

## PLANNING BOARD MINUTES

June 13, 2007

### ROLL CALL:

Ruth-Ellen Post, Chairman – Present  
Nancy Prendergast, Secretary – Excused  
Phil LoChiatto, Regular Member – Present  
Neelima Gogumalla, Alternate – Present  
Alan Carpenter, Selectmen Member – Excused

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

### STAFF:

Al Turner, Director of Planning and Development – Present  
Shaun Logue, Town Planner – Present

- *Ms. Post opened the meeting at 7:30 pm.*
- *Ms. Gogumalla and Mr. Okerman replaced Mr. Kolodziej and Ms. Prendergast.*
- *The Board stood and recited the Pledge of Allegiance.*

### MINUTES:

- Mr. LoChiatto motioned to approve the June 6 minutes. Mr. Okerman seconded. Passed 4-0-3. Mr. McLeod, Mrs. Crisler and Ms. Skinner abstained.

### CORRESPONDENCE:

- Letter from Mr. Turner regarding exactions for Terra Bella and Johnny Hill Estates Subdivisions. Mr. McLeod motioned to hold a public hearing for the purpose of considering the amendment of conditioned items “donations” to “exactions” and for this the Planning Board requests that the Board of Selectmen waive all fees except for abutter notification and legal advertisement fees. Mrs. Crisler seconded. Passed 5-2. Mr. LoChiatto and Ms. Skinner opposed.
- Mr. Turner and Mr. Logue attended the Shoreland Protection Act seminar held in Concord on Wednesday, June 13. Seminar presented amendments to the existing Act that would apply to the Town of Windham. Seminar covered topics such as primary building setbacks, waterfront/woodland buffers, prohibited chemicals within buffer, impervious surface limitations, permit requirements, density restrictions, minimum shoreland protection standards, and non-conforming structures.
- Newspaper article for a June 16 workshop regarding Invasive Plants being held at the Nashua River Watershed Association, 592 Main Street, Groton, MA, from 9 a.m. to 12 p.m.

### PUBLIC MATTERS:

#### **Planning Board Bylaws – Public Hearing**

Mr. LoChiatto motioned to open for public hearing. Mrs. Crisler seconded. Passed 7-0.

Mr. McLeod motioned to amend proposed change to Article 1, Rule 1.5 to “the requirements of these rules may be waived or modified by the Planning Board, when in the opinion of the Board, such action is deemed reasonably necessary to effectuate the lawful purposes of the Board’s business. The justification for such action shall be stated and noted in the minutes. A vote is required on the proposed waiver.” Mr. LoChiatto seconded. Passed 7-0.

Mrs. Crisler motioned to amend Article 2.1 to “the seventh member shall be an ex-officio member appointed by the Board of Selectmen.” Mr. McLeod seconded. Passed 7-0.

Mr. LoChiatto motioned to amend Article 2.5 to strike “and after the inauguration process.” Passed 6-1. Mr. McLeod opposed.

Mr. McLeod motioned to amend Article 3.5 to “Audio or video recordings will be made of the meeting and shall be archived for one (1) year and then the recording media may be reused. Exceptions to this recording reuse policy may be made by a majority vote of the Board. Audio/video recordings are the responsibility of the Planning Department until such time as the relevant minutes are approved.” Passed 7-0.

Mr. McLeod motioned to amend Article 2.7 to include “the Selectmen shall appoint an alternate to the ex-officio member and only that alternate may sit for the ex-officio member and for no other member.” Mrs. Crisler seconded. Passed 6-0-1. Mr. LoChiatto abstained.

Mr. McLeod motioned to amend Article 4.4 to change “Town Hall” to the “Planning and Development building.” Mr. LoChiatto seconded. Passed 7-0.

Mr. LoChiatto motioned to approve changes of 4.5 and 4.6 as written. Mr. Okerman seconded. Passed 6-1. Mr. McLeod opposed.

Mr. LoChiatto motioned to approve 5.5 as written. Mrs. Crisler seconded. Passed 6-1. Mr. McLeod opposed.

Mr. LoChiatto motioned to amend 10.6 by replacing the “general public” subsection with “three (3) members of the general public shall be appointed by the Planning Board, with staggered terms of three (3) years each, such that one (1) member is appointed each year. It is recommended that this appointment take place in July.” Mr. McLeod seconded. Passed 7-0.

Ms. Skinner motioned to approve Article 11.1 as written. Mr. LoChiatto seconded. Passed 7-0.

Mrs. Crisler motioned to adopt the Windham Planning and Zoning Board Rules of Procedure as amended. Ms. Skinner seconded. Passed 7-0. *Mr. LoChiatto left the Board.*

Mr. McLeod motioned to waive the bylaws in consideration of the July 4 holiday and have the public hearing nights be July 11 and 25. Mr. Okerman seconded. Passed 6-0.

### **CIP Advertising for Public Member**

Ms. Post read a Sample Press Release titled “Windham Planning Board Seeks Applications for CIP Public Member.” Member would be appointed for a three-year term as a general-public member of the Capital Improvement Program (“CIP”) Subcommittee. This member would act as a liaison to the Board of Selectmen.

### **Site Plan and Subdivision Regulations**

Mr. Turner presented amendments to the Subdivision Regulations regarding phasing developments, Section 704.4.5, Active and Substantial Development, Section 704 and Road Construction Requirements, Section 901.10 and 901.11.

Mr. McLeod motioned to move the Site Plan and Subdivision Regulations as amended to July 18 for public hearing. Mrs. Crisler seconded. Passed 6-0.

Mrs. Crisler motioned to adjourn. Mr. McLeod seconded. Passed 6-0. Meeting adjourned at 10:15 pm.

These minutes are in draft form and have not yet been reviewed and approved.  
Respectfully submitted, Nancy Charland