

COMMUNITY DEVELOPMENT

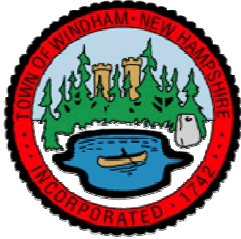
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Planning Board Minutes

November 6, 2013



Board Members:

Kristi St. Laurent, Chairman – Present
Margaret Crisler, Vice Chair – Excused
Pam Skinner, Member – Arrived at 6:30
Jonathan Sycamore, Member – Arrived at 6:25
Sy Wrenn, Member – Present
Paul Gosselin, Alternate – Excused

Ross McLeod, Selectman – Excused
Kathleen DiFruscia, Selectman Alternate, Arrived at 8:05
Vanessa Nysten, Member – Present
Alan Carpenter, Alternate Member – Present
Jim Fricchione, Alternate Member – Excused
Steve Bookless, Alternate – Arrived at 7:25, not seated

Staff:

Laura Scott, Community Development Director
Elizabeth Wood, Community Planner
Laura Accaputo, Planning Board Minute Taker

Call to Order/Attendance/Pledge of Allegiance

Chair St. Laurent called the meeting to order at 6:14 pm, followed by the Pledge of Allegiance, member attendance and a brief synopsis of the agenda.

The Chair appointed Alan Carpenter as Vice Chair seated for Margaret Crisler.

2014 Master Plan Budget Request

Ms. Scott stated the current Master Plan was adopted in 2005 and should be revised every 10 years per state law. She included \$15,000 in the Community Development Departments 2014 proposed budget for Phase I of the Master Plan and is seeking the support of the Planning Board.

Questions/Comments from the Board:

- Mr. Wrenn asked if the funds were going to the Southern New Hampshire Planning Committee (SNHPC) and if there was an RFP done for the proposal.
- Ms. Scott stated the funds are going to the SNHPC and since this was the fifth revision she would ask the Board of Selectmen to waive the requirement of going out for bid.
- Ms. Nysten stated she would like to see the scope of work provided by the SNHPC.
- Mr. Carpenter explained the request was aimed at setting a budget number and he had no issue putting the money in the budget.
- Chair St. Laurent asked how many phases there would be and if the completion goal of 2015 would be met in the summer or by years end.
- Ms. Scott replied there are two phases and the second phase would be much larger. She also explained the completion date may carryover into the spring of 2016.

Mr. Carpenter motioned and Mr. Wrenn seconded to support the budget request of \$15,000. Motion passed: 3-0-1. Ms. Nysten abstained.

Member Jonathan Sycamore was seated at 6:25pm

WEDC Infrastructure Subcommittee Water Study Proposal Presentation

Mr. Valentine, Chair of the Infrastructure Sub-Committee of the Economic Development Committee introduced staff and presented his PowerPoint presentation. The Sub-Committee is proposing a water supply study that will supply important information about the Towns water needs. The cost of the study is estimated to be between \$25,000 and \$35,000, to be approved by the voters under a Warrant Article that the sub-committee is requesting the Board of Selectman put forth.

Comments/Questions from the Board:

- Mr. Valentine stated the DES is supportive of a long term plan to withdraw less from groundwater and aquifers; by importing from the Merrimack River and/or other similar sources it would increase the recharge rate of our groundwater and aquifers. He also noted support from the Community Development Department and Fire Chief McPherson.
- Mr. Sycamore stated the scope of the study doesn't say which businesses won't come to Windham due to not having town water.
- Mr. Valentine explained sometimes developers want municipal utilities.
- Mr. Carpenter stated it was worthwhile to alleviate water issues while developing the corridor. He also noted it takes 40 to 50 thousand gallons to douse one fire.
- Mr. Valentine explained this is a long term project and many neighboring towns are facing similar circumstances. He believes we should take steps to get it here and funded.
- Ms. Nysten stated she was in favor of water as it is better for developments and she was concerned that the cisterns could run dry. She also stated she was not in favor of sewers.
- Chair St. Laurent asked if this will be on the warrant.
- Mr. Valentine explained that the Board of Selectmen discussed it at their October 7th meeting and appeared to support the study but did not want it in the budget. He is hopeful they will sponsor a warrant article. He also noted the DES sees the entire area as a concern for the risk of water contamination.
- Mr. Carpenter noted with public water supply, lots become more dense and valuable.
- Mr. Sycamore asked how the consultant would be selected.
- Ms. Scott explained there would be a separate article for the funding piece and if passed an RFP will be put out.
- Ms. Nysten asked if the scope will include cost. Mr. Wrenn stated yes.

