

PLANNING BOARD MINUTES

May 17, 2006

ROLL CALL:

Phil LoChiatto, Chairman – Present

Nancy Prendergast, Secretary – Present

Ross McLeod, Regular Member – Excused

Neelima Gogumalla, Alternate – Not Seated

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 replaced Mr. McLeod.

MINUTES:

- Mrs. Crisler motioned to approve the May 10, 2006 minutes as amended. Ms. Post seconded. Passed 6-0-1. Mr. Kolodziej abstained.
- May 3, 2006 minutes tabled following discussion of motion for Clark Farm South Open Space Subdivision. Staff to review tape, amend minutes and redistribute.

CORRESPONDENCE:

- Public hearing notice from the town of Merrimack regarding a wireless telecommunication facility;
- Letter from Herbert Associates requesting to withdraw the Giordano site plan.

OLD BUSINESS/NEW BUSINESS:

Discussion: School Department submitting their application for the road layout for London Bridge Road and public hearing is scheduled for May 31, 2006. Staff is asking Attorney Campbell for clarification.

Discussion: Expedite the process of reviewing applications. Staff to send out drawings and staff reports to PB members a week before the meeting – Staff would like to extend the submittal to 25 days before the meeting date. Further discussion will take place at the next workshop.

LIAISON REPORTS:

Mrs. Crisler, Selectmen: Historic District Heritage Commission is reviewing a process to delay demolition. When a dwelling is on the historic resource list or built before 1940 it can be put on a 30 day delay so that the Historic District has time to talk with the owner.

Bill Cass from NH DOT attended the May 15, 2006 Board of Selectmen meeting to give an update regarding Route 93 and 111. There have been some delays due to coordination with utility companies. Also discussed was the Wall Street entrance to Shaw's. The Selectmen asked the DOT to make the lane to the right a right-turn only into Wall Street.

Selectmen did not receive PB comments regarding request for building permit on Rocky Ridge Road.

Mr. Morris reported at the Selectmen's meeting that The Depot Committee officially received an 80/20 grant for the depot renovations. Mr. Morris also reported that he has received some quotes for paving the rail trail. Paving estimate \$400,000 from the Derry to the Salem town line.

Ms. Post advised of a two part series regarding water resources that will be broadcast for four weeks on Channel 21, The Rockingham Roundtable.

Ms. Skinner, Conservation Commission: Site Walk at Spruce Pond, and at Flat Rock Road regarding a WWPD.

Ms. Skinner motioned and Mr. Kolodziej seconded the motion to continue Pine Hill Estates, and Terra Bella Subdivision to May 31, 2006 at 8:00 pm. Motion passed 7-0.

PUBLIC MATTERS:

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

Mr. Turner: Continued from the April 19, 2006 meeting. Tabled at last meeting to get additional information from the Highway Safety Committee, Police, Fire and other Departments. The applicant has done some traffic survey work on Morrison Road. The Heritage Commission would like to see the lot numbers on the maps and plans that are sent out.

Joe Maynard, Benchmark Engineering: Conservation Commission would like to see the road reduced to 24-feet and the side slope be 2:1. Police Department prefers this plan over Hopkins Road. Traffic projections are what were expected. Benefits of this connection vs. the Hopkins Road connection include road length is 800-feet shorter, if using Hopkins Road there would be extensive blasting, leaving a larger unfragmented portion of land that abuts the 10-acres owned by the Town, 6,000 to 10,000 square feet less of wetlands impacts, and Hopkins Road crosses the railroad. Would have to meet the current railroad standards and would have to clear a large swath of the railroad corridor in order to meet the required site distance. This plan goes underneath the railroad and would leave the corridor intact. Listened to comments at sitewalk -- new road layout is "T" intersection and relocates house.

Laurie Rauseo, Traffic Engineer, Traffic Impact Study: Same as the last meeting with addendum regarding a speed study on Morrison Road. Draft addendum distributed. Volume was studied at two locations. People are driving well above the speed limit recommendations. More speed limit signs should be added and enforced, along with public awareness. A left turn will be constructed at Windham Depot/Kilrea Road intersections and at the Northland Road/Route 28 intersection. The intersection at Mitchell Pond Road will be redesigned and will be stop controlled.

Mr. LoChiatto read the comments from the Conservation Commission and Police Department. Awaiting comments from Highway Safety and Fire. Mr. LoChiatto read the letters in the file into the record.

