



OLD VALUES - NEW HORIZONS
COMMUNITY DEVELOPMENT

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Planning Board Minutes

February 20, 2013

Board Members:

Margaret Crisler, Chairman – Present
Ruth-Ellen Post, Vice Chairman– Present
Pam Skinner, Member – Present
Kristi St. Laurent, Member – Present
Jonathan Sycamore, Member – Excused
Lee Maloney, Alternate Member – Present

Carolyn Webber, Member – Excused
Ross McLeod, Selectman Alternate-Excused
Kathleen DiFruscia, Selectman, Arrived 7:28
Sy Wrenn, Alternate Member – Present
Vanessa Nysten, Alternate Member – Present

Staff:

Laura Scott, Community Development Director
Elizabeth Wood, Community Planner
Mimi Kolodziej, Planning Assistant

Call to Order/Attendance/Pledge of Allegiance

Chair Crisler called the meeting to order at 7:00pm, followed by the Pledge of Allegiance, attendance, and a brief synopsis of the agenda.

The Chair appointed Mr. Wren to sit for Mr. Sycamore and Ms. Maloney to sit for Ms. Webber.

Southern NH Planning Commission Presentations

• **ReadySetGo! Certified Site Program**

Mr. Jack Munn and Mr. David Preece, Executive Director of Southern New Hampshire Planning Commission, led the Board and public through a PowerPoint Presentation of a new-to-this-region premier economic development resource entitled “ReadySetGo!” a certified site program. The Board asked clarifying questions, and Chair Crisler and Ms. Scott agreed to forward the Web site address, copies of the presentation and FAQ’s to the various Town Boards and Committees. After the Town elections in March and once the other Boards and Committees have had an opportunity to assimilate the information, the Board and the Windham Economic Development Committee will bring it back for discussion and consider if the Town would like to pursue this effort. The Web site address is: www.USCertifiedSites.com.

Ms. DiFruscia was seated at 7:28pm.

Chair Crisler opened discussion to the Public.

Mr. Sheldon Wolfe, a Town property owner and with a real estate business located at 190 Rockingham Road, expressed his support of and excitement for the program. He said it is a very proactive program for the commercial property owner and would expose the Town to interested parties that may not be aware of the NH Advantage.

Chair Crisler closed discussion to the Public and brought it back to the Board.

The Board continued their discussion. Ms. Scott recommended that the Board send their comments about the web site to her and she will forward them to Mr. Munn.

- **NH DOT 10-Year Transportation Plan**

Mr. Tim White, Principal Transportation Planner for the SNHPC, explained that they are beginning work on the FY 2015 and FY 2024 version of the 10-Year Highway Plan. He opened a short discussion which covered:

- How the 10-Year Plan process works,
- How the Towns can participate in the process through the Technical Advisory Committee
- Submitting projects for consideration in the 10-Year Plan.

Mr. White walked the Board and Public through a PowerPoint presentation after which the Board asked clarifying questions regarding the process and local road and bridge concerns.

Chair Crisler opened discussion to the Public.

- Mr. Mark Samsel, ZBA Chair and Town resident representing the Rockingham Planning Commission of which the Town is currently a member, inquired about when the transition to SNHPC would occur. Ms. Scott explained that the Governor just signed the paperwork, and as of March 1 the Town will be officially a member of SNHPC.
- Mr. Wayne Morris, Conservation Committee Chair and Town resident, thinks that March 1 represents a compressed schedule and asked the Board if they were prepared to offer input. Mr. White stated that the widening of the I-93 corridor is a State project that will move forward and said the Town may feel other projects are deserving.

Chair Crisler closed the discussion to the Public and opened it to the Board.

