

PLANNING BOARD MINUTES

April 20, 2005

ROLL CALL:

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

Ross McLeod, Vice Chairman – Present
Walter Kolodziej, Regular Member – Present
Pam Skinner, Regular Member – Present
Margaret Crisler, Selectmen Alternate – Excused

STAFF:

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

Mr. McLeod opened the meeting at 7:30 pm.

MINUTES:

Mr. Breton motioned to approve the April 13 minutes. Mr. Kolodziej seconded. Passed 5-0;

ROAD BONDS:

- Jackman Ridge Road Ext, new bond, \$746,490. Ms. Skinner motioned to accept. Mr. Kolodziej seconded. Passed 4-0-1. Mr. Breton abstained;
- Lamplight Site #9 for buildings 4 & 15, new bond, \$38,031.01. Mr. Kolodziej motioned to accept. Ms. Skinner seconded. Passed 4-0-1. Mr. Breton abstained;
- Hancock Road, release \$22,920 and retain \$23,160. Mr. Kolodziej motioned to accept. Ms. Skinner seconded. Passed 4-0-1. Mr. Breton abstained;
- Timberlane Road Ext, release \$87,663.60 and retain \$131,640. Mr. Kolodziej motioned to release. Ms. Skinner seconded. Passed 4-0-1. Mr. Breton abstained;
- Ryan Farm Road, release \$32,335.20 and retain \$104,256. Mr. Kolodziej motioned to accept. Ms. Skinner seconded. Passed 4-0-1. Mr. Breton abstained.

CORRESPONDENCE:

- Letter to William Cass at the DOT regarding the Community Technical Assistance Program;
- Copy of a letter to Attorney Campbell regarding annual assurance of senior residency;
- Erosion Control Association seminar flyer;
- Voluntary Merger for 38 Rockingham Road, Tabled until May 4;
- Sign request from Hadleigh Woods Adult Community Condominium Association. Discussion. Mr. Breton motioned to approved waiver of public hearing for the new sign because it is a minor change and within the sign regulations. Mr. Kolodziej seconded. Passed 5-0. It was noted that a sign permit is required.

OLD/NEW BUSINESS:

Discussion: Dave Sullivan was a finalist for the Town of Billerica Town Manager position, he has agreed to stay in Windham, Plan NH seminar attended by Ms. Way and Mr. Turner regarding sprawl, Ms. Jennifer Colvin discussed the financing of the Windham Playground, their website is www.griffinparkplayground.org.

Discussion: Agenda order. Mr. Breton motioned to change the order of the agenda to hear Vessali, MHB, and McKenna to the front of the agenda because they were postponed from an earlier date. Mr. Kolodziej seconded. Passed 4-1. Mr. McLeod opposed. Mr. Kolodziej motioned to move Carr Landscaping and Spruce Pond II to the May 4 agenda. Mr. Breton seconded. Passed 5-0. It was stated that it was not the intent to help Mr. Zohdi by moving the agenda.

PUBLIC MATTERS:

Vessali Subdivision – 2 residential lots – Public Discussion

9 Sheffield Street, lot 11-C-2563

Mr. Turner: Location, approved but not accepted road, lots, existing house, flood plain, wetlands, WWPD, acreage, lot sizing, property lines relocated to center of the brook, driveway sight distances, no new road construction. Mr. Peter Zohdi, Herbert Associates, reiterated Mr. Turner's information,

looking for department comments. Discussion: Wells, no public input, trying to connect the community well, send plan out for department comments.

MHB Subdivision – 3 residential lots – Public Discussion
14 Cristy and 17 Settlers Ridge Roads, lots 22-R-308 & 510

Ms Way: Merges 2 lots and resubdivides to get 3 lots, acreage, existing drainage easement, wetlands, vernal pool, adjacent trail easement, Special Permit already approved, lot sizing needs to be reviewed, driveway sight distance, pedestrian right-of-way, blaze and clearly mark the trail. Mr. Zohdi further described the location, merger, and subdivision, right-of-way, vernal pool, looking for department comments. No public comment. Discussion: Send plan out for department comments.

McKenna Subdivision – 14 lots – Public Discussion
London Bridge Road, lot 2-D-2200, 3000 & 4000

Mr. Turner: Connects to two other independently owned proposals, road, traffic relief to Heritage Hill Road, location, temporary cul-de-sacs, traffic study, wetlands, open the road, stonewalls, hydrological study, road length, Gage Lands pedestrian access, discontinued road opening process, improvements needed to London Bridge Road. Mr. Zohdi: Land ownership, connect to Mr. Ryan's subdivision, coordinate road building.

Public comment from Mr. Paul Keller, 17 Bear Hill Road; Ms. Susan Bullock, 17 London Bridge Road; Ms. Wendy Keller, 17 Bear Hill Road: Hydrological concerns, State of NH database information regarding wells, potential high school water use, well monitoring service, effects to all the developments in the area, speeding traffic, well dropped 100' after 19 London Bridge Road home got their well drilled, what will happen with 50 additional homes, some neighbors not in attendance because of the moving the agenda, soil testing, site walk, illegal block length.

Mr. Zohdi: Hydrologist. Discussion: Conventional subdivision, WWPD, thanks to Mr. Keller, coordinate hydrogeologist, overall impact of the three developments, send plan out for department comments.

