

## PLANNING BOARD MINUTES

June 15, 2005

### ROLL CALL:

Nancy Prendergast, Chairman – Present  
Ruth-Ellen Post, Secretary – Present  
Phil LoChiatto, Regular Member – Present  
Bruce Breton, Selectmen Member – Present

Ross McLeod, Vice Chairman – Present  
Walter Kolodziej, Regular Member – Present  
Pam Skinner, Regular Member – Present  
Margaret Crisler, Selectmen Alternate – Present but not seated

### STAFF:

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

*Ms. Prendergast opened the meeting at 7:30 pm.*

### MINUTES:

- Mr. McLeod motioned to approve the June 1 minutes as amended. Mr. Breton seconded. Passed 5-0;  
*Ms. Post joined the Board.*
- Mr. McLeod motioned to approve the June 8 minutes as amended. Mr. Breton seconded. Passed 6-0.

### CORRESPONDENCE:

- Letter from Mr. Richard Okerman regarding his interest in becoming a Planning Board alternate. Staff will invite him to next week's meeting;
- Letter from NH DOT regarding the CTAP program;
- NH DOT newsletter;
- Town and City booklet.

### LIASION REPORTS:

Mrs. Margaret Crisler, Selectmen: Mrs. Crisler, Mr. Breton, and Mr. Stearns volunteered to be on the DOT Committee to meet regularly with Commissioner Murray for strategic planning process and community assistance program for towns affected by I-93 expansion; Historic District Commission joined today's site walk.

Mr. Bruce Breton, Selectmen: Commented on the Garden's Club work around town.

### PUBLIC MATTERS:

#### **Great Mountain View Estates Subdivision – 44 lots – Public Discussion Continued** **Ryan Farm Road Ext, lots 24-F-30, 45, 600, 700, 850 & 910**

Ms. Way: Lots, location, Board sent applicant back to explore different connections.

Attorney Peter Bronstein: Requested that comments during this meeting to be about connections, Shelly Drive dismissed previously. Ms. Prendergast disagreed with that statement. Attorney Bronstein: Shelly Drive is not viable because the land is not for sale, Shelly Drive in Pelham is subject to restrictive covenants, loop road is outside the ordinance, access and egress should be within the town, would like to proceed with the Field Road option. *Mr. Kolodziej joined the Board.*

Mr. Karl Dubay, MHF Design: Shelly Drive connection not feasible, no right-of-way to the property, described a potential Shelly Drive design, Field Road connection has fewer road cuts and less impact to WWPD, alignment, cuts and fill less extensive compared to Shelly Drive connection.

Mr. Jim Gove, Gove Environmental: Wildlife impacts, wildlife study of box turtles, trail network, could have a continuous forested area, WWPD as a unit, lower value wetlands, protected buffer, Shelly Drive connection more damaging.

Mr. Dubay: Was asked to present a potential loop like Presidential Estates, Presidential Estates has 3 future rights-of-way for future access but this development does not; also discussed loop road design, comparison of loop road and Field Road connection, cul-de-sac length, loop road does not allow for full connection as usually required, number of homes isolated. Discussion: Cul-de-sac road length of 8200 feet for loop road, box culverts, connection to Field Road, land ownership, Shelly Drive covenants.

Mr. Jim Finn, Conservation Commission Chairman: He has walked the property with the Fish and Game, loop road, Presidential Estates loop.

Mr. Dubai: Dedicated rights-of-way for the Presidential Estates, plan for future connections, site walks.

Discussion: Site walk, no quorum at Planning Board site walk, Conservation Commission site walk, studies requested, conservation vs. safety, department comments, restrictive covenants, pros and cons of the loop.

Public comment from Mr. Wayne Morris, Trails Committee: Described Trails Committee site walk, trail connections. Mr. Jay Koutavas, 15 Field Road: Against Field Road connection because of wildlife and quality of life on Field Road, prefers the loop connection. Discussion: Lots of good information received tonight, options, 3 members prefer loop, others prefer connection.

Mr. Robert Peterson, owner: Shelly Drive connection cannot be done, 20' cut would interfere with neighbor's home, been told that cannot do a loop, looking for direction.

