

## PLANNING BOARD MINUTES

February 1, 2006

### 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 – Excused  
Margaret Crisler, Selectmen Member – Present

### STAFF:

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

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

### MINUTES:

- Mr. McLeod motioned to approve the January 18 minutes. Mrs. Crisler seconded. Passed 6-0-1. Ms. Prendergast abstained;
- Mrs. Crisler motioned to approve the January 25 minutes. Ms. Skinner seconded. Passed 6-0-1. Mr. McLeod abstained.

### BONDS:

- Squire Armour Road Extension; release \$16,281 and retain \$16,464. Mr. McLeod motioned to approve. Mr. LoChiatto seconded. Passed 7-0;
- Jenny's Hill Road Extension; release \$48,900 and retain \$28,476. Mr. McLeod motioned to approve. Ms. Post seconded. Passed 7-0;
- Crestwood Road; final release of \$8,100. Mr. McLeod motioned to approve. Mr. Kolodziej seconded. Passed 7-0. Mr. McLeod motioned to recommend to the Board of Selectmen that the road to be accepted as a town road. Mr. Kolodziej seconded. Passed 6-0-1. Mrs. Crisler abstained;
- Bear Hill Extension and Westchester Road; release \$935,772 and retain \$219,822. Mr. McLeod motioned to approve. Mr. LoChiatto seconded. Passed 7-0;
- Flat Rock Road, final release of \$54,480. Mr. McLeod motioned to approve. Mr. Kolodziej seconded. Passed 7-0. Discussion: Flat Rock Road complete loop. Ms. Post motioned to recommend to the Board of Selectmen that the road to be accepted as a town road. Mr. McLeod seconded. Passed 6-0-1. Mrs. Crisler abstained.

### CORRESPONDENCE:

- Public hearing notice to upgrade Pine Hill Road;
- Public hearing notice regarding sewage or waste disposal systems;
- Meeting announcement for Availability of Groundwater Resources in Southeastern NH;
- Letter from Carol Pynn regarding historical significance of the house at 13 Indian Rock Road;
- Public hearing notice for the Windham Middle School;

### LIAISON REPORTS:

- Selectmen, Mrs. Crisler: Board of Selectman: Reroute of Pine Hill Road, town meeting on February 11, school deliberative session is on the 10<sup>th</sup>.
- Conservation Commission, Ms Skinner: One open position available for the Conservation Commission.

Discussion: ZBA has two positions available, deadline is Friday. Mr. LoChiatto motioned to move 33 Rockingham Road to the February 15 meeting. Mr. McLeod seconded. Passed 6-1. Ms. Prendergast opposed.

### PUBLIC MATTERS:

#### **Great Mountain View Estates – 46 lots – Public Hearing**

**Off Ryan Farm and Field Roads, lots 24-F-30, 45, 600, 700, 850 & 910**

Mr. McLeod motioned to reopen Great Mt View Estate. Ms. Skinner seconded. Passed 7-0. Mr. Turner: Listed precious meeting reports, and outstanding issues. Discussion: Would like more information about the bridge we share with Pelham.

Dan MacRitchie, owner: Small amount of traffic from this subdivision will use the bridge, closing the bridge would mean less traffic to Field Road, offered to contribute \$40,000 towards fixing the bridge, if not used for the bridge within 5 years \$20,000 be donated to the Recreation Committee and \$20,000 be returned.

Karl Dubay, MHF Design: Because the Board had water and irrigation (sprinkler) questions, Mr. Stone did some research and will discuss with the Board.

Tim Stone, StoneHill Environmental: Researched irrigation numbers, inches of rain to maintain a green lawn, inches of rain throughout the summer, irrigation should be done in the early morning before the sun is high, amount of water used for irrigation and recharge, in the range to feel comfortable with irrigation, and USGS study of water usage. Discussion: Well with minimum standards and irrigation, self-limiting factors, low rain years, well yields, study the numbers, weeks per month in calculations unrealistically low, homeowners are not always aware of the usage, not accounting for drought conditions, rounding numbers. Mr. Stone will develop a synopsis and send to Mr. Turner.

Jim Gove, Gove Environmental: Wildlife corridor, location, power line corridors, and wildlife use the ridge line.

Randy Shoey, Gove Environmental: Work sequence for zone two, construct detention areas first, phasing, staging area location, blasting, treatment swale will have three perimeter controls. Discussion: Cleared area for the road, location of the staging area, and there will be crushing stone and gravel.

Mr. Dubay: Site specific review comments were minor, four waivers requested, Keach and staff comments have been reviewed, agree with conditional approval requirements. Discussion: Velocity waiver, and ordinance regarding velocity. Mr. Dubay: Velocity chart throughout the site, length of roadway, temporary cul-de-sac, and no waiver required. Discussion: Overall length as it is being constructed, safety, substantially finish the subdivision within 2 years, other subdivisions, road length, landscape plan to restore the WWPD area, tree cutting, knob in the land, sight distances, condition of the bridge, rebuilding of the bridge, is Pelham aware of funding availability, off-site improvements, staff has asked the applicant to talk to Pelham, and is it scattered and premature without the bridge. Mr. Dubay: Has spoken to the Town Administrator about the bridge, not scattered and premature because there are other ways out, and the bridge should not be a condition of approval. Discussion: Windham could fix the bridge and be reimbursed 80%, would like to confirm that fact, public comment, agenda items, trails easements and connections. Mr. Dubay agreed to construct the trails as shown. Discussion: Trails will be marked with granite trails markers, keeping easements open and clear, town council review and recommend trails easements and changes be incorporated, stonewalls, and wildlife corridor. Mr. Gove: Corridor maintenance, wildlife uses along the edge.

