

PLANNING BOARD MINUTES

May 7, 2008

ROLL CALL:

Phil LoChiatto, Chairman – Present

Rick Okerman, Secretary – Present

Ruth-Ellen Post, Regular Member – Present

Neelima Gogumalla, Alternate – Excused

Galen Stearns, Selectmen Alternate – Excused

Nancy Prendergast, Vice Chairman – Excused

Walter Kolodziej, Regular Member – Excused

Pam Skinner, Regular Member – Present

Bruce Breton, Selectmen Member – Present

STAFF:

Al Turner, Director of Planning and Development – Present

Shaun Logue, Town Planner – Present

Mr. LoChiatto opened the meeting at 7:00 pm. The Board stood and recited the Pledge of Allegiance.

MINUTES:

- Ms. Post motioned to approve the April 23 minutes. Mr. Breton seconded. Passed 5-0. *Mr. Kolodziej joined the Board.*

CORRESPONDENCE:

- Letter from Diana Gaeiro requesting to withdraw from this evening's agenda;
- Pictures of the XXX Posed sign on Rockingham Road. Board discussion that the sign is in compliance, should the sign regulations been tightened up, and this topic can be a workshop item;
- Confidential legal communication from Attorney Campbell;
- Flyer titled Managing Stormwater with Low Impact Development in Northern New England;
- Flyer titled Revitalization and Sustainability;
- Letter from Jeffrey Taylor and Association regarding community planning services;
- Letter from New England Erosion Control regarding stormwater pollution prevention plans;
- Flyer listing the exhibitors from the Economic Development Expo;
- Newsletter titled the Wetland Edge;
- Postcard regarding the NH 67th Annual Conference.

OLD/NEW BUSINESS:

Paul Moran asked for guidance regarding an enforcement matter. It was suggested that he discuss his issue with Mr. Sullivan. Mr. Turner also offered his assistance. *Ms. Gogumalla joined the Board and replaced Ms. Prendergast.*

ALTERNATE MEMBERS INTERVIEWS:

Bruce Richardson, Armstrong Road, discussed his qualification in regards to residency, Board participation, and as a local business owner. Board discussion with Mr. Richardson regarding his former work on the CIP Committee, his businesses in Town, he's currently on the Zoning Board of Adjustment and is there any conflict, his point of view on impact fees, and his vision for the village center district.

Louis Hersch, Londonderry Road, discussed his background, his interest in being an alternate member, and his background in is HVAC. Board discussion regarding he is currently retired, does he have any association with developers, is this a fair question and why is the question being asked? His point of view on impact fees, his vision for the village center district, and what he brings to the Board.

Board discussion regarding discussing the alternate positions, and meeting in non-public session at the end of the meeting to make a decision.

PUBLIC MATTERS:

Grace House Assisted Living Site Plan – Public Hearing

23 Mammoth Road, lot 14-B-4800

Mr. Turner discussed the application for an assisted living facility on Mammoth Road, it is in the aquifer protection district and a portion of the property is in the WWPD, and it is ready for public hearing. Mr. Breton motioned to open for public hearing. Ms. Post seconded. Pass 7-0.

Mr. Turner showed the plan and described the abutting properties, there is a brook on the site, the site has a home with a pool, a demolition permit has been pulled, the HDC has toured the home and it has been determined to have no historic value, the fire department has reviewed the property and the driveways, he reviewed the remainder of the site, the building will be 5392 sq ft, the site is 2.026 acres of land and 1.626 will be set aside as open space, there will be 14 parking spaces, there is on site septic and well, a Special Permit is required for encroachment of the driveway, and a letter was submitted by the fire department which approves the final driveway layout. He discussed outstanding issues, staff recommended conditions of approval, and requested waivers.

Michael Gospoderek, Herbert Associates, further discussed the plan including previous the meeting and site walk, there will be 14 dark-sky lights on site, none of the light will shine away from the site, he showed the landscaping on the plan, there will be a new septic field, there will be a garden, there will be a double fence situation, trash pickup will be behind the shed, there will be a second well, they may have access in the future to the water system that The Willows will be hooked up to, and he discussed the drainage and treatment swale.

Mr. Gospoderek discussed the Special Permit application, and he showed how they are minimizing the effect of the drainage. He discussed the 3:1 slopes, the construction sequencing for the erosion control, and there are no steep slopes on site. Board discussion with Mr. Gospoderek regarding the type of lighting, the outside fence will be a 4' green chain link fence, the second layer of fence will be a picket fence, the sheet drainage will flow across the driveway, the detention basin is designed for a 50 year storm, 18 maximum residents with 4-5 employees, and the garden is for the residents.

