

PLANNING BOARD MINUTES

June 18, 2008

ROLL CALL:

Phil LoChiatto, Chairman – Present	Nancy Prendergast, Vice Chairman – Present
Rick Okerman, Secretary – Present	Walter Kolodziej, Regular Member – Excused
Ruth-Ellen Post, Regular Member – Present	Pam Skinner, Regular Member – Present
Louis Hersch, Alternate Member – Present	Kristi St. Laurent, Alternate Member – Not Seated
Sy Wrenn, Alternate Member – Not Seated	Bruce Breton, Selectmen Member – Present
Galen Stearns, Selectmen Alternate – Excused	

STAFF:

Al Turner, Director of Planning and Development – Present

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

MINUTES:

Ms. Post motioned to approve the June 11 minutes. Mr. Breton seconded. Passed 6-0-1. Ms. Prendergast abstained.

BONDS:

- Ryan Farm Road 2, release \$96,910.60 and retain \$24,998.40. Ms. Prendergast motioned to grant the partial release. Ms. Post seconded. Passed 7-0;
- Windham Meadows I, final release of \$5,000. Mr. Breton motioned to approve the release. Ms. Skinner seconded. Passed 6-0-1. Mr. LoChiatto abstained.

CORRESPONDENCE:

- Letter to Trimmers Landscaping from Country Manor Condo Officers regarding screening;
- Letter from Herbert Associates requesting to have Windham Plaza on the agenda. Board discussion to bring up under old business;
- Letter to Kevin Cyr regarding site plan deficiencies at 46 Lowell Road in response to a bond release request;
- Letter from Mr. Turner regarding alleged extortion by town staff;
- Confidential legal communication from Attorney Campbell regarding London Bridge Road.

OLD/NEW BUSINESS:

- Peter Zohdi, Herbert Associates, addressed the Board regarding a minor change to the Windham Plaza. He discussed removing the landscaped island and removing some curbing. Board discussion regarding cutting the corners. Mr. Turner explained the reason for the curbing and island, 5% landscaping requirements, and he has not had a chance to review the plan. Board discussion regarding sheet drainage, the site is tight with the curbing, and is it a minor site change to remove the landscaping and curbing as shown on the plan. Ms. Post motioned to accept as a review of a minor site plan change. Mr. Breton seconded. Passed 7-0. Discussion regarding the 5% landscaping requirement, and canopy changes. Mr. Breton motioned to approve the site plan changes to the landscape island and curbing, excluding the canopy changes, as requested by the applicant, and the applicant shall comply with the 5% landscaping requirement. The reasons for the changes are that it better facilitates sheet drainage, snowplowing, and improves traffic circulation. Ms. Skinner seconded. Passed 7-0. Board discussion that the Board needs to discuss the parking lot regulations.

PUBLIC MATTERS:

Common Man Site Plan and Special Permit
83-88 Range Road, lots 17-G-26 & 40

Mr. Turner stated that the application is for reconstruction of the Common Man Restaurant, parking lots, drainage, and an addition to the restaurant, the two vacant buildings are being renovated to be active uses, waivers and Special Permits have been requested, 7 variances have been granted, and the application is ready for public hearing. Mr. Breton motioned to accept for public hearing. Ms. Post seconded. Passed 7-0.

Mr. Turner discussed the zoning districts, acreage, restoring the two vacant buildings, the entrance will change to the other side of the building, the current entrance will be a delivery area, there are extensive changes to the parking area, there will be an island to display farm equipment, added nice pedestrian areas, land is being taken by the Rt 93 project, the applicant has worked hard on this plan, and the property is located on Range Rd (Rt 111A). Studies and reviews include staff report, the wetlands were delineated, storm water management drainage calculations, and plan review by Keach-Nordstrom. He reviewed the issues with the site plan, a variance was granted to allow parking right up to the property line, and the spaces can be required to be built only if needed. Mr. Turner reviewed the Special Permit issues, erosion control measures need to be taken during construction to protect the wetlands, a treatment swale will be on the property across the street, and it is an isolated substantial wetland which needs to be protected. He discussed the staff recommendations including timing of deliveries, dumpster hours, stated and federal permits needed prior to construction, construction timing to keep the patron's safe, notes that should be on the plan, location of the property lines, and one of the renovated buildings does not have landscaping. Board discussion regarding what is being asked for approval. Mr. Turner further described the changes to the property across the street which are minor changes but are a part of the approval.

Board discussion regarding the parking areas at the other entrance, not build the spaces until needed, the drainage pipe will cross Range Road, water is by Pennichuck, Mr. Dubay has been working with the fire department, not any issues with people crossing the road to the restaurant, and should it be one-way in and one-way out parking lot with angled parking.

