



*OLD VALUES - NEW HORIZONS*  
**COMMUNITY DEVELOPMENT**

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**Planning Board Minutes**  
**Draft February 16, 2011**

**Roll:**

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

Bruce Breton, Selectman Member - Present  
Sy Wrenn, Alternate – Arrived 7:03  
Lee Maloney, Alternate – Present  
Louis Hersch, Alternate - Excused  
Ross McLeod, Selectman Alternate - Excused

**Staff:**

Laura Scott, Community Development Director – Present  
Mimi Kolodziej, Planning Assistant - Present

**Call to Order / Attendance / Pledge of Allegiance**

Chair LoChiatto opened the meeting at 7:01 p.m. followed by the Pledge of Allegiance.

Ms. Maloney is seated for Christi St. Laurent

**WEDC Opinion Survey Results Presentation**

Mr. Bob Young and Mr. Al Letizio, WEDC members, made a Powerpoint presentation of the results of the Windham Economic Development Committee (WEDC) Opinion Survey to which 520 town residents responded. Mr. Letizio noted that the WEDC made no inferences or conclusions on the report; their intent was to present raw data.

Chair LoChiatto questioned the intent of the survey and wondered how the information would be used. Mr. Young explained that the results will be used as a data-point for WEDC developing their strategic plan and expects other Town Boards will hold workshops for similar purposes.

Ms. Post asked what controls were in place to assure validity and asked about a future Executive Summary in a more narrative form. Mr. Young explained how the task force eliminated suspected duplicates and how the Town's IT person set up controls for the online survey responses. Chair LoChiatto requested that presentation be reformatted in a narrative form for distribution.

This Powerpoint presentation is available on the Town's web site under Community Development with a CTAP link.

**Public Hearings**

**Case#2011-3/Minor Site Plan (18-L-450)**

A Minor Site Plan Application has been submitted for 43 Range Road (18-L-450), zoned Professional Business and Technology. The applicant, Peter Zohdi, of Edward N Herbert Associates, Inc., on behalf of the property owner Ruth Bohne, is proposing to locate a free-standing sign on the Property.

Mr. Okerman read the hearing notice into the record.

Ms. Scott noted that in the Board's packet was a recommendation from the Town Assessor that Delahunty's address be changed to 3 Delahunty Road since there is no longer an entrance from route 111 (Range Rd) and to also conform to the Town's Sign Ordinance that the address should be placed on the sign.

**Mr. Breton made a motion to accept Case#2011-3 as a Minor Site Plan Application based on a letter received from Mr. Zohdi dated 1-28-2011. Seconded by Mr. Richardson. Motion passed: 7-0.**

Mr. Zohdi explained that the curb-cut to enter Delahunty's Nursery sits so far before the actual building that it is common for customers to drive past the entrance and need to turn around. The new sign location would give them forewarning and identify the entrance road.

Ms. Maloney asked about a street sign for this road. Ms. Scott explained that the State had recently turned the road over to the town at the end of 2010, and now that the town owns it, a sign will be forthcoming.

Mr. Richardson questioned whether Mr. Yennaco the owner of Delahunty's had considered changing his address to match the street sign location. Mr. Yennaco would prefer the address of 43 Range Rd to not change to avoid more confusion and because most of his property fronts Range Rd. It has been this address since 1957, and his out-of-town clients may be confused by a change of address.

Mr. LoChiatto suggested a directional symbol on the sign and that his building be identified with a 43 for 911 emergency purposes.

Chair LoChiatto opened the hearing to the public. Hearing no comments, he closed the Public Hearing.

**Mr. Breton made a motion to approve the Minor Site Plan for Lot (18-L-50) as presented. Seconded by Ms. Post. Motion carried: 7-0**

**Case#2011-2/Minor Site Plan/Change of Use Application (11-C-1000)**

A Minor Site Plan/Change of Use Application has been submitted for 33 Indian Rock Road, Building 5, Unit 1(11-C-1000), zoned Commercial District A. The applicant, Gayla A. Levine, DDS, on behalf of the owner Candela Investments, LLC, is proposing to locate a dental office on the property. The applicant is also proposing to install two (2) wall signs, one on each façade of the building. No exterior additions, grading, or changes to the drainage and parking area are proposed.

