



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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FINAL Planning Board Minutes

Wednesday, April 15, 2015

7:00pm @ Community Development Department

Board

Members:

Alan Carpenter	Chairman	Present	Joel Desilets	Selectman	Arrived 7:10pm-8:50pm
Paul Gosselin	Vice Chair	Present	Kathleen Difruscia	Alternate	Arrived 7:06pm-8:50pm
Kristi St. Laurent	Member	Present	David Oliver	Alternate	Arrived 7:10pm
Ruth-Ellen Post	Member	Present			
Margaret Crisler	Member	Present			
Dan Guttman	Member	Arrived 7:03pm			

Staff:

Laura Scott, Director, Community Development Director

Suzanne Whiteford, Minute Taker

Chairman Carpenter read into the record notice that per NH RSA 676:1 notice is hereby given that the Windham Planning Board will hold a public hearing on April 29 to adopt amendments to "Windham Planning Board Rules of Procedure, specifically sections 2.7, 3.3, 4.2, 5.2, 6.5, 7.3, and 7.6."

Case#2015-6 Minor Site Plan Application Lot 18-L-480

A Minor Site Plan Application has been submitted for 41 Range Road, located in the Professional, Business & Technology District, the Cobbett's Pond and Canobie Lake Watershed Protection District. The applicant, Edward N. Herbert Assoc., Inc. on behalf of Camber Management LLC is seeking Minor Site Plan approval for an existing, relocate free standing sign.

Per Section 303.5 of the Site Plan Regulations, if the application does not qualify as a Minor Site Plan then it will be deemed a Major Site Plan and the application will be heard as a Preliminary Major Site Plan Application.

Ms. Scott a new free standing sign needs to come to the Board for approval. This sign was moved from original location and back to original location. When the sign was moved back to original location initial zoning variance was lost.

Motion Ms. Post to accept application as a Minor Site Plan

Second Mr. Gosselin
Vote 6-0-0 motion carries

Review of existing sign and circumstances regarding sign history

Motion by Ms. Post to approve Minor Site Application for **Lot 18-L-480**
Second Mr. Guttman,
Vote 6-0-0, motion carries

Case #2015-5 Minor Site Plan/Change of Use Lot 18-L-310

A Minor Site Plan/Change of Use Application has been submitted for 63 Range Road (18-L-310) in the Professional, Business and Technology District and the Cobbett's Pond and Canobie Lake Watershed Protection District.

The Applicant, Diane Lemenager, on behalf of Kang Enterprises, is proposing to use 3,000 sqft of existing space as a child care facility for up to 62 children and 10 employees. A 1,000 sqft (approx.) outside play area is also being proposed.

Per Section 303.5 of the Site Plan Regulations, if the application does not qualify as a Minor Site Plan then it will be deemed a Major Site Plan and the application will be heard as a Preliminary Major Site Plan Application.

Ms. Scott instructed the Board they are being asked to accept the application as a Minor Site Plan, approve waiver for parking and addition of a play ground. Explanation of the difference between a Minor and Major site plan as requested by the Chair

Motion Ms. Crisler to accept Case #2015-5 into hearing as a Minor Site Plan
Second, Mr. Desilets
Vote 5-2-0. Ms. St. Laurent and Ms. Post in opposition
Motion carries

Mr. Gosselin asked the applicant if there would be any special events such as holiday parties, graduations, or other events where all the parents and children would gather.
Applicant informed the Board there are no plans for any type of gathering that would require children and parents to gather all at one time for a special event

Ms. Crisler asked the applicant to describe the traffic flow in and out of the child care for the purpose of drop off and pick up
Applicant pointed out the traffic flow and addressed the proximity of the children to the parking lot.

Tae Kang
Owner of the building. Addressed the Board regarding parking, and traffic flow in and out with regards to the existing businesses

Mr. Guttman
Asked about the mulch being used on the playground

Applicant described the purpose of using rubber mulch in the play area where the potential for falling while playing

Chairman Carpenter asked Ms. Scott about requirements for the fence and gate. Ms. Scott confirmed the State reviews and gives a permit for the fence and gate.

