

**PLANNING BOARD
SEPTEMBER 6, 2000**

ROLL CALL:

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

MINUTES: The Board reviewed the August 16 minutes. Mrs. Crisler made a motion to approve the minutes as amended. Seconded by Mr. McLeod. Passed 7-0.

CORRESPONDENCE: Mr. Wilder reviewed the following correspondence.

- Confidential memo from Attorney Campbell. Memo not read but distributed to the Board;
- Letter from NH DOT regarding a meeting about the I-93 widening. The agenda will be posted in the Town Hall and in the Planning and Development Office;
- Memo from the Office of State Planning regarding HB733, Relative to Personal Wireless Service Facilities (Cell Towers);
- Salem-Plaistow-Windham MPO August 30 meeting minutes;
- Memo from the Conservation Commission regarding zoning changes;
- A flyer from the NH Municipal Association regarding the 13th annual municipal volunteer awards.

ROAD BONDS: Mr. Turner reported on a \$7,344 walking easement bond for improvements to Heritage Hill walking easements and recommended accepting the bond. Mr. Carpenter made a motion to accept the bond for \$7,344. Seconded by Mrs. Crisler. Passed 6-1. Mr. Morris opposed because of the width of the trail.

Mr. Turner reported that Nottingham Road has been inspected and ready for a bond release and to recommend to the Selectmen to accept this portion of the road as a town road. The Town has escrowed \$9,250 and recommends a release of \$9,250. Mr. McLeod made a motion to release \$9,250 subject to receiving the deed. Seconded by Mr. Kolodziej. Passed 7-0. Mr. McLeod made a motion to recommend to the Selectmen to accept this portion of Nottingham Road as a town road. Seconded by Mr. Carpenter. Passed 6-0-1. Mrs. Crisler abstained.

Mr. Turner reported that Carr Hill, Coventry, and Grandview Roads have been inspected and are ready for a bond reduction. The Town has escrowed \$743,606 and recommends a partial release of \$206,321 and retain \$537,285 for the remainder of the project. Mr. Carpenter made a motion to release \$206,321 and retain \$537,285. Seconded by Mr. McLeod. Passed 7-0.

OLD BUSINESS:

Mr. Turner stated that the Board has required the developer of Squire Armour Road Extension (Fieldstone Woods) have the town consultant do a traffic study in that area using existing traffic counts. CLD, the Town's consultant, sent a letter stating they cannot do a professional job with out new traffic counts. The Board discussed traffic study dates and traffic in the Range Road area. Mrs. Crisler made a motion to direct Mr. Turner to have CLD collect the traffic data needed. Seconded by Mr. McLeod. Passed 7-0.

Mr. Twarog, Assistant Planner, gave an update of the Master Plan including maps, charts and graphs.

The Technical Advisory Committee will be meeting on September 14 at 7:30 pm at the fire station. Mr. Twarog will be presenting the GIS system.

Ms. Linowes stated the CIP Committee will be meeting at 6:30 pm tomorrow evening (Thursday, September 7) at the library to hear department and committee capital improvement presentations.

NEW BUSINESS:

The Board discussed an e-mail from Mrs. Crisler regarding ways to move regular public hearing meetings along. Procedures for conducting regular public hearings will be discussed at the next workshop. Based on comments from the Board, Mr. Wilder stated that this evening's public hearings will be conducted as follows: 1) Mr. Turner will give a 5-minute presentation; 2) the applicant will have 5 minutes to fill in anything Mr. Turner has missed, but will not go over the same ground; 3) the Board will have 5 minutes to ask questions to clarify items; 4) the public will be asked for input and will have about 3 minutes per person; 5) the public portion of the meeting will be closed, and then the Board will have it's discussion. The Board can reopen the public portion if necessary, but the Board hopes to greatly reduce repetitive debate.

Mr. Wilder reviewed the agenda. Mr. Carpenter made a motion to move Semiconductor Circuits Sign, Toni's Edible Art, and Fieldstone Woods to the September 20 meeting. Seconded by Mr. McLeod. Passed 7-0. Mrs. Crisler made a motion to move Coutour Lot Line and Heritage Lot Line to items 3 & 4 on this evening's agenda. Seconded by Ms. Linowes. Discussion ensued regarding the agenda order. Passed 4-3. Mr. Morris, Mr. Kolodziej, and Mr. Carpenter opposed.

