

**PLANNING BOARD MINUTES**  
**SEPTEMBER 15, 1999**

**ROLL CALL:**

Keith Goldstein-Chairman-Present  
Russell Wilder-Vice Chairman-Present  
Annette Stoller-Secretary-Excused  
Wayne Morris-Regular Member-Present  
Bernie Rouillard-Regular Member-Present  
Walter Kolodziej-Regular Member-Excused  
Alan Carpenter-Alternate-Present  
Fred Noyles-Alternate-Present  
Margaret Crisler-Selectman-Present  
Galen Stearns-Selectmen's Alternate-Present

Mr. Carpenter and Mr. Noyles replaced Ms. Stoller and Mr. Kolodziej respectively.

**BUSINESS:**

Mr. Morris noted a meeting is scheduled in Salem, September 16, 1999, 6:30 P.M., regarding I 93. Mr. Turner and Board of Selectmen were not notified and first learned of the meeting in the Eagle Tribune. Mr. Thomas Case, MPO representative for Windham, will be attending and report to the Planning Board.

Mr. Rouillard forwarded drafts of various master plan chapters to the Board for review. The Board will discuss the chapters at a future workshop.

**MINUTES:**

Mrs. Crisler motioned to accept, as written, the minutes of August 15, 1999 and Mr. Rouillard seconded. Passed 5-0-2 (F. Noyles, W. Morris abstained). The minutes of September 1, 1999 were amended on page 2, 3, and 4. Mr. Rouillard motioned to accept the minutes of September 1, 1999, as amended, and Mr. Wilder seconded. Passed 6-0-1 (F. Noyles abstained).

**ROAD BONDS:**

Mr. Turner noted a bond in the amount of \$293,721.00, was sufficient to complete construction of Locksley Road. Mrs. Crisler motioned to accept the road bond as depicted and Mr. Wilder seconded. Passed 7-0.

Mr. Turner recommended accepting a road bond in the amount of \$88,255.00, for the construction of Yorkshire Road (west). Mr. Rouillard motioned to accept the road bond and Mr. Morris seconded. Passed 7-0.

Mr. Turner recommended acceptance of a road bond in the amount of \$110,318.00 for the

construction of Yorkshire Road (east). Mr. Wilder motioned to accept the road bond and Mrs. Crisler seconded. Passed 7-0.

## **ZONING ISSUES:**

The Board will discuss potential zoning changes at the September 22nd workshop. Mrs. Crisler reported the Technical Advisory Committee is currently considering digitizing the town maps.

## **CORRESPONDENCE:**

the Board received the following communications:

- NPS newsletter concerning minimum impact development.
- Notice from RPC regarding the purchasing of 2000 Land Use RSA Books.

The Board discussed the need for a second representative to the RPC. Mr. Thomas Case currently represents Windham. The position was offered to Mr. Fred Noyles, who will consider this position.

Mr. Goldstein read through the agenda for the meeting a questioned Mr. Turner as to whether any of the plans had deficiencies. Mr. Turner had reviewed the plans and found Mountain Homes Subdivision contained several deficiencies, as per Mr. R. Thorndike's memo of July 29, 1999. There were 30+ deficiencies with the review plan and when the plan was submitted August 12th some issues were still not resolved, i.e., one non-buildable lot and setbacks not properly drawn. Mr. Turner did not recommend this plan for public hearing. Mrs. Crisler motioned to reject the plan based on the deficiencies outlined on the memo written September 15th and the application was incomplete. Mr. Carpenter seconded and passed 6-0-1 (F. Noyles abstained).

Mrs. Crisler motioned to open and continue the last three items on the agenda, Windham Planning Board By-Laws, the ATC Site Plan and the Collins subdivision to September 29, 1999 at 8:00 P.M. Mr. Rouillard seconded and passed 7-0

## **STAR VECTOR SITE PLAN (18-L-201) - PUBLIC HEARING CONTINUED**

67 Range Road

Mr. Turner reviewed the issues raised at the last hearing which included, design of the building, concern for a retail building without windows, landscaping, delivery area and hours of delivery, operation and trash removal.

Mr. Craig Francisco, of Bedford Design Consultants, presented the Board with a plan depicting changes in the delivery area, the moving of the dumpster. Mr. Carpenter questioned the size of the truck this enlarged delivery area would accommodate. The new

configuration would accommodate a 35' truck. Mr. Morris questioned notes 19 and 20 on the plan, concerning hours of trash removal and delivery. Atty. Rubega, representing the owner, stated the applicant would work with the Board in determining appropriate hours. Mrs. Crisler suggested the hours of operation be 10:00 A.M. through 8:00 P.M., Monday through Saturday, 12:00 A.M. through 8:00 P.M. on Sunday. Trash removal to be Monday through Friday, 10:00 A.M. to 5:00 P.M. and delivery hours Monday through Friday, 10:00 A.M. to 5:00 P.M. The applicant agreed to this schedule.

