



OLD VALUES - NEW HORIZONS

COMMUNITY DEVELOPMENT

3 North Lowell Rd., Windham, New Hampshire 03087

(603) 432-3806 / Fax (603) 432-7362

www.WindhamNewHampshire.com

Approved Planning Board Minutes

Wednesday, July 8, 2015

7:00pm @ Community Development Department

Board Members:

Alan Carpenter	Chairman	Excused	Joel Desilets	Selectman	Excused
Paul Gosselin	Vice Chair	Present	Ross McLeod	Selectman/Alternate	Excused
Kristi St. Laurent	Member	Present	Matthew Rounds	Alternate	Present
Ruth Ellen Post	Member	Present	Kathleen Difruscia	Alternate	Present
Margaret Crisler	Member	Present	Gabe Toubia	Alternate	Present
Dan Guttman	Member	Present	David Oliver	Alternate	Excused

Staff:

Elizabeth Wood, AICP, Community Planner

Suzanne Whiteford, Minute Taker

Ms. Difruscia was seated for Mr. Carpenter

Chairman Gosselin called the meeting to order followed by Planning Board Member introductions then the Pledge of Allegiance.

2016 Town Meeting Workshop – Market Square Overlay District

Ms. Difruscia inquired about the acreage to be developed and requested that Mr. Letizio outline the 50 contiguous acres intended for development on the map displayed during the meeting.

Al Letizio Jr., 5 Woodview Rd., Windham Economic Development Committee (WEDC) Chair and Board of Selectman responded there are 167 acres to be developed and explained how 50 contiguous acres could be easily achieved combining various parcels. Mr. Letizio deferred outlining 50 contiguous acres as there are at least 20 different combinations of 50 contiguous acres available on the map.

Chairman Gosselin offered insight from his perspective as a member of the WEDC Market Square subcommittee as to the committee's intent for Market Square. Chairman Gosselin

explained only 30% of the 50 acres can be developed with an impervious surface because it falls under the WWPDP overlay district. As a PB we can't tell any of the existing property owners to combine their property with their neighbors. We wanted to do this as an overlay district so that it changes nothing for the existing zoning. The developer has to purchase 50 contiguous acres to avoid a developer purchasing a hodgepodge of parcels and claiming they have 50 acres to develop.

Mr. Rounds asked what the total potential acreage for development is.

Mr. Letizio responded that 30% of 129 (rounded up to 130) acres is available for development.

Ms. Crisler asked if the parcels will be combined to achieve 50 acres. Are we looking to do lot line changes and combine parcels to achieve the 50 acres to develop?

Mr. Letizio responded it will be up to the developer how to get 50 acres. There is plenty of room to achieve the 50 contiguous acres.

Chairman Gosselin explained the subcommittee wants to do this as an overlay district so it changes nothing for the existing zoning. Most life style centers are built on approximately 14-15 acres. The intention was to force a developer to purchase 50 contiguous acres and avoid them from purchasing a hodgepodge of parcels that total 50 acres; which will result in a large enough size to achieve what is envisioned.

Mr. Letizio concurs with Chairman Gosselin; the intention was to create options for a developer and eliminate opportunity for small strip mall type of development.

Ms. Crisler commented the property is highly visible to commuters and will define Windham; design criteria is crucial to this development.

Mr. Guttman expressed his disappointment with the answers to his questions from the WEDC Market Square Subcommittee members at their June 17, 2015 and June 24, 2015 meeting. Mr. Guttman perceived the intent of the questions were ignored. He does not believe the Market Square is remotely close to the Lynnfield Market Square. Mr. Guttman asked Mr. Letizio if the WEDC reached out to anyone associated with Manchester Vermont District or Mills Falls Market Place to see what they did in developing their places. Mr. Guttman cautioned that things have to be thought out and planned ahead of time. Mr. Guttman found the answer "market forces will dictate" to his questions posed to the WEDC as unacceptable.

Chairman Gosselin described the current planning is at a very basic ground floor concept. The design standards need to be put in place and it is the PB's role to decide those design standards. The premise of Market Square is a lifestyle center, many examples exist and can be designed in multiple ways. However, the PB is not currently at the point of working on design review.

Mr. Letizio explained the process for soliciting questions to be answered by the WEDC at the June 17 and June 24 meetings. The committee attempted to answer all questions as thoroughly as possible. Mr. Letizio is willing to look at unsatisfactory answers and try to better answer them now.

Chairman Gosselin explained the committee's answers of "see earlier response above" as a way of indicating the question had previously been answered; not as a way to avoid answering the question. The term 'market forces dictate' is a factual answer, meaning a developer or anyone that buys the land, can't clearly dictate who would move in and why.