Mr. Carpenter motioned and Ms. Nysten seconded to support as presented. Motion passed: 5-0.

Member Pam Skinner was seated at 6:30pm.

Financial Guarantee Release – Fox Crossing

Ms. Scott explained the town is holding a letter of credit in the amount of \$7,500 for the Fox Crossing Subdivision; Mitchell Pond Rd Extension and Taylor Farm Rd. She is asking for release of guarantee and acceptance of the roads.

Mr. Carpenter motioned and Mr. Wrenn seconded to make a recommendation to the Board of Selectmen for the release of the \$7,500 guarantee and the acceptance of the roads. Motion passed: 6-0.

Liaison Reports

- Board of Selectmen
- WEDC
- Conservation Commission
- Southern NH Planning Commission

2014 Town Meeting Workshop - Aquifer Protection District (Section 609)

Ms. Scott explained the workshop was looking at changes to the Aquifer Protection District; the subcommittee met several times over the summer and voted not to include well head regulations this year and instead will look at it

next year as a town wide ordinance separate from the aquifer. The proposed changes being requested at this time will strengthen the ordinances and clean up any loopholes. The changes are as follows:

- Add a line numbered 5 to 609.1 Authority and Purpose with the language **To minimize pollution and potential contaminates from reaching public water supply systems and drinking water wells.**
- Add to 609.2 Definitions; Animal Feedlot: the following language at the end of the existing definition **for commercial purposes.**
- Add to 609.3 the language **Aquifer Protection** District Boundaries
- Strike from 609.3.1 the word “Location” and add as the second sentence **The map is developed from the 1992 USGS Water-Resources Investigations Report 91-4025 “Geohydrology and Water Quality of Stratified-Drift Aquifers in the Lower Merrimack and Coastal River Basins, Southeastern New Hampshire.”** Strike the sentence “See Source Appendix A at the end of this Section which lists all technical data and studies used in mapping information from future groundwater studies and well drilling records may be added to the Stratified Drift Aquifers map and Source Appendix A as they become available.”
- Strike from 609.3.2 the language “The direct recharge area for the identified aquifer is considered to be co terminus with that aquifer. The indirect recharge areas are those areas that contribute to groundwater recharge of the aquifers from outside the aquifer boundaries. When development is proposed in indirect recharge areas which are tributary to the Aquifer Protection District such as areas including a tributary stream, or on slopes adjacent to the Aquifer Protection District, the Planning Board may hire, at the developer’s expense, a qualified hydro geologist to assess the potential impact on groundwater quality and recharge rates of the aquifer from such development.” and add **A land area where rain or surface water can infiltrate into an aquifer relatively easily through permeable soils. The infiltration replenishes the aquifer. The location is also referred to as a Recharge Area or Zone. When development is proposed within the Aquifer Protection District and any Recharge Area or Zone, the Planning Board may hire, at the developer’s expense a qualified hydrologist to assess the potential impact on groundwater quality and recharge rate of the aquifer from such development.**
- Strike from 609.5.1.7 the language “brought from outside the district” at the end of the sentence and move it to “Dumping of snow **brought from outside the district** containing deicing chemicals.
- **609.5.1.12 Add “Gasoline stations” as a prohibited use.**
- **609.5.1.13 Add “Outdoor, open and/or uncovered storage of commercial fertilizers” as a prohibited use.**
- Change 609.5.2 Recharge Requirements from 50% to 30% and strike the language “Paving requirements for underlying districts may be waived by the Planning Board upon request of the applicant.
- Add to 609.6.2 Drainage: All runoff from impervious surfaces the language **“excluding “high load areas” as defined under NHDES Alteration of Terrain Regulations (see Env-Wq 1502(26))”** and strike the language “Dry wells shall be used only where other methods are not feasible and shall be preceded by oil, grease, and sediment traps to facilitate removal of contaminants.”
- Change 609.6.4 to read as follows: Location: Where portions of the parcel are outside of the Aquifer Protection District, potential pollution sources must be located outside the district.
- Add 609.6.6 Animal manures, fertilizers, and compost must be stored in accordance with Manual of Best Management Practices for Agriculture in NH, NH Department of Agriculture, Markets, and Food, July 2008, and any subsequent revisions.
- Add 609.6.7 Groundwater Discharge: No discharge of a regulated contaminant as defined under Env-Or-600 (See Env-Or-602.23) above Ambient Groundwater Quality Standard (AGOS) is allowed to the ground or groundwater. Dry wells may not be used when receiving a regulated contaminant. Discharge to a dry well of a regulated substance (as defined under Env-Wq 401 (See Env-Wq 401.03(h)) is permitted only when treated to meet the AGOS specified under Env-Or-603.03. All applicants proposing groundwater discharge of commercial wastewater shall submit copies of approved NH DES Groundwater Discharge Permits and Registrations, as required under applicable state regulations.
- Add to 609.7 Non-Conforming Uses: Any nonconforming use may continue and may be maintained **or** repaired (strike the language and improved), unless such use is determined to be a hazard to public health and safety

