

PLANNING BOARD MINUTES
January 16, 2008

ROLL CALL:

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

- Mr. McLeod opened the meeting at 7:00 pm;
- The Board stood and recited the Pledge of Allegiance;
- Mr. Okerman and Ms. Gogumalla replaced Mr. Kolodziej and Ms. Prendergast.

MINUTES:

- Mr. LoChiatto motioned to approve the January 2 minutes. Mr. Okerman seconded. Passed 2-0-3. Mr. McLeod, Ms. Gogumalla, and Mrs. Crisler abstained.

CORRESPONDENCE:

- Letter from David Sullivan regarding the Westchester Road fire cistern. Mr. Turner showed the location of the cistern and stated that the easement can be relinquished as per Attorney Campbell and the fire department. Board discussion regarding a new easement is not necessary as the deed is satisfactory, should a new plan be drawn to show where the cistern is? Mrs. Crisler motioned to release the dedicated emergency fire fighting water supply easement on lot 20-D-324. Mr. Okerman seconded. Passed 5-0;
- Copy of a letter to the Selectmen regarding NH proposed legislation;
- Letter regarding the possible land sale of town-owned land at 19 Seavey Road, lot 8-A-52. Mr. McLeod read a letter from Todd and Anitra Brodeur. Board discussion regarding the requested conditions of sale by the Brodeurs, and any and all permits need to run through the normal process. Mr. LoChiatto motioned to recommend the sale of lot 8-A-52 to the Selectmen for the following conditions: 1) The land will not be subdivided from the deed of 23 Seavey Road for any reason; 2) the Brodeurs will apply for all necessary permits through the building department for the installation of an aerobic septic applicable to a waterfront area; 3) The Brodeurs will apply for any all permits necessary for the construction of an accessory building on the property for the purpose of storage and parking. They will go through the appropriate procedures whether the Planning Board, ZBA, or otherwise; 4) The applicant will apply for the demolition permit to remove the current structure on the parcel 8-A-52 and comply with all demolition regulations. Mr. Okerman seconded. Passed 4-0-1. Mrs. Crisler abstained;
- Letter regarding the possible land sale of town-owned land at Third Street, lot 16-P-1004. Mr. McLeod read a letter from Francis Farris. Board discussion regarding granting a temporary easement for a septic system, and not recommend to sell. Mr. Okerman motioned to recommend, though there is limited information, the Board recommends a temporary easement on lot 16-P-1004 for a septic system used by 16-P-198F as this would allow the Town flexibility for future septic uses for the property. Ms. Gogumalla seconded. Board discussion that there is not enough information to make a decision, and crossing under a non-town road. Passed 3-1-1. Mr. LoChiatto opposed and Mrs. Crisler

abstained;

- Letter regarding the possible land sale of portions of town-owned land of lots 21-W-6 (1,504 sq ft), lot 21-W-15A (3,462 sq ft), and lot 21-W-2 (7,197 sq ft). Mr. McLeod read the letter from Marlene and Gilbert Hume. Board discussion regarding the parcels, land currently being leased, and a narrow access to the pond. Mr. LoChiato motioned to recommend the sale of the lots for the exclusive use for a septic system. Mr. Okerman seconded. Passed 4-0-1. Mrs. Crisler abstained;
- Flyer regarding the 15th Annual Spring Planning and Zoning Conference;
- Email regarding the NH Association of Natural Resources Scientists annual meeting;
- Letter from PSNH regarding the 2007 NH Economic Review;
- Abutter notification from Derry regarding potential regional impact;
- Town and City booklet. Windham is featured on page 40;
- Article titled “Roundabouts – Not Your Typical Traffic Circle”;
- Copy of a letter to Bruce Richardson regarding site plan deficiencies at his property at 105 Rockingham Road;
- Letter from the Rail Trail Alliance regarding Planning Board support for connecting the Windham rail trail to the Derry rail trail. Ms. Maloney, Rail-Trail Committee Member, stated that 3.1 miles of the trail are paved and would like to extend into Derry, and she asked whether a Planning Board member could attend the Derry meeting on February 5 in support. Mr. LoChiato motioned to have Mr. McLeod speak to the Derry Town Council on February 5. Mrs. Crisler seconded. Passed 5-0.

PUBLIC MATTERS:

Cliff Sinnott of the Rockingham Planning Commission – Public Discussion CTAP Community Planning Assessment

Cliff Sinnott distributed 2 documents which included a questionnaire and a memo. He described the Community Technical Assistance Program which is money that has been set aside for the towns that are influenced by the expansion of Rt 93 because of additional growth, the money is to help the towns plan environmentally for the expansion, program should last about 5 years, they will review each communities’ current status and give recommendations, a detailed land use map has been completed, he described the help available for the towns within each phase, and there is regional money available. It was noted that RPC Windham representatives Lee Maloney and Annette Stoller were in attendance. Peter Griffin is also on the committee. The Board and Mr. Sinnott reviewed, discussed, and updated the 20-page questionnaire titled Town of Windham Community Planning Assessment (attached). Mr. Sinnott would like to come back in a couple of weeks with the findings. He will attend the February 13 meeting.

