



TOWN OF  
NEW LONDON, NEW HAMPSHIRE

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**New London Planning Board  
MEETING MINUTES  
Tuesday, April 23, 2024  
Whipple Memorial Town Hall, 6:30 PM**

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

**MEMBERS ABSENT:** Katie Vedova and David Royle.

**STAFF PRESENT:** Adam Ricker, Zoning Administrator.

**OTHERS PRESENT:** Caroline Leonard, Jeremy Bonin, Heidi and Pete Lauridsen.

Chair Paradis called the meeting to order at 6:35 pm.

**Continued 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 +/-25.47 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.

Chair Paradis asked if the applicant has any new information that pertains to this matter. Given that there wasn't any new information, he explained that there would be no further public comment as there had been extensive discussion at the previous meetings and there was not any new information to discuss. Chair Paradis asked Adam Ricker to review the finding of facts and the potential conditions of approval and stated it is not advisable to limit the use of the property beyond the lot line adjustment, however in the event a resident has a complaint regarding use of a property in violation of the Town's Zoning Ordinance, that complaint is properly directed to the Selectmen or their designee pursuant to Article XXIX of the Zoning Ordinance for their review and decision on whether to issue a Notice of Violation and/or file a lawsuit. It is not within the Planning Board's jurisdiction to prosecute violations of the Town's Zoning Ordinance. In the event that an approved subdivision or site plan is being violated, RSA 676:4-a

provides the Planning Board the jurisdiction to hold a hearing and potentially revoke if there has been a violation of a plan or condition of a plan.

Chair Paradis also expressed his appreciation to the residents who have participate in the process and taken an interest in local government while being patient with board members and the process.

Mr. Ricker reviewed the finding of facts based on the last planning board meeting and the direction of the board members. He reminded members they can still propose different facts and conditions.

Finding of Facts:

1. The proposed lots all meet the minimum lot size, road frontage and lake frontage requirements of the ARR Zone.
2. Each of the proposed lots can support a driveway built to the New London Driveway Regulations.
3. The proposed cistern location satisfies the needs of the New London Fire Department.
4. The proposed location requires less area of disturbance than the approved location by 160 square feet.
5. The proposed location requires 1,757 square feet less impervious area compared to the approved location.
6. The proposed location requires the removal of fewer trees than the approved location.
7. The proposed area utilizes an existing curb cut that is to be modified to accommodate the cistern access.
8. The proposed cistern location includes greater screening of the cistern pipes by the stone wall, in the amount of 1 foot 11 inches.

Conditions of Approval:

1. The cistern standpipes must be painted green with red caps.
2. The bollards at the cistern should be made of natural stone/boulders.
3. The installation of the cistern must be completed within one year of the decision, and the site must be immediately stabilized with mulch following the installation and the planting plan must be implemented within one year of the installation.
4. The area of disturbance plan is part of this application.
5. Within one year of this approval the replacement of the culvert under Davis Hill Road (at the Vose Property) must be completed.
6. The stone wall height along Davis Hill Road will be maintained at a minimum of 36" from grade.
7. If private events are held onsite, special event permits must be applied for per New London Zoning Ordinance.

Mr. Ricker provided clarity regarding temporary events such as grand openings, graduations parties and weddings shall be allowed in all zone districts subject to the conditions outlined above. Private weddings at private residences are specifically excluded from this regulation from are permitted activities.

Ms. McEnrue is abstaining from voting. Emily Campbell was appointed to vote as a full member.

Bruce Cerullo asked if attendees would have an opportunity to speak as he felt it is important to allow residents to speak. Chair Paradis asked if anyone had comments on something new that had not already been expressed. Caroline Leonard, representing some abutters, reiterated the conditions and finding of facts and asked for clarity in regards to boring for ledge and the need to bury the tanks beneath a mound if ledge was found. Mr. Bonin stated the cistern is drawn at a specific depth, if ledge is found, it would be removed to allow the cistern to be maintained at the designed level.

Attorney Leonard asked for clarification of the driveway and bridge for Lot 6-3. The abutters want to be sure proper approval would be obtained at the juncture. Mr. Ricker responded that the subdivision approval process requires that a driveway be shown to be feasible, but that not every corner of a lot is guaranteed driveway access. The driveways on the plan are not considered approved and would still require a driveway permit be applied for. Ms. Leonard also reiterated that the abutters were concerned with potential commercial use of the property, and the NH DES Shoreland Permit application for a changing house.

Ms. Leonard passed out an impact statement from Jennifer Abel and Mathew Broas, residents of 156 Davis Hill. Ms. McEnrue asked what the character of this statement was. Ms. Leonard loosely summarized the statement as a mix of information already presented to the board and aspects not necessarily framed according to all abutter's points of view. Importantly, the distance between the cistern is the shortest in front of the Broas property, thus the most affected. Chair Paradis noted a summary of their "Asks" is noted on page 4.

