

APPENDIX E
APPLICATION FOR SITE PLAN REVIEW
MULTI-FAMILY RESIDENTIAL & NON-RESIDENTIAL USES

PLANNING BOARD
NEW LONDON, NH

DATE APPLICATION FILED: _____

APPLICATION FOR:

- Phase I: Concept Site Plan Review
- Phase II: Preliminary Site Plan Review
- Phase III: Final Site Plan Review

NAME OF APPLICANT: ROBERT L. STAULMAN

ADDRESS: PO Box 84 WILMOT NH 03287

DAYTIME PHONE NUMBER: _____ FAX: _____

NAME OF PROPERTY OWNER: S/A
(If other than applicant)

ADDRESS: _____

DAYTIME PHONE NUMBER: _____ FAX: _____

LOCATION OF PROPERTY: 74 PLEASANT ST (STAULMAN OFFICE)

TAX MAP/Lot: 84-79-00 ZONE DISTRICT: Comm.

DESCRIPTION OF USE(S) OF BUILDINGS & LAND: PROPOSED PARKING LOT?
ACCESS DRIVE FOR EXISTING OFFICE BUILDING

WATER SERVICE: New London/Springfield Water Precinct On-site Water Well
Other: _____

SEWER SERVICE: New London Wastewater On-site Septic System

ROAD(S) PROVIDING ACCESS: Town Road PLEASANT STREET
State Highway _____

The Zoning Administrator or Land Use Coordinator can assist applicants to identify whether the following natural resource areas will be affected and in which sub-watershed the property is located.

- SHORELAND OR SHORELAND BUFFER IMPACTED? Yes No
- WETLAND OR WETLAND BUFFER IMPACTED? Yes No
- STEEP SLOPE AREA IMPACTED? Yes No
- PROTECTED STREAM(S) OR STREAM BUFFER(S) IMPACTED? Yes No



LOCATED OVER AN AQUIFER?

Yes No

CURRENT USE:

Does the proposed Site Plan affect land held in Current Use?

Yes No

CONSERVATION EASEMENT:

Does the Site Plan affect land held in a Conservation Easement?

Yes No

SURFACE WATER B SUB-WATERSHED:

- Pleasant Lake - Blackwater River
- Little Lake Sunapee/Murray Pond
- Goose Hole Pond
- Otter Pond

- Lake Sunapee
- Lyon Brook/Kezar Lake
- Messer Pond/Clark Pond/Kezar Lake

CERTIFICATION BY APPLICANT

I certify that this Site Plan Review Application, including the supporting plan and documents, has been completed in accordance with the Site Plan Review Regulations of the Town of New London.

I certify that this Site Plan Review Application, including the supporting plan and documents, complies with the standards specified in the New London Site Plan Review Regulations, unless a specific waiver has been applied for and granted by the Planning Board.

I certify that I will continue to comply with the standards specified in the New London Site Plan Review Regulations on an on-going basis.

I understand and agree that if I propose to change the use or layout of the site from the approved site plan that I will contact the Planning Board, or its designee, to see if a new application for an amended Site Plan Review is required.

I agree to obtain all the subsequent Town permits needed for this Site Plan Review Application including the required Certificate of Occupancy Permit before the property can be used.

Further, I agree to comply with all required inspections during construction and to pay for all required inspection services.

In making this application, I agree to permit the members of the Planning Board and its agents to enter upon the subject property for the purpose of inspecting the property for the application.

DATE: 4/24/16

SIGNATURE OF PROPERTY OWNER

SIGNATURE OF AGENT FOR PROPERTY OWNER
(Need letter of authorization from property owner)

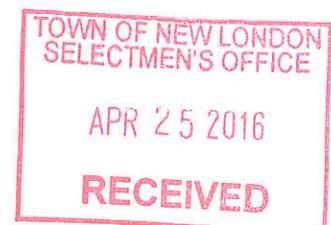
Clay Pl
CLAYTON PLATT FOR RPT. STAHLMAN.



