

**PLANNING BOARD MINUTES
SEPTEMBER 1, 1999**

ROLL CALL:

Keith Goldstein-Chairman-Present
Russell Wilder-Vice Chairman-Present
Annette Stoller-Secretary-Present
Wayne Morris-Regular Member-Present
Bernie Rouillard-Regular Member-Present
Walter Kolodziej-Regular Member-Present
Alan Carpenter-Alternate-Present
Margaret Crisler-Selectman-Present
Galen Stearns-Selectmen's Alternate-Present

BUSINESS:

Mrs. Crisler reported the Board of Selectmen appointed Mr. Keith Goldstein and Mr. Walter Kolodziej as regular members of the Planning Board. Mr. Fred Noyles and Mrs. Betty Dunn were appointed alternates to the Planning Board.

ELECTION OF OFFICERS:

Chairman: Mr. Kolodziej nominated Mr. Goldstein for chairman of the Board and Ms. Stoller seconded. Mrs. Crisler nominated Mr. Rouillard for chairman of the Board and Mr. Wilder seconded. Ms. Stoller spoke on Mr. Goldstein's behalf and Mr. Wilder spoke on behalf of Mr. Rouillard. Mr. Rouillard thanked the members for their support but announced he would have significant absences this fall. Voted 4-3 for Mr. Goldstein.

Vice Chairman: Mr. Goldstein nominated Mr. Rouillard for vice chairman and Mr. Wilder seconded. Mr. Morris nominated Mr. Wilder and Mr. Kolodziej seconded. Voted 4-3 for Mr. Wilder.

Secretary: Mr. Goldstein nominated Ms. Stoller for secretary and Mr. Wilder seconded. Mrs. Crisler nominated Mr. Rouillard for secretary and Mr. Morris seconded. Voted 5-0-1 for Ms. Stoller.

ZONING & PLANNING ISSUES:

Mr. Turner gave a master plan update and thought public hearings could happen in November. Ms. Stoller gave members of the Board a portion of the Housing chapter and will e-mail the balance for the next workshop September 8th. Ms. Stoller will also give a presentation on growth management at the September 8th workshop. Mr. Turner reported Mr. Gattinella and Mr. Case are working on the elderly housing ordinance and will be in contact with Salem Planning staff to review their ordinance.

MINUTES:

Mr. Kolodziej motioned to accept the August 11, 1999 minutes and Mr. Wilder seconded. Passed 5-0-1. Mr. Rouillard motioned to accept the minutes of August 14, 1999, as written, and Mr. Kolodziej seconded. Passed 4-1-2 (R. Wilder, A. Stoller abstained). Mrs. Crisler discussed several corrections to the minutes of August 18, 1999. Mr. Rouillard motioned to accept the amended minutes of August 18, 1999 and Mr. Wilder seconded. Passed 5-1-1 (W. Kolodziej abstained).

Mr. Wilder motioned to open and continue the public hearings for Mtn. Homes Subdivision and the Costa Subdivision and Special Permit to September 15, 1999. Mr. Kolodziej seconded and passed 7-0.

Mr. Morris stepped down and Mr. Carpenter replaced him on the Board.

STAR VECTOR SITE PLAN (18-L-201) - PUBLIC HEARING CONTINUED

67 Range Road

Mr. Turner presented the Board with a memo regarding the application for a sporting goods store and reviewed the previous meeting of August 18, 1999.

Mr. Craig Francisco, of Bedford Design Consultants, Inc., addressed the issues raised at the August 18th meeting. The hours of operation, delivery hours, and dumpster service hours will be between 10:00 A.M. and 8:00 P.M. The rear portion of the building has been reduced to facilitate truck-turning movements and no reloading supplies will be sold. The elevation plan depicted vinyl siding with mock windows and the colors are gray with blue trim. The applicant proposes to have vinyl siding on the northern and western walls with two mock windows on the north and four mock windows on the west. The landscaped berm will block headlights.

Mrs. Crisler questioned the number of days the store would be open. The applicant proposed Monday through Saturday with a half day on Sunday. The Board reviewed the after hours lighting plan and Mr. Wilder questioned the mock windows. The applicant used mock windows for security purposes. Mr. Rouillard suggest using the vinyl siding on all four sides and adding mansards or gables.