Ms. Scott explained that the only outstanding item, which could be a Condition of Approval by the Board, was that there is no information back from the DES regarding sufficiency of the septic system.

Chair LoChiatto inquired about adequacy of parking. Ms. Scott explained that there is more than sufficient parking out back and on the upper lot.

**Mr. Breton made a motion to accept Case#2011-2 as a Minor Site Plan / Change of Use Application based on a letter submitted by the applicant dated 1/13/2011. Seconded by Ms. Maloney. Motion passed: 7-0**

Dr. Gayla Levine introduced herself and her reasons for opening her new practice in her residence town of Windham.

Ms. Maloney asked for clarification on the number of sign for each wall. Ms. Scott explained there will be two signs total; one on each of two outside walls.

Ms. Maloney asked about lighting. There are currently two outside lights that will remain.

Ms. Post asked about designated parking spots. Mr. Breton explained there is ample upper-level parking while Chair LoChiatto reminded the Board about possible directional signage that would direct patients to the upper level parking area.

Chair LoChiatto opened the hearing to the Public.

Mr. Harry Korslund of 2 Atlantic Road inquired about the total number of parking spots that would be utilised by a full complement of staff with maximum number of customers. Mr. Levine expects that, at the most, patients and staff will total 10 people.

Chair LoChiatto closed the hearing to the public.

**Ms. Post made a motion to approve the Case#2011-2 as a Minor Site Plan / Change of Use Application subject to receiving approval from DES regarding septic needs. Also, Ms. Post included a motion to approve locating a directional sign for parking on the island as indicated on the aerial photograph. Seconded by Mr. Richardson. Motion carried: 7-0.**

#### **Financial Guarantees – Spruce Pond I**

Vice-Chair Okerman read the request for a reduction of two Letters of Credit resulting in a single remaining Letter of Credit totalling \$30,000 with an additional \$2,000 escrow account to be established for outstanding bills.

**Mr. Breton made a motion to recommend to the Board of Selectmen that they reduce the two Letters of Credit on the Spruce Pond Estates Phase I to \$30,000 with an additional \$2,000 to be placed in an escrow account. Seconded by Mr. Richardson. Motion passed: 7-0**

#### **Meeting Minutes Review and Approval**

February 9, 2011 minutes

Ms. Scott noted that there was a missing motion.

**Mr. Richardson made a motion to approve the minutes as amended. Seconded by Mr. Breton. Motion passed: 5-0-2 Ms. Lee and Mr. Okerman abstained.**

#### **Community Development Director's Report**

The Community Director's Report was reviewed and accepted.

#### **Case#2010-37 Conditional Approval Expiration**

A request has been made by Mr. Peter Zohdi on behalf of 32 IRR Realty, LLC & Cafua Realty, XL, LLC. The Conditional Approval of their Site Plan is due to expire on 2/17/2011. The reason for this extension is due to two (2) outstanding items which are:

- a) Obtain a letter from the NHDRS Alteration of Terrain, and to
- b) Obtain a Letter of Subordination from Laconia Savings Bank for a cross-easement on Parcel 16-L-1.

Ms Scott had received a verbal confirmation from DES that the Alteration of Terrain is not needed but has been unable to get anything in writing.

Mr. Zohdi has been talking with the Dunkin Donut's bank which assured him that if he asks for a 30-day extension, they will be able to provide a Letter of Subordination.

Mr. Zohdi asked that the Board accept the verbal approval from the DES that confirmed they did not need approval of Alteration of Terrain. Mr. Breton, who deals almost daily with state agencies, suggested that Ms. Scott provide a written letter stating that she received a verbal approval from DES. This would provide sufficient documentation. The Board agreed that this would be sufficient and that the letter should be sent to DES as well.

The Board conferred on the course of action. Ms. Maloney suggested a 60-day extension.

**Mr. Breton made a motion to accept an Extension of the Conditional Approval of the Site Plan for a period of 60 days. Second by Ms. Skinner. Motion passed: 7-0.**

**Mr. Breton made a motion to adjourn the meeting. Seconded by Vice-chair Okerman. Motion passed: 7-0.**

Submitted by Mimi Kolodziej  
Planning Assistant