

# **Planning Board**

## **Minutes of May 15, 2002**

### **ROLL CALL:**

Ross McLeod, Chairman - Present Wayne Morris, Vice Chairman - Present

Lee Maloney, Secretary - Present Roger Hohenberger, Selectmen Member - Present

Walter Kolodziej, Regular Member - Excused Lisa Linowes, Regular Member - Present

Russ Wilder, Regular Member - Excused Nancy Prendergast, Alternate - Present

Alan Carpenter, Selectmen Alternate - Excused

*Ms. Prendergast replaced Mr. Kolodziej on the Board.*

*Mr. McLeod opened the meeting at 7:35 pm.*

### **MINUTES:**

Mr. Hohenberger made a motion to approve the May 8 minutes as amended.  
Seconded by Ms. Prendergast. Passed 6-0.

### **NEW BUSINESS:**

The Board discussed and interviewed potential Planning Board alternates and Rockingham Planning Commission representatives. Alternates: 1) Sam Nassar; and 2) Deborah Stanaras. RPC: 1) Letter from Peter Griffin expressing interest; and 2) Annette Stoller. No public input.

The Board discussed the Trails Subcommittee and an upcoming meeting with the Selectmen.

### **PUBLIC HEARING:**

#### **Kendall Pond Road Lot Line Relocation (9-A-1901 & 1902) - Public Hearing**

#### **31 Kendall Pond Road and 1 Magnolia Road**

Mr. Turner explained the plan is in compliance and meets requirements, explained location, frontage, staff does not believe it has regional impact, and recommends for public hearing. Mr. Morris made a motion to accept for public hearing. Seconded by Mr. Hohenberger. Passed 6-0.

Mr. Turner further described the lot line change including wetlands, Mr. Thorndike's review, buffer zone, and driveways on Magnolia Road. Mr. McLeod read a letter from the Conservation Commission. The Board discussed wetlands. Mr. Jack Szemplinski, applicant, explained road frontage and wetlands. No public comment. Mr. Hohenberger made a motion

to approve the lot line relocation subject to setting of the bounds and silt fence along the edge of the WWPD. Seconded by Mr. Morris. Passed 6-0.

## **Lakeview Farm Site Plan & Special Permit (17-I-200) - Public Hearing**

### **94 Range Road**

Mr. Turner explained the special permit for the driveway, change of use from private to public golf course, six waivers requested, site has a previous approved site plan for the farm stand, state approved the curb cut, relocation of Walkey Road, no additional signs or lighting, required buffered area needed, WWPD line, plan meets requirements and recommends it for public hearing. Mr. Hohenberger made a motion to accept for public hearing. Seconded by Ms. Prendergast. Passed 6-0.

Mr. Turner further described the site including location, residential home with apartments, golf course, agricultural land, relocate Walkey Road access to Armstrong Road, waivers requested 1) existing land contours at 2' intervals; 2) existing single trees with diameter of 12" or more; 3) soil types certified by recognized soil scientist; 4) landscaping and type of screening; 5) location and type of lighting including lighting contour plan; and 6) engineering computation for drainage based on 10-year storm. Mr. Turner further described line of sight and use of flowerpots, parking spaces, handicapped spaces, landscape buffer, and WWPD. The Board discussed WWPD determination, netting, and ZBA hearing administrative decision on 1) whether the net is considered a fence; 2) if it is a current golf course; and 3) the property zoned rural allows golf courses. The Board continued discussion of the waivers and Walkey Road. Mr. Bill Mason, attorney, explained the change of location for Walkey Road. Discussion continued regarding location of Walkey Road, Planning Board had a site walk, parking, landscape and screening around the parking area. Mr. Ron Abdinoor, owner, discussed vegetation around the parking area. Discussion continued regarding 4-5' screening, portable toilets, netting height, right to pass and repass, and handicap accessible portable toilets. Mr. Abdinoor stated his use of natural and organic fertilizer. Discussion ensued regarding signage will not change, lighting will not change, hours will 7:30 am to dusk, DES approval of water usage, and warning signs.

Mr. Hohenberger made a motion to table the Commons Expansion to the May 22 meeting at 8:00 pm. Seconded by Ms. Maloney. Passed 6-0.

Public discussion began with Mr. Joe Levis, 30 Walkey Road; and Mr. Charles Marston, 11 York Road, spoke in support of the site plan.

Mr. Mark Kanakis, attorney for Michael and Lisa Nikitas, Rose and Jim Crisis, Verra Berone all of Bella Vista Road, stated they object to the golf course because of the WWPD, 40' fencing violation, wetland education notations not on the plan, and a noisy pump located within 6 feet of Ms. Berone's home, the poles are a recent addition, trees cut, overly burdensome to the neighbors, hazards to Cobbetts Pond, environment impacts, and netting is not effective because not approved by ZBA. Mr. Turner stated he made the administrative decision that the safety netting is not a fence and the net meets requirements. Mr. Kanakis

questioned the number of parking spaces, and stated it is not an allowed use in WWPD. The Board discussed the WWPD ordinance in regards to golf courses.