APPENDIX G - MULTI-FAMILY RESIDENTIAL & NON-RESIDENTIAL USES
FINAL SITE PLAN REVIEW CHECKLIST of APPLICATION REQUIREMENTS

#	Application Requirement	Submitted	Not Applicable	Waived by PB
2.a	Application Form			
2.b	Letter of Authorization			
2.c	Abutters List			
2.d	Application Fee			
2.e	Waiver Requests in Writing			
2.f	Site Plan Maps - # as directed by Town Planner			
	1 Boundary survey & lot area			
	2 Site location map			
	3 Name(s) of owner(s) of record			
	4 Abutting landowners within 200 feet of the property line			
	5 North point, graphic scale, date of preparation & revisions			
	6 Zone District(s) lines of demarcation			
	7 Name, address & seal of person or firm preparing plans			
	8 Shape, size & location of existing & proposed structures			
	9 Existing structures – photos from all sides			
	10 Proposed structures - conceptual floor plans & elevations			
	11 Topography at 2' intervals & steep slope areas existing & proposed grades & drainage systems			
	12 Groundwater & surface water resources			
	13 Rock outcroppings & depth to ledge			
	14 Final plan for streets, driveways, parking spaces, & sidewalks			
	15 Final wastewater treatment plans			
	16 Final landscaping plan			
	17 Final plans for domestic water supply			
	18 Final fire protection plan			
	19 Existing & final proposed utility plan			
	20 Final outdoor lighting plan			
	21 Final sign plan			
	22 Final plan for managing surface water drainage			
	23 Final erosion & sediment control plan during & after construction			
	24 Final plan of the ROW & traveled surface of all fronting streets			
	25 Final snow storage plan			
	26 Final plan for solid waste disposal facility			
	27 Final plan for outdoor storage/display of materials/merchandise			
	28 Executive summary			
	a Hours & days of operation			
	b Estimate of normal business traffic			
	c Description of proposed use(s)			
	d Number of employees			
	e Any unusual demand for utility service			
	f Additional information to clarify proposal			
	30 Special impact studies required by PB			

NOTE #1: The numbering of this checklist corresponds with the numbering in the Site Plan Review Regulations for a Final Site Plan Review Application.



FOR REGISTRY USE ONLY

Tax Map 84 Lot 78
GAVIN CAMPBELL HOLDINGS LLC
PO Box 156
New London, NH 03257

Tax Map 84 Lot 77
JEANNE BERGER Trust
PO Box 380
New London, NH 03257

PLEASANT STREET

Tax Map 84 Lot 81
ROBERT STAHLMAN TRUST
0.74 ACRES

Tax Map 73 Lot 81
NH HOUSING AUTHORITY
C/O EMILE LEGERE MANAGEMENT CO.
PO Box 555
Keans, NH 03431

PROPOSED LEASE AREA FOR DRIVE
OVER TM 84-80 (CANARY SYSTEMS)
±1080 Sq.Ft.

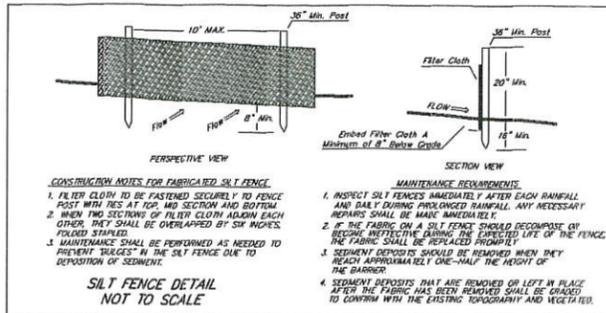
Tax Map 84 Lot 80
CANARY SYSTEMS Inc
PO Box 2155
New London, NH 03257
MCR 3313-1063, 2012

Notes and Bounds
At South Corner
① Granite Bound (set in wall)
N 46°26'35" E 8.86'
② 1" Iron Pipe (found)
N 44°18'29" E 9.84'
③ 1.5" IRON PIPE (found) At Lot Corner
N 44°56'23" W 149.81'
④ OR AT FACE WALL - PLEASANT ST

The Subdivision Regulations of the Town of New London are a part of this plat and approval of this plat is contingent on the completion of all requirements of said Subdivision Regulations excepting only any variances or modifications made in writing by the Board and attached hereto.

APPROVED BY THE NEW LONDON, N.H. PLANNING BOARD

Date _____



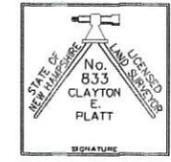
- KEY**
- x-x-x- Old Barbed Wire Fence
 - 1" Iron Rod (found) - or as noted
 - 3/4" Iron Rod (set - 2015) or as noted
 - Granite Bound (set - 2015)
 - ⊙ Iron Rod in Drillhole (set - 2015)
 - Edge Paved Road/ Drive
 - - - Proposed Paved Road and Parking Lot
 - - - Culvert
 - Utility Pole w/ Overhead Lines
 - - - Line To Be Vacated
 - - - Tree Line/ Edge Field
 - - - Edge Jurisdictional Wetlands
 - ⊙ Sewer Manhole
 - One Foot Contour Line
 - - - Proposed One Foot contour Line
 - - - Proposed Silt Fence (See Detail)