Mr. Francisco explained the building could not be seen from the street. The Board discussed the possibility of future development and the need to do all sides of the building.

Ms. Stoller suggested the Board was overstepping the bounds as they were not architects and suggested the matter be referred to Mr. Turner. Ms Stoller referred to exacting a hardship on the applicant in requesting four sides of the building be treated when it could not be seen from the roadway.

Mr. Turner explained the adjacent buildings had windows, there was a historic building across the street and the newest buildings on Range Road are developed with a New England

look. Section 1204.4 of the Windham Site Plan Regulations pertains to visual continuity and this building would be directly adjacent to residential property. Section 1205 of the Windham Site Plan Regulations pertains to the building design and materials and the use of features, 1205.1.2, and 1205.2.2.3, windows.

Atty. Rubega, representing the applicant, addressed the issue of the continuation of vinyl siding on the other two sides, asked the Board for clarification and stated the applicant would look into the expense. Discussion followed on the date the design review guidelines were put into effect.

Mrs. Crisler expressed her disappointment with the applicant's design and gave the purpose of design review to provide for the harmonious and aesthetically pleasing development. Mrs. Crisler suggested the ordinance gives suggestions and perhaps the applicant wished to confer with the Community Stewardship Committee.

Mr. Goldstein explained the applicant did receive guidance at the previous meeting. Mr. Wilder suggested the applicant go through the design review guidelines and show how the application meets the spirit and intent of the ordinance. The purpose of the ordinance was to create value in the commercial areas of town.

Ms. Stoller expressed the need to give the applicant sufficient time and to expedite the process the Board ask staff to act as counsel for final approval of the architecture. Mr. Goldstein explained the site plan regulations were the jurisdiction of the Board and not the staff.

Mr. Carpenter questioned the storage of guns, gunpowder and the percentage of space dedicated to firearms. Atty. Rubega stated the firearms would not exceed 35% of the floor space. Mr. Carpenter asked what percentage of the sales would be from firearms and the applicant has not figured that out as of yet.

Mr. Wilder questioned the need for a fire lane around the building but the comments of the Fire Department only addressed the opti-com system, hydrants and a sprinkler system. Mr. Turner explained the Fire Department reviewed the site location with an adjacent parking lot and the golf course could be driven over. Mrs. Crisler felt that would assume the golf course was to remain a golf course but in fact there was a conceptual hearing for the development of that parcel. Mr. Turner clarified the development of the adjacent parcel would improve the access to the sporting goods store. Mrs. Crisler felt this was obligating two other sites for access for fire protection. Mr. Turner explained the regulations would provide 60 feet between two buildings.

Mrs. Crisler questioned the placement of the mechanical equipment, i.e., heating and air conditioning. The applicant stated the heating was inside the facility and the air conditioning unit was in the northeast corner of the building outside. Mr. Goldstein questioned the radius for delivery trucks and the stacking of trucks. The applicant did not anticipate any stacking of trucks, as deliveries would be restricted. Mr. Wilder expressed concern with the placement of the air conditioning unit near the 8th tee and the noise of trucks backing up.

Mr. Wilder suggested restricting deliveries and dumpster service hours to no later than 5:00 P.M.

Mr. Carpenter questioned the storage of kayaks and boats and the size of the door on the loading dock. The plans depicted a traditional door of 32". Ms. Stoller questioned whether there was room for doubling the door size. Mr. Francisco assured the Board there was room to double the size of the loading door.

Mr. Rouillard discussed the previous discussion on August 18th about taller evergreens to be mixed in with the rhododendrons on the landscaped berm. Mr. Francisco explained the landscape architect did not recommend evergreens as the lower branches could die off and the rhododendrons would provide three feet of effective screening. Mrs. Crisler presented the Board with a booklet, provided by the state, for trees for urban landscaping. Mr. Turner could use the book in determining screening for sites.

Mr. Morris questioned the dredge & fill permit and the placement of the sewer line for the septic system. Mr. Turner stated the sewer line was not going through any wetlands, it is to be placed in the driveway.

