

Planning Board Minutes of May 30, 2001

ROLL CALL: Alan Carpenter, Chairman - Excused

Ross McLeod, Vice Chairman - Present

Lisa Linowes, Secretary - Present

Margaret Crisler, Selectmen Member - Present

Walter Kolodziej, Regular Member - Excused

Wayne Morris, Regular Member - Present

Russ Wilder, Regular Member - Excused

Lee Maloney, Alternate - Present

Roger Hohenberger, Selectmen Alternate - Present

Meeting called to order at 7:35 pm.

Mr. Hohenberger and Ms. Maloney replaced Mrs. Crisler and Mr. Kolodziej on the Board respectively.

CORRESPONDENCE:

Mr. McLeod reviewed the following correspondence:

Dredge and fill permit for 18 Hayes Hart Road;

Town and City booklet;

RPC announcement;

Technical Advisory Board meeting Friday, June 8 announcement;

RPC meeting minutes;

Letter from RCCD regarding conservation resource program;

Flyer regarding LCHIP funding cuts;

NH Department of Environment Services assessment of Windham public water sources;

NEW BUSINESS:

Ms. Linowes stated she was concerned about a driveway on Range Road and Horseshoe Road with rocks and line of sight issues.

SITE PLAN AMENDMENTS:

Section 100 - Public comment began with Mr. Sam Nassar stated he was concerned about the definition of tract. It should be in the definition section.

Section 208 - Mr. Nassar was concerned about the word improves. Mr. Turner explained that the site plan regulation are purposefully subjective. Mr. Peter Zohdi, Herbert Associates, commented on the vagueness of 201.

Section 209 - Mr. Nassar was concerned about the subjectivity of lighting and tightening up of standards.

Mr. Zohdi was concerned about residential open space site plans. He stated that these regulations should only apply to commercial sites.

Mr. Turner recommended that staff write up a new site plan regulation that applied only to open space development but in the meantime the proposed amendments should stay until such time as the new regulations are adopted.

Section 210 - Mr. Nassar was concerned about being specific on the solid fence. Mr. Zohdi was concerned about excluding residential development. Mrs. Crisler made a motion for the wording to be “or a planted screen or by a solid fence or wall.” Seconded by Ms. Linowes. Passed 5-0.

Section 300 - No Comment.

Section 400 - Mrs. Crisler made a motion to add “or the applicant’s authorized agent.” Seconded by Ms. Maloney. Passed 5-0.

Section 500 - Mr. Nassar was concerned with the required data for pre-submission of site plans. Mr. Turner explained the submission of plans is dictated by state statutes.

Mr. Nassar was concerned about encourage applicants to submit plans in electronic format.

Mr. Zohdi was concerned about section 604, private covenants.

Mr. Turner recommended using the words land use.

Section 604 - Mrs. Crisler made a motion to change the wording to: “deed restrictions involving land use that are intended to cover all or part of the parcel and will become ...”. Seconded by Ms. Linowes. Passed 5-0.

Section 700 - Mr. Nassar was concerned with the word trails.

Mr. Eric Nickerson was concerned about locating 12” trees on any site. Mr. Turner explained that many towns have this requirement. There are times that with minor modifications certain large trees could be saved. Mr. Zohdi suggested that the Board require the parking areas and building areas be staked instead of marking 12” trees. Mr. Morris asked where there is a big concern over regulations that have been in place for a while. Mr. Nickerson explained that by changing the regulations, it brings visibility to them. Mr. Nassar commented that requiring 12” trees is not appropriate and that if it is required, what is the mechanism to identify the trees. Mr. Morris comments on why this section was changed. Mr. Nickerson commented on whether the Board had the authority to regulate the cutting of trees.

Section 703 - No Comment.

Section 800 - No Comment.

Section 801 - Ms. Linowes commented on whether ground pollution should be included. Ms. Linowes made a motion to insert “soil” as one of the pollutions. Seconded by Ms. Maloney. Passed 5-0.

Section 802 - No Comment.

Section 804 - Mr. Nassar commented about how far off-site needs to be looked at. Mr. Peterson commented about safety concerns, that off-site vehicle traffic and controls need to be included.

Section 805 - Mr. Michael Peterson commented about state road and how that would come into play with municipal department.

Mrs. Crisler made a motion to change Highway Department to Highway Agent. Seconded by Ms. Linowes. Passed 5-0.

Ms. Maloney made a motion to add “including but not limited to ...”. Seconded by Mr. Morris. Passed 5-0.

Section 901 - Mr. Peterson if this includes wells. Mr. Turner comments on smaller lots requiring more space off the lot to fit wells and leach fields. Mr. Peterson commented that other towns require 1 acre lots are able to fit wells, septic, and leach fields on the lot, why can’t this town?

Mr. Morris made a motion to change the last sentence to a completed plan ... shall be submitted. Strike the remainder of the sentence. Seconded by Mrs. Crisler. Passed 5-0.

Mrs. Crisler suggested continuing the Public Hearing to June 13. The Board decided to keep going and evaluate their progress in ten more minutes.

Section 915 - Mr. Nickerson asked what would happen if there wasn’t room for a pool on the lot, would it be unbuildable. The Board discussed whether to include pool locations.

Mrs. Crisler made a motion to continue the public hearing to June 13 at 7:00 pm. Seconded by Ms. Maloney. Passed 3-2. Mr. Morris and Mr. McLeod opposed.

The Board interviewed an applicant for a Planning Board alternate member position.

NON-PUBLIC SESSION: Mrs. Crisler motioned to go into non-public session, citing the legal and reputations clauses of RSA 91-A:3. Ms. Maloney seconded; motion passed via unanimous voice roll call vote. The Board, Mr. Turner, and Mr. Twarog were present.

Mrs. Crisler made a motion to appoint Ms. Prendergast as an alternate Member. Seconded by Ms. Maloney. Passed 5-0.

The board discussed a legal memo from Town Attorney Campbell.

Mr. Morris made a motion to adjourn. Seconded by Mr. Wilder. Passed 5-0. Meeting adjourned at 11:40 pm.

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

Respectfully submitted, Eric Twarog