Ms. Crisler expressed her concern for not comprehensively anticipating what a developer may decide to move in; leaving a loop hole would result in something atrocious coming in. We know what we don't want, we don't want the same old shopping center or mall. We want interesting little shops and places to gather.

Mr. Guttman appreciated Chairman Gosselin and Mr. Letizio's explanation for the explanations of the answers to his questions, however the questions asked deserved an individual and distinct response. Is the intent to develop an area to decrease tax rate by increased revenue generally collected through commercial or is it a market square that entices family to walk and come and visit. Are we aiming for Market Square be the gateway to our town we will be known by; or is it an avenue to decrease our taxes?

Mr. Letizio explained the goal of Market Square is to accomplish both.

Mr. Rounds believes Windham is more of a pass thru rather than a destination like Mills Falls.

Chairman Gosselin described the intention of Market Square to be a mixed combination of retail, restaurants and business offices that is walkable; market forces dictate what developer will come in. The question before the PB at this phase of the process is do we believe the concept for a Market Square itself is possible and will we support it?

Ms. St. Laurent believes Market Square will help change the high resident low commercial balances that currently exist in town. Windham is at the crossroads of a major corridor Our (Windham) population alone will not support this type of development. We want something of quality and that will draw people traveling the corridor. Market Square is intended to fit the idea of a lifestyle center. The goal should be to get something distinctive and draw from the commuters passing exit 3. Ms. St. Laurent does not see any type of negative impact from Market Square on the VDC. She anticipates that Market Square may help the VDC; as people visit the Market Square they may also visit the VDC.

Ms. Crisler agrees with Ms. St. Laurent. The location is going to appeal to the traveling public. The WEDC should be tasked with marketing the concept.

Chairman Gosselin agrees the WEDC should market the concept when something is available to market. There is nothing in this phase of development to market.

Ms. Post commended the committee on their work on the project. Referring to the assessment issue noted in the correspondence from Rex Norman's hypothetical valuation of what the development would be worth if developed as a Market Square as a potential 100 million dollars

what is the value compared to? What would the anticipated value be under its current zoning of PBT?

Mr. Letizio relayed Rex Norman's public remarks regarding valuation that to invoke this proposed zoning would increase the value of the property by multiples; the land is significantly more valuable to the town zoned as proposed rather than how it is currently zoned with regards to its potential net worth. Rex's valuation was not based on the overlay district it was based upon all the parcels being zoned at the proposed level. The WEDC asked Mr. Norman if you invoke the overlay district in only the Market Square and left the remaining land as PBT what is the projected net worth? Mr. Norman was comfortable with his valuation of 100 million dollars with the proposed zoning. The goals of the WEDC committee are to enrich the community and preserve the quality of our wetlands and natural resources while making a financial difference to the town.

Ms. Post referred to questions from the PB to the WEDC asked on May 13, Page 5, #1, specifically regarding prohibiting gas stations. She disagrees with answer; if we don't spell out what we don't want we invite variance applications to the ZBA.

Mr. Letizio is concerned that developing a list of what is not wanted may not be complete and comprehensive which would lead to an unintended omission of something.

Chairman Gosselin emphasized the PB needs to get to a point where we decide if we even want to move forward with the concept before moving forward with rewriting ordinances.

Ms. Post expressed she is glad to see shift from tax benefit analysis to quality of life issues. Current PBT zoning is commercial development. She does not want to see PBT disappear, it meets an important need in town. Ms. Post does not want to see anything like a mall being developed. She is hesitant of turning a major intersection in Windham to a major tourist attraction. Ms. Post is in favor of development with low impact on traffic, multiple resources, protection of the watershed district, and creation of job opportunities. Especially job opportunities that would support a mortgage; jobs not typically seen in this town.

Mr. Letizio explained the committee looked at the state map of 111 with the new bypass and it is designed for 20-25 years out with anticipated traffic volume of 25000 cars VS 7000 (current use) cars. The spot was picked because the new bypass can handle high traffic flow. Compared to Lynnfield, they have 1/3 of the traffic capacity Windham will have, and they have no real issues with traffic flow. The goal of the selectman is beautification in Windham; how can we beautify the new bypass?

Ed Gallagher, Turtle Rock Rd., VP chair of WEDC feels this project supports the quality of life. The ability to have a life style center is accretive to supporting the other businesses. Quality of life was #1 in the Town's strategic plan. The other goals with this proposed zoning is to support existing businesses, achieve tax balance, and support other businesses and support new distinct business development. A life style center will bring more people and be more enhanceive to the

rest of the town. The WEDC does not see the proposed zoning as diminishing to the town in any way.

