

# COMMUNITY DEVELOPMENT

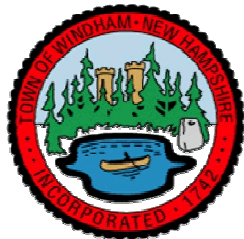
PO Box 120, Windham, New Hampshire 03087

(603) 432-3806 / Fax (603) 432-7362

[www.WindhamNewHampshire.com](http://www.WindhamNewHampshire.com)

## Planning Board Minutes

June 12, 2013



### **Board Members:**

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

Ross McLeod, Selectman – Excused  
Kathleen DiFruscia, Selectman Alternate, Present  
Vanessa Nysten, Alternate Member – Present  
Alan Carpenter, Alternate Member – Excused  
Jim Fricchione, Alternate Member – Present

### **Staff:**

Elizabeth Wood, Community Planner  
Cathy Pinette, Planning Board Minute Taker

### **Call to Order/Attendance/Pledge of Allegiance**

Chair St. Laurent called the meeting to order at 7:20 pm, followed by the Pledge of Allegiance, member attendance and gave a brief synopsis of the agenda.

The Chair asked for a moment of silence for Ms. Carolyn Webber, Planning Board member, who had passed away. Ms. Webber served the Town in many capacities including the Planning Board, BOS, CIP Committee and as State Representative. Ms. Webber will be missed by all who knew her.

### **Public Hearing – (Continued from May 29, 2013):**

Case#2013-10/Subdivision Application/London Bridge Rd. (20-D-1900, 20-D-1950)

A Subdivision Application has been submitted for Lots 20-D-1900 and 20-D-1950 (London Bridge Road), located in the Rural District and Wetland and Watershed Protection District. The applicant, Peter Zohdi of Edward N. Hebert Associates, Inc., on behalf of the property owner, Homes of Winslow, LLC., is proposing to merge Lot 20-D-1950, sized 3.012 acres (131,197 sq. ft) with Lot 20-D-1900, currently sized 6.282 acres (273,655 sq. ft.) and proposed to be sized 7.106 acres (309,538 sq. ft.), upon approval of Case#2013-9/Lot Line Adjustment Application), and then subdivide the property five lots for single-family residential development. Lots are proposed to have individual well and septic systems. Waivers have been requested from Sections 602.2.4 and 602.2.3 of the *Subdivision Regulations*.

- Ms. Wood stated the Board had an email memo from Tom McPherson, Fire Chief regarding the cul-de-sac placed at their seat. Mr. Zohdi would like an additional waiver from Section 602.2.5.5 regarding the site distance also placed at their seat. Mr. Zohdi’s request was not “noticed” as it was submitted on 6/7/13. Ms. Wood spoke with Mr. McCartney regarding the site distance and Mr. McCartney stated it was not a concern as the road is relatively flat, there is a wide shoulder and there is not a lot of landscaping to obstruct sight. Ms. Wood stated there was no concern from Police or Highway Safety on the site distance. Ms. Wood stated that the Board has a memo from KNA dated June 5<sup>th</sup> with Mr. Keach’s comments and concerns. There is a new set of plans from Mr. Zohdi which Mr. Keach has not commented on as of yet. Mr. Zohdi has taken care of some

items from staff's memo, a professional report was provided by the applicant from Mr. Jim Gove of Gove Environmental regarding the vernal pools, the Conservation Commission is requesting a 25 foot buffer around the vernal pool and they are in favor of open drainage.

- Mr. Peter Zohdi gave an overview of the proposed plan. He stated he has met with the Fire Department, Police Department and the Highway Safety Committee. He is not opposed to a cul-de-sac with no center island as Chief McPherson recommends. He stated he has responded to some of Mr. Keach's concerns and agreed to wait until after the 17<sup>th</sup> for Mr. Keach's comments on the new plans if the Board chooses. He stated he will provide open drainage as the Conservation Commission requested and will do plantings around the vernal pool. He is waiting for DES approval and will have Mr. Gove stamp the final plans.