Mr. Bruce Taylor, architect representing the applicant, reviewed the changes made to the plan relative to design review. The Board discussed the roof, windows with shutters, signage and the entryway. The delivery door was depicted as an overhead door on the new plan.

Mr. Carpenter expressed concern for the existing parking conditions along Range Road. Mr. Francisco stated the truck entry would limit the delivery trucks to 35 feet long and most deliveries would be by UPS type trucks. Mr. Turner reminded the Board unloading vehicles is not permitted on Range Road. Mr. Turner discussed the process of enforcing this issue with a warning and a letter and eventually the matter could come before the Planning Board for a more severe option of rescinding site plan approval.

Mrs. Crisler questioned the façade in the rear of the building as the Board has seen a conceptual for the adjacent property and is concerned with future development of the adjacent parcel. Mr. Turner suggested artificial windows and extending the cornice material along the rear.

Mrs. Donna Morgan, of 5 Edgewood Road, expressed concern with the tractor-trailers backing into the property but felt the design was an improvement. Mrs. Betty Dunn, a resident of the area, expressed concern with the purpose of the store and questioned what the Board would do if guns became 100% of the retail business. Mrs. Dunn reiterated the purpose of the site plan regulations was to protect the safety of the public and insure safe transit around the site.

Mr. Noyles suggested limiting the number of axles of the trucks making deliveries. Discussion followed on the legalities of the site plan. Mr. Wilder suggested the no parking on Range Road be enforced and felt if the site plan was approved for what it is zoned for and turned into a wholesale warehouse the approval would be invalid.

Mr. Steve Hsu, an abutter, expressed concern for the traffic backup on Range Road at 8:00 A.M.

The Board discussed the landscaping plan and the effectiveness of the screening and the size of trucks permitted to deliver to the facility. Mrs. Dunn questioned the storage of ammunition on site. Storage of ammunition on site is in the hands of the State fire Marshall's office. A plan has been sent to the state for review.

Mr. Goldstein read the comments from the Fire Department. The department is requesting assistance in purchasing an opti-com type system for the intersection of Range Road and

Route 111. This building will have a sprinkler system, provide their own water and have an emergency generator to pump water. Mr. Rouillard suggested placing a note on the plan restricting the size of the trucks to make deliveries.

Mr. Rouillard motioned to approve the site plan subject to the following:

3. Hours of operation to be 10:00 A.M. to 8:00 P.M., Monday through Saturday, 12:00 A.M. to 8:00 P.M. on Sunday;
4. Hours of delivery 10:00 A.M. to 5:00 P.M., Monday through Friday;
5. Hours of trash removal 10:00 A.M. to 5:00 P.M., Monday through Friday;
6. Exterior lighting limited to 8:00 P.M., except the designated night time lighting;
7. The siding to extend along the rear of the southeast portion of the building;
8. 50% of the cost of the opti-com system, as requested by the Windham Fire Department;
9. Delivery trucks limited to two (2) axles;
10. No overnight parking;
11. No reloading supplies sold or stored on the premises.

Mr. Wilder seconded and passed 4-2-1 (M. Crisler, A. Carpenter opposed, F. Noyles abstained).

## **COLANTOUNE SITE PLAN (11-A-240) - PUBLIC HEARING CONTINUED**

1 Lexington Road

Mr. Turner reviewed the issues raised at the previous discussion of this proposed car wash, i.e. design of the building and off site improvements to Route 111.

Mr. Mark Gross, of MHF Design Consultants, presented the revisions based on the comments of Mr. Bailey, of the Windham Transfer Station. The revisions include a by pass with additional stacking room, widening of the driveway and additional signage to facilitate safe transit through the site.

The off site improvements are being coordinated with the state and the cost will be shared with the two other proposed sites in this area. The project would encompass 1,000 feet of improvements on Route 111. The application, for the alteration of Ledge Road will be filed by the Town, as Ledge Road is a town owned road. All construction will need NHDOT approval. The Board questioned the criteria for a traffic light at the intersection of Ledge road and Route 111. Mr. Steve Pernough, reviewed the criteria and at this time the intersection does not meet the criteria. A traffic light on Route 111 would be the decision of the state. The Board reviewed the design of the building with details of the material, colors, roof, windows and signage on the building.

Mr. Tom Case questioned the repairs on the road, the deliveries to the site, as to whether the site had sufficient turnaround to accommodate and the pumping of this proposed system. Mr. Gross explained the cost of the improvements to be borne by three developers. Deliveries are

made by van and removal of any residue is by tankers permitted by the state.

Discussion followed on the RCCD drainage review and the improvements to be made to the existing drainage on sheet three of the plans. The drainage work is to be done before the plan is completed and Mr. Morris advised the notes by revised on the plan to reflect this condition. Mr. Michael Colantoune, applicant, reviewed the hours of operation to be 7:00 A.M. to 7:00 P.M. Monday through Friday and 7:00 A.M. to 5:00 P.M. on weekends.

