

PLANNING BOARD MINUTES
November 17, 2004

ROLL CALL:

Lee Mahoney, Chairman – Present
Ross McLeod, Secretary – Present
Phil LoChiatto, Regular Member – Present
Bruce Breton, Selectmen – Present

Nancy Prendergast, Vice Chairman – Present
Walter Kolodziej, Regular Member – Present
Pam Skinner, Regular Member – Present
Chris Doyle, Selectmen Alternate – Excused

STAFF:

Al Turner, Director of Planning and Development – Present
Rebecca Way, Town Planner – Present

Ms. Mahoney opened the meeting at 7:10 pm.

CAPITAL IMPROVEMENTS PROGRAM:

Ms. Maloney presented the 2005 CIP. Board: department requests. Mr. Roger Hohenberger, Selectmen: impact fees collection requirement. Chief Messier: fire apparatus grant, substation.

Mr. McLeod joined the Board.

MINUTES:

- Ms. Prendergast motioned to approve the October 27 minutes. Mr. LoChiatto seconded. Passed 7-0;
- Ms. Prendergast motioned to approve the November 3 minutes. Mr. McLeod seconded. Passed 7-0;
- Mr. LoChiatto motioned to approve the November 10 minutes. Mr. Breton seconded. Passed 7-0;

CORRESPONDENCE:

- Notice of Voluntary Merger for 11 Fourth Street. Mr. Michael Swider, owner, discussed the parcels. No public comment. Mr. McLeod motioned to approve the voluntary merger as requested for 11 Fourth Street to be identified as lot 16-P-194. Mr. LoChiatto seconded. Passed 7-0;
- Notice of Voluntary Merger for 9 Fourth Street. Mr. McLeod motioned to approve the voluntary merger as requested for 9 Fourth Street to be identified as lot 16-P-197. Mr. Breton seconded. Passed 7-0;
- Request for building permit on a private road: 17 Lakeshore Road. Tabled to the next meeting;
- Memo from the Selectmen regarding possible land sale of 17-J-100B. Mr. Doug Yennaco: advantageous to sell. Mr. LoChiatto motioned that the Planning Board reviewed and recommends to the Board of Selectmen to take to application under consideration. Mr. McLeod seconded. Passed 5-1-1. Mr. Kolodziej opposed. Mr. Breton abstained.
- Letter from Marie Hatton regarding Commons at Windham water;
- Letter from Eric Nickerson regarding the meeting to discuss lot 9-A-500 rezoning;
- Letters from the DOT and Joseph Armano regarding 38 Rockingham Road hearing. Mr. Kolodziej motioned to hear Armco Flooring at 8:00 pm. No second.

PUBLIC MATTERS:

Husak Special Permit (19-B-2019) – Public Hearing

15 Lancaster Road

Mr. Turner: construction sequence, variance granted. Mr. Breton motioned to reopen the public hearing. Mr. LoChiatto seconded. Passed 7-0. Mr. Peter Zohdi, Herbert Associates: relocation of the garaged moved away from the WWPD 5 feet. No public comment.

Mr. McLeod motioned to approved Special Permit for in consideration of the variance granted and the revised construction sequence. Ms. Prendergast seconded. Passed 6-1. Ms. Skinner opposed.

North Lowell Road Residential Site Plan (11-A-580) – Public Discussion

15 Lancaster Road

Mr. Turner: reviewed project to date. Mr. Mark Gross, MHF Design: meetings with neighbors, Phase I, Village Center District overview, residential units, roads, off-site improvements, septic, water, historic district, reviews, and studies. Mr. Turner: traffic study, line-of-sight, ordinance requirements, road

grades. Mr. Gross: public spaces. Board: residential percentages, land-owner consensus, mix use, site walk, center line to be staked and subdivisions flagged.

Public comment: Mr. Doug Yennaco, Indian Rock Road; Ms. Patricia Sheldon, 6 Hardwood Road; Mr. Tom Case, 21 Corliss Rd; Paul Donovan, 19 Indian Rock road; Joe Ouellette, 6 Eastwood Road; Concerns: traffic impacts, road width between the building, well impact, look at whole plan, can't determine plan unless own all the land, environmental concerns, preserving the old houses, traffic flow.

Mr. Kolodziej motioned to have a site walk on Sunday, November 28 at 9:00 am to continue the meeting to December 1. Mr. Breton seconded. Passed 7-0.