### **Questions/comments from the Board**

- The Board asked Mr. Zohdi why he is proposing open drainage with ditches as they are concerned with people filling them in. Mr. Zohdi stated open drainage will help protect the vernal pool. He stated Mr. McCartney's department would stop people from filling in the ditches. He stated the Town cleans the catch basins twice a year.
- The Board asked Mr. Zohdi if he would agree to place plantings around the vernal pool and Mr. Zohdi stated he would. He stated Mr. Gove recommends the entire flow path from the rip-rap to the vernal pool should be planted with woody species plantings and he will do that.
- The Board asked Mr. Zohdi what the proximity of the driveway to the vernal pool was and also regarding the other driveway near the wetland if there would be any impact to the other driveway. Mr. Zohdi stated he didn't think so as the driveway is only 10 feet wide. The Board asked Mr. Zohdi if he could put the driveway on the other side and Mr. Zohdi stated it depends on what they build.
- The Board asked Mr. Zohdi about the water that will run into the wetlands as there is no curb and the water will drop into the wetlands. Mr. Zohdi stated that on page 6 of the plans it shows all the drainage and he stated that will not be a problem,
- The Board asked Mr. Zohdi about putting attached garages near the vernal pool. Mr. Zohdi stated they put the garages on the high side and they try and stay away from the vernal pool.
- The Board asked Mr. Zohdi if people in the neighborhood can still access the conservation land near these lots. Mr. Zohdi replied that it is all wetlands and steep so no one could.
- The Board asked Mr. Zohdi his rationale for not putting in a conventional cul-de-sac. Mr. Zohdi stated he could but it would be closer to the wetlands and WWPD. The Board asked Mr. Zohdi if he increased the size of the cul-de-sac if that would change the number of houses he can put in and Mr. Zohdi stated no. The Board asked Mr. Zohdi to explain further the size of the cul-de-sac and what he is proposing. Mr. Zohdi explained how the numbers work and stated he will update his plan to reflect 108 feet. He spoke about the edge of pavement and snow storage for the cul-de-sac. Sheet 6 of the plans show the drainage of the cul-de-sac and sheet drainage will go into the ditches.

- The Board asked if there would be a cistern. Mr. Zohdi stated yes, at the beginning of the cul-de-sac. The Board requested Mr. Zohdi update the plans for the cistern easement and Mr. Zohdi will do that and work with the Fire Department on the cistern. He stated it is a 10,000 gal cistern.
- The Board told Mr. Zohdi that in the Subdivision Regulations he would need to demonstrate each lot has at least one location for a driveway, elevations, site distance, etc and Mr. Zohdi stated he would add that to the plan.

The Chair opened the hearing to the public at 8:12 pm, hearing no comments the public portion was closed.

- The Chair asked Mr. Shane Gendron of Herbert Associates why the plans are not stamped at the time of submission as per the Regulations. Mr. Gendron stated that there are so many revisions it is impractical. Mr. Zohdi stated when the final plan is approved by the Planning Board all the stamps are on it.

Mr. Fricchione was seated for the vacant seat.

**Ms. Crisler motioned to grant a waiver from Section 602.2.5.5 to allow a site distance of 277.5 feet looking left, as opposed to the required 335 feet because the road is flat with wide shoulders, and there is low vegetation, and that a sign be placed on London Bridge Road indicating an intersection with the distance as determined by the Road Agent at his discretion, seconded by Ms. DiFruscia. Motion passed 7 – 0.**

**Ms. Crisler motioned to grant a waiver from Section 602.2.4 to allow the cul-de-sac to have a slight offset to the right and have an outside radius of 62.5 feet rather than 80 feet with 108 feet of diameter of pavement with no center island, seconded by Ms. DiFruscia. Motion passed 7 – 0.**

