

PLANNING BOARD MINUTES

May 31, 2006

ROLL CALL:

Phil LoChiatto, Chairman – Present
Nancy Prendergast, Secretary – Present
Ross McLeod, Regular Member – Present
Neelima Gogumalla, Alternate – Present
Rick Okerman, Alternate – Not Seated
Alan Carpenter, Selectmen Alternate – Excused

Ruth-Ellen Post, Vice Chairman – Present
Walter Kolodziej, Regular Member – Present
Pam Skinner, Regular Member – Present
Steven Griffis, Alternate – Not Seated
Margaret Crisler, Selectmen Member – Present

STAFF:

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

Mr. LoChiatto opened the meeting at 7:30 pm. Ms. Gogumalla replaced Ms. Post.

MINUTES:

- Ms. Prendergast motioned to approve the May 17, 2006 minutes. Mrs. Crisler seconded. Passed 6-0-1. Mr. McLeod abstained;

CORRESPONDENCE:

- RPC annual meeting invitation;
- Memo from David Sullivan regarding the possible sale of town lot 8-A-52. Staff will do a staff analysis for the next meeting;
- Letter from Herbert Associates regarding a special town meeting this summer;
- E-mail from Gary and Dyan Ciccone regarding Rock Pond water testing. Tabled to the next meeting;
- Conference flyer for “Defining your Building Program.”

BOND:

Searles Road, \$48,000. Owner asked to call the bond for the sink hole. Mr. Turner asked to call the bond and to hire a company to fix the sink hole and any other deficiencies. Discussion: Fix any deficiencies in the road, catch basin locations; hire a contractor to get it fixed, and cost estimation unknown at this time. Mr. McLeod motioned to call the bond to repair the deficiencies on Searles Road as stated by staff. Mrs. Crisler seconded. Passed 7-0. Mr. McLeod motioned to recommend to the Selectmen to execute the calling of the bond and repairs to Searles Road. Ms. Prendergast seconded. Passed 7-0.

LIAISON REPORTS:

- Mrs. Crisler, Selectmen: Selectmen authorized the purchase of a speed monitoring machine,

OLD/NEW BUSINESS:

Site walk on Saturday, June 3, Board will meet in Shaw’s parking lot, and Staff has met with RPC regarding a Wall Street corridor study.

Ms. Prendergast motioned to move Pine Hill Estates, Terra Bella, and High Pointe East to the June 7 meeting. Mr. McLeod seconded. Passed 7-0.

PUBLIC MATTERS:

Windham High School Location of Londonbridge Road – Public Hearing
Rt 111/Haverhill Road, lots 20-D-1500, 14-B-2200, 20-D-1200, 14-B-2300, 14-B-2400, 20-D-1700
and 20-D-1000

Mr. Turner: Proposal to layout a new road over the previously discontinued Londonbridge Road, review, approve or disapprove the line and location of the proposed road, and the application is ready for public hearing. Ms. Prendergast motioned to open for public hearing. Ms. Post seconded. Passed 7-0. Mr. Turner: Actions for this evening, application and reports, correspondence received, no variances granted, Under RSA 674:54 the Special Permit is waived, subdivision regulations are waived, and

zoning regulation are waived, flood plain regulations are not waived, development issues, showed 1928 map of Londonbridge Road, layout of Londonbridge Road, layout process, Board only needs to approve the line and location, Attorney Campbell May 31 letter with recommendation, approval of line and direction of the road only, Attorney Campbell has six issues: 1) Is this the right place for a public highway; 2) Does its location correspond with corridors in the Master Plan; 3) Does it serve land which needs access; 4) Does it connect with the existing highway system in an appropriate place and fashion; 5) Is there a public need for a road that suggests the community should establish a road here; and 6) Is the line proposed impacted by such environmental factors as to make it impractical. Discussion: Mr. Turner released the May 31 confidential correspondence from Attorney Campbell to the Planning Board, road location, line and direction of the road, land ownership, and land being surveyed.

Attorney Greg Michael, counsel to the School District: Mr. Turner's overview is accurate, concurs with Attorney Campbell's letter, there is survey issues but the road data is accurate, plan with a revised note, reviewed and agreed with Attorney Campbell's six issues, thanked the Board for their involvement. Discussion: Using this method of approval because it is not a subdivision, non-contested land ownership, layout process, will deviation of the plan be permitted, right-of-way location, not all of which will be paved, and road could move a little bit.

