



OLD VALUES - NEW HORIZONS

## COMMUNITY DEVELOPMENT

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### Planning Board Draft Minutes

November 16, 2016

7:00 pm at Community Development meeting room

3 No. Lowell Road

#### Attendance:

Chairman Paul Gosselin, present

Margaret Crisler, excused

Dan Guttman, arrived at 7:08pm

Kathleen DiFrusia (alternate), excused

Matt Rounds (alternate), excused

Gabe Toubia (alternate), present, seated for Ms. Crisler

Ross McLeod, Board of Selectmen representative, present

Jennifer Simmons, Board of Selectmen (alternate), excused

Vice Chair Kristi St. Laurent, present

Alan Carpenter, present

Ruth-Ellen Post, present

#### Staff:

Dick Gregory, Planning Director

Anitra Brodeur, Minute Taker

#### Public Hearing

**Case 2016-34 Excavation Permit (Lot 11-A-50) 14 Ledge Rd.**

**THIS CASE HAS BEEN WITHDRAWN FOR THE MOMENT**

**Case 2016-33 Design Review Application (Lots 21-C-10, 21-C-60 & 21-C-90) 21 Golden Brook Road.**

An application has been submitted by Edward N. Herbert Assoc., Inc. on behalf of Lena Thorndike Realty Trust & Lena Thorndike Revocable Trust, Nadema Gemmill, Trustee.

This project consists of consolidating the three lots in the Residence A District resulting in a 19.266 acre lot, then subdividing into 10 single family building lots.

Mr. Gregory has no comments at this time.

Chairman Gosselin reminded the Board that this is a design review so no binding decisions will be made.

Mr. Shane Gendron addressed the Board. The trust would like to take 3 parcels of land and combine the parcels for a total of 19.2 acres. The proposal has a ten-lot subdivision and the current home on the property will be removed. There would be 1,000 feet of road. Each lot will be over an acre and have their own water and septic. The plan has gone

before TRC. The Fire Department recommended a cistern to fight any potential fires. Additionally, Mr. McCartney of the highway department recommended a width of 26 to 28 feet, not the planned 22 feet width.

Mr. Guttman arrived at 7:08pm.

Mr. Gendron reviewed the recommendations of the Conservation Commission, which was to combine the two vernal pools on the property to protect wildlife that may use those pools. A natural no cut buffer would be left by the applicant. The Conservation Commission is interested in doing a site walk with the Planning Board if one is planned.

Ms. Post asked about a structure on the property that might have historical significance. Mr. Gendron is not aware of any structure. Lot 21-C-10 is on the Historical Resource List according to Chairman Gosselin. Mr. Gendron will look into it; he stated there is a shed on the property as well. Mr. Gregory will research why the property is on this list as well.

Mr. Carpenter wanted to clarify where the vernal pools are. Also, he asked about the Conservation Commission rationale for asking for 22-foot roads. Mr. Gendron stated that the roads will have closed drainage and the Commission typically recommends a smaller road width for less impact. Mr. McLeod is in agreement with the smaller road width as are other members of the Board. Mr. Gendron stated that closed drainage systems would help the applicant comply with the drainage system. Applicants must comply with pre-development drainage according to Mr. Gendron. Mr. Gendron stated that the goal was to leave the vernal pools alone.

Chairman Gosselin opened public discussion at 7:20pm.

Ms. Lisa Smith, 35 Farwood Road addressed the Board. She asked for a set of plans, which was provided by Mr. Gendron. Later, she asked if setbacks were standard by the town. The residential setbacks are 50 feet from the road and 30 feet from the side assuming it is all residential according to Mr. Carpenter.

Mr. Robert Reinhart, 23 Golden Brook Road addressed the Board. He asked about proposed wells and septic systems. Chairman Gosselin stated that the applicant must comply with New Hampshire DES. Mr. Reinhart asked about the rock wall near his property. According to the Board and applicant, it will not be touched. Chairman Gosselin stated that final decisions are made later in the process and he encouraged the abutters to come to the final design review.

Mr. Roman Szymkowski, 17 Golden Brook Road addressed the Board. He has concerns around drainage and run off and wished to express those. Additionally, he asked about construction traffic and start and end times as well. Next, Chairman Gosselin reviewed the process of application and notification for the abutters.

Chairman Gosselin closed public discussion at 7:32pm.

The Board would like to wait to do a site walk until they see the next phase of the application per Chairman Gosselin recommendation. Mr. Gendron likes the recommendation to wait a little longer to do the site walk in order to be further along in the process and to stake out the site.

The Board would recommend the 22-foot road width.

