

PLANNING BOARD MINUTES

September 27, 2006

ROLL CALL:

Phil LoChiatto, Chairman – Present	Ruth-Ellen Post, Vice Chairman – Present
Nancy Prendergast, Secretary – Excused	Walter Kolodziej, Regular Member – Present
Ross McLeod, Regular Member – Present	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

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

BONDS:

- Johnson Street Extension, bond reduction of \$61,044.72 with \$33,000 retained. Mr. McLeod motioned to approve. Ms. Post seconded. Passed 7-0.

CORRESPONDENCE:

- Letter to Attorney Campbell in regards to the many letters from Samuel Nassar. Discussion: The letters will be placed in Mr. Nassar's subdivision folder;
- Request for a building permit on a Class VI and Private Road, lot 16-P-1011, Fourth Street. Discussion: What is the size of the lot, is it a buildable lot, where is the lot access, is it a vacant lot, and more information is needed;
- 2006 Fall Planning and Zoning Conference flyer;
- 2006 Watershed Conference flyer;
- The Land Conservation Plan for NH Coastal Watersheds booklet;
- Letter from RPC regarding dues;
- NH Partnership for High Performance Schools.

OLD/NEW BUSINESS:

- Mr. McLeod submitted a letter addresses to the Selectmen reflecting the meeting with RPC in August to recommend to not proceed with the impact fee study;
- Mr. Turner discussed the seminar he attended last week in regards to connecting neighborhoods, and he thought it was pertinent to the Village Center District;
- Discussion: Purpose for exactment fees collected for Spruce Pond Phase I, recreational use, and Mr. Turner will gather information for the next meeting. Dennis Senibaldi, Selectman and Recreation Committee Member: Can the money be used for other parts of town, is there a time limit, and a formal response should be given to the Selectmen. Discussion: Recreation Committee has not wanted satellite fields, where can the money be used, and recreation is more than fields.

LIASION REPORTS:

- Mrs. Crisler, Selectmen: The Town reevaluation is complete and on the website, and Selectmen are appealing the ZBA decision as requested by the Planning Board. Discussion: Tax rate set by the DRA and will be available by the December bills.
- Ms. Skinner, CIP: CIP met last Thursday, the next meeting is on October 5 to discuss the presentations and priorities.

CORRESPONDENCE (continued):

- Letter from the Heritage Baptist Church asking to be continued to October 4. Mr. McLeod motioned to grant the request. Ms. Post seconded. Passed 7-0. Mr. Kolodziej motioned to postpone Gauthier Subdivision to October 4. Mr. McLeod seconded. Passed 7-0. Mr. Zohdi stated he would like to withdraw the Mammoth Rd/Portion of Rt 111 Waterline from the agenda. Mr. Kolodziej motioned to accept the withdrawal. Mr. McLeod seconded. Passed 7-0.

PUBLIC MATTERS

The Willows Site Plan – Public Discussion

Mammoth Road – lot 14-A-925 & 930

Mr. Turner: Discussion is for elderly housing, two lots in the development to be merged, zoned Neighborhood Business but has a variance for this use, WWPD shown on the plan, 50% of the units to be handicapped accessible, some of the units to be affordable, some state requirements for elderly housing have been dropped, a resident from the Whispering Winds development is suing for not meeting the state's elderly requirements, screening should be looked at, will have a community water system, density needs to be finalized, site walk should be scheduled, attorney Campbell should review covenants and state elderly requirements, aquifer waiver study reviewed by Tim Stone of Stone Environmental, he discovered the area is not an aquifer area, and waiting for his written review.

Peter Zohdi, Herbert Associates: Town staff hired the environmental company to look at the aquifer study, the whole site was studied and none of the site is aquifer, density bonus was discussed previously, he discussed the manner in getting the density and how to get bonus density, entitled to 25 bedrooms without bonus based on soil calculations, working with Pennichuck to bring a waterline to the site, two accesses to the site, and using one curb cut from Mammoth Road. Discussion: Does it meet the elderly housing requirements, formula used for density, and Cobblestone Road neighbors have concerns regarding their home values. Mr. Zohdi: Walkways being proposed between the two unit sets with a bridge over the wetlands, the walkway will connect to the Mobile Station, not proposing a community center, will have location for activities like horseshoes, the Mobile Station is expanding with a car wash, gift store, and convenience store. Discussion: Nesmith Road lots layout is blah and could be more attractive, and it would be desirable to have hiking trails around the site. Mr. LoChiatto read letters from: 1) Six Cobblestone residents; and 2) Alan Doak, 6 Cobblestone Road. Discussion: Should the plan be sent out for department comments at this time.

Public input from Bill Irvin, 5 Cobblestone Road; Carol Doak, 8 Cobblestone road: Concerned with the traffic impact to Cobblestone Road and the curb cut, does not go with the demographics of the neighborhood, screening takes time to develop, will have a problem selling his home after this development goes is, does not go with the character of the neighbor, something else could be more in keeping with the neighborhood, and would like the neighborhood protected.

Mr. Zohdi: Will look at the area, and will work with the traffic engineer and traffic patterns of the area, there will be elderly housing in this area, and working with Pennichuck for the waterline, and the fire department welcomes the waterline. Discussion: The way the houses are sited on the land, site walk scheduled for October 14 at 1:00 pm, Mr. Zohdi will locate corners of the building and the boundary lines, Conservation Commission will be invited to attend, and send the plans out for department comments.

Mr. Zohdi: Can a workshop meeting be dedicated to the Village Center and invite other Boards.

