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COMMUNITY DEVELOPMENT

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Approved Planning Board Minutes Wednesday, October 15, 2014 7pm @ Community Development Department

Board Members:

Kristi St. Laurent, Chairman – Present
Alan Carpenter, Vice Chair – Present
Paul Gosselin, Member – Present
Pam Skinner, Member – Present
Margaret Crisler, Member – Excused
Vanessa Nysten, Member – Excused

Bruce Breton, Selectman – Present
Joel Desilets, Selectman Alternate – Present
Steve Bookless, Alternate – Present, excused at 9:55pm
Jim Fricchione, Alternate – Excused
David Oliver, Alternate – Excused
Kathleen DiFruscia, Alternate – Present

Staff:

Elizabeth Wood, Community Planner
Laura Scott, Community Development Director
Laura Accaputo, Planning Board Minute Taker

Chair St. Laurent called the meeting to order at 7:02 pm, followed by the Pledge of Allegiance, member attendance and a brief synopsis of the agenda.

The Chair sat Mr. Bookless for Ms. Nysten and Ms. DiFruscia for Ms. Crisler.

Public Hearings:

2015-2022 Capital Improvements Program (CIP)

Notice is hereby given that the Windham Planning Board will hold a public hearing to review and adopt the “Capital Improvements Program 2015-2022”.

- Mr. Rob Gustafson, Chair of the CIP Committee presented the draft report of the 2015-2022 Capital Improvements Program which will be available online when approved. He explained the CIP is the financial counterpart to the Master Plan and when adopted and fully utilized, serves to ensure that the necessary services and facilities to meet the community’s need are provided in accordance with the financial capabilities of Windham. He stated CIP expenditures are considered beyond the scope of normal operating or maintenance expenses and explained the annual process for CIP requests as well as the method of classification and prioritization for capital projects. He stated the CIP Sub-Committee has adopted a CIP rate of \$.75 per thousand to fund non-high school capital projects and reviewed the plan for 2015 along with the 2015-2011 CIP appropriation chart and project calculations.
- Mr. Carpenter asked the life expectancy of the greenway trail grant and Mr. Gustafson explained it must be applied for in 2015 and it must pass this year or the money is gone.
- Ms. Wood asked the Planning Board if the CIP Committee could approve the minutes from their October 2, 2014 meeting before the Board voted on the proposed plan and the Chair agreed to the request.
- Mr. Gustafson introduced the members of the CIP subcommittee and thanked them.

- Ms. DiFruscia thanked Mr. Gustafson and the subcommittee for a remarkable job.

Ms. DiFruscia motioned to accept the 2015-2022 Capital Improvements Program (CIP), seconded by Ms. Skinner. Motion passed: 7-0.

Mr. Carpenter read Case #2014-31 into the record

Case #2014-31/Preliminary/Final Major Site Plan/Cobbetts Pond and Canobie Lake Overlay Protection Watershed Application

A Preliminary/Final Major Site Plan and Cobbetts Pond & Canobie Lake Watershed Application has been submitted for 112 Range Road (Lot 17-L-15) in the Rural and Cobbetts Pond and Canobie Lake Watershed Protection Overlay District. Karl Dubay, of The Dubay Group, on behalf of the applicant, Northstar on the Range, LLC. Is proposing a 2-story addition (2,000 sqft total), 9 additional parking spaces, and a new septic system. Waivers from Section 603.1 and 703.1.2 are being requested. If the waiver from Section 603.1 is not granted, this application will be heard as a Preliminary Major Site Plan.

- Ms. Scott stated the application is complete and the Board must decide whether to waive Section 603.1 and accept as a Final Plan or hear the case as a Preliminary Major Site Plan.

Mr. Carpenter motioned to grant the waiver from Section 603.1 for this application, seconded by Mr. Breton. Motion passed: 7-0.

- Robin Young, owner of Northstar Financial Planning addressed the Board. She stated she is requesting to put an addition on her building.
- Karl Dubay, on behalf of the applicant stated the addition will be in the back yard and they are also requesting a septic replacement and parking expansion with appropriate drainage and recharge. They have met all of the requests from the ZBA.
- Ms. DiFruscia stated she supported this request the first time around and she is concerned that the representation made then was there would be no additional parking or changes to the property and now a significant expansion is being requested. She wanted to confirm there would not be any other tenants on the property. Mr. Dubay stated there will not be any other tenants. Ms. DiFruscia asked if the roofline for the addition would be visible from the street since it will be higher than the existing building and Ms. Young stated she had this concern as well and her architect is dropping it a few feet. Mr. Dubay noted although it will still be higher than the existing roofline because it is set further back it will not be in the view cone. Ms. DiFruscia also noted the woods and trees are important for drainage and asked if they would be retained. Mr. Dubay stated they are retaining an extensive amount of woods and will be doing some replanting. They also promised they would supplement the wooded section for the abutter most impacted and on Range Road for the additional parking spaces which is on the plan. Ms. DiFruscia asked if they were adding lighting and Mr. Dubay stated they are adding two light posts which match the existing posts.
- Ms. Scott asked if Sheet 1 of the plan set reflected the step down version of the roof and Mr. Dubay stated it did not and the actual building size has also been made slightly smaller and is also not reflected on this plan. Mr. Dubay distributed a sheet labeled A-21 with a scaled drawing of these changes for the record.
- Mr. Carpenter asked if there would be changes to the hours of operation and Ms. Young stated the hours have not changed.