Public input from Svetlana Ellis, 16 Mitchell Pond Road, Chris Rosetti, 3 Mitchell Pond Road; and Mike Savastano of 20 Mitchell Pond Road: Established neighborhood, one house surrounded by streets on 3 sides, limits to construction noise, buffers from lights and noise, security, additional landscaping and repairs, protection for wells and homes during blasting, construction sequence, would like a meeting with the town and the contractors at the beginning of the construction. What are the other options? What are Derry's impacts? New traffic numbers suspect, Morrison Road needs more speed limit signs, construction trucks and Windham School buses driving too fast, requested a traffic safety study, washouts on Morrison not uncommon, residents on Mitchell Pond Road do not want this connection, could the developer get the at grade crossing? Why does the Police Department prefer this connection to Hopkins Road? What is the benefit of the road connection to the Mitchell Pond community? Public had no access to drawings. Why are the requirements along a railroad bed in Derry different?

Mr. Maynard: The Nashua Sandown Rail Line that runs through Derry has been closed and it is a recreational trail. The Boston & Maine Rail Line, which this project crosses, is still active. The state is looking at this corridor for passenger rail. The state does not like at grade crossings because if in the future this becomes an active railroad again the trains need to be able to achieve certain speeds. The Board of Selectmen voted to reopen Hopkins Road so there will be a connection either way. Drawings have been available at Town Hall for public review. Reviewed traffic counts.

Discussion: The distance from the edge of the property line at 16 Mitchell Pond Road to the edge of pavement is 50-feet..

Discussion: 3-way stop, round-a-bout, block length.

Laurie Rauseo: Could not recommend a three-way stop but would recommend a small roundabout.

Joe Maynard, Benchmark Engineering: Regarding block length, the distance between Partridge Road and the proposed road is +/- 600-feet. The road will be curved with a T-intersection

Mr. Turner: Assessor studied property values that had road connections and those properties increased in value. Mr. LoChiatto asked to have the study.

Mr. Maynard: Looking for road width and other design considerations. Road construction would come in off of Route 28. The Board was polled and all were in favor of 26-foot road except Ms Skinner who requested 24-feet. All members were in favor of 2:1 slopes. The connection would be built within 2-3 years. The culvert crossing would be 34-feet wide.

Discussion: Materials for construction of the underpass, Morrison Road as a scenic road, shortcut from Derry.

Ms. Post: Concerned about the road being used as a cut-through to Windham Center.

Ms. Rauseo: Most traffic would use Windham Depot Road. The connection would not be a faster alternative.

Mrs. Crisler motioned and Ms. Prendergast seconded the motion to continue the Cingular Wireless Site Plan to the May 31, 2006 meeting at 8:00 PM. Motion passed 6-0-1. Mr. Kolodziej abstained.

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

Mrs. Hebert: Public Discussion 5-Lot Open Space Subdivision, Off of Marblehead Road.

Peter Zohdi, Herbert Associates: The client and abutter came to an agreement to transfer some land, 22,194 square feet, to be added to the Furlong's parcel. The open space area will remain. A small portion of Smith Road is moving toward the lot line and will be used as a shared driveway. The number of curb cuts on Marblehead road will be reduced. A 5-lot conventional subdivision will be submitted for review.

Discussion: Five houses now have access to Rock Pond. Parking area along Smith Road, or pedestrian only. Plan to be sent to the Conservation Commission again for comment. Applicant met with Road Agent and will make improvements to Fletcher's Corner. Send copies of the plan to the Conservation Commission and the Rock Pond Improvement Association. Open space and its use, sight distances, blasting, already sent out for Department comments and checklist. Con Comm will get another chance to review during the hearing process.

Public comment from Dyan Ciccone, 45 Abbott Road; and Wayne Morris, 14 Jordan Road and Rock Pond Improvement Association (RPIA) representative: Abbott Road is only a utility easement not a right-of-way for the road, how far is the pavement going to extend on Smith Road?, Open Space Covenants need to be reviewed along with the use and maintenance of Smith Road, Is there a WWPD on the property?, are more environmental problems being caused with the blasting for the new road location?, What is the impact to Mr. Trainor's property? Would like to see construction sequence. Ms. Ciccone would like to receive information as an abutter not the association, and Mr. Morris does not speak for members that are not part of the Rock Pond Improvement Association. Does the RPIA exist or has it been absolved?

