

**PLANNING BOARD MINUTES
JANUARY 14, 2004**

ROLL CALL:

Ross McLeod, Chairman – Present	Wayne Morris, Vice Chairman – Present
Lee Maloney, Secretary – Present	Walter Kolodziej, Regular Member – Present
Nancy Prendergast, Regular Member – Excused	Pam Skinner, Regular Member – Present
Phil LoChiatto, Alternate – Present	Bruce Breton, Selectmen – Present
Roy Dennehy, Alternate - Present	Chris Doyle, Selectmen Alternate – Excused

OTHER ATTENDEES:

Al Turner – Director, Planning & Development

Mr. McLeod opened the meeting at 7:30 pm. Mr. Dennehy replaced Mrs. Prendergast.

PROPOSED ZONING AMENDMENTS:

Citizen’s Petition by Deborah MacKenzie and Others to Change 2 Lots From Rural to NBD

Attorney James Troisi: Existing neighborhood uses and characteristics; plan from Department of Public Works and Highways; road features; Master Plan; intersection photos; no immediate plans for the site.

Kenneth Lewis, 24 Braemar Woods: Well head protection; DES maps; prevalence of water in the area; aquifer; number of residences; nearby contaminants; lack of irrigation system; routine testing (no bacteria hits in last 2 years, nor lead/copper); waivers granted; absence of contaminants on their site; Emergency Response Plan exists.

Wayne Bailey, 1 Colonial Rd., President of Country Manor Home Owners Asscn.: Water; traffic.

Porter Starratt, 12 Braemar Rd., President of Braemar Woods Condo Asscn.: Activity; noise levels.

Board discussion: Uses permitted in NBD; water concerns; on-site materials; no problems with water volume; Master plan; recent board approvals involving water control; Attorney Campbell’s comments; not spot zoning.

- *Motion by Mr. Dennehy to recommend this on the Town Warrant. Seconded by Mr. Breton. Approved 5:2; Ms. Skinner and Ms. Maloney opposed.*

Village Center District Expansion

Discussion: Past discussions; area zonings; I93 Exit 3; Pine Hill Road connection; curb cuts on Route 111; Post Office; uses permitted; intersection of Wall Street and Route 111; wetlands; topography; site walk.

Robert O’Loughlin, 17 North Shore Road: Runoff; streams; VCD purpose; process; sprawl.

Bud Sweetser, 29 North Shore Road, Cobbett’s Pond Improvement Assoc.: Protection of Cobbett’s Pond; topography.

Attorney Jim Tamposi, representing Finland Trust: Wonderful addition to downtown Windham; Route 111.

Tom Case, 8 Simpson Road: This is an anti-sprawl measure.

Board discussion: Acreage; zoning; abutter notification; amend for 500’ minimum distance; less impact; Attorney Campbell’s comments; lack of written statement from landowner; sprawl and access points; VCD purpose; Master Plan.

- *Motion by Mr. Kolodziej to withdraw this article from consideration in the ballot process and revisit at a later date. Seconded by Mr. Breton. Approved 7:0. (recess)*

School Impact Fees

Discussion: Posting; process; Attorney Campbell’s comments.

Roger Hohenberger, 5 Thomas Street: Language for AREA and co-operative facilities; impact fee basis calculations.

- *Motion by Mr. Morris to strike item #3 within section 715.2.3 and item #3 within section 715.5.2. Seconded by Mr. Kolodziej. Approved 7:0.*

The board thanked Mr. Hohenberger for his work on Impact Fees now and over the years. Next Tuesday, January 20th, the remaining sections (715.5.3 and 715.6.1) will be reviewed.

Temporary Signs

Discussion: Attorney Campbell's comments.

No public comment.

- *Motion by Mr. Dennehy to move the proposed changes to section 706 (Sign Regulations) forward to the Town Warrant.. Seconded by Mr. Morris. Approved 7:0.*

Vernal Pools

Discussion: Attorney Campbell's comments; redrafted changes posted for January 20th; Special Permit for work between the 25 and 50 foot lines; purpose of vernal pools; photos and examples of local vernal pools; no-cut buffers crossing driveways and roads; wooded uplands; amphibians.

- *Motion by Mr. Kolodziej to table this amendment and work on it later this year to bring it up to where the Board wants it to be. Seconded by Mr. Breton. Discussion. Amended to: withdraw this article from consideration for this year's Warrant. Failed 3:4; Mr. Dennehy, Mr. Morris, Ms. Skinner, Ms. Maloney opposed.*

Sam Nassar, 52 Searles Road: Code Enforcement Agent's interpretation; no grandfathering; an overlay zone; existing homes effected.

Discussion: Changes; timing; process; discussion to be continued again next Tuesday.

CORRESPONDENCE:

- Salem-Plaistow TAC Committee minutes of September 26, 2003.
- State Transportation Improvement Plan (TIP), Amendment #7.
- Nashua Telegraph article: "Construction Spending Hits New Record".
- Recording of plats in the Registry of Deeds.
- DES notification of dam permitting.
- Dave Sullivan (Highway Safety Committee): No objection to road name change for end of Jenny's Hill Road. Staff to ask Mr. Mesiti to submit a letter to the Board detailing the proposed name change.
- Peter Zhodi petitioned the BOS with a request to reclassify Pine Hill Road.
- Bruce Flanders' Retirement Roast is January 31st.
- Mr. Breton advised the Board that the Chairman and Vice-Chairman of the BOS, as well as the Chairman and Vice-Chairman of the Conservation Commission met with Governor Benson to discuss I-93 earlier in the day.

Motion to adjourn by Mr. Kolodziej, seconded by Mr. Dennehy. Approved 7:0. Meeting adjourned at 10:40 pm.

These minutes are in draft form and have not yet been reviewed and approved.

Respectfully submitted, Ross McLeod.