

PLANNING BOARD
MARCH 22, 2000

ROLL CALL: Present: Alan Carpenter, Margaret Crisler, Walter Kolodziej, Lisa Linowes, Ross McLeod, Wayne Morris, Excused: Russ Wilder

Mr. Morris asked each member of the Board to introduce themselves and say a few words. Mr. Morris opened the meeting and called for an election of officers. Mr. Carpenter made a motion to elect Mr. Wilder as Chairperson. Seconded by Mrs. Crisler. Discussion ensued. Mr. McLeod made a motion to elect Mr. Carpenter as Chairman. Seconded by Mr. Morris. Discussion ensued regarding the Chairmanship. Vote on first motion. Passed 6-0. Second motion did not need a vote.

Mr. Kolodziej made a motion to elect Mr. Carpenter as Vice Chairman. Seconded by Mrs. Crisler. Passed 6-0.

Mrs. Crisler made a motion to elect Ms. Linowes as Secretary. Seconded by Mr. McLeod. Passed 6-0

Mr. Morris passed to gavel to the new Vice Chairman, Mr. Carpenter.

Discussion ensued regarding Planning Board alternates and a time frame for advertising. A workshop was scheduled for March 29 at 7:30 pm. Agenda items to include Town Counsel (if available) to give a legal briefing and answer any questions the new Board may have, open-space subdivision regulations, year-long goals, Master Plan, and the by-laws, zoning amendments, sign ordinance, subdivision and site plans regulations, and Master Plan status.

Ms. Annette Stoller, Rockingham Planning Commission member and Windham resident, gave a report of the RPC which included a summary legislative items and an upcoming retreat. She stated that she would continue to work on the housing section of the Master Plan as promised.

Mr. Turner reported that he attended a seminar regarding open-space developments. He would like to go over the information he received at a workshop.

MINUTE APPROVALS:

Mr. Morris made a motion to approve the February 2, 2000 minutes. Seconded by Mrs. Crisler. Passed 5-0-1. Mr. McLeod abstained.

Mr. Turner explained the duties of the Planning Board secretary.

Mrs. Crisler made a motion to approve the February 16, 2000 minutes. Seconded by Mr. Kolodziej. Passed 5-0-1. Mr. McLeod abstained.

Mrs. Crisler made a motion to approve the February 26, 2000 site-walk minutes. Seconded by Mr. Morris. Passed 6-0.

Mr. Kolodziej made a motion to approve the February 23, 2000 workshop minutes. Seconded by Mrs. Crisler. Passed 6-0.

Mrs. Crisler made a motion to approve the March 1, 2000 minutes. Seconded by Mr. Kolodziej. Passed 5-0-1. Mr. McLeod abstained.

ZONING AND PLANNING ISSUES: It was reported that a seminar regarding planning board basics is this Saturday in Meredith.

CORRESPONDENCE: Mr. Carpenter read the following correspondence:

- Newsletter regarding SB401;
- Storm water management workshop April 19 and 20 brochure;
- Land use board basic training workshops brochure;
- State and local planning seminar brochure;
- Workshop on "Preservation on The Age of Big";
- Letter February 16 from the Tennessee Pipeline Company;
- January 31 letter from Dana Trueslo, Hydrogeologist, commenting on large groundwater withdrawal;
- Plan NH 2000 seminar on March 31;
- Newsletter from Office of State Planning;
- Letter from the Office of State Planning regarding a planning list serve;
- Planning and zoning conference on May 6 in Concord by the Office of State Planning;
- Newsletter from the NH Department of Environmental Services regarding protecting drinking water sources.

Discussion ensued regarding the May 6 planning conference.

PUBLIC HEARINGS: Mr. Carpenter stated that given the large agenda that there will not be enough time to hear the Carr Hill Subdivision and Toni's Edible Art Site Plan. Mr. Morris made a motion to open and continue the Carr Hill Subdivision and Toni's Edible Art to the April 5 meeting. Seconded by Mrs. Crisler. Passed 6-0.

Morrison Hill Estates (3-A-1 & 2, 7-A-1940 & 2000) 15-lot open space subdivision - Public Hearing Continued
Morrison Road

Mr. Turner described the continuation of the Public Hearing and the outstanding issues of road drainage, protecting the tree, road widths, parking area, guardrails, and telephone easement. Mr. Carpenter read a letter from James P. Gove regarding the large red oak tree at this subdivision. Discussion ensued regarding the tree. Mr. Gove explained the details of his letter with photographs, road construction, the stakes in the photograph were explained by Mr. Zhodi. Discussion continued regarding drainage, culvert location, road grade, and tree protection.

