



TOWN OF
NEW LONDON, NEW HAMPSHIRE

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**New London Planning Board
MEETING MINUTES
Tuesday, February 27, 2024
Whipple Memorial Town Hall, 6:30 PM**

PRESENT: Joe Kubit, David Royle, Janet Kidder (Selectmen's Representative), Tim Paradis (Chair), Jeremy Bonin (Vice Chair), Paul Gorman, Paul Vance, and Emily Campbell.

MEMBERS ABSENT: Katie Vedova and Marianne McEnrue.

OTHERS PRESENT: Adam Ricker, Town Planner/Zoning Administrator, Van Webb, Will Davis Horizon Engineering, Caroline Leonard, Bruce Cerullo, Jonathan Ohler, Clayton Platt, Janice Ritter, Renee Theall, Harry Hedison, Rich Epstein, Malcom Wayne, Mat Broas, Jennifer Abel, Patricia Goodlin, Peter Stanley

Appointment of Emily Campbell to sit in for Marianne McEnrue for the duration of the meeting.

1. Call to Order: Chair Paradis called the meeting to order at 6:30 pm.

2. Voluntary Lot Merger: RH Webb Forest Preserve – Located at Morgan Hill Road, Great Brook Log Road and Lakeshore Drive Zoned Forest Conservation (FOR).

The applicant is applying to voluntarily merge four lots of record, 001-001-0-0-0 (33 acres), 004-001-0-0-0 (81 acres), 006-003-0-0-0 (193 acres) and 036-009-0-0-0 (733 acres), creating a single lot of +/- 1,040 acres.

Van Webb, Manager of RH Webb Forest Preserve, presented the application. Mr. Webb proposes to merge four lots owned by the RH Webb Forest preserve. He explained that the single lot would include a conservation easement. Adam Ricker noted that the new lot, at more than 1,000 acres, would far exceed the minimum lot size for the Forest Conservation Zone and that the property would continue to be served by the existing access points for the various lots.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Emily Campbell) to move approve the request for the voluntary merger for the four lots. THE MOTION WAS APPROVED UNANIMOUSLY.

3. Postponed to 3/26: Sign Permit in an Institutional Zone – Colby-Sawyer College - Located at 541 Main Street, Tax Map/lot 086-001-0-0-0, Zoned Institutional College, +/- 76 acres.

The applicant is applying to erect at 24" x 36" sign on Seamans Road, across from the entrance to Kelsey Field.

4. Public Hearing: Lot Line Adjustment – Nicholas Gilman Sunapee Trust & Deborah Gilman Sunapee Trust and Secret Cove, LLC, Davis Hill Road:

Tax/Map Lot 068-006-0-0-0, 309 Davis Hill Road, Nicholas Gilman Sunapee Trust & Deborah Gilman Sunapee Trust, Zoned Agricultural Rural Residential, Shore Land Overlay District, currently +/- 20.7 acres, proposed to be +/- 11.65 acres.

Tax/Map Lot 068-006-002-0-0, Davis Hill Road, Nicholas Gilman Sunapee Trust & Deborah Gilman Sunapee Trust, Zoned Agricultural Rural Residential, Shore Land Overlay District, currently +/-12.26 acres, proposed to be +/- 14.16 acres.

Tax/Map Lot 068-006-003-0-0, Davis Hill Road, Secret Cove, LLC, Zoned Agricultural Rural Residential, Shore Land Overlay District, currently +/- 12.5 acres proposed to be +/-25.74 acres.

Tax/Map Lot 068-006-004-0-0, Davis Hill Road, Nicholas Gilman Sunapee Trust & Deborah Gilman Sunapee Trust, Zoned Agricultural Rural Residential, Shore Land Overlay District, currently +/-11.06 acres, proposed to be +/- 5.29 acres.

The applicants are applying to adjust the lot lines between four lots on Davis Hill Road. The existing lot size and proposed lot sizes are in the lot description above. No new lots are proposed. Additionally, the application proposes the relocation of the proposed cistern from Map/Lot 068-006-003-0-0 to Map/Lot 068-006-004-0-0.

