

**PLANNING BOARD**  
**MAY 3, 2000**

**ROLL CALL:**

Russ Wilder, Chairman - Present  
Alan Carpenter, Vice Chairman - Present  
Lisa Linowes, Secretary - Present  
Margaret Crisler, Selectmen Member - Present  
Walter Kolodziej, Regular Member - Present  
Ross McLeod, Regular Member - Present  
Wayne Morris, Regular Member - Present  
Roger Hohenberger, Selectmen Alternate - Absent

**ZONING AND PLANNING ISSUES:** Mrs. Crisler gave an update of the land use section of the Master Plan. This will be the main topic at next Wednesday's workshop meeting.

Mr. Morris requested that any information that we have from Bob Thorndike be put in the files such as wetlands and soils maps. Mr. Turner explained that worksheets are not usually part of the file. Discussion ensued regarding this matter.

Mrs. Crisler stated that she had the schedule and applications for the annual workshop for town and city officials which covers general information on how the town runs.

Mrs. Crisler stated that the Selectmen were not going to appeal the Board of Adjustment decision for the property on the corner of Mammoth Road and Castle Hill Roads.

**CORRESPONDENCE:** Mr. Wilder read the following correspondence:

- memo from the Conservation Commission regarding a workshop to discuss WWPD; Discussion ensued regarding a date of a workshop and the Master Plan. May 31 a workshop is planned for a meeting with the Conservation Commission.
- meeting announcement from Rockingham Planning Commission for May 8;

Mr. Wilder stated that Ms. Annette Stoller requests that Windham Planning Board host a RPC meeting. Suggested topics include the Village Center District, municipal complex, and the new business technology zone. Ms. Stoller then addressed the Board regarding RPC issues and reported on their last meeting including non-funded items, CIP, elderly housing uses, and ordinances passed in other towns. She then highlighted land protection report given in to members in their folders. She then asked about the appointments to the Planning Commission. Mr. Turner will get back to the Board regarding this issue. A workshop meeting was planned for July 19 for a joint meeting with RPC and the Planning Board.

Mr. Wilder distributed a letter to Board members from Attorney Campbell regarding Planning Board alternate members.

**PUBLIC HEARINGS:** Mr. Wilder read the agenda. He stated that Rosewood Estates has requested the application be withdrawn.

**Mitchell Pond Homes Lot Line Change and Special Permit (3-A-546 & 547) - Public Hearing 12 & 14 Partridge Road**

Mr. Turner described a public hearing. He then described the lot line change, and he recommended the plan for public hearing. Mrs. Crisler made a motion to accept for public hearing. Mr. McLeod seconded. Passed. 7-0. Mr. Turner further explained the lot line change. Discussion ensued regarding location, abutter's lot, potential blasting, sight distance, reason for lot line change, encroachment on the WWPD, stabilization required, road and driveway profiles needed for realistic view, and asking the applicant for more engineering. Mrs. Crisler made a motion to continue this hearing to the next public hearing on Wednesday, May 17 at 8:00 pm. Seconded by Mr. Carpenter. The applicant is to be instructed to get more detailed information for the driveway and Partridge Road. Passed 7-0.

**Fletcher Corner Revised Road and Drainage Plan (25-R-602, 630, 675 & 802) 50-lot subdivision - Public Hearing Marblehead Road**

Mr. William Mason, attorney for this project, introduced himself.

Mr. Wilder recused himself from this portion of the public hearing, and Mr. Carpenter took his place on the Board.

Mr. Turner described that this is an approved plan that needed to come back to the Board with a revised road and drainage plan. Mrs. Crisler made a motion to open for public hearing. Seconded by Mr. Morris. Mr. Turner further described the plan including driveway plans, access easements, future rights-of-way, cul de sac location, road design, drainage, and easements. Discussion ensued regarding easements and cul de sac. Mrs. Crisler read the original approval motion. Discussion continued regarding the easements, cul de sac location, right-of-way, and the original intent of the motion. Mr. Wilder described his recollection of the public hearing, and his opinion of the plan.