Mr. motioned to move Pawtucket Estates, Armco Flooring, London Bridge Subdivision, and Goodhue Subdivision to the December 1 meeting. Mr. Breton seconded. Passed 4-0-3. Mr. McLeod, Mr. LoChiatto, and Ms. Prendergast did not vote. Mr. Kolodziej motioned to reconsider the prior motion. Ms. Prendergast seconded. Failed 1-6. Mr. Kolodziej in favor. Board: staff to send a letter to the State for Armco Flooring.

Forty Acres Subdivision – 2 lots (8-B-3000 & 4900) – Public Hearing **10 Rockingham Road**

Ms. Way: overview of subdivision and lot merger. Mr. McLeod motioned to accept for public hearing. Mr. Breton seconded. Passed 7-0. Ms. Way: development issues. Mr. Zohdi, Herbert Associates: lots, citizen petition for zoning change, WWPD. Board: lot sizes, current use, access to Goodhue Road, future, staff recommendations. Public comment: Mr. Case; legal ad concern.

Mr. Breton motioned to approve with the following recommendations: 1) All boundary markers specified "to be set" shall be set; 2) The Neighborhood Business District line should be clearly defined on all appropriate sheets within the plan set; 3) All state and federal approvals shall be received prior to the recording of the plans. Mr. McLeod seconded. Passed 7-0.

Villages of Windham Site Plan **Gordon Mountain Road, lot 8-B-5500**

Mr. Turner: overview of former and current plan. Mr. McLeod motioned to open for public hearing. Mr. Breton seconded. Passed 7-0. Mr. Turner: development, roads, units, safety response times, waivers, staff recommendations, fees. Mr. Maurice Caruso, MJC Development: consistent look of buildings. Fire Chief Messier: use of opticom gate. Board: needed of opticom gate. Mr. David Jordan, TF Moran: requested waivers.

Mr. McLeod motioned to approve a wavier to Site Plan § 908 for waiver of the lighting contour plan given the nature of the proposed lighting and the adjacent lots. Ms. Prendergast seconded. Passed 7-0.

Mr. McLeod motioned to approve waiver to Site Plan § 209 for waiver of the lighting contour plan, given the nature of the proposed lighting and the adjacent lots. Ms. Prendergast seconded. Passed 7-0.

Mr. Jordan: sign detail. Board: response times, fees. Fire Chief Messier: fire suppression, fire code, emergency vehicle response. Mr. Jordan: reviewed staff requirements and required approvals. No public comment.

Mr. LoChiatto motioned to approve the site plan subject to the following: 1) All state and federal approvals shall be received prior to the start of construction.; 2) Applicant shall provide to the Town, prior to the start of construction, evidence that adequate cable, electric, and telephone utilities are available to service the proposed units.; 3) Underground utility services should be located on the utility plan prior to construction; 4)The WSPCD statement should be located on the plans according to Section 703.3.1 of the Site Plan Regulations. 5) The improvements to the water system outlined in letter from Lewis Engineering dated October 2, 2004 should be completed prior to the issuance of certificate of occupancy. Lewis Engineering or another qualified agency should certify to the Town that the system improvements have been completed; 6) A description of any waivers granted should be included in the Zoning notes on sheet 3 of 20; 7) The sign will also require the applicant to complete a sign permit and

pay any necessary fees; 8) All completed application materials and plans should be submitted on a CD in Pdf format. Mr. Kolodziej seconded. Passed 6-1. Mr. McLeod opposed because of the gate.

Ms. Skinner and Ms. Prendergast left the Board.

ZONING AMENDMENTS:

Mr. Turner: Village Center District potential amendments. Board: amendments.

Mr. McLeod motioned to move the proposed zoning amendment to § 612 and § 612.1 as drafted by Mr. LoChiatto with the amendment to public hearing on December 15 at 7:00 pm, and make any other needed changes to reflect a changed in name from Village Center District to Village District. Mr. Kolodziej seconded. Passed 5-0.

Mr. Karl Dubay, 21 Telo Road: Wetland and Watershed Protection District. (WWPD) potential amendments. Board: amendments.

Mr. McLeod motioned to move the proposed zoning amendment § 601.6 as amended to public hearing on December 15 at 7:00 pm. Mr. LoChiatto seconded. Passed 5-0.

CORRESPONDENCE (cont):

- ACEC-NH newsletter;
- Letter from NH DES regarding Nesmith Library sanitary survey;
- Letter from Alfred Marcelle regarding the Bear Hill Extension subdivision;

Mr. Kolodziej motioned to adjourn. Mr. LoChiatto seconded. Passed 5-0. Meeting adjourned at 11:45 pm.

These minutes are in draft form and have not yet been reviewed and approved.

Respectfully submitted, Nancy Charland