

## PLANNING BOARD MINUTES

December 13, 2006

### ROLL CALL:

Phil LoChiatto, Chairman – Present	Ruth-Ellen Post, Vice Chairman – Present
Nancy Prendergast, Secretary – Present	Walter Kolodziej, Regular Member – Excused
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  
Shaun Logue, Town Planner – Present

*Mr. LoChiatto opened the meeting at 7:30 pm. Ms. Gogumalla replaced Mr. Kolodziej.*

### CORRESPONDENCE:

- Walking in Windham pamphlet. Staff will request pamphlets for each member of the Board.
- GNHFH Affiliate News newsletter
- Letter from William R. Mason, Esquire dated 12/13/06 requesting to continue Johnny Hill Estates. Motion by Mr. McLeod to continue Johnny Hill Estates public hearing to January 17, 2007 at 8:00 pm. Seconded by Ms. Prendergast. Passed 7-0.

### PUBLIC MATTERS:

#### **School Board Land Swap – Off London Bridge Road**

Mr. Turner: The Selectmen have asked for comments from the Planning Board and the Conservation Commission regarding a transfer of Town owned land to the School Board. Mr. Turner distributed copies of a letter from Attorney Campbell regarding “Request for Comment; Selectmen Transfer of Tax-Deeded Land.”

Mr. Turner identified the location of the school owned land, the Town owned Gage lands and the Town owned land in question. The property in question was acquired by a tax collectors deed. The Selectmen can transfer this land to the School Board after comments are received from the Planning Board and Conservation Commission. The assessor’s map represents a different configuration than the actual survey. The land is separated from the School property by a small wetland. The land can be utilized for fields.

Discussion: We didn’t know we owned this land, Selectmen would like to transfer to the School Board, part of this land is planned to be swapped with an abutter, Mr. Logan, the land swap will allow the abutter access to his property and allow the School Board to build their road access to the high school. Lot sizes, existing utility easements, plans for the Gage Lands, and eminent domain were also discussed.

Dr. Anderson, School Board Chairman: Appreciate Mr. Turner’s help in this matter. School Board is looking for an equitable agreement with the abutter rather than taking by eminent domain. Previous agreement had an identical swap of land. The School Board would provide a footbridge across the wetlands to access the property for fields.

Discussion: Amount of acres being swapped, started as an equal swap until it was discovered that the Town owned the land, we do not know exactly where the abutter’s property is.

Attorney Michaels: Although we don’t know exactly where Mr. Logan’s property is, we know that it was given by the Gage family through a deal cut some time ago, and probably lies within the Town

owned Gage lands. The transfer of land to the School Board will bring closure and allow the School Board to move forward. Mr. Logan is releasing the land, thus there is no interest to him in finding its exact location. The land is approximately 14.5 acres.

Discussion: The Planning Board is to provide comments to the Selectmen regarding the land transfer to the School Board. Issues of land swap and lot lines will come before the Board at a later date. *Mr. Kolodziej joined the meeting but was not seated.* Mr. McLeod motioned to send the following comments to the Board of Selectmen, recognizing that the land transfer is in keeping with the highest and best use of land, and fits the urgency for completion of the high school: The land transfer 1) Facilitates completion of the high school; noting overwhelming support at Town deliberative session and 2) Facilitates integrity of the Gage lands as Town property. Seconded by Mrs. Post. Passed 6-0-1; Mrs. Crisler abstained.

Checklist completed; Staff will receive drawings from the School Board following their meeting of 12/19/06 and distribute to departments for review and comment. Staff will review for lot line closure.

#### **CORRESPONDENCE (Continued):**

- Selectmen request for comments regarding the reclassification of a portion of Flat Rock Road from Class VI to Class V.

Mr. Turner: A portion of Flat Rock Road is a dirt road currently maintained by the Town and the Selectmen want to layout a class V road. Selectmen have concerns regarding road width, wetlands and drainage.

Discussion: Debris existed in the wetlands and the owner has cleaned it up, paving is an improvement, and the Town currently maintains a portion of the road. Road width, culverts, construction sequence, and erosion control were also discussed, and current lots are lots of record. Closed drainage versus sheet drainage, why not just adhere to Town standards, and amount of traffic on the road. Plan calls for approximately 300 feet of road improvements although 500 feet of dirt road exists. Has there been any contamination from the debris in the wetlands?

Mr. Turner: Staff supports sheet drainage with treatment swales in this instance. Mr. Turner explained the existing and proposed drainage. Land was tested for contamination and found to be hazard-free.

Mr. McLeod motioned to send the following comments to the Board of Selectmen regarding the reclassification of Flat Rock Road: 1) we recommend 24 foot road width, 2) while closed drainage is often preferable, due to special features of the site along with staff comments, we believe sheet drainage would work appropriately, 3) while the plan calls for 300+ feet of road to be reclassified from class VI to class V, we recommend that the entire approximately 500 feet be paved to Town standards, and 4) construction sequence and erosion control be in conformance with Town standards and measures. Seconded by Mrs. Post. Passed 6-0-1; Mrs. Crisler abstained.

#### **BONDS:**

- Site bond: final release of \$20,000 for Lamplighter Site #8. Mr. Turner: Cistern in service. Recommend release. Mr. McLeod motioned to approve release of bond as stated. Seconded by Ms. Skinner. Passed 7-0.

Ms. Skinner motioned to adjourn. Mr. McLeod seconded. Passed 7-0. Meeting adjourned at 8:50 pm.

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