

PLANNING BOARD
AUGUST 2, 2000

ROLL CALL:

Russ Wilder, Chairman - Present
Alan Carpenter, Vice Chairman - Present
Lisa Linowes, Secretary - Excused
Margaret Crisler, Selectmen Member - Present
Walter Kolodziej, Regular Member - Present
Ross McLeod, Regular Member - Present
Wayne Morris, Regular Member - Present
Roger Hohenberger, Selectmen Alternate - Absent

CORRESPONDENCE: Mr. Wilder reviewed the following correspondence.

- Letter from Mr. Turner regarding the Rosewood subdivision conditions of approval. Discussion ensued. Mr. Kolodziej made a motion for Mr. Turner to write a letter to the applicant stating that the Planning Board would like to see the applicant work with staff to preserve as much of the buffer as possible given the constraints of the required slope easement. Seconded by Mr. McLeod. Discussion ensued. Passed 6-0.
- Letter from the Conservation Commission regarding Rosewood Estates;
- The Source Newsletter from NHDES;
- Letter and brochure from the American Planning Association regarding an audio conference training series;
- The Town and City July 2000 booklet;
- Letter from the Windham Presbyterian Church requesting their public discussion be heard on August 16 instead of the August 2. Mrs. Crisler made a motion to open and continue the Windham Presbyterian Church to the August 16 meeting. Seconded by Mr. Carpenter. Passed 6-0.

ROAD BONDS: Mr. Turner reported that Bradford Road has been inspected and ready for a bond release. The Town has escrowed \$5,500 and recommends a release of \$5,500. Mr. Morris made a motion to release \$5,500 and recommend to the Selectmen to accept the road as a town road. Seconded by Mrs. Crisler. Passed 6-0.

Mr. Turner reported that Camelot and Aberdeen Roads have been inspected and ready for a bond release. The Town has escrowed \$40,122 and recommends a release of \$40,122. Mr. Kolodziej made a motion to release \$40,122 and recommend to the Selectmen to accept the road as a town road. Seconded by Mr. McLeod. Discussion ensued. Passed 6-0.

OLD BUSINESS: The Board discussed the status and schedule of completion for the Master Plan.

NEW BUSINESS:

The Board discussed the June 7, 2000 approval for a driveway on Squire Armour Road. The approval included Cape Cod berming be installed; the driveway is in, but no curbing. Mr. Turner explained that the weather has been a problem, and good weather is needed to install the berming.

Discussion ensued regarding an awning request for Bien Soigin at 63 Range Road. Mrs. Crisler made a motion to ask the applicant to come in for a site plan review and not require a conceptual review. Seconded by Mr. Kolodziej. Discussion ensued. Mr. Steven Lawlor-Jones, Bien Soigin employee, explained that a similar awning has already been installed, they will continue with the same lines, it is unlit, and there will be a solid roof between the awnings when finished. Discussion ensued regarding approval of the building, approval of the awning that has already been added, and the sign was put up before the review requirements. Discussion ensued. Passed 5-1. Mr. Carpenter opposed.

The Board discussed a sign permit application and the minutes of a Planning Board meeting from 1979 for Semiconductor, Inc site plan. Mr. Turner explained that all signs now come before the Planning Board for approval. Mr. Morris made a motion to require a public hearing. Seconded by Mr. Carpenter. Discussion ensued. Passed 6-0.

PUBLIC HEARINGS:

Heights of West Windham Revision to Remove Trail Easements (24-F-164 & 165) - Public Hearing

Heritage Hill Road

Mr. Turner explained the applicant will replace the easement with a pathway on the town right-of-way and recommended the application be accepted for public hearing. Mrs. Crisler made a motion to open for public hearing. Seconded by Mr. Morris. Passed 6-0. Mr. Turner further explained the easement and the proposed pathway. The school department is not interested in having a path in the town right-of-way, but is interested in the land swap. Mr. Wilder read a letter from letter Currier and Currier regarding a land swap, and a letter from Ray Raudonis, Superintendent of Schools. Discussion ensued regarding access roads and the land swap warrant.

