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Planning Board Minutes
March 6, 2013

Board Members:

Margaret Crisler, Chairman – Present
Ruth-Ellen Post, Vice Chairman– Present
Pam Skinner, Member – Excused
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, Present
Sy Wrenn, Alternate Member – Present
Vanessa Nysten, Alternate Member – Excused

Staff:

Laura Scott, Community Development Director
Elizabeth Wood, Community Planner
Nancy Prendergast, ZBA/Code Enforcement Administrator
Cathy Pinette, Planning Board Minute Taker

Call to Order/Attendance/Pledge of Allegiance

Chair Crisler called the meeting to order at 7:04 pm, followed by the Pledge of Allegiance and attendance and gave a brief synopsis of the agenda.

Mr. Wrenn was seated for Mr. Sycamore.

The Chair thanked Ms. Post for her time on the Board and presented her with a memento. Ms. Post stated it was a pleasure to work with the Board and staff.

Ms. Post read Case # 2012-29 into the record.

El Hefni Educational Foundation at 39 Roulston Road (13-C-400) Case # 2012-29

Review and approve floor plan for a 2-story 7,044 sqft math and science educational facility, per January 9, 2013 Planning Board Conditions of Approval.

- Ms. Scott stated as a condition of approval the floor plan was to be brought back to the Board. The floor plans were submitted to the Board and were reviewed by the Building Inspector and the Deputy Fire Chief on February 28th. They had no outstanding concerns or questions with the floor plan and egress point shown. The applicant will work with the Building Inspector and Deputy Fire Chief throughout the building permit and construction process.

Comments/questions from the Board:

- The concern was having only one egress on the lower level into a recessed area that emptied into a grassy area. There is also an exit through the garage. The floor plan showed a classroom down there. There is still no elevator. It was stated that one egress is okay for 49 people. The question was raised about concerns or comments from the Fire Department and Building Inspector.
- Ms. Scott stated Fire and Building are okay with the egress points going out and the floor plans and will continue to work with the applicant.

The Chair open the hearing to the public at 7:12 pm, hearing no comments the public portion was closed.

Mr. Wrenn motioned to approve the floor plans as presented with the following conditions: Plans - NH DES septic and well permit # need to be added to the plan and Financial guarantee of \$2,000 will need to be put in place to ensure any work that you are doing in the Towns ROW and/or that will tie into the Towns stormwater system, seconded by Ms. Post. Motion passed 4 – 1.

- Ms. Post stated she voted for approval because of Fire and Building approval.

Ms. Maloney arrived at 7:14 PM and was appointed to sit for Ms. Webber.

Ms. Post read Case # 2012-34 into the record.

Public Hearings

Case # 2012-34 Final Major Site Plan & Cobbett's Pond & Canobie Lake Watershed Application

A Final Major Site Plan/Cobbett's Pond & Canobie Lake Watershed Application has been submitted for 49 Range Road (18-L-400), which is located in the Professional, Business & Technology, Residence A, Cobbett's Pond & Canobie Lake Watershed and WWPD Districts. The application, submitted by Stephen Haight of Haight Engineering, PLLC, on behalf of Mashop Development LLC, is to build a 8,624 sqft multi-tenant medical office building and reconfigure the parking for a net gain of 27 parking spaces, in addition to new site lighting, wall signage and landscaping.

- The Chair asked Ms. Scott if this application was ready for acceptance. Ms. Scott stated yes.

Ms. DiFruscia motioned to accept the public hearing Case # 2012-34, seconded by Mr. Wrenn. Motion passed 6 – 0.

- Ms. Scott stated this application went to the Design Review Subcommittee on February 4th and February 15th and there are no outstanding items of concern. The Board was provided a copy of the minutes from the meetings. KNA reviewed the submitted application, including the hydrological study and traffic study and have provided a memo with outstanding items. The applicant is not proposing any changes to the freestanding sign. Everything else on-site will blend with the existing building. The following items are outstanding at this time: New

Hampshire DOT driveway permit, New Hampshire DES water supply permit, New Hampshire DES construction (septic) permit, confirmation from KNA that item number two on page 2 of the February 16, 2013 memo has been resolved, and final plans have the appropriate original stamps, seals and signatures of the licensed professionals and property owner.