Mr. Turner stated that the telephone easement has been relinquished. He also explained his drainage concerns, and they are resolved. He stated that there is an agreement to reducing the parking area. Discussion ensued regarding the parking area. Mr. Turner explained guardrail types, and he recommends no guardrails in this area and changing the slopes. Discussion ensued regarding guardrails, stonewalls, drainage, open vs. closed drainage systems, road widths, catch basins and curbing, berming, and culverts. Mr. Carpenter reviewed the outstanding topics. Discussion continued with trails, public easements, and the existing house. Mr. Carpenter read the comments from the Highway Safety Committee. Discussion continued with road widths, traffic study, buildable space, cul de sac size, and calculation for the number of lots for an open-space development. Attorney Mason addressed the question of the extension to Castle Reach, and that it will be connected to this subdivision.

Mr. Turner read the requested waivers of road and drainage standards, cul de sac width, and mentioned the 4' shoulders and parking lot being reduced.

Mr. Peter Joss, 41 Morrison Road, stated he feels a level of frustration at the issues; 1) these are homes not bank accounts, and he would like the decisions lean toward that point. The homes should be considered more than a place for people to make money. 2) The traffic study; it was stated that there is a 99.9% chance to connect to Castle Reach. The traffic study should be based upon that information. He asked if the traffic impact study looked at the environment, residence, or flow of traffic. Mr. Turner answered stating that it is based on whether existing roads can handle the traffic subdivision would increase in the area. 3) The impact of construction vehicles should be considered; 4) drainage was another issue and should there be a ditch all along Morrison Road. Mr. Turner stated that the Town doesn't get to maintain ditches everyday. Mr. Joss explained a drainage problem near his driveway and will contact Mr. Turner. He also explained that Morrison Road does freeze during winter storms.

Mr. Michael Callan, 36 Morrison Road, stated that the environment study done on the impact on the tree used the words "it seems" and "I think", he felt that these are guesses and not definite. It would be sad for the tree owner and the community if the tree died in two years from now. He stated that the plan does not fit the character of the area, and opening up public parking for parking lot for a park will destroy the area in time. Opening up the other end of the cul de sac effects the safety of the people and should be thoroughly looked at. It also has an impact the wildlife, and he notices changes in the area already. There are many issues including septic placement on little lots of land, and it needs to be looked at more thoroughly.

It was noted that the 65-day deadline is up for this application.

Mr. Al Souma, 30 Morrison Road, congratulated the Board members on their election. He stated that the Morrison Road traffic study was done 1998. With the current 41 homes there are 400 vehicles; with the new subdivision it will be 1060 cars; and with Castle Reach 1640 cars on a scenic country road. Safety is the concern with the curve at Costa Farm and the hill on Morrison Road. The police department gave safety comments on Hancock Road but not Morrison Road. He also stated the safety issues were always there, but with a small amounts of people you could control it. You only had to worry about the 20 homes after the hill. Now there's a worry about another 100 homes. The road was not built to take that kind of traffic. He stated that he knows it's pressed for time, but to take the time and have the police department look to see if the road can take this subdivision. The traffic study is in Mr. Turner's office, and Mr. Soma believes the figures are right.

Mr. Scott Livermore, 50 Morrison Road, 1) asked why the plan to put 15 homes at the end of Morrison Road without access to Castle Reach was not approved. Mr. Carpenter stated that was not a plan, but a way to figure the number of lots for an open-space subdivision. 2) The traffic study is a couple of years old. Morrison Road will connect at the end to a 24' new piece of Morrison Road which will connect to the old 22' road and then spreads out to 24'. All roadwork should be considered and do all work at once. 3) Guardrails - don't put metal guardrails; they're ugly. 4) The parking area - the people who live there don't need a parking lot. He's worried about teenagers hanging out there. 5) He asked the Board to please consider these issues, it is serious business. 6) Castle Reach has a 99% chance to egress onto Morrison road; consider what's happening a 40 Morrison Road. Discussion ensued about Castle Reach.

A Morrison Road resident asked if there could be a ten-minute recess so that the members of the public could see the papers that Mr. Zhodi and Mr. Turner presented to the Board.

