



*OLD VALUES - NEW HORIZONS*  
**PLANNING AND DEVELOPMENT**

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Planning Board Minutes  
5/12/10

**Roll Call:**

Phil LoChiatto, Chairman – Present	Rick Okerman, Vice Chairman – Present
Nancy Prendergast– Present	Pam Skinner, Member – Present
Ruth-Ellen Post, Member– Present	Sy Wrenn, Alternate – Present
Kristi St. Laurent– Excused	Louis Hersch, Alternate – Arrived at 8:26pm
Bruce Breton, Selectman Member – Present	Ross McLeod, Selectmen Alternate – Excused
Lee Maloney, Alternate – Excused	Bruce Richardson, Alternate -- Excused

**Staff:**

Laura Scott, Community Development Director – Present  
Elizabeth Wood, Community Planner – Present  
Tracey Mulder, Planning Assistant - Excused

**Call to Order/Attendance/Pledge of Allegiance**

The meeting was called to order by Chair LoChiatto at **7:01 pm**, followed by the Pledge of Allegiance.

**Mr. Wrenn was seated for Ms. St. Laurent at 7:02 pm.**

**Open Space Task Force Report**

A presentation of the CTAP Open Space Task Force Plan, which was developed as part of the I-93 Community Technical Assistance Program and is administered by the NH Department of Transportation, with assistance from the Rockingham Planning Commission. An Open Space Task Force was appointed by the Board of Selectman and, as a result of the planning process completed by the Windham Open Space Task Force. The Open Space Plan is intended to serve as a guide for future open space planning and land protection in the Town.

Ms. Julie LaBranche, Senior Planner with the RPC, and Mr. Rob Pruyne GIS Specialist, from the Rockingham Planning Commission presented the report. The version of the Report that was presented this evening contains the edits that were suggested by the public and by the Board at the 3/17/10 Planning Board Meeting.

Ms. LaBranche gave an overview as to why Windham decided to participate in the creation of the Open Space Task Force Report. An environmental Impact Statement was done for the I-93 Corridor as a result of the interstate road's expansion. Funds were set aside to evaluate potential grown impacts for the affected communities as a result of this expansion. The Open Space Task Force Report is one such initiative.

Ms. LaBranche overviewed the Open Space Task Force planning process. Specific protocol was followed for Open Space Task Force Report. Designation of priority parcels for Open Space preservation is based primarily on natural resources but it also takes into consideration historical and cultural resources. The Open Space Task Force committee members, who participated in the creation of the Report, represented different entities and interests.

Ms. LaBranche and Mr. Pruyne outlined through each of the 4 steps used to develop the report. They are as follows:

### **Step 1: Identification of High Value Natural Resources**

Step 1 in the open space planning process was the identification of high value natural resources that will be used to define open space lands within the Town. The Open Space Task Force selected the following high value resources:

1. Unfragmented Areas of 100 acres or greater
2. Agricultural Soils
3. Scenic Views/Ridgelines/Hilltops
4. Wetlands/Streams/Rivers/Lakes/Ponds plus 250' buffer.

### **Step 2: Assign Relative Weights to Natural Resources to Establish Importance for Protection**

Step 2 in the open space planning process was to assign weights to the high value natural resources selected in Step 1 to establish their relative importance for protection. Weights were assigned through a "Delphi" process during which individual Task Force members:

- 1) Assigned numeric values to each resource type (Each Task Force member had a total of 100 points that they could allot as they chose among the resources)
- 2) Compared their scores to the group average
- 3) Discussed differences in scoring
- 4) Revised their scores as deemed appropriate.

After the second iteration of this scoring process the members had reached a consensus. The four high scoring natural resources were:

- 1) Un-fragmented Areas of 100 acres or greater (38%)
- 2) Agricultural Soils (33%)
- 3) Scenic Views/Ridgelines/Hilltops (13.5%)

4) Wetlands/Streams/Rivers/Lakes/Ponds plus 250' buffer (12%)

### **Step 3: Define the “Green Infrastructure”:**

Step 3 in the open space planning process was to define the “green infrastructure” meaning the contiguous resource network and natural areas across Town. The green infrastructure is the area that, if protected from development or degradation, should ensure that the services provided by the natural environment to Windham’s residents could be sustained.

Mr. Pruyne presented the map showing the Green Infrastructure.

Mr. Zhodi pointed out a parcel in Northeast Windham, on the map, that he says is not conservation land. He says that the map is not correct. The tax map and zoning map are wrong.

Mr. Pruyne says that his data has come from the Town's zoning and tax map database.

### **Step 4: Parcel Identification and Ranking within the Green Infrastructure**

Mr. Pruyne presented the base data that was used to create the maps that are presented in the Open Space Task Force Report. Information from Map 3 (created in Step 3) Green Infrastructure was superimposed over the Town’s tax maps (showing parcel boundaries) to determine which parcels or portions of parcels were included in the green infrastructure. GIS staff computed the natural resource value of each parcel or partial parcel lying within the green infrastructure. Although a number of parcels within the green infrastructure had some development on them, the developed areas were essentially excluded from the parcel value.