90 Indian Rock Road Condominiums – 5 units – Public Hearing
90 Indian Rock Road, lot 17-J-70

Ms Way: Five detached residential condominium units, location, individual units, current uses, variances granted, WWPD, frontage on Cobbett's Pond, shoreland protection, 250' setback. Mr. Kolodziej motioned to open for public hearing. Ms. Skinner seconded. Passed 5-0. Ms. Way: Waiver requested.

Mr. Jack Szemplinski, Benchmark Engineering: Acreage, 3500 sq ft units, private drive access, preserving trails to lake, community water system, individual septic systems, four Special Permits requested.

Discussion: Docks. Mr. David DeVries, owner: Boat launch. Discussion: Units in the WWPD, Mr. McLeod read staff recommendations, comments from the Conservation Commission and the Cobbetts Pond Improvement Association.

Public comment from: Ms. Barbara Dooly, 7 Heron Cove Road; Lisa Linowes, 20 Bramley Hill Road: Supportive of condos, not supportive of impervious surface near pond, architectural style, no additional docks, Conservation Commission has not seen the plan as it is.

Mr. DeVries: Meets the shoreland protection act, abide by all WWPD, architectural style of homes, water not deep enough for launching boats, existing building in the WWPD.

Discussion: Wavier, Conservation Commission comments, Mr. Turner read Section 601.4.8 of the zoning ordinance, reason for regulation, compromise. Mr. Kolodziej motioned to approve the waiver of Section 702 of the site plan regulations for trees greater than 12" in diameter be located on the property. Mr. McLeod seconded. Failed 2-3. Ms. Skinner, Ms. Post, Mr. Breton opposed. Discussion: Intent and obligation, tree inventory, photograph the trees, include in the condo documents, no cut zone, shoreland protection, Special Permits, less impact on the WWPD, limit lawn areas. Mr. Kolodziej motioned to

approve the Special Permits: 1) To allow for the removal of the portion of the existing office building and pavement that is located in the WWPD; 2) To construct a portion of Unit A within the WWPD. This building is located on a previously disturbed area where the office building was located; 3) To allow the construction of the access driveway to Unit A and Unit D; 4) To allow the existing driveway along the western edge of the property to remain and be cleaned up. Ms. Post seconded. Passed 5-0.

Mr. Kolodziej motioned to approve the plans with the following conditions: 1) All state and federal approvals shall be received prior to the start of construction; 2) The applicant shall provide to the Town, prior to the start of construction, evidence that adequate cable, electric, and telephone utilities are available to service the proposed units; 3) The final water system plans shall be reviewed by the Town and approved by the state prior to issuing a building permit; 4) Details of the sign will be submitted for Planning Board review as a separate sign application; 5) All notes regarding loam and seeding should specify that 6" of loam is required; 6) Lawn areas around the units and throughout the project should be minimized. The applicant should submit a plan to be reviewed by Town Staff that illustrates what area will be maintained as lawn and what areas will be restored to more natural state. The silt fencing should be moved back to the 150 foot woodland setback and the plans should be modified to comply with note # 5 on sheet #3 of 13. Ms. Post seconded. Passed 5-0.

Mr. Breton motioned to move Great Mountain View Estates to the May 4 meeting. Mr. Kolodziej seconded. Passed 5-0.

Copps Hill Subdivision – 12 lots – Public Discussion
5 Copps Hill Road, lots 21-B-10 & 39

Mr. Turner: Location, merging lots 21-B-10 and 21-B-39 and then re-subdividing the combined parcel into 12 residential building lots, acreage, conventional plan, road length, cul-de-sac, lot sizing, topography, open space, site walk, department comment. Mr. Zohdi: Copps Hill cul-de-sac, road improvements.

Public comment from: Mr. Al Barlow, 10 Copps Hill Road; Mr. John McCoy; 11 Marblehead Road; Ms. Ann Kusch, 7 Marblehead Road; Ms. Linowes; Mr. Paul Adams, 17 Marblehead Road; Mr. Dave Bohman, 3 Copps Hill Road; Mr. Rick Wilson, 7 Copps Hill Road; Mr. Rick Oerman, 3A Marblehead Road; Mr. Robert Pistorio

, 6 Weston Road: Previous plan, current cul-de-sac, drainage issues, road condition, blasting, buffer, concern for not enough well water, traffic, consider open space subdivision, long driveways, road width, construction vehicles, wells, older homes in the neighborhood, against the development, safety of children, abutter property impacts, property protection from blasting, walking paths, driveway length, closeness to abutters, wildlife, sidewalks compound drainage problem.

Discussion: Sidewalks, closed drainage, current drainage issues. Mr. Zohdi: Copps Hill Road has closed drainage system, new development will not have impact on drainage problem, maybe can help with problem, preliminary study at this point. Discussion: Potential of open-space development, traffic patterns, send plans out for Department Comments, site walk at 6:00 pm on May 4, centerline to be staked by Mr. Zohdi, Conservation Commission and Trails Committee to be invited. Mrs. Chris Bohman, 3 Copps Hill Road: Connecting roads.

Mr. Kolodziej motioned to adjourn. Mr. Breton seconded. Passed 5-0. Meeting adjourned at 11:00 pm. These minutes are in draft form and have not yet been reviewed and approved.

Respectfully submitted, Nancy Charland