

PLANNING BOARD MINUTES
December 7, 2005

ROLL CALL:

Nancy Prendergast, Chairman – Present
Ruth-Ellen Post, Secretary – Present
Phil LoChiatto, Regular Member – Present
Neelima Gogumalla, Alternate – Not Seated
Rick Okerman, Alternate – Not Seated
Alan Carpenter, Selectmen Alternate – Excused

Ross McLeod, Vice Chairman – Present
Walter Kolodziej, Regular Member – Present
Pam Skinner, Regular Member – Present
Steven Griffis, Alternate – Not Seated
Margaret Crisler, Selectmen Member – Present

STAFF:

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

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

MINUTES:

- November 9, 16 and 23 to be redistributed.

BONDS:

- Windham Shaws; new site bond \$10,500. Mr. McLeod motioned to accept. Mrs. Crisler seconded. Passed 7-0;
- Seavey Road; release \$4,040 and retain \$4,000. Mr. McLeod motioned to approve. Mr. LoChiatto seconded. Passed 7-0;
- Lamplighter Site #8 for Buildings 8, 9, 10 & 14; release \$24,419 and retain \$20,000. Mr. McLeod motioned to accept. Ms. Post seconded. Passed 7-0;
- Lamplighter final releases: Building 11, \$2,901.60; Building 12, \$8,270.40; Building 13, \$20,865.60; Building 3, \$11,954.40; Building 2, \$1,624.80; Building 1, \$2,431.70; Building 5, 6, 7, \$32,295.60; Buildings 4 & 15, \$38,031.01. Mr. McLeod motioned to approve. Ms. Skinner seconded. Passed 7-0.

CORRESPONDENCE:

- Memo regarding possible Town land sale of lot 13-J-95. Discussion: Location, any issues with Salem abutters, photographs of the lot taken by Mr. Turner, lot merger, land will become taxable. Mr. LoChiatto motioned to recommend to the Selectmen the sale be permitted contingent on the owner merging the town lot 13-J-95 with the main lot. No second. Discussion: Whether or not to require the lot merger, were abutters notified about the sale, process of purchasing town owned land. Mr. LoChiatto motioned to recommend to the Selectmen the sale be permitted with recommendation to the Selectmen to consider merger of the town lot 13-J-95 with the main lot. Mr. McLeod seconded. Passed 5-1-1. Mr. Kolodziej opposed. Mrs. Crisler abstained;
- Citizen's petition for Lot 11-C-800, intersection of Wall Street and Rt. 111, requesting rezoning from Professional Business to Business Commercial A. Discussion: Should be reviewed by Attorney Campbell;
- Citizen petition to rezone lot 17-J-70 from Commercial B to Residential A. Discussion: This change is already being discussed by the Board and goes to public hearing soon;
- Mr. McLeod motioned to move the Wall Street Citizen Petition for lot 11-C-800 zoning change to December 21 at 7:30 pm. Mrs. Crisler seconded. Passed 6-1. Mr. LoChiatto opposed;
- Mr. McLeod motioned to move the petition for lot 17-J-70 zoning change to December 21 at 7:30 pm subject to attorney review. Mr. LoChiatto seconded. Passed 7-0;
- Letter from Daniel MacRitchie requesting to continue the Great Mt View Estates public hearing to December 14. Mrs. Crisler motioned to grant the request. Mr. Post seconded. Failed 4-3. Ms. Skinner, Mr. McLeod, Mr. LoChiatto, and Mr. Kolodziej opposed. Mrs. Crisler motioned to

reconsider. Mr. McLeod seconded. Passed 6-1. Mr. Kolodziej opposed. Discussion: Ask for extension of clock because of agenda, CIP, and zoning. Mr. MacRitchie, representing Great Mountain View, granted the request to extend to January 4, 2006 at 8:00 pm. Mr. Kolodziej motioned to extend the hearing to January 4 at 8:00 pm. Ms. Skinner seconded. Passed 6-1. Ms. Prendergast opposed;

- Wall sign permit for Citizens Bank at Shaws. Street sign permit for Citizens Bank at Shaws. Discussion: Tenant sign, process issue. Ms. Donna Cullen, Philadelphia Sign (wall sign): Sign procedure confusion, internal lit. Mrs. Crisler motioned to approve both signs as presented subject to compliance with the ordinance. Mr. McLeod seconded. Passed 7-0;
- American Planning Association training flyer;
- Letter from Southern NH Planning Commission regarding regional impact.

LIAISON REPORTS:

- Selectmen, Mrs. Crisler: Board of Selectman: Selectmen did vote to approve the Hopkins Road opening on the condition Derry allows the connection to Windham Depot Road;
- CIP, Mr. LoChiatto: CIP hearings next week.

