



OLD VALUES - NEW HORIZONS
PLANNING AND DEVELOPMENT

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Planning Board Minutes
July 1, 2009

Roll Call:

Phil LoChiatto, Chairman – Present
Nancy Prendergast, Secretary – Present
Ruth-Ellen Post, Member – Present
Louis Hersch, Alternate – Excused
Sy Wrenn, Alternate – Present
Ross McLeod, Selectman Alternate - Excused

Rick Okerman, Vice Chairman - Present
Walter Kolodziej, Member - Present
Pam Skinner, Member - Excused
Kristi St. Laurent, Alternate - Present
Bruce Breton, Selectman Member - Present

Staff:

Laura Scott, Town Planner – Present
Tracey Mulder – Admin Asst. - Present

Mr. LoChiatto opened the meeting at 7pm, followed by the Pledge of Allegiance. Mr. Wrenn replaced Ms. Skinner.

RCP CTAP Buildout Analysis Presentation:

Mr. Robert Pryne, GIS Specialist, from Rockingham Planning Commission presented preliminary findings of analysis regarding future build out of Windham. The presentation consisted of a review of the Base Build-out, Scenario 1, documenting existing commercial and residential structures and developed properties within the town. Mr. Pryne reviewed a packet of maps provided to the Planning Board detailing current constraints, zoning and existing buildings, buildable by zone, new units at buildout, and total buildout. Preliminary findings were based on aerial photographs. NH DOT supplied road information and the Town provided current zoning information. Mr. Pryne determined future build-out density by averaging densities on existing plans.

Mr. Pryne will develop a Standard Alternative, Scenario 2, also referred to as Smart-growth Build-out. Future steps in the planning process will include a 3rd scenario developed by the Planning Board. The Planning Board recognized that the materials are based on generalization of where future building was possible. The Planning Board requested changes and corrections in future versions of the maps to include:

1. Color in the legend to be more pronounced
2. Roads to be updated to match town records
3. Clarification to maximum amounts of buildable units
4. Identification of open space land in subdivisions that would not be buildable

In order to provide accurate land use data Ms. Scott will assist Mr. Pryne with the following data:

1. Corrected zoning and road layer data
2. List of open space parcels
3. Copy of assessors database with land use codes

After Mr. Pryne receives the above information, he will redo the maps for Base Buildout, Scenario 1, and develop maps for the Standard Alternative, Scenario 2. Mr. Pryne will present this new data at the August 5th Planning Board Meeting.

Mr. LoChiatto discussed historic districts and national register properties with a request to include this data in future plans by Mr. Pryne.

The Board requested additional information from Mr. Pryne regarding the definition of a 'steep slope'. Mr. Pryne indicated for purposes of the maps presented a steep slope was 15% grade or better. The Board requested that steep slope information be included on the legend for future maps.

Mr. Pryne presented to the Board the option of discussing Scenario 3, however, the Board decided to delay the discussion until August 5.

Mr. Pryne commented that he felt the buildout information was progressing well and although there is some science involved with the buildout process, there are gray areas that need to be taken into account as well. Ms. Scott asked Mr. Pryne for the next presentation to provide the maps on a zip drive so the public can view the information while watching the meeting on their television.

Work force housing Presentation

Mr. LoChiatto provided a brief synopsis about the Workforce Planning Law (RSA 674:58-61) that will go into effect, January 1, 2010. Bev Donovan has been working with Planning Board member, Nancy Prendergast to put together information for the Board to understand where the Town stands today and how the Town can comply with the new law.

Ms. Beverly Donovan gave a presentation on Workforce Housing in Windham. Ms. Donovan is a Masters student at SNHU and is doing her thesis on Workforce Housing. Effective January 1, 2010, all communities in NH will be required to provide reasonable and realistic opportunities for development of Workforce Housing that is economically viable, including multi-family housing, in a majority of residentially zoned areas. Ms. Donovan presented data for Windham indicating that the existing zoning does not provide sufficient opportunities for Workforce Housing for the town to be in compliance in 2010. Several questions arose regarding the data presented as well as what number of affordable units would be required for the town to be in compliance. Ms. Donovan suggested a multi-step plan that would allow the town to be compliant including:

1. A thorough review of land use regulations, ordinances and procedures regarding development of housing in Windham
2. Identification of barriers to development
3. Consideration of collaborative solutions to meet future housing needs

4. Development of inclusive zoning ordinances

Ms. Scott stated that the town of Windham is not responsible to develop Workforce housing, rather the town must ensure that fees, regulations and zoning requirements do not hinder or impede the development of affordable housing. The Town needs to provide to developers the opportunity to build Workforce Housing if the developer meets the state's definition of Workforce Housing.

