

Planning Board

Minutes of May 23, 2001

ROLL CALL: Alan Carpenter, Chairman - Present

Ross McLeod, Vice Chairman - Present

Lisa Linowes, Secretary - Present

Margaret Crisler, Selectmen Member - Excused

Walter Kolodziej, Regular Member - Present

Wayne Morris, Regular Member - Present

Russ Wilder, Regular Member - Excused

Lee Maloney, Alternate - Present

Roger Hohenberger, Selectmen Alternate - Present

Mr. McLeod opened the meeting at 7:30 pm.

Mr. Hohenberger and Ms. Maloney replaced Mrs. Crisler and Mr. Wilder respectively.

MINUTES:

Ms. Maloney made a motion to approve the May 16 minutes as amended. Seconded by Ms. Linowes. Passed 5-0-1. Mr. Hohenberger abstained.

CORRESPONDENCE:

Mr. McLeod reviewed the following correspondence:

Letter from McLane Professional Associates regarding the Nassar lot merger;

Letter from Bernie Campbell regarding the Nassar property;

Confidential legal letter from Bernie Campbell (not read aloud);

A copy of Ms. Linowes report of the NH Office of State Planning Spring Conference;

Postcard from Comprehensive Environmental Inc. regarding their services.

NEW BUSINESS:

Mr. Turner stated that the next meeting on May 30 will be a public hearing regarding site plan amendments, and then the Board will have a workshop to meet with a potential alternate member and discuss subdivision amendments.

Mr. Turner updated the Board regarding the renovations for the new Planning and Development Office.

Mr. Hohenberger updated the Board regarding the Resource meeting for the widening of Route 93 and the purchase of Castle Reach.

Mr. Morris stated that the trails map is on the Town's web site.

Mr. Turner stated that another DOT meeting will be tomorrow evening at 6:00 pm to discuss the Londonderry exits.

Mr. Carpenter joined the Board.

Mr. Hohenberger made a motion to continue the Koch and Collins Subdivision to the June 6 meeting. Seconded by Mr. Kolodziej. Passed 7-0.

CORRESPONDENCE (continued):

Mr. Carpenter read a letter from Attorney Troisi regarding the Klemm's site plan traffic study. Discussion ensued regarding consultant procedures and public hearing time restraints. Mr. Turner will respond to the letter.

PUBLIC HEARING:

Bear Hill Extension - 12 lots (20-E-250 & 255) - Public Hearing Continued

Bear Hill Road

Mr. Turner explained that the Board had a site walk, and he reviewed the requested waivers and outstanding issues. He explained the subdivision including vernal pools, proposed access, and buffer. The Board discussed the history of the Bear Hill approvals and the connection to Westchester Road. Mr. Peter Zohdi, Herbert Associates, discussed the road grades and complying with subdivision regulations.

The Board continued discussion regarding road grades, stream, connection Bear Hill Road, location of another subdivision nearby, slopes, fill, cul-de-sac length, temporary vs. permanent cul-de-sac, subdivision regulations for cul-de-sacs, and the Fieldstone Woods letter from adjacent landowner. Mr. Zohdi stated the applicant has put an offer on the land from the adjacent abutter but were unable to make a deal. Mr. Carpenter read the department comments. Board discussion continued regarding what department responses would be without a connection to Westchester Road, other cut-through options, site walk, sight distance to Lowell Road, and access to the subdivision from another existing road besides Bear Hill. Mr. Zohdi stated he did not think the Board would allow the connection to Lowell Road because of the sight distance. Mr. Turner stated the Board needs to give all the reasons for

denial and to look at if it's a scattered and premature development and detail the department head input for denial.

Mr. Hohenberger made a motion to deny the subdivision proposal for the Bear Hill Estates based on the fact that in his estimation that he considers this a permanent cul-de-sac and per our subdivision regulations 602.8.5 states a maximum road length for a permanent cul-de-sac is 2400 feet; 2) the applicant did not secure a cut through to the property abutting his subdivision and Westchester Road and he doesn't see the proposed cut through happening. There are possibilities to make the connection cut through to meet the subdivision regulations, but they were not presented tonight, and 3) the road agent, police, and Highway Safety Committee all asked for a cut through. Seconded by Mr. McLeod. Discussion ensued regarding Lowell Road, ease of maintenance, access to adjoining land, block lengths, and zoning regulations.

Mr. Hohenberger amended his motion to include Section 602.8.2 health and safety of future residents of the cul-de-sac, Section 602.8.3 need for ease of maintenance and service by the Town, and Section 602.8.4 need traffic circulation. Seconded by Mr. McLeod. Passed 7-0.

Board members stated that the applicant did try to contact the adjoining landowner and could not resolve the issue of ownership of the land and if that had been different, a cut through is needed, future easement be moved, and it is hard to support a temporary cul-de-sac when the connection is not there. If the plan were to come back that complies with the subdivision regulations they could get past this issue.

Review of Impact Fees - Public Discussion

Mr. Hohenberger explained how changes could be made to the impact fees. The Board discussed taking it out of the zoning ordinance, the schedule taken out of the zoning ordinance, value changes, and the cost we pay Salem High. No public comment.