- Mr. Stephen Haight of Haight Engineering, PLLC, addressed the Board. Mr. Haight spoke of the proposal, lighting, color, plantings, and facades, he stated the architectural look would be the same. He has worked with the Design Review Subcommittee. Mr. Haight showed the Board the changes they were making to the site on the plans including a cistern per the recommendation of the Fire Department. He stated the existing septic and well is adequate and permits are issued. He stated it is a one-story building with a/c units on the roof and has a campus feel.

Comments/questions from the Board:

The Board questioned shielding of the HVAC units on the roof. Mr. Haight stated there was a tree line on the back side of the building and that would not be touched. He stated most trees are 60 foot pines Mr. Jim Wisniewski, Interiors East, stated the parapet will shield the HVAC units on three sides.

The Board suggested parapet be on all sides as the adjacent land is for sale and could be developed.

- The Board questioned only having one dumpster pad on the plan. Ms. Scott stated there is an existing dumpster pad and they will be adding a new one.
- The Board asked about new landscaping. Mr. Haight pointed the new landscaping out on the plan.
- The Board asked about snow storage. Mr. Haight stated on sheet 4 of the plans they proposed snow storage to be on the outside edge of the parking areas.
- The Board questioned if there was any development in the WW PD and Mr. Haight stated no.
- The Board questioned about a water supply from Pennichuck. Mr. Peter Zohdi stated he has met with Pennichuck and they're putting a package together for him. There is 8000 gallons a day available. It will depend on the cost and Pennichuck. He stated they are now using a well and will change the cistern to sprinklers if they go with Pennichuck. The Board questioned whether the site could support a dialysis center. Mr. Ralph Valentine stated no, as they are on a well.
- The Board questioned site circulation for tractor trailer trucks. Mr. Haight stated that they are small offices but tractor-trailers can come in as the site is designed to accommodate if necessary.

The Chair open the hearing to the public at 7:37 pm, hearing no comments the public portion was closed.

Ms. DiFruscia motioned to approve Case # 2012-34 Final Major Site Plan & Cobbett's Pond & Canobie Lake Watershed Application with the following conditions: with the following conditions: Receipt of amended NHDOT Driveway Permit, Receipt of amended NHDES Water Supply Permit, Receipt of amended NHDES Construction (Septic) Permit, Confirmation from KNA that item #2 on page 2 of the 2/16/13 memo has been resolved, Additional screening has been added to the roof to shield the view of the HVAC units from the back of the building, and Final plans have the appropriate and original stamps, seals and signatures of the licensed professionals and property owner (4 large paper copies and 1 mylar), seconded by Ms. Maloney. Motion passed 6 – 0.

Ms. Post read Case#2013-3 into the record.

- The Chair asked Ms. Wood if this application was complete. Ms. Wood stated yes.

Ms. DiFruscia motioned to accept the public hearing Case#2013-3, seconded by Ms. Maloney. Motion passed 6 – 0.

Case#2013-3 Final Subdivision Application/Weston Estates

A Final Subdivision has been submitted for 1 Weston Road (21-F-60), located in the Rural District & Wetland & Watershed Protection District. The applicant, Karl Dubay of The Dubay Associates, Inc. on behalf of One Weston Road, LLC, is proposing to subdivide the 16.818 acre property into 10 lots for single-family residential development. Also proposed is an extension of Weston Road, ending in an 80' radius cul-de-sac, to access the lots. A buffer easement is proposed along the rear yards of the subdivision in areas abutting residential properties. The existing pedestrian trail easement connecting Weston Road to town conservation land will be maintained. The existing house & accessory structure on the property will be razed.

- Ms. Wood suggested that the Board invite the public and Conservation to a site walk before finalizing the application. The Chair stated they will do that. Mr. Dubay of the Dubay Group stated he met with Conservation and they would like to attend and he will accommodate. The Chair stated March 16th at 9 AM they will meet at the end of the cul-de-sac.
- Ms. Wood stated the following items were outstanding: Mr. Keach of KNA Associates addressed his outstanding concerns in his memo of February 22, 2013, Attorney Campbell provided a memo dated February 26, 2013 and is currently reviewing revisions made by the applicant and that will be available at the next meeting, the applicant and the Highway Agent have been working together on the road designed to address concerns regarding the current proposal, the Fire Department must approve the final cistern location and review any revised plans to ensure that the fire requirements are adequately met, the Technical Review Committee agreed with Mr. Keach, the Conservation Commission recommends a low impact development including sheet drainage with 24 foot width pavement to match the existing Weston Road, at

the February 28, 2013 meeting the developer offered to rough in the trails depicted on the plans, and no cut areas are to be marked with small markers on trees.

