

PLANNING BOARD MINUTES

March 1, 2006

ROLL CALL:

Nancy Prendergast, Chairman – Present
Ruth-Ellen Post, Secretary – Present
Phil LoChiatto, Regular Member – Excused
Neelima Gogumalla, Alternate – Present
Rick Okerman, Alternate – Present
Alan Carpenter, Selectmen Alternate – Excused

Ross McLeod, Vice Chairman – Excused
Walter Kolodziej, Regular Member – Present
Pam Skinner, Regular Member – Present
Steven Griffis, Alternate – Excused
Margaret Crisler, Selectmen Member – Present

STAFF:

Al Turner, Director of Planning and Development – Excused
Rebecca Hebert, Town Planner – Present

Ms. Prendergast opened the meeting at 7:30 pm. Ms. Gogumalla and Mr. Okerman replaced Mr. LoChiatto and Mr. McLeod.

MINUTES:

- Mrs. Crisler motioned to approve the February 15 minutes. Mr. Kolodziej seconded. Passed 7-0;
- Mrs. Crisler motioned to approve the February 22 minutes as amended. Mr. Okerman seconded. Passed 7-0.

SIGN PERMIT REQUESTS:

- Windham Barbershop, Cobbetts Pond Plaza. Discussion: Location, front sign and side sign, meets requirements, lighting should be down lit, and work with staff. Ms. Post motioned to approve the graphics for the sign. Mrs. Crisler seconded. Passed 7-0.

CORRESPONDENCE:

- Letter from the Office of Energy and Planning regarding a complimentary copy of “A Handbook for Local Officials.” Staff will get copies for Board members.

OLD BUSINESS/NEW BUSINESS:

Discussion: Scheduling meetings with Historic District Commission and another with the RPC, RPC on the agenda for March 29, and Mrs. Crisler will work with the HDC to schedule a workshop meeting.

LIAISON REPORTS:

- Selectmen, Mrs. Crisler: Board of Selectman: Met with the DOT regarding a pedestrian crosswalk with flashing lights between Searles School and Searles Road, and met with School Board for final road design.

No workshop meeting scheduled for March 8, and Gauthier site walk rescheduled for March 11 at 9:00 am.

PUBLIC MATTERS:

46 Lowell Road Site Plan – Public Hearing

46 Lowell Road, lot 20-E-260

Mrs. Hebert: 12,300 sq ft retail/office/warehouse space within two buildings, location, variances granted for 1) zoning; and 2) building front setback and buffer reduction, and a Special Permit request for a well in the WWP. Ms. Post motioned to accept for public hearing. Mr. Kolodziej seconded. Passed 7-0. Mrs. Hebert: Aquifer Protection District, parking designed but not constructed unless needed, and we do not know who the tenants will be.

Peter Zohdi, Herbert Associates: Square footage of buildings, plan reviewed by staff and CLD, entrance permit approved, NH DES approved septic, have all required approvals, adjacent lots are residentially zoned but are used for commercial, and hold off on paving the parking in the back unless it is needed. Discussion: Lighting plan, down lit lighting on the sign, and lighting in back will not be used until needed. Mrs. Hebert: One-way circulation around the building, work with staff to increase buffer, sheet drainage with stormwater design is a leaching trench which is a lower impact design. Ms. Prendergast read the Department comments.

Mr. Zohdi: Further explained the drainage, site is suitable due to soil conditions, one-way circulation, well location could be used, Board of Health well radius waivers, warehouse use in the back of the buildings, front is retail, upstairs is office space, architecture, garage doors in the back of the building, and one tenant per unit. No public input.

Mrs. Crisler motioned to grant the Special Permit to drill wells and locate water line within the WWPD. Mr. Kolodziej seconded. Passed 6-1. Ms. Post opposed.

Mrs. Crisler motioned to approve the application subject to: 1) All state, federal, and local approvals shall be received prior to signing the plans; 2) A separate sign application shall be submitted for Planning Board approval prior to installing the tenant signs. The Board will review the graphic layout of each proposed tenant sign for conformance to the Town's sign regulations under separate sign permits; 3) No parking along Lowell Road; 4) If the Board of Selectmen approve a waiver to reduce the distance between the well and septic system, then the applicant will relocate the well away from the edge of the wetland to minimize impacts to the WWPD; 5) Applicant shall work with Staff to provide additional evergreen trees to screen the parking areas from the adjacent properties and to widen the buffer on the north side of the property to 10 feet; 6) That the cistern on the site be bonded; and 7) That the dumpster hours shall be between 9:00 am-6:00 pm. Mr. Kolodziej seconded. Passed 7-0.

