

**PLANNING BOARD MINUTES
DECEMBER 15, 1999**

ROLL CALL:

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

Russell Wilder, Vice Chairman, called the meeting to order. Mr. Goldstein would be arriving later. Ms. Dunn sat in for Mr. Goldstein.

ZONING & PLANNING ISSUES:

Mr. Turner explained that the deadline for citizens zoning petitions was at 5:00 pm today. Two citizen's petitions have been received and will be posted, advertised, and added to the January 4 public hearing.

Mr. Turner gave an update of the Master Plan progress. Draft should be ready the last week in December.

SEARLES SCHOOL SIGNAGE:

Mr. Turner explained the temporary Searles School sign. Ms. Dunn is a member of the Historic District and asked the Board if she should vote on this issue. Discussion ensued. Ms. Dunn remained on the Board. Mr. Wilder then read a letter regarding the temporary Searles School sign from David Sullivan. Mr. Bailey presented a 3' x 4' sign and explained the need for a temporary sign, it's location on the property, and how it will be posted. Mr. Turner explained the town's sign ordinance. The Board would need to grant a waiver. Mr. Turner reviewed the sign guidelines and recommended a waiver be granted. Mr. Kolodziej motioned to grant the waiver and allow the sign. Seconded by Mr. Rouillard. Passed 6-0-1. Ms. Stoller abstained.

Mr. Goldstein arrived and took his place on the Board. Ms. Dunn stepped down.

CORRESPONDENCE:

Mr. Goldstein read a letter from Peter Zhodi regarding presenting minor changes to the approved Whispering Winds site plan.

Mr. Goldstein read a letter from Jeff Pelletier regarding a temporary structure at Windham Farms. Mr. Turner did not recommend approval. Mr. Wilder made a motion to find that the alteration to the site requires a site plan approval and so inform Mr. Pelletier. Seconded by Mr. Morris. Pass 7-0.

Mr. Goldstein read a letter for the Historic District Commission. The sign issue had been resolved earlier in the meeting.

Mr. Goldstein read a letter regarding NH recreation trails program. Gave the letter to Mr. Morris.

PUBLIC HEARINGS:

Mountain Homes Subdivision, 22-R-100/300 - 14 lots

147 Range Road

Mountain Homes Subdivision continued to the next meeting at the applicant's request.

Fletcher Corner Estates, 25-R-602, 630, 675, 802 - 50 lots

Marblehead Road

Mr. Turner explained a letter given to the Board members from Mr. Peter Zhodi of Herbert Associates highlighting the issues from the previous meeting. Mr. Zohdi discussed the issues in detail: 1) subdivision too much for the area-66% of the land will be undeveloped; 2) abutter felt plan appears different-plan has not changed since 2/99; 3) drilling wells-wells cannot be done until the plan is approved; 4) speed limit-this is police enforcement issue; 5) pavement-start to finish should be 4 months; 6) dust and erosion control-has been reviewed by the Rockingham Planning Commission and are complying; 7) fencing and moving of an abutters driveway-applicant has agreed to do this; 8) access to abutting parcels-three (3) abutting right-of-ways; and 9) build out scenario-estimate of 22 total lots build out.

The site walk scheduled for Saturday, December 11 did not have a quorum. Mrs. Crisler, Mr. Wilder, and Mr. Morris did walk the property. They observed the wetlands, spoke with residents of the area, and discussed cuts into the hill and the closeness to the houses. They also observed a lot of ledge on the surface, about 2/3 of the area has been logged, and a pile of debris of stumps and wood was present.

Discussion continued regarding road improvements, drainage, the method of calculating the build out, reduced road way width, open space developments, length of the roads, number of lots determined for build out. Mr. Zohdi noted that the road widths were designed as such because of the recommendation from the Conservation Commission. Discussion continued regarding Corliss Road wetlands, WWPD, cul de sac, and wetlands crossing.

Mr. Gove then explained the wildlife habitat assessment done by Wetlands Consulting Services. Discussion continued regarding accessibility to adjacent parcels of land.

