff Hollinger) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting adjourned at 10:10pm.

Respectfully submitted,

Kristy Heath, Recording Secretary
Town of New London

From: Limburg, Kenneth [<mailto:klimburg2@lrgh.org>]
Sent: Tuesday, February 14, 2012 9:45 AM
To: Town of New London
Subject: colby sawyer

To whom it may concern,

Regarding Article XI : Currently the noise of those blowhorns and frequent games is troubling enough. To tolerate this and the prospect of field lighting and continuation of games at night and lighting of parking lots is even worse. The water problem of runoff into the local forest an already wet area could create further local flooding. The ground in this area is largely hard pan and water running in the spring could be a potential problem in an area already experiencing issues wrt water. I have what constitutes a septic field in my backyard now just to control water around the house. (I have town Sewer!) I do not support any changes to the current zoning Policy.

Sincerely,

Kenneth and Linda Limburg

192 Birch Acres Rd

From: Alex & Betty Lutsky [<mailto:ablut@tds.net>]
Sent: Tuesday, February 14, 2012 9:28 AM
To: Town of New London
Subject: planning board meeting Re: Colby-Sawyer

We will be unable to attend the meeting tonight due to another commitment. However, we do not wish you to think we are not interested in the plans that Colby-Sawyer has for the area known as KelseyFields or what is called the institutional/recreation district. We are completely against any night time use of this area and any lighting that may be required for such use. When established, this district was set up to be a passive area for daytime use. The amount of noise from the fields is minimal and we welcome their use. However, nighttime use is another matter and cluttering our wonderful clear skies with tower lights is completely unacceptable. Please keep this area as it presently is. We are trying to be good neighbors

but it will become unpleasant if we have to endure noise during what now are peaceful, tranquil evenings and nights in our wonderful neighborhood.

Respectfully,

Alexander and Elizabeth Lutsky

227 Birch Acres Road

New London, NH 03257

From: Arlette Harring [mailto:arletteharring@me.com]

Sent: Tuesday, February 14, 2012 10:17 AM

To: Town of New London

Subject: Colby Sawyer College request for zoning approval on Kelsey Fields-Attention Kim Hallquist

Attention: Kim Hallquist, Town Administrator.

Thank you for advising me of the Colby Sawyer request to construct on the Kelsey Fields. I own a house on Jenny Lane. I have reviewed carefully the plans. I would request that this request be denied in total. It is a deep incursion into an important residential neighborhood which would not only adversely affect the real estate market for these homes but be the cause of great annoyance to all surrounding homes at night as well as during the day. It would in effect become an eye sore and constant disruption of peace in current pristine neighborhoods. Ultimately, it would ruin the success New London has had in preserving the integrity, peacefulness and beauty of neighborhoods surrounding its Main Street. New London should not sacrifice what makes it so unique and beautiful in order to build parking lots and game fields used for only a few months of seasonal play.

I strongly object to this proposal and urge The Planning Board to reject this proposal. Arlette E. Harring

From: Michael Scott Rubenberg [mailto:scottrubenberg@hotmail.com]

Sent: Tuesday, February 14, 2012 1:11 PM

To: Town of New London

Subject: Colby v Sargent

Hi there Kim.

I was going to try to make the meeting tonight, but I've a sick kid and my wife is out of town so...

Our opinion on the issue is that we are grateful both for the presence of Colby Sawyer and also to have moved to such a beautiful, beautiful place.

If any changes are to be made to the area in question we would want

-- as few trees to be cut down as possible

-- no huge buildings

-- to have the college and grounds keepers take a more proactive and rigorous environmentally responsible approach to caring for the fields (e.g. the presence of algae blooms in standing pools throughout Hall Farm suggests too much nitrogen and phosphorous are going into the water.)

-- esp if there is to be more asphalt, to over-engineer a drainage system to decrease the water coming down the hill into Hall Farm, channeling it in the most responsible direction.

-- to get a fantastic playground set in there for my two boys and their friends.

-- walking / bike paths

-- picnic tables, no alcohol

-- not too much noise (or at least not too often) and please don't obscure the stars.

Best Regards,

Scott and Lisa and Owen and Noah Rubenberg

142 Sargent Rd

From: Linda MacKenzie [<mailto:lbmack@tds.net>]

Sent: Tuesday, February 14, 2012 1:36 PM

To: Town of New London

Subject: 2-14-12 Meeting - Planning Board

February 9, 2012

Brian and Linda MacKenzie

246 Birch Acres Rd.

New London, NH 03257

Dear Town of New London Planning Board,

Unfortunately, I cannot attend your Valentine's Day meeting as I am serving dinner for our guests at the Inn at Pleasant Lake. I have been contacted by some concerned abutters in regards to the proposed changes to the Colby Sawyer College, Kelsey athletic fields. Our property is a direct abutter to the field area in question and we definitely have concerns along with some of our close neighbors. If my wife does not need to work with me on Valentine's Day she will likely attend the meeting to gain more insight into the situation.

When visiting New London in 1996 to view a few Bed and Breakfast / Inn properties, we discovered this magical place that is a throwback to an idyllic small town. The surroundings of mountains and lakes with a mountaintop town and local ski areas created in our mind the perfect setting to promote a destination inn. Furthermore, we viewed the college in town as a potential bonus to help fill beds during graduations and parent's weekends.

Back in year 2003 after our son was born, Linda and I decided to purchase a lovely lot with a house at the end of the cul-de-sac on Birch Acres Road. Having lived in New London for six years we were drawn to the neighborhood and wanted a quiet, private setting that we felt our kids would enjoy and feel safe. Understanding that the property abutted the Colby athletic fields did not really concern us because of the way it was developed. The loud music and intercom system and yelling is all part of what we expected. In addition, these elements only last about three months of the year.

The proposed changes by the college to the athletic fields go entirely against all we find special in this town. The idea of stadium lights is completely offensive not only to me and probably to most with a view of the field area. If you were to stand on the fields you will see the distance this would affect in addition to adding to light pollution in town. I would like further clarification of their proposals for parking as I am concerned about the Pleasant Lake basin and any impact there. I am sure that if there is any overnight parking then those will be lit all night long for the safety of the students. I am completely not in favor of any lighting changes. I understand and support their proposed changes for turf fields. The turf fields make sense as they will be able to use the fields earlier in the season. Last year they were barely able to get out and play spring baseball. This change would eliminate the need for chemicals and fertilizers used on the fields.

As a business owner of the Inn at Pleasant Lake, people come to stay with us and leave with a refreshed sense that there are still some special places in the United States. So many other towns and cities have become replicas of each other because of the way they wanted to grow commerce. Please, please, please keep New London special. Honestly, guests from all over the world are truly moved by our surroundings. Protect our home!

As a home owner, we purchased our location because of its peaceful, natural and quiet setting. If these lights go up, what will be the benefit to our community? I personally do not see any added benefit only lost value for the town as well as my property and the other properties surrounding the athletic fields.

Thank you for listening.

Sincerely,

Brian MacKenzie

The Inn at Pleasant Lake

