



OLD VALUES – NEW HORIZONS
COMMUNITY DEVELOPMENT

PO Box 120, Windham, New Hampshire 03087
(603) 432-3806 / Fax (603) 432-7362
www.WindhamNewHampshire.com

**Planning Board Approved Minutes
Wednesday, January 8, 2014**

Board Members:

Kristi St. Laurent, Chairman – Present
Margaret Crisler, Vice Chair – Present
Pam Skinner, Member – Excused
Jonathan Sycamore, Member – Excused
Sy Wrenn, Member – Present
Paul Gosselin, Alternate – Present

Ross McLeod, Selectman – Excused
Kathleen DiFruscia, Selectman Alternate - Present
Vanessa Nysten, Member – Present
Alan Carpenter, Alternate – Arrived at 8:55pm
Jim Fricchione, Alternate – Excused
Steve Bookless, Alternate – Arrived at 7:15pm

Staff:

Elizabeth Wood, Community Planner
Nancy Prendergast, ZBA Code Enforcement
Laura Accaputo, Planning Board Minute Taker

Call to Order/Attendance/Pledge of Allegiance

Chair St. Laurent called the meeting to order at 7:05 pm, followed by the Pledge of Allegiance, member attendance and a brief synopsis of the agenda.

The Chair sat Mr. Gosselin for Mr. Sycamore

Administrative Review – Awning Signage, 8-10 Rockingham Road (Lot 13-B-10)

Ms. Prendergast explained she received an application for awning signs at this location which is located in the Commercial A District. 24ft x 4ft awnings were approved with the minor site plan and new awnings with internally illuminated signs (measuring 44sq. ft.) are being proposed for the 4 tenants. She stated this meets the requirements of the Sign Ordinance regarding illumination and square footage however Planning Board approval is required per Zoning Ordinance for a new awning sign. See Ms. Prendergast's 1/3/14 memo to the Planning board and 3 color illustrations.

Mr. Dan Hutchins of NH Sign, representing the owner Mark Bedrick, explained the proposed awnings have more design with lettering placed directly on the face of the awning.

Questions/Comments from the Board

- The Chair asked if this would be in place of a wall sign and Ms. Prendergast answered yes.
- Ms. Crisler stated they looked nice.
- The Chair asked if the illumination came from inside the awning and Mr. Hutchins answered yes it is in the center of the awning and illuminates only the tenant portion, not the wings. The Chair asked if it would also illuminate the doorway and Mr. Hutchins answered yes.
- Mr. Wrenn asked what material and color was used for the awning and Mr. Hutchins answered cloth sunbrella and egg crating, tan in color.
- Mr. Gosselin asked if there were any concerns relative to snow loading with the top of the awning being canvas and Mr. Hutchins answered no because it pitches down and away at an angle.

The Chair opened to the public at 7:13pm and hearing none closed the public portion.

Ms. Crisler motioned to approve the application for awning signs as presented, seconded by Mr. Wrenn.

- Ms. DiFruscia asked if this complies with the Sign Ordinance and Ms. Prendergast answered yes.
- Ms. Nysten asked for clarification the awning signs would take the place of free standing signs and Ms. Prendergast answered they would take the place of wall signs.

The Chair went back to the motion. Motion passed: 6-0-0.

Alternate Member Steve Bookless was seated at 7:15pm for Ms. Skinner.

Public Hearings – 2014 Town Meeting

Section 706 Sign Regulations

To amend Section 706.6.1 by adding “unless as specifically allowed herein.” after “shall not be permitted”; and to add a new Section 706.7.9 as follows: “706.7.9 Individual property owners may place one (1) unlighted temporary sign advertising an event or meeting for any Windham Civic Organization, non-profit group, religious, educational or similar entity. Such sign shall be no larger than 18” x 24” on any residential property and 24 sq. feet on any property used in a non-residential fashion. It may be erected no earlier than fourteen (14) days prior to the event or meeting, and shall be removed within seven (7) days afterwards. Notwithstanding the provisions of 706.6.1, such signs may be affixed to trees, stakes or fences provided that it does not constitute a hazard to traffic or pedestrians.”

Ms. Crisler motioned to open the Public Hearing for Sign Regulations, Section 706, seconded by Ms. DiFruscia. Motion passed: 7-0-0.

