

PLANNING BOARD MINUTES

May 6, 2009

ROLL CALL:

Phil LoChiatto, Chairman – Present	Rick Okerman, Vice Chairman – Present
Nancy Prendergast, Secretary – Present	Walter Kolodziej, Regular Member – Present
Ruth-Ellen Post, Regular Member – Present	Pam Skinner, Regular Member – Excused
Louis Hersch, Alternate – Excused	Kristi St. Laurent, Alternate – Present
Sy Wrenn, Alternate – Present	Bruce Breton, Selectmen Member – Present
Galen Stearns, Selectmen Alternate – Present	

STAFF:

Laura Scott, Town Planner – Present

Mr. LoChiatto opened the meeting at 7:00 pm. The Board stood and recited the Pledge of Allegiance.

The Chairman appointed Mr. Wrenn to replace Miss Skinner.

2009 TAX MAP AND LAND CODING UPDATE:

Mr. Rex Norman, Tax Assessor and Mr. Eric Delong, IT Director discussed with the Board the following in regard to zoning maps:

- Use striping in place of graphics on the approximately fifty (50) multi zone lots.
- Scan Mr. LoChiatto's signature to be used on maps.
- All zoning changes made last year are in place.
- Would like to make cosmetic changes during the year.
- Version number and print date to be used on maps.
- Current coding method used by Mr. Norman.
- Small copies of the map will be provided for binders.

PUBLIC HEARING:

Horseshoe Estates Subdivision – Case 05-2009

Horseshoe Road, lot 17-L-17 & 17-L-150

Edward N. Herbert Associates, on behalf of MHB Development Corporation, proposes to merge lots 17-L-17 and 17-L-150 and then re-subdivide into six residential lots. The property is located on Horseshoe Road in the Rural District.

Mr. LoChiatto read the legal notice. Ms. Scott noted the memos and letters that were provided to the Board in their binders and that the following memos were not included because they were submitted late.

- May 1, 2009 Letter from Arlene Jones of 18 Horseshoe Road
- May 4, 2009 Letter from Geosyntec.
- May 6, 2009 Memo from Mr. McCartney.

Ms. Scott stated that NH DES has granted subdivision approval and she did not have any outstanding issues. Ms. Scott said that she disagrees with Item #1 in Geosyntec's memo that an alteration of terrain permit is required and that Mr. Jack McCartney, Windham Road Agent, does not support Geosyntec's plan to do drainage work in the road. Ms. Scott does not believe that the plan set reviewed by Geosyntec is the same plan set that is in front of the Board. Mr. Breton motioned to accept the plan for public hearing. Mr. Kolodziej seconded. Motion passed 7-0.

Mr. Peter Zohdi of Herbert Associates presented the plan showing on the displayed maps the two (2) parcels that will be combined and then subdivided into six (6) lots. The following was discussed:

- Horseshoe Estates will be in compliance with all subdivision requirements.
- The Conservation Commission did a site walk and submitted a letter of support.
- Dead trees will be flagged by Mr. McCartney and then removed from the right-of-way after being approved by Ms. Scott.
- Mr. McCartney requested that no silt be in the catch basins during construction.
- All catch basins are to be cleaned every six (6) months.
- Ms. Scott required silt fencing be in front of the entire subdivision.
- Every septic system plan for each lot will be sent to NH DES for approval.
- The existing vegetated swale will not be touched.
- Orange construction fencing will be installed.
- No Cut Zone.

Mr. LoChiatto read into the record a letter from Arlene Jones of 18 Horseshoe Road and a memo from Jack McCartney, Windham Road Agent.

Attorney Kathleen DiFruscia, legal counsel for CPIA (Cobbetts Pond Improvement Association), stated that Geosyntec was asked to review the Horseshoe Estates Subdivision plan because it is in the watershed of Cobbetts Pond. Geosyntec was provided a smaller plan than the displayed plan. CPIA's goal is to have maximum protection for Cobbetts Pond without interfering with the development of the land.

Attorney DiFruscia introduced Mr. Daniel Bordeau, an Engineer at Geosyntec. Mr. Bordeau stated that the plans he reviewed were dated March 2009. Mr. Bordeau suggested ways to reduce sediment, pollutants and erosion before it enters Cobbetts Pond.

Mr. James Knight of 3 Horseshoe Road asked if there will be individual wells on the lots or if the water will be provided by Pennichuck. Mr. Zohdi replied that each lot will have its own well.

Mr. Peter Gerstenberger, nephew of Arlene Jones, said that there is considerable runoff from the last two lots into Cobbetts Pond. He is concerned about the water quality, traffic from Griffin Park and the loss of tree coverage.

Mr. Peter Shulkin of 5 Horseshoe Road stated that he is concerned about losing his water supply.

Mr. LoChiatto read into the record two (2) letters; one from Dr. Finn, Chairman of the Conservation Commission, stating that based on the current plan and the March 28, 2009 site walk evaluation the Commission had no issues with the proposed subdivision and one from Carol Pynn, Chair of the Heritage Commission, stating that at their April 8, 2009 meeting they discussed having the stone wall remain in place as mentioned in the April 1, 2009 Planning Board minutes.

