

# **Planning Board**

## **Minutes of July 24, 2002**

### **ROLL CALL:**

Ross McLeod, Chairman - Present Wayne Morris, Vice Chairman - Present

Lee Maloney, Secretary - Present Roger Hohenberger, Selectmen Member - Present

Walter Kolodziej, Regular Member - Present Lisa Linowes, Regular Member - Present

Russ Wilder, Regular Member - Excused Nancy Prendergast, Alternate - Excused

Alan Carpenter, Selectmen Alternate - Excused

*Mr. McLeod opened the meeting at 7:30 pm.*

### **ROAD BONDS:**

Cobblestone Road, final release of \$18,360. Mr. Hohenberger made a motion to release and recommend to Selectmen approval for acceptance as a town road. Seconded by Ms. Maloney. Passed 6-0.

### **OLD BUSINESS:**

The Board discussed a Tribune article regarding Hadleigh Woods approval, workshop dates, and workshop topics.

Mr. Hohenberger made a motion to table Fletcher Road Extension, Spruce Pond Subdivision, Rogers Site Plan, and Stolarz Subdivision to the August 7 meeting at 8:00 pm. Mr. Kolodziej seconded. Passed 6-0.

### **Whispering Winds Lot Line Adjustment (19-A-800 & 801) - Public Hearing**

#### **80 Mammoth Road**

Ms. Maloney made a motion to open for public hearing. Mr. Morris seconded. Passed 6-0. Mr. Turner explained the lot line adjustment including resulting lot size will be 32.9 acres, lot configuration, waivers requested, and possible regional impact. The Board discussed why the change, building setbacks, grading, and plan scale. Mr. Hohenberger made a motion that there is not regional impact. Mr. Morris seconded. Passed 6-0. Discussion continued regarding aquifer district. No public comment.

Mr. Hohenberger made a motion to grant the waiver of section 701.1.5 because we have a delineated soil map that was originally submitted and it has since been disturbed by construction. Mr. Morris seconded. Passed 6-0. Mr. Hohenberger made a motion to grant the waiver of section 701.2.10 for the scale to be 1'=200 to keep plan on one sheet and the

original was submitted at that scale. Mr. Kolodziej seconded. Passed 6-0. Mr. Hohenberger made a motion to approve the lot line relocation pending setting or bonding of the bounds. Mr. Morris seconded. Passed 6-0.

## **Whispering Winds Site Plan Amendment (19-A-800) - Public Hearing**

### **80 Mammoth Road**

Mr. Morris made a motion to open for public hearing. Ms. Maloney seconded. Passed 6-0. Mr. Turner explained changes including moving building #2 and reconfiguring of rear buildings, staff reviewed minor changes during construction, cul-de-sac changes, drainage, pavement, parking spaces, and center island. The Board discussed special permit for encroachment on WWPD, number of buildings and locations, parking and center island, landscaping, sprinkler system, and sufficient parking.

Public input began with Mr. Roy Dennehy, 71 Pleasant Street, asked for clarification of the road continuing. Discussion ensued regarding abutter notification, right-of-way, and parking.

Mr. Otto Baierlein, 63 Pleasant Street, discussed parking is fine and is concerned with the liability of an extension of the cul-de-sac.

Board discussion ensued regarding the future, parking, formal site approval, temporary cul-de-sac, road profiles, landscaping, and special permit.

Mr. Kenneth Renno, 9 Pleasant Street, discussed the need for better landscaping and irrigation.

The Board discussed the landscaping bond, more trees on site, hydrant, WWPD, special permit, drainage pipe, additional drainage, active treatment swale, and foundation drains. Ms. Linowes made a motion to deny the approval of the special permit for work in the WWPD. Mr. Morris seconded. Ms. Linowes amended her motion to grant the special permit with the following conditions: 1) bring pipe back outside of WWPD, 2) treatment swale begin 5' prior to the WWPD, 3) extend no more than 20', and 4) the disturbed area be restored. Mr. Morris seconded. Passed 5-1. Mr. Kolodziej opposed.

The soil scientist has stamped the plan. Mr. Turner stated his concern that the plans were not signed by a soil scientist when the application was submitted. Mr. Hohenberger made a motion to approve the waiver from section 704.1 soils type certified by soil scientist because the previous plan submitted had the soils on it and the area has been disturbed. Mr. Morris seconded. Passed 6-0.