Peter Zohdi, Herbert Associates, stated that 99.9% of the residents will not be driving, and would like to not build all of the parking spaces. Mr. Gospoderek showed the architectural plans for the building, he showed the color of the shingles, the building will be vinyl with black shutters, with a residential façade to fit the neighborhood. Board discussion regarding the hours of the lighting. Mr. Neil Pike, owner, stated that the lights will be on motion sensors unless required by law to be on more often. Board discussion regarding lights going off at 10:00 pm, and entrance lights on the house can be on all night for security reasons.

Public input from Janice Koch, 541 Mammoth Road, Pelham, is it an assisted living or a nursing home? 15 bedrooms are too much for a 2 acre parcel, and water will flow onto her field and she doesn't need anymore water. Board discussion that there will be 18 beds in the facility, no additional water will flow on her land, and the septic will be approved by the state. Mr. Zohdi stated they are not adding anymore drainage or water to Ms. Koch's land, and the town and the state will approve the septic.

Tara Picciano, 1 Castle Hill Road, asked whether the water that flows into the WWPD gets tested either from the septic system or the sheet drainage. Mr. Zohdi explained the drainage treatment and in

compliance with the State's septic system requirements, not aware of any testing of septic systems, and the water system is required to be tested on a regular basis. Mr. Turner explained how a septic system works and well are required to be 75' away from septic systems.

Bob Noviello, 0 Castle Hill Road, stated his concerns regarding the fence, would prefer a solid fence so nothing will blow into their fields, concerned with the parking area that headlights will shine onto his house, and concerned that the stakes are not properly sited or that the boundary line is incorrect. Mr. Zohdi stated he did the boundary plan 10 years ago for the Koch's and Noviello's, and the plan has not changed. He will stake the property lines and will make sure that Ms. Koch is satisfied, and he will also work with the abutters regarding the type of fence, he would like to like to cut the number of parking spaces and not build them until needed. Board discussion regarding the boundary markings.

Anne Holden, 547 Mammoth Road, Pelham, stated that her family has owned the abutting fields for over 40 years, concerned with drainage, and would like Mr. Zohdi meet them on site. Mr. Zohdi agreed to meet with them and would like Mr. Turner to be present. She questioned whether there were enough parking spaces, how would the medical waste be handled, doesn't want any construction vehicles on their property, and it seems like a lot to put on one lot.

Mr. Noviello asked whether it is a nursing home or an assisted living facility.

Susan Pike, owner, stated that the facility will be a licensed 805 limited residential care, it is not a nursing home, the residents will not be driving, has no problem changing the type of fence, she discussed the parking needs, there will no be medical waste, there will be sharps containers, and trash will be disposed of properly. Board discussion included there will not be an elevator, there will be 4 to 5 employees for the 7:00 am-3:00 pm shift, 2 for 3:00 pm-11:00 pm shift, and 1 for the 11:00 pm-7:00 am shift, the residents will not be driving, there will be a car registered to the business, plans on grocery shopping herself, will have similar traffic to a home, and trash cans will be in a shed. Mr. Zohdi discussed snow storage, and there will be orange fencing around the construction so that the trucks will not go on the abutter's property. Board discussion regarding the use of salt and the treatment swale.

Kathleen Noviello, 0 Castle Hill Road, asked for the diagnosis of the residents. Ms. Pike stated she expects the residents to be age 85 and older who require assistance for their daily living.

Board discussion regarding the location of the snow storage, and landscape screening for the abutters. Mr. Zohdi agreed to work with the abutters regarding the landscaping. Board discussion regarding reducing the parking spaces.

Mr. Kolodziej motioned to approve the Special Permit for the WWPD impact of 5,352 sq ft as per the Site Plan Regulations Section 601.4.8.3. Based on Sections 601.1.1 through 601.1.5 the proposed impacts to the WWPD do not degrade the quality of the WWPD. Mr. Breton seconded. Passed 6-1. Ms. Gogumalla opposed.

Mr. Kolodziej motioned to grant the waiver of Section 604.1 and to use the soil survey of Rockingham County. Mr. Breton seconded. Passed 6-1. Ms. Gogumalla opposed.

Mr. Kolodziej motioned to grant the waiver of Section 1209.1 because the project of this size doesn't not warrant a 1"- 50' plan. Mr. Breton seconded. Passed 6-1. Ms. Gogumalla opposed.