PUBLIC HEARINGS:

Bear Hill Road Extension Subdivision - 13 lots (20-E-250 & 255) - Public Discussion **Bear Hill Road**

Mr. Turner explained a public discussion. Mr. Turner displayed a new map available to the Board that coordinated with the agenda. Mr. Turner explained the subdivision and potential roads. Staff concerns include a mile long road with a cul-de-sac and connecting to a land locked town owned land. Mr. Zohdi further explained the subdivision including getting in touch with a land owner so a connection to Westchester Road could be made; he did not get a response from the landowner. He also discussed two wetland crossings, access to Gage Lands, and the granting of a right-of-way.

Ms. Judy Boucher, 31 Bear Hill Road, is concerned that a trail easement will be next to her lot. She indicated on the map where her home is located. She stated that she likes the trail easements in Windham, but the easement was not there when she bought her home. The easement should go between land yet to be sold. Her home is only 32' from the lot line.

The Board discussed the cul-de-sac beyond the current limits, no agreement with Westchester Road owner, easement location, 50' deeded right-of-way, extending Bear Hill Road to a legal town road, and the area beyond Westchester has ledge, cliffs, and water. The Board discussed a site walk in the future and the road potentially connecting to Lowell Road. Mr. Zohdi stated that the future road connection is acceptable. He would like Board to tell him where they would like the right-of-way, and invited the

Board to walk the property with him.

The Board discussed sending the plan out to departments for review, access to town land, and a site walk. Mr. Wilder noted that Dr. Ibrahim El-Hefni, owner of the land, did not pick up the registered letter from Mr. Zhodi. Discussion ensued regarding the Selectmen sending a letter to Dr. El-Hefni, the town engineer looking at the connection, and the applicant should contact the landowners not the town. Mrs. Crisler made a motion to have the plan sent out to the Highway Safety Committee, fire department, police department, Conservation Commission, Historic District, transfer station, road agent, traffic count for additional 12 lots, drainage study, school community impact, and the town engineer regarding potential connections, and to include a 50' deeded right-of-way to the Gage Lands between two of the new proposed lots. Discussion ensued with Mr. Turner regarding the drainage study, 50' right-of-way for the extension, 28' foot wide road connection, and connecting to another public road. Mrs. Crisler amended her motion to include that the drainage study be reviewed by Rockingham County Conservation District and to direct the applicant to find a connection to a town or public road. Mr. Zhodi stated there is no other connection, and he urged board to walk the site. Seconded by Mr. McLeod. Passed 7-0. The Board discussed a potential site walk in the fall.

Mr. Mason, attorney for Castle Reach, asked for reassurance from the Board because of the reorganized agenda that Castle Reach Pumping Station will be heard this evening.

Windham Presbyterian Church Expansion (11-C-1120 & 1101) - Public Discussion

1 Church Road

Mr. Turner explained the site plan including the applicant's meeting with the Conservation Commission, and the Historic District Commission, and the applicant has received a variance for parking in the WWPD. He further described the location, historic building, geographic center of town, shared access ways with the assisted living facility, North Lowell Road drop off areas, Church Road driveway, flood area, detention pond, storm drain under Church Road, historic district area, rural area, planning board jurisdiction over rural areas, and parking area at the assisted living facility. Areas of concern are traffic backing up on North Lowell Road, Church Road access way, Church Street traffic, traffic light problems and the need of a right turn lane, intersection issues, and a WWPD special permit request. Discussion ensued regarding the building being in the historic district and Planning Board jurisdiction. Mr. Wilder read a portion of the Historic District meeting minutes that stated that they will be having a public hearing at 4:00 pm on September 7 regarding the Presbyterian Church. Discussion ensued regarding the septic system and curb cuts on Church Road.

Mr. Karl Dubay, from TF Moran and a Windham resident, stated he has been working with staff, commissions, and departments to get the plan as submitted today. The drainage study is complete, they are doing a quality job including getting the cars off the road and onto the site, landscaping, and highlighting the town park area. The Board asked for clarification for the location and slope of connection between the assisted living facility and church, paver system, and the paved parking area.