- Strike the Appendix: Source of Technical Data Used in Mapping The Aquifer Protection District: 1. 1992 USGS Water Resources Investigations Report 91 4025 “Geohydrology and Water Quality of Stratified Drift Aquifers in the Lower Merrimack and Coastal River Basins, Southeastern New Hampshire.”

Questions/Comments from the Board:

- Chair St Laurent asked for clarification for the public as to the difference between the Aquifer District and the Canobie Lake and Cobbetts Pond Watershed.
- Ms. Scott explained that a map from the US Geological Survey determines if you are in or out of the Aquifer District and that the Aquifer District protects groundwater which is the source of water for most wells.
- Mr. Carpenter explained the majority of residential wells are bedrock wells drilled into granite and the water comes from the fissures where it collects. The sand and gravel underground holds the water and contributes to the recharging of the water. By protecting the aquifers you are protecting both the quality and quantity of water.
- Mr. Wrenn asked who defines aquifers.
- Ms. Scott replied the US Government.
- Ms. Nysten stated there was a lot of information crossed out in 609.3.1 and 609.3.2 and asked for clarification.
- Ms. Scott explained the changes.
- Chair St. Laurent referred to 609.3.2 and questioned whether the language “relatively easily” could be removed as it is suggestive.
- Ms. Nysten asked if a Hydrologist and a Hydro Geologist were the same: the proposed new language in 609.3.2 is hydrologist and the text it is replacing is Hydro Geologist. Ms. Scott will check.
- Mr. Carpenter stated he was concerned the definitions were being deleted; direct recharge area and indirect recharge area and asked why we would take away the definition.
- Ms. Scott answered at the sub-committee meeting it was thought that the definition could be better and should be re-written.
- Jim Coburn of the Aquifer Protection sub-committee explained the wording was changed to make it more specific.
- Wayne Morris of the Conservation Commission noted the next line in the text differentiates it.
- Mr. Carpenter noted in this document “recharge area” has a definition and “zone” does not. He would like to have zone deleted or defined for clarity.
- Mr. Carpenter pointed out a missing colon in 609.6.7 after the language Groundwater Discharge.
- Chair St. Laurent asked if the term Recharge Areas in 609.3.2 should be changed to Aquifer Recharge Areas as that is what this is trying to protect.
- Ms. Scott re-capped the Boards edits.
- Mr. Carpenter asked if the Aquifer Sub-Committee unanimously supported the document and was told yes.

Mr. Carpenter motioned and Mr. Sycamore seconded moving forward with amendments for public hearing; Motion passed 6-0-0.

Public Hearings – 2014 Town Meeting

Steve Bookless arrived at 7:25pm, not seated

Mr. Carpenter read Section 702 Area, Frontage, Yard and Floor Area Requirements into the record

Section 702 Area, Frontage, Yard and Floor Area Requirements

Amend this section to add the words “or lot created”

Chair St. Laurent suggested they do nothing as she believes this is already covered in the Subdivision Regulations Section 605.1.

Questions/Comments from the Board:

- Mr. Carpenter suggested the board dismiss it.
- Mr. Wrenn asked what the driving factor for this request was.
- Ms. Scott explained it came about from a separate question and council advised if there was concern, change the language.

Chair St. Laurent opened the hearing to the public.

Betty Dunn stated she was all for shortening the ballot, if something isn't necessary it should be left out. She also asked if the meeting could be displayed on the screen.

The Chair closed the Public Hearing.

Mr. Wrenn motioned and Mr. Sycamore seconded not to take Section 702 changes to Public Hearing. Motion Passed: 6-0.

Mr. Carpenter read Building Code Amendments into the record

Building Code Amendments

Amend Section R106.2 of the 2009 International Residential Code and Section R107.2.5 of the International Building Code to require all public and private easements, as well as applicable setback lines from lot lines, wetlands and other features creating setbacks under the Windham Zoning Ordinance.