Brad Mezquita, Appledore Engineering: Rt 111 location access alignment with Ledge Road, road layout, right-of-way width not uniform, and old centerline of Londonbridge Road is the boundary. Discussion: minimum width of 60', 4000' of road, traffic calming, 6 ½ % at steepest grade, right-of-way width could accommodate bike path, underground utilities, and pedestrian walking area, long fairly straight road encourages speeding, techniques for traffic calming, abutter development on the southwest area of the property, DOT letter regarding Rt 111 signalization, and awaiting response for reconsideration of the signal. Mr. LoChiatto read a letter from Attorney Mason regarding access to high school through McKenna's property. Discussion: Related to tonight's meeting?, improvements to the other end of Londonbridge Road for construction vehicles, potential connection to Castle Hill Road, Master Plan document prepared by staff as requested by Attorney Campbell, and compliance with the Master Plan.

Public comment from Dennis Scott, 51 Haverhill Road; and Rich Wissell, 55 Haverhill Road: Will something come back to the Board regarding property boundaries?, and will the speed limit change on Rt 111.

Discussion: The plan will come back to the Board, traffic study, and Selectmen and Planning Board road building standard are different.

Bruce Anderson, School Board Chairman: Not going through the normal procedures, countless meetings with town staff, going through scrutiny, and looking for high standards for the road.

Attorney Michael: Timeframe for the road, noticed hearing with the Selectmen, 30 day time line for the meeting and abutters will be notified.

Mr. McLeod motioned to approve the line and location of the road per RSA 674:40 noting the six factors in Attorney Campbell's letter: 1) Is this the right place for a public highway – in line with Ledge Road and future potential connection with development on the southwest corner; 2) Does its location correspond with corridors in the Master Plan – Master Plan Land Use goal 5 and Transportation and Circulation goal 5; 3) Does it serve land which needs access – high school; 4) Does it connect with the existing highway system in an appropriate place and fashion – two letters in the file from NH DOT; 5) Is there a public need for a road that suggests the community should establish a road here – high school; 6) Is the line proposed impacted by such environmental factors as to make it impractical – such impacts as they exist have been mitigated; and 7) Add the engineers certification under the Town's Flood Plain Regulation. Mrs. Crisler seconded. Discussion: Recommendations to the Board of Selectmen as a separate motion. Passed 7-0.

Ms. Prendergast motioned to recommend to the Board of Selectmen upon advertising for the layout hearing to request written comments from the Planning Board, highway agent, Highway Safety

Committee, police and fire departments. Mr. Kolodziej seconded. Discussion: Availability of plans. Passed 6-0-1. Mrs. Crisler abstained.

Ms. Post motioned to recommend to the Board of Selectmen that the road incorporate safe bicycles and pedestrian traffic, underground utilities, and appropriate traffic calming measures under the standards of RSA 674:10. Mr. Kolodziej seconded. Discussion: Road standards, other road issues, sidewalks, and RSA 674:10. Failed 3-3-1. Ms. Skinner, Ms. Prendergast, and Mr. McLeod opposed. Mrs. Crisler abstained.

Cobbetts Pond Plaza Site Plan – Public Hearing

4 Cobbetts Pond Road, lot 21-D-107

Mrs. Hebert: Continued public hearing, reviewed previous meeting, unresolved issues, Special Permit requested, sheet drainage, treatment swale on new area, colored rendering, lighting, landscaping, parking lot design, utilities, adequacy of Cobbetts Pond Road, and state driveway permit needs updating. Discussion: Lighting details, and new plan sets.

Peter Zohdi, Herbert Associates: Distributed pictures of the new lighting, landscaping changed from last set of plans, parking, proposing Cape Cod curbing, has applied with the state for a renewal of entrance permit, truck turning and radius, and gas pump area canopy with fluorescent lighting facing down.

Discussion: Canopy architecture will match the building, fire department compliance, setbacks, canopy requirements, and canopy lighting plan. Mr. Zohdi: Removed the canopy from the site plan and would like to come back at a later date. Discussion: Light fixtures should be more colonial. Mr. Zohdi: Will work with staff for light design. Discussion: Traffic flow into the site, use of striping and arrows, and lighting under the canopy. Mr. Zohdi: Drainage, will pave entire parking lot, leave existing above ground utilities, new utilities will be underground, and signage. Mr. LoChiatto read letters from: 1) Jonathan Sycamore; 2) Carol Pynn and Carolyn Webber; and 3) Beth Talbott.

