

**PLANNING BOARD MINUTES**  
**May 3, 2006**

**ROLL CALL:**

Phil LoChiatto, Chairman – Present  
Nancy Prendergast, Secretary – Present  
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 – Present  
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 replaced Mr. McLeod.*

**MINUTES:**

- Ms. Prendergast motioned to approve the April 26 minutes as amended. Mrs. Crisler seconded. Passed 6-0-1. Ms. Skinner abstained;
- Mr. Okerman motioned to approve the April 19 minutes as amended. Ms. Post seconded. Passed 4-0-3. Mr. Kolodziej, Ms. Skinner, and Ms. Prendergast abstained.

**CORRESPONDENCE:**

- Flyer for the “Knowing the Territory” book;
- Flyer from the Recreation Committee regarding the beach clean up on May 20 at 8:30 am;
- Planning Board abutter notification from the Town of Salem for 20 Hitching Post Lane;
- E-Mail from Karl Dubay requesting to continue the RK Associates discussion to May 17. Mr. Kolodziej motioned to grant the request. Ms. Prendergast seconded. Passed 7-0;
- Letter from Herbert Associates requesting the Gauthier Subdivision be continued to the May 17 meeting. Mr. Kolodziej motioned to grant the request. Ms. Post seconded. Passed 7-0.

**BONDS:**

- Timberlane Road Ext; release \$28,560 and retain \$33,468. Ms. Skinner motioned to grant. Ms. Post seconded. Passed 7-0.

**OLD BUSINESS/NEW BUSINESS:**

Discussion: Sheffield final release of April 26, 2006 did not need a final road acceptance.

**LIAISON REPORTS:**

Mrs. Crisler, Selectmen: Mosquito control presentation at the Selectmen’s meeting, the most intoxicating item to be used is mineral oil, areas identified, residents should write or e-mail the Planning Department if residents want the treatment or not want the treatment, Verizon presentation next Monday regarding cable service to the town, Garden Club plant sale on May 20, and raffle tickets for sale for the Nancy Surette Scholarship fund. Discussion: Adelphia purchased by Comcast.

Ms. Skinner, Conservation Commission: Would like notification of site walks, and Conservation Easements Committee.

Discussion: Compensation as elected officials, request at budget time, put on for next workshop agenda item, and previous motion to continued Gauthier Subdivision and RK Associates Site Plan to the May 17 meeting.

**PUBLIC MATTERS:**

**Ludlow/Hancock Lot Line Relocation – Public Hearing**  
**4 Ludlow and 18 & 20 Hancock Road, lot 7-A-757,758, 800**

Mrs. Hebert: Illustrated the relocation of the lot lines, square footage, meets requirements, and ready for public hearing. Ms. Prendergast motioned to accept for public hearing. Ms. Post seconded. Passed 7-0.

Mrs. Hebert: Staff recommendations, and resetting boundary markers. No public comment. Mrs. Crisler

motioned to approve the lot line change for lots 7-A-757, 758, 800 with the following conditions: 1) All state, federal, and local approvals must be obtained prior to signing and recording the plan; and 2) Boundary markers shall be set in accordance with the approved plans. Mr. Kolodziej seconded. Passed 7-0.

**Castle Reach IV Open Space Subdivision, Site Plan, and Special Permit – 4 lots – Public Hearing**  
**31 Jenny's Hill Road, lot 7-A-702**

Mrs. Hebert: Lots, location, open space subdivision, private driveway/road for access, acreage, road length, larger lot sizes, one WWPD impact and one wetland crossing, and ready for public hearing acceptance. Mrs. Crisler motioned to accept for public hearing. Mr. Okerman seconded. Passed 7-0. Mrs. Hebert: Waiver request for block length, and Special Permit requested. Discussion: Road intersection, Mr. LoChiatto read the department comments, road inspections during construction by outside engineer, town regulations, and private road easement.

Peter Zohdi, Herbert Associates: 4 lots on 26 acres, single-family homes, length of cul-de-sac waiver, cul-de-sac, complies with requirements, minimum impact Dredge and Fill, and driveway easement. Mrs. Hebert: Staff recommendations, trail easement, granite curbing, Wellington Drive, road vs. drive, and fire safety. Mr. Zohdi: Fire safety hydrant, box culvert designed by a structural engineer but not reviewed by CLD, and easement for town council review for one week.

Dr. James Finn, Conservation Commission Chairman: The state prefers the box culvert with the bottom in, and the driveway is not as wide as a road and doesn't need the bottomless box culvert. Discussion: Driveway width, NH DOT galvanized guardrail.

