

Pike Brook Rd
Relocation
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Subdivision Plan

- ✓ Feins Minor Subdivision (Sutton Tax Map 10, Lot 688, 134). Located on Stonehouse Road. Access to the subdivision in Sutton will be from Stonehouse Road in New London. Conditional approval granted by Sutton Planning Board on August 25, 2105. Per RSA 674: 53 Land Affected by Municipal Boundaries.

Jon Feins gave a little history about the subdivision explaining that the first 500 feet of road access are in New London, there should be no impact from drainage as the lots are approximately $\frac{1}{4}$ from the New London town line.

Janet Kidder asked about fire-fighting provisions and access to property. Chief Jason Lyon responded that if it is just a fire alarm Sutton responds, but if the Towns of Wilmot, New London and Sutton get the fire tone at the same time, it is possible that New London may arrive at the scene prior to the Sutton Fire Department.

Ms. St. John read into the record an email from Richard Lee, Director of Public Works received on Sept 15, 2015: "I don't see any problem with the three lots subdivision as proposed getting approved. I would like to say and go on the record that if the lots are further subdivided then I feel the Town of New London should require some upgrades of our end of Stone House Road."

- **IT WAS MOVED (Elizabeth Meller) AND SECONDED (Jeremy Bonin) to approve the minor subdivision plan with the conditions that the New London Planning Board sign the mylar. THE MOTION WAS APPROVED UNANIMOUSLY.**

Conceptual Discussion

- ✓ Pike Brook Road. Private Road. Discussion of possible relocation. Tax Map 135-008 and 009.

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Chair Helm pointed out that this is a conceptual discussion and that any comments or presentations are not binding.

Greg Grigsby of Pellettieri Associates, Inc and Peter Blakemen were at the meeting to discuss a conceptual layout for the proposed relocation of Pike Brook Road, the section located on the land owned by Dominic and Molly Ferrante. Greg Grigsby provided a brief overview of the conditions of land, the recent Planning Board approval for the lot line merger, the demolition of the houses and construction of the new home. Mr. Grigsby said he has been in regular contact with abutters to keep them apprised of what is going on and several neighbors who were concerned about disturbance to road, and character of the road. Mr. Grigsby displayed map of proposed road on the overhead for audience.

He explained that the road sweeps off the Miller's property and then follows the power line. The proposed layout includes a pull off space. The proposed road follows the utility lines so as not to make further cuts in vegetation. Mr. Grigsby pointed out that any talk of going underground

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with utilities is not feasible as you cannot go down into the ground and then back up to surface. Utility company requires a complete line.

Chair Helm recognized Fire Chief Jay Lyon who was in attendance. Ms. St. John posted a letter she received from Chief Lyon on Sept 11, 2015. The letter is dated Dec 1, 2014 and addressed to Greg Grigsby, Pellettieri Associates from Bruce Knox, PE regarding the condition of the bridge on Pike Brook Road. Chief Lyon referenced this letter and expressed his concern about the ladder truck and engine going across this bridge, and the width of the bridge is an issue for safe travel by the fire trucks/equipment.

Mr. Grigsby does not want to discuss the size of the bridge but that tonight's discussion is to address the road realignment/width. Chair Helm pointed out that now that this bridge issue has been made public there will be discussion of bridge and implications concerning fire equipment.

Phillip Miller, a resident along Pike Brook Road expressed concern about just learning about this letter and the implications it has for residents along this road.

Chair Helm asked for questions concerning the alignment of the road. Jeremy Bonin asked if the proposed pull-out space will accommodate two vehicles passing each other or fire apparatus. Chief Lyon stated that if this pull-out is going to be for fire use then should be so designated. Chief Lyon spoke of an incident recently where two trucks got stuck on Stonehouse Road when passing. Chief Lyon opined that if they are going to upgrade the road there must be a minimum standard width so that two cars can pass. Chair Helm referred to the street standards in the Subdivision Regulations, and Chief Lyon referenced the NFPA standards and best practices.