Mr. George Fredette, representing the Higgins, stated that they do have access to their property, and they want to preserve the access to their property. There are two access points available (right-of-way and easement) which the Higgins are still in discussion as to which is better from their point of view. Their mission is to maintain access with the intent of a buildable parcel.

Mr. Jim McCoy, representing Mark Legace owner of lot 25-R-625, asked whether the cul de sac is temporary or permanent, and will Mr. Legace be able to subdivide and develop his property in the future. Mr. Turner stated that the cul de sac is temporary. Behind the property is the Town landfill and the open-space is adjacent; Mr. Turner stated that even though it is a temporary cul de sac, it wouldn't go far only into one existing lot. The lot is approximately 7 acres.

Discussion ensued regarding drainage, humped vs. dipped driveways, pedestrian easement through open space, Fletcher and Corliss intersection drainage, curbing, and cul de sac location.

Mrs. Crisler made a motion to accept drainage plan as presented as satisfying the drainage revision requirement in the conditions of approval. Approve the revision to the plan which include a 15' easement to lot 25-R-17500 from the end of Fletcher Road as depicted on the plan presented tonight. Seconded by Mr. Kolodziej. Discussion ensued regarding width and splitting the motion. Mrs. Crisler restated her motion. Discussion ensued regarding the cul de sac. Mrs. Crisler amended her motion to include that the Corliss Road cul de sac remains as originally approved. Seconded by Mr. Kolodziej. Discussion ensued regarding the motion. Mrs. Crisler added 15'+ easement sufficient in width to include slope easement. Seconded by Mr. Kolodziej. Discussion ensued regarding roadside ditches on sheets 24-30. Passed 5-1-1. Mr. McLeod opposed. Mr. Wilder abstained.

Mr. Wilder rejoined the Board.

Mr. Kolodziej made a motion to postpone the Mountain Home Builders Special Permit till next public hearing on May 17 at 8:00 pm. Seconded by Mr. McLeod. Discussion ensued. Mr. Kolodziej amended his motion to include the applicant include detailed road and driveway profiles. Seconded by Mr. McLeod. Passed 7-0.

### **Pond View Subdivision (24-D-700) 3-lot subdivision - Public Discussion Moeckel Road**

Mr. Turner explained a public discussion. Mr. Turner explained the subdivision and suggested sending the plan out to department heads. Discussion ensued regarding Moeckel Road, depicting shoreline protection district, stonewalls, lot lines, off-site road improvements, and WWPD. Mrs. Crisler made a motion to send out to Conservation Commission, fire, police, Historic District, transfer station, road agent, and shore line protection applicable. Second by Mr. McLeod. Passed 7-0.

### **Castle Reach Water Pumping Station (7-A-691) - Public Discussion 80 Searles Road**

Mr. Wilder read a letter from Gilford Transportation, an abutter. Mr. Turner explained the plan including location, hiding the building, and small parking area. Discussion ensued regarding water coming from where and to where, two wells, and the wells have been tested.

Mr. Craig Francisco, representing the applicant, addressed the Board's questions and further described the plan. Discussion ensued regarding access, who the water will be supplied to, location of pumping station, wetland impact, eight feet of the building will be exposed, lighting, signage, building subject to architectural review, gravel driveway, access road gravel also, gate, waterline placement along the road, capability for stubs, open-space covenant rules regarding utilities, and the future.

Mr. Michael Peterson, Morrison Road, identified his lot, had several questions 1) once Pennichuck gets the building, is it commercial space or open space? 2) who owns the water? It is not clear cut. There are wells that are in trouble in that area. 3) What will these new wells do to the existing wells.

Discussion ensued regarding stipulations for the site plan, planning issues for water supplies, and wells going dry. Mr. Peterson fears those with individual wells will get muscled under, and the aquifer will suck the water supply dry. He also questioned communal septic systems.