Mr. LoChiatto commented that even though Windham may have high land prices, we need to provide areas with zoning for higher density affordable housing.

Due to time restrictions, the Planning Board made the decision to focus their efforts on the zoning requirements that would need to be approved at a Town vote. Other items such as site plans, regulation, building permit process, and impact fees that do not have the same time restrictions as zoning can be resolved separately.

Ms. Donovan, Ms. Prendergast, and Ms. Scott will continue to work on this issue and report back to the Planning Board with information gathered from meetings with developers and builders.

The Workforce Housing decisions are slated to be outlined for the August 15 meeting. This meeting will identify what options will be proposed at the Town meeting to implement Workforce Housing. Ms. Post asked about the option of using an Inclusionary Zoning Ordinance to remedy the Workforce Housing situation due to the time line constraints. This option will be discussed in August.

Sign Permit Applications

The following sign permits were submitted for review and approval by Ms. Scott:

1. Windham Learning Tree Academy
4 Cobbetts Pond Road
Tentant Wall Sign of individual raised letters, 33.5" x 133.21" sign illuminated with existing lights on building. The sign meets the Zoning Ordinance and previous Plan Approval.
2. Rockingham Emergency Veterinary Hospital
3 Cobbetts Pond Road
Free Standing Sign to be internally illuminated, 12' high and 43.25 sqft.
The sign meets the Zoning Ordinance and is slight modified from the previous Site Plan Approval.

The Board raised the question regarding the color scheme of the Rockingham Emergency Veterinary Hospital. Mr. Hammer clarified the color scheme for the Hospital was red and this color is used on all of their business documents. Mr. LoChiatto asked if the Veterinary Hospital sign was illuminated and Ms. Scott clarified for the Board that it was internally illuminated and the Board had already previously approved.

Mr. LoChiatto indicated sign regulations explicitly do not allow internally illuminated signs; however, since there was no appeal, the decision stands that the Veterinary Hospital may have an internally illuminated sign. Board discussion continued regarding review of the current sign ordinance.

3. Golden Brook Crossing Plaza

46 Lowell Road

Free Standing Sign to be internally illuminated, 12' high and 48 sqft.

The sign meets the Zoning Ordinance and has slightly modified design and look from the previous Site Plan Approval.

Mr. Rick Hammer of Hammer and Sons Signs reviewed color scheme and design content of signs. The material used on the Golden Brook Crossing sign was discussed and Ms. Scott and the Board felt the material used to hold the sign was in line with the aesthetics of the Windham environment. Also, the shape of the sign is slightly different, but still meets zoning requirements. Mr. Hammer noted that Mr. Cyr had a sign from a previous project he wanted to utilize for the Golden Brook Crossing Plaza and the sign matches the building.

Motion by Mr. Kolodziej to approve the three signs for Windham Learning Tree Academy, Rockingham Emergency Veterinary Hospital, and Golden Brook Crossing Plaza as submitted, seconded by Mr. Breton. Motion passed 7- 0.

Meeting Minutes – Review & Approve 6/17/09

Motion to approve minutes by Ms. Prendergast, seconded by Ms. Post. Motion passed 4–0-3 with Mr. Wrenn, Mr. Kolodziej and Mr. LoChiatto abstaining.

Financial Guarantee Release Request

Trimmers Landscaping 17 Mammoth Road

Ms. Scott visited the site on June 22, and based on this visit she stated the applicant has met their obligations and that the performance bond of \$2,355, held by the Town, should be released.

Motion to release the bond in the amount of \$2,355 to Trimmers Landscaping by Ms. Post, seconded by Mr. Breton. Motion passed 7-0

CIP Citizen Member Appointment

Four interested residents submitted letters of interest for consideration to serve as the Citizen Representative on the Capital Improvement Plan. The interested applicants are Thomas McGurty, Robert Young, Jim MacDonald and Dennis Senibaldi. Applicants will be interviewed by the Board on July 22.

Board Member Updates

NH Legislative Update

Mr. Kolodziej updated the Board that the 2009 legislative session has ended with a balanced budget. Mr. Kolodziej noted that challenges exist in the coming years to reign in spending by

the New Hampshire government or he believed there would be a need for additional taxes in the future.

Board of Selectman – Mr. Breton

Mr. Breton reported that London Bridge Road is progressing as planned. The repair of the old London Bridge Road has been accelerated with previously secured funding.

Mr. Breton noted that the Selectmen are reviewing 160 pieces of property acquired by the Town through tax liens etc. The Selectmen will be determining which properties are appropriate for sale, and the proceeds will benefit the town.

