

**PLANNING BOARD MINUTES  
MARCH 3, 2004**

**ROLL CALL:**

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

*Mr. McLeod opened the meeting at 7:30 pm. Mr. Dennehy and Mr. LoChiatto replaced Mr. Kolodziej and Ms. Maloney.*

**MINUTES:**

- Ms. Breton motioned to approve the February 18 minutes. Mr. Skinner seconded. Passed 6-0-1. Ms. Prendergast abstained.

**CORRESPONDENCE:**

- RPC newsletter;
- Legal notice from the Town of Derry;
- Letter from CWB regarding an alternative alignment for the exit 3 interchange area;
- Land Resource management Workshops flyer;
- Letter from DES regarding Castle Reach proposed easement language;
- RPC meeting date change notice;
- Letter from the Trike Shop requesting site plan requirements be waived. Mr. Les Miller, owner, discussed the storage unit and dumpster. Discussion ensued. No public comment. Mr. Dennehy motioned to grant the request for two years with the storage unit color to be the same as the building and to allow the dumpster in the proposed location as per submitted plan. Mr. Morris seconded. Passed 7-0.

**OLD/NEW BUSINESS:**

The Board discussed the Trails Committee is working on connecting three cellar holes in the southeast part of town, local cable show regarding zoning amendments, zoning petitions, master plan update, Mr. McLeod's letter in the Windham Independent regarding the Master Plan, congestion mitigation meeting, and vote next Tuesday. Mr. Morris was recognized for his seven years of service and was presented with a book. Mr. Breton motioned to move Windham Supermarket and Bowes Site Plan to March 17 meeting. Mr. Dennehy seconded. Passed 7-0.

**PUBLIC HEARINGS:**

**Building Permit Request on Class VI and Private Roads (22-R-17,500) – Board Review Fletcher Road**

Mr. Turner discussed the request for comments from the Board of Selectmen, driveway easement, and access to lot 22-R-17500. Discussion ensued regarding cul-de-sac extension, access/driveway location, driveway length, and open space lot. Ms. Prendergast motioned to continue to the March 17 meeting. Mr. LoChiatto seconded. Staff will contact the applicant. Passed 6-0-1. Mr. Breton abstained.

**Windham Meadows II & Special Permit – 58 units (19-A-802) – Public Hearing Continued 76 Mammoth Road**

*Mr. Dennehy recused himself. Ms. Maloney joined the Board, and Mr. LoChiatto stepped down. Mr. Breton motioned to reopen the public hearing. Ms. Prendergast seconded. Passed 6-0.*

Mr. Zohdi presented updated plans. The site walk did not have a quorum. Ms. Way reviewed the previous discussion and issues. Mr. Peter Zohdi, Herbert Associates, discussed the site walk, Conservation Commission approved buffer zone, pond layout, \$65,000 donation to be used as follows: \$20,000 to senior center for up-grading the kitchen and purchasing furniture for the newly build

addition, \$20,000 for the future high school computer lab, \$20,000 toward the trail system from North Lowell Road to Mitchell Pond, and \$5,000 toward fire department equipment for the ambulances.

Public comment from Ms. Mary Dennehy, 71 Pleasant Street; and Mr. Roy Dennehy, 71 Pleasant Street, Whispering Winds Association President. Comments included no objection to the development, drainage bond, drainage basins need to be monitored, grassed parking area, Norway Spruce recommended, banked retention pond, large oak trees retained, low ground cover, and buffer. Mr. Tom Case questioned screening between developments. Discussion ensued regarding secondary parking area graveled base, and drainage bond not needed. Mr. Bruce Anderson, Conservation Commission Chairman, spoke in favor of the pond. Mr. William Olha, 66 Mammoth Road, discussed the impact of abutting residential property including gas pipeline and power lines, and houses close to high power pipe lines.

Mr. Zohdi discussed the zoning of abutting property, landscaping money, and prepared parking area. Discussion ensued regarding berming, and irrigation wells. Mr. Eric Nickerson, owner, discussed landscaping including drought resistant evergreens, and sprinkle and sod front yards. Discussion ensued regarding landscaping parameters including stonewalls and developer flexibility. Mr. Nickerson discussed landscaping including access walls, latitude to add as they go, and fire hydrant system from Pennichuck. Attorney Mason discussed the common area restrictions. Discussion continued regarding continuity between projects, and trash pick up. Mr. Turner read the staff recommendations, and discussion continued regarding trailer removal, 6" settled loam, cistern, and parking.