Mrs. Betty Dunn, an area resident, questioned whether the applicant has met the design review standards and the purpose of the building. The application seemed vague and questioned the intent, as the applicant could not move kayaks and boats through regular doors. Mrs. Dunn questioned at what point would the Code Enforcement Administrator take action when the site plan is not adhered to.

Mr. Steve Hsu, of 1 Edgewood Road, spoke of the amount of traffic and double parking by trucks on Range Road. Mrs. Donna Morgan, of 5 Edgewood Road, chairman of the Windham Coalition, was concerned with the products being marketed and the clients to whom they would be marketing these products to, i.e., high-powered bows. Mrs. Morgan also asked whether the Board had the jurisdiction to restrict delivery hours. Mr. Goldstein assured Mrs. Morgan the Board had the jurisdiction and would take into consideration the surrounding large residential area.

Mr. Crucius, of Range Road, expressed concern with the traffic and parking along Range Road. Also, whether there would be any shooting of firearms inside the building or outside the building. Mr. Goldstein assured Mr. Crucius the applicant would not have permission to shoot guns inside or outside of the building.

Mr. Turner recommended 6:00 P.M. or 5:00 P.M. for the latest delivery or loading time. Sheet two of the plan showed an overhead light which was a typo. This light should be placed on the edge of the building side. The loading dock area could come in from another area and meet the site plan and zoning ordinance. Mr. Turner would not recommend an area with a long back-up area for trucks. Mr. Francisco suggested moving the driveway to change the access to the loading dock area and still accommodate the drainage.

Mrs. Crisler questioned the type of stock in the store and whether guns were the primary

business. Atty. Rubega explained firearms would be 35% of the floor space for retail and storage area. Atty. Rubega addressed the Board's demeanor with the applicant. Mrs. Crisler questioned whether the store would be similar to MVP Sports store catering to the general public or more of a hunting clientele. Mrs. Crisler expressed concern for safety of the children entering the store and the securing of firearms. Atty. Rubega assured the Board the firearm area would be secure.

Mr. Wilder questioned the possible area for the location of the well and Ms. Stoller questioned the size of the building. Mr. Francisco reviewed the areas available for the location of the well and the building will be 106' by 140'.

Mr. Turner reiterated the Board should decide whether the applicant has met the requirements of section 1204 of the Windham Site Plan Regulations. Mrs. Crisler commented the hearing should be continued to give the applicant time to work on the design of the building and make it look more harmonious with the surrounding properties, i.e. RSA 674.4. Mrs. Crisler also expressed concern with a retail building without windows attracting customers and suggested landscaping around the building could help break up the expanse of the building. Also, the Board should clarify the truck delivery area and times and where the guns would be sold and stored.

Mrs. Crisler motioned to continue the hearing to September 15, 1999, at 8:00 P.M., and Mr. Kolodziej seconded. Discussion followed on the adherence to section 1204, 1205 and 1206 of the Windham Site Plan Regulations. Ms. Stoller discussed consulting with the applicant and giving additional time due to the holiday weekend. Mr. Turner pointed out the hazard of consulting with the applicant and suggested the applicant use the design review guidelines in the site plan regulations. Ms. Stoller clarified her statement and the vote was 6-1 (A. Stoller opposed).

Mrs. Crisler motioned to open and continue the Rt. 28 Mini Mart Site Plan and Special Permit and the Sheffield Subdivision. Mr. Morris seconded and passed 7-0.

QSI SUBDIVISION (11-C-700) - PUBLIC HEARING CONTINUED

Off Wall Street

Mr. Turner reported the proposed subdivision met all the requirements and recommended acceptance for public hearing. Mr. Morris motioned to accept for public hearing and Mrs. Crisler seconded. Passed 7-0.

Mr. Turner presented the proposed two-lot subdivision located behind the First Essex Bank on the corner of Wall Street and International Road. The subdivided lot would be 4.99 acres with the remaining to be 80 acres. On the submitted plan the W.W.P.D. was slightly off and the plan presented to the Board for the public hearing shows an adjustment to the W.W.P.D.

Mr. Morris questioned the access to parcel 703 and Mr. Turner explained the lot was discovered during a title search and when the title is clear it would be clear as to ownership.