Ms. Scott explained this will amend the building code, not zoning, it still must go through the same process as zoning amendments do. The amendments apply to two sections of the town building code and close a loophole by requiring submitted plans showing town and private easements. Under the building code adopted by the state and the town you do not have to show private easements, public easements, or setback lines.

Questions/Comments from the Board:

- Mr. Carpenter noted there was some language missing in the document; the following language should be added to the last sentence "to be shown on the submitted site and plot pans." He also explained since this is a public hearing notice it can be discussed but not voted on until it is reposted.
- Ms. Scott agreed and will repost. She also went on to explain that currently they cannot require easements and setback lines to be shown on plans, by approving this amendment to the building code they will be able to require it.

Chair St. Laurent opened the hearing to the public.

Betty Dunn commented on the board's ability to amend the International Residential Code and wondered if it should be reworded to reflect the Town of Windham's interpretation. She stated we are only changing the code for the town and it should be worded as such.

Chair St. Laurent explained the state and town adopts the standard code and then makes amendments to it as necessitated by the towns needs.

Mr. Carpenter stated some of the code is intended to be amended to reflect local conditions.

Ms. Scott explained the code is intended to be international and adopted and amended locally. She also stated she will rewrite it and try to make it more understandable.

Business Commercial Antenna Structure (Sections 200, 605.1.10, 613, 701.3)

Amend Section 200 to delete the definition of “Business Commercial Antenna Structure” and add definitions for “Towers” and “Mounts”. Amend Sections 605.1.10 and 613 to delete “Business Commercial Antenna structures” and replace with “towers and mounts”. Amend Sections 701.3, 701.3.1, 701.3.4, 701.3.5, 701.3.6 and 701.3.8 to delete “Business Commercial Antenna structures” and replace with “towers and mounts”. Delete Section 701.3.7 and 701.3.9.

Discussion held over for future meeting as additional edits have to be made.

Mr. Carpenter read Section 705 Open Space and Landscaping Requirements into the record

Section 705 Open Space and Landscaping Requirements

Amend Section 705.1 to clarify when the requirements are not required and amend Section 705.1.1 to change “non-permeable” to “impervious” and deleting examples of non-permeable.

Ms. Scott explained these are minor changes to eliminate conflicting language between Zoning Ordinances and Design Regulations. It also changes language from “non-permeable” to “impervious” as non-permeable is not defined in the Zoning Ordinances.

Questions/Comments from the Board:

- Ms. Nysten requested the entire section be shown in the future. 705.2 is missing from the draft.
- Mr. Carpenter asked why the inverted approach. He also questioned the third bullet “Developments subject to the Design Regulations, adopted on September 4, 2013, as may be amended” and confirmed it meant this would not apply to developments that are subject to Design Regulations.
- Chair St. Laurent noted this approach would cover all new districts added to the Design Regulations unless they were exempted.

Chair St. Laurent opened the hearing to the public. Hearing none, the public hearing was closed.

Ms. Nysten asked to add an amendment that Section 705.2 will remain.

Chair St. Laurent noted only the language crossed out would be stricken and therefore Section 705.2 would not be deleted

Mr. Wrenn motioned and Ms. Skinner seconded to move changes in Section 705 Open Space and Landscaping Requirements, as presented, to warrant. Motion passed: 6-0.

Ms. Scott recapped: Business Commercial Antenna Structure and Building Code Amendments would be held over to the November 20th meeting; 702 was dismissed; and Section 705 was moved to warrant.

Public Hearings - Applications

Mr. Carpenter read Preliminary Major Site Plan Application Case 2013-35 into the record.

Preliminary Major Site Plan Application Case 2013-35

The applicant, Karl Dubay of the Dubay Group on behalf of Village Center Properties, LLC and Scott & Jane Baetz, is proposing a phased multi-use development at 13 & 15 Indian Rock Road (11-A-520/11-A-530). Phase I of the development includes a one-story 2,500sqft building (Building A), and 2 story 10,000sqft (total building (Building B) and a building with two stories at 12,200sqft and 1 one story section at 1,500sqft for a total building (Building C) at 13,700sqft. In addition, site lighting, landscaping, parking and façade elements are also proposed. There will be the ability to connect to abutting properties for internal driveway access as

part of this application. This application is subject to the provisions of WWPD and Section 719 of the Zoning Ordinance, as well as the Design Regulations.

Chair St. Laurent asked Ms. Scott if the application was complete and Ms. Scott replied yes.