Mr. Zohdi: Pave up to the limit of the driveways for the two new homes. The Covenants will be reviewed by the Staff and Town Council. The physical features of Abbott Road need to be shown on the drawing for information.

Mr. LoChiatto: Requested documentation of the Rock Pond Improvement Association's official standing.

Public comment from Gary Ciccone, 45 Abbot Road: Supports the plan 100%.

Discussion: Open space falls under the site plan regulations. Are there any other structures proposed? Landscaping added for privacy? Discussion continued regarding the common driveway, gated access, a turn around, trails, signage, and fencing.

R.K. Associates Restaurant and Retail Shops – Public Discussion
43 Indian Rock Road, lot 11-C-950

Al Turner: Gave an overview.

Jim Gove, Gove Environmental: Summary of land and drainage patterns, wetlands location, location of parking lot, and would like a site walk with PB and Conservation. Crossing wetland at the narrowest point, maintain buffer with Shaw's, control storm water run-off, culverts, not a lot of animal utilization, no detrimental impact to wetland.

Karl Dubay, MHF Design: Orientation of building/development, topography, fraction of the size of the

Shaw's building, one building, two uses, retail and restaurant, reduced pavement in the WWPD, treatment of the stormwater, sharing water use with Shaw's, septic system in rear, variance needed for portions of parking in front, Commercial A District, and most of the other Commercial A properties are being taken by the state. Request sitewalk and checklist.

Dave Baker, owner/applicant from Rte 111 Windham LLC: Same team that worked on Shaw's but new architect, working on a corridor study, traffic counts, Subdivision of parcel for future development, doesn't have any signed leases, won't continue any further until they have a signed lease, and has talked with the owner of the Village Green and DOT for shared access and rework of traffic signal.

Discussion: Shared parking, JP Kids Playground location, building location, parking. Site walk scheduled for June 3 at 9:00 am. Attendees to meet at Shaw's parking lot. Ms. Skinner will inform the Conservation Commission at their next regularly scheduled meeting. Wait to do the checklist. No public comment. Mrs. Crisler motioned to continue the discussion of R.K. Associates to June 21 at 8PM. Mr. Okerman seconded. Passed 7-0.

Mrs. Crisler motioned to accept new business after 10:30 pm. Ms. Skinner seconded. Passed 7-0.

Cobbetts Pond Plaza Site Plan – Public Hearing **4 Cobbetts Pond Road, lot 21-D-107**

Mr. Turner: Add 20,000 sq ft to existing shopping center, variance granted, Special Permit request, and ready for public hearing. Ms. Prendergast motioned to accept for public hearing. Ms. Skinner seconded. Passed 7-0. Mr. Turner: Zoning, WWPD, districts, studies, lot drainage, architecture, appropriate lighting, parking lot design, utilities are partly overhead and partly underground, intersection of Lowell Road and Cobbetts Pond Road needs to be changed, separate sign application, must meet sprinkler system requirements, driveway permit needed, year round vegetated buffer to neighbors, dumpster location, additional trees on island, matching façade, additional parking spaces, and drainage. Staff presented a sketch for an alternate parking scheme with vegetated island.

Discussion: Colored architectural rendering, parking spaces, and traffic flow.

Peter Zohdi, Herbert Associates: Building and playground to be removed, WWPD, parking at gas pumps, color samples, drainage, and variance granted.

Howie Glynn, representing his sons: Sees problem with proposed parking configuration. Discussed trucks on site.

Ralph Glynn, applicant: Plowing concerns, and large trucks deliver fuel at night.

Discussion: Landscaping requirement, truck turning radius, delivery trucks, landscaping, and drainage. No public comment. Discussion: Removing the island, and applicant to take pictures of a similar building.

Mr. Zohdi: Asked for direction in regards to the island, will add parking, and will show box truck turning radius.

Discussion: Overhead doors in back, landscaping plan, Lowell Road and Cobbetts Pond Road intersection, and applicant work with staff for the landscaping and parking.

Mrs. Crisler motioned to continue to May 31. Ms. Prendergast seconded. Passed 7-0. Mr. Turner reminded the Board that the School Board is scheduled for May 31.

Ms. Skinner motioned to adjourn. Mr. Kolodziej seconded. Passed 7-0.

Meeting adjourned at 11:15 pm.

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