The Economic Director applicant pool has been narrowed down and the final applicants will be interviewed on July 14.

A new fax machine has been ordered to replace the exiting malfunctioning machine in the Planning Department.

Mr. Breton received a request from GEO Syntec to pull approx. 160 Building files to obtain information regarding the Cobbetts Pond Restoration Project.

Conservation Commission – Ms. Skinner

No report since Ms. Skinner was absent.

Windham Economic Development Committee – Ms. Post

Ms. Post said the Economic Development Committee was planning an event for the public to be held at the Windham High School. The event was originally intended to take place in July but due to vacations etc. has been rescheduled to September. Confirmation regarding the exact date will come at a later time. The Economic Development Committee is also working on securing a key note speaker for this event.

New Business

The Board discussed the mailing list and how information should be disseminated to the public. The IT Director would like the Board to reconsider reinstating the mailing list. Ms. Scott noted that information for the Planning Board website is posted within one day of submission. Ms. Prendergast suggested a notification be sent to existing list serve members notifying them that moving forward Planning Board documents will be posted on the website and not distributed by e-mail. The Board discussed putting an ad in the Windham Independent as a means of notifying residents that they may find the minutes, agendas and hearing notices on the Town website in lieu of receiving email updates.

Planners Report

The Planners Report was included in the packet that was submitted to the Board, it included the following:

- Attended monthly Department Head meeting
- Working with Police, Fire, and Maintenance Departments on prioritizing and implementing Department Safety recommendations
- Held Technical Review Committee Meeting
- Provided information to Planning Board Chair for presentation at 6/22/09 Board of Selectman meeting
- Reviewed and commented on Union contract in anticipation of upcoming negotiations

- Reorganized Department flat map files, desk, and file cabinets for more efficient department organization
- Attended Highway Safety Committee meeting
- Held monthly department staff meeting
- Prepared for new staff orientation
- Did follow-up with RPC and CTAP progress and next steps
- Continued to work with Planning Board members, staff, and citizens on impact fees, signage, and CIP
- Work with Town Staff to update Planning Board section of web site
- Work with Eric and Rex to ensure that zoning maps are accurate
- Working with Staff and ZBA Chair on procedures, policies, and Board/staff communication
- Finalized and set out Planning Board Engineering RFP
- Processed sign permit applications
- Worked with landowners on land use and code questions

Miscellaneous Items

The Board noted that they had received from Ms. Scott three memos for their review; however at this time no action was needed. The memos included:

- A memo from Dr. James Finn, Conservation Commission Chairman stating the Conservation Commission passed a motion to accept responsibility of the Trails Subcommittee effective June 11, 2009.
- A memo from Chief Gerald Lewis, Windham Police Department stating his concern in the Board imposing traffic safety conditions for tree and brush trimming on Morrison Road. Chief Lewis understands the need for traffic control measures on Morrison Road during brush and tree trimming but believes traffic personnel from PSNH would be sufficient.
- A memo from Laura Scott, Town Planner, regarding Town impact Fees. Areas of concern are:
 - School Impact Fees
 - Public Safety Impact Fees
 - Recreational Impact Fees
 - Impact Fee Ordinance

Ms. Scott received a notification from the Rockingham Planning Commission (RPC) informing her that one of the Windham RPC Representative positions has expired. Ms. Scott suggested that the Board recommend to the Board of Selectmen appointing Peter Griffin, current RPC Chairman, as the Windham RPC Representative. Mr. Breton stated that the Selectmen have sent a letter to the Planning Board regarding the appointment and asked whether the Planning Board should wait to receive the letter and whether a public solicitation process should be followed. Mr. LoChiatto suggested additional discussion by the Board of Selectmen regarding Mr. Griffin's appointment.

Motion by Mr. Kolodziej to recommend to the Board of Selectmen re-appointing Peter Griffin as the Windham RPC Representative, seconded by Mr. Breton, motion passed 7-0.

Board discussion continued that Rockingham Planning Commission is meeting in Windham next week. Mr. Sinnott from the RPC invited Ms. Scott to represent Windham; however, this conflicts with an Open Space CTAP meeting Ms. Scott will be attending the same evening. Ms. Scott asked a member of the Board to represent the Town at the Rockingham Planning Commission meeting so she could attend the Open Space Meeting. Mr. LoChiatto agreed to represent the Town at the RPC meeting.

Adjournment

At 9:30 PM Mr. Kolodziej motioned and Mr. Okerman seconded the motion to adjourn. Motion passed 7-0.

These minutes are in draft form and respectfully submitted for approval by Tracey Mulder, Planning Board Assistant.