

**PLANNING BOARD MINUTES**  
**September 10, 2008**

**ROLL CALL:**

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

**STAFF:**

Al Turner, Director of Planning and Development – Excused

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

**MINUTES:**

- Mr. Kolodziej motioned to approve the August 20 minutes. Ms. Prendergast seconded. Passed 6-0-1. Ms. Post abstained;
- Ms. Prendergast motioned to approve the August 27 minutes. Mr. Okerman seconded. Passed 5-0-2. Ms. Skinner and Mr. Breton abstained.

**CORRESPONDENCE:**

- Memo from David Sullivan regarding not holding meetings in rooms that that may be inaccessible to the public due to location or space constraints. Mr. Breton apologized for the Selectmen taking over the meeting room on August 27 for their meeting;
- Confidential legal communication from Attorney Campbell regarding Meadowcroft Development, Ledge Road Business Park;
- Letter from RPC regarding the reappointment of Lee Maloney. Mr. Kolodziej motioned to recommend to the Board of Selectmen that they appoint Lee Maloney to the Rockingham Planning Commission for a 4-year term. Mr. Breton seconded. Passed 7-0;
- Flyer from UNH Cooperative Extension titled Landscaping at the Water's Edge;
- Letter from Mr. Turner regarding outside plan reviews. Board discussion that this should be discussed at a workshop meeting, wait until the Planning Department review is done which will be done by October 1, and discuss at next week's meeting for a short term solution;

**BONDS:**

- Great Mt View Estates, Ryan Farm Road III release of \$589,016 and retain \$86,933. Board discussion regarding waiting for Mr. Turner's input, Mr. Turner signed the release that would mean he is fine with the release. Mr. Kolodziej motioned to grant the partial release. Ms. Skinner seconded. Passed 5-2. Ms. Post and Ms. Prendergast opposed;
- Bear Hill Road final release of \$72,000. Mr. Kolodziej motioned to grant the final release and to recommend to the Selectmen to accept as a Town road. Ms. Skinner seconded. Passed 7-0.

**OLD/NEW BUSINESS:**

- Road bond discussion with Herbert Associates regarding bond reduction requests. Mr. Zohdi discussed the process of final bond reductions including the getting the deeds correct. Mr. LoChiatto read the following letters: 1) Letter from Mr. Turner regarding 13 road bond releases that were not ready for release; 2) Letter to Herbert Associates regarding the Ludlow Road open space restoration.

Mr. Zohdi further explained the Ludlow Road release, and would like to table the discussion regarding Ludlow open space until Mr. Turner is available. Public comment from Bo Rueda, 7 Ludlow, gave the Board photos and reviewed the history of the open space lot, a area has been clear cut and used as a staging area, and wants the site to be back to its natural state. Mr. Zohdi agreed with Mr. Rueda, wants to extend the lawn to the open space, and asked the Board to have a site walk to resolve the matter. Board discussion regarding resolving the matter. Public comment from Suzanne Marinaro, 10 Ludlow Road, stated that her husband met with Mr. Turner, and she would like the area to be corrected. Board discussion regarding having a site walk. Mr. Kolodziej motioned to have site walk at 7 Ludlow at 6:00 pm on September 17 for the restoration at Ludlow Road and invite Mr. Turner to join the site walk. Mr. Breton seconded. Passed 7-0.

- Mr. LoChiatto read a letter to Herbert Associates regarding Johnny Hill Estates subdivision endorsement;
- Letter to Herbert Associates regarding Great Mt View subdivision plan endorsement. Bob Peterson, owner, stated that the issue has been resolved.
- Ms. Post stated that the Women's Club coat collection will be Saturday, October 4 from 10:00 am-2:00 pm;
- Board discussion of when the impact fees are collected, and the ordinance states it should be at the Certificate of Occupancy not at the time the building permit is issued.

#### **PUBLIC MATTERS:**

##### **Tracy Johnson Subdivision – 2 lots – Public Hearing** **6 Johnson Street, lot 22-B-2**

Peter Zohdi, Herbert Associates, presented the plan. He discussed the 2-lot subdivision, the parcel is 15 acres, the applicant wants to subdivide one lot out, he described the area, the lot complies with the ordinance, John Thorndike has reviewed the calculations, received a Dredge and Fill, and subsurface permit has been approved from DES. Mr. Breton motioned to open the plan for public hearing. Mr. Kolodziej seconded. Passed 7-0.

Board discussion with Mr. Zohdi regarding there will be one additional house. Mr. LoChiatto reviewed the application checklist, and he read a letters from: 1) Wes Aspinwall; 2) Mr. Turner; and 3) John Thorndike. Board discussion regarding the reports that are pending, and when the impact fee should be paid.

Public comment from Susan McClusky, 10 Rolling Ridge Road, thought it was to be three lots, and asked if it would affect the water in the area. Mr. Zohdi explained there will only be 2 lots.

