

**PLANNING BOARD MINUTES**  
**FEBRUARY 2, 2000**

**ROLL CALL:**

Keith Goldstein - Chairman - present  
Russell Wilder - Vice Chairman - excused  
Annette Stoller - Secretary - present  
Margaret Crisler - Selectman - absent  
Galen Stearns - Selectmen's Alternate - present  
Walter Kolodziej - Regular Member - present  
Wayne Morris - Regular Member - present  
Bernie Rouillard - Regular Member - present  
Alan Carpenter - Alternate - absent  
Fred Noyles - Alternate - present  
Betty Dunn - Alternate - present

Mr. Stearns and Mr. Noyles replaced Mrs. Crisler and Mr. Wilder respectively.

**ZONING AND PLANNING ISSUES:**

Mr. Turner stated that he has spoken to the Rockingham Planning Commission regarding the Board's comments about the Master Plan. Discussion ensued regarding mapping. Ms. Stoller said the housing section would be completed by the weekend.

**ROAD BONDS:**

Mr. Turner reported that we have received a check for \$960 for road bond escrow. Ms. Stoller made a motion to accept the \$960. Seconded by Mr. Stearns. Passed 7-0.

**COMMUNICATIONS:**

Mr. Goldstein read the following correspondence:

- The Source, a newsletter of the NHDES drinking water source protection program.
- State Planning News, a newsletter of the NH office of State Planning.
- notice from the Rockingham Planning Commission for annual legislator's forum on Wednesday, February 9 from 7:00-9:00 pm.

**MINUTE APPROVALS:**

Mr. Morris made a motion to approve the January 26, 2000 minutes. Seconded by Ms. Stoller Voted was 3-0-4. Mr. Noyles, Mr. Stearns, Mr. Rouillard, and Mr. Kolodziej abstained.

Mr. Morris made a motion to reconsider the motion. Seconded by Ms. Stoller. Passed 7-0.

Mr. Noyles excused himself from the vote. Ms. Dunn replaced him.

Mr. Morris made a motion to approve the January 26, 2000 minutes. Seconded by Ms. Stoller Passed 4-0-3. Mr. Stearns, Mr. Rouillard, and Mr. Kolodziej abstained. Mr. Noyles rejoined the Board.

Mr. Goldstein announced a recess until 8:00 pm.

## **CRESTWOOD SUBDIVISION (1-C-2501) 2 lots - PUBLIC HEARING CONTINUED**

Crestwood Road

Mr. Turner stated that this was a continued public hearing, and research had been done on the original warrant article. Mr. Turner stated that Mr. Tom Case found and viewed the video tape of the Town Meeting and there was no discussion before the vote. Mr. Goldstein then read the warrant article.

Public discussion began with Mr. Jim Abagis, 21 Crestwood Road, had questions regarding the general procedures and appeals; he overviewed the history of the land swap, and stated that it was represented as a one-lot land swap. Mr. Goldstein stated that the warrant article was approved, the tapes were reviewed, and nothing was said about it being a one-lot land swap. Discussion ensued regarding no conditions were tied to the land swap. Mr. Tom Case spoke and said that he viewed the tape and was at the Town Meeting, and stated that there was no discussion on the warrant article before the vote. The WWPD rules have changed, and the land can be subdivided.

Mr. Peter Zohdi explained the ZBA meetings that discussed this land. The current plan meets the current requirements.

Discussion ensued including Mr. Abagis, Mr. Zohdi, Mr. Turner and the Board regarding access to Foster's Pond before and after the land swap, 10' trail easement, trails being built, trails being marked, location of the trail, using language for a trail easement like the assisted living facility trails language, and property values.

Mr. John Abagis, registered land surveyor in Massachusetts, asked why an existing trail was not on the current plan. He gave an example of giving a trail easement for an existing trail in Massachusetts.

Discussion ensued as to when this land became conservation land and that the argument should have been put forward in 1996, not now. Discussion continued regarding conservation land, land swap, and trail easements.

Ms. Dunn, Planning Board Alternate, stated that the Planning Board should be discussing subdivision criteria of this plan, not the land swap.