Jeremy Bonin recused himself from the Planning Board to represent the applicant. Mr. Bonin explained the proposed lot lines for the four lots. The lot owned by Secret Cove, LLC is proposed to be enlarged to 25.74 acres by gaining land from the two adjacent lots (lots 6-2 & 6-4). For lot 6-2 to remaining a conforming lot in area and road frontage, land from lot 6 will annexed to lot 6-2. The owners of lot 6-2 wants to purchase additional land for more privacy.

Will Davis of Horizons Engineering discussed advantages and disadvantages of the proposal to move the cistern. The current location is adjacent to the proposed driveway of lot 6-3 behind the existing fieldstone wall. Mr. Davis explained an advantage to the new cistern location is that it will be less visible with a smaller mound since it will be dug into ground. Due to the topography of lot 6-3, the cistern will require additional cover and be mounded. The owners of lot 6-3 do not plan to construct a driveway, so moving the cistern allows for fewer curb cuts and reduces alteration to the stone wall. Mr. Davis explained that regardless of the cistern location, the design for the cistern remains the same.

Mr. Davis pointed out each of the potential driveway locations for the lots and that they conform with regulations and are conceptual in grading. Adam Ricker asked Mr. Davis about a proposed bridge on the driveway of lot 6-3. Mr. Davis said that steep slopes are present on the lot and they have discussed designs with a bridge engineer and contractor to traverse the steep area without impacting the slopes.

Jeremy Bonin proposed the larger lot having historical significance and there being no change in its use.

Adam Ricker noted that he reviewed the plans with Town Department Heads. The Fire Chief Kay Lyon said that either cistern location will satisfy the department's need for water and that neither location is preferred over the other.

Paul Vance noted that the driveways on the plans are depicted to prove the feasibility of a driveway, but that a driveway permit would still be necessary for these driveways or alternative locations.

Caroline Leonard, lawyer from Gallagher, Callahan and Gartrell, spoke on behalf of the abutters.

In 2022 when the property was originally purchased the planning board approved the location of the cistern.

Attorney Leonard objected to the proposed cistern location for the following reasons:

- **Tree buffer:** The new site will have less of a tree buffer. If approved, she urged the Board to require new plantings with a set timeline for planting and installation as a condition of approval.
- **Narrowness of road:** The new site is on a narrower location in the road than originally proposed location.
- **Disturbance:** Appears that the new location would have a higher area of disturbance (impact area) than what was contemplated at the original location.
- **Setbacks:** The original site has a home across the street set approximately 200' back from the street. The new location would be across from a home and outbuildings that are set less than 40' back from the street.
- **Prior approval:** The previous cistern location as approved in 2022 was the result of substantial discussion among abutters, applicant's team, and the Fire Chief. The 2022 Planning Board conducted a site visit and held multiple meetings before issuing the approval, which was conditioned on the installation of the cistern at the approved location. Secret Cove took ownership with full knowledge that its lot was the intended location of the cistern with a recorded easement in place.
- **Deference to 2022 decision:** The level of abutter input on the original location and the Fire Chief's approval of the original location should be given strong deference.

Harry Hedison, an abutter, raised questions about the plan and "boxed area" shown on his property. Also, questions what the "area of disturbance" means and can a plan be developed for this. Also asked the reason for trees being tagged on his property. Mr. Davis explained the

dashed line depicts a change in soil types. Mr. Bonin explained the area of disturbance around the cistern.

Emily Campbell wanted to stress the importance of determining which option will work, and Janet Kidder suggested a site visit would help to determine which location is best for access and proximity to neighboring properties. Joe Kubit also wanted to review what was approved two years ago vs. now. Mr. Ricker suggested a site visit for March 7 at 4:00 PM with the continued public hearing at the next Planning Board meeting on March 26th at 6:30 PM. Mr. Bonin and the applicant's team will place stakes on the proposed sites and provided visuals for the site visit.

Bruce Cerullo asked what the use of the property will be, speculating that it may be used as a wedding venue. Mr. Ricker explained that the applicant had applied for an 880 square foot addition, two-bedroom, addition to the art studio, but that is not a wedding venue is not an approved use in the Agricultural Rural Residential Zone.

IT WAS MOVED (Tim Paradis) AND SECONDED (Emily Campbell) to hold a site visit on March 7, 2024 at 4:00pm and continue the Public Hearing to March 26, 2024 at 6:30 PM at Whipple Hall - THE MOTION WAS APPROVED UNANIMOUSLY.

