

BOARD OF SELECTMEN MEETING

Minutes of August 18, 2003

MEMBERS PRESENT: Galen Stearns, Alan Carpenter, Roger Hohenberger, Christopher Doyle and Bruce Breton. David Sullivan, Town Administrator, was excused. Meeting commenced at 7:00 pm.

ANNOUNCEMENTS: Proposed High School - Diane Carpenter, member of the Pelham Windham Cooperative High School Planning Board, announced that the first of two public hearings on the proposed high school will be held at the Windham Town Hall on Wednesday, August 27th at 7:00 pm. She noted that revisions have been made since the last meeting and changes can be considered at this public hearing as there will be a second public hearing in Pelham on September 3rd. Mrs. Carpenter urged all residents to attend. Sister City - Barbara Coish and John Breder presented the Board with gifts from their recent trip to our Sister City, Suzdal, Russia. They stated that they hope to host visitors from Suzdal later this year. They also explained programs they hope to initiate in the future. Windham Helping Hands - Kathy Davis, on behalf of Windham Helping Hands, thanked the residents for the generous support of the Back to School Clothing Program. She noted that forty children were assisted with new clothes and shoes for school. The support was over whelming.

LIAISON REPORTS: Recreation – Mr. Breton reported that the Recreation Committee is continuing to consider impact fees. Planning Board –Mr. Doyle reported that the Planning Board held a workshop to discuss possible rezoning and the sign ordinance.

PUBLIC HEARING – HOPKINS ROAD: Mr. Stearns read the following notice. “Notice is hereby given that the Windham Board of Selectmen will hold a public hearing on August 18, 2003 at 7:15 pm in the Planning and Development Department meeting room for the purpose of receiving public input on a petitioned request to upgrade a section of Hopkins Road from its intersection with Mitchell Pond Road north to a point crossing the former B and M Railroad right-of-way from a Class VI highway (closed subject to gates and bars) to a Class V highway. The hearing is being held in accordance with RSA 231:22-a(V) and RSA 231:8. The layout would be subject to an assessment of the costs to the Petitioner in accordance with RSA 231:23.” Mr. Stearns also read a letter to the owners and mortgage holders noticing them of this public hearing. Mr. Szemplinski of Benchmark Engineering spoke on behalf of the petitioner, B & H Homes. He posted maps depicting the area and Hopkins Road and explained what the petitioner wished to do. He stated that the trails would be preserved on the edge of the road and would have a gravel surface. He also noted that they are continuing to work with DRED and the Town of Derry to have a connection off of Depot Road. Bruce Anderson, Chairman of the Conservation Commission, reiterated the Commission’s concerns with this petition as stated in their letter of August 11, 2003 to the Board. The Commission recommended that the Board deny the request to upgrade Hopkins Road. Mr. Lemay, Mitchell Pond Road resident, spoke against the proposed reclassification. Questions arose concerning the ownership of Hopkins Road and the fact that the Anderson Subdivision was approved and questioned if it should have been required to come be the Selectmen for approval. Town Counsel, Bernard Campbell, stated that Hopkins Road is a town road presently and can be updated with no damages assessed. He also stated that he was not asked previously for an opinion on the Anderson subdivision but not coming before the Board would not invalidate the approval. He noted that the Board could still hold a public hearing if required. Mr. Coole questioned if the State’s ROW over the railroad bed was discontinued. Attorney Campbell stated that he felt the state would approve the crossing. Lisa Linowles (Conservation Commission) questioned the exact location of the road and asked the Board not to approve this upgrade as the impacts are unclear at this time especially with Phase 2 of Spruce Road not being finalized. Mr. Szemplinski requested that the Board approve this request as H & B Homes would still have to go before the Conservation Commission and the Planning Board for approvals. Dennis Senabaldi (Conservation Commission), Nancy Costa, and Christina Mearls all expressed their concerns with this proposed upgrade and requested the Board deny

the request. The Board discussed the various pros and cons of this upgrade and had their questions answered by Brian Harvey, Alfred Turner and Attorney Campbell. The Board considered that the upgrade could possibly alleviate some of the traffic from Morrison Road, whether the Derry connection would be approved, disturbing the present trail and the benefit to the town vs the developer. It was also noted that the Police and Fire Department recommend the upgrade for better access. Mr. Carpenter moved to deny the petitioners requested for upgrade Hopkins Road from Class VI to Class V highway on the grounds that it diminishes the value of the open space and railroad beds and creates traffic issues that are unwarranted. Mr. Breton seconded. Passed 3-2 with Mr. Doyle and Mr. Stearns opposed.

PUBLIC HEARINGS: Mr. Stearns read the following notice. "In accordance with RSA 31:95-b, the Board of Selectmen will hold a Public Hearing on August 18th at 7:45pm at the Planning Department for the purpose of considering the acceptance of a NH Emergency Management Performance Grant in the amount of \$4,000 to the Town to be used towards the cost of purchasing emergency evacuation chairs." Mr. Doyle motioned to accept the NH Emergency Management Performance Grant of \$4,000 to be used toward emergency evacuation chairs. Mr. Breton seconded. Passed unanimously. Mr. Stearns read the following notice. "In accordance with RSA 31:95-b, the Board of Selectmen will hold a Public Hearing on August 18th at 7:45 pm at the Planning Department for the purpose of considering the donation to the Town of a monetary contribution in the amount of \$1,333 from the Fire Association to be used towards the purchase of emergency evacuation chairs." Mr. Doyle moved to accept the \$1,333 from the Fire Association for the purchase of emergency evacuation chairs. Mr. Breton seconded. Passed unanimously.