Ms. Crisler asked about traffic flow and estimate of peak drop off and pick up times, and hours of operation.

Applicant described an anticipation of staggering drop off and pick up based on the parents work schedule.

Ms. DiFruscia inquired about the rubber mulch. Does it require special drainage or does it absorb? How does the mulch get cleaned?

Applicant described the mulch, how it drains, how it is cleansed, and how it is graded.

Concern about the safety issue related to parking pointing into the playground, and asked the applicant if she would be opposed to the Board making a condition of approval the installation of traffic stops between the fence and the parking spaces.

Applicant plans to address the safety issue by working with the state, no opposition to making the installation of traffic stops in parking as a condition of approval.

Ms. St. Laurent and Ms. Post inquired about establishment of an emergency parking area for fire, police, and emergency parking area

Tae Kang intends to work with the fire department to establish a parking area designated for fire and police parking

Ms. Post made a motion to grant waivers from section 703.1 of the Site Plan Regulations for a reduction in parking requirements.

Ms. Crisler second motion

Vote 7-0-0, Motion carried

Ms. Crisler made a motion to approve application as presented with the condition that the fire chief is agreeable and the fire safety is met, and traffic stops be installed between the fence and parking spaces.

Second Mr. Gosselin

Vote 7-0-0

Motion Carried

Ms. Scott replaced by Ms. Wood

Case #2015-7/Final Review/WWPD special Permit/Major Subdivision

A Design Review Application for a Major Subdivision, a Final Application for a Major Subdivision; and a Wetland and Watershed Protection District (WWPD) Special Permit Application, were submitted for Lot 20-D-2300 (London Bridge Rd), located in the Rural District Zone, Flood Plain District, and Wetland and Watershed Overlay Protection District (WWPD). The Applicant, Peter Zohdi, on behalf of the property owner, Kerry McKenna Revocable Trust, was proposing to subdivide the existing parcel, sized 27.38 acres (1,192,672.8 sq. ft.) into 12 lots ranging in size from 1.456 acres (63,423 sq. ft.) to 3.67 acres (159,865.2 sq. ft.). The new residences are proposed to be served by individual wells and septic

systems. As part of the proposal, Burnham Road is to be extended, thus connecting the existing dead end cul-de-sac with London Bridge Road. A WWPDP Special Permit is requested for road crossings, drainage, and slope easements for a permanent disturbance of 93,935 sq. ft. Written waiver requests were submitted from the following Sections of the Subdivision Regulations: 403.1, 601.3.5, 601.3.9.

Waivers Requested

A waiver request was not granted from **Section 403.1** of the *Subdivision Regulations* and thus the meeting was not opened for Final Review. Design Review is non-binding and the other waiver requests were not considered at this juncture.

Motion by Ms. Crisler to open the hearing

Second Mr. Desilets

Ms. Post asked if the application is complete, as she thinks the application is not complete enough for the Board to make an informed decision. Items listed in Mr. Keach's and Ms. Wood's memo were not addressed in the application.

Ms. DiFruscia, concurs, and believes the issues addressed by Mr. Keach may benefit from a site walk. Open for a design review application rather than a major site subdivision hearing?

Ms. Crisler changed her motion to opened the hearing as a design review application

Second Mr. Guttman

Ms. Woods reviewed the requirements for a design review hearing. The applicant meets the requirements.

Vote 7-0-0, motion carries

Mr. Jim Gove, Gove Environmental Services

Ms. Post inquired about the acreage of WWPDP, concerned about mitigation measures are taken with regards to flooding, concerned about the flood hazard areas, and concerned about the cost and difficulty in obtaining flood insurance.

Applicant: 93,000 including drainage (2 acres). Described drainage mitigation plan, and pointed out and described the flood plain. The building is at least 10-12 feet above the flood plain.

Mr. Guttman inquired about the pitch and the curve of the road

Applicant confirmed the plan complies with geometry regulation.

