



TOWN OF NEW LONDON, NEW HAMPSHIRE

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New London Planning Board MEETING MINUTES Tuesday, January 10, 2023 Whipple Town Hall, 6:30 PM

MEMBERS PRESENT: Tim Paradis (Chair) Paul Gorman, Paul Vance, Jeremy Bonin, David Royle, Joe Kubit, Marianne McEnrue, Emily Campbell

MEMBERS ABSENT: Katie Vedova, Janet Kidder (Selectmen's Representative)

OTHERS PRESENT: Town Planner, Adam Ricker, Amy Kaplan, Mark Fougere, Peter Nichols, Winfried Feneberg, Bill Helm, Ann Bedard, Steve Theroux, Jamie Hess, Lisa Hess, Randy Foose, Maggie Ford, John Doyle, Michael Todd, Pam Perkins, Tom Manion, John McKenna, John Ellis, Michael Quinn, Mike Morgan, Marilyn Kidder, Frank Anzalone, Russ Moore, Katharine Fischer, Peter Stanley, Erin Lambert, Andrew Winter, Steve Root, Bob Bowers, Nancy Marachio, Laurie Schive, Ken Viscarello, Matt Giffen, Sue Andrews

1. **Call to Order** – Chair Paradis called the meeting to order at 6:30pm.
2. **Review of minutes: October 27, 2022, November 15, 2022, December 1, 2022 and December 8, 2022**

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Paul Gorman) to accept the minutes of the October 27, 2022 and November 15, 2022 meetings. THE MINUTES WERE APPROVED UNANIMOUSLY.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Joe Kubit) to accept the minutes of the December 1, 2022 and December 8, 2022 meetings. THE MINUTES WERE APPROVED. Paul Vance abstained from the vote.

3. **Public Comment – None**
4. **Continued PUBLIC HEARING Preliminary Site Plan Review – Applicant: Twin Pines Housing Trust, Owners, James, George & Doreen Cricenti– Located at 268 County Road and County Road, Tax Map 072-017-0-0-0, +/- 1.58 acres, zoned Commercial and Tax Map 072- 015-0-0-0, +/- 40.10 acres, Zoned Commercial (Comm) and Residential (R-2).** The applicant is applying for preliminary site plan review for a multi-family residential project. The proposed development includes four buildings of 15 units for a total of 60 units. The existing barn is proposed to be utilized as a community room, office space and mailroom. The proposal includes associated site improvements for parking, landscaping, lighting, and stormwater management.

Andrew Winter attended the meeting and introduced members of the team that will be presenting tonight, Ken Viscarello, Erin Lambert and Matt Giffen. The last time they presented their proposal there were some challenges in the market place and they shared a concept that had a cul de sac in the center of the site. They have done a lot of work refining that and will present this revised plan tonight.

Matt Giffen of Banwell Architects shared photos of the proposed site that includes four new buildings as well as three existing structures. In order to locate the driveway to this property in an ideal location that is directly across from the hospital, they will need to remove the existing farmhouse. The plan is to leave the garage and the barn as is. Each of the new buildings are two levels and approximately 15,000 square feet. The project has a total of 60 units (40 one-bedroom units and 20 two-bedroom units). The cul-de-sac plan allows for easy firetruck and school bus access. There is also a plan to have a playground. Mr. Giffen provided an overview of the building layout including a mail box area, storage room, laundry room and mechanical space in each.

Civil engineer Erin Lambert explained the changes made to the plan since the last presentation in October. She stated there was a big open area in the center of the property but they have done work to consolidate the site. This helps reduce the impervious cover and reduce the cost of site work. They have also reduced the parking but it is still within the amount they are requesting a waiver for. Because many of the units are one bedroom, they are envisioning not needing two cars per unit. The waiver is for 1.5 parking spaces per unit which would mean for 60 units that would be 90 parking spaces. They would also like to reduce parking space and aisle dimensions. The plan they are proposing has 94 spaces. Ms. Lambert discussed the stormwater management plan and stated there will be very little curbing on the site, so the stormwater is able to run off. All the buildings have a pitched roof and there will be a stone drip edge around the perimeter of each building. This design allows for 100% of the water to be collected in the drip edge and infiltrated. The site will be fully serviced by underground utilities, and they are still working through some of the logistics for this.

Ms. Lambert shared the landscaping plan which includes planting 10 new trees as well as other plantings around each building. A more detailed plan will be a part of the final site plan. There is no plan to remove any of the vegetative buffer that currently exists. They've also been working on the lighting plan which will include bollard lighting along the sidewalks and pole lights along the driveway and islands in the parking lot. This will provide enough lighting for safety but won't disturb neighbors.