Public comment from Sam Nassar, 52 Searles Road: Likes the minimized roads and impacts, it's a safe design, and there has been no objection to the 20' wide road.

Discussion: Waiver not needed, and regulations. Ms. Prendergast motioned to approve the waiver of Section 604.2 to allow the block length of 650'. Mrs. Crisler seconded. Discussion: Waiver section number. Passed 6-0-1. Mr. Kolodziej abstained.

Discussion: Construction detail, driveway width, silt fence detail, and Special Permit requested. Mr. Turner read the sections and discussed the reasons for the Special Permit.

Mrs. Crisler motioned to grant the applicant's request for a Special Permit to impact the WWPD according to the plans submitted in accordance with Zoning Ordinance Sections 601.1, 601.1.1., 601.1.2, 601.1.3, 601.1.4, 601.1.5. Ms. Post seconded. Passed 7-0.

Mrs. Crisler motioned to approve with the following conditions: The road construction process be inspected by qualified engineers; 2) All boundary markers specified "to be set" shall be set as a condition of approval; 3) All state and federal approvals shall be received prior to the start of construction; 4) The Open Space Covenants shall be reviewed by Town Council. All legal fees for the Town Attorney will be paid by the applicant; 5) The house address numbers and parcel numbers shall be approved by the Town Assessor prior to recording the plans; 6) 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 driveway or utility easements; 7) Applicant is to supply a legal documentation for the private road easement, which shall be reviewed by Town Council and finalized before the plans are signed. All legal fees for the Town Attorney will be paid by the applicant; 8) The applicant shall work with the Trails Committee to provide a pedestrian right-of-way through the open space; 9) The design of the culvert at the wetlands crossing shall be designed by a structural engineer and approved by the Town prior to start of the construction of the private road; 10) Granite curbing shall be provided along the radii of the private road at the intersection with Jenny's Hill Road; 11) The name of the private road shall be approved by the Board of Selectmen; 12) Historic stone culvert to be preserved; and 13) Minimize the cutting of the trees and native vegetation. Discussion: Utilities, substantial grading. Mr. Kolodziej seconded. Discussion: Stone culvert not on the property. Mrs. Crisler motioned to remove the stone culvert from her motion. Mr. Kolodziej seconded. Passed 7-0.

Ms. Prendergast motioned to move Cobbetts Pond site plan and Cingular Site plan to May 17. Mr. Kolodziej seconded. Passed 7-0. Mr. Kolodziej motioned to schedule a May 31 meeting for normal course of business to help alleviate the back log of public hearings and discussions. Mr. Okerman seconded. Passed 7-0.

**Clarke Farm South Open-Space Subdivision and Site Plan– 33 residential lots – Public Hearing Faith Road and Haverhill Road (Rt 111), lot 14-B-100**

*Mr. LoChiatto stepped down, Mr. Griffis replaced him, and Ms. Post sat as chairman.*

Mr. Turner: Location, ownership, previous meetings, deadlines, 33 residential lots, acreage, rural zoning, and ready for public hearing. Mr. Kolodziej motioned to accept for public hearing. Mr. Griffis seconded. Passed 7-0. Discussion: Plan reviews, traffic review findings, access, level of service at the Rt 111 intersection, high school back entrance traffic effect, 4-way stop, round-about for traffic calming, waivers requested, WWPD, wetlands and treatment swales, staff recommendations, trails locations, left turn lane, and open space locations.

Peter Zohdi, Herbert Associates: 33 lots, open-space subdivision, plan reviews, Mr. and Mrs. Melanowski's requests and agreement, and work with staff. Discussion: Abutter agreements do not affect the approval of the plan, and Ms. Post read a letter from Attorney Domaingue in regards to Brendan Gaughran's property on Faith Road.

Mr. Zohdi: Well and foundation testing, shrubbery, stockpile portion of stone wall in the right-of-way, erosion controls, slope easement for right-of-way on plan # D-13243, no drainage or erosion on the abutter's property, trying to work with the abutters, and no retaining wall. Discussion: Erosion control notes, retaining walls, road deed, landscaping not encroaching the right-of-way, other roundabouts in town work for traffic calming, roundabout vs. four-way stop, department comments, cul-de-sac design, and Rt 111 temporary entrance.