Ms. Prendergast read the requested amendments to Section 706 Sign Regulations into the record. She explained this was moved forward from the December 11, 2013 meeting and reflected a change requested by the Board cutting the length of time such signs can be erected prior to an event or meeting from 30 days to 14 days. See Ms. Prendergast’s memo to the Planning Board dated 1/3/14.

The Chair clarified if a person refused to comply they could be fined for non-compliance with the Zoning Ordinance even though this part of the ordinance does not have a particular fine attached to it.

The Chair opened the hearing to the public at 7:20pm.

- Bob Coole, Morrison Road, stated he thought the size of the sign was small and asked if a larger sign could be considered. The Chair explained when this was put together they looked at the typical size of lawn signs for residential areas. They did suggest larger signs in business areas.
- Mr. Coole also asked about enforcement, fines, and responsible parties.
- Ms. Prendergast explained enforcement was mostly investigated by complaint and state law defines the fine. She also explained the homeowner would be responsible for compliance.
- Mr. Coole stated he thinks the 14 day time frame prior to the event is too narrow and 30 days would be better.
- Ms. Prendergast explained temporary signs on town properties and right of ways for are still allowed by permit for 30 days. The intent of this amendment is so the town is not littered with signs.
- Ms. Crisler stated she thinks Mr. Coole has some valid points and this is just a first attempt. Modifications can always be made next year.
- Mr. Bookless stated the language suggests this would be for one time or quarterly events. Anything more frequent would be permanent not temporary.

- Ms. Nysten asked Ms. Prendergast if the two sign sections, if approved, would be separate on the Warrant.
- Ms. Prendergast stated she wasn't sure and asked if the Board had a preference.
- Ms. Nysten stated she preferred to have it all together and asked if they would have to vote as such. Ms. Prendergast said she would check with Attorney Campbell.
- The Chair explained currently you are not allowed to advertise off-site activities and the nexus is to allow homeowners to support civic activities.

The Chair closed the public portion at 7:30pm.

Ms. Crisler motioned to move the changes to Section 706.6.1 and the new subsection 706.7.9 to Town Warrant, seconded by Mr. Wrenn. Motion passed: 7-0-0.

Section 200 Definitions, Lot Frontage

To amend the zoning ordinance to add a definition for Lot Frontage: A contiguous linear distance of property measured 50' from and parallel with the front lot line, where the front lot line adjoins the public way. Lot frontage measurement excludes totaling frontage on "double front" lots.

Ms. Crisler motioned to open the Public Hearing on the definition of Lot Frontage, Section 200, seconded by Mr. Wrenn. Motion passed: 7-0-0.

Ms. Crisler read Section 200 Definitions, Lot Frontage into the record.

Ms. Wood explained this is the second Public Hearing. She informed the Board a letter from Ralph Valentine included in their packet could be disregarded. She went on to explain at the last meeting the Board was in favor of the definition above and supported totaling frontage on corner lots to equal the required lot frontage. She stated Attorney Campbell suggested modifying the language to make it clear that corner lots are included.

Questions/Comments from the Board

- Ms. Nysten stated she still had concerns about Class VI roads. Ms. Wood referred her to a memo made public from Attorney Campbell dated December 31, 2013 stating even though a Class VI road is a public way there are other measures in the regulations and state law that would prevent a subdivision on a Class VI road.
- Ms. Nysten stated last year the state put forth a proposal to allow by right using frontage on Class VI roads and her concern is for public safety and liability for the Town when a variance is not required first.
- Ms. Crisler noted if the Legislature did change the RSA, it wouldn't be effective immediately and the Board would have time to make modifications next year.
- Ms. Nysten noted the New Hampshire Planning Association wrote a letter last year in opposition and she would rather address it now.
- Ms. Wood explained if they were to add to the ordinance the exclusion of Class VI roads it would require another Public Hearing and the only date available for that would be January 21, 2014.
- Mr. Gosselin stated he understands the concerns regarding Class VI roads but thinks we need to look at what the RSA's are today.
- Ms. Crisler asked why the Board would want to count frontage on both roads for a corner lot. She stated that could make a corner lot very narrow.
- The Chair explained the rationale was to not double penalize since both frontages would require setbacks.
- Mr. Wrenn stated he believes it has always been interpreted as double frontage and this just makes it official.
- Ms. Nysten noted Open Space Regulations allow for smaller lot sizes and setbacks.