Mr. Jim Abagis then questioned the hydric soils; what is it? And what does it mean in regards to dredge and fill. Mr. Zohdi described soil groupings, and Mr. Turner explained dredge and fill and hydric soils.

Mr. Tim Flanagan, 1 Millstone Road, asked that no special treatment be given to the builders. His other concerns were that it was a small piece of property to handle two septic systems, two wells, lawn fertilization and runoff to Foster's Pond, and the parking lot proposed cul de sac. He asked if he owned the land, would he be able to build on this land, and that the Board should not consider who is doing the building. Mr. Goldstein responded that the Board uses the same regulations for everyone.

Mr. Turner explained the requested waivers. These waivers have been granted to other subdivisions.

Jim Rutledge, 8 Millstone Road, wanted to know if they would still have access to Foster's Pond. Mr. Zohdi explained the trail easement discussion with staff. He invited Mr. Morris to walk the trail, stake

the trails, and put it on the plan with him.

Discussion ensued regarding the current 26' width of Crestwood Road, and the language of the assisted living trail easement, exact location of the trail, and staking the trail.

Ms. Stoller made a motion to grant the underground drainage waiver as outlined in the December 21 letter. Seconded by Mr. Noyles. Passed 6-1. Mr. Rouillard opposed.

Ms. Stoller made a motion to grant the waiver of the 26' road width. Seconded by Mr. Noyles. Passed 6-1. Mr. Rouillard opposed.

Mr. Stearns made a motion to grant the waiver to eliminate the curbing on the roadway. Seconded by Mr. Morris. Passed 6-1. Mr. Rouillard opposed.

Mr. Stearns made a motion to grant the cul de sac waiver. Seconded by Mr. Noyles. Passed 6-1. Mr. Rouillard opposed.

Ms. Stoller made a motion to approve the plan as submitted with the following conditions: 1) setting or bonding of the bounds; 2) provide a marked trail easement to Fosters Pond subject to Mr. Zohdi and any interested Planning Board members meeting and walking this and making a decision; 3) subject to review of the easement of the assisted living facility in the Village Center District to use as a guideline not a requirement. Seconded by Mr. Noyles. Passed 6-1. Mr. Rouillard opposed. He stated he opposed it because it was of a matter of principle because of his earlier involvement with the plan, and how it was presented at that time.

Mr. Turner explained the WWPD Special Permit request. Mr. Morris made a motion to approve the special permit. Seconded by Mr. Stearns. Passed 6-1. Mr. Rouillard opposed.

## **MOUNTAIN HOME BUILDING SPECIAL PERMIT (22-R-838) - PUBLIC HEARING**

### Squire Armour Road

Mr. Turner explained the special permit request to relocate the driveway and recommends it be accepted for public hearing. Mr. Morris made a motion to accept the plan for public hearing. Seconded by Mr. Stearns. Passed 7-0.

Mr. Turner further explained the moving of the driveway. Discussion ensued regarding line of sight distance, impact on the wetlands, and length of driveway.

Mr. Stearns made a motion to approve the special permit. Seconded by Mr. Rouillard. Passed 7-0.

## **DELAHUNTY SITE PLAN (18-L-480) 1,440 sq ft addition - PUBLIC DISCUSSION**

### 41 Range Road

Mr. Turner explained the property. There has been a request for a site plan waiver. Mr. Goldstein read the request.

Mr. Michael Collins, representing the Delahunty's, explained the current building and the proposed building. The new building will be seen a little; it is in the back. A new septic design has been submitted. A handicapped van space has been added to the front parking lot. Mr. Delahunty and Mr. Turner have spoke to the abutter, and she has no problem with the plan. Discussion ensued regarding

color schemes and building exterior materials; they will match what is currently there.

Mr. Noyles made a motion to process with this plan to public hearing and the plan should be sent to departments for comment. Seconded by Mr. Stearns. Passed 7-0.

Mr. Stearns made a motion to adjourn. Seconded by Mr. Morris. Passed 7-0. Meeting adjourned at 9:30 pm.

These minutes are in draft form and have not been submitted for approval.

Nancy Charland

