



OLD VALUES - NEW HORIZONS

# COMMUNITY DEVELOPMENT

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## Approved Planning Board Minutes

Wednesday, June 3, 2015

7:00pm @ Community Development Department

### Board

#### Members:

Alan Carpenter	Chairman	Present	Ross McLeod	Alternate/Selectman	Present
Paul Gosselin	Vice Chair	Present	Kathleen Difruscia	Alternate	Excused
Kristi St. Laurent	Member	Excused	Matt Rounds	Alternate	Present/seated for Ms. Crisler
Ruth-Ellen Post	Member	Present	Gabriel Toubias	Alternate	Present/seated for Ms. St. Laurent
Margaret Crisler	Member	Excused	David Oliver	Alternate	Present/left at 10pm
Dan Guttman	Member	Present			

### Staff:

Elizabeth Wood, Community Planner

Suzanne Whiteford, Minute Taker

### Call to Order/Attendance/Pledge of Allegiance

### 2. Capital Improvements Plan (CIP)

Committee purpose and process of nominating members explained by Elizabeth Wood

Length of terms clarified per Mr. McLeod

Nominees are Jennifer Simmons, and Steven Bookless

Jennifer Simmons addressed the public and The Board

- Citizens designees
- Resident of Windham for 13 years with family, has served on the CIP in various roles over the past three years, seeking reappointment to the CIP
- Steven Bookless, served as an alternate on the PB, served on the CIP last year, understanding of the CIP, and seeking reappointment to the CIP

**Motion by Mr. McLeod to nominate Jennifer Simmons to the citizen's role as member of CIP for three years and Steven Bookless to one year term**

**Second by Ms. Post**

**Board members Chair Carpenter and Mr. Gosselin spoke in favor of the nominations for both members**

**Ms. Post has worked with Jennifer Simmons in the past and spoke in favor of her appointment**

**Vote 7-0-0, motion carries**

Nominations of Planning Board members to the CIP

Mr. Guttman inquired about the CIP commitment

Rob Gustafson, CIP vice Chair. Addressed the Board explaining the CIP schedule, time commitment expected from CIP members, and role of the Board.

Mr. Guttman volunteered to be a Planning Board member on the CIP

Mr. Gosselin volunteered to be a Planning Board member on the CIP

**Motion by Mr. Rounds to nominate Mr. Guttman and Mr. Gosselin to the CIP as Planning Board members for a term of one year**

**Second Mr. McLeod**

**Vote 5-0-2, Mr. Guttman and Mr. Gosselin abstained, motion carries**

Mr. McLeod asked to lower the minimum expenditure limit of the CIP to \$50,000

**Motion by Ms. Post to set the minimum expenditure limit at \$50,000**

**Second by Mr. McLeod**

**Discussion on the motion:**

Mr. Gosselin spoke in favor to keep the minimum expenditure limit to \$75,000

Chair Carpenter spoke in favor of raising the limit of minimum expenditure to cover capital budget items

Mr. Guttman spoke to maintaining the budget to cover capital budget items

Ms. Post spoke to the difference between the operating budget items and capitol budget items

Mr. McLeod a high price item does not necessarily qualify as a capital item. The nature of the item isn't defined by the price

No public input

Mr. Guttman asked if there was a recommendation from the previous Vice Chair concerning the minimum expenditure limit

CIP Vice Chair Gustafson spoke in support of the CIP expenditure minimum

Mr. Bookless spoke in favor for making the limit \$50,000 and leaving it up to the discretion of the CIP to define what is operating expense and what is a capitol expense

Mr. Rounds asked about defining an item as an asset rather than dollar amount, clarified by Chair Carpenter