NOTES

- Deed references for property are:
A. TM 84 Lot 79 - MCRD Book 1460 Page 845, Roe and Barbara Hendrick to Robert and Ellen Stahlman, Nov. 22, 1983.
B. TM 84 Lot 79 (Parcel A) - MCRD 3487-552, Donald and Elaine Greaney to Robert Stahlman Trust, October 17, 2015.
- This plan is the result of a Nikon DTM 522 total station survey, August 10, 2015, having a closed traverse relative error of closure greater than 1:15,000.
- The purpose of this plan is to show the construction of a proposed drive and parking lot behind the Stahlman office building.
- This property is located in the following zoning districts:
A. TM 84-79 is located in the Commercial District, the required building setbacks are 10' from property lines and 30' from the edge of road right of ways (See Town meeting Vote, March 2016).
- As a condition of Planning Board Approval, it was noted that Parcel A shall remain in the Residential 1 zoning district subject to all setback and use provisions of said Ordinance for land located in the R-1 zone, until such time as zoning relief is granted for the property and/or changes are made to the relevant zoning district boundary (See Note 4).
- Easements of Record:
A. Unrecorded, signed easement on file at the New London Town Hall: Bob Stahlman to the Town of New London for a 'J' sidewalk over TM 84-79, near Pleasant Street, dated May 27, 1988.
- Proposed Lease Area:
A. Driveway lease along the northerly portion of TM 84-80 (as shown) to allow for the construction of a driveway to the rear parking area, for the benefit of TM 84-79.

NOTE- THE CERTIFICATION ON THIS PLAN EXTENDS TO THE BOUNDARY AND EXISTING CONDITIONS SHOWN HEREON. ALL PROPOSED DRIVEWAY, GRADING, AND DRAINAGE DESIGN IS BY ROBERT STAHLMAN, P.E.



**STAHLMAN OFFICE BUILDING
74 PLEASANT STREET
SITE PLAN FOR PROPOSED PARKING LOT**

TAX MAP 84 LOT 79 - PROPERTY OF THE
ROBERT L. STAHLMAN REVOCABLE TRUST
PO BOX 84 WILMOT NH 03287

LOCATED IN
NEW LONDON, N.H.



APRIL 23, 2016

PENNYROYAL HILL LAND SURVEYING & FORESTRY LLC
CLAYTON E. PLATT LIC. SURVEYOR NO. 833
418 Pine Hill Road Croydon, NH 03773 (603) 863-0981

**TOWN OF NEW LONDON
SELECTMEN'S OFFICE**
APR 25 2016
RECEIVED

REVISIONS

November 16, 2015

SUBJECT: Property easement from Canary Enterprises LLC, Alex Neuwirt, President and owner, at 5 Gould Road to Stahlman Office Building, Robert L. Stahlman, Trustee at 74 Pleasant St, New London of 750 SF to install a driveway between the two properties.

The driveway from the front parking lot of the Stahlman Office Building on Pleasant Street to a new lot behind the building will be installed at the end of the office building adjoining the Neuwirt property, the former Post Office. The 12' wide driveway will be 2' on the Stahlman property and 10' onto the Neuwirt property plus a 2' grassway on the Neuwirt property. This amounts to an easement of 750 SF.

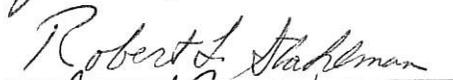
The property easement is granted by Alex Neuwirt to Robert L. Stahlman for a two year period with an option for Robert L. Stahlman to buy the property.



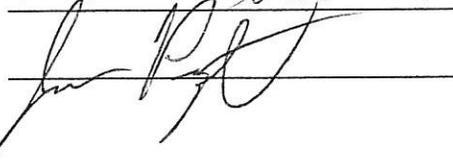
Alex Neuwirt, President, Canary Enterprises LLC