Donna Orlando, 8 Rolling Ridge, asked how many homes can be built, she is not opposed to this subdivision, and is concerned with a drainage issue. Mr. Zohdi stated they could probably get 5-7 homes, there is no plan to subdivide the land, and drainage will not be sent to Rolling Ridge Road.

Mr. Breton motioned to approve the subdivision as proposed and striking note 10 on the plan and should reflect our regulations for the impact fees to be paid at the time of the Certificate of Occupancy. Mr. Kolodziej seconded. Discussion regarding the impact fees. Passed 7-0.

##### **Golden Brook Crossing Site Plan & Special Permit – Public Hearing** **46 Lowell Road, lots 20-E-260 & 270**

Mr. LoChiatto discussed his standing with Monomoy Development, Mr. Nickerson is a member of Monomoy Development, and asked the Board's opinion if he should recuse himself as per the RSA's 673:14:2, and he stated that he has no financial interest or relationship with the owners. Board

discussion regarding whether the Chairman thinks he should recuse himself. Mr. LoChiatto stated that he does not think he should be recused. Board discussion continued and Mr. LoChiatto was thanked for bringing this topic up, the reason for recusal is to protect the Board from being challenged later on, and it was suggested that Mr. LoChiatto should recused himself. Mr. LoChiatto elected to stay on the Board for the case.

Chris Nickerson, Herbert Associates, reviewed the history of the project including the location, proposing to remove the building and existing parking area. Mr. Kolodziej motioned to accept the plan for public hearing. Mr. Breton seconded. Passed 7-0.

Mr. Nickerson continued his presentation including adding a 50' x 90' building which will look similar to the neighboring building, proposing to move the driveway, he explained the traffic flow, has met with Mr. Turner, has all the department head comments, there will be a WWPD impact for an infiltration pond, the area has been previously disturbed, and Conservation Commission has no problem with the plan.

The Board reviewed the Staff Project Review Sheet. Mr. LoChiatto read the department head comments. Board discussion with Mr. Nickerson included the 10,000 gallon cistern, the treatment swale, and there will be 2 distinct drainage areas. Mr. Nickerson explained the drainage systems, and directed the Board to look at the lighting plan, the landscaping plan, signage, and the architecture plan. Mr. Nickerson discussed the sign and permits. Board discussion about the signs are internally illuminated, dark green background and light color lettering, tenant signs should be consistent, 8 units are proposed, 3 units are currently occupied, meets the parking calculations, and removing some of the parking spaces. Peter Zohdi, Herbert Associates, discussed removing some of the parking spaces if the board requests, and the parking spaces could be added later if needed.

Board discussion regarding the landscaping including adding trees to the front of the building, Jack Trembley did the landscape design, and Mr. Nickerson explained the landscaping and irrigation system. Board discussion regarding the amount of trees being added, irrigation system will have timers and rain sensors, utility pole will be relocated so the driveway can be where they want it. No public comment.

Board discussion regarding the hours of operation will be 6:00 am-10:00 pm, the hours of operation for Phase I were amended at a June Planning Board meeting from 7:00 am to 6:00 am, retail use on the first floor with offices on the second floor, not expecting a high-traffic use tenants, and Mr. Nickerson explained the on-site traffic flow, truck deliveries in the rear, and snow storage area. Mr. LoChiatto noted that a driveway permit has been received from the DOT.

Mr. Kolodziej motioned to grant the Special Permit to construct a drainage treatment swale in the WWPD in accordance with Section 601.4.8.3 of the zoning ordinance, the proposed activity is appropriate and safe to locate in the WWPD, and the proposed improvements are a permitted use that is appropriate and safe to locate in the WWPD. Mr. Breton seconded. Passed 7-0.

Mr. Kolodziej motioned to approve the Golden Brook Crossing project expansion site plan dated June 6, 2008. The expansion includes: 1) The erection of a new 50' x 90' commercial building with retail on the first floor and offices on the second floor; 2) Rearrange the parking spaces at the existing buildings and expansion of parking spaces. Exclude 10 parking spaces in the rear of the development; 3) Install a new septic system; 4) Installation of a fire cistern to accommodate fire protection; 5) Regrading of the existing parking area to accommodate revised drainage system; 6) Shift the entrance drive to accommodate the new building and parking area; 7) Signage to be consistent and be green with light or

white lettering; 8) Knox box as per the fire departments request; and 9) All local, state, and federal approvals be issued prior to the start of construction. Mr. Breton seconded. Passed 6-0-1. Mr. LoChiatto abstained.

Mr. Kolodziej motioned to adjourn. Mr. Breton seconded. Passed 7-0. Meeting adjourned at 9:15 pm.

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

Respectfully submitted, Nancy Charland