**Vote 5-2-0, Chair Carpenter and Mr. Gosselin opposed, motion carries**

**3. Public Hearings**

**Case#2015 -3/Final Review/ Wood Meadow Estates Subdivision-Continued from 5/20/15**

A Final Subdivision Application for a Major Open Space Subdivision, Wetland and Watershed Protection District Special Permit Application (WWPD), and Cobbetts Pond and Canobie Lake Watershed Land Development Application have been submitted for property that is accessible by Settlers Ridge and Glendenin Roads (Lots 25-R-6000, 6250, 6260, 7000, 7050, 8002, 8005, 8010, and 9000), located in the Rural District Zone, Wetland and Watershed Protection District, and Cobbetts Pond and Canobie Lake Watershed Overlay Protection District. The applicant, Edward N. Herbert Assoc., Inc., on

behalf of the property owner, Wood Meadow Land Development, LLC, is proposing to merge the eight (8) existing lots and then to subdivide them into thirty-nine (39) lots for single-family development and twelve (12) open space lots. The proposal includes the creation of new roads. The WWPD Special Permit is for several proposed road crossings and driveways for a total permanent impact of 92,293 sq. ft. for the Open Space Subdivision proposal. Individual well and septic systems are proposed for service of each lot. A written waiver request has been submitted from Section 605.5 of the Subdivision Regulations.

Chair Carpenter asked Ms. Wood if the plans before the Board are the same plans that were before the Board at the last meeting. Ms. Wood confirmed the plans are the same.

John Cronin on behalf of the applicant addressing 6 general items discussed at previous hearings

1. Water impact, quality and quantity
2. Road design, minimal impact on WWPD
3. Request for blasting conditions on a plan having the applicant state their basis for liability
4. Request for a hydrogeological study
5. Request for community wells rather than individual wells on specific lots
6. Request for a condition to protect the unsuspecting public, a well permit before lots were sold

#### Blasting Condition

- Legislative scheme about blasting and respective liabilities
- Placing a blasting condition on a subdivision is unprecedented and not the role of The Planning Board
- Blasting happens all the time in NH

#### Road Design

- Referenced ordinances 601.3 and 601.3.8
- The proposed use is the standard
- The minimization of the plan meets the Town's ordinance standard

#### Hydrogeological study

- Referenced Mr. Lewis's testimony
- Referenced a review of groundwater impact, on file with the town, prepared by stone hill environmental; the review was made under similar general conditions of the proposed development, and concluded there are varying degrees of bedrock, the productivity of the establishment of a new well will not have any impact on the source of a new well outside of the source of the radius (defined within the review report)
- There is no need to spend the money on a study, it will come to the same conclusion
- The goal of the abutters is to limit, delay, and/or make it expensive to slow down the development
- If the Board conditions the plan on a hydrogeological study, the ratio of abutters to lots is 60% split and the abutters should share the cost for the study with the property owner

#### Water Impact

- Request for hydrological study
- Request for community wells
- Request for protecting the unsuspecting public before the lots are sold

## Community wells

- Many people with a community well drill an individual well on their lot for irrigation
- Residents with wells that yield large volumes of water/minute most likely not interested in paying for water or having their water usage limited
- Residents with adequate water don't want to pay or participate in a community well system

## Well permit before a lot was sold

- Not fair to put a condition on an applicant assuming the buyers don't do their due diligence before buying a home
- Lots can be sold many years before a home is built, wells' yields and productions change
- Ordinances in place
- Risk is to the builder, he has to get a well that produces before getting a CO
- No need to impose a condition

Mr. Guttman asked if have made any outreach to the 50 or so abutters on the list to see how many are willing to opt into a community well

Yes, made a phone call to attorney Callan but did not ask how many specifically are willing to participate, but willing to discuss

Mr. McLeod asked what about a community well system and spreading the cost out among the 39 lots and making it part of the cost of the land.

Attorney: The cost for building the infrastructure to Pentachuck's standards for a community well is expensive

Mr. McLeod: What was it about the community well that didn't work out?

