

PLANNING BOARD MINUTES

May 9, 2007

ROLL CALL:

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

STAFF:

Al Turner, Director of Planning and Development – Present
Shaun Logue, Town Planner – Present

- *Ms. Post opened the meeting at 7:30 pm.*
- *The Board stood and recited the Pledge of Allegiance.*
- *Ms. Gogumalla and Mr. Okerman replaced Mr. Kolodziej and Mr. McLeod.*

MINUTES:

The Board discussed the May 2 minutes in regards to the Willows Site Plan approval, the April 4 motion was non-binding, and changes were made to the book but were not initialed. Ms. Post read a letter from Mr. Turner to the Chairman regarding clarification of the Willows Site Plan approval of May 2, 2007. Discussion continued regarding the motions, and numbers 4, 5, 6, 7, 8 and 10 were not in the book Mr. LoChiatto motioned to reconsider the motion to approve the Willows Site Plan of May 2, 2007. Ms. Skinner seconded. Passed 7-0.

Mr. LoChiatto motioned to amend the original approval as follows: to approve the Willows site plan as amended showing (site plan B) the units to the northerly side of the proposed Addison Road in light of the fact the submitted materials meet the requirements of Section 610.8.1 Significant Services and Facilities specifically that the proposed elderly housing is necessary to provide an important housing opportunity for older persons outlining items 1-9 of the applicants binder with the following conditions: 1) All property bounds that are adjacent to town property or rights-of-ways shall be marked with granite (4”Sq. x 36” Long) and shall be installed level with the final grade. All other corners shall be marked with permanent boundary markers (stone or iron); 2) Stone walls should either be retained in place, relocated or stockpiled for use on site; 3) Work with staff and Pennichuck Water Works to design and install a state approved water system, and it shall be in place prior to issuance of Certificate of Occupancies; 4) All state, federal and local approvals shall be received prior to the start of construction and recording of the plans; 5) The house address numbers and parcel numbers shall be approved by the Town Assessor prior to recording the plans; 6) Applicant shall provide to the Town, prior to the start of construction, a plan illustrating the proposed location of the utilities within the public-right-of-way or utility easements; 7) All disturbed areas not receiving treatment shall be loamed with 6” of loam and seeded; 8) The Groundwater Resource Impact Assessment recommends on-site irrigation systems be required to have rain sensors and timers to prevent over watering; 9) Define active and substantial development as drainage system, first coat of pavement, and underground utilities; 10) The applicant and Condominium Association require that all occupants of the Willows be age 55 and older; 11) Add a 14’ x 14’ deck or patio to the clubhouse, size and structure to be determined with staff; 12) Remove the gazebo and associated path; 13) All units would be handicapped accessible; 14) All units would be barrier free; 15) All units would have three feet wide interior and exterior doors; 16) All units will have handicap ramps in the garage; 17) Handicapped showers and toilets would be available for all units; 18) Each unit will have grab bars installed in the bathrooms; 19) Each unit will be pre-wired for chair lifts to the difference floors in the unit; 20) Each unit will be pre-wired for life

support lines; 21) 20% of the units will be made available with call buttons in the bedrooms and bathroom. These previous 9 items meet the definition of providing important housing opportunities for older persons that's not currently provided in the Town; and 22) And in meeting Section 610.8.1, the proposed covenants for declaration of condominiums include a) Information of social activities for people 55 years of age or older; b) Information on recreational programs for people 55 years of age or older; c) Information on homemaker services for people 55 years of age or older; d) Information on emergency, counseling, and preventive health care programs or services for people 55 years of age or older; e) Information on continuing education programs for people 55 years of age or older; f) Develop activities, social or recreational, which can be conducted at the complex for people 55 years of age or older; g) The information required in Paragraphs a thru f shall be provided by the Board of Directors on a monthly basis and shall be posted on the bulletin boards located at each of the mailbox locations. The services to be provided by the Declarant and or the Officers of the Homeowner's Association shall be provided on a monthly basis. This provision is binding on the Declarant and its successor. This provision may be enforced by any Unit Owner and or the Town of Windham by seeking enforcement action in the Rockingham Superior court. Mr. Crisler seconded. Passed 7-0.

CORRESPONDENCE:

- Letter from David Sullivan regarding Town Meeting Warrant Article #35;
- Letter from Attorney Campbell regarding nomination of officers;
- Town of Derry abutter notification.

BOND:

- Pawtucket Road, new bond, \$47,650.44. Discussion: Previously pulled the bond, unable to get the money from the insurance bond, new bond will be bank bond which is easier to enforce, Board did not revoke the approval, and the same owner with new bond at new prices. Mrs. Crisler motioned to accept the bond. Ms. Prendergast seconded. Passed 6-1. Mr. LoChiatto opposed.

LIASON REPORTS:

- Mrs. Crisler, Selectmen: Joan Normington has taken the historic resource list from the HDC that is currently listed by map and lot number and is categorizing by street name with photos of the properties to be included. The Selectmen held a workshop with Police. Smoking ban discussion scheduled for May 14 Selectmen's meeting.

OLD/NEW BUSINESS:

- Mr. Turner and Mr. Logue will be attending a planning conference in Portsmouth NH this Thursday and Friday;
- Mr. Sinnott has asked for the CTAP discussion to be postponed until May 23, 2007. CTAP is required to do an inventory of the Town. Mr. Sinnott will send forms in advance of the discussion.

BYLAWS (Rules and Procedures):

The Board reviewed the Bylaws with previously proposed amendments. Board discussion: Change "Bylaws" to "Rules and Procedures", 7:00 pm start time, no new business after 10:00 pm, make nomination of officers individually, retain sentence regarding term of office for citizen members of CIP, add term of office for RPC members, and include a waiver provision.

Mr. LoChiatto motioned to move the Windham Planning and Zoning Board Rules of Procedures to the May 23 meeting for public hearing. Ms. Skinner seconded. Passed 7-0.

SUBDIVISION CONTROL REGULATIONS:

The Subdivision Regulations were reviewed with amendments from prior workshops. As the document was reviewed additional edits were made. The Board discussed active and substantial development, is 4 years adequate time for the developer to become vested?, is 120 days enough time to meet conditions of approval? and define precedent conditions of approval.

Mr. Joseph Maynard, Benchmark Engineering: concerns regarding active and substantial development, has a large subdivision plan coming forward, takes years to establish just a roadway in larger developments, 120 days is not enough time to meet conditions of approval, and the subdivision will be phased. Discussion: what is typical for development in Town, regulations should be for the typical not for all cases, and need to discuss phased developments.

The Board discussed non-binding design review phase versus design review of final application, and sequencing of sections. Staff will review sequencing. Discussion continued regarding maximum grade and spacing between catch basins, velocity flows, pre and post design drainage calculations, volume versus velocity of flow, street types and right-of-ways, road widths, and how is a plan rescinded? Staff will update and present a new revision at the next workshop scheduled for May 23.

Mr. LoChiatto motioned to adjourn. Ms. Skinner seconded. Passed 7-0. Meeting adjourned at 10:05 pm.

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