Public comment from: Makdes Yacob, 141 Castle Hill Road: Number of homes to be built, bridge has a lot of traffic, bridge will be used from the new subdivision, blasting impacts, looking for a right-of-way to her lands, and wants to subdivide her land. Mr. Dubay: Other ways out of the subdivision if the bridge is closed, and pre-blast survey will be done.

Jim Finn, Windham Conservation Commission: Detailed plan and well thought out, compromise between development and environmental impacts, cut will cause a lot of difficulties, second access is desirable, loop road would be preferable with less impacts such as in Presidential Estates. Discussion: Reports from the Conservation Commission to the Board. Mr. Dubay: 3 rights-of-way for Presidential Estates. Mr. Finn: Presidential Estates rights-of-way have been there for years and have not been used.

Mr. Jay Koutavas, 15 Field Road: Roadway has too much of an impact on the nature of the area, will blasting meet testing standards, water regulation and enforcement of misuse, ecological site of Mrs.

Field's home, doesn't see the necessity of making the connection, and "speaks for all the critters."

Mr. Dubay: Responded to wildlife, and geotechnical engineering: Mr. Turner: Blasting pre-tests, and irrigation requirements. Discussion: Mrs. Field's home. Ms. Yacob: Has there been a blast of this magnitude before. Mr. Kolodziej motioned to move to February 15. Mr. LoChiatto seconded. Discussion: Public input, loop road. Mr. Dubay: Direction. Passed 7-0.

**Heritage Acres Subdivision Revision – 4 lots – Public Hearing**  
**Ryan Farm Road, lots 24-F-179 & 180**

Mr. Turner: This plan is a re-subdivision, was approved for 5 lots and would like to re-subdivide into 4 lots, meets requirements, previous plan never recorded, road roughed in but not completed, plan is complete and is ready for public hearing, and are requesting one waiver. Mr. LoChiatto motioned to open for public hearing. Mr. Kolodziej seconded. Passed 7-0. Mr. Turner: Developer has exceeded the 2 year time frame for a complete road, they have agreed to substantially complete by September 1, 2006, has agreed to bond for the entire length. Discussion: Road bond, and waiver request for side lot line angle.

Peter Zohdi, Herbert Associates: Agreed with Mr. Turner's presentation. Everett Ryan, owner: Discussed the road pavement date seems reasonable to him, Mr. Nickerson owns the abutting land. Discussion: Road ownership, joint application, road bonding, original 38 lot subdivision, road configuration the same as previously approved. No public comment regarding the waiver.

Mr. McLeod motioned to approve the waiver of Section 605.5; side lot lines for the first 100 feet shall be at right angles to straight streets or radial to curved streets. Lots 24-F-182 and 24-F-300 are non-radial to the street, in order to follow the original lot line given that prior approval by Planning Board and given that we are moving from 5 lots to 4 lots within the same area. Mrs. Crisler seconded. Passed 6-0-1. Mr. LoChiatto abstained.

No public input for the subdivision. Mr. McLeod motioned to approve the subdivision request subject to: 1) All boundary markers specified "to be set" shall be set; 2) All state and federal approvals shall be received prior to the signing of the plans; 3) The entire length of Ryan Farm Road to station 15+65 must be substantially complete, i.e. paved with the first coat of pavement by September 1, 2006 as per the approved plans; 4) The construction of a cul-de-sac at the end (station 15+00) of Ryan Farm Road shall be bonded for in case the road does not continue within a reasonable amount of time; 5) Planning Board should continue the 2 year requirement for the substantial completion of the previously approved subdivision. Staff recommends that an extension be granted to September 1, 2006; and 6) All four lots will be recorded together as one subdivision. Ms. Skinner seconded. Passed 6-0-1. Mr. LoChiatto abstained.

Mr. McLeod motioned to waive by-laws to accept new business after 10:30 pm to allow public discussion of Gauthier Subdivision. Mr. LoChiatto seconded. Passed 7-0.

**Gauthier Subdivision – 4 lots – Public Discussion**  
**50 Marblehead Road, lot 25-G-60**

Mr. Turner: This meeting is to give the applicant direction, property location, proposed house locations, lot 25-G-70 uses Smith Road for access, how will they access the property, line-of-sight for driveways, and lot sizing requirements needed to be done. Discussion: The homes could be relocated on the lots, Smith Road is a private right-of-way, subdivision should include how the lot will be accessed, and relocation and condition of Smith Road.

Peter Zohdi, Herbert Associates: Will work with the neighbor for access and proper driveway easement, only has control of access on 25-G-60, conventional subdivision, buildable area, line-of-sight for driveway, and Mr. Thorndike's plan. Discussion: Moving the access, Smith Road will cross several properties, recorded right-of-way as a private road, and Emerson Road is a private road.

Public comment from Tom Furlong, 7 Smith Road: Smith Road is the only way to get to his house, road is not shown correctly on the plan, part of the road is on Frank Trainer's property, gave a brief history

of his property including septic location, wants to keep Smith Road as his access, and he has maintained the road for 42 years. Discussion: Relocation of Smith Road, site walk, and land ownership of parcel B.

Attorney Bill Mason: Driveway access by prescription and access used for 20 or more years, Mr. Furlong would like to keep his current access, and the access could be moved.

Discussion: At least comparable or better access, site walk scheduled for February 18 at 9:00 am, send the plan out for Department comments. Mr. Kolodziej motioned to continue the public discussion to February 22 at 7:00 pm. Mr. LoChiatto seconded. Passed 7-0.

Mr. Kolodziej motioned to adjourn. Mr. McLeod seconded. Passed 7-0. Meeting adjourned at 11:25 pm.

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

Respectfully submitted, Nancy Charland