Ms. Lambert discussed the cul de sac and stated it currently works for fire trucks, school busses and garbage trucks. They are trying to determine what the minimum turn range would be in an effort to reduce the size of the cul de sac to a minimum that is acceptable. This would save on site work and impervious area.

Ms. Lambert shared the results of the traffic study analysis. The analysis concluded that this project would yield 460 daily trips. It is important to look at the peak AM and peak PM trips and those are estimated to be 24 morning trips and 31 evening trips. Based on the analysis it is not expected to impact the condition or capacity of the affected road. The study also factors in the New London Place project and discusses the combined impact of both projects and this does not change their assessment.

Adam Ricker shared that the Police, Fire and Public Works department heads don't have any new specific concerns and are supportive of the direction that the project is headed. There may need to be another meeting to review plans before the final review including a review with the New London Springfield water precinct.

David Royle stated as a member of the Emergency Management Committee, he would strongly recommend having generators for each of the four buildings. Adam Ricker shared he believes there may be grants available to help facilitate this and Mr. Winter stated this is being looked into.

Adam Ricker asked about the pedestrian connection that leads to the back of the Hannaford Plaza. Has there had been any coordination with the property owner about sidewalks. Andrew Winter stated in an effort to reduce the impervious surface while maintaining the pedestrian access, they originally looked at putting sidewalks in on both sides and adding a clearer pedestrian access along the front of County Road. In trying to reduce it, they questioned whether all three were needed and decided on a middle location. In further conversations, there are concerns around having it in the middle so the plan will be tweaked further, and the final solution will be submitted with the final review.

The Planning Board was asked what third party reviews they would expect prior to final site plan. Typically for a project like this they would ask for water, sewer, and traffic reviews. Paul Gorman feels it's important to get a water and sewer analysis done. Jeremy Bonin agreed and stated a third party review of traffic is also warranted.

Russ Moore, a member of the bike/walk coalition commended the group on the project as it provides access to downtown and provides residents that have more diverse incomes to enjoy our beautiful town. With regards to sidewalks, it is his understanding that there is a commitment from Continuum to do a sidewalk from their entrance on Parkside Drive to the corner of county Road. There is also a commitment from this project to do a segment of sidewalk. He feels it would be ideal to have a continuous sidewalk from Parkside Drive, up County Road to the rotary and shopping center. At this time there are small segments that would not be completed based on these two developments. He would encourage the town and developers to think this through carefully regarding pedestrian access and safety. This is the stage to be considering it. Mr. Winter stated there is some federal funding that is currently available to the State of New Hampshire so that may be an option to utilize for a sidewalk project.

Jamie Hess stated that the site of Long Meadow Commons is designated as prime agricultural soil and until recently it was used by Spring Ledge Farm to grow sweet corn. The New London master plan approved in 2021 states that preserving and conserving agricultural land and soil is important to the town's resiliency. New London is fortunate to have significant holdings of land with soils that have important value for agricultural use. There is a strong desire for our town to take steps to preserve these lands for agricultural uses. He doesn't want to see a win for workforce housing become a loss for agriculture or vice versa but would like to come up with a scenario that is a win for both. Perhaps the plan could be that 6 or 7 acres are used for workforce housing and preserve the other 3-4 acres for agriculture. Once agricultural land is gone, it is gone forever.

Peter Nichols, Chair of the Housing Commission clarified that this is not a project proposed by the Housing Commission. This project provides badly needed affordable housing that in large part meets the definition of workforce housing but seeks to conform with New London zoning requirements as of right and not under the current workforce housing bylaws for which amendments are proposed for discussion later tonight. On a personal level, he endorses this project wholeheartedly.

Michael Todd stated it was his understanding that the purchase of this land included the preservation of Mr. Cricenti's home. He has now heard the present plan is to raze the house. Mr. Winter responded that the house was built in 1790 but has been significantly altered over the years and was not deemed historic. Mr. Todd asked if they've considered moving it out of the way. Mr. Winter stated if someone was interested and there is a way to move it and preserve it, they would work with whoever is interested in doing that. Mr. Todd explained to the Board that over the past several years they have lost certain iconic buildings in town. He urged the Board to try to work with developers to try to save some of this historic architecture before it's gone.

Joe Kubit asked if electric vehicle charging stations were planned as part of this project. Mr. Winter responded yes; they are installing conduit so this can be possible. If there are grants or other funds available, they will pursue that.