Mr. Peter Zohdi, of Edward N. Herbert Assocs., Inc, explained the lot in question was all wetland and W.W.P.D.

Mr. Turner suggested an easement given to lot 703 and when the title was cleared the easement could be eliminated with a minor lot line change. The title clearing would not effect this subdivision.

Mr. Wilder discussed future plans for an access road to come out at N. Lowell Road and Londonderry Road. Mr. Zohdi discussed the special permit to access the new parcel 704. Discussion followed on the title problem and Mr. Zohdi assured the Board the problem does not effect the subdivision or lot 704.

Mrs. Crisler motioned to approve the subdivision of lot 11-C-700 into two (2) lots, as per the plan dated July 25, 1999, new lot to be 11-C-704, the applicant to grant an easement to 11-C-703, the W.W.P.D. be adjusted as per the presented plan and the setting of the bounds. Mr. Rouillard seconded and passed 7-0.

QSI SITE PLAN & SPECIAL PERMIT (11-C-704) - PUBLIC HEARING CONTINUED

Off Wall Street

Mr. Turner reviewed the application for a 10,000 square foot building to house security video equipment, sales, showroom and minor repairs. The plan met all the requirements except a minor adjustment of the W.W.P.D. and Mr. Turner recommended acceptance for public hearing. Mrs. Crisler motioned to accept for consideration and Mr. Wilder seconded. Passed 7-0.

The applicant is proposing two driveways on Wall Street with parking on one side of the building and in the front. There will be a gravel access road in the rear of the building. A 25,000 gallon cistern is proposed above ground. A color rendering was submitted and Mr. Turner reviewed the materials to be used.

Discussion followed on the colors of the building and the type of material for siding. Mr. Rouillard suggested extending the masonry on the sides to conform with section 1205.1.1 of the Windham Site Plan Regulations. The nearest neighbor would be 500 -600 feet away.

Mr. Peter Zohdi, of Edward N. Herbert Assocs., Inc., addressed the issues of the above ground cistern and the lighting. The heating and air conditioning unit will be located in the rear of the building on the northwesterly side. The cistern would be 30 feet high.

Mrs. Crisler questioned the floor plan and Mr. Zohdi reviewed the percentage of retail, showroom and minor repair. There will not be any manufacturing only minor repair of equipment. Nothing toxic will be on site. Several members of the Board expressed concern with the visibility of the cistern.

Mr. Goldstein read the comments from the Fire Department, Police Department and Conservation Commission (on file). Mrs. Crisler questioned whether the staff had found any traffic reports done on this area. Mr. Turner reported no traffic report was done for Wall Street. The applicant submitted a letter (in file) concerning traffic. The site will have 3-4 employees there at a time. Ms. Stoller questioned the hours of operation and whether there would be alarms being tested. There will be no noise pollution by alarm.

Mr. Case questioned the water storage system and why it should be placed above ground. He did not feel this building fit in with the surrounding buildings and questioned the type of masonry to be used on the front of the building. The masonry on the front would be split-faced block. Mr. Case also expressed concern with the traffic generated by the state park and ride and the bank.

Mr. Zohdi explained the Fire Department had requested a large water storage system and there was ledge present on the site. The building will have a sprinkler system. The Board discussed the design review guidelines.

Mrs. Crisler motioned to approve with the following conditions:

1. The W.W.P.D. line be adjusted, as per the presented plan;
2. Continue the masonry on the north and south side of the building, split-faced masonry to be used;
3. Cistern to be placed underground and bonded;

Mr. Rouillard seconded. Discussion followed on the continuation of the masonry. Motion passed 6-1 (A. Stoller opposed due to the problems with clearing the title). Mr. Rouillard motioned to grant the special permit for the two driveways and Mr. Morris seconded. Passed 7-0.

Mr. Wilder motioned to open and continue the Shoreline Realty Site Plan and Special Permit and the Colantoune Site Plan to the September 15, 1999 meeting. Mrs. Crisler seconded and passed 6-1 (W. Morris opposed).

NEW BUSINESS:

Mr. Goldstein expressed the thanks of the Planning Board to Ms. Erin Gumbel, an intern working on the master plan this summer and for helping the Planning & Development Department.

Meeting adjourned 11:00 P.M.

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