The Chair opened the hearing to the public at 7:55pm and hearing none the public portion was closed.

Mr. Carpenter motioned to approve the plan as presented with the following conditions; the plan as presented will have its last sheet titled A-1 replaced with the handout received tonight which is a Burnell Johnson Architects plan, dated 10/10/14, labeled A-21, demonstrating the roof line of the addition is approximately 2ft lower than previously presented; to include a waiver of Section 703.1.2; conditioned on the Community Development Department receiving copies of the NH DOT and NH DES Permits, seconded by Mr. Breton.

Motion passed: 7-0.

Mr. Breton recused himself from Case #2014-32 since his wife is an abutter and the Chair sat Mr. Desilets.

Mr. Carpenter read Case #2014-32 into the record.

Case#2014-32/Minor Subdivision/Cobbetts Pond and Canobie Lake Overlay Protection Watershed Watershed Application

A Minor Subdivision Application for a Lot Line Adjustment has been submitted for 21 Searles Road (12-A-500 & 500A) located in the Rural District Zone, Cobbetts Pond and Canobie Lake Watershed Protection District, and Wetland and Watershed Protection District (WWPD). The applicant Jeffrey Kevan of TFMoran, Inc., on behalf of the Sisters of Mercy Inc., is proposing to subdivide Lot 12-A-500/500a (taxed as two separate lots) into two lots. The resulting configuration would create one lot, Lot 12-A-500A, sized 120.4 acres +/- (5,244,624 sq. ft.) and include Searles Castle. Lot 12-A-500 will be sized 42.03 acres +/- (1,830,826.8 sq. ft) and contain the Warde Health Center. A new driveway for direct access is proposed to access Searles Castle on proposed lot 12-A-500A. This property is on the Historic Resource List and therefore bound by the provisions of Section 719.6 of the *Zoning Ordinance*.

Mr. Carpenter motioned to accept as a Minor Subdivision application, seconded by Mr. Gosselin.

Motion passed: 7-0.

- Attorney Mark Beliveau addressed the Board. He stated they are requesting approval of a 2 lot subdivision; there is no proposed building construction just the construction of a new driveway for dedicated access to Searles Castle. The parcel is 162 acres and will be divided in two for tax purposes. The resulting configuration would create one lot sized 120 acres and include Searles Castle and one lot sized 42 acres containing the Warde Health Center. The proposed driveway's location will provide excellent site lines. He then gave a brief description of the five easements associated with this transaction as shown on the easement plan; access, staging, drainage and utility, pond, and walkway. He also described the two restrictive covenants; no build and well protection.
- Mr. Jeffrey Kevan addressed the Board. He stated the new driveway is proposed at the bend as it provides for the best site line in both directions and lines up well with the existing loop. He stated the new driveway will be 150ft long and 24ft wide with roundings. They will take out 70ft of wall and add an end column on both sides with a total opening of 65ft.

Questions/Comments from the Board

- Ms. DiFruscia asked if the driveway will be regular pavement and Mr. Kevan answered yes and they will use stone from the wall to build the end caps.
- Ms. Skinner asked if they would use some of the stones from the removed wall to repair another section of wall that was damaged and Mr. Kevan agreed. Mr. Desilets noted the Historic Commission has also requested some stones be reused on the wall by McCauley Commons and Mr. Kevan replied he would be happy to offer stones to the town.

The Chair opened the hearing to the public at 8:35pm and hearing none the public portion was closed.

Mr. Carpenter motioned to grant the waivers from Section 601.2, 601.14, 601.23, 601.2.2, 601.5.8 of the Subdivision Regulations as this is a simple subdivision on 160 acres and there is no reason to burden the applicant, seconded by Ms. DiFruscia. Motion passed: 7-0.

Mr. Carpenter motioned to approve the Cobbetts Pond and Canobie Lake Watershed Overlay Protection District Land Development Application as presented, seconded by Ms. DiFruscia. Motion passed: 7-0.

Mr. Gosselin motioned to mark the WWPD boundaries in any area disturbed within 1500 feet of the WWPD, seconded by Ms. DiFruscia. Motion passed: 7-0.

Mr. Carpenter motioned to approve the Subdivision as submitted, seconded by Ms. DiFruscia. Motion passed: 7-0.

The Chair called for a 5 minute recess at 8:55pm.

The Chair called the meeting back to order at 9:00pm.

