

PLANNING BOARD MINUTES
November 19, 2008

ROLL CALL:

Phil LoChiatto, Chairman – Present	Nancy Prendergast, Vice Chairman – Excused
Rick Okerman, Secretary – Present	Walter Kolodziej, Regular Member – Present
Ruth-Ellen Post, Regular Member – Present	Pam Skinner, Regular Member – Present
Louis Hersch, Alternate Member – Excused	Kristi St. Laurent, Alt Member – Present
Sy Wrenn, Alternate Member – Sat at 9:15 pm	Bruce Breton, Selectmen Member – Excused
Galen Stearns, Selectmen Alternate – Excused	

STAFF:

Al Turner, Director of Planning and Development – Present

Mr. LoChiatto opened the meeting at 7:00 pm. The Board stood and recited the Pledge of Allegiance.
Ms. St. Laurent replaced Ms. Prendergast.

MINUTES:

- Mr. Okerman motioned to approve the November 5 minutes. Ms. Skinner seconded. Passed 6-0. Mr. Kolodziej motioned to reconsider the November 5 minutes. Ms. Skinner seconded. Passed 6-0. Mr. Kolodziej motioned to approve the November 5 minutes as amended. Ms. Skinner seconded. Passed 6-0;
- Ms. Skinner motioned to approve the November 12 minutes. Mr. Okerman seconded. Passed 5-0-1. Ms Post abstained.

ROAD BOND:

- Heights of West Windham, Timberlane and Heritage Hill Roads, final release of \$31,400. Ms. Post motioned to grant the release and recommend that the Board of Selectmen hold a public hearing to accept as a Town road. Mr. Kolodziej seconded. Passed 6-0;
- Heritage Acres, Timberlane and Heritage Hill Roads, final release of \$109,738. Mr. Kolodziej motioned to grant the release and recommend that the Board of Selectmen hold a public hearing to accept as a Town road. Ms. Skinner seconded. Passed 6-0.

SIGN PERMITS:

- The Masiello Group, 33 Indian Rock Road. Board discussion regarding the coloring of the sign and letters. Ms. Post motioned to ask the applicant to design the signs with a dark background and white lettering, and conform to the sign regulations. Ms. Skinner seconded. Passed 6-0;
- Shabby Chic, 4 Cobbetts Pond Road. Board discussion that the plaza needs consistent uniformity, and this sign is different from the others. Mr. Kolodziej motioned to have the applicant come back with a sign that conforms with the sign regulations. Ms. Skinner seconded. Passed 6-0.

CORRESPONDENCE:

- Letter from Herberts asking to postpone the CVS discussion to December 17. Mr. Kolodziej motioned to move the public discussion to December 17. Ms. Skinner seconded. Passed 6-0;
- Letter from Benchmark Engineering requesting the Spatharos public hearing be continued to the next available meeting. Mr. Kolodziej motioned to move the public hearing to December 10. Ms. Skinner seconded. Passed 6-0;
- Letter from DES regarding an alteration of terrain permit for the high school;
- Memo from RPC regarding availability of planning assistance grants;
- Letter from Carol Pynn regarding rezoning of land on Range Road.

OLD/NEW BUSINESS:

- New zoning open space overlay district to be delayed to next year's zoning discussions.

PUBLIC MATTERS:

Covnett Emergency Veterinary Hospital Site Plan – Public Discussion

3 Cobbetts Pond Road, lot 31-U-30

Mr. Turner stated the application wants to establish an emergency veterinary clinic by renovating the current building a 3 Cobbetts Pond Road.

Karl Dubay, MHF Design, presented the plan. Board discussion with Mr. Dubay regarding signs, parking, drainage, driveway cuts, number of employees, location to intersection, hours of operation, and the type of business.

Public comment from Jennifer Keefe of Covnett, Christina Barnett of Covnett, Pat Wallace, 3 Cobbetts Pond Road, and Marjorie Dastous, 22 Bear Hill Road. All spoke in favor of the plan.

Board discussion regarding sending the plan out for comments and a drainage study was requested by the Board due to the proximity of Cobbett's Pond and WWPD.

Cheryl Road Lot Line Relocation – Public Hearing

Cheryl Road, lots 21-H-16A, 16B & 40

Mr. Turner stated that the applicant wants to relocate the lot line between two properties and eliminate a lot, and the plan is ready for public hearing. Mr. Kolodziej motioned to accept for public hearing. Ms. Skinner seconded. Passed 6-0.

Mr. Turner stated the soil calculations were done by John Thorndike, this change does not create any new lots or change the access to either lot, no waivers have been requested, and both lots contain single-family homes.