- Mr. Karl Dubay addressed the Board. He stated he has addressed Mr. Keach's comments and he is working on some others, and has sent revisions to the Attorney Campbell.
- Mr. Doug MacGuire, of the Dubay Group addressed the Board. Mr. MacGuire gave an overview of the project. He stated this is a 10 lot subdivision, no waivers or variances are requested, it abuts a large amount of conservation land, they have put in buffers, and they have State subdivision approval.

Questions/ comments from the Board:

- How long is the cul-de-sac? Mr. MacGuire stated it is 1350 linear feet from the intersection of Langdon Road.
- The Board asked Mr. MacGuire about the trail easements. Mr. MacGuire pointed out the trail easements to the Board on the plan. He stated they would also have a trail easement to connect two areas and also from the cul-de-sac for the public to access. The Board asked if this easement was over someone's property. Mr. MacGuire stated yes, it is over one of the lots and is 10 feet wide. Mr. Dubay stated the Conservation Commission asked Mr. Swisher if he could build it into the project. The trail will be signed and they'll be buffers. Mr. Swisher addressed the Board and stated it allows local residents who currently use the trail to access it.
- The Board asked if the amount of traffic is suitable for a Range Road and Langdon Road. Mr. MacGuire stated this is a low impact project with about 100 trips.
- The Board asked about well water issues in the area. Mr. MacGuire stated this is a 17 acre parcel, they feel they are not overly aggressive, they're trying to make the project low impact, they don't want to clear-cut, in the drainage design they have done as much as possible, they would consider using sheet flow, and there is currently a well on the site where the existing house is and they plan to use that. Mr. Swisher stated they did a flow test on the existing well and they're getting 5 or 6 gallons a minute and their minimizing the cuts on the lot. This well is for a current home that will be razed. He stated they have not done any drilling to check for wells at this point but they will adhere to the Town Well Ordinance.
- The Board asked if there would be any blasting. Mr. MacGuire stated there is a slight ridge, and an isolated highpoint that he performed a test pit on and went down about 7 or 8 feet and found no ledge. They did find a little ledge on one lot
- The Board was concerned about buffer enforcement. Mr. MacGuire stated they are posting no cut zone markers. Mr. Swisher stated the plot plans will also have the area noted on it. Mr. Dubay stated they are also putting in iron points with place cards.

- The Board asked about the detention ponds on private lots and what they are proposing for safety. Mr. MacGuire stated there would be drainage easements across lots put in as a natural berm within the contours of the land.

The Chair opened the hearing to the public at 8:30 pm.

- Ms. Kathy Shea, 12 Bayberry Rd., addressed the Board. She stated there is already parking at the end of the cul-de-sac and people constantly park there. Her concern is the impact on her well. Her first well went dry and they had put in a new one. The first well was 350 feet and the second well is 1250 feet deep. She stated there are significant well issues in the whole area. She wanted to know what her recourse was if her well goes dry again.
- Mr. Jim Fricchione, 6 Bayberry Rd. addressed the Board. He asked if there was a reason that the proposed road curves and does not go straight. Mr. Dubay stated there are two wetland pockets they wanted to stay away from and they followed the natural ridge of the land. Mr. Fricchione asked how big the buffer was. Mr. Dubay stated they made the buffers as big as possible. Mr. Dubay stated they will work with the abutters to make them bigger if possible.
- Ms. Sheila Pistorio, 6 Weston Rd. addressed the Board. She is concerned about the rear yards. She asked if the proposed house next to hers was being built on the lot line. Mr. MacGuire stated the lot that abuts hers is one of the biggest lots. They did put a detention pond on that lot and there is drainage. Ms. Pistorio asked Mr. MacGuire which way the water flows. Mr. MacGuire stated existing conditions showed drainage drained down both sides. He stated they are now almost matching the existing conditions. Ms. Pistorio asked why they were not using the existing driveway where the existing house is now. Mr. MacGuire stated they wanted to have a nice development and thought it best to access the lot from the new road and they will also cut trees on that lot to give better site.
- Ms. Helen Munroe, Bayberry Road, addressed the Board. She spoke about all the wells in the neighborhood that have gone dry and how many people have had to have them replaced. She stated all the replaced wells are over 1000 feet. She would like an aquifer study.
- Mr. Jason Rogers, 2 Weston Road, addressed the Board. He is concerned with his well. He stated this is the third well he has had and it is 1800 feet deep. He is only getting a half to three quarters of a gallon a minute.
- Mr. Greg Gostanian, 8 Bayberry Rd., addressed the Board. He stated he is on his second well. He is concerned with the traffic. He stated there are lots of problems with Langdon Road and this will add a significant amount of traffic.
- Ms. Andrea Alexander, 2 Bayberry Road, addressed the Board. She stated on the corner there is a nice rock wall and a 30 foot buffer will reduce her home value. She wants to work with the developer on the buffer and the wall. Mr. Dubay stated he will look at the buffer and the rock wall which is in the buffer.

