



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

PO Box 120, Windham, New Hampshire 03087  
(603) 432-3806 / Fax (603) 432-7362  
[www.WindhamNewHampshire.com](http://www.WindhamNewHampshire.com)

**Draft Planning Board Minutes**  
**September 21, 2011**

**Roll Call:**

Ruth-Ellen Post, Chairwoman-Present	Ross McLeod, Selectman Member-Excused
Margaret Crisler, Vice-Chair-Present	Kathleen DiFruscia, Selectman Alternate-Arrived 6:17 pm
Pam Skinner, Member-Present	Lee Maloney, Alternate-Excused
Kristi St. Laurent, Member-Arrived 8:24 pm	Sy Wrenn, Alternate-Excused
Carolyn Webber, Member-Present	Rob Folan, Alternate-Excused
Jonathan Sycamore, Member-Arrived 6:45 pm	Vanessa Nysten, Alternate-Arrived 6:05 pm

**Staff:**

Laura Scott, Community Development Director  
Mimi Kolodziej, Planning Assistant

**6pm Call to Order/Attendance/Pledge of Allegiance**

Vice-Chair Crisler called the meeting to order at 6:07 pm followed by attendance and the Pledge of Allegiance.

Ms. Nysten was seated for Mr. Sycamore at 6:05 pm.

**Design Review Regulation Workshop**

- Review Items Drafted to Date
- Items Still Remaining to be Worked On
- Timeline/Next Steps

Ms. Fitzgerald mentioned that she would like to focus on the Neighborhood Business District and how it applies to the regulations. This District is not addressed in the regulations.

Ms. Scott briefly reviewed three memos contained in the Board's packet and noted that Ms. Fitzgerald wanted to focus on the Neighborhood Business District (NBD) because each of the five areas is very different and distinct from each other. Ms. Fitzgerald is looking for Board input.

Ms. Fitzgerald pointed out on a map the five NBD areas in Town and highlighted issues to consider:

- Parking in the rear with building up front
- The different uses of the buildings
- Shared driveways
- Plantings and landscaping.

Board and Staff questions/comments included:

- Why is route 111/London Bridge Rd. in the NBD; 3-4 years ago, the thinking was that it would be a good location for small businesses to serve the school community.
- There is currently lots of property for sale in these areas.
- It is important to meet with Windham Economic Development Committee (WEDC).

- Discussion about the schedule so as to be prepared to take the Design Review to Public Hearing on November 16.
- The Board does not want to present a Design Review that keeps small business out of town.
- The WEDC supported Mr. Paul Gosselin's comments in theory as presented in his memo.
- The Board welcomes input from developers, owners, and WEDC to bring viable business to town.
- Ms. Fitzgerald suggested walking each area.
- Ms. Scott suggested keeping the businesses in the NBD on a small scale and utilizing the waiver section. Keep lighting to a minimum, sufficient buffers from neighbors, and let the business uses feed into that.
- The Board suggested various guidelines to Ms. Fitzgerald that will be added to the Design Review:
  1. Be flexible with parking and planting
  2. Encourage re-purposing of historic buildings
  3. Uses permitted in the NBD may determine parking; language should allow for that
  4. Waiver provision allows the Board to accommodate the nature of the business
- The Board will revisit the Guidelines at the 10/19 Workshop with input from WEDC and owners currently in the NBD.
- The three memos in the Board packet were summarized

Ms. DiFruscia was seated at 6:17 pm.

Chairwoman Post opened the workshop to public comment.

Mr. Ralph Valentine of 18 Telo Rd. thinks that the regulations propose sprawl in contrast to wording in the Scope which states, "...eliminate or reduce sprawl." He clarified that a new applicant can apply for a waiver, and that minor or major applications must meet regulations. He is concerned whether a waiver is available for a change of use for an applicant in a multi-zoned business. Ms. Fitzgerald will draft appropriate language for that.

Mr. Bob Young of 115 Haverhill Rd. questioned whether Neighborhood Business District should be listed in the Purpose Section 100.

Mr. Karl Dubay suggested that the regulations coordinate Section 502.2 with Section 504.4.2; he will send an bulleted e-mail list of comments.

Chairwoman Post closed discussion on the Workshop to the public.

Board and Staff questions/comments continued:

- The numbering on page five should be changed from the 500's to 400's.
- Although Windham does not have sidewalks, a multi business building should have them
- A suggested/preferred planting guide would be useful in Section 502.7
- Delete Section 502.2 and 502.3
- Discussion about shall vs. should; Board to evaluate this before the next meeting

Chairwoman Post ended the Workshop portion of the meeting at 7:46 pm.