The Chair opened the hearing to the public at 7:45pm.

- Peter Zohdi stated lot frontage, if contiguous, has always been measured on both roads.
- Ms. Wood read Attorney Campbell's memo and the word continuous was used in place of contiguous.
- Attorney Michael Donovan stated the concern is they are now changing the amendment beyond what was worded on the agenda in such a way that is material and would require a second public hearing. He also believes Ms. Crisler was correct in her concern regarding corner lots.
- Ms. DiFruscia asked in what aspect does the addition of Attorney Campbell's language result in a material change and Attorney Donovan explained the word contiguous in the agenda doesn't address the Board intent which is to let the 175ft frontage requirement run around the corner. Correcting it to reflect that is a material change.
- Ms. Crisler asked Ms. Wood why this is being done this year and if there is a clear definition of how frontage is measured.
- Ms. Wood explained there is not a clear definition of what frontage is and how it is totaled just pieces in different sections of the ordinance.
- Ms. Crisler summarized the options: drop it and not move forward to warrant; adopt the language as posted on the agenda; or squeeze in another hearing and post with new language.
- Ms. DiFruscia believes this needs clarification so there is no misinterpretation.
- Ms. Wood noted the Class VI road piece also constitutes a material change.
- Ms. DiFruscia asked Ms. Prendergast if she prefers Attorney Campbell's language and she answered yes.
- John Cronin stated in his experience if you don't allow both frontages you take adequate lots out of the picture creating variance issues. The underlying premise of the frontage is health, safety, and welfare protections. He thinks it should be put off for further review.

The Chair closed the public portion at 8:00pm.

The Chair polled the Board to see if they should review next year; go with posted language; or go to another Public Hearing.

- Mr. Gosselin voted to review next year
- Mr. Wrenn voted to review next year
- The Chair voted to review next year
- Ms. Crisler voted to review next year
- Ms. Nysten voted to review next year
- Ms. DiFruscia voted to review next year
- Mr. Bookless voted to review next year

Ms. DiFruscia motioned not to move Section 200 Lot Frontage Definition to the Town Warrant, seconded by Mr. Gosselin. Motion passed: 7-0-0.

Parcel Rezoning

To Amend the Windham Zoning Map by rezoning 16 Roulston Road (13-A-100), which is multi-zoned Residence District A & Limited Industrial District to all Residence District A.

Ms. Crisler motioned to open the Public Hearing for Parcel Rezoning 16 Roulston Road (13-A-100), seconded by Ms. DiFruscia. Motion passed: 7-0-0.

Ms. Crisler read Parcel Rezoning into the record.

Ms. Wood explained the property owner was present and against the proposal. She also received two letters from abutters, one in support and one against the proposal. See Ms. Wood's 1/3/14 memo with attachments to the Planning Board.

Questions/Comments from the Board

- Mr. Wrenn asked about the letter from 16 Stonehedge Road and whether this was an abutter and was told no.
- Mr. Gosselin noted the Board has historically gone with the rights of the property owner and what they want for their property.
- Ms. DiFruscia stated she agrees with Mr. Gosselin. She noted at the last meeting there was concern expressed because they hadn't heard from the property owner and she is glad they were able to get input this time.
- Ms. Nysten outlined the notification process which included both regular and certified mailings for both Public Hearings as well as regular mailings for the workshops.

The Chair opened the Public Hearing at 8:13pm.

- Mr. Zohdi, showed the property on a map and explained this parcel is not multi-zoned; it is zoned all Residence A. He stated the area zoned as Industrial is a separate parcel owned by the State. He has no objection to changing the zoning to all Neighborhood Business District or all Industrial.
- Ms. DiFruscia stated there is nothing for us to change or consider at this point. It needs to be straightened out by the Town.

Ms. Crisler motioned not to move to Town Warrant, seconded by Mr. Wrenn. Motion passed: 7-0-0.

Ms. Crisler was excused at 8:22pm.