- Mr. Tom Surette, Langdon Road, addressed the Board. He stated he has been there 30 years and when they put Bayberry in his well went dry after two years. He stated he thinks they need a stop sign at Bayberry, Weston and Langdon Roads. Ms. Wood stated there is a proposed stop sign in that location on the plan.
- Mr. Fred Halloran addressed the Board. He stated he has had two wells, one was 750 feet, and the current one is 1380 feet.
- Mr. MacGuire addressed the Board. He stated the Conservation Commission suggested changing to a sheet flow system. He stated if the Board was inclined to go with a sheet flow they would change the design.

The public portion of the hearing was closed.

Questions/comments from the Board:

- The need for an aquifer study, exploring a community well, and lot of concern with the water situation in that area for wells. Mr. Dubay stated they can look at the studies and also look at a community water system.
- The Board also discussed sheet flow or a closed drainage system. The consensus of the Board was to allow the applicant to design with sheet flow, provide an aquifer study and information on a community well.

Ms. DiFruscia motioned to schedule a site walk for 9:00am on 3/16/13 and to Continue the public hearing for Case#2013-3/Weston Estates Subdivision Application to the 4/17/13 Planning Board Meeting with the following Comments: The Public and Conservation Commission are invited to attend the Site Walk. Those wishing to participate will meet at the end of the cul-de-sac, The applicant may propose sheet drainage for the Weston Road Extension, The applicant must submit an aquifer study that shows the possible effects the proposed 9-lot subdivision on the well yields of existing residences on abutting properties & neighboring properties (Langdon Rd; Bayberry Rd; Weston Rd) and predicts the well yields of future wells for the ten (10) newly created lots, The applicant must provide data addressing the possibility of a community well system, The applicant must work with staff to resolve outstanding concerns detailed in the 3/1/13 Staff Report, seconded by Ms. Maloney. Motion passed 6 – 0.

The Board took a recess at 9:40 pm was back in session at 9:45 pm.

Ms. Maloney left need at 9:40 pm.

Ms. Post read Case # 2013-2 into the record.

Case # 2013-2 Minor Site Plan Application (Continued from 2/6/13)

A Minor Site Plan Application has been submitted by The Dubai Group Inc., on behalf of MacThompson Realty Inc. for 125 Indian Rock Rd (12-A-532), which is located in the Gateway Commercial District. The applicant is proposing to change the previously approved wall signs & free-standing signs for the complex.

- Mr. Dubay addressed the Board. He stated the Board recommended the signs be changed. The signs are now white backgrounds with individual cut out letters and back lit.
- Ms. Prendergast stated that the last time the applicant was before the Board the backgrounds were solid colors and now they have white backgrounds. She recommends the Board get a new sheet 17 for the plan set if approved.
- The Board discussed the new renderings. There was a question of a border on one of the frames on the rendering and also a grey color on the blank signs. Mr. Dubay stated there is no border or gray color, which was a Photoshop error on the rendering. The Board also told Mr. Dubay the original approval had a place for a logo and that can still be done. The Board discussed the original approval.

Mr. Wrenn motioned to approve the revised sign design with the following conditions: Sign design is cleaned up to show consistency with white frames and white backgrounds on the wall signs and Sheet 17 of the approved Site Plan is updated to reflect this approval for the new sign designs, seconded by Ms. DiFruscia. Motion passed 5 – 0.

Master Plan

- 2012 Accomplishments
- 2013-2014 Priorities

- Ms. Wood would like the Board to look at the goals and e-mail her back their priorities.

Adjournment

Ms. DiFruscia motioned to adjourn, seconded by Mr. Wrenn. Motion passed 5 – 0.

These minutes are respectfully submitted by Cathy Pinette, Planning Board Minute Taker.