Mr. Goldstein read some correspondence regarding this subdivision: 1) comments from the Conservation Commission stating that they supported the wetlands report recommending curbing and closed drainage be eliminated or minimized; 2) a letter from Attorney Bronstein indicating the revised draft complies with the Windham Planning and Zoning Ordinance; 3) letter from Attorney James Sayer requesting access to his clients land; 4) comments from the police chief indicating some safety issues; 5) comments from the Historic District regarding the names of the roads and stonewalls. It was noted that there were not reports from the fire department or road agent. Mr. Zohdi responded that he has met with the fire department and the road agent during several meeting in Mr. Turner's office. Discussion continued regarding open space developments.

Public discussion began with Mr. Ty Hanlan, representing Mark Lagace the owner of lot 625. He is opposed to the right-of-way along the lot 625 boundary. He also stated that the cul de sac would then become a parking lot.

Carl Luhrmann, 59 Marblehead Road, stated his concern of the quality and quantity of the abutter's wells. He asked that the developer be responsible for testing before and after including quantity flow and quality analysis, with the test results given to the owners. Mr. Zohdi explained that there would be a community well for this subdivision.

Tom Furlong, Smith Road, stated his concern of the right-of-way becoming a highway to Salem. He objects to connecting to Salem. He also stated that the traffic would increase 41% on Marblehead Road.

Mary Walker, 63 Marblehead Road, was concerned about drilling and blasting occurring only 75' from her well. She thought the well should be tested before and after the drilling and blasting. She was concerned about the possibility of an eventual connection to Salem and that the corner on Marblehead Road would be unsafe. Mr. Zohdi explained that there could not be a connection to Salem because a flood zone is in the way.

James Sayer, representing Melvin Lord owner of lot 6500, would like an extension of access indicated on the map, and would like the Board's approval.

Jeff Walker, 63 Marblehead Road, was concerned about adding houses to the current open space subdivision. Mr. Wilder clarified that open space and standard subdivision get the same amount of lots. The build out of 22 lots could not become more in the future.

Joanne Johnson, 61 Marblehead Road, wanted the Board to know that she concurred with the other abutters.

Alan Carpenter, resident of Windham and Planning Board Alternate, inquired about a traffic study. The response was that this was not required. He stated that the width of the road should not be reduced to 24' because of pedestrians and bicycles.

Tom Furlong, Smith Road, spoke again requesting that the cul de sac in the south east land is kept.

Discussion continued regarding the corner on Fletcher Road.

Mary Walker, 63 Marblehead Road, asked for the order of when Marblehead Road would be fixed. Mr. Zohdi responded. All improvements will be made before the 10th occupancy permit. The road will also be bonded.

Mr. Wilder made a motion to open and continue the Mucci Subdivision and Whispering Winds Site Plan to the January 5 meeting at 8:00 pm. Seconded by Mrs. Crisler. Passed 7-0.

Discussion continued about road widths, road lengths, trails, curbing, closed drainage systems, and cul de sac locations. It is Mr. Turner's opinion that the subdivision should have a closed drainage systems. Residents tend to fill in the ditches and then there are more problems.

Mr. Wilder made a motion to amend the subdivision plan as laid out with a permanent cul de sac of Corliss Road moved to station 11+50. Seconded by Mrs. Crisler. Mr. Wilder then amended his motion that the cul de sac be moved back 11+50 be a condition of approval. Seconded by Mrs. Crisler. Passed 7-0.

Mrs. Crisler made a motion for a special permit for WWPD crossing as indicated on the plan. Seconded by Mr. Wilder. Passed 7-0.

Mrs. Crisler made a motion to request the street intersection be 75' and the cross section requirement of 1" = 10' to allow 1" = 20' for the plan. Seconded by Mr. Rouillard. Passed 7-0.

Mr. Wilder made a motion that the applicant clear the log debris off property 25-R-602 at the same time as the Marblehead Road improvements as a condition of approval. Seconded by Mr. Kolodziej. Passed 7-0.

Mr. Rouillard made a motion that a condition of approval be to change the road width from 26' to 24' on Corliss Road to the Marblehead Road intersection, and that curbing and closed drainage be eliminated except at necessary cross drainage or as necessary to minimize erosion in areas there the road had steeper slopes. Seconded by Mr. Morris. Discussion of road widths and closed drainage systems ensued.