Public Hearing-Application

Case#2013-26/Granite Woods Open Space Subdivision/WWPD Special Permit

An Open Space Subdivision Application has been submitted for Wilson Road (24-F-1100, 1120), located in the Rural District Zone and Wetland and Watershed Protection District. The applicant, Peter Zohdi of Edward N. Hebert Associates, Inc., on behalf of the property owner, DHB Homes, LLC, is proposing to merge Lots 24-F-1100, and 1120 and then to subdivide the property into twenty-one (21) lots for single-family residential development to be served by separate wells and septic systems, and three (3) open space lots, sized 20.665 acres (900,167.4 sq. ft.), 10.588 acres (461,213.28 sq. ft.), and 5.674 acres (247,159.44 sq. ft.) for a total of 36.927 acres (1,608,540.12 sq. ft.) or 62.6% dedicated to open space. Included in this proposal is the extension of Wilson Road and the creation of a new road ending in a cul-de-sac to access the lots. A Special Permit Application has also been submitted for a wetland and WWPD crossing for access to the 21-lot subdivision and associated wells within the WWPD.

Mr. Wrenn motioned to reopen the Public Hearing for Case #2013-26/Granite Woods Open Space Subdivision/WWPD Special Permit, seconded by Mr. Gosselin. Motion passed: 6-0-0.

Ms. Wood explained the Board has looked at the major design pieces of the subdivision but has not yet reviewed the Yield Plan. Ms. Wood stated the recommendations of the Board were for closed drainage and 22ft road widths. See Ms. Wood's memo to Mr. Zohdi dated November 18, 2013. The Board did not motion to accept the cul-de-sac length. The applicant has subsequently met with the Chairman of the Highway Safety Committee and the Highway Agent on December 10, 2013 and they recommend a road width of 28ft, closed drainage, and length of cul-de-sac to be calculated beginning with Jefferson Road.

The Chair stated the Board had done a site walk and discussed road width, drainage, and the possibility of a connector road. They felt the wider road width of 28ft would create more of an impact to the WWPD and the terrain.

Ms. DiFruscia stated there was discussion regarding the amount of gravel and materials that underlie the pavement and Mr. Zohdi gave assurances they would meet the requirements of how roads are currently being built in town. Mr. Zohdi agreed and stated the design is based on your regulations and we have no problem with your request for 14inches and 8 inches of gravel for the roads.

The Chair then asked Mr. Zohdi for his presentation of the Yield Plan and Subdivision Plan.

Mr. Zohdi explained there are three parcels totaling 56 ½ acres. They presented a 21 lot Open Space Subdivision to the Planning Board. At that time they were talking about 8500 sq ft of dredge and fill; they have since decided to bridge it which will bring the impact total to 668 sq ft with a temporary impact of 1500 sq ft. They have also changed some driveways for less impact to the WWPD. Conservation Commission is interested in purchasing some lots which may shorten the length of road. The length of road will be 2400ft, the regulation calls for 1200ft. They will comply with the Fire Chief regarding water supply. They will comply with the Planning Board regarding road width and gravel. He stated the tax map shows over 20 subdivisions that have more than 1200ft of road. Ms. Nysten asked how many subdivisions were over 2400ft and Mr. Zohdi read the length of road for several subdivisions ranging from 1200ft to 5000ft.

Mr. Carpenter was seated for Ms. Crissler at 8:55pm.

Mr. Zohdi stated Mr. Keach reviewed the Yield Plan and all 21 lots comply with a Conventional Subdivision. He noted the differences with road length between a 21 lot Conventional Subdivision and a 21 lot Open Space Subdivision. He stated the Conservation Commission recommended an Open Space Subdivision. Jim Gove, Gove Environmental Services, discussed the terrain and concerns raised by the EPA and Army Corps of Engineers regarding the crossing. To satisfy those concerns they went with a bridge concept which reduced the impact. The EPA and Army Corps of Engineers have agreed this is now a minimum impact project. The change has been submitted to DES and there is a 30 day turnaround for the permit. The Alteration of Terrain Permit has already been approved.