New material was distributed by Mr. Dubay.

Mr. Carpenter motioned and Mr. Wrenn seconded to open the public hearing. Motion passed: 6-0.

Ms. Scott listed the materials provided in the agenda packet. She noted this is a preliminary application, full engineering, traffic, and drainage studies have not yet been done. A preliminary review of the plans has been done. It has gone through TRC and to Conservation. The applicant is aware of the requirements and next step. This is a public hearing and is non binding on the applicant and the board. After the public hearing is closed the applicant will have 12 months to submit a final application.

Questions/Comments from the Board:

- Mr. Sycamore asked if Route 111 will be two lanes in each direction at this location.
- Ms. Scott stated although there has been a study done, there is no movement and no funding in the ten year plan for this. There is no money in engineering or construction. In theory maybe 20 years out you could see two lanes in each direction.

Having no other questions, the meeting was turned over to the applicant.

- Mr. Dubay introduced himself and one of the property owners, town resident Chris McCarthy.
- Mr. McCarthy described his vision for the project. As a member of the Village Center Subcommittee and based on feedback from that committee of the town's master plan, as well as feedback from town residents, they have created a vibrant and social mixed use development that is pedestrian friendly. The intention is for a class "A" project with high quality buildings and a New England feel. Feedback from potential tenants has been strong, as well as that from residents who have seen the plans. They have had interest from a variety of different businesses; banks, retail shops as well as marquis restaurants. In total the two lots are 13 ½ acres in size and the impact will be only 1 ½ acres total.
- Mr. Bookless asked if there was any proposed use for the remaining acres or if they would be left as open space.
- Mr. McCarthy answered there were no future development plans at this time.
- Mr. Dubay noted 15 years ago at a hearing the Village District was started and was put on a warrant. The town and district is maturing and they are happy to move forward with a plan. This preliminary hearing is to get a sense from the residents and the board if they are going in the right direction. Feedback has been very positive. The property grades up from 111. It will be a two story structure with just a strip of parking along the front and when you wrap around to the rear, up the grade, it accesses the upper level which adds value. They have also pre-designed for access to the rear for possible well fields and septic. They have established a vision with good design and good planning with sensitivity to the other land owners in the district. They have the ability to perform on cross easements and cross connections just as the regulations are striving to make developers do. There are challenges, no sewer and no water.
- Ms. Scott noted this is subject to the Demolition Delay Ordinance, Historic Ordinance, and the sign is up on the site notifying people about the historic resources. The white building closest to the road will be demolished; the cabin is not being touched as part of this project.
- Mr. Dubay stated the TRC process is working very well. There is a wetlands ditch that goes through the property which they will be culverting; they will also be doing an alteration of terrain permit with the extra new treatments for protection of the aquifer and surface and groundwater. The initial District 5 DOT meeting went very well. They discussed phasing, access, and long term vision with options for future development with sites that could be inter-connecting. He also stated the cluster of three buildings, one of which will be a bank with drive-thru, are oriented so they will be pedestrian friendly, with sidewalks and

crosswalks. There is way-finding meaning you can get from place to place without having to cross a large parking lot.

Kathleen DiFruscia was seated at 8:05pm

Questions/Comments from the Board:

- Mr. Carpenter commented the plan clearly reflects the Village Center District concept. He also noted a conversation many years ago about the potential of using the town property across the street as a water source. There would be two positive impacts for development, one being it's a lot of water and two it takes away well radius issues as you migrate up the hill.
- Mr. Dubay replied he is aware of the potential for water supply across the street. He believes it is something the town and the landowners can get together and resurrect. This particular property, because it is so complex, has provisions in the rear for a full 200ft radii double well package meeting all state and town criteria on the property. They have also done lot loading calculations that allow them to prove the soils and the lot loading per state standards with septic as well as water supply. The first phase is generating less than 5000 gallons a day. They recognize the issue and its importance and are keeping their options open.
- Mr. Carpenter stated the challenge is bringing all property owners together and having all properties and future properties operating with one set of wells, one pump house, and one boring under 111 to feed the Village Center District water. There is plenty of room for these three properties to do what they want but if you go out a few years and start developing up the hill with additional buildings and residences you have several lots with similar well radiuses and leech fields and it will greatly restrict development in this area. He also inquired as to when the water study would be done.
- Mr. Dubay replied that Mr. McCarthy has engaged with Bruce Lewis of Lewis Engineering. The 200ft radii well package may or may not be put in, it may be phased. They are going to give themselves options and will work with the abutting property owners. It costs a lot to capitalize a water system.
- Mr. Carpenter agreed but stated there are other ways to do it. Maybe the town could build it and they would pay for it through water consumption. There must be a more efficient way than several parcels trying to build several large volume wells. He also questioned the number of curb cuts there would be on 111 to enter and exit the property. He believes it would make sense to have a service road that links the properties.
- Mr. Dubay said a traffic study is required. The DOT is suggesting interconnects as a viable backbone of access. The DOT recognizes each parcel on 111 has a right to a curb cut and that will not be taken away. An official scoping meeting is required by the DOT to set forth all of the requirements.
- Chair St. Laurent asked if there would be a continuous aisle connecting each lot.
- Mr. Dubay replied yes, it adds value for everybody.
- Mr. Sycamore asked if 111 were widened would it be done by going up the hill or going south.
- Mr. Dubay replied that since the property across the street is very wet it is difficult to develop. All of the activity would be on one side of the street which makes the center turn lane more manageable.
- Mr. Wrenn noted the right of way is already established on 111.