Mr. Morris motioned to approve the site plan and special permit with the following conditions: 1) Parking area on Misty Meadow Road should be screened with 4-5' evergreen plantings in accordance to Section 704.2 of the zoning ordinance; 2) The planting detail #5 on sheet L2 should be changed from 3-4' to 4-5' evergreens; 3) To minimize excessive irrigation the edge of lawn should be identified on the plans, and some areas should be left as natural vegetation or be planted with low maintenance ground covers; 4) The staff will continue to work with the applicant to facilitate a comprehensive landscaping and maintenance plan; 5) The removal of the trailer should be defined before the 50<sup>th</sup> unit is occupied; 6) The detention pond should be redesigned as proposed; 7) 6" of settled loam be used; 8) Constructed a gazebo; 9) Accept Mr. Nickerson's \$65,000 donation as noted in his letter of March 3 which meets impact fee needs; 10) Review of covenant; 11) Parking area as discussed to be graveled with top soil as per plan revised March 2, 2004. Mr. Breton seconded. Passed 6-0.

Mr. Breton motion to approve the special permit for work within the WWPD for the detention pond. Ms. Maloney seconded. Passed 6-0. *Mr. Dennehy rejoined the Board, and Mr. LoChiatto replaced Ms. Maloney.*

### **Bear Hill Subdivision (20-E-250, 255, & 20-D-307) – Public Discussion** **Off Bear Hill, Westchester, and Lowell Roads**

Mr. Turner reviewed the history of the project, current cul-de-sacs, connectors, and right-of-way to town land. Discussion ensued regarding road location, pedestrian path way, and access way. Mr. Zohdi discussed Conservation Commission site walk, emergency lane, waivers, and open space options. Discussion continued regarding land locked pieces, town property access, right-of-way to Mr. Logan's property, and less straight-short streets.

Public comment from Mr. Bruce Anderson, Conservation Commission Chairperson; Mr. Kerry Hennessey, 36 Bear Hill Road; Mr. Gene Boucher, 31 Bear Hill Road; and Mr. Steve Augusta, 34 Bear Hill Road. Comments included August site walk, WWPD, minimize environmental impacts, 24' road width, maintain wetlands, cul-de-sac options, signage, temporary vs. perm cul-de-sac, easement location and size, easement location, cul-de-sac taken out, cul-de-sac removed, temporary cul-de-sac become permanent, and moving right-of-way.

Discussion ensued regarding drainage, Pawtucket subdivision, timing of project, road width, bike path lane, road width, open space, cul-de-sac, and moving of easement.

Board discussed sending the plan out to the Highway Safety Committee, fire department, police department, Conservation Commission (relocation of easement), Historic District Commission, transfer station, highway agent, drainage study review, and Trails Committee.

Mr. Morris motioned to waive the by laws. Mr. Breton seconded. Passed 7-0.

**Forty Acres Subdivision (8-B-3000) – Public Discussion**

**140 Rockingham Road**

Mr. Zohdi discussed the plan including location, lots, and zoning, Rt 28 corridor study, site entrance, access road, and Rt 28 overlay district. No public comment. The Board discussed whether or not to send out the plan for department comments.

Board discussed sending the plan out to the Highway Safety Committee, fire department, police department, Conservation Commission, Historic District Commission, and highway agent.

Mr. Karl Dubay, MHF Design, asked the Board to schedule a site walk for the Windham Supermarket plan. The Board discussed hearing agenda items, and sending the plan out for department comments.

Mr. Morris motioned to authorize pre-release of Windham Supermarket plans for review in advanced of Planning Board review as to obtain their comments early. Ms. Skinner seconded. Passed 7-0.

Mr. Morris motioned to adjourn. Mr. Breton seconded. Passed 7-0. Meeting adjourned 11:00 pm.

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

Respectfully submitted, Nancy Charland