Public comment from: Phil LoChiatto, 5 Faith Road; Daphne Kenyan, 11 Faith Road; Gary Curtis, 1 Faith Road; Brendan Gaughran, 8 Faith Road; Sue Malenowski, 10 Faith Road; Peter Kachavos, 11 Faith Road; Rob Gustafson, 12 Ridgemont Road; Lew Zachas, 22 Faith Road; and Michael Malenowski, 10 Faith Road. Comments include: likes the roundabout, small space for roundabout, left-turn lane needed from Rt 111, use a temporary construction entrance from Rt 111, roundabouts slow the traffic down, would like a retaining wall, road debris may effect the well, against roundabout, questioned the waiver, concerned for a school bus using the roundabout, cut as few trees as possible, constrict construction schedule, who is responsible for maintenance of the roundabout, entrance to Faith Road wall was hit, new department comments needed for changes, sight-line issues, bond the intersection and not make the decision tonight, neighbors maintain the center of the cul-de-sac, safety on Faith Road, try the intersection then change to a roundabout if necessary, and a no cut zone. Mr. Zohdi: Agreed to a no cut zone behind the Malenowski's house in the open space.

Discussion: Diameter of the roundabout is the same at Heritage Hill Road, pavement is 2 feet wider, school bus stuck on the roundabout, design of roundabout, temporary construction entrance details, timing of left-turn lane, left-turn lane before certificate of occupancy, and gravel driveway to treatment swale and detention area.

Mrs. Crisler motioned to grant the waiver to 602.7 that requires the right-of-way to be 50' to allow a 40' right-of-way with 10' utility easements on either side of the road. Mr. Kolodziej seconded. Passed 7-0.

Mrs. Crisler motioned to grant the Special Permit requested by the applicant to disturb approximately 6,000 sq ft of WWPD to construct the stormwater treatment swale in the WWPD in accordance with Sections 601.1, 601.1.1, 601.1.2, 601.1.3, 601.4.4, and 601.1.5. Mr. Okerman seconded. Passed 7-0.

Mrs. Crisler motioned to approve the application as presented with the following conditions: 1) All boundary markers specified "to be set" shall be set; 2) All state and federal approvals shall be received prior to the start of construction and/or the Planning Board signing the plans; 3) The Open Space Covenants shall be reviewed by Town Council. All legal fees for the Town Attorney will be paid by the

applicant; 4) The house address numbers and parcel numbers shall be approved by the Town Assessor prior to recording the plans; 5) 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; 6) The applicant shall work with the Trails Committee to provide a pedestrian right-of-way through the open space and construct the trail in the agreed upon location; 7) The applicant shall work with the NH DOT to construct a left turn lane on Route 111 onto Faith Road. This work is to be substantially completed before Certificate of Occupancies are issued in the new subdivision; 8) The road names shall be approved in writing by the Board of Selectmen before the plans are recorded or signed by the Planning Board; 9) The construction of the roundabout on Faith Road will require a permit from the Board of Selectmen to allow the work in the Town right-of-way; 10) The applicant shall work with the owners of lot 14-B-209 and 14-B-207 to develop a landscape buffer along their side lot lines. Erosion controls will be put in place in accordance with Section 607 of the Subdivision Plan Regulations; 11) Applicant shall supply a warranty deed for the road and easements, which shall be reviewed by Town Council; 12) The applicant shall include a note on the final plans that will require the individual homeowners within the subdivision if they choose to install irrigation systems they are to be equipped with rain sensors and timers to prevent over watering; 13) All public improvements, roads, cisterns, etc. shall have a performance guarantee in the form of a bond or Letter of Credit prior to the recording of the final plans; 14) Minimum tree removal along the right-of-way for road construction adjacent to lots 14-B-207 & 209; 15) Hours of road construction will be 7:00 am-5:00 pm, Monday through Friday; 16) 50' no cut zone behind lot 14-B-209 and 14-B-207; 17) Mr. Kolodziej seconded.

Discussion: temporary construction entrance from Rt 111, roundabout vs. 4-way stop. Mrs. Crisler tabled her motion.

Discussion: Board consensus in favor of the temporary construction entrance road from Rt 111 with clear parameter. Mrs. Crisler motioned that if possible, a temporary construction entrance from Rt 111 be built subject to approval by NH DOT and NH DES, and the applicant will return to the Board with detail plans to approve a Special Permit. Mr. Kolodziej seconded. Passed 6-1. Ms. Skinner opposed.

Discussion: Board consensus for roundabout vs. 4-way stop was in favor of the roundabout.

Mrs. Crisler restated her motion adding the following amendment: and the temporary construction access shall come back before the Board for final review and granting of waivers and Special Permits. Ms. Prendergast seconded. Passed 7-0.

Mr. Griffis motioned to adjourn. Ms. Skinner seconded. Passed 7-0. Meeting adjourned at 11:45 pm.

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

Respectfully submitted, Nancy Charland