Chair St. Laurent opened the hearing to the public.

Ms. Susan Hoey, 4 Eastwood Rd, voiced concerns over blasting, potential loss of trees, and damages to her property. She questioned how the construction equipment would get to the site, the duration of the project, phases of the project, and whether the town will require a bond from the developer to protect homeowners.

Mr. Dubay explained they would not cut down trees in the well radius, it would be protected. They need viable protective radii that are natural for the water permits. Trees would only be cut to create a small gravel access way.

Ms. Scott replied the town does not require a bond unless there is blasting and any additional phases would have to be brought before the board. The only proposal right now is for these three building.

Mr. Dubay noted neighbors will be notified again for the final design and permitting. There is a state process to drill a well. Mr. Lewis the water engineer should be able to answer the question about damages.

Ms. Hoey questioned if they would need access from abutting properties and if they were proposing future development in the back of the property.

Mr. Dubay replied they would access at the front from 111. He also stated the back of the property is very steep and would be left as open space for now.

Ms. Hoey then questioned how certain properties came to be part of the Village District; and a whether a property on Hardwood Rd was approved to install a second driveway.

Ms. Scott replied that zoning changes to move properties into the Village District would be done by a vote at Town Meeting. She also stated corner properties are allowed to have two driveways and she would have the Town Highway Agent look into it.

Chair St. Laurent explained the process by which the Village Center District was established and then added to.

Susan Mesiti, 7 Ironwood Rd, applauds plan. She is concerned with some of the words being used to describe cross easements as opposed to service roads. It was her understanding of the Master Plan that a service road was being creating; it wasn't an election whether you were hooking into the property next to you, you were hooking in. You didn't need permission to use someone's easements to connect the property. She is concerned about the planning; there are several different grades on the property and they have to hook in. She stated she does not want connectivity to be optional.

Mr. Dubay stated they are not precluding any connectivity's in the front, mid section, or the rear. They would be happy to help with a service road. They will work with the property owners to optimize the value of everyone's property. He also stated he suspects the board will make a condition of approval for the site plan, the inclusion of deeded rights of access to other people's property.

Mr. Carpenter noted there were two different concepts; one is voluntary and the other is the board and the developer saying lets connect the properties. The service road will be a town road and will be included in the master plan and so connection to it will not be voluntary.

Mr. Wrenn noted the Village Center District encouraged inter-connectivity as it is the only way this can be developed properly. The Town and Planning Board adopted it.

Ms. Dunn questioned if access to both buildings is from the upper level and wanted to echo that she believes connectivity is key.

Mr. Dubay explained that you can access both buildings from both levels.

Ms. DiFruscia asked if access to the bank will also be in the back.

Mr. Dubay answered there will be full flat access all the way around the bank.

Ms. DiFruscia wanted to echo it is very exciting that something is going to happen in the Village District Area and she believes it does need connectivity.

Chair St. Laurent closed the Public Hearing.

Mr. Carpenter motioned and Ms. DiFruscia seconded to close the preliminary phase. Chair asked if there was any further discussion:

Mr. Wrenn stated he wants the plan to show inter-connectivity when it comes back.

Mr. Dubay stated he would be happy to do that and put together options and alternatives and include it in the submissions for review.

Mr. Sycamore asked how the board can encourage a dialogue with land owners to come up with a consensus for connectivity.

Ms. Scott replied it would have to be done separate from this application. It would be unfair to hold up the applicant based on agreements from abutters for a road lay out. There are ways to do it through planning process.