**Ms. Crisler motioned to grant a waiver from Section 602.2.3 to allow for a 2:1 side slope at Sta 2+25 rather than the required 3:1 as to prevent grading from encroachment into a pocket of wetland on the right side of the road, seconded by Ms. DiFruscia. Motion passed 7 – 0.**

**Ms. Crisler motioned to approve the revised plan dated 6/5/13 as presented with the following conditions; the plan changes be reviewed by the Town Engineer, that medallions be posted in the vernal pool area on Lot 20-D-1900 and a note be added to the cover sheet recognizing the no cut area and no surface alteration in the vernal pool buffer, that professional engineer stamps are required, a note be added to the cover sheet and road profile recognizing the potential need for driveway culverts and that the decision be left to the Road Agent, the existing catch basin rim will be replaced with a manhole cover at the London Bridge Road and Winslow Road intersection, that a guardrail be placed in the area of the 2:1 slope as well as detail for construction, that the cul-de-sac grading be reflected accurately on the plans as there are discrepancies, that a stop sign be installed at the intersection of London Bridge Road and Winslow and the plans be updated to reflect, a note be provided on the plan specifying the utility layout prepared by an approved utility company with the final configuration, that the CSI match the RPI on the cul-de-sac lay out, that the scale be 1" = 10 feet, add a sheet to the plan showing driveways and site distances for each lot, that a zone between the rip-rap and the vernal pool be thickly planted with woody shrubs and that this zone be included in the drainage easement, that the applicant receive DES approval, that the edge of pavement is marked on the plan with the cul-de-sac radius and the paved radius being noted, that the center of the cul-de-**

sac be paved with decorative pavers, that the correct address of abutting Lot 14-B-2600 be verified, provide the correct address of Homes of Winslow LLC, the final plans be signed and stamped by the surveyor, the engineer and the property owners, a financial guarantee is in place per Sections 704.1.2 and 704.1.4, and the lot line adjustment (20-D-1900 & 20-D-1950) which was conditionally approved on 5/29 be finalized, seconded by Ms. DiFruscia. Motion passed 7 – 0.

Mr. Sycamore left the meeting and Ms. Nysten was seated for him.

## **Planning Board Items**

### **Planning Board Member - CIP Appointment (one 1-year term)**

Mr. Wrenn has volunteered to be on the CIP and the Chair is looking for one more volunteer.

**Ms. Crisler motioned to appointed Mr. Carpenter to a one 1-year term on the CIP, seconded by Ms. Skinner. Motion passed 7 – 0.**

### **Planning Board Decision on SNHPC ReadySetGO! Certified Sites Program**

- The Chair stated the Board needed to make a decision if the Town wanted to participate. Landowners would decide if they want to participate but the Board would need to change some regulations.

### **Public Comment**

- Ms. Ruth Ellen Post, appointee to the SNH Commission stated they have made a couple of presentations in Town and she has researched the program online. She stated they are not trying to regulate land use and that is a misconception some people have. She stated it is a marketing process/option that the Commission is making available to land owners. She explained how the process works. She stated if the Town chooses to participate the Board would need to approve conceptual plans and they would be good for 5 years. She thinks that the Board should participate. The Board asked Ms. Post what the Planning Board would have to do to implement the Program. Ms. Post stated they would have to adopt language in the Site Plan Regulations. The Board and Ms. Post discussed the Program. Questions that the Board had were: if the 5 year approval was grandfathered if zoning changes, and if future Board's would be locked in. It was decided that the Board would ask Counsel for input. Ms. Post will email a link to the Board about the Program.

## **Adjournment**

**Ms. Crisler motioned to adjourn, seconded by Ms. DiFruscia. Motion passed 7 – 0.**

Meeting adjourned at 9:10 pm.

These minutes were approved 8/7/13 and respectfully submitted approval by Cathy Pinette, Planning Board Minute Taker