

# **Planning Board**

## **Minutes of June 20, 2001**

**ROLL CALL:** Alan Carpenter, Chairman - Present

Ross McLeod, Vice Chairman - Present

Lisa Linowes, Secretary - Present

Margaret Crisler, Selectmen Member - Present

Walter Kolodziej, Regular Member - Present

Wayne Morris, Regular Member - Present

Russ Wilder, Regular Member - Present

Lee Maloney, Alternate - Present

Nancy Prendergast, Alternate - Present

Roger Hohenberger, Selectmen Alternate - Present

### **PUBLIC HEARING:**

The Board discussed the evening's agenda. Mrs. Crisler made a motion to accept for public hearing and continue to the July 11 meeting at 8:00 pm the Koch Subdivision, Collins Subdivision, Pelletier Special Permit, Exxon Canopy Sign, and SEEA Realty Corp Sign. Seconded by Mr. McLeod. Passed 7-0.

### **Klemm's Site Plan (17-H-1) - Public Hearing Continued**

#### **54 Range Road**

Mr. Turner explained that there have been changes since the last meeting including that the car wash has been dropped and an increase in the number of parking spaces. Mr. Carpenter read the applicant's letters to the Board. The Board discussed the plan status in regards to removing the car wash. Attorney Jim Troisi stated they would like to finish the site plan this evening, Mr. Monteiro will present the plan, two McDonald's representatives are here this evening, and at that time their presentation will be complete.

Mr. Frank Monteiro, MHF Design, summarized the changes from the last meeting. He then presented an updated plan without the car wash including increased parking to 66 spaces, parking at the pumps is not restricted and therefore is counted, propane tanks, drainage, and water. He shared a letter from Pennichuck Water regarding the arrangements for water, and continued his presentation regarding water demand. The Board discussed the well hydrofracturing, well connection and water, agreement with Pennichuck, water restrictions to

neighbors, new well will help the neighbors, same central pumping station, assumes an increase in water, potential of vapors, and vents added.

Mr. Monteiro continued his presentation with lighting, lenses are flush with canopy ceiling, lights are 18' high with 400 watts that has lower foot-candle reading, no outside spillage across the street, and lights on the building. The Board discussed the hours of lighting, lights on all the time, photos of Mobile on the Run in Nashua's lights, signs on the building will be internally illuminated, drive thru signage will not be lit during closed hours should be put on the notes, zoning ordinance regarding serving food, location of lighting, parking for oversized vehicles, no bus and trucks signs, turning radius for trucks and RVs, parking for vehicles pulling a boat, parking across parking spaces, vehicles parking along Route 111A, no parking signs along Route 111 and 111A, US Gas design, parking problems already exists at this intersection, customer only signs, and head to head parking spaces. Mr. Stephen Pernaw, Pernaw and Company, discussed a 2:1 ratio of cars going into the gas-convenient store and McDonalds.

The Board continued discussion regarding signage, parking at the gas pumps while going into McDonalds is okay with Mobile, parking spaces, and the Board received the Volmeer Associates report. Mr. Monteiro presented the onsite traffic circulation including reducing the width of the driveway, one-way circulation pattern, cueing of cars, pickup window, north driveway change, right turn only for south driveway entrance, and driveway signage. Board discussion ensued regarding north driveway cueing, McDonald's business plan not received as yet, and those numbers lacking in the analysis. Mr. Pernaw addressed exiting using the north driveway, the cueing of cars, left hand turn will have delays during peak hours, and other times there will be no delay. The Board stated that oncoming traffic is a problem currently when taking a left turn and is this a solvable problem. Mr. Pernaw stated that the south side driveway, the additional approach lane, DOT project, and retiming the signal all will help. Mr. Pernaw gave additional analysis into the record. He stated that no right turn on red will help, but that it would cause other problems, the extra lane will be a problem for those exiting the site going towards Salem, DOT changes will help, encourage drive thru traffic to south driveway, and low shrubs at exit. The Board discussed flipping the building design.

Mrs. Crisler stated that there are no parking issues with Applewoods Golf. Mrs. Crisler made a motion to continue to the July 11 public discussion Castle Reach Open Space Subdivision, Manor Motel approval renewal, Donovan Change of Use, Windham Presbyterian Church, and Ellen Field Apartments Site Plan. Seconded by Mr. Wilder. Passed 7-0.

Mr. Troisi stated that he disagreed with the statement that the cueing information infers that the driveway doesn't work, and he introduced the McDonald's representative.