Mr. Carpenter commented the board already took an excellent first step when they codified it in the Village Center District Ordinance. We can make it can be a condition of approval that they must work with abutting landowners to encourage connectivity between lots.

Chair St. Laurent went back to the motion to close the preliminary phase. Motion passed: 7-0.

The Chair called a recess at 9:00pm and reconvened the meeting at 9:10pm

Mr. Bookless was excused at 9:00pm

Ms. Scott was excused at 9:00pm

Ms. Wood arrived at 9:00pm

Mr. Carpenter read Case#2013-26/Granite Woods Open Space Subdivision/WWPD Special Permit into the record.

Case#2013-26/Granite Woods Open Space Subdivision/WWPD Special Permit (Cont. from 10/16/13)

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.

Chair St. Laurent noted since this is a continuation the hearing has already been opened.

Ms. Wood stated the Board and Applicant agreed to a site walk which occurred on October 26, 2013. The minutes from the site walk and documents from the state regarding environmental facts and Wetlands Restoration and Mitigation are included in the packet. She also noted the Town Engineer and Highway Agent both concur with the applicant that closed drainage is preferable but they have not received comments from the Conservation Commission yet. This meeting is to gain some guidance for the design issues. The hearing can be reconvened after Mr. Zohdi has made the edits.

Having no questions from the board the meeting was turned over to the applicant.

Peter Zohdi of Hebert and Associates introduced Michael Gospodarek and Jim Gove. He recapped the site walk and requested answers to the following questions: Does the board want closed or open drainage and width of pavement, the regulation calls for 22ft width. Open drainage will cause an additional 40,000 sq ft of disturbance.

Chair St. Laurent stated there is one other issue they need to bring closure to, connectivity.

Mr. Zohdi stated prior to the site walk he met with Mr. McCartney and Fire Chief McPherson and the connectivity issue was not important to them.

Chair St. Laurent agreed the limitations were clear. She then asked Ms. Wood about cistern design.

Ms. Wood explained cistern design does not have to be dealt with at this time.

Mr. Zohdi stated he will comply with the cistern design that the Fire Department wants.

Mr. Carpenter asked what the length was from the four way intersection on Wilson Rd to the end of the furthest cul-de-sac and what the ordinance was on cul-de-sac length.

Mr. Zohdi answered 2050ft is the length from Wilson Rd to end of cul-de-sac.

Ms. Wood answered the ordinance for cul-de-sac base length is 1200ft unless the Planning Board approves a longer cul-de-sac which can be up to 2400ft.

Mr. Zohdi stated they can go up to 2400ft with Planning Board permission and gave the example of Squire Armour Rd.

Chair St. Laurent asked for the width of Wilson Rd.

Mr. Zohdi answered 27 to 28 feet. Regulation says for amount of traffic for that road, 22ft and they have the Alteration of Terrain approved for 22ft.

Mr. Wrenn asked if it were to be 28ft what it would do to the drainage calculations and if its treated water that is landing on the roadways

Mr. Gospodarek answered it would increase the treatment in the project for DOT; this means all of the impervious areas will have to be recalculated, the treatment swales would change, and detention basins would have to be increased for more impervious areas. You would need a ditch line which means the culverts will have to be extended to contain the water that needs to be treated. The water landing on the roadways is treated.

Mr. Carpenter questioned why the board would grant the 2000ft cul-de-sac since other subdivisions have been denied it and what the implications would be for future requests. He stated he would be in favor of the 22ft width road with closed drainage but he cautions the board to look closely at the cul-de-sac radius, citing public safety challenges.

Mr. Zohdi noted they are providing 80ft cul-de-sac radius.

Ms. Nysten noted she thought there wasn't a problem with a center island as long as they had an 80ft radius. She also asked about the thickness and width of the road relative to maintenance issues for the Highway Department.

Chair St. Laurent noted that as this is a residential road it is not as big an issue, not as many trucks traveling down it.

Jim Gove of Gove Environmental Services performed the wetlands mapping on the site and filed the application for wetlands crossing which is less than 10,000 sq feet. He distributed a letter from the US Army Corps of Engineers in regards to an application through the NH Wetlands Bureau. They raised concerns about a threatened endangered species and the lack of a vernal pool study. A response was sent regarding the endangered species stating the area will be avoided and will have a protective radius. Mr. Gove explained they did not see any evidence of vernal pools on site, with the exception of one area which has a large radius of no impact, 100ft setback. This is holding up processing of the wetlands permit.