**A motion was made by Mr. Guttman to end discussion and close the public hearing. Seconded by Mr. McLeod. Vote 7-0. Motion passes.**

**Case 2016-35 Design Review Application (Lots 7-A-2100 & 7-A-2050) Morrison Road.**

An application has been submitted by Bedford Design Consultants Inc. on behalf of Carey First Trust & Carey Family Trust. This project consists of a subdivision of 13.5 acres in the Rural District into four (4) single-family building lots. Access to these four (4) lots is by an extension of Dunraven Road.

Mr. Gregory has no comments at this time.

Vice Chair St. Laurent read Mr. McCartney's mail to Mr. Gregory into the record. The email stated three items: the removal of the current cu-de-sac, the new road should be equal width to the current road, and the new cul-de-sac should have an 80 foot radius.

Mr. Craig Cisco addressed the Board. He represents the applicant. Mr. Cisco stated that the current road is 1,200 feet and the new road would extend to just over 1,400 square feet; a variance would be required. The Board discussed a well on the plan that was located in the WWPD. The well is not in the wetland itself.

Chairman Gosselin reviewed the conversation he had with Mr. McCartney as the road agent this afternoon. Mr. McCartney expressed he is interested in removing the cul-de-sac. The Conservation Commission has no issues with the plan at this time.

Chairman Gosselin opened public discussion at 7:50 pm.

Mr. John Muscatel, 15 Dunraven Road addressed the Board. He stated that he and his neighbors needed to make many adjustments to their driveways, mailboxes, plantings and irrigation system to accommodate the cul-de-sac. He stated that he and his neighbors feel as if the cul-de-sac beautifies the neighborhood. Mr. Muscatel stated that the proposal he and his neighbors put together for the Board includes two other cul-de-sacs in town that have been left in place by the town.

The Board then discussed different options for the homeowners to preserve their cul-de-sac while still complying with past precedent, maintenance, repaving of the road, and continuity of the road.

The Board encouraged the abutters to speak with the developer and come up with a mutually agreed upon compromise for the road since this is a preliminary hearing.

Mr. Cisco was encouraged by the Board to sit down with the abutters on the cul-de-sac. The Board would like to see both parties align the roads as closely as possible and to move the roadwork to save the cul-de-sac. The cul-de-sac should have an 80-foot radius.

Mr. Scott Pellerin, 10 Dunraven Road addressed the Board. His property is impacted regardless of what compromises occur and wished to express that fact to the Board.

Mr. Paul German, 17 Dunraven Road addressed the Board. He brought up the idea that there are currently young drivers in the neighborhood and 2 cul-de-sacs close by could help offset any potential speeding issues in the area.

Mr. Cisco came before the Board once more and asked what would happen if the two parties could not come to an agreement. Chairman Gosselin assured him that the Board is willing to work with the applicant.

**A motion was made by Mr. Guttman to end discussion and close the public hearing. Seconded by Ms. Post. Vote 7-0. Motion passes.**

#### Financial Guarantee

The Board discussed what documentation they would like in order to approve financial guarantees moving forward. Ms. Post stated she would like to see: what work was done, what they are releasing the money for and if the engineer or other agent found the work acceptable. Mr. Guttman stated that pg. 3 of the Keach memo was helpful to him in today's financial guarantee; it is a simple recap of what was done. Mr. Carpenter stated that the policy has been to have all monies held as bonds and he would like to be sure a standard policy continues to be upheld.

**A motion was made by Ms. St. Laurent to reduce the financial guarantee for Walkers Woods to \$146,654.40 with a balance of \$159,462.78 remaining. Seconded by Mr. Toubia. Vote 6-0-1. Mr. McLeod abstained.**

#### Old/New Business

Mr. McLeod reviewed research he had done with Ms. DiFruscia, alternate member, throughout the day regarding the Watershed Ordinance that was discussed on August 31<sup>st</sup>, 2016. In the minutes, it was decided that a public hearing would be held on November 16<sup>th</sup>, which was this evening.

The Board discussed the approved minutes of August 31<sup>st</sup>, 2016 as it relates to Watershed Ordinance. The Board discussed the need to post and discuss the Watershed Ordinance changes in a public hearing.

It was decided that the itemized amendments would come back to the Board and then they could be approved along with Derek Monson's edits. Mr. McLeod wanted to be sure the items that would be amended in the ordinance were properly posted and clearly edited. Staff was instructed to match up the amendments in the minutes to the ordinance along with Mr. Munson's emailed edits.

**A motion was made by Mr. Carpenter to instruct staff to post a meeting for December 7<sup>th</sup>, 2016 at 7:00pm to review the Watershed Ordinance in a public hearing. Seconded by Mr. McLeod. Vote 7-0. Motion passes.**

#### **Review and Approval of the minutes of 11-2-2016**

The Board delayed the review of these minutes to check on a motion from Ms. Crisler from the tape.

**A motion was made by Mr. Guttman to adjourn at 9:00pm. Seconded by Mr. Carpenter. Vote 7-0. Motion passes.**

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