

PLANNING BOARD MINUTES
APRIL 7, 1999

ROLL CALL:

David Dubay-Chairman-Present
Bernie Rouillard-Vice Chairman-Present
Jack Gattinella-Secretary-Present
Wayne Morris-Regular Member-Present
Russell Wilder-Regular Member-Excused
Annette Stoller-Regular Member-Present
Keith Goldstein-Alternate-Present
Walter Kolodziej-Alternate-Present
Margaret Crisler-Selectman-Present
Galen Stearns-Selectmen's Alternate-Present

Mr. Goldstein replaced Mr. Wilder on the Board.

Mr. Dubay announced the Murphy Subdivision was withdrawn. Any future applications would entail renotification of the abutters.

BUSINESS:

Mr. Turner reviewed a site violation on Beacon Hill Road, lots 2-A-100 & 2-A-200. The developers have violated section 503 of the Subdivision Regulations by removing stumps and placing stones on the logging roadway. Mr. Brian Harvey and Mr. John Bacheller, owners of the lots, were present and gave the Board a letter in response to Mr. Turner's letter. Both letters were read into the record (on file). Discussion followed on the time frame of the violation and the plans being in progress with the staff. Mr. Turner pointed out the silt fences were not properly constructed. Mrs. Crisler motioned to not stop this but Mr. Turner should be involved in the process. Mr. Rouillard seconded. Pre-application work on land should be submitted under section 503 of the Windham Subdivision Regulations and the applicant should discuss the work with Mr. Turner so that adequate environmental controls are in place. The subdivision of these lots will come before the Board April 21st and the RSA's allow for the Code Enforcement Administrator to issue a cease and desist. The applicants, Mr. Harvey and Mr. Bacheler, agreed to cease the operation until they come before the Board. Mrs. Crisler and Mr. Rouillard withdrew the motion. Ms. Stoller encouraged Mr. Turner to check the property and report to the Board at the April 21st meeting. Mr. Stearns suggested Mr. Turner work with the Town Assessor so the Planning & Development Department is made aware of intent to cut permits.

SITE PLAN AMENDMENTS - PUBLIC HEARING

Mr. Dubay read the five (5) amendments into the record. Amendments # 1 and 2 are housekeeping items. Amendment # 3 addresses submittal of a site plan application. Amendment # 4 changes the number of days the Board has to act upon a site plan application. Amendment # 5 inserts the purpose section for the design review guidelines.

Design review applies to all site plans except single family homes. Mr. Goldstein motioned to accept amendments 1 through 5 as written and Mr. Rouillard seconded. Passed 7-0.

NICKERSON SUBDIVISION (1-C-529) - PUBLIC DISCUSSION

23 Crestwood Road

Mr. Turner reviewed the proposed two (2) lot subdivision, which was part of a land swap in 1995. The applicant has bonded a hammerhead for \$13,000.00 and is now proposing a reduced size cul-de-sac. The cul-de-sac would require a waiver. The Road Agent has tested plowing a reduced sized cul-de-sac. This reduced size of the cul-de-sac would minimize the impact on the adjacent wetlands.

Mr. Rouillard stated the intent was to swap one parcel for one lot. Mr. Turner could find no reference to a one lot subdivision. Mr. Rouillard suggested the Board request input from Mr. Thorndike.

Mr. Zohdi explained the land transfer of 19+ acres to the Town for 1+ acres with frontage on Crestwood Road. The current parcel is 5 acres. If the cul-de-sac is built to the present requirements there would still be two (2) lots.

Mr. Rouillard discussed the intent of the land swap and requested the researching of the warrant articles and all pertinent minutes of committees involved. Mrs. Crisler discussed the aesthetics of a smaller cul-de-sac completely paved. Mr. Stearns questioned what the researching would do for the Board if both lots meet the requirements. Mr. Nickerson, owner, gave a brief overview of the land swap.

Discussion followed on access to Fosters Pond from Crestwood Road. The abutters requested special attention be given to this request. Mr. Nickerson is giving a 20' right of way within the W.W.P.D. that is not a wet area.

Mr. James Abagis, an abutter, read a petition addressing the concerns of the neighbors into the record. Ms. Stoller suggested a site walk of the area by the Board. Mr. Turner asked when the Board would like to send the plans to various agencies for review and Mr. Gattinella indicated the plans should be seen by the Planning Board before being sent out for review and the trails are at the suffrage of the private property owner. Mrs. Crisler reminded the Board until an application is filed and permission given by the applicant the Board could not walk the site.

Mr. Peter Zohdi, of Edward N. Herbert Assocs., Inc., will provide two plans, with both types of cul-de-sacs, for departmental review. Mrs. Crisler requested an alternative for the trail. Mr. Goldstein motioned to send both sets of plans to the various departments for review and Mrs. Crisler seconded. Passed 6-1 (B. Rouillard opposed, until all issues are concluded).

Mr. Abagis discussed the 1996 concept and Mr. Mullin, an abutter, requested the plans be sent to the road agent and questioned the removal of gravel, whether the Town still has the

ability to remove gravel. The Town does own the parcel with gravel but in all likelihood would not disturb the area.