Karl Dubay, MHF Design, introduced Alex Ray, the owner. He stated that the Keach review has been completed and all the changes have been incorporated into the plans, has received support from the Conservation Commission, no hydrant is proposed, the fire department has reviewed the fire suppression system which is serviced by Pennichuck, the loading area has been reviewed by the fire chief, fire department and the owner want to have two-way traffic on site, he explained the uses of the three buildings, the restaurant will have 240 seats, the "west house" is historic in significance and has a historic easement, keeping the current landscaping and grass around it, the ADA (American with Disabilities Act) access will be in the back, it will be a professional office, the "east house" will be renovated, a portion of the wing will be removed, it will be a professional office with the ADA access in the back, and has met with the Historic Commission for their input.

Mr. Dubay explained that there are several easements on the plan, the monuments will be set after construction, has met the parking requirements including using the parking across the street, Range Road will be widened, the zero setback is to the new right-of-way line, there will be 20' throats for the driveways, patrons will back into the site, the DOT does not want a cross walk, it is noted that the employees currently park across the street, the site drainage is already being fully treated, the restaurant wants to remain open as long as they can during construction, he explained the construction sequence

with 24 phasing items, the State wants to start the work soon, he showed photos of what the retaining wall would look like, the septic system is replacing the existing system, parking is being pulled away from the WWPD, the WWPD will go away with the expansion of Rt 93, the silo will remain, the graphic on the silo received a variance to remain, the main sign will be rebuilt, a sign will also be in front of each of the historic buildings, looking for waivers, and hoping for conditional approvals this evening.

Board discussion regarding the additional lighting on Range Road, the lot across the street will be restriped, a semi-trailer could maneuver on site, when Range Road is widened there will still be a throat for the parking lot, there are several snow storage areas, excess snow will be removed from the site, move some of the trees out of the snow storage area, the restaurant uses the parking at night and the businesses use the parking lots during the day, the retaining wall is 2-16' high, the architecture will be in keeping with the current architecture, the architectural plans need to be coordinated, landscaping and brick walkways look good, and the cooler will be architecturally integrated. No public comment. Mr. LoChiatto read the department comments. The plans reflect all the comments from the departments. Board discussion about what the next step will be, and when did the departments review the plans.

Mr. Breton motioned to continue to the next meeting pending a letter from the Highway Safety Committee, police and fire departments. Mr. Hersch seconded. Discussions regarding the process, comments are vague, recommendations have been met, and get an updated letter from fire safety. Mr. Dubai stated that he has met with fire chief, and it could be taken care of with a condition of approval. Mr. Breton withdrew his motion.

Discussion of the waivers requested. Mr. Dubai stated that the land will become the highway right-of-way, the other land has HISS plan and will not be doing any work on that portion. Ms. Post motioned to grant the requested waiver of Section 600 HISS mapping on undeveloped portion of lot 17-G-26 for two reasons: 1) The DOT has taken major portions of the land so that HISS mapping would not be appropriate; and 2) The other parcel has had HISS mapping done in the past and it would be a hardship to repeat that. Ms. Prendergast seconded. Passed 7-0.

Mr. Dubai discussed the second waiver request, some of the trees greater than 12" near the road have been located, and not necessary to locate all the trees along the ditch line. Ms. Post motioned to grant the waiver of Section 602 location and size of trees greater than 12 inches as the DOT is taking a substantial portion of the land, and it is not a heavily wooded lot. Ms. Prendergast seconded. Passed 7-0.

Board discussion regarding Special Permits are required for the septic system, parking lot, and drainage facility across the street. Ms. Prendergast motioned to grant the Special Permit to allow the septic, parking lot, and drainage facility within the WWPD as the design meets and exceeds the requirements of Best Management Practices and therefore meets the purpose of Section 601.1 in the interest of preserving water resources of the Town for the benefit of public health, safety, welfare and convenience. Ms. Post seconded. Passed 7-0.

Board discussion regarding the parking within the 20' setback, eliminate the spaces but reserve if needed in the future, build the parking now, does not effect the drainage, install the curbing and sidewalk as planned, and loading occurs during the daytime hours.

Ms. Prendergast motioned to approve the Common Man reconstruction site plan with the following conditions: 1) Loading area hours of operation be primarily in the morning and prior to the restaurant opening; 2) All local, state and federal permits shall be approved prior to start of construction; 3) Special

attention should be applied to the time table and schedule of construction to minimize the disruption of the site's internal traffic circulation and maximize the safety of the patrons of the Common Man while construction is taking place and the restaurant is open; 4) Any approved or denied site plan waivers should be noted on the approved plan; 5) Note on the site plan indicating date of approved WWPD Special Permit and conditions, if any included on the plan; 6) New boundary documentation should be installed prior to final site work inspection; and 7) Prepare four parking spaces at the east entry way and build as needed with staff recommendations; 8) To adjust the address numbers as per Assessing Department request; 9) Require a letter for the file from the fire department stating compliance; 10) Update the architectural drawings to have the elevations reflect the floor plans, and update prior to submitting for their building permit. Ms. Post seconded. Passed 7-0.

Ms. Prendergast motioned to adjourn. Mr. Hersch seconded. Passed 7-0. Meeting adjourned at 9:30 pm.

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

Respectfully submitted, Nancy Charland