- Mr. Wrenn and Ms. Scott concurred that requests are generally put forth from the Board of Selectmen as requests from the Town. Ms. Scott is prepared to ask Mr. Sullivan for some deadline leeway to allow the Board time to make their considerations. Safety and enhancement are the primary issues under consideration for the very limited pool of money.
- Ms. Nysten interjected that the lights at Route 111 and North Lowell are not working properly and wondered if that would be a safety concern for DOT attention. Ms. Scott stated that it had been reported to DOT that day.
- Vice-Chair Post confirmed with Ms. Scott that although Mr. Sullivan had been informed of tonight's meeting with the SNHPC, he did not ask for any input from the Board. Ms. Scott explained that she had extended an invitation to all the Town's Boards, Committees, and Departments to this presentation tonight in hopes of creating an opportunity for input to the Monday BOS meeting.
- Vice-chair Post asked if it was possible to request an extension of time to properly consider the issues. Ms. DiFruscia, speaking as the BOS representative, explained that the BOS themselves have not have time to address the DOT issues and extend invitations. Ms. Scott will ask at the TACH meeting tomorrow how much time there is.

Chair Crisler opened the discussion to the Public.

- Mr. Wayne Morris asked how the Route 111 corridor study and improvement factors in to the study. Ms. DiFruscia will bring it up at the BOS meeting on Monday. Chair Crisler asked if Ms. DiFruscia would also bring up the turn onto Wall Street.
- Mr. Samsel said there are packages put together for each project and asked what that time frame is. Mr. White said that the SNHPC will present their project packages on April 1. He also stated that deadlines can be shortened by making a phone call to SNHPC. Requests do not need to be formal.

Chair Crisler closed the discussion and requested a short recess at 8:20pm. The meeting reconvened at 8:29pm.

Village Center District

- Discussion about Subcommittee Continuation
- Scope of Work
- Membership Appointment

Ms. Wood provided the Board with a summary of the VCD subcommittee's efforts and explained that they, along with the Planning Board and Public, have placed a draft ordinance on the Town Warrant. Should the Ordinance pass, the sub-committee would need to move it forward with an eye on VCD references in the Site Plan Regulations and ensure congruency of intent between the two documents. For the subcommittee to continue forward, they would need an official re-appointment from the Board at the 2/20/13 Planning Board meeting.

- Mr. Wrenn, Chair of the Subcommittee, would like to keep the subcommittee remain together so the institutional knowledge remains in-tact, and the project is completed.
- After Board discussion, the Planning Board decided to:
 - Re-appointed the current members for 6-months with a possible option to renew their term.
 - Charge the sub-committee to investigate and provide information to the landowners about forming a District for the purpose of providing community water and sewer, and to
 - Discuss the VCD and the Design Regulations.

Vice-Chair Post motioned and Ms. Maloney seconded to reappoint the Village Center Subcommittee for a 6-month term. Those members re-appointed are Sy Wrenn, Kristi St.Laurent, Chris Nickerson, Chris McCarthy, Tracy Partington, Karl Dubay, and to invite one representative from the WEDC and one from the Historic Commission. Motion passed: 7-0.

Site Plan Regulations – Public Hearing

A public hearing is to be held in accordance with NH RSA 675:6 (Method of Adoption), to adopt amendments to the existing Site Plan Regulations, as allowed under NH RSA 674:43 (Power to Review Site Plans) and NH RSA 674:44 (Site Plan Review Regulations). The amendments include Site Plan Design and Construction Standards, which include general site design standards for exterior lighting provisions, access and circulation requirements, parking requirements, landscape and buffering requirements, design and construction standards for drainage and stormwater management, design and construction standards for utilities and special flood hazard areas.

Vice-Chair Post read the Hearing into the record.

The Chair opened the Public Hearing to modify the Site Plan Regulations.

Ms. Scott provided an overview of two memos from Attorney Campbell dated 2/14 and 2/15 and a 2/20 email memo from Ms. Scott. After Board discussion, the following was decided:

