

## PLANNING BOARD MINUTES

April 6, 2005

### ROLL CALL:

Nancy Prendergast, Chairman – Present  
Ruth-Ellen Post, Secretary – Present  
Phil LoChiatto, Regular Member – Present  
Bruce Breton, Selectmen Member – Present

Ross McLeod, Vice Chairman – Present  
Walter Kolodziej, Regular Member – Excused  
Pam Skinner, Regular Member – Present  
Margaret Crisler, Selectmen Alternate – Present but  
not seated

### STAFF:

Al Turner, Director of Planning and Development – Present  
Rebecca Way, Town Planner – Present

*Ms. Prendergast opened the meeting at 7:30 pm.*

Mr. McLeod motioned to move Flat Rock Road Subdivision, Verizon Utility Building, MHB Subdivision, and McKenna Subdivision to April 13 at 7:30 pm. Mr. Breton seconded. Passed 6-0.

### MINUTES:

- Mr. McLeod motioned to approve the March 23 minutes. Mr. LoChiatto seconded. Passed 6-0;
- Mr. McLeod motioned to approve the March 30 minutes as amended. Mr. Breton seconded. Passed 6-0-1. Ms. Post abstained.

### CORRESPONDENCE:

- Invoice from Rockingham Planning Commission;
- Letter from RPC regarding Alan Carpenter's appointment;
- Memo from David Sullivan regarding a possible land sale of town lot 17-J-110A. Discussion. Mr. Doug Yennaco, Rocky Ridge Road: Access, no parking. Mr. McLeod motioned that the Planning Board recommends to the Board of Selectmen: 1) Solicit comments from the Conservation Commission and Recreation Committee; 2) Verify deeded access by neighbors; and 3) Verify that lack of parking means that only the neighbors are likely to use it. Otherwise, the Planning Board has no concerns about the sale of this land. Mr. LoChiatto seconded. Passed 5-0-1. Mr. Breton abstained.

### OLD/NEW BUSINESS:

Discussion: Real Estate Results sign, Fritchie driveway, Freda Hardware drainage. Ms. Prendergast announced Flat Rock Road Subdivision, Verizon Utility Building, MHB Subdivision, and McKenna Subdivision were moved to April 13 at 7:30 pm.

### PUBLIC MATTERS:

#### **North Lowell Road Residential Site Plan – Public Discussion**

#### **1 North Lowell Road, lot 11-A-580**

Mr. Mark Gross, MHF Design Consultants: Gave background on work done to date. Mr. Bill Burbank, The Burbank Group: Experience, Village Center District, aerial photos, neighboring areas, adding area to the Village Center, mixed uses, future look, roundabout, realignment of Rt 111, road construction sequence, Mr. Mesiti's development, 54-units, commercial area, parking, open space areas, access, on-site septic, housing type, fences, walking paths, buffers, smaller footprints, detached garages, 2 story homes, porches, 15-18' wide roads, common driveways, outdoor patios, well planted, development commitment, compliance. Mr. Gross: Roundabout, relocating Rt 111, creates hub. Discussion: Large scale thinking, can it be done, homeowner turnover, traffic impacts, retail or homes first, additional land to the district, variables, long term vision., other land owners. Mr. Peter Zohdi: Meeting with landowners. Discussion: DOT 19<sup>th</sup> meeting, NH DOT.

Public input from Ms. Lana Beloritsky-Palis, 9 North Lowell Road; Mr. Victor Beloritsky; 9 North Lowell Road; Ms. Mary Behl, 5 Eastwood Road; Mr. Roger Hohenberger, 5 Thomas Road; Mr. Douglas Yenacco, 14 Marblehead Road; Ms. Catherine Donovan, 19 Indian Rock Road: Their plot plan doesn't match what is shown, flagging close to home, devalue home, good development for Massachusetts not for New Hampshire, traffic, concerns for cul-de-sac to be opened, water, sewerage,

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too densely populated, phasing of the project, new town hall, runoff, brook, well going dry as in the past, traffic, developing a city, plan doesn't develop a center, fitness center. Mr. Gross, Mr. Zohdi, and Mr. Burbank addressed concerns.

Discussion: Rt 111 widening, access, temporary cul-de-sac, who's responsible for the "eyebrow" construction, North Lowell Road awkward intersection, commercial area development, current planning office and town hall become commercial in the future, historic district, 1994-95 study of district, want a town center, residential/business mix segregated uses, public roads and public open space, zoning, intermediate plan, reason for Village Center District zoning. Mr. McLeod motioned to continue the public discussion to May 11 at 7:30 pm. Mr. Breton seconded. Passed 6-0. Mr. McLeod motioned to move Vessali Subdivision to April 13. Mr. Breton seconded. Passed 6-0.

