

Planning Board

Minutes of February 19, 2003

ROLL CALL:

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

Lee Maloney, Secretary – Excused Roger Hohenberger, Selectmen Member – Present

Walter Kolodziej, Regular Member – Excused Lisa Linowes, Regular Member – Present

Russ Wilder, Regular Member – Present Roy Dennehy, Alternate – Present

Nancy Prendergast, Alternate – Present Alan Carpenter, Selectmen Alternate – Excused

Mr. McLeod opened the meeting at 7:30 pm. Ms. Prendergast and Mr. Dennehy replaced Ms. Maloney and Mr. Kolodziej.

CORRESPONDENCE:

Class VI private road building permit procedures. Discussion ensued. The Board will review at the March 5 meeting;

Letter from Kiddie Academy regarding changes. Discussion ensued with Dan Kennedy, owner. Mr. Wilder motioned for the applicant to be permitted to obtain a temporary CO pending with the following conditions: 1) Meet all conditions of the previous approval and any other applicable conditions; 2) Develop an architectural plan in cooperation with staff; 3) Increase the bond request by an additional \$10,000; 4) Applicant to develop a legal agreement with staff to execute the above; and 5) Applicant to apply to resolve these difference before the Planning Board within 60 days from February 19, 2003. Ms. Linowes seconded. Passed 4-2. Mr. McLeod and Mr. Morris opposed. *Mr. Hohenberger joined the Board.*

Planning and Growth survey for Planning Boards.

NEW BUSINESS:

The Board discussed a letter received regarding the 4K area approval condition for the Castle Reach Subdivision. Mr. Peter Zohdi, Herbert Associates, stated the letter is for septic approval not subdivision approval. Discussion ensued regarding discussing at a workshop.

Mr. Turner reminded the Board of the public hearing on February 24 regarding the new well regulations.

PUBLIC HEARING:

Whispering Winds Phase II Appeal of Aquifer (19-A-801) – Public Hearing Continued

Mammoth Road and Pleasant Street

Mr. Dennehy and Mr. Wilder recused themselves. Mr. Turner reviewed the aquifer appeal. Mr. Tim Stone, StoneHill Environmental, discussed his report on the aquifer, he agrees with the conclusion that it is not an aquifer, and the line needs to be moved. Discussion ensued regarding the report including topography, wording error of “gallons per day”, recharge, and additional wells not necessary. Mr. Gary Garfield, URS, discussed the report including transmissivity, Jaworski report, and aquifer line location. No public comment.

Mr. Hohenberger motioned to grant the appeal of removal of the aquifer protection district from lot 19-A-801 to the lot line bordering 19-A-800 and 19-A-801 with the following conditions: 1) Transmissivity calculations be worked out between Stone Environmental and URS to Mr. Stone’s satisfaction; 2) Updated copy of report to be delivered to the Town; and 3) Incorporate Jaworski data as appended to the URS report. Mr. Morris seconded. Passed 5-0.

Whispering Winds Phase II (19-A-801) – Public Hearing Continued

Mammoth Road and Pleasant Street

Mr. Wilder rejoined the Board. Mr. Wilder motioned to reopen the Whispering Winds Phase II for public hearing. Ms. Prendergast seconded. Discussion ensued regarding information requested. Passed 5-1. Mr. Hohenberger opposed. Attorney Mason stated the name of the project should be Windham Meadows.

Ms. Linowes motioned to reconsider Whispering Winds II Phase II vote to reopen for public hearing. Ms. Prendergast seconded. The Board took a 10 minutes recess to discuss the information received from Counsel. Moved to reconsider. Failed 0-6. Ms. Linowes stated the reason for a negative vote is additional information was made available.

Attorney William Mason discussed information from Attorney Emmer, meeting with Attorney General’s Office, issues, and connection. Attorney Emmer discussed the name of the development is now Windham Meadows, conceptual drawings, buffer, emergency connection, separation, and moving buildings. Discussion ensued regarding the conceptual plans, traffic flows, road length, lot line change, and Attorney General’s Office letter. Mr. McLeod read the department comments.

Public comment heard from Mr. Roy Dennehy, 71 Pleasant Street; Ms. Catherine Snell, 23 Pleasant Street; Mr. Dennehy and Ms. Snell read letters into the record. Discussion ensued regarding the recorded easements, and attorney review.

Public comment continued with Mr. Tom Case, Simpson Road, Ms. Paulette Murphy, 72 Pleasant Street; Mr. Otto Baierlein, 63 Pleasant Street; Mrs. Mary Jane Dennehy, 71 Pleasant Street; Mr. Warren Sukiel, 82 Pleasant Street; Ms. Marsha Egan, 52 Pleasant Street; Ms. Joan Soper, 49 Pleasant Street; and Ms. Ruth Powers, 67 Pleasant Street; Comments included elderly housing ordinance, unit locations, erosion, landscaping, septic smell, cul-de-sac, traffic, noise, office, mailboxes, no connection, zoning, landscaping bond, conceptual

plans, gate, right-of-way, notification, construction hours and pollution, buffer, road length, connection and safety, gated connection, private road, and construction road.

Board discussion included septic odor, right-of-way, previous meeting, emergency safety gate, traffic, and choosing a plan. Mr. McLeod read a letter from 1) Ms. Betty Miloro, 25 Pleasant Street; 2) Mr. Leonard Whitney, 7 Pleasant Street; 3) Ken and Sylvia Griggs, 51 Pleasant Street; 4) Raymond and Gladys Leavitt, 29 Pleasant Street; and 5) Mr. Charles Egan, 52 Pleasant Street.

Ms. Linowes motioned to deny the plan for Whispering Winds Phase II due to the presentation of substantial changes being presented. No Second. Discussion ensued regarding photos. Attorney Emmer discussed the road system. Discussion continued regarding a gated connection, choosing a plan, entrance location, and turn around area. Mr. Zohdi, Attorney Emmer and Attorney Mason discussed the plan options. Discussion ensued regarding gate options, gate maintenance, other connection options, one entrance across from Glance Road, move buildings, Whispering Winds bond, pedestrian access way, extending 65-day clock, department comments on updated plan, parking, roads, significant changes, and Phase I problems.

Public input continued with Mrs. Dennehy and Mr. Dennehy. Their comments included the Center School gate, unit location, club house parking, guest parking, snow storage, topsoil, sprinklers, 62+ development, unit style, road access, and owners were never made aware of connection.

Discussion ensued regarding process, procedures, and photos. Mr. Wilder motioned to continue to March 19 at 8:00 pm. Mr. Morris seconded. Discussion ensued. Mr. Zohdi stated he will extend the 65-day clock. Passed 5-1. Ms. Linowes opposed.

Mr. Wilder motioned to instruct the applicant to use option A as marked up. Ms. Prendergast seconded. Passed 4-2. Mr. Hohenberger and Ms. Linowes opposed.

Mr. Wilder motioned to adjourn. Mr. Hohenberger seconded. Passed 6-0. Adjourned 12:30 pm.

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

Respectfully submitted, Nancy Charland