Mr. Phillip Currier, attorney from Nashua, explained the original subdivision was approved in 1988, and distributed copies of the notes on the subdivision plan to the Board. He further explained the subdivision and removal of the easements. The option is for a pathway to get the kids to the school. He has spoken to Mr. Raudonis, and his issues are 1) vandalism is a problem in the back of the school, 2) is the distance safe and it has limited usefulness, and 3) maintenance of the trail. He further stated that the engineering work has been done, the school wants the property, and the swap was intended for school or town use. The final issued is that it is hard to sell the lots because people don't want to purchase land with the easements. He would like to have the note removed regarding the easements, and he will continue to work on the land swap with the town.

Discussion ensued regarding the reason the applicant wants to remove the easement is increased saleability. The 1988 reason for the easement was to preserve the trail system, high school location possibility, and the school board was concerned there is no "back door" to the property,

Public discussion began with Mr. Cliff Jacques, Heritage Hill Road, stated that the path is used by ATV vehicles, snowmachines, 4 wheelers, and motorcycles, not people. It's a beaten path not a walking path, there is a vertical drop that no one would want their children walking down, school children will not use the path, but ATV's will.

Mr. Ron Hauff, potential purchaser of the properties, has spent a fair amount of time at the property and stated that he has not seen one person walking but sees 4-wheelers. His reasons for not wanting the easements are the same reasons the schools don't want a pathway. It's a wonderful concept of walking trails, but the reality is that the 4-wheelers are using the paths. Discussion ensued regarding preserving the trails.

Mr. Everett Ryan, original owner of the land, has spent \$75,000 for off-site improvements. The trail issue keeps coming up, and he responds to the trails negatively. He has been doing the marketing, and it

has made these lots virtually impossible to sell. He stated that he's worked with the Town, he's a good citizen, would like another alternative to the easements, something children would walk on, he thought the pathway was a good option, the trails were a part of an 11th hour approval, and he felt the plan would not have been approved without them.

Mr. Cliff Jacques stated that the Board should do a site visit and see the proximity of houses for these two lots, it's not a nice walking path, there are no trees blocking it from view. He showed a photo, and stated the easement will feel like people are walking through his yard.

Mr. Morris stated he was offended at the statement regarding the 11th hour approval; trails were discussed from the beginning, and the plan approval was not tied to the trails.

The Board discussed item #7 on the plan regarding trails, trail system will be on phase two, and trails are important to the Board. The trail system is not for the kids to get to school; it is for connecting the open space with existing trails. The applicant can solve the issue and meet the objectives of the master plan. The trails were discussed at the conceptual stage, and it was not a last minute item.

Discussion ensued regarding continuing this public hearing to August 16 so the applicant can come up with some way to meet the objective to have a connected trail network. Discussion ensued regarding informing the police department about the vandalism, the intent is for pedestrian use and there are methods to make sure of that of that, illegal use of land on the easements, and scheduling a site walk.

Mr. Currier stated his perception of the easement was for the school use. The Board discussed topographical problems with the land, other conservation land in the town, and the history of open space and trails, achieving the goals of both the board and the developer. Mr. Currier addressed phase 2 of the trail system and the land swap, the ability to use Johnny Hill Road, and the trail easement and abutters.

Mr. Carpenter made a motion for the Heights of West Windham Revision to Remove Trail Easements to continue to August 16 at 8:00 pm. Seconded by Mrs. Crisler. Discussion ensued regarding getting rid of the easement for a "maybe" easement. Passed 5-1. Mr. McLeod opposed.

The Board scheduled a site walk for August 9 at 6:00 pm. Members will meet at the cul-de-sac on Heritage Hill.

Cyr Lumber Site Plan and Special Permit (13-A-33) - Public Discussion

Route 28

Mr. Kolodziej recused himself from the discussion. Mr. Turner explained the site plan including building locations, driveways, wet areas, WWPD, existing used car lot, main entrance way, remove used car lot and building, and wetlands crossing and special permits for driveways are required. Mr. Peter Zhodi further explained the plan including drainage, WWPD, the Cyr's want to take the building down but must keep it for 9 more months because of a lease, there will not be a clock in the front of the building as shown in the drawing, building location on the property, three phases of building, dredge and fill, updated driveway, and parking.