Peter Blakeman referenced road standards and thinks standards should be left to the discretion of owners of road. He thought the proposal of new road and pull-off are much better than existing conditions.

Janet Kidder asked if the road was going to be paved. Mr. Grigsby said the road will not be paved and that the intent is to be gravel.

Chair Helm stated that if the party wants to proceed they should make application to planning board to comply with standards outlined in the Subdivision Regulations, Standards for Street Design. He opined that this should be considered a "Service" road with a 16 foot travel width or a "Local" road with an 18 foot travel width. Chair Helm commented that at the previous discussion on this subject the Planning Board agreed that this would be like a local road, not a service road.

Peter Blakeman commented that this is a private road. He noted that according to AASHTO road standards, this is a low volume road, and the geometry and design should be decided by engineers and the owner, not the Planning Board, and they don't believe the Planning Board has jurisdiction. They don't think they need to adhere to these standards and furthermore a wider road is not aesthetically pleasing to the owner and residents along Pike Brook Road. He noted

X that Stonehouse Road is a different kind of road with deep ditches and road materials. Greg Grigsby explained that the residents on Pike Brook road don't want the road paved.

Attorney Stephan Nix, representing the Ferrantes, questioned the Planning Board's

Jurisdiction regarding the relocation of this private road, and referenced statutes on this matter. Chair Helm stated he believes the Subdivision Regulations do apply, and will consult with Town Counsel. Attorney Nix commented that he had submitted a letter months ago regarding the role of the Planning Board in the road relocation. Ms. St. John commented and conveyed that she had previously conveyed to them that the Planning Board did seek input from Town Counsel, and they were duly informed. At that time, rather than delay the lot merger, demolition of the structures and construction plans for the lots the applicant decided to forego pursuing the issue of the proposed road relocation.

Attorney Nix conveyed he does not believe the Planning Board has any jurisdiction as this is a private road, it is not part of a subdivision or site plan, and the history of the Pike Brook Road suggests that it was never part of a subdivision plan approved by the Planning Board.

Ms. St. John referred to the Jennifer Paul Lot Merger and Revised Right-of-Way (ROW) plan for Sunset Shores, a private road approved by the Planning Board April 24, 2007. Mr. Grigsby explained that this was a different scenario and that is why Planning Board approval was received. He explained that Pike Brook Road is referenced in old deeds prior to zoning and subdivision regulations, and many residents on Pike Brook Road have vague language as a right of passage over said road. To their knowledge Pike Brook Road was not part of any subdivision approved by the Planning Board.

Chair Helm asked Chief Lyon to share the letter regarding the conditions of the bridge on Pike Brook Road with the residents on Owls Nest Road, as they use Pike Brook Road and there is another bridge on that road which is unable to accommodate fire apparatus.

Chair Helm asked staff to reconnect with Town Counsel to clarify the issue if the Planning Board has jurisdiction on the relocation issue of Pike Brook Road, how should the deficient bridge issue be addressed, and what if the Board does approve the private road relocation knowing the bridge is deficient. This will be discussed at the October 6th Planning Board meeting.

Other Business

Shore land Provisions- tree cutting provisions

Midge Eliassen commented that she was there for the tree cutting application for 178 Poor Road. Chair Helm explained that the Board has already reviewed the tree cutting application. She expressed concern and supported provisions for more enforcement.

Jeremy Bonin provided a brief overview of the previous tree cutting discussion:

- ✓ He suggested a few other changes to the draft.

Upcoming ZBA case.-Staff explained that Mr. Stallman has applied for a use variance to install a commercial parking lot in a residential area to accommodate the needs of a potential tenants.



Pike Brook Road Issue- Chair Helm stated there is much concern about the Pike Brook Road issue and the condition of the two bridges, particularly related to awareness now by abutting property owners about the Fire Department's ability to travel on the bridges, as they are both deficient. Staff will follow up with Town Counsel on this subject.