Mr. Michael Peterson, 60 Morrison Road, owner of the tree had several issues 1) stated that these are our homes in reference to the statement that there are no zoning issues. 2) It is an irreplaceable tree within our life span. He noted that the photos show the pavement stopped at his driveway. He is afraid for tree, and doesn't like the hit and run theory. He's not trying to make a problem for the developers, but there's a way to do it. Years ago the Town did not go down subsurface to create the bed. The tree has been looked after for years and year. The limb was cut off before 1984; the scaring goes back more

than 15 years. He has maintained the tree and been told that the root ball extends as far as the limbs. He asks for due diligence toward the tree. 3) Traffic - if Morrison Road opens up to Castle reach and gives first access, the developer is going to ask, "what do we need the other access for?" 4) What are the guardrails for? Speed? He heard, but not sure if the story is true, that a neighbor used a radar gun and there was a vehicle was going 56 miles per hour on Morrison Road. He stated in 1984, Morrison Road was the worst road in Windham, and you couldn't go fast because of the condition of the road. The neighbors had the road declared a scenic road to preserve the look of the road. The traffic has gotten much faster. There is a speed limit, but not adhered to. 5) The development is going to happen anyway, and let's deal with problems now not when they surface. 6) The state wanted to put the tree in the registry of trees. He stated that he's not trying to delay or cause grief, but wants to save his tree. 7) There's a great deal of wetlands in the area, he asked about the size of the culverts. 8) He's concerned that things are done right.

Ms. Kimberly Callan lives at the top of hill on Morrison Road. She stated that she's frustrated about the site plan. She wanted to know what the definition of a temporary cul de sac is? She's concerned about 1600 cars with only one way in and out. She's also concerned about traffic, safety, and accidents. There is a 25 mph sign posted and would like additional 25 mph signs at other places. She asked if the parking lot at end Morrison Road would be handicapped accessible? Hancock Road is just a small piece of all of the development, but it is dependent on everything else. With all the new homes comes the issues of traffic, students for the schools, a huge population perhaps would mean to build another school. She asked the Board to please take time and that it may be too premature to accept the plan as is.

Mr. Morris made a motion to open and continue the Powers Subdivision to the April 5 meeting. Seconded by Mr. McLeod. Passed 6-0.

Mr. Zhodi addressed some of the concerns of the residents. Mr. Turner discussed the road. Discussion ensued regarding the road and the tree, effects of road improvements to the hill, and the police will be asked to do more speed monitoring on the road. Mr. Turner reread the issues from the beginning of the meeting. Mr. Turner stated that there was an off-site issue at the intersection of Morrison Road and North Lowell Road. He suggests removing the guardrails and pavement and put a stone wall with shrubbery.

Mrs. Crisler made a motion to accept the waiver for the temporary cul de sac radius. Seconded by Mr. Kolodziej. Discussion ensued regarding the cul de sac. Passed 6-0.

Mr. Carpenter stated that Ledge Road Office Building and Garage would not be heard tonight, and it would be moved to the April 5 meeting.

Mrs. Crisler made a motion that the open-space covenants delete the references to Rocky Ridge and have the town attorney review the document. Seconded by Mr. Morris. Passed 6-0.

Mrs. Crisler made a motion to revise road plan by adding two catch basins on Morrison Road at approximately station 5+0 and curbing from station 1+50 to 8+50. Seconded by Mr. Kolodziej. Discussion ensued regarding drainage and curbing. Mrs. Crisler made an amendment to split her motion. Seconded by Mr. Kolodziej. Vote taken on the catch basin. Passed 4-2. Mr. Morris and Ms. Linowes opposed. Discussion ensued regarding curbing. Vote taken on the curbing motion. Mr. Kolodziej made a motion to move the question. No second. No further discussion on the curbing. Passed 4-2. Mr. Morris and Ms. Linowes opposed.

Mrs. Crisler made a motion to shift road construction in the right-of-way away from the large tree on Mr. Peterson's property, install construction fence around tree area at road construction limits to protect the tree as directed by Mr. Turner, and increase the road grade from station 0+0 to approximately 4+0 to

4%. Mr. Turner be present during the work done around the tree. Seconded by Mr. Morris. Discussion ensued. Mrs. Crisler amended her motion to increase the road grade to 5%. Seconded by Mr. Morris. Discussion ensued. Mrs. Crisler amended to motion to add that every engineering effort should be made to protect the tree. Seconded by Mr. Morris. Vote taken. Passed 6-0.