Discussion ensued regarding elevation, building visibility from Route 28, impact of widening of Route 28, parking for the back building, multi-tenant building, number of parking spaces, telephone easement does not exist, half of the office condo will be used by Cyr the remainder will be leased out, eliminating the WWPD crossing, traffic, land steepness, disturbed WWPD area, and pole barn location. Mr. Kevin Cyr explained the steepness of the land where the forklifts drive. Discussion continued regarding site disturbance, relocating wetlands, mitigation, and overuse of the site. Mr. Turner stated that the lower portion of the land could accommodate the pole barns, but the other area could not be developed.

Discussion continued regarding making a recommendation to the ZBA regarding a variance to move the pole barns, traffic, entrance from Jones Road, and current entrances.

The Board discussed the issues which include traffic, drainage, lighting, signs, dumpster, number of entrances to site, RCC input, turning radius for large trucks. The plan should be sent out to Highway safety, fire, police, Conservation Commission, Historic, transfer station, road agent, traffic study in regards to safety, drainage study, air, water, noise, and the turning radius of large trucks. Discussion ensued regarding spill containment, treatment swales, and the pitching of pavement.

Mrs. Crisler made a motion to recommend the applicant consider requesting a variance to put the pole barn within the WWPD adjacent to the present building and also provide a permanent mitigation area on site. Seconded by Mr. Morris. Discussion ensued regarding the new design should have less impact the WWPD than the design currently proposed. Mr. Zhodi suggested bringing the second design to the next meeting. Motion tabled. Mrs. Crisler made a motion to continued this hearing to August 16, and Mr. Zhodi will show a second design at that time. Seconded by Mr. McLeod. Passed 5-0.

Mr. Kolodziej rejoined the Board. The Board discussed the agenda. Mrs. Crisler made a motion to continued Furniture World and Bear Hill Road Extension subdivision to the August 16 meeting. Seconded Mr. Carpenter. Passed 6-0.

West Shore Road Pumping Station (22-L-180) - Public Discussion

West Shore Road

Mr. Turner explained a public discussion. The Board has seen this plan on one other occasion. Mr. Turner further explained the plan including location, underground tanks, storage tank, pumping station attached, relocation of the driveway, ZBA variance, site plan and special permit required. The variance was to allow construction of a building in the WWPD and to allow the use of greater than 600 square feet in this district.

Ms. Rebecca McEnroe, Pennichuck Water Works, presented the conceptual plan. The new pump station is for water quality issues and to provide additional storage. She discussed the location of the proposed pumping station, other sites were investigated, parking for two trucks, water softening system, generator on site, chain link fence, 6' high berm, landscaping in front, and buffer for closest abutters. Discussion ensued regarding softening system, state permit for backwash, dry wells near municipal water sources, water storage, fire hydrant, lighting, berm, concern of kids climbing onto the roof of the building, gabled roof, highly visible area, architectural review, New England style design preferred, chlorine storage, work on look of building, fencing, preserving woods, lights on building, gravel access road, old building removed and the access will be regraded and seeded, and boulders put in the way of the former access.

The Board discussed sending the plans out for comments to police, fire, Conservation Commission with regards to the DOT and the widening of Route 93, and the road agent. Discussion ensued regarding the 1500' well and hydrofracturing. The plan should be sent out for comments for noise concerns because of the generator and pumps. Discussion ensued regarding lighting restrictions, safety concerns for building and children climbing on top and around tanks, construction schedule, erosion and sediment control plan, and the construction sequence.

Ms. McEnroe asked for clarification regarding the building façade; brick facing, split rock or block, and a hinged door rather than an overhead door is preferred. It was suggested that the applicant look at Windham's design review guidelines and some of the buildings that have been approved such as the Commons of Windham and the new post office.

Mrs. Crisler made a motion to send the plan out review as discussed. Seconded by Mr. McLeod. Passed

6-0.

Mrs. Crisler made a motion to adjourn. Seconded by Mr. McLeod. Passed 5-0. Meeting adjourned at 10:55 pm.

Respectfully submitted,
Nancy Charland