Ms. McLeod motioned to move High Pointe Subdivision, Kahuna Site Plan, Jarosky Special Permit, 8 Rock Pond Road Special Permit, and Masterson Lot Line Adjustment to July 6 at 8:00 pm. Mr. Kolodziej seconded. Passed 7-0. Discussion: Jarosky Special Permit public hearing. Attorney Bill Mason: Time sensitive issue but not time critical. Mr. Kolodziej motioned to move Jarosky to the top of the agenda of the next meeting. Ms. Post seconded. Passed 4-3. Ms. Prendergast, Mr. Breton, and Mr. McLeod opposed.

### **Millstone Place Site Plan – Public Hearing Continued** **127 Rockingham Road, lot 3-B-200**

Mr. Turner: Site walk, applicant directed to bring additional information. Mr. McLeod motioned to reopen for public hearing. Mr. Kolodziej seconded. Pass 7-0.

Mr. Joseph Maynard, Benchmark Engineering: Traffic engineer updated her report for the 3 options, recommends full vehicle access on Rt 28 only with pedestrian access for Flat Rock Road; includes professional offices and paper-service restaurant. Discussion: Department comments, Rt 28 Access Management, access, Flat Rock Road parking area, one-way in, safety, limit the number of contact points, curb cuts, access, any zoning change, disclosure.

Mr. Brian Harvey, H&B Homes: Parcel was Neighborhood Business District before any Hadleigh Woods home sales. Discussion: Most fatal accidents along this stretch, site walk observations, 30-year-old illegal curb cut, Derry businesses on Rt 28, Ms. Prendergast read from the Rt 28 Overlay, access.

Public comment; Mr. Frank Walsh, 7 Flat Rock Road; Mr. Fred Robinson, 27 Flat Rock Road; Ms. Mildred Mathews, 25 Flat Rock Road; Terrence Licciardi, 17 Flat Rock Road: Rt 28 Overlay, Neighborhood Business Districts, parking with pedestrian access on Flat Rock Road, parking for site walk, line of sight, elderly development, knew about building but not the access from Flat Rock Road, access from Flat Rock creates a hazard. Discussion: Service road definition, support elderly housing, traffic engineer's report, zoning, access from Flat Rock Road, keep privacy, sight distance, pedestrians, future developments, service road, island, architecture, buffer, break up rear of building, 12,500 sq ft, restaurant, building accents, dumpster and delivery hours 7:00 am-7:00 pm, no overnight parking of commercial vehicles, lights out, signs.

Mr. LoChiatto motioned to grant the request of the waiver. Mr. Kolodziej seconded. Passed 7-0.

Mr. LoChiatto motioned to approve with the following conditions: 1) Access on Route 28 (left and right) and no access on Flat Rock Road; 2) Dumpster or deliveries from 7:00 am-7:00 pm; 3) No overnight idling or parking of large commercial vehicles; 4) Rear side of building have appearance visually broken up similar to front; 5) All state, federal, and local approvals before start of construction; 6) Separate sign application for Planning Board approval prior to occupancy; 7) PDF files submitted on CD; and 8) Work with staff to widen the intersection of Flat Rock Road driveway and Route 28 and to provide a traffic island. Mr. Kolodziej seconded. Passed 5-2. Ms. Prendergast and Mr. McLeod opposed.

Mr. McLeod motioned to hear new business after 10:30 pm. Mr. Breton seconded. Passed 7-0.

**Castle Reach IV Subdivision – Public Discussion**

**31 Jenny's Hill Road, lot 7-A-702**

Ms. Way: Location, frontage, open space, acreage, conventional design available. Mr. LoChiatto recused himself. Discussion: *Mr. LoChiatto recusing himself.*

Mr. Peter Zohdi, Herbert Associates: Frontage, lots, 2-2½ acre lots, one driveway for the 4 lots, WWPD. Discussion: Location off Jenny's Hill Road, 22' private road, driveway length, conventional plan, place for vehicles to turn around, trails, Mr. Zohdi agreed to work with staff and Trails Committee for trails, wildlife corridor, earlier promised wildlife corridor, access, Mitchell Pond, public easement. No public comment. Discussion: Board in favor of the open-space development, send the plan out for department comments. *Mr. LoChiatto rejoined the Board.*

Mr. McLeod motioned to adjourn. Mr. Breton seconded. Passed 7-0. Meeting adjourned at 11:20 pm.

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

Respectfully submitted, Nancy Charland