- The Board had asked Ms. Scott to research the language in **Section 1405.1.2** for accuracy. Ms. Scott had checked with Mr. Steve Keach who confirmed the language to be correct. The Board accepted that decision.
- There is a conflict in setback language between the zoning ordinance and the site plan regulations. The Board requested that the following phrase be added in front of **Section 1403.1.2**: “Except for in the Village Center District and Gateway Commercial District.” Also, an additional sentence was added after the sentence that ends, “...not closer than 20 feet to a front property line.” This sentence will read, “In the Village Center District and Gateway Commercial District, see Appendix A-1.”
- A conflict exists in green space allowance between the zoning ordinance and site plan regulations. The Board agreed to start **Section 1404.1.3** with, “Except for in the Village Center District.”
- Because of conflicting language throughout the document, Attorney Campbell suggested adding a **Section 1408** – “In any instance where the provisions of this section (1400) may conflict with other/existing sections of these regulations, the provisions in this section (1400) shall apply.”
- Chair Crisler recommended that the Board decide not to have another Public Hearing to consider these changes and go forward with the changes currently decided upon.
- There was discussion about the lack of language concerning multiple duplexes on a lot. Ms. Scott will follow-up.

Vice-Chair Post was excused and Ms. Nysten was seated at 9:31pm.

Chair Crisler opened the Hearing to the Public. Hearing none, the Public Hearing was closed.

Ms. Skinner motioned and Mr. Wrenn seconded to approve as amended Section 1401- Section 1408 of the Site Plan Design and Construction Standards as presented for public hearing. Motion passed: 7-0.

- Ms. Nysten asked that Ms. Scott forward her a copy of the legal memo dated 1/28/13 regarding the number of duplexes allowed on a site. Ms. Scott will forward the memo.

Site Plan Regulation Workshop

Chair Crisler reminded the Board of her email to them regarding moving the Site Plan Workshop to February 27th with the Public Hearing in March. The Board agreed to reschedule the workshop to 2/27.

Ms. Scott had four questions that Attorney Campbell needed the Board to answer, so that Attorney Campbell could provide a clean document for their next meeting:

- He questioned the definition of “impervious surface.” Ms. Scott stated that the same definition is being used as is in the Watershed Ordinance. The Board agreed with this decision.
- **Section 602.1.2.4.1** – The Board agreed to change the language to read, “Required number of copies of the Site Plan as stated in the Application Form.”
- **Section 603.1.4** – Attorney Campbell did not offer any suggested language for time parameters between the submittal of an initial application and a final application. The Board decided not to offer any language.
- **Section 708.2.1** - Will now read, “All Site Plan Applications are subject to Design Review Guidelines, except Open Space Residential Developments.” The Board agreed with this language.
- **Section 900** - The Board wants Section 900, Developments of Regional Impact Process, placed in the Site Plan Regulations.

Ms. Scott will add a note to add the Developments of Regional Impact into the Subdivision Regulations. Ms. Scott will further ask Attorney Campbell what language needs to be placed in the Applicability Section so the proposed zoning changes match the Site Plan Regulations regarding multiple duplexes on a lot.

There was a question regarding the Wellhead Protection District. Ms. Scott contacted Salem and received information that she provided to Ms. DiFruscia.

Financial Guarantee - Lakeview Farm

Ms. Scott explained that the Planning Board and Board of Selectmen authorized a partial reduction in February 2009 and again in January 2013 due to items completed. The Town is currently holding \$1500 in cash to ensure that the catch basins have been cleaned out, which has been done.

Ms. Skinner motioned and Ms. Maloney seconded to release the \$1500 cash financial guarantee, plus any interest the Town is holding for Lakeview Farm. Motion passed: 7-0.

Meeting Minutes – Review and Approve

- January 2, 2013

Ms. Skinner motioned and Ms. Maloney seconded to approve the minutes of January 2, 2013, as amended. The motion passed: 7-0.

- January 9, 2013

Ms. DiFruscia motioned and Ms. Maloney seconded to approve the Minutes of January 9, 2013, as amended. Motion passed: 7-0.

The following minutes will be postponed:

- January 16, 2013
- January 23, 2013
- February 6, 2013

Old/New Business (Not to include discussion of pending applications or decisions on matters requiring public notice)

- Chair Crisler was not able to sign the Fish Road application as there were several unclear conditions of approval. Ms. Wood will request the applicant to clarify.

Adjournment

Ms. Maloney motioned and Ms. Skinner seconded to adjourn the February 20, 2013 meeting at 10:12 pm. Motion passed: 7-0.

These minutes are respectfully submitted for your approval by Mimi Kolodziej, Planning Assistant.