2015 Town Meeting Workshops: WEDC Recommendations

- Al Letizio Jr., Board of Selectmen Member of WEDC, addressed the Board. He presented a proposal for a new zoning district, Market Square District, which will be comprised of 5 parcels currently zoned Professional, Business, and Technology totaling 155 acres. The proposed uses permitted and design criteria for this new zone are taken from existing zoning districts. The Market Square District is intended as a walkable, mixed-use center that has retail, office, restaurants, and public space that will enhance the quality of community life in town. He explained this concept addresses the goals and priorities of the town as laid out in the Master Plan and the results of recent surveys which highlight the desire for a vibrant walkable downtown village center to work and shop while also reducing the burden on residential tax payers by expanding the economic base. The community is facing facilities challenges due to residential growth which require services and facilities that cost more than is collected in taxes. This plan provides an energizing answer to the towns financial problems as at full build out it will have a roughly 100 million dollar value which per the Cost of Services Study translates into a net of \$1.6 million per year in perpetuity increasing as values increase; this creates a stream of revenue that can fulfill infrastructure needs while driving taxes down. This concept is similar to that of Market St in Lynnfield, Ma which is a great example of positive development and is comprised of high end retail professionally assembled with the feel of a social and recreational environment with green space.
- Ms. DiFruscia asked how much of the land is developable and Mr. Gosselin stated based upon Watershed Protection Regulations 30%, between 40 and 50 acres can be developed and the remaining unusable wetland becomes the buffer.
- The Board asked about the proposed uses and Mr. Letizio explained they looked at other zoning districts and took out uses that are not consistent with the vision for this district.
- Mr. Letizio also noted the impacted roadways are currently being re-done and brought up to standard and therefore there will be minimal if any infrastructure requirements.
- Mr. Desilets noted Windham's greatest strength is its people and this district will not only help balance the tax base but provide employment and promote small businesses and creative outlets where local talent, entrepreneurship, and agriculture can flourish and he urges the Board to think about this through the lens from which it was conceived.

- Ms. DiFruscia noted something similar was looked at for the Village Center District but there were issues getting the various property owners together for a common cause and Mr. Letizio stated the land is owned by the Town and State and two private owners who are receptive to this vision.
- Ed Gallagher, Chair of WEDC, addressed the Board. He stated this is a different model and asked they come together as different boards and a community and look at this through the lens of target marketing and create a vision that appeals to a broad constituency and work together to fulfill that vision. He stated this is strategic planning and will set the course for our town for the next hundred years.
- The Chair asked how this gets to the next step. She stated we have a proposed location and initial suggestions for zoning changes to allow it however there have been other zoning changes in town with good proactive planning where nothing happened. Mr. Gosselin stated a lot of the oneness would be put back on the EDC to lead the charge by actively marketing this community to developers.
- Mr. Carpenter stated this will only work if there is a single developer in control of all properties and these landowners have been approached before to sell and weren't interested. Mr. Gosselin stated by changing zoning you provide a real impetus to a developer to make the deal work.
- Ms. DiFruscia asked if this could be accomplished without water and sewer and Mr. Gallagher stated we will work with the substantial assets we have and work around this issue. Mr. Gosselin agreed it would make it easier if we had water and sewer but the lack of them will not stop it.
- The Board discussed whether they would work on this at a workshop or if a subcommittee should be formed to work on it and agreed this is a great opportunity to do some planning and therefore this should be the work of the Board. The Chair stated since they already have some framework from EDC she suggested they hold a pre workshop at the upcoming Land Use meeting for more preliminary work. Ms. Scott will work on coordinating a meeting with the Land Use Committee, property owners, and Planning Board and then bring it back for a Planning Board Workshop.
- Karl Dubay, commended the WEDC for proposing this and the Planning Board for embracing it. He asked the Board to consider the driving range property as a candidate for this district as well.

Financial Guarantees

Mr. Carpenter motioned to recommend to the Board of Selectmen to reduce the \$52,856 cash guarantee held by the Town for Outlook Estates to \$28,856 and refund \$24,000 plus any accrued interest to Mr. Jameson, seconded by Mr. Gosselin. Motion passed: 5-0-1 with Mr. Breton abstaining.

Minutes Review/Approve

-September 17, 2014

Mr. Gosselin motioned to approve the September 17, 2014 minutes as written, seconded by Ms. Skinner. Motion passed: 4-0-2 with Mr. Breton and Ms. DiFruscia abstaining.

-September 24, 2014

Postponed

-October 1, 2014

Postponed

Member Binder Update

Old/New Business (Not to include discussion of pending applications or decisions on matters requiring public notice)

Mr. Desilets reminded everyone of the Harvest Festival at Griffin Park on Saturday October 18th starting at 11:30am with the dog costume parade.

Mr. Gosselin motioned to adjourn the October 15, 2014 Planning Board Meeting at 10:45pm, seconded by Ms. Skinner. Motion passed: 6-0.

These minutes are in draft form and respectfully submitted for your approval by Laura Accaputo, Planning Board Minute Taker.