



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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TO: New London Planning Board
FROM: Lucy A. St. John, AICP- Planning & Zoning Administrator
FOR: January 24, 2017 Planning Board Meeting
RE: High Pines Subdivision Plan –217 Owls Nest Road
Tax Map 135-001-000 (old # 135-011-000) – to create one new lot

Property Statistics:

Owners: Stevens (Samuel, William and Amelia)
Past Owners: Robert Stevens, High Pines Qualified Personal Residence Trust, Porter, Muller- refer to deeds for additional details.
Plan Prepared By: Clayton Platt, NH Surveyor; Mark Moser, P.E of Moser Engineering; and Jon Sisson, NH Certified Soils Scientist
Location: 217 Owls Nest Road (private road)
Total Site Area: 6.7 acres +/-
Existing Zoning: Residential (R2), Shoreland Overlay and Floodplain Overlay Districts
Required Setbacks: 25 (front), 15 (rear), 20 (minimum side, aggregate 50 for both sides) and 25 (corner from each ROW)
Required Frontage: 200 feet (lake), 150 feet (road)
Required Lot Size: 2 acres
Watershed: Sugar River Watershed
Surrounding Uses: Residential
Adjacent Zoning: Residential
Water: Well proposed
Septic/Sewer: On-site septic proposed

Purpose: To subdivide parcel 135-001 to create one new lot and upgrade a section of Owls Nest Road.

History: Public hearing continued from the Dec 13, 2016 meeting. Tree cutting application discussed at the July and August 2013 meeting. Planning Board Site Walk conducted in May 2015. Discussed at various meetings in 2015- March, May, June, and September. State Subdivision Approval granted.

Reviewer Comments:

- Fire Department, Jay Lyon email of Jan 4, 2017. As previously discussed, the Fire Department's concerns are water supply and apparatus access. The 30,000 gallon cistern is sufficient and the proposed subdivision is closer than 1,500 feet away. My only other recommendation was to make the hammerhead, where the apparatus would turn around or conduct water supply operations, wide and long enough to back our ladder into. Those are my only comments. Email of Jan 18th no further comments, ok.
- Police Dept., Ed Andersen email of Jan 10, 2017. I have no issues.

- Public Works, Richard Lee. Comments forthcoming.
- Health Officer, Deb Langner email of Jan 19, 2017. My only comment is about the current house and septic system. Does the subdivision approval need to have any language requiring this system to be removed/filled in and/or disposed of in proper fashion?
- Water Precinct, Robert Thorp. No comments received.

Topics for discussion

1. Abutters comments
2. Definitions: Shore frontage, definition # 138 (page 32 of the Zoning Ordinance)- The actual shoreline footage measured at the Normal High Water line. Other definitions: # 64 Frontage (page 25), # 86, Lot Measurement (page 27), # 106 Normal High Water (page 29), and # 128 Reference Line (page 31), # 165 Water Surface Elevation; and # 168 Waterfront Buffer.
3. High Intensity Soils (HIS) mapping – refer to the Subdivision Regulations. See noted on plan – Soil Map was produced according to the Guidelines provided in “Site Specific Soil Mapping Standards for New Hampshire and Vermont” Version 3.0 December 2006. SSSNNE Special Publication No. 3. SSSNNE- Society of Soil Scientist of Northern New England.
4. House straddles new property line, house and septic to be removed.
5. Minutes of the Dec 13, 2016 meeting, including comments from abutters and Board.
6. Per note on plan, no wetlands. Plan stamped by NH Certified Soil Scientist, Jon Sisson.
7. Completion of the road improvements.

Zoning Ordinance (ZO), Subdivision Regulations, Other

- ZO, Article V, Residential District, pages 37-38
- ZO, Article XV, Floodplain Overlay District, pages 58-61
- ZO, Article XVI, Shoreland Overlay District, pages 61-70
- Driveways Regulations, Town of New London as of Jan 30, 2007
- Subdivision Regulations, Town of New London, July 28, 2009

Staff Recommendations and Findings:

The Planning Board should:

1. Continue the Public Hearing per the Dec 13, 2016 meeting.
2. Make a motion to approve, disapprove, continue or table the application and state the reasons and any conditions in the motion. Suggested motion to include:
 - ✓ a note on the plan that the structure (house and deck) which straddles the new property line must be removed prior to a building permit being issued or by a date certain;
 - ✓ address comments of the Health Officer regarding the septic system;
 - ✓ any comments from Public Works Director;
 - ✓ conditions for completion of the road improvements;
 - ✓ and any others conditions discussed at the meeting.