There was no public input, and Mr. Wilder closed the public portion of the meeting. The Board discussed pavement information for the public hearing, location of the encroachment on the WWPD, historic structure, water quality and quantity, traffic, proposed architecture design criteria. Mr. Dubay stated they had full engineered plans for drainage systems, making off-site improvement including a 36" culvert under Church Road, getting cars off the road and into the site, are bringing up the landscaping in the right-of-way, and the septic system has daily meter readings.

Mr. John W.G. Rosecrans, the architect from Dimensional Dynamics, stated that the original structure was built in 1835, and the parish hall in 1960. He then described the additions and showed a model. He stated that it was designed so that looking at the building from anywhere in the historic district in the center of town only the original building will be seen. Discussion ensued regarding meeting with

Historic District, the Federal Secretary of Interior Standards, State Historic Preservation Office, and architectural review.

Mrs. Crisler made a motion to send the plans out to the Highway Safety Committee, fire, police, conservation, historic district, transfer station, road agent, traffic study, drainage study regarding reversing the water flow for natural treatment, lighting and signage concerns, Stewardship Committee. Discussion ensued with Mr. Turner regarding RCCD looking at the drainage study in regards to water capacity and quality. They also discussed septic system, traffic consultant regarding the 3 intersections and possible right turn lanes, and the applicant should not be responsible for the current traffic problems. Mrs. Crisler amended her motion to include that the applicant is to work with Mr. Turner regarding the traffic issues. Seconded by Mr. Kolodziej. Passed 7-0.

Coutour Lot Line Relocation (25-R-7 & 8) - Public Hearing
15 & 17 Osgood Road

Mr. Turner explained a public hearing. Mr. Turner explained the street and the reason for the lot line relocation. Mr. Thorndike reviewed the soils, and the lots will have adequate buildable areas after the lot line relocation. Staff recommends the lot line relocation for public hearing. Mrs. Crisler made a motion to open for public hearing. Seconded by Mr. McLeod. Passed 7-0. Mr. Turner further explained the 440' square feet land swap between the properties, set backs, and the plan meets all requirements. Mr. Carpenter made a motion to approve the plan as presented subject to setting of the new bounds. Seconded by Mr. McLeod. Discussion ensued regarding stabilizing side slopes. Passed 7-0.

Heritage Hill Lot Line Relocation and Trail Easement Removal (24-F-165 & 166) - Public Hearing

41 & 43 Heritage Hill Road

Mr. Turner explained that the trail easement has been removed after this application was put on the agenda. Mr. Turner further explained the lot line relocation and recommended it for public hearing. Mrs. Crisler made a motion to open for public hearing. Seconded by Mr. Kolodziej. Passed. 7-0. Mr. Turner further explained the lots, including location, and frontage changes. The purposes of the lot line change is build a large home on lot 166, both lots will meet all requirements, and staff recommends approval. The Board discussed trail easement removed at prior meeting, lot sizes, lots being purchased by one individual, and home location. No members of the public had comments. Mrs. Crisler made a motion to approve the lot line relocation as submitted subject to setting and bonding of the bounds. Seconded by Mr. McLeod. Passed 7-0.

The Board addressed a related request regarding a form for the registry of deeds for the Heights of West Windham. Mr. Wilder read and the Board discussed the document. Mrs. Crisler made a motion for Mr. Wilder to sign the document. Seconded by Mr. Kolodziej. Passed 5-2. Mr. Morris and Mr. Carpenter opposed.

Castle Reach Pump House (7-A-691) - Public Hearing
80 Searles Road

Mr. Turner explained a public hearing. The Board has reviewed the plan conceptually and had a site walk. Staff recommends this plan for public hearing. Mr. Morris made a motion to open for public hearing. Seconded by Mr. Carpenter. Passed 7-0. Mr. Turner further explained that this is an approved subdivision, the applicant is looking for a revision for the already installed water lines in the road that do not have Planning Board approval. He further stated that the issues include the pump house, trail easements, trail restoration, trail width. He also stated that they have applied for a dredge and fill, the road going down to the pump station is steep, the contractor needs written information regarding the slopes. The Board discussed the conceptual plan and the water lines that are already in the road. Mr.

Wilder read Mr. Thorndike's notes. The Board discussed that the Searles Road abutters will not have access to the water but may share in the open space costs. Mr. Turner will get clarification. The Board discussed the pump house which has not been built yet. Mr. Wilder reviewed the May 3 minutes and the information the Board was looking for. Mr. Wilder read the department comments and a request for a waiver for the scale of the plan.