Mr. Hohenberger made a motion to grant the waiver for sheet 3 of section 701.2.10 for recording purposes. Mr. Morris seconded. Passed 6-0.

Mr. Morris made a motion to grant the waiver of section 800 site development impact analysis. Mr. Kolodziej seconded. Passed 6-0.

Mr. Morris made a motion that there is no regional impact. Mr. Hohenberger seconded. Passed 6-0.

Mr. Hohenberger made a motion to approve the Whispering Winds revised site plan with the following conditions: 1) the revised parking plan as initialed be accepted to decrease the pavement; 2) placement of additional landscaping and trees within the cul-de-sac and the developed area; 3) relocation of this building shall not allow any future additional units be located on the property; and 4) landscaping be bonded outside the revised buildings. Mr. Kolodziej seconded. Discussion ensued regarding the cul-de-sac shape. Passed 6-0.

### **Kirata Subdivision - 2 lots (13-C-49) - Public Discussion**

#### **46 Searles Road**

Mr. Warren explained the 2-lot subdivision including location, WWPD, concerns with driveway alignment, lot numbers need to be confirmed with the assessor, and traffic impact to Searles Road. Mr. Karl Dubay, MHF Design, discussed the driveway locations and grading, lot sizing, WWPD, will check with assessor regarding numbers, and only one additional driveway. The Board discussed sight distance for driveway, stonewall, driveway length, house location, wooden guardrails, incrementally adding to the development in the area, and accessory apartments do not allow for two driveways. Mr. Dubay stated it would be unfair and unreasonable to hold up this subdivision, and Mr. Kirata has held off building his home. Board discussion ensued regarding potentially approving the subdivision with a condition of one building permit. Mr. Kirata discussed the impact to the road and would like to know when the connection will be done. Mr. Sam Nassar, Searles Road, spoke in support of the subdivision, asked what is the hazard of future development, and it's the traffic on Route 111 not Searles Road that makes the intersection in failure. Mr. McLeod stated the Planning Board has not held up Mr. Nassar's development. The Board discussed treating everyone fairly and safety hazard.

The Board discussed sending the plan out for comments to the Highway Safety Committee (site distance), fire department, police department, Conservation Commission, Historic District Commission (stonewall), Highway Agent, and the Assessor (house numbering).

Mr. Morris made a motion to waive the bylaws to hear a new case after 10:30 pm. Mr. Hohenberger seconded. Passed 6-0.

### **Sargent Special Permit (3-A-546) - Public Discussion**

#### **12 Partridge Road**

Mr. Turner explained the location of the lot, original driveway location, wetlands mapping, drainage easement, neighbor's concerns, and grading. The Board discussed the driveway location, wetlands crossing, and lot meets requirements. Mr. Zohdi discussed the wetlands, easement, and driveway with the Board. The Board discussed house placement, impact and land contours.

Public comment began with Mr. Dennis Senibaldi, 20 Partridge Road, asked for a site visit, stated it's not fair for the driveway to be right next to the neighbors, and restrict the clearing of trees.

The Board discussed no regulations to stop trees from being cut. Mr. Zohdi stated the final plan will show the impacts. The Board asked the plan to where the show tree line will be retained and any place a swimming pool and deck would go. Mr. Senibaldi asked for supervision for the development because of previous problems. The Board discussed a site walk and retaining a buffer. The site walk will be on July 31 at 6:30 pm.

The Board discussed sending the plan out for comments to the Conservation Commission and Highway Agent.

Ms. Maloney made a motion to table to the August 7 meeting at 8:00 pm. Mr. Hohenberger seconded. Passed 6-0. Ms. Linowes will invite the Conservation Commission to the site walk.

Attorney Mason requested that the Castle Reach plan be accepted for public hearing. Mr. Turner suggested not accepting until the Board sees the application. Mr. Morris made a motion to table Castle Reach to the August 7 meeting at 8:00 pm. Mr. Kolodziej seconded. Passed 6-0.

## **NEW BUSINESS**

Mr. Morris shared a storm water treatment system brochure by DES.

## **CORRESPONDENCE**

Copy of a letter to Sarah Gill regarding wetland violation on lot 19-B-2025;

RPC memo regarding aerial orthophoto maps;

Notice that the Superior Court upheld the Planning Board denial of the Smith case.

Mr. Kolodziej made a motion to adjourn. Ms. Maloney seconded. Passed 6-0. Meeting adjourned 11:25 pm.

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

Respectfully submitted, Nancy Charland