Planning and Zoning Administrator's Updates/Information

Outing Club Building Permit: Ms. St. John explained that a memo was written to the Board of Selectmen (BOS) regarding a building permit submitted by the Outing Club. She and the Town Administrator visited the site to learn a snack shack was constructed prior to the approval of the permit, and furthermore identified concerns about the nonconforming uses and provisions of the ordinance.

Storage Container at the Mountain View Shopping Center: A storage container has been used at the rear of Unleashed. This is not permitted. The Planning Board noted that this storage unit should be removed immediately. There should be a site plan for even a temporary storage unit. Ms. St. John to send email for immediate removal or fines may be imposed.

Mountain View Shopping Center: A new island was installed without approval. An amended Site plan needed to be submitted for review and approval by the Planning Board.

Survey memo: Ms. St. John explained that she was asked to prepare a memo to the Board of Selectmen on the recent discussions by the Zoning Board and others regarding requiring surveys for building permit applications. Lucy St. John also reiterated the need for the property tax map correction project, which is identified in the most current CIP document.

Motion to Adjourn

IT WAS MOVED (Michele Holton) AND SECONDED (Elizabeth Meller) to adjourn the meeting. The meeting adjourned at 9 pm.

Respectfully submitted,

Jennifer Vitiello,
Recording Secretary
Town of New London

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- ✓ Showed a map of the proposed land purchase and their adjoining residential home. He noted that at this point, they would keep them as two separate lots, to protect their privacy. Showed area which could be designated for parking but would have a better idea at a later date and the area anticipated to have the best soil pH balance for blueberries.
- ✓ Consulted with a soils and wetland scientist and will be consulting with the NRCS.
- ✓ Would be an activity for families. Site contains some wetlands.
- ✓ The property is 13.3 acres and about 4 acres of this is wetlands and it is zoned ARR
- ✓ Formerly site used as a riding school.
- ✓ Expects after planting it will be the year 2022 before able to pick.
- ✓ Would remove existing house and barn. Barn was built in 1976 and house was built in 1825 and there is no heating or plumbing.
- ✓ All neighbors are in favor of the project except one that is a part-time resident who could not be contacted at this time.
- ✓ They would not do anything with the marshy portion that abuts Stoney Brook the property.
- ✓ They have visited or researched other blueberry operations in nearby towns.

Chair Helm asked for the board for input on this conceptual idea, explaining that is it not binding on the Board or applicant. The Board expressed that it seems like a great idea and encouraged the Langners with their endeavor.

* **Service Street Review of Pike Brook Road, a private road.** Discussion of possible relocation and if Planning Board approval is required for the relocation. Most recently discussed at the Sept 15th Planning Board Meeting.

Chair Helm explained upon consultation with Town Counsel that Planning Board approval was not required to relocate the private road as the Planning Board does not have jurisdiction as Pike Brook Road was not part of an approved subdivision plan. He also referred to a letter received Oct 6, 2015 dated September 23, 2015 to Lucy St. John from Jay Lyon, Fire Chief, providing a follow up to the Planning Board meeting of Sept 15th.

Attorney Stephan Nix, attorney representing the Pike Brook Trust was to speak about proposal but after hearing the statement from Chair Helm commented that he didn't need to make a presentation on this matter. He did explained their desire to move the road away from the house and the lake to facilitate construction.

Greg Grigsby, of Pellettieri Associates and Peter Blakeman, of Blakeman Engineering provided an overview of the road plans, explaining the only difference is a 14 foot travel way (from a 12 foot travel way) with 2 foot shoulder and that the shoulder will be paved with a substance that will support occasional vehicular traffic and promote green growth that can be brush cut from time to time and at the same time, satisfy the safety aspect expressed by Chief Lyon. This will address aesthetic concerns from neighbors and the safety concerns from the Town. They noted that the bridge is still a concern for the neighbors and Chief Lyon. Peter Blakeman stated they



will need to get some State permits and will be submit As-Built drawings when the road is complete.