Emerson Colby, a retired veterinarian and citizen of New London attended the meeting. He stated he is not against workforce housing, but the Board has a lot to consider regarding this project. There are choices to make relevant to additional housing in this town and how it is done will determine the future in town. He has not seen or heard anything about Mary Hitchcock Memorial Hospital. They make use of New London Hospital and Mr. Colby is not sure we have asked them what their plans are for New London Hospital. He also noted there was a comment in the *Intertown Record* about the sewer program in Sunapee. Some of our sewerage goes to Sunapee and we need to know if they are ready to receive more as a result of the 60 proposed units. No one has talked about the Police Department or Fire Department as these will be affected as well. What is the long-term effect going to be on the tax base of New London? Can the post office handle having more people and what will the traffic be like? He urged the board to look ahead to see what they are doing for the town of New London for the next 25 to 100 years. Adam Ricker responded the third-party review would look at water and sewer capacity.

Tom Manion, CEO of New London Hospital responded that they are a critical access hospital which means they cannot exceed 25 bed capacity and have no plans to grow beyond that. The biggest issue they have is recruiting primary care providers due to not having medical assistants. This facility will help attract front line workers and should help with that.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Paul Gorman) to accept the preliminary application and invite them to file a final application for site plan review when they are ready. THE MOTION WAS APPROVED UNANIMOUSLY.

ZONING AMENDMENT PUBLIC HEARING

a. Article II General Provisions, Section 10. Sign Regulations, d. Sign Permit Process
The above amendment seeks to clarify that the article includes all Institutional Districts.

This is an amendment to the sign ordinance. The board was approached by the New London Barn playhouse about a year ago following their construction with a request to consider their signage. As the sign ordinance is written, there are special considerations for the institutional districts that we have including the college, the college recreational, the hospital and theater district. Unfortunately, when the theater district was drafted, this part of the ordinance did not include them. The proposal is to eliminate the specific district references and to simply state institutional districts to be inclusive of all of them.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Joe Kubit) to forward this amendment to town meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

b. Article VII Commercial District, A Uses Permitted, 7 & Article XXI Board of Adjustment, G. Special Exceptions, 4. Special Exception Uses, c. The above amendments seek to allow electric vehicle charging facilities by Special Exception in the Commercial District.

Adam Ricker reported that this was brought before town counsel as there was no allowance for this. The advice received was to consider adding the use permitted by special exception.

Selectman Helm asked why this state's three pedestals or more as opposed to two at a filling station? After discussion, this will be revised to one or more charging pedestals for use by the general public for a fee. Michael Todd also recommended some changes to definitions and stated Electric Vehicle Charging Station Facilities should be listed under uses permitted.

Definitions added to this section include:

Electric Vehicle Charging Station Facility: Charging centers comprised of one or more charging pedestals for use by the general public for a fee.

Electric Vehicle Charging Station: The pedestal that accommodates the electrical charging infrastructure.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Paul Vance) to forward to the next meeting on January 24, 2023. THE MOTION WAS APPROVED UNANIMOUSLY.

c. Article XIII Wetlands Conservation Overlay District, L. Cutting and Removal of Natural Vegetation in Wetland Buffer, a. & Article XVI Shoreland Overlay District,

- a. A cutting or clearing plan shall be approved by the Planning Board for any cutting of Trees or removal of natural vegetation within the Wetland buffer except as provided in subparagraph b. below. The intent is to retain a well distributed mix of trees, Shrubs and groundcover in the Wetland buffer. The Planning Board shall request the Conservation Commission to review the plan and make recommendations.

Invasive/Exotic Species may be cut or removed within the wetland buffer.

All area disturbed by removal of Invasive/Exotic Species by means of digging or pulling, shall be completely restored and replanted with Natural Ground Cover as approved by the Planning Board.

The use of herbicides of any kind for removal, can be applied to ground, turf, or established vegetation, only by horticultural professionals who have a pesticide application license issued by the Department of Agriculture, Markets & Food or as allowed under special permit issued by the Division of Pesticide Control under rules adopted by the Pesticide Control Board under RSA 541- A.

F. Waterfront Buffer, 2 b.

The above amendments seek to allow for the removal of invasive and exotic species within the wetland & waterfront buffers of the Wetlands Conservation Overlay District and Shore Land Overlay District.

1. The Waterfront Buffer shall be the protected Shore Land within 50 feet of the Reference Line. The purpose of this buffer shall be to protect the quality of public waters while allowing the property owner discretion with regard to water access, safety, viewscape maintenance, and Lot design.

2. Within the Waterfront Buffer all of the following prohibitions and limitations shall apply:

a. No chemicals, including pesticides of any kind or fertilizers, except limestone, shall be applied.

b. Rocks and stumps and their root systems shall be left intact in the ground, unless the vegetation, stumps or root system are determined by a certified arborist to be diseased, in which case the diseased materials shall be removed, including digging the stump out of the ground.

No Natural Ground Cover shall be removed except as necessary to accomplish uses permitted in Section C above or to plant native trees, Saplings or Shrubs. Pruning of Shrubs and ground cover down to a Height of 3 feet is permitted.