Much of the base data is drawn from what the Town provided in digital format.

Mr. Zhodi said that the maps are misleading because the base data is inaccurate.

Mr. Pruyne responded that this is a wide scale project; it is not done to a parcel level. Therefore there are data errors at the parcel level.

Mr. Case said that current use of property needs to be taken into consideration.

Ms. LaBranche says that this is the preliminary step. Further on in the process, maps will show where development exists and those parcels will be eliminated.

After step 4, the parcels were further evaluated and assigned a ranking of high or medium priority for protection. Each parcel selected for priority protection was assigned a priority ranking of “high” or “medium”. The Task Force evaluated the following factors to determine the ranking:

- Proximity to connectivity with existing conservation or Town and State owned lands

- Proximity to the Rail trail
- Occurrence of priority resources (agricultural soils, unfragmented and forested lands, surface waters, and scenic views)
- Occurrence of riparian areas and shore lands.

In total, 24 parcels were designated as priority parcels. Of the 24, 14 parcels were deemed high priority and 10 parcels were designated as medium priority.

Part of the above process was completed using GIS analysis, while another part of the process to choose priority parcels was done by direct human decision. The Committee took the GIS generated maps circled areas that they felt were priority (discluded areas where they knew were development).

Chair LoChiatto said the first 4 maps that were presented were data driven and the final map included personal preference.

Mr. Pruyne and Ms. LaBranche said they agreed with the Chairman's statement.

Ms. Prendergast made the point that the Planning Board did not adopt this document at any previous Planning Board Meetings.

Chair LoChiatto said, that as stated by Ms. Prendergast, this map has not been adopted by the Planning Board. At tonight's meeting, the Board can choose to take the document as is, or the Board can continue to review and revise it.

Mr. Pruyne said that when he receives data sets, and he has to analyze them in terms of how the data has been created. Mr. Pruyne noted that the Report is a work in progress. The Report can be used as a tool or it may not be depending upon the Board's decision. He pointed out that, if different priorities were chosen by the Committee, than different results would have been generated.

Ms. Prendergast asked if the Board would receive this data in a way current Staff could use to manipulate it for future use.

Mr. Pruyne said, yes. The data is public and the RPC will provide it to the public and to the Town.

Ms. LaBranche says the document can be "modified" in the future; however the folks listed in the report must be credited appropriately.

Mr. Breton suggested that folks read the note on the bottom of Page 6. The note is a disclaimer that states it is extremely important to recognize landowners whose land falls within the green infrastructure or identified as an open space protection area are free to dispose of their land as they choose, consistent with applicable federal, state and local laws and regulations. Inclusion of land within the green infrastructure or identified as an open space

protection area is not an indication that the Town of Windham has any legal interest in the land or has any intention of taking the land for public purpose.

**Mr. Hersch arrived at 8:26pm.**

Chair LoChaitto asked for the definition of Green Infrastructure.

Ms. LaBranche said that Green Infrastructure includes those lands that contain all the natural resources that the task force thought were a priority for protection.

A gentleman from the public asked if landowners would be free to dispose of their land they choose.

Ms. LaBranche said "Yes."

Chair LoChiatto said as long as the property owner adheres to zoning regulations, the owner is free to do with their land as he/she so chooses.

Ms. LaBranche said there are State and Federal programs that may give property owner money if that owner were to dedicate easements on his/her property.

Ms. Post suggested a table with key terminology be added to the Report.

Ms. LaBranche said Green Infrastructure is defined on Page 8.

Ms. Post asked if a list of terms with definitions could be added to the Report.

Ms. LaBranche said that she will add a glossary to the report.

Chair LoChiatto said there was a concern among the Board that the Landowners of parcels may not be aware that their land fell under certain designations. The Board thought it would be a good idea to have another meeting to include land owners to make sure they understood the Report.

Mr. Case said Table 1 shows properties purchased through 2007. He says that he knows the Conservation Commission has purchased more properties since 2007.

Mr. Case said there is an error as to the ownership of Castle Reach, those lands are owned by the State and not the Southeast Land Trust, as stated in the Report.

Ms. LaBranche said that she will correct this error.

A gentleman from the audience asked how the buildout of lots was determined.

Mr. Pruyne stated as part of the I-93 CTAP program, there was a Buildout Analysis completed for the Town and that the results of that were taken and put into this report.

Mr. Case said the numbers used in the Buildout Analysis are bad numbers.

Chair LoChiatto reminded Mr. Case that the Buildout Analysis was a macro study.

A gentleman from the public said the Rockingham Planning Commission staff should be commended for their work and they did a very nice job.