Ballard Subdivision - 2 lots (22-A-300) - Public Hearing Continued

23 Birchwood Road

Mr. Turner explained the 2-lot subdivision and outstanding issues. Mr. Carpenter read the department comments. The Board discussed the Shoreland Protection Act fact sheet be added to the plan, primary building setback on the plan, setbacks, natural wooded buffer area, driveway location, and the potential of a shared driveway.

Public comment began with Mr. Tom Case stated he never heard that we could be less than the state's requirements and would like to see that in writing, and that the WWPD and Shoreland Protection Act are two different things. He asked where's the frontage on a Town road for the two lots. It was noted that a variance was granted from the ZBA for short frontage.

Mr. Hohenberger made a motion to approve the Ballard 2 lot subdivision contingent on: 1) setting of bounds; 2) providing erosion control measures with silt fences and hay bales

around vernal pools and the lake before construction begins; 3) note on the plan for Shoreland Protection Act is the governing rule; 4) that all of Mr. Thorndike's requirements are conformed to; 5) house numbering to be worked out by staff; and 6) the driveway be as proposed on the plan. Seconded by Mr. Kolodziej. Discussion ensued regarding the buffer area, accessory buildings, and Shoreland Protection Act. Mr. Hohenberger amended his motion to include not building within 50' of the lake. Seconded by Mr. Kolodziej. Passed 7-0.

Mr. Morris made a motion to continued Castle Reach to the June 6. Seconded by Mr. Hohenberger. Passed 5-1-1. Mr. McLeod opposed. Mr. Kolodziej abstained.

Lakeview Farm Site Plan (17-I-200) - Public Discussion

94 Range Road

Mr. Turner explained a public discussion, and he reviewed the site plan, former approvals, and issues. Attorney Bill Mason, representing Ron Abdinoor, stated the course has been in operation for about 4 years, zoning ordinance was changed in March, and he would like to open the course to the public. He intends to double the parking lot to 20 cars, 16 people to play at a time, egress be at the same location but level and paved at the driveway entrance, access easement to Armstrong Road, and scheduled tee times to control the numbers of people on the course. The Board discussed Walkey Road ownership, not closing the right to use Walkey Road, and it is a seasonal road. Mr. Ron Abdinoor, owner, stated hours of operation would be daylight hours.

The Board continued the discussion regarding total yardage, par 3 course, Walkey Road would still be used as an access road for the farm, there will be bathroom facilities, parking lot is the only visual change, golf season depends on the weather, location of abutting homes, location to Cobbetts Pond, no carts, curb cut, and safety from flying golf balls. Mr. Carpenter read letters from Ursela Granite, Hildegard Hurz, Beverly Coshen, James Chrissis, and Michael Rosen. Mr. Abdinoor stated the right of way would only cut a few trees.

Public comment began with Kevin Moekley, 2 York Road, stated the plan does not show the three-way intersection, and it would be a accident problem. He also stated that Walkey Road is used during the winter, and he doesn't want the traffic diverted to Armstrong Road.

Mr. Mike Nikita, 17 Bella Vista Road, stated he has safety concerns for the Bella Vista Road neighbors, he maintains the road, there is not a sufficient buffer for Bella Vista Road, he has collected 9 dozen balls over the years, some greens are no further than 5 feet from the boundary, a ball could do damage, a net should be constructed, and he suggested the Board walk the site.

Mr. Vincent Michienzi, 31 Walkey Road, stated the he objects to the road, a fire truck could not get down there, the parking area gives the residents problems, if the road to Armstrong Road doesn't go in they will fight more parked cars and the farm stand parking. He stated the road should go back to where it was. He has no objection to the golf course at all.

Mr. Roger Wickman, 3 York Road, noted that the plan is not to scale. He explained there will be a three-way intersection and the petition is for Armstrong Road. Walkey Road has two year round residences, and the road is used year round. He has no objection to golf course, but has a problem with the right-of-way.

Ms. Vera Barone, 20 Bella Vista Road, stated that Ronnie is a hard worker and has maintained the land. She has no objection except for safety, when they are playing she inches her way up the road for fear of being hit. She also asked about irrigation.

Mr. Bob Moakley, 2 York Road, stated he is against the right-of-way on to York Road, and will the mailboxes be moved? There are all kinds of trees and power lines concern to be concerned about, it create a traffic hazard, and there will be some accidents.

The Board discussed right-of-way comes out on to Armstrong Road, site walk, curb cuts, safety concerns, detailed plan, no soils survey needed, no topo needed, no drainage changes, and work with Mr. Turner to bring the proper plans. The plans should be sent out to the Highway Safety Committee, fire, police, Conservation Commission, Historic District Commission, and road agent. The Board discussed the number of cars that use Walkey road, summer farm use for existing stand, DOT driveway permit, water usage, irrigation system on the farm, Pennichuck Water to the house, agricultural is exempt from the water ban, and fertilizer use is a concern. The Board scheduled a site walk for Wednesday, May 30 at 6:00 pm.

Mr. Mike Nikitas requested the Board walk Bella Vista Road during their site walk.

Mr. Roger Wickman asked the Board to consider a study for Armstrong Road and York Road traffic.

Mr. Kolodziej made a motion to adjourn. Seconded by Mr. McLeod. Passed 7-0. Meeting adjourned at 11:00 pm.

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

Respectfully submitted, Nancy Charland