Ms. Scott stated that at the next 10/19, 6 pm Workshop meeting, she is hopeful that the Board will finish the Guideline editing.

Chairwoman Post called a recess at 7:50 pm. The meeting reconvened at 8:02 pm.

## **Public Hearings**

### Case 2011-32/Preliminary Major Site Plan Application

A Preliminary Major Site Plan has been submitted for Lots 8-C-100 & 13-C-400 (Governor Dinsmore Road) in the Professional, Business and Technology District. The applicant, CMA Engineers, Inc., on behalf of Technical Training Foundation, is proposing a 14,600 sqft private school focused on math and science. The application includes rehabilitating the existing buildings on the site, designing low impact stormwater facilities and paving a 22' wide cul-de-sac for school bus drop-offs and emergency vehicle access utilizing the existing driveway and a portion of the discontinued Governor Dinsmore discontinued ROW.

Chairwoman Post explained that this is a preliminary, non-binding application in which the applicant is looking for Board guidance.

Vice-Chair Crisler read the hearing notice into the record.

Ms. Scott gave an overview of the case and explained that

- There was a missing document, an e-mail from the Police Chief.
- The applicant has gone to TRC, Highway Safety, and the Conservation Committee (Con Com).
- After this preliminary hearing, the application will go before the Board of Selectman.
- There is extensive wetland information, and Con Com has concerns about the wetlands being vernal pools.
- The Police Chief and the assessor have questions about the property lines; the Town's data may be off and this will be resolved before the final application.

**Ms. Skinner motioned to open Case# 2011-32 for Public Hearing. Ms. DiFruscia seconded. Motion passed: 7-0.**

Mr. Sycamore arrived at 6:45 pm. Ms. Nysten was appointed to sit for Ms. St. Laurent.

Mr. Brendan O'Donahue of Eban Creek Architects explained that they hope to utilize the existing farmhouse structure for administrative offices. It will be environmentally friendly architecture with the massed, barn-like structures tied into the curriculum. It will be a 1-story, open structure accessible from many points with lots of windows and exposed systems. The function of the storm water technologies will be integrated into the curriculum. He is confident their surveyors, who used historic stonewalls as landmarks, are accurate.

Board and Staff questions/comments continued:

- The Board wants an exact architectural drawing; applicant will build a 3-D model
- Looking for lighting design; applicant will do minimum lighting with it downward facing
- There will be a shallow, drilled well on site; Applicant anticipates a fire cistern also on site
- Environmental concerns from previous auto shop site; there is no evidence of underground storage tanks; but the applicant does not know much else
- Applicant is a 501C-3 Training Technical Foundation
- The Police Chief's concerns about busses had been allayed when he became aware of the field trip type of school
- Purpose of the school is to educate teachers and student; to enhance their current school curriculum
- Hours of Operation: Minimal after school hours; summer workshops; maybe camp outs
- They are not a school; do not need to be approved by the State Board of Education
- Projected number of users; 2 busloads at a time; maximum 4 busloads per day
- Average 60-65 student; once a month or once every other month
- Available to public, private, and home schooled students

- Driveway is 150 feet long; busses will drop off and come back; they could have a gravel overflow area for bus parking; busses could wait at the park n ride
- Minimal tree removal

Chairwoman Post opened the hearing to the public. Hearing none, she closed the public hearing.

Ms. St. Laurent was seated at 8:24 pm.

Board and Staff questions/comments continued:

- Board should consider a site walk when the final application is submitted
- Applicant is looking to preserve the Old Stone Arch and do some historical research
- Ms. Scott will work with the applicant to present a final application within the next 12 months
- Ms. Scott highlighted the outstanding issues:
  1. Boundary line clarification per Assessor's 9/8 memo
  2. Clearly show on the plan any site lighting to be added
  3. Investigate environmental on site from previous auto body shop
  4. Locate and preserve the stone arch
  5. Provide information about drinking water source and fire protection
  6. Detail hours of operation and types of activities to take place at the facility
  7. Detail any Trail improvements and coordinate with Rail Trail Commission and Conservation Committee
  8. Well and septic to be approved by Town and State

**Vice-Chair Crisler motion to close the Preliminary Site Plan Application for Case # 2011-32. Ms. Skinner seconded. Motion passed: 7-0.**

