



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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Planning Board APPROVED MINTUES Wednesday, December 17, 2014

Board Members:

Kristi St. Laurent, Chairman – Present

Alan Carpenter, Vice Chair – Present arrived at 7:40am

Paul Gosselin, Member – Present

Pam Skinner, Member – Present

Margaret Crisler, Member – Excused

Vanessa Nysten, Member – Present

Bruce Breton, Selectman – Excused

Joel Desilets, Selectman Alternate – Present

Steve Bookless, Alternate – Excused

Jim Fricchione, Alternate – Present

David Oliver, Alternate – Excused

Kathleen DiFruscia, Alternate – Excused

Staff:

Elizabeth Wood, Community Planner

Laura Scott, Community Development Director

Call to Order/Attendance/Pledge of Allegiance at 7pm

2015 Town Meeting Public Hearings

Agricultural Signs (706.5.1.5 & 706.7.10)

Amend Section 706.5.1.5 to include “, except where allowed by other sections of this ordinance”; add Section 706.7.10 to permit “Temporary agriculture off-site directional signage is allowed on Town roads, without a permit, and on State and Federal roads, as permitted and regulated by RSA 236:69-89”

Chair reads the amendment and gave background

Referenced Attorney Campbell’s memo and input and summarized previous discussion. Referenced board of selectman’s comments. Discussed state and local authority. Guidelines regarding right of ways. RSA is referenced 236.70.

Paul Gosselin state concerns about legal opinion as it relates to a possible warrants as shown.

Kristi and Paul discuss temporary and other verbiage in the amendment.

Joel comments that the legal risk is negligible

Vanessa references staff email with RSA, 236.69-89. Staff explained.

Paul makes a motion to send it back to workshop to address concerns. Change and alter, Pam seconds.

Staff attempts to address Pauls concerns. Reviewing and stressing the merit of changes that were made.

Paul makes his motion again, Pam seconds, discussion amongst everyone.

Joel suggests waiting on Board of Selectmen to weigh in, and agrees with Paul to go back to workshop.

7:40 PM, Mr. Carpenter arrives.

Public input: Wendy Lundquist, Windham resident

Sign maintenance and DOT runaround- researching state law and permit requirements

Vanessa discusses existing off premises signage on state property

Motion is revisited and discussion ensues.

Paul amends his motion to include Board of Selectmen input wording up to 'signs...without a permit'

'Farm signs' as defined in RSA 236:70 (XIX) which promotes the sale of agricultural products grown or produced on properties within Windham may be erected as off premises signs without a permit. Such signage shall be 'temporary' as described in section 706.7.8.

5-0-2, Vote carries. Mr. Carpenter and Mr. Fricchione sustained.

Religious Uses (Sections 200, 618.2.5, 604.1.7, 605.1.9, 606.1.13, 612.11, 617.1.4, 608, & 701.2)

Amend Section 200 by adding a definitions for "Church (also Churches; Religious Uses)", Assembly Halls (Places of Assembly/Function Hall)", "Health and Fitness Club", "Kindergarten and Nursery School", "Private Schools", and "College(s)(University); Amend the existing definition for "Membership Club" in Section 200; Delete Section 618.2.5 and replace with "Intentionally Omitted"; Amend Section 604.1.7 deleting the words "Banquet Halls"; Amend Section 605.1.9 by deleting "halls" and replacing with "Assembly Halls"; Amend Section 606.1.13 by deleting the existing language and replacing it with "Health and Fitness Clubs"; Amend Section 612.2.11 by deleting the existing language and replacing it with "Assembly Halls"; Amend Section 617.1.4 by deleting the words "Halls" and replacing it with "Assembly Halls"; Amend Section 608 Section VII by deleting "social, political and religious uses" and replacing it with "Churches and Assembly Halls"; and delete "Churches" from Section 701.2

Vice chair Carpenter reads the notes and summarizes.

Chair opens to public:

Shawn Foster corrected a typo and referenced section VIII.

Joel makes motion, with amendment to correct, to move to warrant, Paul seconds. Motion passes 6-0-1. Mr. Fricchione sustained.

Open Space & Landscaping (Section 705.1 and 705.1.1)

Amending Section 705.1 to clarify when these regulations do not apply; Amending Section 705.1.1 to define what is and is not considered open space for purposes of the Ordinance.

Vice chair carpenter reads

-staff references Attorney Campbells comments

-discussion about using open space and/or landscaping in the amendment

-agreement on using 'and'

Public opens-no comment

Motion by Pam to move ‘warrant’ with corrections, Paul seconds. 6-0-1. Mr. Fricchione sustained.

2015 Town Meeting Workshops – Market Square Zoning District

Joel reads letter from Al Letizio regarding market district recommendations.

Discussion on how best to proceed.

Alan recommends adding two planning board members and making a planning board sub-committee.

Joel and Paul agree to discuss with WEDC and get back to Planning Board on their recommendation to add two Planning Board members to existing sub-committee.