Mrs. Crisler made a motion to eliminate the parking lot. Seconded by Ms. Linowes. Discussion ensued. Mrs. Crisler amended to motion to include leaving the current hammerhead. Seconded by Ms. Linowes. Passed 5-1. Mr. Morris opposed.

Mrs. Crisler made a motion for the existing stone walls that need to be disturbed should be relocated along the proposed road. Seconded by Mr. McLeod. Passed 6-0.

Discussion ensued regarding guardrails. Mrs. Crisler made a motion to stay with a 2:1 slope and use a metal guard rails and incorporate stone walls for esthetic reasons. Seconded by Mr. Kolodziej. Discussion ensued. Mrs. Crisler clarified the motion to say a metal guardrail to meet Federal guidelines with a stone wall around it, and keep 2:1 slope. Failed 3-3. Ms. Linowes, Mr. Morris, and Mr. McLeod opposed. Mr. Morris made a motion to maintain the 2:1 slope and a have a wooden guardrail that meets all Federal requirements and standards. Seconded by Mr. McLeod. Passed 5-1. Mr. Kolodziej opposed.

Mrs. Crisler stated that the temporary cul de sac and the end of Hancock Road is not intended to replace the Castle Reach connection at number 40.

Mrs. Crisler made a motion to remove the existing guard rails and pavement at the Morrison Road and North Lowell Road intersection and replace it with stonewall and planted top soils, and work with the Director of Planning and Development. Seconded by Mr. McLeod. Passed 6-0.

Discussion ensued regarding the placement of houses on Hancock Road. Mrs. Crisler made a motion for the Director of Planning and Development work with the developer on the placement of the homes to maximize the natural look and the front areas be left wooded and natural looking with a 20' buffer from the property line except for driveways and utilities that will fit the Morrison Road look. Seconded by Mr. Kolodziej. Mrs. Crisler amended her motion to add and put a construction fence around the 20' natural buffer till the home is occupied. Mrs. Crisler further amended her motion to include every effort should be made to retain the look and feel of the Morrison Road area beyond the 20' natural buffer. Seconded by Mr. Kolodziej. Discussion ensued regarding the approval process and the motion. Passed 5-1. Mr. Kolodziej opposed.

Discussion ensued construction vehicles. Mrs. Crisler made a motion to approve the subdivision with the subject to the conditions voted on, the setting and bonding of the bounds, and a 32' gravel base for all the roads. Seconded Mr. Kolodziej. Discussion ensued regarding the roads. Passed 6-0.

Mr. McLeod made motion to extend the no new business after 11:00 pm for 15 minutes.

Mrs. Crisler made a motion to grant the request for special permit waivers to put the driveways and the road through the WWPD as depicted on the plan. Seconded by Mr. Kolodziej. Discussion ensued regarding the motion. Passed 5-0-1. Ms. Linowes abstained.

Mr. McLeod restated his motion to extend the no business after 11:00 pm for 15 minutes. Seconded by Mrs. Crisler. Passed 6-0.

Morrison Lot Line Relocation (3-A-508 & 509) - Public Hearing 27 & 29 Morrison Road

Mr. Turner presented the lot line relocation. It meets all requirements. The lots have non-conforming

situations, and that will not change with the lot line change. He recommends it be accepted for public hearing. Mr. Turner further explained the non-conforming situations and the land swap. Discussion ensued regarding zoning requirements and non-conforming status. Mr. Morris made a motion to accept the lot line relocation for public hearing. Seconded by Mr. Kolodziej. Passed 6-0. Discussion ensued regarding setbacks. Mrs. Crisler made a motion to approve subject to setting and bonding of the bounds. Seconded by Mr. Kolodziej. Passed 6-0.

**Locksley Lot Line Relocation (11-A-249 & 250) - Public Hearing
5 & 7 Ledge Road**

Mr. Turner presented the lot line relocation. He recommends the plan be accepted for public hearing. Mr. McLeod made a motion to accept the plan for public hearing. Seconded by Mrs. Crisler. Passed 6-0. Mr. Turner further explained the lot line relocation. Discussion ensued regarding the relocation. Mr. McLeod made a motion to approve subject to setting and bonding of the bounds. Seconded by Mr. Kolodziej. Passed 6-0.

Mr. Kolodziej made a motion to adjourn. Seconded by Mr. McLeod. Passed 6-0.

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

Respectfully submitted,
Nancy Charland