Mr. Taylor McDermott, McDonalds representative, stated that he was the project manager of Lansing NY project, and wanted to correct some misstatements to the report in the file. Ms. Linowes stated she got the numbers from the people listed in her report. He further described aerial photos, and stated that 9 out of 10 McDonalds do not encourage oversize truck

parking. Ms. Linowes asked about the percentage of large vehicle traffic, and he responded “none” because the site is not conducive to it. He further described the use of ITE numbers.

The Board discussed McDonalds business plan using ITE numbers, trade area, wanting the actual count for going into McDonalds, dollar sales revenue are confidential numbers, numbers for gas-convenience-fast foods, and was the fact that Route 93 is adjacent to the site considered. Mr. McDermott stated that the trade area, which is within 3 minutes of the site, includes home-work-shopping makes up for 65-75% of business, and the interstate does not give as much generation as the neighborhood. The Board discussed 38% less volume than Lansing, Londonderry McDonalds, and traffic generator being so close to Route 93. Mr. Kevin Feeney, Real Estate McDonalds representative, explained how he looks for sites, estimated that this site will have 500 cars per day, and 55% use the drive thru. He then described the Oxford McDonalds, and NH does not allow interstate signs.

The Board discussed traffic at other sites is less than here, Canobie Lake Park makes this site more desirable, is Griffin Park considered in the calculations, summer peaks, need information from Mobile and Capri, range of numbers of cars, and the Lansing ITE numbers were wrong.

Mr. Carpenter read correspondence from Mr. Ken Carpenter, Robert and Gina Wesinger, and Ms. Laurie Rauseo.

Mr. Joe Koparkie, Volmeer Associates, stated as part of his review he asked for supplemental information, and Pernaw used the ITE methodology which results in higher numbers than Dr. Data. The Board discussed with Mr. Koparkie gas-convenience-fast food numbers, 20% trip linking, north driveway level of service, trip generation for McDonald’s and the other services on the site, 3000 trip or 1500 cars per day, ability to make a left turn, today’s numbers estimated at 1600-2000 trips or 1000 cars, offsite intersection cueing, north driveway level of service, and the nearby traffic signal. Mr. Koparkie stated he would have the same numbers if he were doing the report using standard procedures without doing traffic counts at a McDonalds. The Board discussed is there enough cueing room if 55% of cars going to McDonalds use the drive thru, level service of the driveways, and trip generation. Mr. Pernaw concurs with Mr. Koparkie’s numbers and stated that this reinforces the original numbers.

Public comment began with Ms. Grace Cotton, 7 Squire Armour Road, 18 year resident, stated she goes by the intersection 2-6 times a day, all the developments off Range Road are generating additional traffic, Windham would benefit more from a Bread and Circus, the site is on a major intersection by Route 93, it’s a very desirable site but a traffic nightmare, hopes the Board considers the people who live on this side of town, and asked the Board to preserve this side of town.

Mr. Ted Maravelas, 13 Blossom Road, stated he is moving to Castle Reach and is concerned with the traffic, and it is an unpleasant experience to get to the highway. He asked the Board to use foresight and have courage because this is bad for Windham and Southern NH.

Ms. Deborah VanPaassen, 7 Settlers Ridge Road, described her background and stated that the traffic statistics could be manipulated anyway, do we have all the numbers, and people exiting the property onto Route 111 going west.

Ms. Elizabeth Marston, 18 Wilson Road, member of the committee to preserve Windham, stated that the applicant says that no large vehicles will be onsite, and she showed photos of large vehicles currently at the site, and other sites don't have truck parking either but the trucks do go onsite.

Mr. Ted Marvell, 110 Range Road, stated he is disappointed in the Klemms because they understand the traffic in that area, the whole issue is ludicrous, they want to make more money, it's going to be worse, people at US Gas take a left and break the law, who knows what 111 is going to look like, and it's putting the cart before the horse. The Board has a lot of leeway for what's right for the town including the park, litter, trucks on 111A, heavy trucks, and he would blame the Board if they do not protect Windham.

Ms. Beth Martin, 28 Searles Road, stated she is disappointed in the site and there is a lot of traffic in the area, her house currently shakes, traffic is terrible, bypass changes may make it better but that will be in 5 years, deliveries won't happen during off hours, people will cut through the gas pumps to get to McDonalds, and the site is too congested.

Mr. Bob Leonard, 88 Meetinghouse Road, stated he is distressed at the changes that come through at the 11<sup>th</sup> hour, because the Committee to Preserve Windham cares about Windham and is trying to have up-to-date responses. They have hired their own traffic consultant paid for by the Committee, but things change. The Board did suggest getting rid of the car wash, but that was long before the last meeting. He stated there is traffic back ups in the area all the time, twice this week the traffic was backed up past Dunkin Donuts. He stated his concern for traffic onsite, offsite, potential accidents, large vehicles on the site, undependable delivery schedules, 12' bar could trap large vehicles onsite, and parking. He then described information he got from the McDonalds web site, and hoped that the Board would reject the plan.