Attorney Cronin: Sheffield road water system. It is difficult to get residents with existing wells that function fine to sign on to a community well system

Mr. Guttman: is this a HOA similar to the one on Squire Armor

Attorney Cronin: No proposal is for fee simple ownership

Chair Carpenter: the newer open space ordinance asks the developer to grant easement of the open space to conservation committee

Attorney Cronin: it is forever evolving, doesn't matter to the developer if the open space land is deeded to conservation commission or not

Chair Carpenter: of the 61 existing open space developments in town majority of them have never properly transferred the open space land to an established HOA; decision to put it into conservation was made by the PB

Mr. Guttman asked if you or the engineers or surveys have identified a location for a community well.

Mr. Zohdi spoke with Mr. Lewis since the last meeting, and based on the state requirement, Mr. Zohdi pointed out a potential place for a community well

## Attorney Callen

- Represent 48 properties/households, close to 90 abutters
- Suggested the road juncture be moved north and east and misses entirely the WWPD
- There are no wetlands that are being avoided by putting the road where it is located on the plan
- By moving the road, a few lots are lost and the entire WWPD is avoided
- The plan is not designed to minimize the road impact into the WWPD

- The road design could meet regulations with minimal WWPD impact by decreasing the lot numbers to about 35

Ms. Post asked for the reference number of the map being displayed

Attorney Callen: The map is available plan 5/65 in a smaller scale version and can be used for Board reference

Attorney Callen

- There are studies that can be done that can predict the impact from a new well on a nearby well.
- Would not be foolish to ask the applicant to test a small number of wells as representative of the proposed development producing water
- Ask to study the feasibility of community wells was reasonable and could be cost effective
- A hydrogeological study could give information toward whether to request a community well
- The risk remains on the developer if he is selling a raw lot or on the builder.
- Some of the lots/homes will be spec houses and the builder will get the well permit.
- The risk should not fall on the innocent homebuyer, asking the PB to condition the well permit to be either on the developer or the builder.
- The strategy is not to delay the development and all the “not in my back yard” concerns were weeded out, asking that only lots with proven adequate water be approved.
- Don’t assume adequate water will be available for all 39 lots
- Requesting that an independent contractor perform the pre-blasting surveys.
- The liability of blasting is covered in the law, Mr. Callen’s clients are nervous
- Clients would like to see a little more buffer on either end of the development so the ½ acre lots are not abutting the large lots, a gentler transition, would be appreciated.

Mr. Guttman, with regards to the community well, have you had any conversations with your clients regarding their willingness to participate in a community well, do we have a sense in the interest of the abutters and existing neighbors participating in a community well project.

Attorney Callen: The residents struggling with low yields and storage capacity, are likely to be interested, but does not know specifically who or where the wells would be interested. Willing to do it if the applicant approaches Mr. Callen and asks, or the Board requires Mr. Callen to find out who is interested in a community well

Mr. Guttman asked Mr. Callen where he is requesting a lot to be eliminated and increased buffer be placed

Attorney Callen is asking for increased buffer at the Glendenin entrance, and at the settlers ridge end

Bill Mason, applicant

- The open space plan has been designed per the Board’s regulations
- Not of the mind of losing lots
- In terms of water, cited two examples: one development put in a community well system and each lot opted to drill their own well; second example is castle reach,
- Water is important, the safeguards are in place to assure water is in place before a CO is issued

- Rely on the regulations you have in place, honor the open space regulations, and the open space is a win win with the majority of land going to conservation

Chair Carpenter invited the public to speak

Jeff Martin, 16 Settlers Ridge Road

- General point regarding minimization
- Potential well damage with regards to blasting were made at the last meeting
- Surveys sited by Attorney Cronin, were the well depths available in the survey? What were the well depths in the survey sited by Attorney Cronin, should compare apples to apples
- If I lose my well today, what is the value of my home? Board unable to answer
- If I don't have water can I legally sell it? Board: Yes, you can sell your home without water

Mr. Guttman: are you willing to participate in a community well?

