

**PLANNING BOARD MINUTES
JANUARY 20, 2004**

ROLL CALL:

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

OTHER ATTENDEES:

Al Turner – Director of Planning & Development

Mr. Morris opened the meeting at 7:30 pm.

PROPOSED ZONING AMENDMENTS:

School Impact Fees

Discussion: posting; proposed language; Attorney Campbell's correspondence.

Public comment from Tom Case, 8 Simpson Road: mechanics of posting; disagreement with validity of meeting; referenced document versus zoning ordinance; sequence of hearings.

Mr. Dennehy was seated for Mr. McLeod.

Board discussion: changes; attorney's review.

Public comments from Jack Gattinella, 13 Golden Brook Road: district versus co-op; process of submitting questions to the attorney; last meeting's posting; board members having copies of the ordinance; multi-family; ages; will send a copy of this tape to the Attorney General; illegal meeting.

Public comment from Roger Hohenberger, 8 Thomas Street: process; manufactured homes.

Board discussion: manufactured, mobile, condominium, and residential homes; public hearing process; referenced documents versus ordinance language.

Recess.

Public comment from Roger Hohenberger: scope; basis; computations; averages versus site-specific calculations.

Public comments from Jack Gattinella and Tom Case: associated fees; number of meetings; lots that remain partially developed for extended periods of time.

Board discussion: manufactured, mobile, and condominium impacts.

Motion by Mr. Dennehy to approve and move to town warrant the proposed School Impact Fees zoning amendment, with the elimination of 715.2.3 Item #3 and of 715.5.2 Item #3. Seconded by Ms. Maloney. Discussion. Approved 5:2; Mr. Breton and Mr. Kolodziej opposed.

Vernal Pools

Board discussion: revisions to buffer language by staff; Attorney Campbell's comments.

Public comments from Tom Case and Jack Gattinella: any current problems; mechanics of board's decisions; appeals process; identification of vernal pools; interrelation of WWPD and vernal pools.

Board discussion: developers; NHDES; court case; board's minutes indicating validity; letter from Chairman McLeod; existing lawns to remain but additional work must comply; no "grand-fathering"; creation of non-conforming lots; DES has no rules; buffers; identification of vernal pools.

**Town of Windham
New Hampshire**

Motion by Mr. Dennehy to approve the proposed Vernal Pools zoning amendment and move it forward to the town warrant. Seconded by Ms. Skinner. Failed 2:5; Mr. Breton, Ms. Prendergast, Ms. Skinner, Mr. Kolodziej, and Ms. Maloney opposed.

Motion by Mr. Breton to withdraw the proposed Vernal Pools amendment from consideration. Seconded by Mr. Kolodziej. Approved 5:2; Mr. Morris and Mr. Dennehy opposed.

Motion to adjourn by Ms. Maloney. Approved 7:0. Meeting adjourned 9:50 pm.

These minutes are in draft form and have not yet been reviewed and approved.
Respectfully submitted, Ross McLeod.