Witness

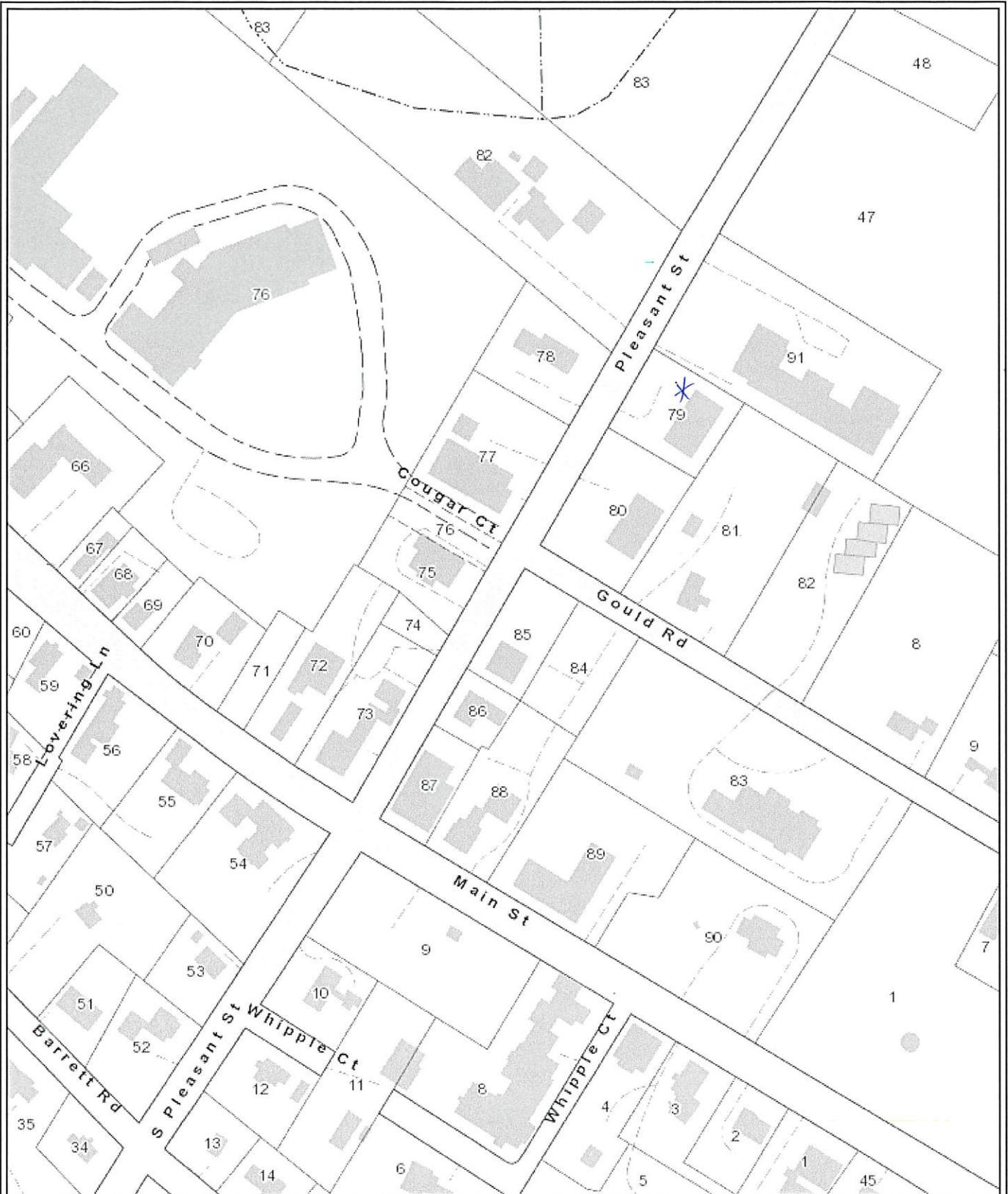


Robert L. Stahlman, Trustee



Witness

RECEIVED
NOV 17 2015



Stahlman TM 084-079 map does not show new subdivision line per MCRD plan 2015

2020

Tri Town, NH

1 Inch = 200 Feet



www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

CONSTRUCTION DETAIL

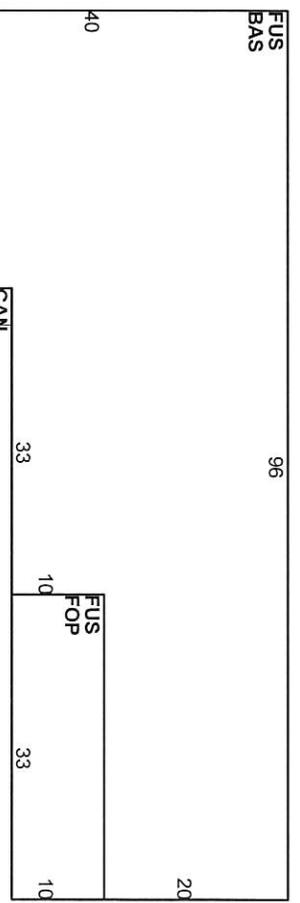
Element	Cd	Ch	Description	Element	Cd	Ch	Description
Style	18		Office Bldg				
Model	94		Commercial				
Grade	05		Average +25				
Stories	2						
Occupancy							
Exterior Wall 1	25		Vinyl Siding				
Exterior Wall 2							
Roof Structure	01		Flat				
Roof Cover	04		Tar & Gravel				
Interior Wall 1	05		Drywall/Sheet				
Interior Wall 2							
Interior Floor 1	14		Carpet				
Interior Floor 2							
Heating Fuel	02		Oil				
Heating Type	05		Hot Water				
AC Type	03		Central				
Bldg Use	3400		OFFICE BLD MDL-94				
Total Rooms	00						
Total Bedrms	00						
Total Baths	0						
Heat/AC	02		HEAT/AC SPLIT				
Frame Type	02		WOOD FRAME				
Baths/Plumbing	02		AVERAGE				
Ceiling/Wall	05		SUS-CEIL & WL				
Rooms/Ptms	02		AVERAGE				
Wall Height	9						
% Conn Wall	0						

OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)

Code	Description	Sub	Sub Descript	L/B Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Apr Value
PAVI	PAVING-ASPH			L	7,500	150	2003	0		50	5,600

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprc. Value
BAS	First Floor	2,814	2,814	2,814		319,614
CAN	Canopy	0	76	15		1,704
FOP	Open Porch	0	330	83		9,427
FUS	Upper Story, Finished	3,144	3,144	3,144		357,096
Ttl. Gross Liv/Lease Area:		5,958	6,364	6,056		687,840





TOWN OF
NEW LONDON, NEW HAMPSHIRE

375 MAIN STREET • NEW LONDON, NH 03257 • WWW.NL-NH.COM

NEW LONDON PLANNING BOARD
NOTICE OF DECISION (NOD)
Tuesday, November 17, 2015

Refer to the agenda and meeting minutes for additional details of the discussion.

Tree Cutting Applications

- ✓ **Nancy Dahm. Property located at 110 Murray Pond Road.** Tax Map 045-005-000. Approved to remove part of one tree subject to review by the Conservation Commission.
- ✓ **Robert Ruggles. Property located at 823 Bunker Road.** Tax Map 077-004-000. Approved as presented.