Mrs. Crisler motioned to approve the plan as presented, stamped September 1, 1999 with the following conditions:

12. Off site improvements to be bonded and completed before operation begins at the car wash.
13. Lighting to be extinguished when not operating except for security lighting.
14. Drainage on Lexington Road improved as depicted on the plan

And grant the waiver request for sections 700 and 702 of the Site Plan Regulations. Mr. Morris seconded and passed 7-0.

Mr. Wilder motioned to open and continue the Sheffield Subdivision and the Costa Subdivision and Special Permit to September 29, 1999, at 8:00 P.M. Mr. Carpenter seconded and passed 7-0.

## **SHORELINE REALTY SITE PLAN & SPECIAL PERMIT (17-G-40) - PUBLIC HEARING CONTINUED**

85 Range Road

Mr. Turner indicated the proposal was for a restaurant located across from the Common Man Restaurant and the application submitted was complete. He recommended acceptance of the plan for public hearing. Mrs. Crisler motioned to accept for consideration and Mr. Rouillard seconded. Passed 7-0.

Mr. Turner reviewed the application and the request for a waiver of section 702 of the Windham Site Plan Regulations. The site has received a variance to allow parking within the W.W.P.D. The applicant will be removing paving from the wetland area and treatment swales will be placed in the area where the paving is being removed. A special permit is required for this work within the W.W.P.D. The existing house will remain on the property for a caretaker. A twelve foot graveled driveway will access the septic areas.

Mr. Karl Dubay, of TF Moran, Inc., reviewed the details of the building and signage. Mr. Morris questioned the pending permits with the state wetlands bureau and Mr. Dubay reviewed the existing permits and pending permits. The Conservation Commission has reviewed the plan.

Mr. Rouillard questioned the application to NHDES and the necessity of the mitigation area

given the change in the site plan he felt it was better to keep the area proposed for mitigation in its natural state.

Mr. Wilder reviewed the traffic circulation on this site and the impact on the parking for the restaurant across the roadway. Mr. Dubay reviewed the driveway permit issued by the state and the circulation patterns on the site. The site can accommodate a delivery truck. Mrs. Crisler noted there was no designated delivery space on the submitted plan. Mr. Dubay explained deliveries would be made to the kitchen door area. Mr. Wilder questioned whether there was any testing done on site for toxins. Mr. Dubay explained the NHDES has not requested any testing.

Mr. Goldstein read the comments from the Fire Department, requesting a sprinkler system be installed, the Historic District Commission, the Conservation Commission and the Police Department.

Mr. Tom Case questioned why the opti-com system was not mentioned by the Fire Department. Mrs. Dunn expressed concern with the septic system close to the wetlands and suggested the system be alarmed and the parking situation.

Mr. Dubay stated the applicant would share 50% of the cost of the opti-com system for the intersection of Range road and Route 111. There are alarms on the two septic systems. The Windham Cooperative School has requested the applicant try to accommodate the school schedule and limited construction vehicles between 11:00 A.M. and 2:00 P.M.. The applicant has agreed to place some evergreens to screen between the school and the restaurant. The applicant will work with the Planning Director and the abutter. A letter is on file from the Common Man Restaurant relinquishing their rights to any parking on this site and the parking calculations are according to the regulations. There are 73 parking spaces.

The plans included a lighting plan and sheet 8 of 11 depicts silt fencing on both sides of the roadway. The driveway permit has been granted by the state. Mrs. Crisler questioned the hours of operation and Atty. Bill Mason stated the applicant proposed 11:00 A.M. to 12:00 P.M. Discussion followed on hours of operation, hours of deliveries and trash removal times. The gravel driveway in the rear to the septic area will be gated.

Mr. Rouillard motioned to approve the site plan, waiver requests and the special permit with the following stipulations:

15. The applicant contribute 50% of the cost of the opti-com system for the intersection of Range Road and Route 111;
16. Sedimentation dams at the wetlands crossings;
17. Delete section A-A detail
18. Delete mitigation area subject to NHDES approval;
19. Hours of operation 11:00 A.M. to 12:00 P.M., Sunday through Saturday;
20. Hours of deliveries 8:00 A.M. to 5:00 P.M., Monday through Saturday;
21. Trash removal 9:00 A.M. to 5:00 P.M., Monday through Friday
22. The gravel driveway gated;

23. Lights extinguished after hours, except for security lighting;
24. Septic systems to be alarmed and noted on the plan

Mrs. Crisler seconded. Discussion followed concerning the height of the sign and the construction vehicles. The vehicle entrance is 150 feet away from the abutter property. Motion passed 7-0.

Mrs. Crisler motioned to open and continue the Rt. 28 Mini Mart Site Plan and Special Permit to September 29, 1999 and Mr. Rouillard seconded. Passed 7-0.

Meeting adjourned 11:20 P.M.

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