Ms. Difruscia was initially under the impression the Market Square was intended for the people in town; not as a destination location. As a longtime resident of Windham, (since 1981) Ms. Difruscia sees significant changes in the town which includes increased retail and small businesses and, increased vacant spaces in the Town's commercial property. There is a lot of development going on and Ms. Difruscia is concerned about the Market Square's impact on quality of life; it is not a gathering space for local residents rather a destination location which will have a major impact on the town. Ms. Difruscia suggests to wait to see the impact the VDC development has on the Town. She is concerned about the Town's ability to sustain all the development going on and about the impact of attracting transient to the Town. Ms. Difruscia asked if the WEDC has reached out to seek a developer. We should slow down and take a step back and see what happens with all the development going on

Mr. Letizio explained the WEDC has not sought a developer. The WEDC does not want to speak on behalf of a developer to the PB; a developer may not represent the interests of the Town. The first interest of the WEDC is to the people of the community. The WEDC functions as an advisory board to the Town's committees as outlined in the Town's charter. We are trying to be proactive and prevent someone coming in to develop something we don't want.

Ed Gallagher explained the goal of the WEDC is to paint a vision and then market the vision. Windham is seen as a bedroom community; it is not a gated community. The Market Square development is an opportunity for the town to be proactive and in front of the inevitable change. This is a unique property because of the crossroad element. The question is: Can we make the location into what we envision for the town? Mr. Gallagher thinks the Market Square will enhance the town.

Ms. Difruscia believes there are so many things going on, we need to look at it all in context. She does not want to see Windham becoming a retail mecca. Ms. Difruscia suggests to monitor the development and be sure the Town can sustain all the change currently in motion before moving forward with Market Square.

Chairman Gosselin believes Market Square will be something of real value for the Town's residents and it will survive because of the regional draw.

Ms. Crisler is in favor of developing a plan rather than have someone come in and request to develop the land and risk getting something the Town does not want. Ms. Crisler believes the location is prime for a destination location and we should plan ahead to ensure the Town gets what they want.

Mr. Guttmann asked why Rockingham Park would not be the predominant location for this type of project. He is concerned the Town may be reaching a saturation with the development planned in Londonderry. Mr. Guttmann is having difficulty seeing the overall vision; how does this become community.

Mr. Letizio explained the WEDC does not have any control over the Salem EDC. The land proposed for development is a large area with a lot of potential. The WEDC is trying to craft an ordinance to allow (welcome, invite developers) exactly what the Town envisions to be built there.

Chairman Gosselin commented the subcommittee do not the developer will have their own contacts and their own vision for what the center will be. The subcommittee does not have a clue

Mr. Guttman is having difficulty seeing how this becomes community

Ed Gallagher explained the WEDC likes certain elements of Lynnfield and they fit what is envisioned for the development. Life style centers are a new wave in development and will be a good fit for Windham. The WEDC's drive is to get something unique that will stand out and attract people to Windham. WEDC can't control Salem development.

Mr. Guttman referred the pages of questions, page 5, #7 which asks how this will fit into a walkable model. There doesn't seem to be a central place for parking that will allow for people to walk to and walk around the market.

Mr. Letizio explained the whole thing is pedestrian friendly. The businesses are designed to be accessed by walking, not designed to be reached by car. Visitors can't cruise around in car from business to business; envision creative parking away from the life style center. There is open and community space intended to only be accessed by walking that has been created by Lynnfield. Lynnfield offers a good frame of reference for the Market Square project. There is the potential of getting there by bicycle. However visitors arrive, it is intended to be walkable once they get there.

Mr. Rounds asked to consider having very attractive office buildings and businesses that will create a high end work force that will patronize high end shops within market district.

Ms. Difruscia and Ms. Crisler it's the way it is currently zoned

Wayne Morris believes something has to be done to improve traffic flow through the center of town. It is imperative the PB and Selectman consider pushing the DOT to get the 111 corridor study on the 10 year plan or even the 5 year plan. The way traffic narrows down at the Village Center is a disaster. Encourage that there be discussion about fixing traffic included in the project.

Mr. Guttman asked Mr. Morris where would you see the expansion go up until, where is the decongestion point?

Wayne Morris probably should go past meetinghouse road and even out to 128. Chairman Gosselin concurs with Mr. Morris, however the PB has no authority over DOT. We can pursue the request and ask the selectman to pursue the request, but the DOT follows their own schedule.

Johnathon Sycamore, Cobbetts Pond Road, read a marketing article published by the Valentine group about the VDC. The tax impact projected by Rex Norman comes down to a projected savings of \$350 per year. Windham does not have a tax problem; taxes are approximately \$1.50 above the state average. Cost service studies like the one done by Rex Norman is not intended to be used for forecasting. Mr. Sycamore sees the Market Square project as a play to bring more retail into town. Windham already has a lot of existing retail and a lot of retail is coming. Mr. Sycamore lives in Windham for its proximity to Boston and the Lake's Region. He pays a premium to live in a desirable town. When Mr. Sycamore bought his home in Windham 15 years ago it was not a retail hub. PBT is great. Retail jobs do not do anything for the Town. People working in PBT can afford to live here. People working in retail cannot afford to live here and will come from somewhere else. The PB was encouraged to think about why they bought homes in Windham and don't be afraid to pay a little more.

