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COMMUNITY DEVELOPMENT

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Planning Board Meeting Minutes
DRAFT – January 19, 2011

Roll Call:

Phil LoChiatto – Chairman – Present
Rick Okerman – Vice Chair – Excused
Pam Skinner – Member – Present
Ruth-Ellen Post – Member – Excused
Kristi St. Laurent – Member – Present
Bruce Richardson – Member – Present

Lee Maloney – Alternate - Excused
Sy Wrenn – Alternate – Seated for Ms. Post
Louis Hersch – Alternate - Excused
Bruce Breton – Selectman Member – Present
Ross McLeod – Selectman Alternate – Excused

Staff:

Elizabeth Wood – Community Planner – Present
Mimi Kolodziej – Planning Assistant – Present

Call to Order / Attendance / Pledge of Allegiance

Chair LoChiatto opened the meeting at 7:02 p.m. followed by the Pledge of Allegiance

Mr. Mark Samsel, a 30 year town resident living on Depot Road, presented a letter of interest in serving the town as an Alternate to the Rockingham Planning Commission.

Chair LoChiatto supported his application and recommended Mr. Samsel for the position. Ms. Maloney thought Mr. Samsel would be a fine addition to the Commission.

Mr. Breton made a motion to accept Mr. Samsel's application for the position of an Alternate to the Rockingham Planning Commission. Seconded by Ms. Skinner. Motion passed: 6-0

Public Hearings:

Case#2010-49/Special Permit Application & Cobbetts Pond Watershed Protection Development Application-Major (17-I-113A)

A Special Permit Application & Major Cobbetts Pond Watershed Protection Land Development Application have been submitted for 20 Walkey Road/ Lot 17-I-113A, zoned Rural and located in the Wetland and Watershed Protection District and Cobbetts Pond Watershed Protection District. The applicant Joseph Maynard of Benchmark Engineering, Inc., on behalf of the property owner Joseph Levis Jr., is proposing to demolish the existing single-family residence, and construct a new single-family residence and install impervious pavement. The proposed modifications would render 29% of the lot impervious and a portion of the proposed single-family residence and driveway would be located in the Wetlands and Watershed Protection District.

Phil LoChiatto read into the record the Special Permit Application & Cobbetts Pond Watershed Protection Development Application-Major for Lot 17-I-113A.

Ms. Wood explained that although the applicant did not meet certain requirements of the Cobbetts Pond Overlay Protection District, variances were received. The applicant would need an administrative

requirement to have an engineering review of the Soil Erosion Control Plan. The applicant has requested a waiver on that due to significant review has already been done by the state through the Shoreline Protection Application.

Mr. Breton made a motion to accept the Application for Lot 17-I-113A. Seconded by Mr. Richardson. Motion passed: 6-0.

Mr. Maynard of Benchmark Engineering explained it is the intent of the owner to demolish the current structure and build a new home in its place. He described the location of the lot in relation to Cobbetts Pond, and explained the decisions about the new driveway, septic system, and well. The land is included in the WWPD and the Cobbetts Pond Watershed Overlay District.

Mr. Breton asked if all variances had been received. Mr. Maynard said they had. Mr. Breton asked about the waiver request for the engineering review of the Soil Erosion Control Plan. Mr. Maynard explained that the intent was to not duplicate a previous engineering review which was performed in a far more extensive and thorough manner. Chair LoChiatto asked if the applicant had requested a special permit for the driveway. Mr. Maynard confirmed that a special request had been requested. Chair LoChiatto further asked if there was a special permit for the well. Mr. Maynard explained the he had requested a special request for that also.

Chair LoChiatto opened the hearing to the Public. Hearing no discussion, Chair LoChiatto closed the Public Hearing.

Mr. Breton made a motion to grant the waiver request for an administrative engineering review of the Soil Erosion Control Plan due to the extensive and thorough review performed previously. Seconded by Ms. St. Laurent. Motion passed: 6-0

Mr. Richardson made a motion to accept the Special Permit Application for driveway and well and the portion of house in the WWPD. Seconded by Mr. Breton. Motion passed: 6-0.

Chair LoChiatto inquired about green coverage for the lot. Mr. Maynard explained that a 50% green coverage, delineated on the plan, is required and will be adhered to. The rest will be allowed to go to its natural state and is currently wood chipped.

Mr. Richardson made a motion to approve the application as presented. Seconded by Mr. Breton. Motion passed: 6-0.

Case#2010-50/Minor Site Plan/Change of Use Application (13-A-196)

An Application for a Minor Site Plan/Change of Use Application has been submitted for 5 Industrial Drive, Lot 13-A-196, zoned Limited Industrial. The applicant Peter N. Zohdi, of Edward N. Herbert Associates, on behalf of the property owner Abaco Real Estate Enterprises, LLC.. The application is for a Change of Use to permit a Day Care to be located in the southern most unit of the building. The proposal is also to modify the existing site plan by adding a play yard for the daycare to the southwest corner of the property and to install a 4.5' chain link fence to enclose the play yard.