Mr. Greg Sampson, 32 Walkey Road; Ms. Erin Rogers, 6 Armstrong Road; Ms. Maureen Raymond, 8 Armstrong Road; Mr. John Abdinoor, 9 York Road; Mr. Levitt, 8 Armstrong; Mr. Ed Walkey, 22 Walkey Road; Mr. Robert Faust, 91 Range Road; Ms. Early, 34 Walkey Road; Ms. Anne Barbagallo, 21 Walkey Road; Mr. Mark Walsh, 4 Armstrong Road; Ms. Gail Webster, Marblehead Road; Mr. Sam Nassar, Searles Road all spoke in support of the site plan.

Mr. Turner spoke to the issues of the completeness of the application, ordinances, and waivers requested. The Board discussed the ZBA appeal with Attorney Kanakis. Mr. Peter Zohdi, Herbert Associates, discussed zoning and WWPD.

Mr. Hohenberger made a motion to table Hadleigh Woods site plan and subdivision to the May 22 meeting at 8:00 pm. Seconded by Ms. Linowes. Passed 6-0.

Mr. McLeod read correspondence from: 1) Attorney Michael Rosen; 2) Mr. James Chrissis; 3) Ms. Hildegard Heg; 4) Ms. Beverly Cashen; 5) Ms. Ursula Granite; 6) Mr. John Sampson; 7) Mr. John Cascamesi; 8) Ms. Delores Penney; and 9) Robin and Huseyin Cavusoglu.

The Board discussed the pump with Mr. Abdinoor, he stated he can work out the hours of use with the neighbor, and pump location. The Board discussed netting definition, special permit, restrooms, and waivers.

Mr. Hohenberger made a motion to approve the waiver of section 701 regarding 2' intervals. Seconded by Ms. Linowes. Passed 6-0. Mr. Hohenberger made a motion to approve the waiver of section 702 as long as there is no further cutting of any trees with a diameter of 12" or more. Seconded by Ms. Maloney. Passed 6-0. Mr. Hohenberger made a motion to approve waiver of section 704.1 based on no further landscaping. Seconded by Mr. Morris. Passed 6-0. Mr. Morris made a motion to approve the waiver of section 908 for lighting plan including contour plan. Seconded by Ms. Prendergast. Passed 6-0. Mr. Hohenberger made a motion to approve waiver of section 913 engineering computation for drainage. Seconded by Ms. Maloney. Passed 6-0. Mr. Hohenberger made a motion to waive section 906 with the exception of natural screen on northeast side around the parking lot no higher than 4-6'. Discussion ensued regarding the upper section of Walkey Road will not be plowed in the winter. Seconded by Ms. Linowes. Passed 6-0. Mr. Hohenberger made a motion for a waiver of section 704.2 for the designation of the wetland symbol on the plan. Seconded by Mr. Morris. Mr. Hohenberger withdrew his motion. Mr. Hohenberger made a motion that section 704.2 is met by the plan and no waiver is required. Seconded by Mr. Linowes. Passed 5-1. Mr. Morris opposed. The Board discussed Walkey Road. Mr. Hohenberger made a motion to approve the special permit request of the roadway and work with staff on the position of the road. Seconded by Ms. Prendergast. Passed 5-1. Mr. Morris opposed.

Mr. Hohenberger made a motion to approve Lake View site plan with the following conditions: 1) disposition of Walkey Road remain open; 2) screening be provided at a height of 4-6' on the northeast section running the extent of the parking lot as shown on the plan; 3)

fertilizer used is consistent with best management practices for agriculture use; 4) obtain letter for DES showing approval to draw water from Cobbetts Pond; 5) warning signs indicating active golfing in process at the 3 entrances of Walkey Road; 6) pump house hours or pump location to be worked out with Mrs. Barone; 7) 8 additional parking spaces designated and built as determined by the CEA; 8) WWPD be delineated on approved plan; and 9) hours of operation of the golf course be 7:30 am to dusk. Seconded by Ms. Maloney. Passed 6-0.

The Board discussed going into non-public session.

Ms. Maloney made a motion to go into non-public as per RSA 91-A:3,II to discuss appointments. Seconded by Mr. Morris. Roll call - all yes. The following decisions were made.

Ms. Prendergast made a motion to recommend to the Board of Selectmen Annette Stoller to RPC for a 4-year term. Passed 4-1-1. Ms. Linowes opposed and Mr. Morris abstained.

Mr. Morris made a motion to recommend to the Board of Selectmen. Peter Griffin to RPC for a 3-year term. Passed 4-1-1. Mr. Hohenberger opposed and Mr. McLeod abstained.

Ms. Prendergast made a motion to recommend Sam Nassar as a Planning Board alternate. Seconded by Mr. Hohenberger. Denied 2-3-1. Mr. Morris, Mr. McLeod and Ms. Prendergast opposed and Ms. Maloney abstained.

Mr. Morris made a motion to defer Starenas and Dirksen appointment and have staff send invited to attend meeting. Seconded by Mr. Hohenberger. Passed 6-0.

Ms. Linowes made a motion to defer Sam Nassar's appointment to the Planning Board. Seconded by Mr. Morris. Passed 4-2. Mr. McLeod and Mr. Hohenberger opposed.

Mr. Hohenberger made a motion to adjourn. Seconded by Mr. Morris. Passed 6-0. Meeting adjourned at 12:30 pm.

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

Respectfully submitted, Nancy Charland