Stevens (High Pines)
Owls Nest Rd

- Livestock requirement: The Planning Board must refer to the provisions of Article II, noting that no free ranged pigs are allowed.
 - Pedestrian path: Ausbon Sargent has a conservation easement on the property and the conditions of that conservation easement are between the owner and Ausbon Sargent. As some Ausbon Sargent easement allow and promote public access for walking and other recreational use, such as nature path, bird watching, etc. The Sliters state this is a natural path that has been created by wildlife. The proposal to remove dead trees is for safety reasons. Suggestion to limit the owner from putting signage about the trail on the property within 25 feet of property lines as the Board cannot require 25 foot setback. Concern expressed about imposing conditions which are outside the requirement of the Zoning Ordinance. The comments about not allowing a pedestrian path within 25 feet, incorrectly cited by the abutter. Article XI, Institutional/Recreation District, page 47 includes specific provisions, but this does not apply to this property.
 - Water and pond concerns: Ponds are allowed and are common in agricultural areas. Typically when a pond is dug, it fills with groundwater and rain.
 - Zoning Ordinance provisions: Town residents voted to adopt the Zoning Ordinance and subsequent amendments. There is a process, and people are encouraged to participate.
- ✓ **MOTION TO APPROVE with conditions the Sliter Site Plan for a commercial farm and horticulture business.** It was **MOVED** (Liz Meller) and **SECONDED** (Tim Paradis) to approve the application with the following 4 conditions:
1. Livestock quantities shall comply with Article II, General Provisions – Minimum pasture, enclosure & shelter requirements for livestock.
 2. The wildlife corridor educational pedestrian paths shown on the plan shall not be located closer than 25 feet from the property line and no signage directing people to the path or any signs uses on the path (naming plants) shall be placed within 25 feet of the property line.
 3. All farming activities to be in compliance with Best Management Practices (BMPs).
 4. Receipt of required town driveway permit.

The motion was **APPROVED UNANIMOUSLY.**

* **Stevens (Samuel, Amelia and William) Subdivision.** Located at 217 Owls Nest Road (private road). Tax Map 135-001-000. Zoned Residential (R-2) and in the Shoreland Overlay District. Plan prepared by Clayton Platt, surveyor.

Clayton Platt, surveyor presentation:

Provided an overview of the subdivision plan to create one additional lot. He noted that Mark Moser is the engineer for the project and the sections of the road will be upgraded, per discussion with Jay Lyon, Fire Chief and Richard Lee, Public Works Director. The road to be upgraded 12 to 14 feet (18 feet with ditch work.) Maximum grade to be 9.9% with the total number of houses serviced by the subdivision will be six (6) at 3.3 acres per home. Mr. Lee has recommended putting a 2nd culvert in and fabric under the base layer of the road. Under drains will be installed if it is found to be needed during construction. Chief Lyon wants the road to be wide

enough for fire apparatus. All access to property is on Owl's Nest Road. Turn around to be created on the current Stevens property. There is one house sitting on the property line, which is to be removed. Plan stamped by Jon Sisson, wetland scientist (soils data). There are no wetlands, the soil is sandy and well drained. Currently in the process of getting State Subdivision approval (lots less than five acres).

Public hearing opened:

- ✓ Barbara Kreisler referred to the shape of proposed Lot 1-1, noting there is a section of the property which narrows down, and she is concerned if it complies with the Ordinance. She also asked about the lake frontage, and is concerned they may not have the required shore frontage.

Board Comments:

- Bridge on Owls Nest/ Pike Brook and is this part of the plan.
- Reviewed the definition of Shore Frontage, definition # 138 of the Ordinance.
- Plan for the roadway improvements to be presented for the next meeting.
- Discussed the irregular shaped proposed Lot 1-1, noting there are other lots in town with irregular shape.

Clayton Platt explained that bridge is not part of this project. He affirmed that the lots meet the required 200 feet of frontage required and asked for a conditional approval, pending the road improvements plan.

Staff recommended that the plan be continued to the next meeting, so the revised roadway improvement details are presented.

Public Hearing continued to the January 24, 2017 meeting and a revised plan to be submitted showing the roadway and other improvements as discussed with the Towns Departments.

SJAP, LLC Subdivision. Located at 11 Dixie Lane. Tax Map 084-029-000. Zoned Residential (R-1 and R-2, split zone). Plan prepared by Clayton Platt, Surveyor. Wetlands delineated by Jon Sisson. ZBA granted variance October 6, 2016.

Clayton Platt, surveyor presentation:

Clayton Platt provided an overview of the plan noting the ZBA granted a variance with conditions in October 2016 as the property is located in a split zone. A revised wetland map per the ZBA variance requirement was submitted. Wetlands not contiguous to Lyon Brook as it is separated by the highway department garage and culverts. Property is within town sewer and water district, and per the note on the plan both lots will tied (connected) to the sewer and thusly State Subdivision approval is not required. Both Richard Lee, Public Works Director and Jay Lyon, Fire Chief do not have any issues, per emails of Dec 13, 2016.