OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

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Planning Board Approved Minutes
October 5, 2016
7:00 pm at the Community Development Department

Attendance:

Chairman Paul Gosselin, excused
Vice Chair Kristi St. Laurent, present
Margaret Crisler, excused
Alan Carpenter, present
Dan Guttman, present
Ruth-Ellen Post, present
Kathleen DiFrusia (alternate), present (seated for Ms. Crisler until 8:15pm)
Matt Rounds (alternate), excused
Gabe Toubia (alternate), excused
Ross McLeod, Board of Selectmen representative, excused
Jennifer Simmons, Board of Selectmen alternate, excused

Vice Chair St. Laurent stated that there was a water ban goes into effect starting next Wednesday, October 12th, 2016.

Ms. Ruth Ellen Post addressed the Board and the public. She stated that the Family Promise of Greater Rockingham County that helps homeless families with children in the county has an event coming up. It is their 4th Annual Gala at the Atkinson Country Club with dinner and a dance band. Please contact Ms. Post at ruth-ellen@comcast.net or go to www.grc.org for more information.

Approved

Public Hearing

The public hearing is regarding the 2017 Capital Improvement Plan presentation to the Planning Board. Steve Gustafson addressed the Board and presented the PowerPoint presentation contained in the public packet. The CIP is a Capital and Planning tool; that is why it is under the Planning Board. Mr. Gustafson also reviewed the timeline for the CIP Subcommittee meeting schedule. CIP expenditures are considered beyond the list of regular expenditures. The purchase must be a capital item. Windham uses an eight-year plan. Mr. Gustafson also reviewed the classification system of Classes I through VI. Mr. Gustafson then reviewed the CIP FY 2017 Plan also contained in the public packet.

Mr. Gustafson then listed the Project Classification including the requests for 2017 in the order they were ranked. Mr. Gustafson explained how the subcommittee prioritized and adjusted the projects to get the urgent needs in front of the electorate. Mr. Gustafson thinks there should be a discussion about what is an appropriate level of funding. Mr. Carpenter asked what the action of the Board would be; the job of the Board tonight is to make a motion to approve the plan with the CRFs.

The Board also discussed the prospect for increasing the citizens' proposed contribution to the fund. Ms. Post asked how the school CIP items now fall into the town budget, yet, they had not previously. The Board and Mr. Gustafson discussed the process by which this had occurred.

Additionally, there have been improvements made to the Center School and Middle School with no bond. The high school has its own current bond. Mr. Carpenter stated that the schools' improvements are under the CIP, whereas, the roads are not technically a CIP item unless a new road is being built.

Ms. DiFruscia also wanted to state how difficult it was to decide what was and was not to be funded by the CIP.

A motion was made by Mr. Guttman to open the public hearing at 7:43pm. Seconded by Ms. Post. Vote 5-0. Motion passes.

Chief McPherson addressed the Board. He wanted to list why the Fire Department requests the things they do on the CIP. He explained why the Quint concept was a vital part of their plan. Chief McPherson stated that his department began the education process in 2010. The request for the Quint has been pushed off every year since 2010. The federal grant was not secured in 2015, thus, the project, as a whole, was not funded. The Quint has been prioritized as "Urgent" or "Necessary" since 2010. He stated that the Quint would be his request every single year because it is the right tool for the job.

Mr. Carpenter asked how much more the CIP rate would increase if the Quint would be secured through a bond. Mr. Gustafson stated it would add .15 to .16 cents more than the current rate. Chief McPherson stated that the 1994 Freightliner is a valuable enough vehicle that it could be sold off to off set costs. He stated that this community is without an aerial truck. He stated that Windham would soon be a very busy town considering all the development.

Mr. Carpenter asked about a scenario where a warrant article could have "if" "then" statements. For example, if the Greenway Project fell through, could the money then go towards the Quint? He understands this may be a discussion for another time.