Case #2011-26/Final Major Site Plan & WWPD Special Permit Application

A Final Major Site Plan Application has been submitted for Lot 13-A-90 (22 Roulston Road) in the Limited Industrial Zoning District. The applicant, Karl Dubay, of the Dubay Group, on behalf of Medicus Healthcare Solutions, Inc. and Stephen Lindholm (Property owner) is proposing a two-phased commercial office development to consist of a 22,000 sqft 2-story building and a 29,000 sqft 3-story building, 217 parking spaces, landscaping, lighting, signage, and associated site work. A WWPD Special Permit is being requested to allow site grading, landscaping, and stormwater management structures to be located within the WWPD.

Ms. Scott explained that this is a Final Site Plan Application with a WWPD permit request. The applicant is also seeking a waiver to identify each 12 inch tree to be removed. Ms. Scott highlighted the status of the application:

1. There is a drainage study
2. The DES water supply permit is in progress
3. The Keach-Nordstrom 9/20 memo was reviewed
4. A 9/11 Laura Scott memo was reviewed

This is a two Phase project for a medical call center. Phase I was originally to be a 3-story structure. It has been changed to a 2-story structure; with Phase II now being 3-stories.

Mr. Rob Martell of Rob Martell Architecture explained the project rendering and the two projected phases. The building is to be constructed of concrete, steel, glass and be non-combustible.

Board and Staff questions/comments included:

- Discussion about the parking lot's ability to handle parking needs for both phases;
- Phase II architecture to return to the Board for approval

- Seven handicapped parking spots are centrally located between the 2 buildings closes to the access and on the flattest part of the land
- The lighting is LED, high efficiency, dark-sky friendly, high performance control optics with a very low energy load
- There will be 3 lights on 30 foot high poles in landscaped areas on timers
- Building lighting will be on canopies on the sides of the building and under the front entrance with ground lighting onto the building; Mr. Dubay to add lighting to the plan
- No lights between Medics and the abutting Kindergarten
- There will be a full, vegetative buffer between Medics and the Kindergarten
- The planting on pages 7 and 8 of the plan to be included after Phase II
- Landscape tables between Phases I and II
- Phase I has 163 parking spots; adding 54 more at Phase II
- Some of the inside building space will not need parking space; workout room, cafeteria, etc.
- Plan indicates snow removal will be dumped on viburnum plantings; Plant placing will be checked and moved over; excess snow removal to be taken off site

Ms. Scott explained that Keach-Nordstrom (KNA), Police, and Highway provided their reviews.

- KNA commented that the parking plans would work.
- Roulston Rd. to have some drainage work
- Conservation Commission supported it 6-0

Board and Staff questions/comments continued:

- Concern expressed about parking issues on the shoulder of Roulston Rd from the Rail Trail; would like to see Police Chief comments and Traffic Study

Chairwoman Post opened the hearing to the Public. Hearing none, she closed the Public Hearing.

Board and Staff questions/comments continued:

- Applicant has 3 months to meet conditions or has to return to the Board
- This will be a conditional approval until all the items in the two memos are addressed; Ms. Scott's 9/11 memo and KNA's 9/14 memo
- The waiver for showing the 12 inch trees
- Re-align snow storage locations and/or tree selection
- Showing building lights and lights one
- There are 37 conditions of approval

**Vice-Chair Crisler motioned to approve the WWPD special permit. Ms. DiFruscia seconded. Motion passed: 7-0.**

**Vice-Chair Crisler motioned to approve the waiver of the site plan request to show the 12 inch trees to be cleared. Ms. DiFruscia seconded. Motion passed: 7-0.**

**Vice-Chair Crisler motioned to approve the Final Site Plan Application for Case #2011-26 conditional on the approval of the items mentioned in Ms. Scott's memo of 9/11 and the Keach-Nordstrom memo of 9/14. Included is the condition that the building lights and the lights that shine on the building are shown on the plan; and the snow removal and landscaping issue be resolved. Ms. DiFruscia seconded. Motion passed: 7-0.**

#### Case 2011-33/Minor Site Plan Application

A Minor Site Plan Application has been submitted for Lot 13-B-10 (8 Rockingham Road) in the Business Commercial A Zoning District. The applicant, Richard Gregory, of Breckenridge Associates, on behalf of Mark Bedrick, is proposing to reconfigure the existing building into 5 tenant spaces (4 office/retail and 1 warehouse), locate 4 wall signs on the building, and is asking for a reduction in the parking requirements.

