

## PLANNING BOARD MINUTES

April 19, 2006

### ROLL CALL:

Phil LoChiatto, Chairman – Present  
Nancy Prendergast, Secretary – Excused  
Ross McLeod, Regular Member – Excused  
Neelima Gogumalla, Alternate – Present  
Rick Okerman, Alternate – Present  
Alan Carpenter, Selectmen Alternate – Excused

Ruth-Ellen Post, Vice Chairman – Present  
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 – Present  
Rebecca Hebert, Town Planner – Present

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

### MINUTES:

- Mrs. Crisler motioned to approve the April 8 site walk minutes. Mr. Okerman seconded. Passed 4-0-3. Mr. Kolodziej, Ms. Skinner, and Ms. Post abstained;
- Mrs. Crisler motioned to approve the April 5 minutes. Ms. Post seconded. Passed 6-0-1. Mr. Okerman abstained.

### BOND:

- Carr Landscaping; new bond for \$18,700. Mr. Kolodziej motioned to accept. Mrs. Crisler seconded. Passed 7-0.

### SIGN PERMIT REQUEST:

- Cyr Lumber sign permit. Discussion: For new building on Jones Road, staff can take care of height requirement, size, and building location. Mr. Kolodziej motioned to grant the request of wall signs on Jones Road, three 4 x 8 wall signs. Ms. Skinner seconded. Passed 7-0.

### CORRESPONDENCE:

- Postcard from Planning Board member Ross McLeod from Anchorage, Alaska;
- Confidential legal communication from Attorney Campbell regarding Great Mt View;
- Memo from David Sullivan regarding Pine Hill Road reclassification public hearing;
- Letter from Comprehensive Environmental Incorporated regarding Greening Rooftops for Sustainable Communities Conference and Trade Show on May 11 and 12;
- RPC April 12 meeting agenda;
- Letter from DES regarding a Site Specific Permit for lot 11-A-50;
- Technical bulletin from the Office of Energy and Planning;
- Request to continue the RK Associates Restaurant and Retail Shop until May 3;
- Thank yous, certificates and pins for volunteers of the Planning Board and CIP.

### OLD BUSINESS/NEW BUSINESS:

Discussion: School department will be first on the agenda for May 17

### LIAISON REPORTS:

Mr. Okerman, Trails Committee: Currently discussing the Ledge Road site.

Mrs. Crisler, Selectmen: Met with Pelham Selectmen and agreed to close Castle Hill Bridge for a month while the Talent Bridge is closed, the mosquito control program has started, and are asking the ZBA a for rehearing for the Workout Club sign. Discussion: Administration of the mosquito control program.

Mr. Kolodziej motioned to grant the request to continue the RK Associates Restaurant and Retail Shop to the May 3 meeting as requested. Ms. Skinner seconded. Passed 7-0.

### PUBLIC MATTERS:

**Spruce Pond II Open Space Subdivision – 90 lots – Public Discussion**  
**off Rockingham Road, lots 3-B-800, 890, 900 & 3-A-565**

Mr. Turner: Continuance of the public discussion, traffic study needs updating, and traffic engineer will address connector roads to Derry.

Joseph Maynard, Benchmark Engineering: Site walk, worked with traffic engineer to incorporate abutters concerns, T-stop, add road curve, moving the house, and working with Derry for road improvements. Discussion: Location of T-stop, less road and less wetland impact, drainage flow, wetland scientist prepares the dredge and fill, road slope, road widths, and discourage cut-through road.

Laurie Rauseo, traffic engineer: Updated Phase II report coming, gave summary of coming report, traffic impacts, trip generations, traffic options, number gathering, trip distribution, daily volumes, and left turn lane on Rt 28. Discussion: Neighborhood traffic net effect.

Public comment from: Mike Savastano, 20 Mitchell Pond Road; Dan Meads, 13 Mitchell Pond Road; Chris Rossetti, 3 Mitchell Pond Road; Scott Cousens, 75 Morrison Road; Travis Blais, 47 Mitchell Pond Road; Bob Schmit, 62 Mitchell Pond Road. Concerns included: Traffic will use Rt 111 to get to town attractions, high school students will use Rt 111 to get to high school, suburban sprawl, town regulations, road definitions, changing road status to a collector road, opposed to road connection, increased traffic to Morrison Road since the connection to Castle Reach was constructed, Morrison Road is 22' wide with blind spots, has been run off the road at corner, entrances poorly laid out, deteriorated road conditions, not an acceptable collector road, has a traffic safety study been done, does not need to connect through Spruce Pond, what gives H&B Homes the right to impact their neighborhood, new neighborhood should not be at the detriment of an existing neighborhood, reject the plans, does not understand the traffic patterns, Morrison Road needs to be upgraded, traffic flowing in both directions does not negate each other but compounds it, disingenuous traffic numbers, Morrison and North Lowell Road intersection is unsafe and needs to be addressed. Mr. Turner: Rt 28 will become more attractive for people to use once the Rt 111 bypass is completed.