Pesando Subdivision – 2 residential lots – Public Discussion off Bear Hill Road, lot 20-E-135

Mrs. Hebert: Location, acreage, no road frontage on Bear Hill Road, adjacent to right-of-way, variance granted to allow 2 lots without frontage on a town road, granted with the condition of no more lots and the cistern to be replaced and relocated, shared driveway, steep driveways, wetlands and WWPD, conservation easement deeded to the town but the Town would not own the land, sight distance, soils need to be reviewed for lot sizing, lots located behind homes on Bear Hill Road, and buffer for Bear Hill lots. Discussion: Right-of-way ownership, right-of-way was created as access to the Gage Lands, and only Board of Selectmen can accept the easement.

Peter Zohdi, Herbert Associates: Discussed Bear Hill Subdivision in regards to this lot, cistern relocation, change the driveway location, leave 75' of vegetated buffer, soil mapping being done, plan changed from the ZBA submittal, variance was granted per plan submitted, deed easement to town but would like 3 lots, property owners responsible for roadway, narrow the right-of-way, and soils could support 4 lots. Ms. Prendergast read a letter from Wendy Keller.

Public comment from Brian McNamara, 19 Bear Hill Road: Concerned with the driveway location, liked that the engineer agreed to move the driveway and add a buffer, would prefer if the house location was not in line with his home, and has blasting concerns.

Mr. Zohdi: Will comply with fire regulations, no cut zone, pre-blast survey, and no negative impact to abutters from water runoff. Discussion: Relocation of cistern, 14% driveway grade, driveway layout, send the plans out for department comments, further clarification from ZBA regarding conditions of approval, and site walk scheduled for March 25 at 9:00 am.

Copps Hill Open Space Subdivision – 11 residential lots and 1 open space lot – Public Hearing Copps Hill Road, lots 21-B-10 & 29

Mrs. Hebert: Open space subdivision located off Copps Hill Road, 11 residential lots, 1 open space lot, and total acreage is +/-24 acres. *Mr. Okerman recused himself.* Mrs. Hebert: 800' new road way, permanent cul-de-sac, 24' wide road with a 40' right-of-way, 8% road, no WWPD impacts, and wetland fill location. Ms. Skinner motioned to accept for public hearing. Mrs. Crisler seconded. Passed 6-0. Mrs. Hebert: Copps Hill Road not built to current road standards, drainage concerns addressed with drainage design, and waivers requested.

Peter Zohdi, Herbert Associates: One of the lots has an existing house on it, drainage mitigated on site, treatment of water with vortex catch basin system, and additional catch basin to slow water. Discussion: Copps Hill current driveway impacts. Ms. Prendergast read the Department comments. Discussion: Off-site improvements, work with staff to improve Copps Hill Road, waiver for 3% at the beginning of the

road, and applicant to maintain the vortex system until the road becomes an accepted town road.

Public comment from Rick Wilson, 7 Cops Hill Road; Rick Okerman, 3A Marblehead Road; Colette Lebel, 1 Cops Hill Road; Ann Kush, 7 Marblehead Road; and Wayne Morris, Rock Pond Improvement Association: Concerned with the impacts to the wetlands, basement problems because of drainage, concerned with pool sustaining the blasting, setback to drainage easement, would like to have the catch basins replaced on Cops Hill Road, concerned with privacy from the new homes, would like a larger buffer, septic system in the open space be put on the lot, current wells don't produce much water, blasting concerns, public be able to continue to use the trails, historical stonewalls be preserved, Range Road and Marblehead Road intersection is a safety issue, open space to never be built on, houses on top of each other, doesn't seem that there's enough space for a road, traffic on Marblehead Road, drainage to Rock Pond, support 24' road and smaller cul-de-sac, and trail access to abutting piece of land.

Mr. Zohdi responded to the drainage concerns, lot sizing, Board requested open space subdivision, has done everything that needs to be done with this subdivision, agreed to improve Cops Hill Road, and the ordinance allows septic and wells in open space. Discussion: Relocating the subdivision away from abutter. Mr. Okerman: Potential agreement for conservation easement. Mr. Zohdi: Elevation difference, abutter will not be as high Mr. Okerman's foundation and agreed to the 30' no cut zone for Mr. Okerman. Discussion: Selectmen approved the road name. Mr. Zohdi stated he will work with the Trails Committee, the stonewalls will not be disturbed, he agreed that all homes will be equipped with auto sensed irrigation systems, will work with staff regarding the Cops Hill Road improvements. Discussion: Realignment of the catch basins, cul-de-sac design, tear drop cul-de-sac, detention pond, impacts to Range Road and Marblehead Road, and road width.