Mr. Mason, attorney for the applicant, stated that developer thought the pump house would be in the best interests of the homeowners. He introduced other people involved in the project. The Board discussed why the applicant did not come to the Board before doing all the work. Mr. Mason addressed the Board and stated the applicant was trying to find an adequate water supply.

Mr. Craig Francisco stated that the two community wells, pump house, and wells will service 38 houses, which are not all the homes to be built in the development. He described the building location and WWPD impacts, disturbance areas, and the trail width is necessary for maintenance vehicles and drilling rigs to get to the pump house and wells. The Board discussed the site plan information does not show wetland crossings or driveways, and they were looking for a hydrogeology study to tell them that private wells in the area would not be affected by the community wells.

Mr. Bruce Lewis, engineer for water supply projects, explained deep bedrock wells vs. sand and gravel wells, well depth, and fractures. The state has minimum guidelines for community well systems, radius around the wells, well drilling and testing for a community well system, design criteria, information reviewed and approved by the state. The Board discussed the protected radius, 19 gallons per minute yield of the wells, well head protection area, no reports of any adverse effects during testing, and will these wells have an adverse effect on the neighbor's wells in the area. Mr. Lewis suggested that the hydrogeologist re-review the data and write a letter. He has worked for 25 years in this area with bedrock wells, and he has not seen an adverse effect on private wells. The Board asked for the explanation of the testing of the three wells tested. The Board discussed the testing results and dry season impact.

Ms. Kim Callan, 36 Morrison Road, stated that water is a big issue, and no one has asked her if her well was affected during the testing. She would like her well tested before and after. She also wanted to know why the homes weren't having individual wells. She is worried about what will happen.

Mr. Michael Peterson, 60 Morrison Road, is concerned that Pennichuck will connect to areas and use the water from here for other places. His well is 406', gets 2 gallons per minute, and goes dry. He's concerned that a major bedrock fracture is being tapped and may adversely affect his and other wells in the area. What if Pennichuck has problems other places and uses this water for other places? The Board discussed not connecting to other parts of town and other towns, and asked if the West Shore Road pumping station had problems, would they consider linking these two systems together?

Mr. Bernie Russo, Pennichuck Water, explained water systems. He did not know of any issues for owners for private wells because of pumping issues. There have been no problems with abutters because of stressing the wells.

Mr. Lewis stated that Phase I of the project is for 38 homes. There is a plan for expansion for future homes, but that would not occur without proper installation of wells and permitting. He stated that the State regulates these systems. Mr. Russo stated that Pennichuck has no plan to connect to other system; this is a stand-alone system. Mr. Lewis stated that no water treatment needed.

The Board discussed the concern of water for the residents is under the jurisdiction of the Board.

Mr. Peterson stated his recollection of the public discussion was that this pump house was going to be

for 120 houses, but is now being told more wells and facilities will be needed for the addition of 120. The Board stated that was not their understanding.

The Board noted that there is a whole list of things were asked for from the applicant that did not get addressed includes a written Pennichuck maintenance report, effects on wells, hydrogeology study addressing the neighbors' private wells, can a commercial operation be placed in an open space, lighting, gravel road width, wetland crossing, and WWPD.

Mr. Turner will give a copy of the May 3 minutes to the applicant and get in touch with the town attorney. The Board discussed the choices of denying the plan or to continue the hearing with instructions. Mrs. Crisler made a motion to continue to the public hearing until September 20 at 8:00 pm. Seconded by Mr. Kolodziej. The Board discussed house lots that will have private wells but will be paying for the water system, and looking into the open space covenants. Mrs. Crisler amended her motion to include looking into the open space covenants. Seconded by Mr. Kolodziej. Passed 7-0.

Mr. Carpenter a motion to table Castle Hill Open Space Subdivisions to September 20. Seconded by Mr. Kolodziej. Passed 7-0.

Mr. McLeod made a motion to adjourn. Seconded by Mr. Carpenter. Passed 7-0. Meeting adjourned at 11:10 pm.

These minutes are in draft form and have not been submitted for approval.
Respectfully submitted,
Nancy Charland