Mr. Turner suggested that the open-space covenants go to the Town attorney for review.

Ms. Lisa Rothchild-Shea, 73 Searles Road, stated that her home would be close to the pumping station. She only gets 2 gallons per minute, and wants to know what happens if her well goes dry. She also wanted to know if she will see the building from her home.

Mr. Alan Souma, Morrison Road, stated that the legality should go by an attorney first. He also wanted to know why this wasn't approved when the phases were approved. The response was that the plan was approved with individual wells. Mr. Turner stated that it was known from the beginning that there are well problems in this area, and that a community well for this area was being pursued. Mr. Souma stated that the area has a water problem and was concerned this will make it worse.

Ms. Kimberly Callan, Morrison Road, questioned whether the pumping station was for three phases or four phases. The phases were clarified, and the pumping station will cover all phases. She then asked for further clarification for the fourth phase. Mr. Francisco explained. Discussion ensued regarding depth less than 600' and water storage.

Mr. Peterson asked about how this project could be monitored for problems, and who do they go to if they have a problem. Standards and methodologies should be made as a model for future subdivisions. He stated that the lawyer will check for legalities, but that will not help if it effects the wells of others.

Mr. Turner suggested that Pennichuck present a detailed technical report including what neighborhoods this is going to serve, designed to serve, their dreams in writing, and the purpose; perhaps should be a presentation. Mr. Turner explained the State of NH review and approval of a commercial water supply. Pennichuck is a public utility and does need state approval. Discussion ensued regarding Pennichuck. The issues are state approval, technical information, legal issues on the limitations of a public water company and the open-space, technical issue of large water user, and recourse for people if there is a problem.

Mr. Peter Joss, 41 Morrison Road, feels that every time he comes to a Planning Board meeting that he's losing something. This time he feels like he's losing his water. He stated that he voted for those Planning Boards members that he felt were sincere in their campaign for preserving the Town which he sees as minimizing impacts or doing away with impacts all together. His comment was for the Board to please remember their duty of preservation, and he appreciates any lessening of the impacts to scenic Morrison Road.

Discussion ensued regarding approval of the subdivision was with individual wells, changing the water supply is something the Board needs to approve. The issues are change in water system, change in open-space documents, change in site plan approval, and recourse for people if there is a problem.

Mrs. Crisler made a motion to continue the Squire Armour Road subdivision extension and site plan public discussion to May 17. Seconded by Mr. McLeod. Passed 7-0.

Mr. Francisco explained there will not be 38 individual wells, but 3 wells in the open space. A 250' radius is so it will not effect the neighbors' wells. Discussion ensued regarding open-space building, water for fire protection, noise, driveway location, line of sight, site walk, written report from Pennichuck and presentation for their plans, comments needed from fire, police, Conservation Commission, Historic District, road agent, hydrogeologist study, written report from Pennichuck including maintenance, a technical report, effect on wells, what their plans for the system. Other issues include noise, legal questions include review of the open-space regulations in regards to commercial operations, who owns the water, can a commercial operations drain down the aquifer for other customers, what recourse do abutters have if wells go dry. Other concerns include lighting, signs, gravel, and architectural review, applicant look at moving the building to the South, amendments to the open-space development be looked at by Town Counsel. Discussion ensued regarding abutters and tax structure. Mrs. Crisler will ask the assessor how he taxes Pennichuck facilities now.

Mrs. Crisler made a motion to send out for review as stated previously. Seconded Mr. McLeod. Passed 7-0.

A site-walk was scheduled for May 10 at 6:00 pm. Members will meet at the temporary cul de sac at the end of Searles Road.

Mr. Carpenter made a motion to adjourn. Seconded by Kolodziej. Meeting adjourned at 11:00 pm.

These minutes are in draft form and have not been submitted for approval.

Respectfully submitted,  
Nancy Charland