Questions/Comments from the Board

- Ms. DiFruscia asked if the impact to the endangered species plant discussed on the site walk had been addressed and Mr. Gove answered yes there will be no impact.
- Ms. Nysten asked if the bridge was wooden or metal and Mr. Gove answered concrete. She also asked about railings at which point pictures of the bridge were distributed.
- Mr. Gosselin asked if the road width was changed to 28ft would that pose problems for the bridge and Mr. Gospadarek answered he didn't think it would.
- Mr. Bookless stated on the site walk the major concern with road width was the impact of runoff and how it was handled. Mr. Gospadarek explained 22ft to 28ft would increase asphalt by 25%, which has to be treated. The detention areas and treatment swales would have to be enlarged to handle the extra flow.
- Mr. Carpenter asked how much of the 56 acres are in the WWPD and Mr. Zohdi stated he didn't know but could get the answer.
- Ms. DiFruscia noted Mr. Keach's memo talks about the extension of Wilson Road and Marden Road and how to transition the roads from 28ft to 22ft. Mr. Gospadarek confirmed they will do a 30 to 1 taper, which is standard for low speed roads.

- Mr. Bookless noted the recommendation to increase the road width came from the Fire Chief due to his concern with emergency vehicles and asked if the Planning Board can overrule him in terms of safety issues. Mr. Zohdi answered the subdivision regulation calls for 22ft and the Board makes the final decision.
- Mr. Carpenter asked if the road width were increased to 28ft what the increased impact to WWPD would be and Mr. Gospadarek answered the entire drainage map would have to be redesigned before that could be answered.
- Mr. Zohdi stated they have their Alteration of Terrain Permit from the State and will have the Dredge and Fill Permit in 30 days and discussed Trail Easements.
- Ms. DiFruscia asked about the trees and buffers at the beginning of the subdivision and Mr. Zohdi stated he will be glad to leave whatever buffers the Board requests.
- The Board then discussed Ms. Wood's staff report dated 1/3/14, Yield Plan requirements, and soil calculations.

The Chair opened the Hearing to the public at 9:33pm.

- Attorney Michael Donovan, representing abutters and neighbors, James Finn and Elizabeth Varriano-Marston, 18 Wilson Road; Peter Stamnas and Wendy Lucas, 7 Jefferson Road; Christopher and Karena Cole, 9 Jefferson Road, Arra and Suzanne Yeghiayan, 16 Washington Road; Susan Berry, 16 Wilson Road; Frank and Susan Michaels, 21 Wilson Road; and J.G and J. Landry and Marie Noyles, 120 Lowell Road. He distributed a memo to the Board dated 1/8/2014. He stated his clients support the 22ft width for the road. He asked the Board to focus on two decisions dealing with the Yield Plan and whether or not to allow a dead end street to be extended beyond 1200ft from Jefferson Road. With regards to the Yield Plan, an applicant has no right to any particular number of units under the Open Space Development Ordinance. The number of lots allowed is a discretionary decision of the Planning Board (reference 611.2.2) and the density provision (611.5.4) treats the Yield Plan lots as the maximum allowed. He noted four lots require driveways that lie within the WWPD requiring a special permit. These lots are speculative and should not be part of a Yield Plan. He stated two lots have shared driveways and Section 602.3.1 of the Subdivision Regulations requires each platted lot have at least one driveway. He also spoke of irregularly shaped lots, illegal lots, and street length greater than 2400ft. He stated limiting the length of dead end streets reduces the number of homes at risk of being isolated and inaccessible to emergency vehicles in the event of a street closure from accidents, tree fallings, or other causes. It also minimizes traffic and reduces the risk of a child being hit by a car. He also stated long dead end streets are inefficient and contrary to sound community planning principles. He stated the proposal does not conform to Goal LU-5 or Strategy LU-5.1 of the Master Plan. In summary his clients ask that the Board not approve a Yield Plan for greater than 15 lots and not approve an increase beyond 1200ft for the length of the road.
- Mr. Carpenter asked Attorney Donovan the foundation for his statement regarding driveways in the WWPD and whether it was in the RSA's or his professional opinion and Attorney Donovan answered its not in the RSA's but the Board should not consider speculation on whether permits would be granted or not.
- Mr. Carpenter stated with regards to the irregularly shaped lots, he agrees however the Board has set many precedents in Town with approved plans for lots shaped like this and he was not sure of the rationale to deny it.
- Ms. Nysten asked how long the driveway at the end of the cul-de-sac is and Mr. Zohdi answered 750ft. Ms. Nysten questioned if the Board were to allow a longer cul-de-sac than 1200ft, should this 750ft of driveway be factored in.
- Ms. DiFruscia thanked Attorney Donovan for his presentation.
- Arra Yeghiayan, 16 Washington Road, stated shoehorning this only benefits the landowner and developer. He also questioned Mr. Gove's comments about minimal impact.