Mrs. Crisler motioned to grant the waiver of Section 602.7 that requires the street right-of-way for secondary roads be 50 feet. The applicant is proposing a 40 right-of-way throughout the subdivision. Mr. Kolodziej seconded. Passed 6-0.

Mrs. Crisler motioned to grant waiver of Section 602.8.5 that requires the minimum right-of-way diameter to be 160 feet for a cul-de-sac. The applicant is proposing a cul-de-sac with 120 foot diameter, as allowed by the Open Space. Mr. Kolodziej seconded. Passed 6-0.

Mrs. Crisler motioned to grant waiver of Section 901.13 that requires the pavement width for the typical cross section for a secondary road is 28 feet. The applicant would like to waive the typical 28-foot road width requirement to 24-feet. Mr. Kolodziej seconded. Passed 6-0.

Mrs. Crisler motioned to grant waiver of Section 602.10 which requires a 2% slope for a distance of 100 feet at the intersection allow the applicant to go to 3%. Mr. Kolodziej seconded. Passed 6-0.

Mrs. Crisler motioned to approve the application with the following conditions: 1) All boundary markers specified "to be set" shall be set as a condition of approval; 2) The road shall have a performance guarantee in the form of a bond or Letter of Credit prior to the recording of the final plans; 3) All state and federal approvals shall be received prior to the start of construction; 4) Any work in the existing town right-of-way shall require a permit from the Board of Selectman; 5) The Open Space Covenants shall be reviewed by Town Council. All legal fees for the Town Attorney will be paid by the applicant; 6) The applicant is to work with Town Staff to revise the cul-de-sac, to extend the paving to the outside edge of the right-of-way and to reduce the size of the vegetated island. The width of the pavement around the cul-de-sac should be 30-feet, with a vegetated island, and paving set approximately 5 feet from the edge of the right-of-way. The island should have sloped granite curbing and also work with staff to change the cul-de-sac configuration to a tear drop shape; 7) The first 20 feet of the driveways shall be paved during the road construction; 8) All notes on construction details shall be changed to reflect the required 6" of loam instead of 4"; 9) The house address numbers and parcel numbers shall be approved by the Town Assessor prior to recording the plans; 10) The applicant shall work with Staff to restore the area around the detention pond to minimized disturbances to the protected open space; 11) Applicant shall provide to the Town, prior to the start of construction, evidence that adequate utilities are available to service the proposed development and a plan shall be submitted illustrating the proposed location of the utilities

within the public right-of-way or utility easements; 12) Applicant is to supply a warranty deed for the road, which shall be reviewed by Town Council. All legal fees for the Town Attorney will be paid by the applicant; 13) The Developer shall work with Town Staff to determine the necessary improvements, if any, to Copps Hill Road including catch basins and other drainage structures. These improvements should be incorporated into the final set of plans. These off-site improvements shall be bonded; 14) The plan shall be revised to relocate the double grate catch basins to align against the curbing; 15) If a cistern is used for Fire Protection the easement, and standard paved apron to access the cistern should be included in the final set of plans and the cistern bonded; 16) The applicant shall provide to the Town proof of a maintenance contract to inspect, monitor, and clean out the hydro defender per manufacturer's specifications until such time the road is accepted as a Town road and deeded to the Town; 17) The applicant shall work with the Trails Committee to provide a pedestrian right-of-way through the open space to lot 21-F-60 and there will be a 30' no-cut zone along lot 21-B-30 and 21-B-31; 18) The note on the plan regarding stonewalls shall read: "Stonewalls should either be retained in place, relocated, or stockpiled for future use on site"; 19) Automatic sensors shall be installed on any irrigation system installed on the site; and 20) Work with the resident of lot 21-B-25 for driveway relocation off of the new road. Mr. Kolodziej seconded. Passed 6-0.

Mr. Kolodziej motioned to adjourn. Mrs. Crisler seconded. Passed 6-0. Meeting adjourned at 11:10 pm.

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

Respectfully submitted, Nancy Charland