Ms. Skinner motioned to approve the site plan with the following conditions: 1) All state and federal

approvals shall be received prior to the signing of the plans; 2) Irrigation systems shall be required to have rain sensors and timers to prevent over watering; 3) No herbicides or pesticides are to be used in the garden area since it is located within the Aquifer Protection District. Certified organic pesticides may be used within the garden area only; 4) All property bounds that are adjacent to town property or rights-of-ways shall be marked with granite (4" sq x 36" long) and shall be installed level with the final grade. All other corners shall be marked with permanent boundary markers (stone or iron); 5) Stone walls should be retained in place, relocated or stockpiled for future use; 6) Use dark sky friendly lighting; 7) Site lighting to be off by 10:00 pm except at the entrances to the building; 8) Use environmentally safe ice treatment to protect the WWPD; 9) Eliminate parking spaces number 1-4. They are to be retained for future parking; 10) Construction fencing to be place on the boundary to prevent equipment from going onto the abutter's property; 11) Applicant to work with the abutter on landscaping; and 12) Applicant to work with the abutter on type of fencing. Mr. Kolodziej seconded. Passed 6-1. Ms. Gogumalla opposed.

Waterhouse Special Permit – Public Hearing
175 Haverhill Road, lot 14-A-1100

Mr. Logue discussed the application for the Special Permit to allow a walking trail and 2 future carrier shelters for a communications tower within the WWPD. The walking trail is to provide a connection to the Willows age-restricted community, the walking trail and shelters are appropriately and safely located within the WWPD, the architectural features of the carwash have been provided as per the Planning Boards condition of approval of the site, and the application is complete and ready for public hearing. Mr. Kolodziej motioned to open for public hearing. Mr. Breton seconded. Passed 7-0.

Studies and reviews include staff review, wetlands were delineated, and police and transfer station review. He discussed the outstanding issues. Board discussion regarding this had been discussed during the site plan approval, but the applicant had not applied for the Special Permit, and the architectural features of the carwash also need to be approved.

Peter Zohdi, Herbert Associates, discussed the trail connection to the Willows, and the carwash will look like the existing convenience store. Board discussion regarding underground wastewater is under the carwash, what is a shelter carrier, and a fence is needed.

Michael Gospoderek, Herbert Associates, read a letter regarding the Special Permit and meeting the Town's Site Plan Regulations. No public comment. There were no department comments regarding the Special Permits.

Chad Blackinston, SAI Communication, stated there is a concern with the fence. The Chairman stated the fence issue from the previous approval can be worked out with staff. Board discussion regarding the fencing, use the chain link fence with the stockade on the trail side, and use 6' rhododendrons to shield the fence.

Mr. Kolodziej motioned to grant the Special Permit from Section 601.4.8.3 for lot 14-A-1100 to allow a portion of the walking trail and 2 future carrier shelters for a communications tower within the Wetland and Watershed Protection District with the following conditions: 1) All state and federal approvals shall be received prior to the signing of the plans; 2) Lighting, landscaping and screening shall meet the requirements of the Windham Zoning Ordinance and Site Plan Regulations; 3) Screening should be aesthetically pleasing around the chain link fencing; 4) On the easterly side of the carrier shelter closest to the walking trail, rhododendrons should be placed to shield the carrier shelter from pedestrians and abutters, and the rhododendrons should have minimum height of 4'. Board discussion of the no parking sign, walkway surface is crushed stone, and viewed a photograph of the bridge. Mr. Breton seconded.

Board discussion regarding foot traffic on the path, and putting up a no parking sign. Passed 7-0.

Ms. Post motioned that a no parking sign should be placed at the end of the walking path in the parking lot to warn drivers of the walking path, it is a simple thing, and offers some protection. No second. Motion failed.

Mr. LoChiatto read the condition of approval #3 from the site plan approval. Board discussion of the condition of approval for the site was to review the façade of the carwash, it will match the existing building, no signage is proposed on the buildings, and add a cupola.

Mr. Kolodziej motioned to approve the façade of the carwash of the Waterhouse Site Plan as it will be the same as the existing carwash, and add cupola to the roof of the carwash to satisfy condition of approval #3 from the site plan approval. Mr. Breton seconded. Passed 7-0.

Mr. Breton motioned to go into non-public as per RSA 91-A reputations. Ms. Skinner seconded. Roll call. All yes.

Mr. Breton motioned to come out of non-public. Ms. Skinner seconded. Roll call. All yes.

Mr. Kolodziej motioned to adjourn. Mr. Breton seconded. Passed 7-0. Meeting adjourned at 10:45 pm.

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

Respectfully submitted,
Nancy Charland