Mr. Martin, yes willing to consider, will have to discuss the blasting issue required for a community well

Paige Duncan, 21 Settlers Ridge Road

- Addressed concerns regarding the swail on her property and the changes that will occur with regards to drainage and potential property damage

Diana Jeans, 3 Poplar Road

- Asked the Board why a master plan survey was conducted
- The survey results show the residents of Windham are concerned about drinking water, protection of the wetlands, decreasing the rate of residential growth, and maintaining small town charm
- We are trying to protect our assets, not interfere with the developer
- Can we do growth with due diligence

Chair Carpenter answered the survey was conducted because it was time to Updating the master plan

Al Syracuse, 20 Settlers Ridge

- There is a lot of old growth and forestry in the area, would like to preserve some of the growth and wooded space
- Construction traffic, asks the developer to be responsible for keeping the road clear and clean, doesn't want the front of his road to look like a construction site
- Concerned about affect of blasting on the his property and wants to be protected from potential blasting damage

Al Papolotto, 15 Settlers Ridge

- Concerned about water issues
- Costs more than expected to get water
- Had to go deeper and add a pump to get water
- Have lost water 5-6 times over the last 15 years
- Very conservative with water
- There is an existing water problem on Settlers Ride

Gary Saklad, 2 Sagamore Road

- Asking about liability with regards to blasting damage, what is recourse for damage to home from blasting? Who is on the hook for making repairs if he sustains blasting damage to his home?
- As an abutter with an existing buffer, asking for consistent landscaping and buffers when the development is put in to maintain
- Is it reasonable to expect there will be an inspection of the home before blasting

Mr. Guttman: Set up blasting meters in house and yard, and do a pre-blasting surveys.

Chair Carpenter: go to the Windham NH website, and look under blasting for the town regulations, it is covered on the website. Asked Ms. Wood to clarify if the purpose of the insurance policy is to compensate damage done by blasting; explained how the radii of the blasting is calculated

Ms. Wood has no comments on the purpose of the insurance policy

Mr. Gosselin asked if Attorney Cronin can speak to blasting liability

Mr. McLeod referenced the blasting ordinance, explained where to find blasting ordinances on the town web page.

Chair Carpenter confirmed the inspection is done pre-blasting

Attorney Cronin, blasting is done throughout the state, it is a well-defined process.

Attorney Callen: the local ordinance says a CO cannot be issued without a well, the building permit can be issued prior to a well permit

Ms. Wood clarified that you can get a building permit, only allowed to get a foundation, and cannot lay any boards without a well permit

Al Syracuse, the issues that a buyer is required to sign the purchasing and sale agreement prior to the foundation being put in, if the well does not come up with water they are out of money and it is on the buyer not the seller.

Glen Boldec, 9 Poplar Road

- Abutter within 500 feet of the blasting for the new development
- Where are the children going to go into the school
- Do not see coordination between the PB, selectman, and school board addressing the school crowding issue

Chair Carpenter reminded that there is a joint meeting July

Ms. St. Laurent replaced Gabe Toubia

Ms. Post asked what the next steps are. There are many issues unresolved on the table

Chair Carpenter reviewed the primary issues for the Board

- water, do we allow individual wells, discuss a community well system, ask for a hydrogeological study
- Walking trails
- Cul-de-sac at the end of Settlers Ridge

- Blasting, based on the site walk, the most severe blasting and closest proximity to the abutters is at Glendenin
- How do we preserve as many trees as possible in the area
- Do we have an opportunity to ask for a better entrance way by the means of buffer at the entrance of the communities

Ms. Post, add to Chair Carpenter's list: the yield plan, and the waivers

Chair Carpenter's priority: yield plan is the primary, then water

Ms. Wood: The Board did not complete the review of the yield plan, it was conceptual/design review stage, it was a nonbinding review

Mr. McLeod inquired about the Board's concerns with the yield plan.

