

**Town of New London
Conservation Commission**

**Minutes of July 18, 2007
APPROVED**

Present: Laura Alexander, Dan Allen, Bob Brown, Dale Conly, Bob Crane, Emma Crane, Terry Dancy, Vicki Koron, Les Norman, Peter Stanley and Ruth White.

Guest(s): Sydney Ward, George Hamilton, Lylah Rose Goldwater, Allen Koop, Richard Reed, Chet Ellison, and Lisa Gooding.

Meeting was called to order by Les Norman at 1:00 p.m.

1. Minutes of the June 20th meeting were approved unanimously.

2. Perry Property, Fairway Lane (Tax Map: 123, Lot: 016-000): Discussion opened with Les Norman circulating a copy of the plan to the commission. Questions were raised regarding the driveway and sewer lines crossing the wetlands in two places. Peter Stanley stated that the wetland delineation on the proposed plan is accurate. The questions raised was whether or not the lot was adequate to accommodate a house and a yard while also keeping the wetlands protected. He also stated to the abutters present that they could write a letter to the Department of Environmental Services (DES) to voice there concerns regarding the project. Lisa Gooding said she had done so, but had not received a reply from DES. Sydney Ward, Lylah Goldwater, Chet Ellison, and Richard Reed voiced concern regarding the run-off and water shed that takes place on the property in question. Chet Ellison told the commission that there will only be 25 feet from his property line to his neighbor's new home. He believes that due to the size of the lot they would have to cut all the trees on the parcel to build this home. This, in turn, would make it so he would be looking at the back of their garage and vice versa. Peter Stanley stated that all of the setbacks and zoning ordinances had been met. Chet Ellison questioned the board about the location of the house. He stated that if placed improperly on the lot it could block natural water flow and divert it directly into the wetlands area in question. Peter Stanley told Mr. Ellison that the Town does not regulate property drainage. Richard Reed wanted the record to show that even though the application met town zoning requirements all abutters present at this meeting have voiced their concerns about the proposed house on this lot. He also asked that the record show that they hold valid reasons for being concerned with this project. He continued to say that the parcel in question is a collection lot for water running down the hill. If this project were to be approved, the owner will then, presumably, come back to the town to complain about the drainage on the road and how it filters into his property. Sydney Ward noted that there is an amazing amount of water that runs through this lot and under the road in the spring. He added that there are drains, but the town neglects them and his home begins to flood. Les Norman asked Mr. Ward to point out where the water should drain to. Mr. Ward stated where the water should recede to. Les Norman then stated that the principle problem is the engineering of runoff on the lot. Peter Stanley stated that this subdivision,

as proposed today, would only have been two- or three-lots at maximum due to the geography of the land.

The Conservation Commission is only an advisory committee with no authority to make decisions regarding this project. Peter Stanley suggested that the abutters go to the Zoning Board of Adjustment hearing and voice their concerns. He also pointed out that the DES just denied a wetlands crossing permit on a different project, which does not happen very often. He continued to say that New London is running out of desirable building lots, so, in turn, people are building on “junk” lots. Sydney Ward asked if the town could tell the property owner that they could not build on the lot. Peter Stanley advised Mr. Ward that the town cannot legally tell the land owner that their property is non-buildable. If the town’s building requirements are met, than the property owners have the right to build.

Alan Koop summed up the discussion by saying the only stand that the Conservation Commission can take is to write a letter stating that the property needs to remain undeveloped to help collect and disperse the runoff. The abutters present then questioned the process and timeline of the project. Peter Stanley stated that the property owner will have to apply to the Zoning Board of Adjustment and the process could take six weeks, one year, or it could possibly never go through. Alan Koop then asked if the abutters sent a letter to DES would it have any impact on the final outcome. Peter Stanley advised that unfortunately, the state is not that concerned with a project such as this due to the minimal effect it has on wetlands. He continued to say that DES only pursues major impacts. Discussion ensued regarding the state and town involvement, and the impact of petitions. Peter Stanley stated that a petition would not go far on the state level.