- ✓ **Raoul (formerly Carr). Property located at 29 Boulder Point Road.** Tax Map 115-002-000. Discussion continued to the December 1st meeting. Site visit scheduled for Monday, Nov 30, 2015 at 11:00 a.m.

Site Plan Applications

- ✓ **Site Plan for Mountain View Shopping Center/Crosspoint Associates. Located at 277 Newport Road.** Tax Map 059-008-000. Zoned Commercial. For the addition of two (2) additional parking lot islands. Approved as presented.
- ✓ **Site Plan for Robert Stahlman. Property located at 74 Pleasant Street.** Tax Map 084-079-000. A portion of the property is zoned Commercial and a portion is zoned Residential (R-1). The applicant proposes to extend the driveway located on the side of the office building with an easement over the Canary Systems property (Tax Map 084-080-000), and to create a paved parking area to the rear of the building (22 spaces), with access gained via the easement. Following the public hearing and discussion, the applicant withdrew his application for consideration at this time.

Site Plan Review Regulations Amendments

- ✓ The Board approved a new Appendix A, Section A, Off-Street Parking Regulations and decided to leave the Section F. Off Site parking (F) in place. The discussion on exempting the Institutional districts (existing structures) from site plan review was continued to the December 1st meeting, pending receipt of an opinion from Town Counsel.

Respectfully Submitted:

Lucy A. St. John, AICP
Planning and Zoning Administrator
Town of New London

Please be advised that any persons aggrieved by a decision of the Planning Board concerning a plat or subdivision may present to the Superior Court a petition. Such petition shall be presented within 30 days after the date upon which the board voted to approve or disapprove the application. Refer to RSA 677:15 Court Review, for the specific language and other details. It is the petitioner's responsibility to seek legal counsel as they deem appropriate. This notice is for general informational purposes and in no way shall convey any legal advice.

and will only need 17 spaces so parking is not an issue. Chair Helm said the Fire Chief has to approve and has to be a permitted use allowed in the commercial zone.

Brian Dumais. Discussion on “little free library”. Proposed location at the Sparrow School at 10 Lovering Lane. TM 084-059-000.