Mr. Peter Chulack, 48 Kendall Pond Road, stated the bypass will change the intersection, the golf course does not park in the Klemms' parking lot, thinks it great for the town, it's better than what is there, everything has been answered, and if the plan meets the site plan requirements it should be approved.

Ms. Donna Morgan, 5 Edgewood Road, questioned Business District A and the hours of operation. She stated that she is concerned with snow storage, the wells have a lot of unknowns, she shared parking numbers at other sites, not enough parking on this site, it doesn't fit, it's overkill, and reject the plan based on traffic and safety issues.

Ms. Gail Webster, 2 Marblehead Road, stated she has seen a lot of changes over the years, she travels the road often, and that the problems at that intersection do not belong to this site. She also is concerned with the legality issues and the potential of going to court.

Ms. Mary Kathryn Kottke, 16 Farrwood Road, stated that Senator Klemm does a great job representing Windham and New Hampshire as a Senator, but this site is not in the best interest of the residents of Windham. It is a rest stop, there's not even a comparable site in the state of NH, it will be the first gas station-convenience store-McDonalds to generate

those ITE numbers, can emergency vehicles get through, and just because there's not parking for recreation vehicles does not mean they won't go to the site. She stated that this is severely impacting the residents of Windham living in this area is a basis for rejecting the plan. She is concerned about getting home at night and busses from Canobie Lake Park and Griffin Park.

Mr. John McStravock, 11 Edgewood Road, stated the Board was disrespected again because we're still waiting for the numbers, McDonalds representatives only wanted to talk about Lansing, he described local attractions, truckers will come to the site, no parking signs on Route 111 do not stop the parking, and asked the Board not to create that problem at this site. He's concerned with onsite circulation problems, intersection problems, exits, and there is no agreement with Pennichuck Water. He stated if it doesn't fit, you must reject it.

Mr. Dan Dister, 20 North Shore Road, asked the Board to consider what happens if the numbers are wrong, wonders why McDonalds would be interested in this site if there will only be a slight increase in numbers, and this will irreversibly decline our standard of living.

Mr. David Demers, 7 Searles Road, is an opponent to McDonalds and has recently purchased the property across the street, no desire to look at golden arches, and it appears the only people interested in having this project are those that benefit financially

Mr. Tony Massahos, 19 Farrwood Road, stated he feels insulted with the comments, sorry for the Klemms for having to listen, he likes the project, it's commercial real estate, busses will not come because they can't be serviced, he stated he has heard stupid redundant questions, he shared his numbers regarding the site, the site can only handle so many cars and if there's too many cars people won't go there, he's pro-commercial development and it should take in the character of the town, willing to ask to take down his sign if he was only asked, traffic improvements will help, there should not be this much panic, the neighbors aren't liking it, but it was commercial property when they bought. Hope they approve the plan.

Ms. Kottke, apologized if the Klemms were offended. She stated the current site is an eyesore because it is not maintained.

Ms. Webster, stated that she thought that Senator Klemm had something to do with moving one of the Route 93 Canobie Lake signs and thought maybe we could move both signs to exit 2.

Ms. Joan Shelton, 72 Range Road, stated that the property has been Commercial for as long as she can remember, zoning laws protect the resident and owners, Windham is as beautiful as it is because of zoning, McDonalds can be built on commercial property, she explained her property location and problems with the traffic and potential traffic, and we cannot deny something because they have rights by the law.

The Board discussed the 65-day deadline, outstanding issues, potential extension, and the June 27 agenda. Mrs. Crisler made a motion to request a 60-day extension from the applicant. Seconded by Mr. Wilder. Discussion ensued. Mrs. Crisler amended her motion to

30 days. Seconded by Mr. Wilder. Passed 4-3. Mr. Kolodziej, Mr. Morris, and Mr. McLeod opposed. The applicant agreed.

The Board asked Mr. McDermott questions about the McDonalds web site, transactions, and trips. Mr. Troisi stated architecture and closing remarks are the outstanding topics.

Mr. Wilder made a motion to continue the Klemm's public hearing to June 27 at 8:00 pm. Seconded by Mrs. Crisler. Passed 7-0.

Mr. Wilder made a motion to adjourn. Seconded by Mr. McLeod. Passed 7-0. Meeting adjourned at 12:10 am.

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

Respectfully submitted, Nancy Charland