Public input from Paul Donovan, 19 Indian Rock Road: Irritated about being dragged in every two

weeks for meetings. Discussion: How items are heard from the agenda and the complexity of the process, there will be many meetings, and scheduling as an only-topic meeting.

Mr. Kolodziej motioned to postpone the Village Center District Site Plan to October 11 at 7:30 pm and to invite the Historic District Commission and Conservation Commission. Discussion: Interested committees. Mr. Kolodziej amended his motion to include the Selectmen. Mr. McLeod seconded. Passed 7-0.

Haffners Site Plan – Public Hearing
48 Lowell Road – lot 20-E-252

Mr. Turner: The meeting was continued from September 13, there was a lack of statement from the fire department at the last meeting, comments are now in the file, the plan is to add a 30,000 gallon propane tank to the Haffner site, fire safety analysis has been submitted and reviewed by the fire department, and Mr. Turner read the requested waivers. Mr. LoChiato read the comments from the fire inspector. Discussion: Waivers were discussed at the last meeting.

E. Haffner Fournier: There are new plans that incorporate the comments from the previous meeting, complied with the requests, he gave the new plans and pdf file to Mr. Turner, offered to answer any questions and asked the Board to vote and approve the plan this evening. Discussion: Requested waiver of Section 701 and 704.1, Mr. Turner had no problem with the waivers, it is a level lot, soils were tested upon the cleanup a few years ago, and the soils record is on file in the building file and DES.

Public comment from Amy Spencer, 50 Lowell Road: ZBA allowed the variance, and the Planning Board has asked the Selectmen to appeal other variances. Mr. Turner: Reviewed the procedures for a variance, the variance was not appealed, plan is being reviewed by the Planning Board for safety, fire department has reviewed the plan and the safety report and feels the tank is as safe as can be, other safety factors are for traffic and a secure site, and the Board cannot deny for use.

Discussion: Buffering to the neighbors. Mr. Fournier: Has gone overboard with the screening, two rows of spruce trees to block the view completely, site screening has been done at the recommendation of Mr. Turner, the note on the plan says 15 4-5' diameter spruce trees along fence 15' on center – 2 rows 15' apart), should be 4-5' tall spruce trees.

Public comment continued with Jessica Dery, 52 Lowell Road: Concerned with the view and would like tall trees to block the view from her second floor which is the living space of her home.

Discussion: Should consider 6-8' tall trees, should be 12' tall trees, location of the houses, tree placement should be staggered, and add a berm to the site. Ms. Spencer: Not screened once the leaves fall, will be selling her house and would like the larger trees now and not wait for smaller trees to grow. Mr. Fournier: Explained the photographs.

Mr. Kolodziej motioned to approve the waiver of Section 701 which requires that a plan be submitted depicting the existing contours at two foot intervals. The applicant is requesting a waiver because the proposal to add a propane tank will not affect the topography of the property. Mr. McLeod seconded. Discussion: Plan has the markings for the two foot contours, and marking may not be accurate. Passed 7-0.

Mr. Kolodziej motioned to approve the waiver of Section 704.1 which requires that the soil types be identified by a certified soil scientist recognized by the State of NH. The applicant's reasoning is that

they are not doing anything with the soils on the property and would like to waive this requirement. The soils testing information should be added to the file. Mr. McLeod seconded. Passed 7-0.

Mr. Kolodziej motioned to have the row of trees depicted on the plan as 4-5' diameter spruce trees be planted at a minimum height of 12' to obtain the proper screening on the southerly border, the northerly trees to be 4-5' high spruce trees. Ms. Post seconded. Passed 7-0.

Mr. Kolodziej motioned to approve the Haffner's site plan, lot 20-E-252, 48 Lowell Road, as submitted on September 19, 2006 and amended this evening. Mr. McLeod seconded. Passed 7-0.

Novick Subdivision – 2 lots – Public Hearing
6 Londonderry Road – lot 6-A-4

Mr. Turner: This evening is a conceptual discussion for a 2-lot subdivision, ZBA granted a variance to allow less than 175' of road frontage, 91' of frontage, acreage, will have separate driveways, lot soils need to be finalized, driveway sight distances need to be reviewed and police and fire comments are needed, and neighbor has asked for screening. Mr. Turner double checked and tonight is a public hearing. Mr. McLeod motioned for public hearing. Mr. Kolodziej seconded. Passed 7-0.

Mr. Turner: For public hearing this evening, no waivers requested, lot sizing has been reviewed, and sight distance is also satisfactory. Discussion: Concerned with three curb cuts in a row with one of which is across from a three way intersection, want the driveway at the intersection, boulders will close off the right hand side, why does the new house driveway adversely effect the current driveway, the boulders are trashy, do not like multiple curb cuts, and do not use the boulders.

Mr. Zohdi, Herbert Associates: Blocked the driveway because of Planning Board input at the conceptual discussion, applicant would like to leave the driveway as it is, abutters do not object but would like shrubbery added, Mr. Thorndike reviewed the lots soils, there is plenty of sight distance for the driveway, NH DES approved the subdivision, the septic system has been approved by the Town and State, and all bounds and pipes are set. No public input.

Mr. McLeod motioned to approve the Novick Subdivision with the amended staff comments and the boulders be stricken from the plan and work with staff and abutters on landscaping on the northwest boundary. Mr. Kolodziej seconded. Passed 7-0.

Mr. Kolodziej motioned to adjourn. Mr. McLeod seconded. Passed 7-0. Meeting adjourned at 10:30 pm.

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