Staff received an email asking this be postponed until a later date. Discussion postponed.

Site Plan Applications and Public Hearings

- ✓ **Mountain View Shopping Center/Crosspoint Associates. Located at 277 Newport Road. Tax Map 059-008-000.** Zoned Commercial. For the addition of two (2) additional parking lot islands to create visual symmetry in conjunction with the already existing two (2) islands.

Board determined this is not a project of regional impact. Comments received from the Fire Department and Public Works are OK with the work that was done.

Jon Walluck, Property Manager stated that company had relied on contractor to get site-plan review. A diagram was submitted showing the location of the islands, which were already installed in front of Unleashed/Verizon. He noted that no parking spaces were involved. Waiver requested to the other Site Plan requirements. These islands replicate two existing islands in design and landscaping.

Public hearing opened. No comments received. Public hearing closed.

Motion to approve islands at Mountain View Shopping Center. IT WAS MOVED (Paul Gorman) AND SECONDED (Jeremy Bonin) to approve the motion. THE MOTION WAS APPROVED UNANIMOUSLY

- ✓ **Robert Stahlman. Property located at 74 Pleasant Street. Tax Map 084-079-000.** A portion of the property is zoned Commercial and a portion is zoned Residential (R-1). The applicant proposes to extend the driveway located on the side of the office building with an easement over the Canary Systems property (Tax Map 084-080-000), and to create a paved parking area to the rear of the building (22 spaces), with access gained via the easement. A Subdivision and Annexation plan was approved at the October 6th meeting, which increased the lot area. The Zoning Board of Adjustment (ZBA) received a variance application to consider a commercial parking lot in the residential district. The ZBA public hearing was held on September 29th and continued to November 10th. The variance was denied at the ZBA November 10th meeting. Wetlands delineated by John Sisson, Beaver Tracks, LLC; Boundary and Existing Conditions by Clayton Platt, Licensed Land Surveyor and driveways, grading and drainage design by Robert Stahlman, P.E.

Board determined this is not a project of regional impact. Comments received from the Fire Department today. Chief Lyon has no issues. Staff noted that Chief Lyon has conveyed that the clearing of the site has opened the site up and he now has better access. Comments received from Richard Lee, Public Works Director dated November 17th. Concerned about two way ingress/egress, snow storage, drainage and runoff.

Michelle Holton recused herself from discussion and vote as she had done at previous meeting.

Mr. Stahlman presented this application:

- ✓ He stated that the variance request was denied at the Nov 10th ZBA meeting.
- ✓ He is a licensed engineer in 17 states and he is comfortable with his ability to get his application approved.
- ✓ He purchased the rear portion (from the abutter) because he needs more parking for his building, and he has been unsuccessful in securing other off-site parking lease arrangements.

- ✓ He intends to submit a petitioned zoning amendment for the March Town Meeting. Said he is confident he will get the approval in March Town Meeting as he knows people in town who will help him.
- ✓ His purpose tonight is to get approval to extend the driveway to the rear, and is not seeking approval for the parking area in the rear (as the variance was denied).
- ✓ He submitted a proposed easement documents from Canary Enterprises LLC, Alex Neuwirt.
- ✓ Presented a modified plan showing the driveway from current commercial lot going through residential lot, reflecting proposed driveway on his approved easement. He has eliminated one parking space (directly next to proposed driveway entrance) for access to this proposed driveway, which will be 12 feet wide. Said he would just put up a stop sign on the site, so people driving on the driveway to the back, would know to go slow, and there is enough visibility.
- ✓ Said it is his right to install a driveway if that is his desire and he has already erected a fence and planted some trees to satisfy the neighbors.
- ✓ There is no need for a two-way driveway as cars come in the morning, park for the day and then will exit the proposed 12 foot driveway and he will permit cars to park on the driveway.
- ✓ Asked if he has permission to grade and level the proposed driveway area.
- ✓ Discussed why he couldn't widen the driveway, as there are trash receptacles which cannot be moved and a sewer tank which pumps out to the street and cannot be driven over. Explained that about seven (7) years ago he installed drains around the building to help with the drainage concerns.