Chief Lewis addressed the Board. He stated that the CIP has a challenging task in front of them. He stated that Windham is approaching a medium sized community with a small town infrastructure that needs to be funded. The Police Department tries to get whatever dollars they can through grants, for example, their vests and radios. The police vehicles are on a planned replacement schedule unlike the Fire Department. Impact fees cannot be used to replace the communication system because the growth of the town does not change the function of something like a communication system.

Vice Chair St. Laurent closed the public hearing at 8:08pm.

The Board would like to review the rate once again in the spring and asked staff to make a note of this for the CIP discussion.

A motion was made by Mr. Carpenter to approve and forward the CIP plan as presented pending the modifications to the CFRs. Seconded by Ms. Post. Vote 5-0. Motion passes.

A motion was made by Mr. Gustafson to approve the CIP Subcommittee minutes of September 15th. Seconded by Mr. Bookless. Vote 5-0. Motion passes. (Voting members

Approved

present: Rob Gustafson, Steve Bookless, Dan Guttman, Kathleen DiFruscia, and Neelima Gogumalla

Case 2016-27 /WWPD Special Permit Application, 90 London Bridge Road (Lots 20-D-1200 & 20-E-300)
This application has been submitted by Edward N. Herbert Assoc., Inc. on behalf of London Bridge North, Inc. The applicant is proposing a 20-lot open space subdivision with three open space lots for a total of 23 lots. This property is in the Wetland & Watershed Protection District (WWPD), Aquifer, Floodplain and Rural zoning districts. The WWPD Special Permit is the discussion for this hearing.

Ms. DiFruscia excused herself at this time, 8:15pm.

A motion was made by Mr. Carpenter to open the public hearing. Seconded by Ms. Post. Vote 4-0. Motion passes.

Mr. Gregory stated that the Keach/Nordstrom review and the Conservation Commission comments are in the packet.

Mr. Peter Zohdi addressed the Board. After his summary, Mr. Carpenter asked about the "upper area" in WWPD; he was reminded that the plan has been conditionally approved. Mr. Carpenter asked if an easement was granted to Conservation Commission. Mr. Zohdi stated that the applicant did not grant an easement. He and the applicant will work with the Conservation Commission to improve the space with one member of the Trails Committee. They are going to work together to get several miles of trials through this property and connect to the Gage lands. His client would like to come up with a "master plan" for the trails. Ms. Post asked if there was yet a Keach memo for the overall plan. Mr. Gregory stated that Mr. Keach is still working on that.

Approved

Vice Chair St. Laurent opened and close discussion to the public at 8:28pm.

A motion was made by Ms. Post based on the strength of Mr. Keach's recommendation that the WWPD impacts and wetland impacts are minimized in compliance with the applicable regulations that we grant the Special Permit as requested. Seconded by Vice Chair Laurent.

Opened for discussion. Mr. Carpenter would like to see the application pushed out 30 days in order to comply with all necessary recommendations.

Ms. Post is concerned about process. Typically, the Board looks at Special Permits first and the final decision last. For some reason this was inverted but she would have made the motion regardless.

Vote 2-2. Motion does not pass. Mr. Guttman and Mr. Carpenter opposed.

A motion was made by Mr. Carpenter to continue the public hearing to October 19th. Seconded by Mr. Guttman.

The Board considered the input of the Conservation Commission; they discussed easements and deeded land.

The motion was amended to November 2nd. Mr. Guttman's second stands.

Ms. Post stated that the approval was granted and the applicant has the right to stand on what was voted on. The Board discussed how the conditional approval would change based on the input of the Keach memo which as not been received and Conservation Commission.

The "trails conversation" does not impact the Special Permit at this time.

Vote 4-0. Motion passes.