Invasive/Exotic Species may be cut or removed within the Waterfront Buffer in compliance with the Department of Agriculture, Market & Food Standards

All area disturbed by removal of Invasive/Exotic Species by means of digging or pulling, shall be completely restored and replanted with natural ground cover as approved by the Planning Board.

The use of herbicides of any kind for removal, can be applied to ground, turf, or established vegetation, only by horticultural professionals who have a pesticide application license issued by the Department of Agriculture, Markets & Food or as allowed under special permit issued by the Division of Pesticide Control under rules adopted by the Pesticide Control Board under RSA 541- A

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Paul Vance) to forward to the next meeting on January 24, 2023. THE MOTION WAS APPROVED UNANIMOUSLY.

d. Article XXVI Workforce Housing Overlay District

The above amendment seeks to revise the Workforce Housing Overlay District, Article XXVI. The changes include the addition of density bonuses, modifications to the permitted types of residential uses and where they are allowed by Zone District. Additionally, the proposal seeks to clarify administrative procedures.

Adam Ricker shared that the Housing Commission hired consultant, Mark Fougere to help the Planning board look at zoning and identify areas that may need to be modified. The majority of proposed changes relate to permitted uses and density.

Michael Todd stated he reviewed the table and looked at proposed additional residential uses in certain zones. The fundamental premise of zoning is a separation in use of land for specific uses. In our zoning ordinance we have identified different zones and have recently add another. If you allow residential use in the hospital and college zone, you are defeating the fundamental premise of zoning. He doesn't have an issue with multifamily townhouses in urban R1, R2, ARR or commercial zones. He does have a problem with inclusion of residential use in the hospital, college, and theater institution districts. Adam Ricker stated it is important to realize that it isn't all residential that would be allowed, it is only residential under the workforce overlay that would be allowed. This is in response to those institutions having a desire to have some flexibility to potentially house their workers.

More information regarding workforce housing overlay ordinance amendments can be found on the town website.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Paul Vance) to forward to the next meeting on January 24, 2023. THE MOTION WAS APPROVED UNANIMOUSLY.

Proposed Amendment by Petition

a. Article V – Residential Districts, Section A Permitted Uses.

The proposed amendment seeks to legalize the many trails and conservation areas that have existed, in part or whole, on privately owned, residential properties for many years. Many of these properties are undeveloped tracts of forest and fields. Because the New London Zoning Ordinance is constructed as a permissive Zoning Ordinance, if a Use is not specifically identified as a permitted Use or a Use permitted by Special Exception in a Zone District, then the Use is not permitted in that Zone District.

Sue Andrews, a resident of New London shared that an amendment to this ordinance would allow conservation areas and nature and hiking trails in the residential district and right now they are not a permitted use. The master plan refers to the importance of trails in the community. New London has a great trail system and some are on town owned land in residential districts but the town doesn't have to comply with the regulations. There are a number of trails on privately owned land as well. It would be a benefit to the town to amend the ordinance.

For a petitioned zoning amendment, the role of the Planning Board is to identify whether or not they support the amendment and that goes on the ballot.

Marianne McEnrue asked what the role of the property owner is in this amendment. Do they have any rights that are superseded by this? Ms. Andrews responded, yes, they can choose if they want a trail or not but right now, the property owner isn't allowed to if their property is in the residential zone. Adam Ricker clarified that these trails are intended for the use of the general public and don't address right of way access. It would be up to the property owner to determine who they are allowing access to and to define that with whoever they are granting that right to. Paul Vance stated we need to be careful that we aren't extending the right beyond the property owner. Sue Andrews responded she doesn't think this is extending it beyond the right of the property owner. The property owner can't do what they want with their property.

Peter Stanley shared that trails on a person's property that are ancillary to a residence and exist on the property are a non-issue. Trails on property that do not have an established residential use cannot be accessible to that residential use, therefore you need to specifically permit them on a property that stands alone with no other typical residential use.

Steve Root stated in New Hampshire if you have land and haven't posted it, people can walk on it. In the forest/conservation article IX, conservation areas and nature and hiking trails is a permitted use. In the institutional district, trails for hiking, biking, cross country skiing and equestrian use are permitted uses. Mr. Root stated that his point is that this is a very simple proposal to fix an oversight that doesn't offer trails in residential areas. He urged the Planning Board to support the proposal.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Joe Kubit) that the Planning Board supports this public petition. THE MOTION WAS APPROVED UNANIMOUSLY.

5. **Future meeting Dates** – The next meeting will be held on January 24, 2023 at 6:30pm.

6. **Motion to Adjourn**

IT WAS MOVED (Joe Kubit) AND SECONDED (Emily Campbell) to adjourn. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting was adjourned at 9:38PM

Respectfully submitted,

Trina Dawson
Recording Secretary
Town of New London