5. Public Hearing: Subdivision and Annexation – Peter Ohler and Priscillia Ohler Family 1990 Trust & John H. Ohler 1990 Family Trust, Pleasant Street: Peter Ohler and Priscillia Ohler Family 1990 Trust & John H. Ohler 1990 Family Trust, Pleasant Street.

Located at 0 Pleasant Street, Peter Ohler, Tax Map/lot 048-001-0-0-0, Zoned Residential(R-2), +/- 6.12 acres proposed to be 11.26 acres.

Located at 553 Pleasant Street, Priscillia Ohler Family 1990 Trust & John H. Ohler 1990 Family Trust, Tax Map/lot 048-002-0-0-0 Zoned Residential (R-2), +/- 115.19 acres, proposed to be 104.96 acres.

The applicants are applying to annex 5.14 acres from Tax Map/lot 048-002-0-0-0 to Tax Map/lot 048-001-0-0-0 and create a new lot from Tax Map/lot 048-002-0-0-0.

John Ohler and Clayton Platt, surveyor, presented the application for subdivision and annexation for the Ohler properties at 0 and 553 Pleasant Street. Mr. Ohler explained the objective was to give Peter Ohler's property additional land and subdivide the house onto an individual lot. Mr. Platt added that Ausbon Sargent Land Preservation Trust will accept an easement on the 104 acres parcel, and that there is no change in use proposed.

Chair Paradis opened the discussion to public comment.

Malcom Wayne, resident of Slope and Shore, asked for clarification on the location of the proposed new lot. Janice Ritter (abutter) asked about a house being built on property. John Ohler states the property is land locked. The objective will be to enroll the lot in Current Use. There was a discussion of the existing wood roads and the proposed right of way.

Adam Ricker gave a summary of findings of facts. The proposed new lot will exceed the minimum acreage and road frontage for the R2 zone. The existing, larger parcel will remain conforming. The existing land locked lot does not become more non-conforming.

IT WAS MOVED (Jeremy Bonin) AND SECONDED (Paul Vance) to approve the annexation and subdivision as proposed - THE MOTION WAS APPROVED UNANIMOUSLY.

6. Other Business:

A. Reminder of upcoming dates:

*Town Election Voting March 12, 2024 at Whipple Hall – 7:00 a.m. to 7:00 p.m.

*Town Meeting March 13, 7:00 p.m. at the Kearsarge Learning Campus Gymnasium.

7. Review of minutes: January 23, 2024 – Deferred.

8. Public Comment:

Richard Epstein asked about the January 11th and January 23rd minutes, which he had not reviewed, and what was included in each regarding manufactured housing. Mr. Ricker responded that the minutes are a summary of the meeting, not a verbatim transcript, and he did not have the minutes in hand to reference. Mr. Epstein asked how the planning board gathers information when discussing proposed zoning amendments. Chair Paradis responded that the planning board is made up of volunteers and they do try to keep up with current topics, particularly when there is an issue they are concerned with. There was a discussion of current New London Zoning relating to manufactured housing, and the clarity of the proposed Zoning amendments. Mr. Ricker spoke about short-term rentals, enforcement, land use and the proposed change to the Zoning Regulations on attached vs. detached ADUs. Mr. Ricker read the summary on the ballot for Amendment No. 4, to be voted on at Town Meeting. He explained that the summary was written to be clear that the proposed amendment did not include allowing both an attached and a detached ADU as earlier discussed, but that the proposal was either an attached or a detached. Renee Theall, Housing Navigator with UVLSC, spoke about New London being the land of amenities and just how much the town has to offer as well as the importance of what needs to be done for those who want to live/work in the area.

9. Future Meeting Dates: The next board meeting is scheduled for Tuesday, March 26, 2024.

Motion to Adjourn

IT WAS MOVED (Tim Paradis) AND SECONDED (Jeremy Bonin) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.

The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Jennifer M. Sweet
Recording Secretary
Town of New London

Note: RSA 91-A:2, II provides that *“Minutes of all such meetings, including nonpublic sessions, shall include the names of members, persons appearing before the public bodies, and a brief description of the subject matter discussed and final decisions.”* A video of the entire meeting may be available for viewing on the town website, [New London.NH. gov](http://NewLondon.NH.gov), if more than the brief description contained in these meeting minutes is desired.