

**PLANNING BOARD MINUTES
SEPTEMBER 1, 2004**

ROLL CALL:

Lee Maloney, Chairman – Present

Ross McLeod, Secretary – Present

Phil LoChiatto, Regular Member – Present

Bruce Breton, Selectmen – Present

Nancy Prendergast, Vice Chairman – Excused

Walter Kolodziej, Regular Member – Present

Pam Skinner, Regular Member – Present

Chris Doyle, Selectmen Alternate – Excused

Ms. Maloney opened the meeting at 7:30 pm.

MINUTES:

- Mr. McLeod motioned to approve the August 18 minutes. Mr. LoChiatto seconded. Passed 6-0;
- Mr. McLeod motioned to approve the August 25 minutes. Mr. Kolodziej seconded. Passed 6-0.

CORRESPONDENCE:

- Letter from Karl Dubay requesting a public meeting on Sept 29 for the Windham Supermarket;
- Letter from David Sullivan inviting Board members to a Sept 13 meeting regarding water and sewer;
- RPC meeting notice, agenda, and minutes;
- Letter from Benchmark Engineering regarding withdrawal of the 90 Indian Rock Road site plan from this evening's agenda;
- Sign permit request from Windham Middle School. The sign is already up and schools are not required to go before the Board;

Discussion ensued regarding next weeks agenda, growth ordinance, Rt 28 area, workshop topics, and emergency response times throughout town.

- Letter to the Selectmen from Mr. Turner with questions regarding the suspension of collection of impact fees. Discussion ensued;
- Letter from Roy Dennehy regarding the Whispering Winds van. Attorney William discussed the issue with the Board. Margaret Crisler discussed the original motion intent. Discussion ensued. Tom Case discussed the requirements. Discussion continued;
- Letter from Gove Environmental regarding Lamplighter Village storm water/erosion control inspection.

ROAD BONDS:

- Ryan Farm Road, bond release of \$57,720 and retain \$136,591.20. Mr. McLeod motioned to grant. Mr. Kolodziej seconded. Passed 5-0-1. Mr. Breton abstained;
- Timberland Road Ext, bond release of \$83,508 and retain \$219,303.60. Mr. McLeod motioned to grant. Mr. Kolodziej seconded. Passed 5-0-1. Mr. Breton abstained;
- Heritage Hill Road Ext, bond release of \$318,248.40 and retain \$38,388. Ms. Skinner motioned to grant. Mr. LoChiatto seconded. Passed 5-0-1. Mr. Breton abstained;
- Rogers Auto Body, bond release of \$4,200. Mr. LoChiatto motioned to grant. Mr. Kolodziej seconded. Passed 6-0-1. Mr. Breton abstained.

Mr. McLeod motioned to accept the withdrawal of 90 Indian Rock Road site plan from the agenda. Mr. Breton seconded. Passed 6-0.

PUBLIC HEARINGS:

**Harris Road Lot Line Adjustment (13-B-94, 13-B-95, and 13-B-60) – Public Hearing
26 & 28 Harris Road and 24 Rockingham Road**

Mr. Turner reviewed letters from: 1) Attorney Mason, and 2) Attorney Campbell. He then reviewed the Board's options regarding the plan. Attorney Mason discussed the background of the property, improper subdivision, variance, and purchase and sale agreement. Attorney Matt Johnson, representing Wayne and Margaret Allfrey, request to the Planning Board hear the lot line adjustment, and civil matter between owners.

Mr. Turner stated the application is in compliance with the waivers if granted and recommends for public hearing. Mr. McLeod motioned to accept for public hearing. Mr. Kolodziej seconded. Discussion ensued regarding Attorney Campbell's recommendations, and owner authorization. Ms. Valerie Tobin, Skylight Industries, discussed the variance, right-of-way, and ownership. Attorney Mason discussed the conditions of the variance, and new purchaser's intent.

Mr. McLeod motioned to accept the Harris Road lot line adjustment site plan for public hearing in light of staff's and Attorney Campbell's comments. Failed 1-5. Ms. Maloney, Mr. Kolodziej, Mr. LoChiatto, Ms. Skinner, and Mr. Breton opposed.

Mr. Breton motion to table until September 15 at 8:00 pm so that staff and the involved counsels can discuss and ascertain the facts of ownership. Mr. Kolodziej seconded. Passed 5-1. Mr. McLeod opposed.

Mr. McLeod motioned to adjourn. Mr. Kolodziej seconded. Passed 6-0 Meeting adjourned 9:15 pm. Passed 6-0.

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