Chairman Carpenter inquired about the slope of the road

Applicant referred to page 16 of the plan,

Mr. Oliver concerned about flooding, referring to page 11. Worst case scenario, how many feet can the wetland rise during a 100 year storm?

Applicant, worst case scenario the water is projected to rise 10 ½ feet.

Open to the public

No public comments

Ms. DiFruscia commented on the significance of the 100 year storm and the significant wetlands and be sure the drainage plans address the real possibility of flooding.

Mr. Oliver commented on future development that may impact the wetland and flooding in the area.

Ms. St. Laurent asked what the slope on London Bridge Road is

Ms. Crisler asked about the stone being used, asked for an itemized memo outlining revisions and open/outstanding issues. Would like to schedule a site walk before final application

Ms. Post inquired about the cul de sac/hammerhead is going to open and connect directly to London Bridge; both road agents suggested a traffic calming measure on Burnham road.

Applicant explained he met with the fire chief and agreed to put a common device near the rail trail.

Mr. Guttman thinks opening the road will decrease current remnants of loitering

Site walk schedule for May 9th @ 9am

Applicant agreed the center line of the road will be staked out, and the corner of the lots will be staked out and the wetlands will be flagged.

Case #2015-3 Final Review WWPD A Final Subdivision Application for a Major Open Space Subdivision, Cobbetts Pond and Canobie Lake Watershed Land Development, and a Wetland and Watershed Protection District Special Permit Application (WWPD) have been submitted for property that is accessible by Settlers Ridge and Glendenin Roads (Lots 25-R-6000, 6250, 6260, 7000, 7050, 8002, 8005, 8010, and 9000), located in the Rural District Zone, Wetland and Watershed Protection District, and Cobbetts Pond and Canobie Lake Watershed Overlay Protection District. The applicant, Edward N. Herbert Assoc., Inc., on behalf of the property owner, Wood Meadow Land Development, LLC, is proposing to merge the eight (8) existing lots and then to subdivide them into thirty-nine (39) lots for single-family development and twelve (12) open space lots. The proposal includes the creation of new roads. The WWPD Special Permit is for several proposed road crossings and driveways for a total permanent impact of 92,293 sq. ft. for the Open Space Subdivision proposal. Individual well and septic systems are proposed for service of each lot.

Chairman Carpenter gave instruction that this hearing will be scheduled to resume on May 20 at 7pm. At that time the public will have opportunity to speak. Public comment will not take place this evening.

Motion Ms. Crisler to open the hearing

Second Mr. Guttman

Vote 6-0-0

Applicant presented

Ms. Crisler blasting

Mr. Gosselin, Recommend the abutters speak about the existing cul de sac on Settlers Ridge

Jim Gove, Gove Environmental Services. Presented Soil Map Updates and Modifications as outlined in his memo to Mr.Zohdi dated February 20, 2015
No sign of a scholar channel on proposed site.

Mr. Guttman, clarified Mr. Gove does not specialize in hydrogeological studies
Request of hydrogeological study

Ms. Crisler concerned about the water supply in the area.

Chairman Carpenter asked Mr. Gove to explain his findings on drainage capabilities of the site plan, referring to page 18 of plan.

Mr. Gove explained the difference between the numbers 3 and 2. In general, most of the area is moderately well drained. It has nothing to do with deep aquifer conditions.

Mr. Guttman asked about septic
Mr. Gove, Will have to raise the beds for septic system in certain areas

Bob Duncan, 21 Settler's Ridge
Would like the cul de sac to remain as it is now with rights to maintain the island

Al Syracuse, 27 Settlers Ridge
Not truly a traffic circle, it is P shaped.

Ms. Crisler suggested to ask Highway Safety to weigh in on the cul de sac

May 9, 2015 10:30 am Site Walk scheduled at the end of Glendenin Road.
Mr. Zohdi will mark the center of the road

Ms. Crisler Motion to continue the hearing on May 20, 2015 at 7pm in town hall
Second Mr. Guttman
Vote 6-0-0
Motion carried

Mr. Gosselin motion to adjourn
Second Ms. Crisler
Vote 6-0-0
10pm meeting adjourned