- Mr. Gove clarified his exact words were this is now a minimum impact application and permit for dredge and fill based on state standards and the square footage of impact on the wetlands.
- Chair St. Laurent asked Mr. Gove if the minimum impact to the wetlands was just at the bridge and Mr. Gove answered it was for the whole development as there are no other wetland impacts.
- Pete Stamnas, 7 Jefferson Road, asked how much of an impact there would be to WWPD with this proposal and was told 4.56 acres. He stated open space should remain undisturbed. There is a lot of impact created by the lots beyond 1200ft to support the runoff making it necessary to put basins within the WWPD.
- Jim Finn, 18 Wilson Road, stated it's hard to see the depth of the impacts with 2D plans on paper.
- Mr. Stamnas asked about water being treated in the detention basins and Mr. Gospadarek answered the detention basins are picking up the clean water and holding it back; not the pavement water. The pavement water is being treated in swales.
- Mr. Stamnas stated if the trees are going to be cut down for these basins it should be used to treat the dirty water not hold back the clean water to get some value from it.
- Mr. Yeghiayan stated the most impact seems to be at the beginning of the development with the bridge and Mr. Carpenter explained that in the State of New Hampshire a landowner has the right to cross a wetland, minimizing impact, to get to usable property.
- Attorney John Cronin in rebuttal of Attorney Donovan's comments stated there are many cul-de-sacs in town over 1250ft and some over 2400ft with very few problems in regards to health, safety, and welfare. The cul-de-sac length historically was based on the length of hose that can be serviced from a pumper truck, newer equipment and cisterns have changed that. He stated the job of the Planning Board is to follow the law and the laws are designed to protect the property owners that want to develop their property. Property owners have the right to develop their land to its maximum potential under the regulations. He stated the town's Yield Plan is not specific and speaks mostly to land area; this plan meets the land area for the requested lots. To say the design is speculative is misleading; if this came in as a traditional subdivision special permits would be granted. The more difficult you make it to satisfy a Yield Plan requirement fewer people will be willing to consider cluster subdivisions. He stated the Master Plan relates to connectivity of the roads, this plan is connected properly to the map of streets and system of public highways in town; anyone in this cul-de-sac will be able to get over a Class V public highway and get to other streets in the system of highways in the town, it is not remote. In regards to cutting trees in the WWPD it is permitted but he would suggest to the applicant to speak with Mr. Stamnas to look into preserving some trees and discuss drainage.
- Mr. Bookless asked Attorney Cronin about shared driveways being in violation of Subdivision Regulations and he stated he would have to study it further but would suggest making each driveway independent.
- Ms. Nysten stated her concerns for public safety relative to adequate water supply for fire protection and the length of the driveway at the end of the cul-de-sac and what that will add to the length of the road as well as public safety. She also noted on both the Yield Plan and Open Space Plan the wetlands and topography will not change and will not require an additional cost for calculation.
- Attorney Cronin stated in terms of fire safety and cisterns the Fire Department is satisfied with this layout. He does not believe the length of the driveway is a central issue for the Planning Board but he can research similar driveway lengths in town and see if the police have had any issues with regards to public safety. He also noted his point regarding the Yield Plan was that the ordinance was very general and the central focus of what is required is lot size.
- Ms. Nysten asked if the Fire Chief has signed off and Ms. Wood answered they did but the applicant would have to work with the fire department in terms of cistern placement which can't be done until there is an approved plan. Deputy Chief Martineau says they will require two cisterns based on current design.
- Ms. DiFruscia asked if there would be any consideration given to reducing the number of lots and Attorney Cronin stated he will have a discussion with the property owner.