Mr. Maynard: Connection to Windham Depot Road, and Rt 111 by pass is less than 2 miles away and the traffic will travel that way.

Ms. Rauseo: Does not have disingenuous numbers, further explained net zero effect, Morrison and North Lowell intersection, numbers do not warrant a turning lane on North Lowell Road,

Mr. Kolodziej motioned to send plan out for comments to the same parties as the Hopkins Road connection Ms. Post seconded. Discussion: Highway Safety Committee comments on improvements to Morrison Road, safety analysis of Morrison Road from traffic engineer, and Selectmen look at road. Passed 7-0. Ms. Post motioned to request the applicant look at the condition of the road, width, safety issues, structural integrity and access to North Lowell Road. Mrs. Crisler seconded. Discussion: Gathering information, and scenic road requirements. Failed 3-3-1. Mr. Kolodziej, Mr. LoChiato, and Ms. Skinner opposed. Ms. Neelima abstained.

Mr. Kolodziej motioned to continue to June 7. Ms. Skinner seconded. Passed 7-0. Mr. Kolodziej motioned to reconsider the motion. Ms. Skinner seconded. Passed 6-1. Ms. Post opposed. Mr. Kolodziej motioned to continue to May 17. Ms. Skinner seconded. Passed 7-0.

**Gauthier Subdivision – 4 residential lots – Public Discussion**  
**Marblehead Road, lot 25-G-60**

Mrs. Hebert: Lots, site walk, location, no new road construction, frontage on Marblehead Road, private right-of-way, and consider open space subdivision.

Peter Zohdi, Herbert Associates: Open space is a good idea, can obtain 5 lots, and owner is considering.

Attorney Ed Richards, representing Mr. Gauthier: Does not have enough information to decide about open-space or conventional subdivision at this time, trying to resolve the neighbor issue by selling a piece of the land, and asked for continuance of the public discussion. Mr. Kolodziej motioned to continue to May 3. Mrs. Crisler seconded. Passed 7-0.

## **Giordano Site Plan – Public Discussion**

### **14 Haverhill Road, lot 11-A-350**

Mrs. Hebert: New plan, location, existing cell tower and dirt road, applicant would like a wood processing and landscape materials business, wetlands and WWPD, plans needs staff review, and Limited Industrial District requirements.

Peter Zohdi, Herbert Associates: Property location, acreage, tower location, gravel road, wood processing, cuts the wood and sends it to the mill, proposed building is a garage, there are no customers, will comply with water and pollution issues, and parking.

Mr. Giordano: Described his full-service tree removal company and wood processing, and no retail sales. Discussion: Delivery of log sales, no public on site, chippers and chainsaws, no outside trucks, no burning at all, no debarking, truck trips, has other sites, closeness of abutters, stockpile materials area, wood chips, drainage, year-round business but slower in the winter, not proposing landscaping business on site, water system for fire prevention, and has a similar operation in Massachusetts. Mr. LoChiatto summarized a letter from Windham Outdoor Materials Sales.

Public comment from Karla Doukas, 7 Hardwood Road: Concerned with future expansion, odors, would like a noise study including vehicles, screening especially for winter, and level of activity kept to a minimum. Discussion: Noise ordinance. Mr. Zohdi: Sound study, and will work with staff for other studies needed, checklist, and staff visit similar site. Mr. Kolodziej motioned to continue to May 17. Ms. Skinner seconded. Passed 7-0.

## **Windham Junction Site Plan – Public Hearing**

### **128 North Lowell Road, lot 2-A-1100**

Mr. Turner: The application is complete. Ms. Post motioned to accept Windham Junction Country Store, lot 2-A-1100, for public hearing. Mr. Kolodziej seconded. Passed 7-0. Mr. Turner: Retail building for many years, take out breakfast, current conditions, angle parking, one-way in and one-way out, residential parking, sign location, state driveway permit, hours of operation need to be on the plan, lighting, handicap parking needs sign, spot elevation for drainage, hand carts for waste disposal, emergency water supply, filtered kitchen exhaust, lot numbering, additional landscaping, one way signs, and waiver of site plan regulations requested. Discussion: Completion of plan, procedures, department comments, and will be breakfast and lunch.

Karl Dubay, MHF Design: Site plan update, previous plan, previous uses of the property, Neighborhood Business Zone, waivers requested, post lantern added, no work on the back of the property, paved side walk to rolling trash canisters, upgrades to existing porch lighting, applied for NH DOT driveway permit, ADA signs on posts, retain existing uses as approved and add the food sales, showed current photo, landscape buffering, and state intent of approval of food service.