George Hamilton asked the Commission for the definition of a wetland. Peter Stanley told Mr. Hamilton that the state’s definition of a wetland requires three areas of concentration: soil, hydrology, and vegetation. The delineation of the wetland on the plans is accurate according to this definition. Mr. Hamilton said that he thought that the definition of wetland meant the property must be under water. Peter Stanley and Laura Alexander explained to Mr. Hamilton that is not always the case based on the three criteria set by the state.

The Conservation Commission decided to write a letter to DES explaining the possible impact on the wetlands and the concerns voiced by the abutters. The Commission then discussed grandfathered zoning, new technology that allows building to be constructed on previously non-buildable lots, and the water shed. Les Norman stated that he had never thought of using the town water and sewer to avoid septic system setback requirements. He suggested that the Snow subdivision on Bog Road would be similar. Bob Crane offered that the Snow subdivision will not have access to the town water and sewer systems. Laura Alexander asked if the Snow subdivision meets current zoning and wetland regulations. Bob Crane advised the commission that the Snow subdivision does meet current state and town regulations. He also told the commission that the lots will have private wells and septic systems, not a community one. Discussion ensued regarding maintenance of septic, sewer, well, and water systems.

3. Lynch Property (Tax Map: 100, Lot: 002-000): Peter Stanley told the Commission that the Lynch's are getting anxious to begin work on their property. He requested the Commission's approval to represent them in helping to execute the project correctly. A motion was made and accepted to give Peter Stanley permission to represent the Conservation Commission in executing the Lynch project properly. – Approved Unanimously

4. Clark Pond Property: Peter Stanley advised the Commission that the Clark Pond property would be appraised next month.

5. Trails: Dan Allen reported that he had gone to the bog and did some re-boarding and gave the section that he recently re-boarded some attention. He stated that no more work will be done this year, but re-boarding will continue next year.

6. Correspondence:

Tom Seymour – Les Norman advised the commission that he had sent a letter to Mr. Seymour.

Eian Prohl – Les Norman advised the commission that he had sent a letter to Mr. Prohl.

Jerry Shelby – A letter from Mr. Shelby was read aloud to the commission outlining the concerns that the Conservation Commission had expressed in a letter sent previously.

7. Master Plan: Ruth White discussed the meeting held to discuss agricultural lands in New London that should be protected. The next step will be forested areas. She advised the commission that the point of the project is to protect these areas by drafting regulations specific to these parts of town. She noted other areas of interest include: Vernal Pools, Historical Areas, Scenic & Cultural Areas, Rare Habitat, and Wildlife. She asked if the commission members would be interested in dividing these areas up for inventorying purposes. The major aspect of the project will start in the fall. Sign-ups included: Vicki Koron – Vernal Pools, Dale Conly – Historical Areas, Bob Brown – Scenic Areas. Discussion ensued regarding which map (COLA or Natural Resources Inventory) and process would be better for use on this project.

8. Perry Property: At 2:13 p.m. Peter Blakeman joined the meeting. The minutes from earlier in the meeting were read for discussion with Mr. Blakeman. Peter Blakeman then stated that the development was completed a number of years ago. He also stated that the property did not and currently has no proper drainage. Dan Allen questioned Mr. Blakeman about the installation of a ditch near the foot path. Mr. Blakeman stated he could add it into the plan, but believed the Public Works Director, Richard Lee, and the State Department of Environmental Services would probably deny the plan due to the adverse affects on the wetlands that it would pass by. He also stated that this plan is just to gain access to the property; no house plan is currently in place. Discussion ensued regarding the drainage that is currently on the property. Terry Dancy asked if this is being done to sell the lot as it has been on the market for awhile. Peter Blakeman indicated that the Perry's have an interested buyer, but would like to see this plan approved before they would purchase the property. He continued to say that there are

currently no laws prohibiting the re-routing of runoff on a property. Mr. Blakeman assured the group that he would talk to Richard Lee to discuss the possibilities of a ditch. He said he would also speak to the abutters concerning the runoff. He continued to tell the commission that they had tried to plan this project to have as minimal an impact on the wetlands as possible. Discussion continued regarding zoning and wetland requirements. Peter Blakeman thanked the Commission for their time.

Motion made and seconded to adjourn.

Meeting adjourned at 2:46 p.m.

Submitted by Kelsie Lee