Ms. Post asked about a caveat in the letter from Mr. Gove environmental services

- the yield plan is based on soil maps, the yield plan is as good as the accuracy of the soil maps
- A letter dated 2/20 from Mr. Gove states he reserves the right to update the soil maps if need be.
- If the soils maps are updated to be different from what was used to decide the yield plan then the yield plan would have to be changed.
- The soils maps data are based on soil that was checked using hand tools and may change if data is gathered using a backhoe and find bedrock
- Would like to see selective digging with a back hoe to get a sense of a degree of accuracy

Chair Carpenter, interprets Mr. Gove's letter that based on the soil depths, there is soil to support 39 lots, if he went back in with machinery he would be able to go deeper, and could possibly increase the number of lots in the development.

Mr. Gosselin's interpretation of Mr. Gove's letter is that he collects the data necessary, the findings support the minimum allowable number of lots, digging deeper could support more lots within the development.

Ms. Post expressed concern because we've just been told the area is on a granite dome, and there are many concerns it is reasonable to have a few more test pits with larger machinery.

Mr. Guttman recalled that during the site walk Mr. Gove and a member of the conservation commission who is a wetland scientist expressed extreme confidence with the soil test results; from a scientific standpoint Mr. Gove's findings and assessment are indisputable; agrees with Mr. Gosselin's and Chairman Carpenter's interpretation of Mr. Gove's letter.

Ms. Post, how would we get additional soil data until road work is done or foundations are put in, and by then we are committed.

Chair Carpenter: Additional data from test pits would be to show that more than 39 lots can go into the subdivision

Ms. Post believes additional data may be the other way around

Mr. Zohdi: Mr. Gove's letter indicates the area chosen for investigation yielded 39 lots. The applicant has the right to disagree with results and request testing in another area. The applicant chose not to dispute the soil survey results and decided 39 lots was good enough. There is no objection to doing further test pits, it will only get better.

Chairman Carpenter clarified the test pits were dug 40 inches; asked the Board if the yield plan is being accepted at 39 lots

Ms. Wood directed the Board to an April 8, 2015 memo

- If The Board accepts the standard lot subdivision waivers are required from section 605.5; lot lines are required for lots 1,2,14 and 36 to have side lot lines not at right angles for the first 100 feet.
- A yield plan has to meet the Board's approval in all aspects as if it was a stand-alone application.
- There was an amendment made to the zoning ordinance to give the yield plan more teeth
- The plan must be able to meet the requirements of a standard lot division before it can be approved as an open space plan.

Mr. McLeod: granting waivers is necessary for a final plan, not for one data point in a yield plan that is part of the overall decision; we are not accepting the yield plan, only the proposed lot plan.

Chair Carpenter is not aware that a yield plan must be a yield plan without any variances.

Mr. Zohdi referred The Board to a letter from Mr. Keach dated 2/16/15 indicating 40 lots are available and the applicant asked for 39. With regards to yield plan, if everything is made radial, and a road plan designed and drained why would the applicant do an open space plan.

Mr. McLeod referred to a past Board discussion with regards to requiring an applicant to over engineer the yield plan takes away the incentive for an open space plan

Mr. Gosselin concurred with Mr. McLeod that once the work is done, just move forward with a conventional plan.

Mr. McLeod noted that an open space plan is encouraged from a wild life perspective; less infrastructure is required and you get a tighter community.

Ms. Post: clarified that in order to approve the yield plan the Board has to make sure that under a conventional subdivision 39 lots would be permitted and in order to do that WWPD special permit would be involved

Ms. Wood clarified that it is up to the Board to determine. Additionally, the Board is asked to consider road design, the long road limit is 2400 feet and plan shows a long road of approximately 3000 feet

Mr. McLeod, unaware of a requirement to provide waivers for a yield plan and asked the attorney's opinion

Attorney Callen unable to give a definitive answer to Mr. McLeod's question.

