

PLANNING BOARD MINUTES

August 9, 2006

ROLL CALL:

Phil LoChiatto, Chairman – Present	Ruth-Ellen Post, Vice Chairman – Present
Nancy Prendergast, Secretary – Present	Walter Kolodziej, Regular Member – Present
Ross McLeod, Regular Member – Excused	Pam Skinner, Regular Member – Present
Neelima Gogumalla, Alternate – Present	Rick Okerman, Alternate – Present
Margaret Crisler, Selectmen Member – Present	Alan Carpenter, Selectmen Alternate – Excused

STAFF:

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

Mr. LoChiatto opened the meeting at 7:30 pm. Mr. Okerman replaced Mr. McLeod.

MINUTES:

- Ms. Crisler motioned to approve the July 12 minutes. Mr. Okerman seconded. Passed 6-0-1. Mr. LoChiatto abstained.

BONDS:

- Ledge Road Business Park, Wheeler Road, new bond in the amount of \$1,149,654.26. Discussion: Station numbers, firm's system 100+00 instead of 0+00. Mr. Kolodziej motioned to accept the bond. Ms. Skinner seconded. Passed 7-0.

SIGN PERMITS:

- Discussion of the "Workout Club for Women" sign and ZBA approval. Staff will contact the Workout Club, and will also send a letter to the ZBA detailing the Planning Board's authority in sign approval.
- ZBA has requested a workshop with Attorney Campbell and Mr. Turner to discuss issues of Planning Board vs. ZBA authority.

CORRESPONDENCE:

- Letter to Mr. Nassar from Ms. Post on behalf of the Board regarding Mr. Nassar's request to submit excerpts from prior Planning Board workshops;
- E-mail from an abutter on Bear Hill Road regarding the lot line change on the school land. E-mail should be discussed as Board's business. Mr. LoChiatto read the e-mail into the record. Discussion: Direct the concerns to the School Board or Board of Selectmen, abutter thinks that the lot line change should have come before the Planning Board. Mr. LoChiatto responded to Mr. Sharon explaining the process of the lot line relocation and forwarded the concern to Dave Sullivan;
- Legalities of communicating by e-mail. Board members are supposed to disclose any e-mails from abutters or residents concerned about projects. Board members can print out e-mail and address them at the next available meeting;
- Letter from Sam Nassar regarding the video excerpts from the past High Pointe East discussion and whether or not one Board binds another Board. Discussion: Mr. Turner is responding to a number of letters from Mr. Nassar;
- Mr. LoChiatto does not think the review process works. The plans should just not come before the Board over and over again. Staff will schedule a workshop to discuss procedure and process;
- Messina vs. Town of Windham Supreme Court decision ruled in the Town's favor that kitchens were

not part of the original approvals. Hot plate and cooking amenities need to be removed. The Town's welfare recipients are housed at the Manor Motel;

- Carr Landscaping Settlement – attorney's fees and in kind services for the Town;
- RPC-MPO – changing the MPO district lines. Mr. Turner will report back to the Board;
- Request for a building permit on a private or class VI road. 14 Fourth Street, lot 15-P-1010A. Ms. Post motioned with regards to lot 16-P-1010A, 14 Fourth Street application for construction on a class VI/private road to recommend to the Selectmen to have the applicant provide a plan for emergency access during construction, the ability to maintain a through travel way, and a plan for material staging. Mr. Okerman seconded. Passed 6-0-1. Mrs. Crisler abstained;
- Letter to Steve Griffis to thank him for his service on the Board.

OLD/NEW BUSINESS:

- The June 21 minutes were approved as amended but no amendments were made, Mr. Kolodziej arrived later in the meeting and had comments about granite curbing, the Board amended the minutes as necessary;
- Tuesday meetings, second issue of Jay Koutavas's, should the Board respond to the issue of minutes for the Tuesday meetings. Discussion: The Town has received correspondence in the past for Attorney Campbell regarding Tuesday meetings;
- Mr. Koutavas's other issue was WWP and roads. Mr. Turner researched this issue back to 1974 to see where the zoning changed. It used to read "streets, roads, driveways." Changed by Russ Wilder to include a legitimate use to use high and dry land, same language from DES wetland permits. Mr. Turner will respond to Mr. Koutavas explaining the history and possibly propose an amendment to make this more clear.

HB1508:

Vests plan at the time a plan is noticed to the public rather than accepted for public hearing A final plan must be submitted within 12 months of the end of the design review.

Staff will draft additional requirements for the conceptual design review process and clarify the expedited process – wetlands, slopes, contours, and include more will be included. Limit the design review to a certain number of meetings, limit the amount of times a plan can continue.

BIG BOX ZONING:

Mr. Kolodziej would like to consider a special meeting during the November elections to propose new zoning of big box.

Retail and Big Box strategies – APA Zoning Practice Bulletin – identifies Big Box types and lists recommendations. Need to study existing Town retail and where retail would be allowed.

Website: growthmanagement-ICSC-.org.

Villages and open air shopping centers can also have larger buildings – 20,000 sq ft.

Feelings of the Board. Mrs. Crisler: against big box retail because of traffic. Mr. Kolodziej: some stores are segmented to allow for other tenants. Discussion: Some towns bond for demolition money to remove the building if it were to close. Shaws could move out and another store could locate there. The Town may want to consider requiring screening for outdoor storage / display.

Staff is collecting information for the ordinance and will get back to the Board. Discussion: Provide a

frame of reference for proposed box sizes.

Mrs. Hebert will e-mail the website link to Windham GIS aerial views.

Mr. LoChiatto appointed Bruce Breton to the CIP as a citizen member. Discussion: Mrs. Jortberg is not interested in a second term on the CIP. Mrs. Unger is interested in continuing service. Ms. Maloney showed interest.

Mr. Kolodziej motioned to adjourn. Seconded by Mr. Okerman. Passed 7-0. Meeting adjourned at 9:40 pm.

These minutes are in draft form and have not yet been reviewed and approved
Respectfully submitted, Nancy Charland