Mr. Kubit asked Ms. Leonard if the cistern was removed from the proposal, would there still be objections to the lot line adjustment? Ms. Leonard replied yes with regards to the use of the property.

Mr. Ricker stated that if a driveway is proposed but does not meet regulations, there is a waiver process that requires a public hearing of the Planning Board or potentially the Zoning Board if a variance or special exception is necessary.

Ms. Leonard asked that her clients be afforded the opportunity to speak. Chair Paradis reiterated that it be for new information only as concerns have been discussed at length in previous meetings.

The conditions were restated by Mr. Ricker.

Chair Paradis closed the public hearing with motion from Paul Vance and second by Emily Campbell. The motion was unanimously approved.

**IT WAS MOVED (Paul Vance) AND SECONDED (Emily Campbell) to approve the application as submitted with conditions of:**

- 1. The cistern standpipes must be painted green with red caps.**
- 2. The bollards at the cistern should be made of natural stone/boulders.**
- 3. The installation of the cistern must be completed within one year of the decision, and the site must be immediately stabilized with mulch following the installation and the planting plan must be implemented within one year of the installation.**
- 4. The area of disturbance plan is part of this application.**
- 5. Within one year of this approval the replacement of the culvert under Davis Hill Road (at the Vose Property) must be completed.**
- 6. The stone wall height along Davis Hill Road will be maintained at a minimum of 36" from grade.**
- 7. If private events are held onsite, special event permits must be applied for per New London Zoning Ordinance.**

**- THE MOTION WAS APPROVED BY A VOTE OF 5 to 1. Emily Campbell opposed. Marianne McEnrue abstained from voting.**

**PUBLIC HEARING – Conditional Use Permit for Accessory Dwelling Unit –**

James and Karen Howell, Located at 130 Summit View Road, Tax Map/Lot 138-008-0-0-0, Zoned Agricultural Rural Residential, +/- 5.590 acres.

The applicant is applying for an attached accessory dwelling unit of one-bedroom and a total of 837 square feet of living space. The unit is located in the lower level of the existing home.

Chair Paradis asked the applicant or their agent was present, neither were. Mr. Ricker explained he was notified of the accessory dwelling unit (ADU) by a perspective buyer of the property. He advised the Howells to apply for their ADU retroactively to make it legal. The ADU is currently being rented to traveling nurses by the Howells. The existing ADU complies with the regulations, and they have provided the necessary septic system approval from NH DES. The ADU has its own driveway and entrance. The ADU is 837 square feet, one- bedroom in the walkout level of the basement. Mr. Ricker was unsure if a tenant was currently occupying the apartment.

Paul Vance asked to make it clear in the decision that the ADU requires the property be the domicile of the property owner.

**Finding of Fact**

1. The square footage is below the 1,000 sqft max.
2. The ADU is one bedroom.
3. The ADU is attached to the primary unit.
4. The septic is designed to accommodate the primary unit and ADU.
5. The property is the domicile of the owner as required by the New London Zoning Ordinance.

### Condition of Approval

1. The New London Fire Department must conduct a site visit and inspection of the ADU.

Chair Paradis asked if there were comments from the public – there was no public comment.

**IT WAS MOVED (Paul Vance) AND SECONDED (Emily Campbell) to approve the application with the condition that the New London Fire Department must conduct a site visit and inspection of the ADU - THE MOTION WAS APPROVED UNANIMOUSLY.**

**Future Meeting Dates:** Mr. Ricker announced that the next meeting is scheduled for Tuesday, May 14, 2024 but that they had not received any applications and may be able to cancel the meeting

Mr. Ricker reminded the board of the May 1, 2024 meeting of the Housing Commission when Resiliency Planning will give a presentation at Whipple Hall at 7:00 p.m.

Janet Kidder asked Paul Vance and Tim Paradis if they wished to seek reappointment to the Planning Board for another 3-year term, both affirmed their interest. Paul Vance was asked to consider Vice Chair. Ms. Kidder shared that we have two individuals interested in the vacant seats, so the Selectboard will move forward with their appointment process.

Summer Meeting Schedule: Tuesday June 25, July 23, August 13, 2024.

### **Motion to Adjourn**

**IT WAS MOVED (Paul Vance) AND SECONDED (Marianne McEnrue) to adjourn the meeting. THE MOTION WAS APPROVED UNANIMOUSLY.**

The meeting was adjourned at 7:20 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, if more than the brief description contained in these meeting minutes is desired.