Case 2015-35 (Lot 18-L-300 & 201) Gateway Park, 55 & 67 Range Road, Final Major Site Plan/Final Housing for Older Persons/Major Watershed Application
This application has been submitted by The Dubay Group, Inc. on behalf of Angle Wood Pond Realty Trust, Inc. & Duck Pond Realty Trust. This property is in the Professional, Business & Technology (PBT), Residence A and Cobbett's Pond & Canobie Lake Watershed Protection Districts. The Applicant is proposing to develop this 32 acre site into a mixed use development of offices, restaurants, medical facilities, spas and fitness centers, retail, commercial service, Housing for Older Persons and an integrated park.

A motion was made by Mr. Carpenter to open for public hearing. Seconded by Mr. Guttman. Vote 4-0. Motion passes.

Approved

Mr. Gregory stated that Conservation Commission input was in the packet as well as the input of Mr. Keach. Mr. Dubay reviewed the plan for the Board. Mr. Dubay mentioned a meeting he had with DOT regarding District 5 and traffic measures they would be putting in place.

Mr. Guttman asked Mr. Dubay what has been done to shield the project from the abutters. After discussion, the height if one of the buildings has not changed even though it has gone from 2 ½ stories to three stories. The Board discussed the entry gates in the residential area. One gate would let residents in and out. There would be a second gate for emergencies. Mr. Dubay reviewed the drainage easements.

Mr. Carpenter asked how the square footage has changed to encompass 23000 sq. ft. Mr. Dubay stated that an additional lot was purchased by the applicant. The units have one bedroom. The applicant is taking advantage of the density bonus with the rentals. There are other amenities around the elderly housing: the green space, the fitness park, and the fitness center. Mr. Carpenter also mentioned the idea of a small amphitheater for the sloped area in the back of the property. Mr. Carpenter also mentioned traffic. The traffic in this area is in flux right now; a traffic study may be beneficial. Mr. Carpenter would like to know how this would be phased and bonded to make sure it is attractive and pleasing to the community. Mr. Carpenter would like to see the Board take a site walk of the property.

Mr. Gregory stated that it is likely that the Board will need to ask the applicant for an extension.

Mr. Guttman asked about green initiatives and what was being done to leverage the water that may be available. He also asked about solar panels. The wells on the area are being tracked and

tested. There is also an existing irrigation well. Mr. Guttman asked about rain barrels and cisterns on a smaller scale. Ms. Post stated that this was the largest commercial property that she has seen in Windham. Mr. Post asked if there was a page of the plan that showed connectivity to the abutters. There will be a "green" access road shown on the plan where potential interconnectivity could occur. Mr. Dubay stated it was inherent in the design. The applicant has tried to accommodate for connectivity in the future. Ms. Post asked about the phasing process. She is concerned that the phasing process will change the infrastructure and potentially change the design. Mr. Dubay stated that the phasing process would be fully bonded and the site plan would be updated as needed to comply with any adjustments. Ms. Post asked about Elderly Housing. The list of amenities needs to be listed by the applicant to the Board as well the legal documents. Ms. Post reiterated her concerns around town water as well. She would be interested in a water study. She would like to know how many gallons are available per day.

Mr. Randy Knowles addressed the Board to answer questions regarding landscape design and water conservation in relation to the plantings. He stated there were a lot of native, drought tolerant plants and they would not require irrigation after the first year. Also, the plants near the building will require irrigation. There are sections of the lawn that will be allowed to naturalize. Mr. Knowles stated that irrigation would be needed to secure the investment of the plantings. The Board suggested taking extra measures like additional loam. Mr. Carpenter would like the plan sent to Salem as a courtesy to see what is being installed next door to their water supply.

Vice Chair St. Laurent also brought up parking. Mr. Dubay discussed tracking parking and keeping it under the control of the Planning Board. The plan does meet the standard set forth regarding parking regulations. Mr. Carpenter stated that the Board would be able to watch the phased parking process unfold.

Approved

Mr. Rob Woodland with Woodland Design addressed the Board. He reviewed the parking study. The parking plan allows for availability in an adjoining lot. It is below what would be required for square footage. He does agree with the idea of banked parking.