Public Hearings

Case#2014-36/Pelligrini Subdivision/4 Floral Street (11-A-1622)

A Final Subdivision proposal has been submitted for a Minor Subdivision at 4 Floral Street (11-A-1622), located in the Rural District and Wetland and Watershed Overlay Protection District. The applicant, Peter Zohdi of Edward N. Herbert Associates, Inc., on behalf of the property owners Nazzarene and Dorothy Pellegrini, is proposing to subdivide the parcel into two lots, one containing the existing single family residence sized 1.176 acres (51,232 sq. ft.) and another vacant lot sized 1.591 acres (69,295 sq. ft.).

Motion to move to public hearing by Paul. Seconded by Pam. 6-0-1 (Jim abstained)

Presentation by Shayne Grendon from Herbert and Assoc

Paul – question regarding length of lot line between parcels (less than ordinance)

Public comments:

Ms. Buccerelli – Long time resident. Supports the plan.

Motion to approve waivers as requested – 605.5/601.3.5/601.3.9

Paul/Pam Vote – 7-0

Motion to approve as amended:

Plan to be amended for street addressing as per WPD coments

Final plan to have original stamps and signatures

Paul – Pam 7-0

Case#2014-38/Minor Site Plan/The Willows (14-A-925)

A Minor Site Plan Application has been submitted for the Willows 55+ Condominium Development located on Addison & Nesmith Roads (Lot 14-A-925) in the Neighborhood Business District Zone and Wetland and Watershed Protection District. The applicant, Peter Zohdi of Edward N. Herbert Associates, on behalf of the property owner, KB Bergeron Development, LLC is proposing to amend the previously approved residential site plan to not install the 2 freestanding signs at the road entrances, as well as not installing the trails, lights, benches and a bridge, that were part of the approved Site Plan due to privacy and safety concerns.

Motion to accept by Pam. Seconded by Paul. 7-0.

Shayne Gendron presented

Paul – OK to exclude signs. No problem.

Alan – Wants to explore walking trails, maybe without extending to edge of lot/conections

Joel – wants trails installed

Jim – asked what the cost of improvements would have been. Concerned about residents who bought in expecting the improvements.

Kristi – Support requiring trails as approved by WPB. Amenities are part of the ordinance for Elderly housing.

Motion to continue to January 7th for public hearing and to have a site walk scheduled for 1/3 at 9:00am

Case#2014-39/Change of Use/49 Range Road (18-L-400)

A Minor Site Plan/Change of Use Application has been submitted for 49 Range Road (18-L-400), located in the Professional Business and Technology and Residence District A zones and also the Cobbetts Pond and Canobie Lake Watershed Overlay Protection District and Wetland and Watershed Protection District (WWPD). The applicant, Edward N. Herbert Associates, Inc., on behalf of the property owner Mashop Development, LLC, is proposing to change the use of a 9,000 sq. ft. area from lab/manufacturing to medical office. No exterior modifications are proposed.

Motion to accept as minor site plan by Paul. Seconded by Pam. 7-0

Motion to approve as presented by Pam. Seconded by Paul. 7-0

Application Administrative Reviews

Burnham Road Trail Relocation

Presented by Shayne Grendron at Herbert

Motion by Alan to Direct applicant to work w/ Con Comm to resolution and their satisfaction.

Seconded by Paul. 7-0

49 Range Road Façade Change

Presented by Shayne Gendron at Herbert

Alan – concerned about long expanse of building with all brick

Vanessa – alaso concerned about same. Wants something to break up the sight line.

Joel – wants landscaping along back brick wall

Motion to have applicant to work with Staff to develop landscaping plan for building rear wall

Alan/Pam

7-0

Minutes – December 3, 2014

Amendments were made to the minutes

There was discussion about adding in statements from Board member if it was unclear where the statement should go in the sequence of the minutes. There was concern that there could be confusion if someone was trying to read the minutes and follow along with the tape. A. Carpenter felt that the Board has always allowed member to insert statement that were factual into the minutes. K. St. Laurent felt that this was a workshop, not a hearing, and the language being added doesn't change the intent of the discussion. Paul said he would like it in the appropriate place in the minutes. Joel didn't want it to look as if there was a one sided discussion.

Motion by Alan to approve as amended. Seconded by Kristi. 5-0-2 with Pam and Jim abstaining.

Recreation Committee Letter of Support Request

Alan Carpenter made a motion to have staff work with the Chair to draft a letter of support for the grant. Paul seconded the request. 6-0-1 with J. Fricchione abstaining.

Old/New Business

L. Scott mentioned that she sent out emails after the 12/15 Board of Selectmen meeting advising that the funding for Phase II of the Master Plan and the Growth Management Study were removed from the budget. A proactive 2015 work list and schedule, include Phase II Master Plan work, is being drafted with the Chair and that it will be on the agenda for January 7th for the Planning Board to discuss.

J. Desilets stated that this was a hard decision for the Board of Selectmen but that it is a great opportunity for the Planning Board to volunteer.

L. Scott reminded the board that the next meeting is 12/30/14 and mtg packets will be available this Friday.

Pam made a motion to adjourn. Paul seconded. 7-0 Adjournment at 10:10pm

These minutes are respectfully submitted by Laura Scott, Alan Carpenter and Jim Fricchione.