Board comments:

- ✓ Why install a driveway (to a proposed parking lot) before getting approval for that parking lot and incur unnecessary expenses? What is the purpose of a driveway that leads to a residential property when he won't be able to use the residential lot for his business?
- ✓ Planning Board could only speak to the driveway as far as the commercial property goes on the easement and explained a commercial parking lot was not an approved use for a residential property.
- ✓ Planning Board does not have jurisdiction on a residential lot.
- ✓ The proposed driveway extension is only shown to be 12 foot wide, leading to a dead end, and it needs to accommodate two-way traffic since there is no other way out and that the driveway should be 22 feet wide. Asked for clarification on the distance from the building and suggested moving the driveway closer to the building to achieve the 22 foot width. Asked if there has been any other precedent set, in that the Planning Board permitted the approval of a one-way driveway. The proposal of the 12 foot width was questionable as the width would not be adequate for emergency vehicles.
- ✓ He can't eliminate the parking space required to access the driveway, as he is required to have 23 spaces and that the proposed gravel surface does not constitute a driveway.
- ✓ Stated that cars cannot park on the driveway as it will impede emergency traffic.
- ✓ Do not think that people in town will vote to enlarge the commercial zone.
- ✓ Suggested Mr. Stahlman wait until after Town Meeting before going through with this application because of all the other considerations such as snow removal, emergency vehicle access, potential cost for installing a driveway to a proposed parking area he can't use for a commercial lot, and he needs to address the width of the easement and other comments raised.
- ✓ Asked Mr. Stahlman if he wanted to continue at a later date or have his application voted on tonight.

Public Hearing Opened. Staff noted that comments were received from abutters for the ZBA meeting. No public comments received at the Planning Board meeting. Public Hearing Closed.

Mr. Stahlman asked if the application could be continued to after March 8, 2016 and acknowledged he was withdrawing his application.

Other Business

Signs - Update on NHMA webinar

- ✓ Paul Gorman, chair of the Sign Subcommittee, gave a brief update of the webinar.
- ✓ He noted that Janet Kidder, Bill Dietrich and Lucy St. John also participated in the webinar.
- ✓ He explained that the US Supreme Court case Reed v. Town of Gilbert has subjected local sign ordinance to exacting legal scrutiny. The court case focuses on the First Amendment (free speech), and requirement for “content neutral” signs.
- ✓ Bill Dietrich commented that most of signs in the country are probably not legal per this Supreme Court decision.
- ✓ Janet Kidder pointed out that the Selectmen cannot go onto private property and remove a sign although people in town think this to be the case once the permitted signage days have expired. Ms. Kidder emphasized that all governmental bodies are exempt from local regulations and that is why the liquor store is permitted to have an interior lighted sign that says “Liquor Store.”
- ✓ The Board discussed that revisions to the Sign Ordinance will be needed, and the enforcement of the current sign provisions may be difficult to enforce as a result of this case.

CIP- discussion of the public hearing comments

- ✓ Chair Helm noted that the public hearing was conducted this evening. No comments were received.
- ✓ The final version will be given to the Board of Selectmen (BOS) and Budget Committee. Bill Helm noted that he will attend BOS meeting on November 30, 2015 and Budget Committee meeting on December 2, 2015.
- ✓ Chair Helm asked for others to attend to impress upon the Selectmen and the Budget Committee the importance of acquiring the school site (1941 Building).
- ✓ Janet Kidder questioned if the Town was willing to acquire the building with all its attendant problems. Ms. Kidder suggested a warrant article should simply articulate that the Town would retain control of the site and decide later what will be done with it. Janet Kidder suggested that a design charrette might be an idea to solicit input on the site.
- ✓ Ms. St. John referred to the recent letter to Norm Bernaiche (Assessing Department) from CAI Technologies (letter dated Nov 2nd) regarding the tax map correction project and revised cost. She emphasized the need for this project, and projected cost increase, noting the importance of this project.
- ✓ Janet Kidder asked that a strong case be given for an enforcement officer, which is included in the proposed budget.

Site Plan Review Amendments – discussion of the public hearing comments

- ✓ The Board conducted the public hearing earlier in this meeting. Numerous comments and concerns were raised.
- ✓ Concerning Table A there were no questions and it was accepted.
- ✓ Section F on parking: Chair Helm said it was helpful to have the existing KCOA agreement to look back on and perhaps leave the wording as is with addition of language that agreement must be recorded. Board decided to leave Section F in the text.
- ✓ Ms. St. John noted that parking provisions are typically included in the Site Plan Regulations, not the Zoning Ordinance to allow the Planning Board some flexibility when reviewing each site.



TOWN OF
NEW LONDON, NEW HAMPSHIRE

375 MAIN STREET • NEW LONDON, NH 03257 • WWW.NL-NH.COM

NEW LONDON PLANNING BOARD
NOTICE OF DECISION (NOD)
Tuesday, October 6, 2015

Refer to the agenda and meeting minutes for additional details of the discussion.