PUBLIC MATTERS:

Spruce Pond II Open Space Subdivision – 89 lots – Public Discussion **Off Rockingham Road, lots 3-B-800, 890 & 900**

Mr. Turner: Continuance of public discussion, joint meeting with Derry Planning Board, Selectmen voted to open Hopkins Road as a town road from, outstanding issues, Hopkins Road design issues, Selectmen want the connection to Windham Depot Road be unrestricted, house lots on Hopkins Road, recreation issues, community water, limitations on irrigation systems. Discussion: Irrigation limitation ordinance.

Mr. Joseph Maynard, Benchmark Engineering: Thanked the Board for attending the Derry meeting, looking for design input, road widths, would like closed drainage, any additional studies, Derry portion of the road will be built by Derry standards, roundabout location, WWPD impacts, rail crossing, 4 wells drilled producing over 200 gallons per minute, irrigation guidelines, block length issue, working with Trails Committee, studies done include wildlife, archeological and traffic study, left-turn lane on Rt 28.

Discussion: Intersection with railroad bed drainage, roundabout helps with Derry and Windham concerns, road widths, department comments, 50' right-of-way, drainage, minimize impacts, left-turn lane, updated traffic study, 22' road concerns, site walk for narrow road area, bike path, sidewalks, recreational type use, traffic calming, road cuts, slopes, block lengths, rail-trail parking area, stonework culvert on old Hopkins Road, water not to leave the site, impact to adjacent properties, Mr. Maynard stated he would work with the abutter at corner of Hopkins Road and Mitchell Pond Road, hydrants for fire protection, homes location in regarding to the rail trail. Ms. Prendergast read a letter from Chris Rossetti, 3 Mitchell Pond Road.

Public comment from Mr. Al LeMay, 16 Mitchell Pond Road: Likes 22' wide road, opposed to sidewalks, horses travel down the road, will steep hill be graded, rail intersection 4-way stop, opposed to community wells, fund for wells drying up, recreation fields needed with parking.

Ms. Prendergast asked Mr. Wayne Morris, Trails Committee to speak about parking, trails, and rail-trail. Discussion: Road widths. Mr. Maynard: Looking for guidance from the Board. Mr. Turner: Will receive conflicting information from Commission and Departments, Board should give guidance. Discussion: Impacts for 22' vs. 24' road width, send the plan out for comments.

Mr. McLeod motioned to continue to January 18. Mr. Kolodziej seconded. Passed 7-0.

Mr. LoChiatto motioned to move Windham Junction and Hazels View to December 14. Mrs. Crisler seconded. Passed 6-1. Mr. McLeod opposed.

14-A-850A Special Permit – Public Hearing **Haverhill Road, lot 14-A-850A**

Mrs. Hebert: Location, applicant is proposing to build a house mostly within the WWPD, variances granted, driveway outside WWPD, small lawn, innovative erosion controls, application ready. Mrs.

Crisler motioned to open for public hearing. Mr. Kolodziej seconded. Passed 7-0. Discussion: Did this property come before the Conservation Commission.

Ms. Jennifer McCourt, McCourt Associates: Conservation Commission comments implemented into the plan. Discussion: Property was offered to Conservation Commission, only house on that side of the road.

Ms. McCourt: Erosion control, mitigate impact on the WWPD, use of silt socks, manufacturer takes responsibility for the product, leach field outside WWPD. Discussion: Construction sequence, silt sock, WWPD line locations, regulations, variance, ZBA minutes, thoroughness of the application, channel socks and eco berms, Conservation Commission review. No public comment.

Mrs. Crisler motioned to approve the Special Permit as requested with the following conditions; 1) Staff inspect filtrex soxx system for erosion control before construction; 2) Area of impact should not exceed what is represented on the plan. Mr. Kolodziej seconded. Passed 6-1. Mr. McLeod opposed.

Zoning Amendments

Amendment 14: Mr. McLeod motioned to move Amendment 14 Open Space and Landscaping Requirements to public hearing on December 21. Mrs. Crisler seconded. Passed 6-0.

Amendment 15 & 16: Mr. McLeod motioned to move Amendment 15 and 16 minus the language referring the separation of gas stations to public hearing on December 21, and reword Amendment 15 as follows: "... shall not be located within 1,000 feet of a water body used for domestic water supply, as measured from the normal high water mark, or within 1,000 feet of an aquifer protection district, and change Amendment 16 to refer to Section 606.1.7.3 (not Section 606.1.4.3). Mr. LoChiatto seconded. Passed 7-0.

Amendment to the sign ordinance: Mr. LoChiatto motioned to move Amendment 15 to public hearing changing maximum height 20 feet, not 30 feet. Mrs. Crisler seconded. Failed 2-4-1. Mr. Kolodziej, Ms. Prendergast, Mr. McLeod, and Ms. Skinner opposed. Mrs. Crisler abstained.

Mr. Kolodziej motioned to adjourn. Mr. LoChiatto seconded. Passed 7-0. Meeting adjourned at 11:10 pm.

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

Respectfully submitted, Nancy Charland