Chair Carpenter, reviewed the ordinance online under section 611 doesn't speak to waivers

Ms. St. Laurent recalls there are a couple of lots in the yield plan that she questioned, and confirmed with Mr. Zohdi the yield plan showed 40 or 41 lots.

Mr. Gosselin recalled the Board reviewed the yield plan in February and agreed on 39 lots when the yield plan showed 41; a conventional yield plan would have had 39. The plan was sent to the town engineer and he agreed 39 lots was a good number and the Board moved forward from there.

Chairman Carpenter agrees with Mr. Gosselin; the discussion regarding concerns about the number of lots would have been appropriate and timely with the town engineer when he gave his opinion on the yield plan.

Ms. Post saw a letter from Mr. Keach referring to an open space subdivision, no recollection of seeing anything from Mr. Keach regarding the yield plan. However, Ms. Post acknowledges she was not on the Board when the yield plan was approved; and has concerns about impact on WWPD and is not thrilled with the yield plan due to the impact on WWPD. Ms. Post wants to go on record for not being in favor of the yield plan due to the amount of WWPD impact and would not have been reluctant to grant a WWPD special permit for the yield plan therefore would reluctant to grant it for the final plan.

Chairman Carpenter asked Ms. Wood if Mr. Keach commented on the yield plan.

Ms. Wood explained that Mr. Keach reviews plans for engineering standard adherence and what the Board requests him to review; Mr. Keach does not look at entire zoning ordinance; the answer to the Chair's question is 'yes'

Chairman Carpenter requested Ms. Wood to electronically send the Board members Mr. Keach's comments regarding the yield plan; suggested the Board move forward assuming 39 lots is an acceptable number, no other objections or further discussion requested from any of the Board members.

Chairman Carpenter directed the Board's discussion to the issue of water

Mr. Rounds: Seems like we need more information regarding sufficient water for the subdivision

Ms. St. Laurent inquired about next steps, from an engineering standpoint with regards to location and testing for sufficient water, if the Board decides a community well would be best for the development?

Mr. Zohdi: pointed out possible locations for a community well, requested the Board grant permission to drill anywhere in open space for a community well. The applicant will not have time to come to the Board for a decision each time they drill for a well that doesn't yield water and get permission to drill for a new well.

Ms. Post: heard tonight that if there is a community well residents dig their own well anyway and it is irrelevant; still thinking community well is the most reasonable solution

Mr. McLeod: the whole water situation is completely speculative, we are trying to plan for the worse. Mr. Bruce Lewis's report and other info presented is not convincing that a community well is the answer

Chair Carpenter: Concerns about individual wells, with regards to the small size of the lots, and the existing well known water issues in this community, concern for the homeowners not having a lot of options to drill for an additional well if needed; questioning the financial burden to the developer for a community well VS cost to the home owner for drilling individual wells.

Mr. Guttman agrees with, in light of the size of the lots, and the history of the water, community wells seem to be the best solution. The area to drill a second well does not exist on the small parcels. With regards to the wells, would appreciate seeing an assessment from Pentachuck on the cost of a community well and cost for individual wells.

Mr. Gosselin concerned that a community well may be negatively impacted by individual wells being drilled in addition to the community well.

Mr. Zohdi commented that a community well can go dry and 39 lots don't have water and believes individual wells are safer.

Mr. Rounds inquired about the cost of a hydrogeological study?

Ms. Wood referred to a previous study that cost approximately \$ 6 to \$8,000 onetime cost and an additional cost of \$4 to \$5,000 to hire a consultant to review the work

Chair Carpenter, don't want to see competing hydro geological studies, and asked the Board's opinion regarding the value of the study regarding well water quantity, and community well VS individual wells? Legally can we require a community well as a condition of improvement?

Ms. Wood there is a Broad statement about providing water, can ask Attorney Campbell

Mr. Gosselin: If we have no legal basis to require a community well system, it is off the table

Ms. Post requests to ask Attorney Campbell to keep his answer to one page. Would like to know more about the feasibility of a community well and ask for a feasibility study.