Lot Merger Application

- ✓ Rae Ann Gremel Revocable Trust. Rae Ann Gremel, Trustee. Property located at 1539 and 1540 Little Sunapee Road. Tax Map 030-025-000 and 030-006-000. Approved.

Subdivision and Annexation Plan

- ✓ Greaney and Stahlman. Property located at 21 Gould Road (Tax Map 084-081-000) and 74 Pleasant Street (Tax Map 084-079). The Greaney property is zoned residential (R-1) and the Stahlman property is zoned commercial (C). Annexation and subdivision plan approved with the conditions that the bounds be set and the date set indicated on the plan, and the use of the residential portion of the lot for any commercial purpose requires a variance from the Zoning Board of Adjustment (ZBA).

Other Plans

- ✓ Gary Anderson and Cornelia Boyle. Property located at 750 Little Sunapee Road. Tax Map 021-001-000. Planning Board approval granted September 23, 2014. Approved subject to the same conditions of Sept 23, 2104 with the approval dated extended to May 1, 2016 and the owner is referred to the Zoning Board of Adjustment for the fence.
- ✓ Change of Occupancy for 428 Main Street. Tax Map 085-042-000. Zoned Commercial. Property owned by CNJJ Investments, Christopher Broom. Applicant, Ethan Anderson. Proposed use as a retail vaporizer store selling components and liquid with a small lounge area. The Planning Board determined that full Site Plan Review was not needed as the conditions of the amended Site Plan process apply.
- ✓ Pike Brook Road Relocation. Pike Brook Road is a private road. Service Street Review for the proposed section to be relocated (Tax Map 135-008/009 and 010). Discussion of possible relocation and if Planning Board approval is required for the relocation. The Planning Board 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.

Respectfully Submitted:

Lucy A. St. John, AICP
Planning and Zoning Administrator
Town of New London

Please be advised that any persons aggrieved by a decision of the Planning Board concerning a plat or subdivision may present to the Superior Court a petition. Such petition shall be presented within 30 days after the date upon which the board voted to approve or disapprove the application. Refer to RSA 677:15 Court Review, for the specific language and other details. It is the petitioner's responsibility to seek legal counsel as they deem appropriate. This notice is for general informational purposes and in no way shall convey any legal advice.

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

Mr. Stahlman submitted a letter dated Oct 6, 2015 regarding these letters. This letter is part of the record.

Public Hearing Closed.

Mr. Stahlman commented:

- ✓ He will retain a lawyer to present his case to the ZBA on Nov 10th.
- ✓ He never thought the business would grow and need more parking. His business has grown and he needs the parking.
- ✓ He has no choice but to purchase the property and go through the procedure to create more parking annexation and a variance.
- ✓ If he did not get approval from the ZBA and Planning Board he would appeal for a change of zoning at the Town Meeting with a warrant.

Staff and Board comments:

- ✓ Lucy St. John asked for some clarification as to the bounds shown on the plan.
- ✓ Chair Helm asked how Mr. Stahlman was going to access his property and he explained that he has an easement with Canary. Traffic would not come from Gould Road. Chair Helm stated there may be concerns about the width of driveway that would not allow for two-way traffic and the access of fire equipment. There is a possibility that people who park in the back of the building may be a problem. Mr. Stahlman stated that he has the space available to make two-way if needed.
- ✓ Marianne McEnrue asked for clarification on the proposed traffic flow on the site, as she was worried about safety and people coming and going at the same time.
- ✓ Chair Helm stated that approval as subdivision does not guarantee that he will be able to use this property as he wishes.
- ✓ Chair Helm and staff reiterated the zoning amendment process and noted that the last day to accept petitions to amend the Zoning Ordinance is Dec 9th.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Bill Dietrich) to approve the annexation and subdivision plan with the conditions that the bounds be set and the date set indicated on the plan, and the use of the residential portion of the lot for any commercial purpose requires a variance from the Zoning Board of Adjustment (ZBA). THE MOTION WAS APPROVED UNANIMOUSLY.

Other Business

CIP discussion. CIP discussion on prioritization of projects per the CIP Subcommittee memo to the Planning Board dated September 1, 2015 and the recommendations included in the CIP documents approved by the Planning Board November 18, 2014. Most recently discussed at the September 1st meeting.

Chair Helm provided a brief overview of the process and the various meetings that occurred since March 2015. He referred to the CIP Subcommittee recommendations to the Planning