Pelletier Amended Subdivision – 2 residential lots – Public Hearing Continued 66 West Shore Road, lot 22-L-1

Mr. Turner stated that it is 2 days beyond the 65-day requirement and the applicant is not in attendance, there is a major issue with the subdivision as the road is only 14’ rather than the 24’ approved by the Planning Board, and 14’ is not wide enough to provide emergency services as per the Town’s public safety personnel. Board discussion that the plan presented to the Board was incorrect through a surveyor’s error, were the abutters notified? the plan was continued from the November 28 meeting, what next step the Board should take, and a motion should include the applicant is not present.

Mrs. Crisler motioned to table the public hearing to February 6 at 7:30 pm due to outstanding issues with the application and neither the applicant or their representative are present to clarify the issues, and direct staff to contact the applicant before that time. Mr. Okerman seconded. Passed 5-0.

A-Top Polymers Parking Lot Site Plan and Special Permit – Public Hearing
47 Rockingham Road, lot 13-D-90 & 95

Mr. Turner stated the applicant is requesting a minor site plan approval and a Special Permit to allow disturbance in the WWPD, it is an existing property with an existing parking lot, they want to reconfigure the parking lot and remove 9,354 sq ft of existing pavement and a driveway access onto Rt 28, they will upgrade the driveway to meet State and Town standards and create a vegetated swale for stormwater treatment, the existing sign will be relocated to meet the setbacks, they are proposing 31 parking spaces where 27 are required, and 2 parking spaces will be for handicapped persons. The property is located at 47 Rockingham Road, application is complete and meets the requirements and staff recommends it for public hearing. Mr. LoChiatto motioned to open for public hearing. Mrs. Crisler seconded. Passed 5-0.

Mr. Turner continued discussing the plan including development issues include parking lot layout and design, landscaping recommendations, drainage, dumpster relocation, and lot consolidation/lot merger.

George Fredette, SFC Engineering, showed the existing plan and the way the property would look once approved, they are proposing to remove over 9,000 sq ft of pavement, the owner is 47 Rt 28 Realty Trust and the primary occupant is A-Top Polymers, the Conservation Commission has given their support, is going to ZBA next week, he gave a history of the lot, he wants to bring the lot into conformance with the regulations, needs a variance, a special permit and site plan review, he showed where the treatment swale will be located, currently it is uncontrolled flow, the parking lot will be more efficient which is another improvement, one of the driveways will be removed, the other driveway will be conforming and also have a driveway permit to the DOT, there is a sign in the right-of-way which will be moved, looking for the Planning Board support, and it is not an expansion or change-of-use. Board discussion regarding the ZBA hearing is next week.

Mr. Fredette would like the Board to consider this a minor site plan, and he addressed each of the 12 issues for a minor site plan, the business has been in existence for over 25 years, and looking to bring it into conformance.

Mr. McLeod read a letter from the Conservation Commission which supported the plan. Board discussion that site plans are usually reviewed after the variance is obtained, and is it a minor site plan?

Mr. LoChiatto motioned that the applicant, upon receiving the variances from the ZBA, can come back to the Planning Board as a minor site plan. Board discussion that the plan requires a variance. Mr. Okerman seconded. Passed 5-0.

Board discussion regarding lighting should not escape the property, would like to see sign details including colors, and it should be ADA accessible. Discussion with Mr. Fredette regarding the drainage and curbing, a small portion of the parking lot has sheet drainage, and the remainder follows the curbing to the treatment swale, the handicapped parking should be near handicapped access, and it is an administrative office with no deliveries or manufacturing or customer interface.

Mrs. Crisler motioned to continue the hearing to the February 6 at 7:30 pm meeting. Mr. LoChiatto seconded. Passed 5-0. Board discussion of the upcoming workshop meetings. Mr. Fredette stated that he can't make the February 6 meeting. Mrs. Crisler motioned to reconsider the previous motion. Mr. LoChiatto seconded. Passed 5-0. Mr. LoChiatto motioned to continue the hearing to February 20. Mrs. Crisler seconded. Passed 5-0.

Mr. LoChiatto motioned to adjourn. Mrs. Crisler seconded. Passed 5-0. Meeting adjourned at 9:45 pm.

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

Respectfully submitted, Nancy Charland