- Mr. Gosselin stated he agrees people have the right to do what they want within the law with their land. He also stated looking at the WWPD map 25% of the WWPD impact is with the one long driveway at the end of the cul-de-sac. If you eliminate it you can resolve a lot of your issues.
- Mr. Carpenter added that would allow the engineer to pull the cul-de-sac down and position it between the two end lots which would save additional WWPD impact from the cul-de-sac along with some ledge cut.
- Mr. Zohdi stated they will discuss it with their client.
- Wendy Stannas, stated the goal of Open Space should be less houses by definition than a standard subdivision. She asked if stopping the natural flow of the water creates any additional impacts and Mr. Carpenter stated the retention pond will slow it down not stop it.

The Chair closed the public portion at 10:54pm.

- The Chair stated there are two types of drainage in the plan and asked what happens to the clean water currently and how the clean water will get to the detention area on the other side.
- Mr. Gospadarek explained currently the water combines into the stream. A pipe will collect the water and discharge it into the first detention area then stagger it down to the second detention area.
- Mr. Zohdi stated he would like the opportunity to speak with his client and come back to the next meeting.
- Ms. Wood asked the Board to give the applicant some guidance on the length of cul-de-sac.
- Mr. Carpenter stated the premise for 1200ft is safety and the Board has a long history of upholding cul-de-sac length. When they have gone over 1200ft there was a hammerhead to link future development to a second egress. He asked the Board if they allow 2400ft to think about what premise they would use to deny such requests in the future. He stated due to neighborhood concerns and high environmental impact any future connectivity is not wanted and that could be the rational nexus as to why they are willing to go beyond 1200ft this time.
- Mr. Gosselin stated he had the same thought as it was the Planning Board that drove the second connection away for environmental reasons.
- Mr. Zohdi asked the Board for guidance regarding road width and length of cul-de-sac.
- Mr. Carpenter replied the answer lies somewhere between 1200ft and 2400ft in consideration of no second egress.

Mr. Carpenter motioned to continue the Public Hearing for Case #2013-26 Granite Woods Open Space Subdivision /WWPD Special Permit to January 22, 2014, seconded by Mr. Gosselin. Motion passed: 7-0-0.

Ms. Wood recapped the questions for the applicant:

1. The Board recommends the applicant consider eliminating the last two lots at the end of Wilson Road Extension to eliminate WWPD impact by shared driveway.
2. Provide a calculation to the Board of how much of the WWPD impact lies in the Open Space.
3. The Board may allow the cul-de-sac to extend past 1200ft but ask the applicant to consider a reduction in cul-de-sac length resulting in a reduction of house lots.
4. Consideration of buffer and trees.

Meeting Minutes Review & Approve

-12/11/13 – Moved to January 15, 2014

-12/18/13 – Moved to January 15, 2014

Liaison Reports

- Board of Selectmen
- WEDC

- Conservation Commission
- Southern NH Planning Commission

December Staff Reports

Ms. Nysten motioned to have new business after 10pm, seconded by Mr. Carpenter. Motion passed 7-0-0.

The Chair explained recently the Board voted to move to Town Warrant the Open Space Landscaping proposed changes. A portion of the current proposal is the definition of Open Space which says a minimum of 30% of any total lot area shall be maintained as Open Space any impervious areas shall be excluded from this space area calculation. When this is combined with the definition of impervious surface, surface that is impenetrable by liquids, including but not limited to areas paved with conventional asphalt or concrete, sidewalks, patios, decks, and roofs which do not recharge water. The question posed to staff was if a building has a roof which recharges the water could it be argued that it fits the definition of Open Space.

Ms. Nysten stated this is in conflict with several sections of the Ordinance.

Ms. Nysten motioned to open for reconsideration, seconded by Mr. Carpenter. Motion passed: 7-0-0.

- Ms. Dunn asked how this came to be at this point because all of these things are reviewed by Attorney Campbell; is he agreeing with Ms. Scott in terms of her interpretation might be. Mr. Carpenter stated some members of the Board may have not clearly understood the impact of the proposed language; its not that its not legally sound.

Ms. Nysten motioned to remove the changes to Section 705 Open Space and Landscaping Requirements from the Town Warrant, seconded by Mr. Carpenter. Motion passed: 7-0-0.

Mr. Carpenter made a motion to adjourn the January 8, 2014 Planning Board Meeting at 11:35pm, seconded by Ms. DiFruscia. Motion passed: 7-0-0.

These minutes are respectfully submitted by Laura Accaputo, Planning Board Minute Taker.