Peter Zohdi, Herbert's Associates, presented the plan. Board discussion with Mr. Zohdi regarding the plan including the lot lines, potential impacts to the neighbor, and the septic system locations. No public comment.

Mr. Kolodziej motioned to approve the lot line relocation for lots 21-H16A, 21-H-16B, and 21-H-40 with the following condition: 1) Boundaries set prior to recording of plan. Ms. Skinner seconded. Passed 6-0.

Carr Landscaping Site Plan Revocation – Public Hearing

20 Rockingham Road, lot 13-B-50

Mr. Turner stated that the applicant is seeking approval to void their original site plan for a landscaping business, the site work was never finished, they're requesting a final bond release, and can open for public hearing. Mr. Kolodziej motioned to accept for public hearing. Ms. Skinner seconded. Passed 6-0.

Mr. Turner continued regarding an affidavit has been signed by the applicant giving up their rights to the site plan approval, if the plan is voided, the old site plan approval for a retail used car sales would be in effect, the zoning is business commercial A and in the Rt 28 access management overlay district. Board discussion regarding move to the next available public hearing at which time a signed affidavit will be furnished to the Board.

Ms. Skinner motioned to continue to December 10 as the Board needs the signed affidavit. Mr. Kolodziej seconded. Passed 6-0.

Grace House Special Permit – Public Hearing

23 Mammoth Road, lot 14-B-4800

Mr. Turner stated that the plan is for a Special Permit to allow a well and waterlines to be installed in the WWPD, the original site plan approval is for a 15-bedroom assisted-living facility, the property is zoned rural and is adjacent to the Neighborhood Business zoning district, a portion of the property is located within the WWPD and the entire site is located within Aquifer Protection District, and is ready for public hearing. Mr. Kolodziej motioned to accept for public hearing. Ms. Skinner seconded. Passed 6-0.

Mr. Turner continued regarding the studies and reviews include staff report and the edge of wetland was delineated and located. Issues that need to be discussed include building construction, layout and design, parking lot layout and design, landscaping recommendations, and the WWPD was accidentally disturbed during the recent construction, and he review the recommended conditions of approval.

Peter Zohdi, Herbert Associates, presented the plan. Board discussion with Mr. Zohdi regarding Grace House and the reason for the request is that Pennichuck Water is unable to provide water, well needs to be 25' from proposed wetland, and Mr. Zohdi will double check the distance. No public comment.

Mr. Kolodziej motioned to grant the Special Permit for the wells and waterlines to be installed in the WWPD as it conforms with regulations and condition of Sections 601.1 and 601.4.8. The plan is approved with the following conditions: 1) All state and federal approvals shall be received prior to the signing of the plans; 2) Irrigation systems shall be required to have rain sensors and timers to prevent over watering; and 3) No herbicides or pesticides are to be used in the garden area since it is located within the Aquifer Protection District. Certified organic pesticides may be used within the garden. Ms. Skinner seconded. Passed 6-0. *Mr. Okerman stepped down and Mr. Wrenn replaced him.*

87 Indian Rock Road Special Permit – Public Hearing

87 Indian Rock Road, lot 11-C-100

Mr. Turner stated the applicant is requesting a Special Permit to allow a septic system and underground pipelines to be installed in the WWPD, the property has an office building on it, the lot is 1.93 acres, he discussed the location and zoning of the property, and is ready for public hearing. Ms. Post motioned to accept for public hearing. Ms. Skinner seconded. Passed 5-0-1. Mr. Kolodziej opposed.

Mr. Turner continued regarding studies and reviews include staff review and there are no comments from the Conservation Commission, items that need to be discussed include disturbed area in the WWPD, erosion controls, construction sequence, and compliance with Sections 601.1 and 601.4.8 of the zoning ordinance.

Joseph Maynard, Benchmark Engineering, presented the plans including the construction of the new Rt 111 just north of the site is being put over the existing well and septic, NH DOT is moving the well and septic to the front of the property and out of the DOT right-of-way. Board discussion with Mr. Maynard regarding the new location for the well and septic is under the parking lot, there will be minimum excavation as the building is occupied, and the septic system is under the pavement, will be dug up, and repaved. No public comment.

Ms. Skinner motioned to approve the Special Permit to allow a septic system and underground pipe lines

to be installed in the Wetland and Watershed Protection District in compliance with Section 601.1 and Section 601.4.8. Ms. Post seconded. Passed 6-0.

Mr. Kolodziej motioned to adjourn. Ms. Skinner seconded. Passed 6-0. Meeting adjourned at 9:35 pm.

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

Respectfully submitted, Nancy Charland