Mr. Rouillard made a motion to split his original motion into two motions. Seconded by Mr. Morris. Road width discussion ensued. Motion regarding changing the road with from 26' to 24' passed 6-1. Ms. Stoller opposed.

Mr. Rouillard made a motion to bring forth the second part of his original motion that curbing and closed drainage be eliminated except at necessary cross drainage or as necessary

to minimize erosion in areas where the road had steeper slopes. Seconded by Mr. Wilder. Discussion ensued regarding the motion being open-ended and the conservation commission remark. Vote on motion called. Did not pass 3-4. Mr. Goldstein, Mr. Kolodziej, Ms. Stoller, and Mr. Wilder opposed.

Mr. Wilder made a motion for the applicant to redesign with staff the drainage system to protect water quality in the areas of a 6% slope or greater and in areas of drainage crossing. The rest of the development should be essentially free of closed drainage system and that the redesign be brought back to the Planning Board. Seconded by Mr. Rouillard. Mr. Turner explained drainage ditches, closed drainage systems, people filling in ditches, and it is costly to maintain drainage ditches. It was his opinion that this motion would require total redesign. Mr. Eric Nickerson, owner of the project, spoke to the fact it would be a hardship to reengineer the plan. Vote called. Passed 4-3. Mr. Goldstein, Mrs. Crisler, and Mr. Kolodziej opposed.

Mr. Rouillard made a motion to open and continue the Price Waterhouse public discussion to the January 5. Seconded by Mr. Kolodziej. Passed 6-1. Mr. Morris opposed.

Mrs. Crisler made a motion to approve the plan with the following conditions in addition to the previous conditions. 1) setting of bounds or bonding of bounds; 2) recording of open space covenants; 3) granting a pedestrian easement to MacAlvein foundation; 4) stonewalls be left intact where possible if not that they be used on the property; 5) screen be provided to abutter at 25-R-801 and that the driveway be connected to Fletcher Road at developers expense; 6) off-site improvements on Marblehead Road which affect other driveways on Marblehead Road be modified at the developer's expense prior to issuance of the 10th occupancy permit; 7) bonding of all road improvements, off site and abutter's improvements and construction of the improvements; 8) test the wells located at lots 25-R-600, 601, 603, 800 and 801 for both flow and chemical analysis, and the results be available to the abutters at the developers expense. Seconded by Mr. Kolodziej. Passed 7-0.

Mr. Wilder made a motion to reopen Price Waterhouse. Seconded by Mr. Morris. Mr. Wilder withdrew the motion.

The next Planning Board meetings will be January 4 and 5, 2000.

Discussion ensued regarding if the issues at hand should be non-public or public. The issues are regarding minutes, therefore, should be spoken about in public. Mr. Goldstein read a letter from Attorney Campbell regarding the taking of minutes. Discussion ensued about minutes and how detailed they need to be.

The hours of the planning board secretary were then discussed. Mr. Turner stated the secretary should leave at 11:00 pm as the former secretary had done on occasion.

Ms. Stoller made a motion to have the recording secretary present at all meetings including workshops. Seconded by Mrs. Crisler. Passed 7-0.

MINUTE APPROVALS:

Some discrepancies were found in the minutes of the November 3 and October 27 meetings. Mrs. Crisler made a motion for the recording secretary to go through the tapes, make corrections, and resubmit a draft. Mr. Kolodziej seconded. Motion was amended to include that a draft be given to Ms. Stoller by December 27 and to the Board prior to the January 4 meeting. Passed 7-0.

Mrs. Crisler made a motion to accept the minutes of the December 1 meeting with amendments. Seconded by Mr. Rouillard. Passed 6-1. Mr. Goldstein opposed.

It was noted that this was the last meeting of the millennium. Ms. Stoller would like another copy of the Land Use book; Mr. Wilder gave his to her. Discussion then continued in regards to all the work that was accomplished by the board this year. Thanks were given to Mr. Tom Case, Mrs. Barbara Coish, and the cable staff for their hard work. The planning staff was also recognized for their hard work. Mr. Tom Case and Ms. Stoller were thanked for their participation on the Rockingham Planning Commission.

Motion to adjourn. Passed 6-1. Mr. Goldstein opposed.

These minutes are in draft form and have not been submitted for approval.

Nancy Charland