Chair LoChiatto read into the record the Minor Site Plan / Change of Use Application for Lot 13-A-196.

Ms. Wood said that Signage had been approved, TRC comments addressed, and a Variance had been granted to allow for Child Day Care in a Limited Industrial District.

Mr. Chris Nickerson of Edward N. Herbert Associates explained the diagram and location of requested play yard. The Board asked about parking availability, drop-off area for children, and the slope of the land by the

shrub fence. Mr. Nickerson assured the Board the land was level, dedicated lined parking was available next to the building, and the young children would likely be walked into the day-care by their parent or guardian.

Ms. Skinner made a motion to accept the Minor Site Plan / Change of Use Application for 5 Industrial Drive (13-A-196). Seconded Mr. Breton. Motion passed: 6-0.

Chair LoChiatto opened the Hearing to the Public. With no one present, Chair LoChiatto closed the Public Hearing.

Mr. Breton made a motion to approve the Minor Site Plan Application for Lot (13-A- 196) as presented. Seconded by Mr. Richardson. Motion passed: 6-0.

RE: Case#2010-48/Major / CPWD-MAJOR, 2 Horne Road (21-Z-267)

A Major Cobbetts Pond Watershed Protection Land Development Application has been submitted for 2 Horne Road / Lot 21-Z-267, zoned Rural and located in the Cobbetts Pond Watershed Protection District. The applicant Joseph Maynard of Benchmark Engineering, Inc., on behalf of the property owner, Phillippe Bouchard, is proposing to demolish the existing single-family residence, garage and carport and construct a new single-family residence, garage, and carport, and increase the impervious area of the driveway and walkway. The proposed modifications would render 24.8% of the lot impervious. Variances were granted from Section 702, Appendix A-1, and Section 661.6 of *The Zoning and Land Use Regulations*.

Chair LoChiatto read into the record Case#2010-48/Major / CPWD-Major, 2 Horne Road (21-Z-267).

Ms. Wood noted that this is similar to the previous application and has received several variances. It needs Planning Board review, and the applicant is requesting a waiver of the engineering review based on the same reason as Case #2101-49.

Because this is a similar request to Case#2010-49, Mr. Richardson asked if the Board is changing this requirement for property fronting Cobbetts Pond. Mr. Maynard explained that again due to the extensive and thorough outside engineering review done previously, he is requesting a waiver. Because not all Cobbetts Pond District land fronts water, this requirement is not changing.

Chair LoChiatto questioned the plan area where an existing well is indicated and asked why it was not grassed. Mr. Maynard explained that it is a natural pine wooded area and provides a nice buffer between the owner and local homes. The State requested the landowner to maintain as much a natural state as possible. The Client is going with clean solution septic system. The State of NH does not approve this system, so the plan must delineate an acceptable location for an approved septic if needed down the road.

Mr. Richardson made a motion to accept the request of a waiver as presented. Seconded by Mr. Breton. Motion passed: 6-0.

Mr. Breton made a motion to approve the Cobbetts Pond Watershed Protection Application for Lot (21-Z-267) as presented. Seconded by Mr. Richardson. Motion passed: 6-0.

Release of Financial Guarantee-Christy Road

Ms. Wood explained that the applicant has requested a partial release of \$28,740.91 in cash which will leave \$23,592.00 in the account. Our inspector has determined that the amount requested is accurate for the improvements in question and the amount retained is sufficient for potential future needs.

Ms. St. Laurent made a motion to release the partial sum of \$28,740.91 for improvements associated with the Christi Road Extension Subdivision. Seconded by Ms. Skinner. Motion passed: 6-0

Upcoming BOS Meetings

Ms. Wood highlighted the Economic Development's Business EXPO on Thursday, January 27. Over 70 businesses have registered and it promises to be an exciting event. Planning Board members are strongly encouraged to attend and talk it up.

January 24th

Pennichuck presentation will be held at 7 Wall Street at 8 p.m.

Wall Street – NH 111 Corridor and Wall Street Extension Study will be held Monday, January 24 at 8 p.m.

January 31st

Phase 2 Sewer Study will be presented.

Meeting Minutes Review and Approve-January 5, 2011

Mr. Breton made a motion to approve the minutes of January 5, 2011 as amended. Seconded by Mr. Richardson. Motion passed: 4-0-2 Ms. Skinner and Mr. Wrenn abstained.

Community Planner's Report and the Community Development Director's December Report were reviewed and accepted.

Ms. Wood announced that the annual meeting of the American Planning Association is being held in Boston this year. Early on-line registration will be less expensive than later. She strongly encouraged everyone present to attend.

Adjournment

Mr. Breton made a motion to adjourn at 7:55 p.m. Seconded by Ms. Skinner. Motion passed: 6-0.

These minutes are respectfully submitted in draft form by Mimi Kolodziej.