Chair St. Laurent spoke about the possibility of open drainage in certain sections of the project. She also wanted to discuss impacts of wider roads to drainage and the size of drainage structures.

Mr. Gospodarek answered roadside swales aren't used for treatment. They couldn't put treatment swales on both sides of the road because of the wetlands and with larger swales you lose more trees in the buffer zone.

Mr. Gove explained that an increase in road width or impervious service results in additional chemical impact (salt and sand).

Ms. Nysten asked if Mr. Gove looked into typical road widths in other towns.

Mr. Gove said typical is 24ft. He also noted that many communities are looking at a reduction of impervious surfaces due to the impact of the wetlands and the general permit for storm waters (MS4) is requiring narrower pavements.

Ms. DiFruscia commented less impervious surface is better for the environment. She doesn't want bigger and longer treatment swales. She would have liked some areas of open drainage as it would mean less impact on trees.

Mr. Zohdi said with open drainage they will be disturbing more land; roughly another acre.

Mr. Sycamore asked is the statement open drainage has less impact to wetlands true or false.

Mr. Gospodarek answered in this case its false.

Mr. Carpenter stated this is an open space subdivision with narrow lots. People don't want trenches across their lots. Narrow road, closed drainage, capecod berms work for a neighborhood like this.

Mr. Sycamore asked if going from 28 to 22 ft on Wilson Rd was gradual.

Mr. Zohdi replied it gradually tapers.

Chair St. Laurent opened the hearing to the public.

Pete Stamnos, 7 Jefferson Rd, stated he is for a narrower road and closed drainage. He is against the connection to Washington St. He thinks it is unnecessary and is concerned that the land impacted is conservation land. He also questioned the location of the treatment basin in the buffer.

Chair St. Laurent polled the board asking if they were for or against the 22ft road width:

- o Ms. DiFruscia supports 22ft Ms.

- Nysten supports 22ft or 24ft
- Ms. Skinner supports 22ft
- Mr. Carpenter supports 22ft
- Mr. Wrenn supports 22ft
- Mr. Sycamore supports 22ft
- Chair St. Laurent supports 22ft

Chair St. Laurent polled the board asking if they should require the applicant to connect to Washington St and show it on the plans:

- Ms. DiFruscia does not support connecting to Washington St
- Ms. Nysten does not support connecting to Washington St
- Ms. Skinner does not support connecting to Washington St
- Mr. Carpenter does not support connecting to Washington St
- Mr. Wrenn does not support connecting to Washington St
- Mr. Sycamore does not support connecting to Washington St
- Chair St. Laurent does not support connecting to Washington St

Chair St. Laurent polled the board asking if they want to stay with the applicant's proposal for closed drainage:

- Ms. DiFruscia supports closed drainage
- Ms. Nysten supports closed drainage
- Ms. Skinner supports closed drainage
- Mr. Carpenter supports closed drainage
- Mr. Wrenn supports closed drainage
- Mr. Sycamore supports closed drainage
- Chair St. Laurent supports closed drainage

Mr. Carpenter stated that at the next meeting the board would be taking up the open space subdivision modifications, one of the regulations would allow for smaller lot sizes.

Ms. Nysten asked how long the driveways are for the two properties at the top.

Mr. Zohdi answered approximately 500-550.

Chair St. Laurent noted on the yield plan she doesn't see the allowance for 21 parcels by right.

Mr. Carpenter asked if staff knew how many waivers of the WWPD would be required.

Ms. Wood explained this is the 2nd version of the yield plan and she has not reviewed the 2nd version yet.

Mr. Zohdi is happy with the decisions made by the board and will work on the yield plan.

Ms. Nysten asked about the trail easement at the top of the hill.

Mr. Zohdi replied he is working with the Trail Committee to give the proper trail easement.

Jim Finn, abutter, voiced his concern that this is over one mile of road with only one way out; it is not a through road.

Mr. Zohdi will present a letter of subdivision to the board. He requested 45 days to create a plan to send to Ms. Wood and Steve Keach for review. He will come back with some concerns answered. He will have Mr. Keach look at drainage issues.

Chair St. Laurent confirmed that Mr. Zohdi would present the yield plan at the January 8, 2014 meeting.

October Staff Update

Old/New Business (Not to include discussion of pending applications or decisions on matters requiring public notice)

Adjournment

Mr. Carpenter motioned and Ms. Skinner seconded to adjourn the November 6, 2013 Planning Board Meeting at 10:50pm. Motion passed: 7-0.

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