Mr. Carpenter asked if this was put out to an outside engineering firm. Mr. Gregory stated that the plan could be put out to Keach/Nordstrom. The timeline expires on November 12th.

The public discussion was open at 10:16pm.

Ms. Betty Dunn addressed the Board. She asked about phasing of the project and overall approval. She is asking what the town is committing to and that the phasing must be very clearly defined.

Mr. Carpenter asked if the Board should hire a consultant. He asked if SNHPC would be able lend support.

Mr. Woodland addressed the Board. He stated that "the spine" of the park is built initially. The infrastructure is built first and that it is banked and built over time.

Ms. Post would like to know what a Master Plan should look like. A pre-approved Master Plan needs to address drainage, according to Mr. Dubay. It also includes a building envelope.

Mr. Kamal Hadded, 15 Edgewood Road, addressed the Board. He stated that it is a little concerning that he has two large buildings that would be directly behind his home. He understands

that the business owners are in their right but is concerned about two large buildings being dropped in his backyard. Mr. Hadded stated that his view of Route 111 is unobstructed by foliage in February but has more coverage in other months. He is concerned about the plan in proximity to his home. Mr. Dubay stated that he hopes to work very closely with the abutters.

Discussion was closed to the public at 10:35pm.

A motion was made by Mr. Carpenter to schedule a site walk on October 22nd at 9am in the front parking lot of Range Road and to continue the public hearing on October 26 at 7 pm. Seconded by Mr. Guttman. Vote 4-0. Motion passes.

A motion was made by Mr. Carpenter to listen to new business after 10pm. Seconded by Ms. Post. Vote 4-0. Motion passes.

Case 2016-30 Major Preliminary Site Plan, Commercial A District, Wetland & Watershed Protection District (WWPD), Lot 8-C-101, 47 Roulston Road.
An application has been submitted by Edward N. Herbert Assoc. Inc. on behalf of Andrew & Nancy Costa. Lot 8-C-10 is a 93,033 sq. ft. lot. The applicant wishes to develop this property with a 4,868 sq. ft. multi-tenant commercial building.

Mr. Gregory stated that the application was complete and Mr. Keach's memo and the Conservation Commission's comments are included.

Mr. Shane Gendron addressed the Board. They are well below their 30% use and there are 21 parking spaces on the site. The applicant is trying to minimize the impact as much as they possibly can. Mr. Gendron stated that it will be a Morton building and will only be slightly visible from the road. Ms. Post asked the applicant to locate the second wetland on the plan. She also asked about the proximity of the Rail Trail to the property. Ms. Post asked if the brook could also be located on the plan. Mr. Gregory stated that it meets the requirements of the aquifer district. The client will likely do the car washing off site and the polishing will be done indoors.

Vice Chair St. Laurent asked how much space there was between the building and the retaining wall. Mr. Gendron stated there were ten feet. The Board would like to see detail about drainage and run off. The Board would also like to see the entrance "dressed up" a bit more if possible. The Board also asked about lighting. The applicant directed them to the page detail.

Case 2016-31: Preliminary Major Site Plan/Minor Subdivision and Wetland & Watershed Protection District (WWPD) (Lots 13-A-90 & 13-A-196A) 22 Roulston Road & 12 Industrial Drive
An application has been submitted by The Dubay Group on behalf of Medicus for a Preliminary Major Site Plan, Minor Subdivision & Wetland and Watershed Protection District (WWPD) Special Permit. This is a 7.495-acre parcel located in the Limited Industrial District & the WWPD. The applicant is proposing to enlarge the parking lot in anticipation of constructing a third building on the site.

A motion was made by Ms. Post to move the public hearing to October 12th at 7 pm. Seconded by Mr. Guttman. Vote 3-0-1. Mr. Carpenter abstained.

Approved

A motion was made by Mr. Guttman to adjourn at 11:08pm. Seconded by Mr. Carpenter. Vote 4-0. Motion passes.

Approved