Mr. Breton stated that the Technical Review Committee's comments are in the file and have been incorporated into the drawing package. Mr. Breton asked that the members of the TRC (Technical Review Committee) be stated for the public's information.

Ms. Scott stated that the TRC consists of the following:

- Highway Department
- Fire Department
- Police Department
- Building Inspector
- Stormwater Inspector
- Conservation Commission
- Recreation Committee
- Highway Safety Committee
- Historic Committee
- Heritage Commission
- Trails Committee
- Ms. Scott, Community Planner

Ms. Post disagreed with Mr. McCartney's letter and said that some measures suggested by Geosyntec could be implemented and would not be costly.

Ms. Prendergast asked for the drainage system to be explained again.

Mr. Breton motioned and Ms. Post seconded the motion to approve the subdivision known as Horseshoe Estates, lots 17-L-17 and L7-L-150, plans dated April 20, 2009 with the following conditions:

1. Orange construction fencing will be installed.
2. Fix note 7 on page 2 (residential should be rural).
3. Fix note 7 on page 1 (residential should be rural).
4. Add NH DES Subdivision approval numbers.
5. Add a note that there will be a 20 foot vegetated buffer.
6. Add a note that there will be a 50 foot forested buffer in the rear of the parcels.
7. Clean out the catch basins every 6 months and send a report to the Planning Department until the last certificate of occupancy is issued.

Motion passed 7-0.

WWPD Special Permit – Case 06-2009
Heritage Hill Road, lot 24-F-192 & 193

Edward N. Herbert Associates, on behalf of EJR Development, LLC, is proposing to relocate an existing treatment swale within the WWPD. The property is located on Heritage Hill Road, lots 24-F-192 & 24-F-193 in the Rural District.

Mr. LoChiatto read the legal notice. Ms. Scott advised the Board that this plan has been through the Technical Review Committee and there are no outstanding issues. Mr. Breton motioned to accept the plan for public hearing. Mr. Kolodziej seconded. Motion passed 7-0.

Mr. Peter Zohdi of Herbert Associates presented the plan. The proposed location of the treatment swale was shown on the displayed plan. The Conservation Commission did a site walk and had no objections to moving the treatment swale. The swale will be moved to a flatter area but the system will be the same. If the swale relocation is not approved the applicant will pursue variances to relocate other items within the WWPD.

Mr. Kolodziej motioned and Mr. Breton seconded the motion to approve a Special Permit for Case #06-2009 on Heritage Hill Road, Lots #24-F-192 & 24-F-193 and meets the following conditions (listed in the April 3, 2009 Memo from Edward Herbert Associates):

- Section 601.1.1 of the Zoning Ordinance.
- Section 601.1.2 of the Zoning Ordinance.
- Section 601.1.3 of the Zoning Ordinance.
- Section 601.1.4 of the Zoning Ordinance.
- Section 601.1.5 of the Zoning Ordinance.
- Section 601.4.8 of the Zoning Ordinance.

Motion passed 6-1. Ms. Post voted against the motion.

COMMUNITY TECHNICAL ASSISTANCE (CTAP) WORKSHOP:

Julie LaBranche, RPC, reviewed the CTAP Year 1 grant work products, and discussed prioritized recommendations from the Community Assessment for possible submission for a Phase II grant, and she also provided an overview of the CTAP Open Space Planning Process and Roadmap Planning Process.

MINUTES:

Ms. Post motioned and Mr. Kolodziej seconded the motion to approve the April 15 minutes as written. Motion passed 4-0-3. Mr. Okerman, Mr. Wrenn and Ms. Prendergast abstained.

PLANNER'S REPORT:

Ms. Scott reminded the Board to keep their binders updated. Ms. Scott attended the Economic Development Expo. The agenda from the Drinking Water Resource Workshop, attended by Ms. Scott, was given to the Board Members and Ms. Scott asked that they highlight a presentation they are interested in and return it to Ms. Scott. She would then copy that presentation for the Board Member. Ms. Scott also attended the OEP Planning Conference, the agenda was provided, all the information is on line. Ms. Scott gave a staffing update.

Mr. LoChiatto thanked Ms. Charland for her dedication and hard work and years of service to the Planning Board.

Willows Site Plan Extension Request

Ms. Scott advised the Board of an extension request for the Willows Site Plan that expired May 5, 2009. Because of all the turn over in the Planning Department, the request sat for a couple of months before going to Attorney Campbell. Ms. Scott wanted to make it clear that this was not the fault of the applicant. Attorney Campbell does support the granting of the extension. Mr. Breton motioned and Ms. Post seconded the motion to grant a sixty (60) day extension to the Willows Adult Community Site plan for further legal review by Town Counsel. Motion passed 7-0.

Mr. Kolodziej motioned and Mr. Okerman seconded the motion to adjourn. Motion passed 7-0. Meeting adjourned at 10:00 PM.

These minutes are in draft form and are respectfully submitted for approval by Patricia Kovolyan.