Public comment from Carol Pynn: Concerned with traffic on Cobbetts Pond Road, any traffic study done, people use Cobbetts Pond Road to avoid the traffic lights on Rt 111, did her own traffic study and found 40 cars in 10 minutes on a Saturday afternoon, will delivery trucks use Cobbetts Pond Road?, traffic assessment from 2004, construction trucks, likes the design, would like to see a traffic study,

Mr. LoChiatto read the police department and Highway Safety Committee comments, traffic study is dated April 2005. Mr. Zohdi: Board asked for a traffic report, zoned for this, former site of post office, post office had more traffic than these new businesses, low key plaza and not going to affect the traffic that much, and tenants need to comply with parking.

Howie Glynn, owner: Has trucks and does not run trucks on Cobbetts Pond Road because it's not safe to do so, only trucks making deliveries on Cobbetts Pond Road will use it, it's too narrow, and the only large trucks going onto the site will be the gasoline trucks.

Discussion: Enough space for cars to turn around, curbing, drainage, Cobbetts Pond Road and Lowell Road intersection, and dumpster pads.

Mr. Kolodziej motioned to approve the application with the following conditions: 1) All state, federal, and local approvals shall be received prior to signing the plans; 2) A separate sign application shall be submitted for Planning Board approval prior to installing the tenant signs or revisions to the freestanding sign. The Board will review the graphic layout of each proposed tenant sign for conformance to the Town's sign regulations under separate sign permits; 3) The developer shall meet the requirements of NFPA 1142 and NFPA 13 for sprinkler systems; 4) Cobbetts Pond Road is a State road, the NHDOT driveway permit shall be updated to include the expanded use; 5) The plantings adjacent to the chain link fence shall be revised to include evergreen plants that will provide a year-round vegetative buffer for the adjacent properties; 6) The existing dumpsters shall be located on concrete pads with stockade fence enclosures; 7) The architectural style that is represented in the application shall be used throughout the plaza and will be used to replace the façade on the existing buildings. 8) Incorporating the striping and reduced radius at the entrance; 9) Regrade and repave the

existing and future parking areas; 10) Work with staff regarding the recessed lighting under the canopy; 11) Withdraw the canopy plan over the gas station; 12) Approval is contingent on the amended plans submitted May 31, 2006. Mr. McLeod seconded. Passed 7-0.

Mr. Kolodziej motioned to approve the Special Permit to impact 5,723 sq. ft. of WWPD to construct a driveway, grading for the drainage, and to remove/demolish the existing building, a portion of the building is in the WWPD, in compliance with Section 601.1 through 601.5 of the WWPD. Ms. Skinner seconded. Passed 6-1. Ms. Post opposed.

Mrs. Crisler motioned to accept new business after 10:30 pm. Ms. Prendergast seconded. Passed 7-0.

Cingular Wireless Site Plan – Public Discussion

17 and/or 18 Mammoth Road, lots 14-A-5000 and/or 15-B-1100

Mr. Turner: Application for a communication tower, proposing one of two locations, development issues, and items that need to be submitted.

Douglas Wilkson, Edison & Kreager: Needs for coverage in Rt 111/Rt 28 area, two proposal that would work, 18 Mammoth Road works a bit better, needs a use variance, 120' above ground pole with two sets of antennae, propane tank, 12x10' concrete shelter for switching equipment, needs area variance, alternative is 17 Mammoth Road, 120' pole mono-pine design, fall zone entirely in the parcel, 4 carriers within the branches, 12' x10' concrete shelter, propane tank, and shared photographs and explained the balloon test for both sites.

Discussion: Location, preferred site, existing tree line, less intrusive design, flagpole internally mounted antennae, bond for abandonment, is 120' needed, other tower locations, and Board preferences pole vs. tree.

Public comment Kevin Waterhouse, owner: Other companies have approached the owner, prefers flag pole style, fits into upcoming site plan changes, and will fly a flag.

Discussion: Board prefers the mono-pole at 18 Mammoth Road.

Mr. Kolodziej motioned to adjourn. Ms. Skinner seconded. Passed 7-0. Meeting adjourned at 11:40 pm.

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

Respectfully submitted, Nancy Charland