Ms. St. John noted that several residents of Pike Brook Road and Charles Myer of Cambridge were in attendance and had previously asked about the abutter notification process. Lucy St. John explained that a public hearing had not been scheduled for this discussion. She explained that the property owners elected to send a notice to the abutters to keep them apprised of the discussion. She noted that typically abutter notices are sent out via certified mail. The owner mailed two of the letters to Canada via Register mail, which is more expensive.

Chair Helm stated for the record that the difference between Pike Brook Road and other projects is that it cannot be determined that there is a subdivision issue here. Lacking that, the Planning Board does not have standing on this issue.

Subdivision Plan

- ✓ **Greaney and Stahlman.** Property located at 21 Gould Road (Tax Map 084-081-000) and 74 Pleasant Street (Tax Map 0084-079). The Greaney property is zoned residential (R-1) and the Stahlman property is zoned commercial. Proposal to subdivide and convey a portion of the Greaney property to the Stahlman property. Greaney property before subdivision 1.19⁺ and 0.93 after subdivision. The ZBA heard a variance request on September 29, 2015, and the ZBA public hearing was continued to Nov 10th.

Michele Holton recused herself because of her involvement with Angeli Associates. Chair Helm asked Marianne McEnrue to be a voting member in place of Michele Holton. Janet Kidder also recused herself, as the Kidder Building site is one of the abutters. Another Planning Board member was not appointed as Ms. Kidder is the Selectmen's representative.

Janet Kidder asked if the Planning Board should act now or needed to wait for the ZBA decision. Staff provided a brief overview of the Sept 29th ZBA meeting. Ms. St. John explained that the plan is for a subdivision, and the ZBA is about a use variance. Either way Mr. Stahlman would need to come back to the Planning Board for Site Plan Review.

Chair Helm noted that Mr. Stahlman would not be permitted to use the land he is proposing to annex for a commercial use unless he received ZBA approval and goes through the Site Plan Review process.

Mr. Stahlman said he would purchase the land even without the variance. He then invited his surveyor to make the presentation. Clayton Platt, Surveyor then presented the plan.

Public Hearing Opened:

Ms. St. John informed the Board that three (3) letters were received at the ZBA meeting on Sept 29th. These letters were also made part of the Planning Board file. She also noted that



Town of New London
Office of the Fire Chief

P.O. Box 375
237 Main Street
New London, NH 03257

RECEIVED
OCT 06 2015

September 23, 2015

New London Planning Board

Lucy St. John
New London Zoning Administrator
375 Main Street
New London, NH 03257

Dear Ms. St. John,

This letter is to follow up on the Planning Board Meeting that was held on September 15th with regards to the Pike Brook Road relocation. Although I understand that the Town of New London does not have any oversight of private roads and bridges in New London, I believe that the residents in this area are willing to update the road to make travel safer, while trying to limit the vehicular speeds in this rural community.

I have talked to Peter Blakeman and he has presented a road design that would be 14' wide with 2' of gravel on either side. This 18' road would support our fire apparatus during an emergency and would allow for two pieces to pass more safely than the current road. We would also have a better line of sight and we wouldn't have the usual concern of trucks being stuck during spring thaw conditions. This 2' area would be covered with a thin layer of material that would allow for growth of grass to help reduce the travel speeds. Not only does this proposal ease my concerns about increased safety, but would also keep the "summer camp" feeling of this private road.

I would hope that any addition modifications of other sections of this road follow the same design that Mr. Blakeman has submitted to the Planning Board. I am in favor of this compromise, as it will increase the safety of personnel and equipment while responding to emergency events in this area.

Respectfully submitted,

Jason B. Lyon, Fire Chief