Chair Carpenter asked Ms. Wood to invite Pentachuck to address the board regarding cost of a community well and reach out to attorney Campbell.

Mr. McLeod voiced concerned with the likelihood of success with a community well and quality drinking water VS individual wells

Chair Carpenter: The draw of the community well system is to protect the existing wells of the existing residents

Mr. McLeod: The community well is to assure the reliability of the development lots drinking water, not the existing wells and residents. It is to protect the potential home owners of the 39 lots in the new subdivision.

Mr. McLeod believes the blasting concerns are covered under the existing blasting ordinance and no need for further blasting conditions

Mr. Guttman there had been a potential for using a hammer for the blasting closest to the homes on Glendenin

Chair Carpenter: the 2 or 4 houses at the very top of Glendenin are the most at risk for the most severe blasting

Mr. Zohdi does not agree that the houses at the top of Glendenin are most at risk for blasting

Mr. Zohdi pointed to the map plan and indicated the first two hundred and fifty feet in is the location for potential blasting

Mr. Zohdi does not think he will have to blast for the road, may have to blast for drainage.

Mr. Zohdi asked permission to finish the profile for blasting and send the plans to Ms. Wood and Mr. Keach for review.

Mr. McLeod requested that Mr. Zohdi bring it to the Board's attention at the next meeting, what was presented and what was done

Chair Carpenter, the open space, and the disposition of it after assumed approval of the plan

Mr. Zohdi, going to deed the open space conservation. Some of the trail, create a new trail 25 feet from the new trail, the trail does not go into the middle of the lot, creating some new trail, and the majority of it will be in the town land.

Mr. McLeod asks to balance the trails, people won't hike on 90 degree trails

Ms. Post: Do we want comments from the trails people?

Ms. Wood, it has been presented to trails people at least twice

Chairman Carpenter asked to present the trails plan to trails committee one more time, and continue to June 17

**Move to continue to this public hearing to June 17 in town hall**

**Second Mr. Guttman**

**Vote 7-0-0, motion carries**

### **Case#2014-33/Design Review/Highflier Subdivision-Continued from 5/6/15**

A Design Review Application for an Open Space Subdivision, Standard Subdivision, and a Wetland and Watershed Special Permit has been submitted for Lots 11-A-1400 & 1418 (Pilgrim Road), located in the Rural District, Wetland and Watershed Protection District Zone, and Aquifer Protection District. The applicant, Karl Dubay of the Dubay Group, Inc., on behalf of the property owner, AWAC Realty Trust, is proposing to subdivide the land area into one (1) standard lot with an existing home sized 229,390 sq. ft. (5.27 acres); four (4) standard lots for single family residential use, sized 168,284 sq. ft. (3.86 acres) to 220,529 sq. ft. (5.06 acres); thirty-two (32) open space single family residential lots ranging in size from 19,979 sq. ft. (.459 acres) to 29,985 sq. ft. (.688 acres); and eight (8) open space lots totaling 3,092,376 sq. ft. (70.99 acres). Two of the standard lots are proposed to be built off of Chestnut Street and a new road with a 2,400' cull de sac length is proposed off of Hawthorne Road to access the open space lots.

Mr. Dubay

- Still working on the project.
- Only 1 wetland/WWPD impact for access
- High grade subdivision
- Maximize open space and open space corridors
- The pink lots have good access to open space
- Good success with wells/water supply
- The pink lots do not back up against other lots, allows for good placement of wells and septic
- Met with fire chief and police chief, received instruction how to conduct an EMS system
- Conservation commission has been kept up to date with the progress of the plan
- Site walk with EPA
- Extensive pit tests
- The 2 yield plans work at more than the number of lots proposed
- Upward of 80% open space, no purchase price to the town
- Cul-de-sac length.
- Will the Board support a waiver of high clear road
- Options and Wetland impact with various connections reviewed
- Propose one connection off Hawthorne, minimal WWPD impact
- Each house meet the open design requirements of an open space design
- Automated 13 D sprinkler system and monitored alarms that go with that
- EMS access is optimal, and reduces EMS response time
- High tech security surveillance system, maintained by a home owners association , accessed via phone

Mr. McLeod, the cul-de-sac connectivity to other, the level of detail provided answered all concerns regarding connectivity. Drawings are very compelling, the EMS response comparison plan is very helpful

Mr. Dubay: Traffic study was conducted and reviewed

Mr. Gosselin inquired about the voluntary removal of which parcel?