MINUTES: Mr. Doyle moved to accept the minutes of the August 11, 2002 meeting as presented. Mr. Hohenberger seconded. Passed unanimously.

CORRESPONDENCE: Letter received from Raymond Potvin of Andover MA regarding the new writers group held at the Nesmith Library. He stated in his letter that a member of the group stated that this group was for Windham residents only.

PLANNING BOARD FEES: Mr. Turner explained the research he had done prior to making recommendations to raise the present Planning Board Fees. He stated he had compared our present fees with those of other area towns and accounted for the staff and volunteer (Planning Board members) work required. Mr. Carpenter moved and Mr. Hohenberger seconded to move the proposed Planning Fees as presented forward to public hearing. Passed unanimously.

HIGHWAY SAFETY COMMITTEE RECOMMENDATIONS: Oriole and Cardinal Roads – Request for three way stop sign and removal of barrier – The Committee did not support the removal of the barrier and in fact agrees that the barrier serves to better define the intersection. Also, the request for a stop sign is not recommended as the committee feels strongly that the intersection would need to be reconstructed into a T-shape. Mr. Doyle moved and Mr. Hohenberger seconded to accept the Highway Safety Committee recommendations as described above. Passed unanimously. Glance Road – Requests for "Dead End" or "Not a Thru Street" sign and a "Children at Play" sign. The Committee recommended that the Selectmen support the installation of a "No Outlet" sign as this road ends in a cul-de-sac. Mr. Carpenter moved to approve the installation of a "No Outlet" on Glance Road. Mr. Doyle seconded. Passed unanimously. The Committee recommended that the Board deny the request for a "Children at Play" as this signage is unenforceable and these types of signs have not been supported by the Committee in the past. Mr. Carpenter expressed his support of this request and noted he felt the sign was a reminder to slow down. Mr. Hohenberger agreed. Mr. Stearns stated that he is not in favor of these signs but rather working to reduce the speed limit town wide. Mr. Doyle motioned to accept the Committee's recommendation and deny this request. Mr. Breton seconded. Passed 3-2 with Mr. Carpenter and Mr. Hohenberger opposed. Mockingbird Hill Road – Request for a "Children at Play" sign and posting speed limit at 30 mph. The Board tabled this request per Chief Moeckel. Faith Road –

Requests for speed limit of 25 mph, “No Thru Traffic” sign, “Stop” signs at intersection of Faith and Ridgemont and Faith and Atlantic and “Children at Play” sign. The Committee voted to have the Police Department conduct a speed survey on Faith Road. The Committee recommends denial for the “No Thru Traffic” sign as this road connects with many other roads in the area. Mr. Carpenter moved and Mr. Doyle seconded to deny the request for the “No Thru Traffic” sign. Passed unanimously. The Committee recommended that the Selectmen schedule a public hearing to approve the installation of “Stop” signs at the intersection of Faith and Ridgemont Roads and Faith and Atlantic Roads. It was noted there is presently a “Stop” sign at Faith and Ridgemont Roads. Mr. Carpenter motioned for the Board to schedule a public hearing to consider installation of a “Stop” sign at Faith and Atlantic Roads. Mr. Doyle seconded. Passed unanimously. The Committee voted to deny the request for a “Children at Play” sign for the reasons stated in the previous case. Mr. Doyle moved to accept the recommendation of the Committee to deny this request. Mr. Breton seconded. Passed 3-2 with Mr. Carpenter and Mr. Hohenberger opposed. Londonderry Road – Safety Measures Near #89 – Requests for speed limit of 25 mph, installation of a mirror across from 89 Londonderry Road and a “Slow-Blind Driveway” sign at the corner of Fern Street. The Committee requested the Police Department conduct a speed survey on Londonderry Road in this area. The Committee voted to instruct the requesting party that the Committee does not involve itself with mirrors on roads as we cannot allow such items in the town’s right of way. If the requesting party would like to pursue installing the mirror at their cost they can contact the Code Enforcement Officer for assistance on placement. And finally, the Committee recommended the installation of a “Blind Driveway” sign as requested. Mr. Doyle moved to approve the above three items as described. Mr. Hohenberger seconded. Passed unanimously. Bridle Bridge Road – Request “No Thru Trucking” on Road. The Committee voted to advise the Board that they have no recommendation on this request as they could not come to a position. Mr. Doyle moved to approve the installation of a “No Thru Trucking” sign on Bridle Bridge Road. Mr. Breton seconded. Passed 4-1 with Mr. Hohenberger opposed. Consideration of request for a guardrail at 3 West Shore Road – tabled from August 11th for site visit by Board. Committee voted to deny request. Mr. Doyle motioned to install a guardrail at 3 West Shore Road with length and construction materials to be decided by Highway Agent and staff. Mr. Carpenter seconded. Passed unanimously.

OLD BUSINESS: None.

NEW BUSINESS: Kevin Waterhouse, who has been representing Windham on the Regional Water District, gave the Board an update of the issue noting that Nashua has voted to purchase Pennechuck Water Systems. He stated that the Regional Water District is working on the charter and required enabling legislation has been passed. He gave the Board notice that Windham may be asked to contribute \$5,000 this year and next for legal costs. He asked them to consider making this commitment to protect the residents on the present water system. The Board had many questions: why would rates be cheaper, number of residents on the system presently and future problem and costs. Mr. Stearns noted that no monies are in this year’s budget for these legal expenses. Mr. Doyle motioned to adjourn. Mr. Carpenter seconded. Meeting adjourned at approximately 10:20 pm. Respectfully submitted, Kathleen Davis Administrator Assistant

NOTE: These minutes are prepared in draft and have not been submitted to the Board for approval.