Discussion: Seasonal trees sales, previous approval, procedures, amend plan or new approval, Mr. Gove reviewed wetlands, purpose of plan is to update the approved plan to include food, waivers requested, waivers process, completeness of plan, and Board member opinions regarding the waivers.

Mr. Dubay: Withdraw blanket waiver and go through every section, only two waivers, and complete plan.

Mrs. Hebert: Read Site Plan Checklist items: Section 207 Odors concern; Section 208 Landscaping plan or say no changes; Section 209 Outdoor lighting plan details; Section 603 Property boundaries; Section 704.1 Soil types stamped and dated by NH certified soils scientist; Section 902 Construction drawing of sewer and waste disposal; Section 908 Outdoor lighting; Section 911 Location and Construction Details of storm drainage system; Section 908 Outdoor lighting plan details, location, type, wattage, and light coverage; Section 911 Location and construction details of storm drainage system; Section 913 Drainage computation for a 10 year storm signed and sealed by NH Registered Professional Engineer; Section 913 All plans should conform to the recommendations of the Stormwater and Erosion Control Handbook or Urban and Developing Areas in NH and to NPDES II; Section 913 Independent review of drainage details; Section 1001 Construction sequence and temporary erosion control measures including dust control, temporary construction entrance, and stock pile locations shown on plan; Section 1103

Reasonable screening at all seasons of the year of all parking, service, load, and storage areas from the view of adjacent residential properties and streets; Section 1204 Required statements regarding off-site improvements, drainage, and emergency water supply; Section 1306.4 Outdoor lighting details, wattage, coverage; Section 1307 Historical building details; Section 1309 Site plan at 1"=50' and landscaping plan and building elevations at 1"=20'; and Section 1309.3 Building material samples and material samples.

Public comment from Robert Jacobellis, 130 North Lowell Road; John Mangan, 1 Depot Road: Concerns include confused about the process, how many businesses can be run from one property, is there the need for that business, traffic flow, abutters would like fences as a buffer, against ice cream being sold, trash, business hours and delivery hours, environmental impacts, safety and traffic concerns in regards to accidents, speed limit, residential and employee parking, ice cream sales brings more traffic, and drainage contamination.

Dennis Senibaldi, 20 Partridge Road and former owner of GoGo Mart; small operation, can't control what people can do, not changing much of anything, and there is a need for the business.

Mr. Dubay: Will add the information to the sheet, and have Mr. Gove stamp the plan. Discussion: Septic can handle extra load.

Mr. John Normington, owner: Wants a simple general store, not affecting private property, year round greenery, state approvals, all being done through property channels, and let's not make this a big deal. Discussion: Department comments.

Mr. Kolodziej motioned to approve the waivers as requested by the applicant and staff. Discussion: 17 items, and process. Ms. Skinner seconded. Passed 7-0.

Mr. Kolodziej motioned to approve the site plan with the following conditions: 1) All state, federal, and local approvals shall be received prior to the start of construction; 2) The applicant will apply for a sign application for the proposed wall sign and freestanding sign; 3) The hours of operation and deliveries shall be noted on the final plans; 4) All proposed lighting shall be shown on the final plan, the applicant shall demonstrate to the Planning and Development Department that the proposed lighting foot candles will not extend off the property at 128 North Lowell Road. The lighting shall also be "Dark Sky Friendly"; 5) The handicap parking space shall be identified with a sign and the 4 foot aisle adjacent to the parking space shall be striped as required by the ADA regulations; 6) Spot elevations shall be included on the plans and arrows indicating the direction of storm water flow for the proposed sheet drainage; 7) The proposed hand carts for waste shall be enclosed and screened from with a fence and the cart shall be located on a concrete pad; 8) The note from Section 1204 detailing the requirements for Emergency Water Supply shall be noted on the final plans; 9) A copy of the updated and approved NHDOT driveway permit shall be submitted to the Planning and Development Department prior to the Planning Board signing the final plans; 10) Detailed plans for a filtering system to limit the smell of cooking odors shall be submitted to the Planning and Development Department and approved by the Building Inspector as part of the building permit approval process; 11) The abutting lot owned by John Mangan shall be labeled as "lot 2-A-1200" not "lot 2-A-1000" on the final plans; 12) The applicant shall submit a landscape plan to be reviewed by the Planning and Development Department; the plan should include an evergreen vegetative buffer between the proposed development and lots 2-A-1200 & 1000; 13) The applicant should include a "One-Way" sign at the entrance off of North Lowell Road; 14) Lighting will be appropriate to the period of the structure; and 15) A letter from Mr. Gove which notes the absence of wetlands. Ms. Skinner seconded. Passed 7-0.

Mr. Kolodziej motioned to adjourn. Ms. Skinner seconded. Passed 7-0. Meeting adjourned at 11:55 pm.

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

Respectfully submitted, Nancy Charland