Mr. Breton suggested the accuracy of Town's maps be checked. If maps were more accurate then we may not have these issues.

Chair LoChiatto said the maps have been a topic of hot debate. Some new maps should be ready this week. He has been doing site visits himself to check the accuracy. He agrees that without accurate data, you can not plan accordingly.

Mr. Breton, says it may be important for the Planning Board to stress this, so that the creation of accurate maps may be added as a budget item.

Chair LoChaitto says that new maps will address some of these issues. He knows there are errors.

Mr. Pruyne said even in towns where there is a full time GIS person, there are errors in the maps.

Ms. LaBranche said that some Towns stagger their mapping updates. These towns create a GIS maintenance program where certain parts of the maps are updated each year. Sometimes the complete cycle for all updates takes place over the duration of 5 years.

Mr. Case said that the Rockingham Planning Commission staff did a good job. However, he thinks the human factor thrown in may have skewed the results.

Chair LoChiatto reminded Mr. Case that that the process went from objective analysis to subjective analysis.

Chair LoChiatto asked if there were further questions from the Board.

There were no further questions form the Board.

Chair LoChiatto asked as to what was the pleasure of the Board.

Mr. Breton said that due to the disclaimer and due to the need for grant funding, it would be well worth it to accept the report as it is.

Ms. Prendergast said that the Town needs to have another public hearing if it were to accept the report. She says the Report is a good tool that the Town should keep, but the Board will have to figure out what to do with it first. She says we should thank the Rockingham Planning Commission for their work and put the Report on the Board's list of resource tools.

Ms. LaBranche says the Report can be used as part of the Master Plan. She says that a public hearing is not necessary because the Report is a non-binding document. The Report is for information only.

Chair LoChiatto says he is hesitant to accept the Report because there were several parcels that were pointed out at tonight's meeting that were discrepancies. The Planning Board could accept this document for further review at a different hearing.

Mr. Breton says the Board can accept it. This Report could be used as a starting point, and that the document could be refined.

Chair LoChiatto acknowledged all of the hard work done by the Committee and by Rockingham Planning Commission staff, said the Report will be presented at a future workshop during which the public will be engaged again. During this hearing, the priority map will be fine tuned.

**A 5 minute break was taken before the next agenda item was heard.**

### **Meeting Minute Review and Approved 3/17/10**

Ms. Prendergast said that she reviewed the tape for certain sections and those sections have been updated.

Ms. Prendergast made further suggestions for edits to the 3/17/10 minutes. She suggested the last 3 motions be edited to read as follows:

*"Mr. Breton made a motion to waive the bylaws to hear new business after 10:00 pm. Ms. Skinner seconded the motion.*

*Ms. Prendergast made a motion to waive the bylaws regarding the appointment of officers till after the election. The motion was seconded by Mr. Breton. The motion passed 7-0.*

*Mr. Breton made motion to adjourn meeting. Ms. Skinner seconded. The motion passed 7-0. What was the vote Meeting adjourned at 11:12pm."*

Ms. Post offered two corrections to the 3/17/10 minutes. One is a correction to a motion that was made on Page 15. She said that the word exception should have been used and not the

word aversion as stated by herself. She suggested a second correction on Page 2, where footnote should be written as one word and not two.

**Mr. Okerman made a motion to accept the 3/17/10 minutes as amended Seconded by Ms. Skinner. The motion passed 7-0.**

### **Meeting Minutes Review and Approve 4/21/10 Minutes**

**Ms. Prendergast made a motion to approve the 4/21/10 minutes as written. Mr. Breton 2<sup>nd</sup>. The motion passed 5-0-2. Mr. Okerman and Ms. Post abstained.**

### **Community Planner's Report**

This was presented by Ms. Wood. There were no questions from the public or from the Board.

### **Community Development Director's Report**

This was presented by Ms. Scott.

Mr. Breton suggested that the wording be changed about Ms. Scott providing a legal opinion to the ZBA. Ms. Scott said that this will be better clarified in her future reports.

### **Land Resource Management by DES, Concord**

This was presented by Ms. Wood.

### **Miscellaneous**

Ms. Post said that she attended Spring OEP conference and went to a session on Roads. She said that she learned that it is very important for the Town to update the location and status of all of its roads each year. If this is not done the legal status of a road can change. Ms. Post says that she heard that the roads in Windham have not been updated since 2006. Ms. Scott says that all the materials from the OEP workshop are on the OEP website.

Ms. Scott said that the Community Development Department's "Spring into Savings" event is this weekend. This is an opportunity for the Board and for the public to stop by 6 new Windham businesses welcome them to town. The businesses will have special offers during the Saturday event.

**Mr. Breton made a motion to adjourn 9:38pm. Seconded by Ms. Prendergast. Motion passed 7-0.**

**These minutes are submitted respectfully by Elizabeth Wood**