Mr. Dubay, blue lot, #137 is the lot being voluntarily removed and put into open space. Plan to revise the plans and assure the blue lots are not calculated into any open space; Putting in a conservation covenant into the backside of lot #36

Mr. Round noted that Hawthorne road is not a wide road and there are only two access roads to the development, do you see any issues with access?

Mr. Dubay, no problem, site distance at the curve is excellent; the traffic report meets the astro criteria,

Ms. Wood read a letter from fire chief dated May 26 to the Board

Mr. Dubay will submit information to the Fire Chief

Ms. Post: what would be the outcome if the cul-de-sac length was kept to 2400 feet? What are 3 reasons to approve this design?

Mr. Dubay, compress some of the houses and loose some open space between houses. Can play with the geometry of the cul-de-sac and the pauses along the road but it would not look as nice, would not have the sprinkler system, we are going to take a lot out and create more open space.

Chair Carpenter believes cul-de-sac length has and two functions: 1. EMS response time in general and 2. Traffic circulation. Concerned about adding more traffic in a busy area.

David Constant, 54 Blossom Road

- Easy street and blossom road, check out the traffic during commute hours
- From a practical stand put, it is not easy to drive on easy street, especially in bad weather.
- Increased traffic will make commuting on easy street more difficult
- There is a curve on blossom road off easy street, it is a walking neighborhood, it s just a matter of time before there is an accident
- Character of the neighborhood will change

Deborah St. Jean, 9 Hawthorne Rd

- The traffic situation is going to be a nightmare
- Consider access from pilgrim
- Traffic gets backed up at the stop sign at Hawthorne

Paul Goodale, 50 Blossom RD

- An abutter
- Don't think Easy St. is the logical way to go and will not be an increase in traffic in that area
- People come down Blossom from other parts of town
- Last large undeveloped area in town
- Different density and different
- Seems like a significant increase in traffic from Blossom to Hawthorne

Mr. Guttman: seems like the only connection that makes sense is the one that connects at meetinghouse but it is the steepest grade of all of them

Chair Carpenter acknowledges that none of the connections are highly desirable

Mr. McLeod the connection to meetinghouse is going to encroach on two existing houses, going to lose a significant amount of driveway

Mr. Dubay:

- meet the criteria for the traffic
- going to be very nice homes
- try to be humble and respectful and open to working with abutters and Board and community

Mr. Guttman inquired of the percentage of the houses that may be amenable to solar

Mr. Dubay relays he was contacted by a representative of The Energy Committee, and the developer is open to solar packages

**Motion by Mr. Gosselin to end design review**  
**Second Mr. Rounds**  
**Vote 6-0-1 Mr. McLeod opposed, not necessary**  
**Motion carries**

**Motion by Mr. Gosselin to grant an extension to the Granite Wood approval for 6 months**  
**Second by Mr. Guttman**  
**Vote 6-0-1, Mr. McLeod opposed**  
**Motion carries**

Schedule a Saturday morning site walk for the market square  
Site walk scheduled for June 20 9:30 and 10:30  
Ms. Wood will check with DOT

Mr. Guttman acknowledged there was excellent representation at the strawberry festival by the PB

**Motion by Mr. Gosselin to adjourn**  
**Second by Mr. McLeod**  
**Vote 7-0-0**  
**Motion carries**  
**Meeting adjourned at 11:19**