Ms. Scott reviewed the various memos in the Board packet and noted that the application had been through the TRC process. This is the former Furniture World site which was approved as a multi-tenant building. The applicant is looking to re-establish it as that. There will be no changes to the exterior of the building, with the exception of appropriately approved signage for each tenant. A variance is required for the proposed "address" wall sign while the Planning Board can approve its location and size contingent upon the Variance approval. As tenants populate each space, they will need to come to the Planning Board so that sufficient parking requirements can be calculated. Tonight, the Board needs to decide if the application is a minor site plan.

Board and Staff questions/comments included:

- The Board discussed whether they could consider an application that needed a Variance
- A parking Variance would be determined as each tenant's needs are considered by the Board

**Vice-Chair Crisler motioned to accept Case #2011-33, Lot 13-B-10 as a Minor Site Plan Application and open the Public Hearing. Ms. Webber seconded. Motion passed: 7-0.**

Mr. Richard Gregory, the applicant, explained that the abutter to the rear of the building had expressed a couple of concerns:

- The dumpster being emptied late into the night
- Tractor trailer engines being left running overnight.

Mr. Gregory will make sure that the dumpster will not be emptied after 4 pm and before 7 am. Also, he will add a sign along the back area that states, "No Overnight Parking." Cubicle Solutions will be the owner of the building next year, and Office Furniture will be tenant #4.

Board and Staff questions/comments included:

- Wall signs will be removed from the plan.
- There will be no change to the lighting, except the addition of vinyl sign canopies which will be lit from the inside.

Chairwoman Post opened the hearing to the public. Hearing none, she closed the public hearing.

**Vice-Chair Crisler motioned to approve the Minor Site Plan Application for 8 Rockingham Road, Case #2011-33, Lot 13-B-10 with the following conditions:**

- **The wall address sign is not to be placed until the Variance is attained;**
- **Overnight, running trucks will not be allowed to be parked in the back of the building, but may be parked in the front;**
- **No trash removal between 9 pm and 7 am;**
- **Mr. Gregory's responses to the TRC memo be added to the plan;**
- **Include items #1 and #3 of TRC response memo of September 13, 2011;**

**Seconded by Ms. Webber. Motion passed: 7-0.**

Ms. Skinner was excused at 10:17 pm. Ms. Nysten was appointed to sit for Ms. Skinner.

## **2012 Town Meeting Status Update**

Ms. Scott walked through a rough schedule of the various 2012 Town Meeting Items. She forgot to add the Open Space Subdivision Ordinance which has gone to the Conservation Commission. It will be placed on the 10/15 agenda.

Ms. Webber to give Kennel information to Ms. Wood.

## **Meeting Minutes – Review & Approve**

- August 31, 2011

**Ms. Webber motioned to approve the minutes of August 31, 2011 as amended. Ms. Nysten seconded. Motion passes: 6-0.**

- September 7, 2011 (Joint ZBA/PB Minutes & PB Minutes)

**Vice-Chair Crisler motioned to approve the minutes of September 7, 2011 as amended. Ms. Nysten seconded. Motion passed: 6-0.**

## **Old/New Business**

- The Superior Court agreed with the Town on the Cricket Ridge Case on Meetinghouse Road in that the Board did not have an obligation to hear the case without it having the Variance first. The judge clarified that a Variance is not a Permit.
- New Applications:
  1. Major Site Plan Application for 49 Range Road.
  2. Minor Site Plan Application for a change of use on 4 Ledge Road.
  3. Code Violation for Windham Junction- addressing expansion
- Law Lecture Series – Mimi to send memo to Planning Board and ZBA of all those attending the Lectures so they may coordinate carpooling.
- Ms. St. Laurent has received calls regarding Spruce Pond III construction that is seen from the Rail Trail. She went out to the site and is concerned about the silt fencing and its effect on the water.
- Ms. Scott said that DES, Fish & Game, and DOT have found no violations. Steve Chabot has been visiting the site twice weekly checking erosion control. Everything that is being done is approved. There are no violations and no deviations from the approved plan.
- The Rail Trail will be closed for 4-6 weeks.

## **Adjournment**

**Ms. Webber motioned to adjourn. Seconded by Vice-Chair Crisler. Motion passed: 6-0.**

Meeting adjourned 9:47 pm.

These minutes are respectfully submitted by Mimi Kolodziej.