The Board discussed the changing of the order of the agenda. Mrs. Crisler motioned to open the Star Vector site plan and continue to the April 21st meeting. Mr. Morris seconded. Mr. Craig Francisco, representing Star Vector, requested the plan be sent out for departmental review. Mr. Turner stated the plan in concept form is in violation of several zoning ordinances and did not recommend sending it out for review as designed. Motion failed 2-4.

BERGERON LOT LINE CHANGE (22-R-801/802) - PUBLIC HEARING

1 Hearthstone Road & 119 Range Road

Mr. Turner reviewed the missing information on the proposed lot line change and requested the slope easement be a part of the plan. Mr. Turner stated with the submittal of the additional information the plan meets all the requirements for public hearing. Mrs. Crisler motioned to accept the plan for consideration and Mr. Rouillard seconded. Passed 7-0.

Mr. Peter Zohdi, representing the owners, reviewed the even swap of property and presented the requested documents to the Board. The applicant is requesting a waiver of departmental review and a conceptual review. Mr. Turner did not see a problem with this request. Mr. Goldstein motioned to approve the waivers and to approve the plan as submitted with the bonding or setting of the bounds. Mr. Morris seconded and passed 7-0.

QSI SITE PLAN (11-C-700) - PUBLIC DISCUSSION

Wall Street

Mr. Turner reviewed the proposed site plan for a 10,000 sq. ft. building, a combination retail and warehouse. The occupants sell security systems for professional buildings and are currently located in Salem, NH. Mr. Turner has toured the Salem facility and concluded this would be an allowed use in this zoning district.

The plan depicted parking in the front and side with a loading area in the rear of the building. Drainage easements were shown and the plan is for sheet drainage. Mr. Zohdi requested the plan be sent out for departmental review. Mrs. Crisler questioned whether there was any storage of compounds. Mr. Zohdi replied there was no storage of any compounds and no manufacturing. The number of employees will be 15 and the leachbed will be designed for 20.

Mr. Turner is not recommending any special studies. Mrs. Crisler questioned the additional traffic onto Route 111 and Ms. Stoller indicated the potential for commuter buses. Mrs. Crisler motioned to have Mr. Turner set up a meeting with NH DOT to discuss future plans for Route 111 and Route 93. Mr. Morris seconded. Discussion followed on the scope of the meeting with NH DOT. Mr. Gattinella motioned to move the question and Mr. Goldstein seconded. Motion passed 7-0. The main motion passed 7-0. Mrs. Crisler motioned to send

the plan out for departmental review with emphasis on traffic on Route 111 and Mr. Goldstein seconded. Passed 7-0.

SHEFFIELD STREET (11-C-3100) - PUBLIC DISCUSSION

Off Sheffield Street

Mr. Turner presented the proposed two (2) lot subdivision off Sheffield Street and the reduced sized cul-de-sac. The pavement width would be 26' and Mr. Zohdi, representing the owner, explained this cul-de-sac would support the two (2) houses. Mr. Rouillard commented this concept would reduce impact to the area.

Mr. Zohdi stated the lot could support the required size cul-de-sac if needed. A note will be placed on the plan that this would be a permanent cul-de-sac. Mrs. Crisler expressed concern with fire apparatus being able to use the smaller area of pavement and requested the Fire Chief's input on this smaller radius. Mrs. Crisler motioned to send the plans out for department review and request a written response from the Fire Department and the Road Agent addressing the radius of the cul-de-sac. Ms. Stoller seconded and passed 7-0.

Mr. Morris motioned to open and continue the Kendall Pond Pizzeria Site Plan and the Star Vector Site Plan to April 21, 1999 meeting. Mrs. Crisler seconded. Passed 7-0.

RT. 28 REALTY SITE PLAN & SPECIAL PERMIT (13-D-70) - PUBLIC HEARING

57 Rockingham Road

Mr. Turner reviewed the proposed gas station and convenience store and reviewed several deficiencies with the plan, i.e., handicap signage, lighting notes and lighting plans. Mr. Zohdi, representing the owner, reviewed the plans submitted with the notes addressing the lighting.

Mrs. Crisler noted the sign details were not included. Mr. Zohdi explained the owner is waiting for a leasee before details can be given for signage. Mrs. Crisler explained the design review criteria would not be met with the submitted plan. Mrs. Crisler motioned to not accept this plan for public hearing due to the lack of building elevations, sign details, a landscaping plan and a lighting plan. Mr. Morris seconded. Discussion followed on the type of lighting under the canopy and the wattage should be noted. Mr. Goldstein motioned to move the question and Ms. Stoller seconded. Passed 7-0. Main motion passed 7-0.

Mr. Morris motioned to reconsider hearing the Kendall Pond Pizzeria Site Plan and Mr. Goldstein seconded. The Board discussed the merits of this action and Mr. Morris and Mr. Goldstein withdrew the motion.

BUSINESS:

Mrs. Crisler discussed enforcement issues and requested Mr. Turner check into the off site

improvements required of St. Matthew's Church. Mrs. Crisler expressed concern with the site across from Numero Uno's on Route 28.

The Board will discuss the Utilities section of the Master Plan at the April 14th workshop. Mr. Gattinella discussed the verbiage given by Town counsel for the petition concerning gas stations. Several member of the Board did not agree with the wording and the language differs from the petition.

Meeting adjourned 11:30 P.M.

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