

Planning Board Minutes of December 18, 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 – Present Roy Dennehy, Alternate – Present

Nancy Prendergast, Alternate – Present Alan Carpenter, Selectmen Alternate – Excused

Mr. McLeod opened the meeting at 6:45 pm. Ms. Prendergast replaced Mr. Kolodziej.

CORRESPONDENCE:

Planning Board and ZBA notices from New Boston, Derry, Newton Junction, and Newfields;

Letter from Attorney Solomon regarding the Hancock Road bond release. To be invited to the January 8 meeting;

Letter from Mr. Turner to SFC Engineering regarding WWPD interpretation;

Letter from Mr. Sam Nassar regarding McIntosh Hollow;

Confidential legal communication from Attorney Campbell;

Letter from Attorney Mason regarding comments made at the December 11 meeting.

ROAD BONDS:

Heritage Hill Road Ext, new bond 392,084.40; Ryan Farm Road, new bond \$161,742; Timberlane Road Ext, new bond \$302,811.60. Mr. Hohenberger made a motion to accept. Ms. Maloney seconded. Passed 6-0.

NEW BUSINESS:

Conservation Commission is sending a warrant to the Selectmen regarding conservation easements.

Trails subcommittee looking for letter of support for a grant. Ms. Linowes restated her motion to endorse the trails committee and write a letter of support. Mr. Hohenberger seconded. Passed 6-0.

PUBLIC HEARINGS:

CIP Presentation

Ms. Linowes introduced the CIP, and the Planning Board reviewed and discussed the final CIP for 2003. *Mr. Dennehy joined the Board and replaced Mr. Wilder.* Public comment began with Ms. Daphne Kenyon, school board member, 11 Faith Road, discussed CIP money for a potential high school. Ms. Gail Webster, cemetery trustee, Marblehead Road, discussed cemetery CIP decisions. Mr. Tom Case, 8 Simpson Road, discussed the town budget and the CIP. Mr. Turner discussed the Master Plan comments with the Board. Mr. Prendergast made a motion to accept the final CIP plan as amended and send on to the Selectmen. Seconded by Mr. Morris. Passed 7-0. *Mr. Wilder joined the Board and Mr. Dennehy stepped down.*

PUBLIC HEARING:

Citizen Petitions

Amendment #1 – Mr. McLeod read and the Board discussed the petition. Public comment began with Mr. Sam Nassar, Searles Road, stated if a business moves, the zoning goes with the site. Mr. Kevin Waterhouse, 175 Haverhill Road, spoke in opposition. Discussion ensued regarding District C and Gateway, drive-throughs, and effected area. Ms. Maloney made a motion to move to town meeting with recommendation of the Planning Board. Mr. Morris seconded. Passed 5-2. Mr. Hohenberger and Ms. Prendergast opposed.

Amendment #2 – Mr. McLeod read and the Board discussed the petition. Public comment began with Mr. Waterhouse asked for a reason to ban drive-throughs. Mr. Case discussed air quality. Mr. Morris made a motion to move to town meeting with recommendation of the Planning Board. Mr. Wilder seconded. Passed 6-1. Ms. Prendergast opposed.

Planning Board Zoning Amendments

Amendment #1 – Mr. Turner discussed the Gateway Commercial District. Discussion ensued regarding the location, right-of-way property, town council changes, traffic calming definition, building area, single use entity not allowed, and wholesale and warehousing. Public comment began with Mr. John Sokul, representing Mr. John Walters owner of 51 acres in the Gateway, discussed the use of the land, square footage, multi-tenant buildings, and supports the District. Mr. Jack Gattinella, Golden Brook Road, discussed private roads, delete section 605.3.3.7, and lot numbers impacted. Mr. Case discussed the purpose, traffic patterns, economic vitality, reason for change from District C, setbacks, roads, and the four houses behind the wall. Mr. Karl Dubay, MHF Design, discussed Sisters of Mercy property and support of the Gateway District. Discussion ensued regarding changes. Mr. Prendergast made a motion to move to the January 15 public hearing at 7:30 pm as amended. Seconded by Ms. Linowes. Passed 7-0.

Mr. Morris took over Chairmanship duties, and Mr. Dennehy rejoined the Board. Amendment #2 – Mr. Morris reviewed the Elderly Housing amendment with town

council changes. Discussion ensued regarding handicapped accessibility, parcels, density, location, incentives, rentals, location, buffers, and acreage.

Public comment began with Mr. Case. He discussed elderly housing in the Village Center District, wording, parcels, total area include wetlands, affordable, and approval criteria. Mr. Turner discussed combining parcels, wording, townhouses, and approval criteria. Discussion continued regarding rental units and affordability. Attorney Mason discussed affordable guidelines, elderly housing is very limited, and 2500 feet requirement should be eliminated. Mr. Peter Zohdi, Herbert Associates, presented maps and demonstrated that there is very little land proposed that can be used for elderly housing once you subtract wetlands, developed areas, and well radius. Discussion ensued regarding the 6% cap, areas of town with poor emergency access. Mr. Gattenilla expressed concern over ages and parking. Mr. Eric Nickerson, 2 Link Street, stated that there has to be incentives for developers to build elderly housing. Ms. Mary Dennehey, Pleasant Street, stated that Whispering Winds is affordable and concerned the requirements will drive up the cost. Mr. Dubay discussed variances, difficult to develop elderly housing, and the 6 % cap. Mr. Mike Lehrman, 39 Blossom Road, discussed 6%, definitions, footage requirements, and location. Mr. Zohdi discussed using the state calculation for density. Discussion ensued regarding to eliminating the 2500 foot requirement, location, density, incentives, and definitions. Mr. Hohenberger made a motion to move to the January 15 public hearing at 7:30 pm as amended. Mr. Wilder seconded. Passed 7-0.

Mr. Hohenberger made a motion to continue to December 19 at 7:30 pm. Seconded by Mr. Wilder. Passed 7:30 pm.

Mr. Hohenberger made a motion to adjourn. Mr. Morris seconded. Passed 6-0. Adjourned 12:45 am.

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

Respectfully submitted, Nancy Charland