**Lake View Farm Elderly Housing site Plan – 24 units – Public Hearing**  
**92 & 94 Range Road, lot 17-I-200**

Ms Way: Continuation of public hearing, elderly housing, outstanding issues include criteria for elderly housing and the five special permits requests. Mr. McLeod motioned to reopen the public hearing. Mr. Breton seconded. Passed 6-0.

Mr. Joseph Maynard, Benchmark Engineering: Three concerns: 1) Special permits requests, submitted details to staff; 2) Connection to Harvest to Armstrong, Selectmen issue; 3) Work with staff for elderly housing criteria.

Discussion: Same plans as last time with patio and gazebo added, portion of treatment swale in WWPD, Conservation Commission letter in favor, swale, steep banks, Special Permit request booklet.

Mr. LoChiatto motioned to approve the Special Permits as outlined in the Special Permit request booklet as dated and initialed by the Chair. Mr. McLeod seconded. Passed 6-0.

Mr. Maynard: Access to Armstrong Road process, approve plan and then he'll go to the Selectmen, services available on-site and in the area. Discussion: Section 610.8.2 regarding amenities, how to keep information updated, criteria for approval, meeting the criteria or not, non-motor boat access, availability demonstrated, provision not demonstrated.

Attorney Peter Bronstein: Provision deleted in 1998, State of NH left it in for over 55+ but not for 62+, Section 610.8.1, not practical to provide the services on site, available a very short distance away, transportation issue should be for 75+, residents working and active, Windham voters agreed for additional elderly housing.

Discussion: Median age, is the elderly housing necessary, density requirement. Mr. Maynard: ADA compliance, density bonuses, ½ mile sidewalks, agreed to outdoor common area and patio, picnic tables, and gazebo. Discussion: Organized alliance between other elderly developments, part-time arrangements, Board solving the problems, services not provided, transportation services not needed, could approve based on the uniqueness, senior center donations, geared toward independent crowd, need to look at the ordinance, impossible to meet all requirements, is the elderly housing needed, demonstrated need, no impact on the schools, yearly age inventory of residents, low percentage of school age children in multi-family developments.

Mr. Roger Hohenberger, 5 Thomas Street: Read article regarding easement from Armstrong Road, what premise to override the Town vote, conditional approval, abutter concerns at public meeting.

Discussion: Authority to layout the road rests with the Selectmen not the Town, legality of the vote, scheduled to the Selectmen's meeting, Attorney Campbell advised to approve the plan before going before the Selectmen, state regulation issues, requirements, scenic view preserved forever, covenants go with the land, scenic view, landscape plan, remain as a field.

Mr. LoChiatto motioned to approve the site plan with the following conditions: 1) All state, federal, and local approvals shall be received prior to the start of construction; 2) Final plans and supporting documents should be submitted as Pdf files on a CD as required by Section 500 of the Site Plan Regulations; 3) The applicant should submit a more detailed sign application that includes the proposed

colors and materials of the sign; 4) The unimproved sections of Walkey Road should be restored, with 6" of loam and seeded. Additional grading should be done as necessary; 5) To work with staff that a safe lower barn access should be designed, or the current access eliminated. The existing access has poor sight distances and utilizes Walkey Road. The entrance could be redesigned to provide a less dangerous entrance to the property; 6) The 4K areas should be shown for units #13 and #14 on Pond View Road; 7) The applicant should provide legal documentation that the residents that currently use Walkey Road will have the right to use the re-aligned Walkey Road and Harvest Road to access their property. Town Council should also review this; 8) Town Council should review condominium Documents for conformance with the Town's regulations for Elderly Housing; 9) Sufficient legal documentation should be provided to ensure that the scenic vista would be maintained and preserved on 17-I-200 and 17-I-201; 10) The appropriate approvals from the Board of Selectman to connect to Armstrong Road by crossing through Town land must be obtained prior to construction; 11) Planning Board approval would be subject to the findings/conditions of the archeological study required by the New Hampshire Division of Historical Resources; 12) There shall be no stock piling of construction materials or equipment in the areas included in the scenic vista easement on lot 17-I-200 and 17-I-201. This area will be marked off with construction fencing and silt fencing to preserve the field; 13) The applicant will install the patio/picnic area and gazebo as presented at the March 16 meeting, prior to the 16<sup>th</sup> occupancy of the units. Final plans are to be approved by Town Staff; 14) The applicant will provide each condominium unit with a resource book that highlights social services and facilities within the region that are available to residents of Lake View Farm community; 15) Change landscaping to white pine; 16) Incorporate gazebo and patio/picnic as shown on the plan; 17) Criteria booklet "Lake View Farm Elderly Community" be made part of closing documents when the units are sold; 18) Hedge between detention pond #2 and unit #12. Ms. Post seconded. Passed 5-1-0. Mr. McLeod opposed.

Mr. McLeod motioned to adjourn. Mr. LoChiatto seconded. Passed 6-0. Meeting adjourned at 12:15 am.

These minutes are in draft form and have not yet been reviewed and approved.

Respectfully submitted, Nancy Charland