No further public comments

Mr. Toubia cautioned comparing ourselves to other towns with market forces benefitting from waterfront type environment. Whatever we have here may possibly be a strip mall without the benefit of a waterfront destination. We will attract people as a shopping destination. Winter may leave the Market Square without business if it is too cold to walk around and shop. If the retail outlets are not high end it will not work.

Chairman Gosselin polled the PB to see what they want to do moving forward. What's the next step and where does the PB want to go from here

Mr. Rounds believes it is worth pursuing further

Mr. Toubia, would like to write ordinances to lead the way in developing what we want.

Ms. Difruscia does see **not** this in the best interest of the town to change the current zoning to an overlay district.

Ms. Crisler sees this as a valuable location, it's going to be developed, would like to control what it will be. It is time to start exploring and find the right developer, not sure if an ordinance or concept is needed, but in favor of moving forward.

Ms. Post is hesitant; we already have major commitments to retail, worried about sustainability of the retail, favor PBT district, the town benefits from PBT, concerned about low impact zoning, wait to see the full impact on existing businesses when they are finished, like to see it remain the same, suggested input from an engineering firms that have done other developments similar to Market Square

Mr. Guttman asked if the WEDC could take the initial vision and concept to previously mentioned market places developers and see what they would see in this location. It is a valuable parcel, very few opportunities like this. Do not recommend changing zoning until talking to some developers to see what ideas they have about the existing parcel, get more information before writing an ordinance.

Ms. St. Laurent likes the market square overlay district, would like to see the PB move forward and work with it.

Chairman Gosselin agrees with Ms. St. Laurent.

Ms. Crisler, perhaps input from an engineering firm is a developer

Mr. Letizio responded that the WEDC is an advisory board. We are reluctant to partner with developers or speak to land owners. The WEDC's focus is on accomplishing goals of the community. Reaching out to developers can play against us. Developers may be reluctant to come in with ideas; they will wait and see what is brought forward. There is concern developers may present their own agenda that does not have community in the best interest. Some informal communications between WEDC and developers indicate the developers want to develop without restrictions. The WEDC is not here to negotiate with developers rather see what we want as a town and craft it in an appealing way to developers who will come in and work towards our vision.

Agree with Ms. St. Laurent.

Chairman Gosselin agrees talking to developers may try to influence the ordinance. If PB develops an ordinance it will dictate what we want to see and what we don't want to see.

Chairman Gosselin suggested scheduling a workshop on August 12 to start looking at an ordinance and would appreciate WEDC attendance.

2016 – 2023 CIP Funding Request

Board discussion around CIP funding and the need for a consultant to help with Phase II of the Master Plan.

Motion by Ms. Post to prepare a preliminary submittal to CIP committee requesting funds for a consultant for phase 2 Master Plan and printing and binding.

Second Mr. Rounds

Vote 6-0-0

Motion passed

2015 Master Plan Public Hearings

By authority granted under NH RSA 674:1, the Windham Planning Board is proposing to adopt the following chapters to be included in Phase I of the 2015 master Plan document: Current Land Use and Regional Perspectives, in accordance with the procedure outlined in RSA 674:4

Current Land Use Chapter

Minor edits remain outstanding:

Page 41: add 'Rd' after North Lowell

Page 44: 4539 is a number that needs to be corrected, Ms. Wood will look into making the correction

Page 45: first sentence requires editing which will be made by Ms. Woods

Page 46: text under the table will be corrected by Ms. Woods

Page 47: the pie chart does not add up to 100%. Mr. Guttman explained it is a rounding error.

Motion by Mr. Guttman to accept the edits that have been made to Current Land Use Chapter and continue public hearing on 7/29/14

Vote 6-0-0

Motion carries

Regional Perspectives Chapter

Edits required:

Page 3, first sentence is a run on sentence, Mr. Guttman will correct

Page 6, edit 4th line under 'Windham/Londonderry Border'

Page 7, add ';' after (per RSA 36:54-58)

Page 8, formatting issue at bottom of the page, will be corrected by Ms. Woods

Page 12, eliminate the word 'for' from line 5, second paragraph under 'Windham's Groundwater Quantity and Quality'. Place a '.' After the word age and start a new sentence.

Page 13, eliminate 'that could happen' from line 3 under 'Hudson'

Motion by Ms. Post to continue Regional Perspectives Chapter with above suggested edits on 7/29/14

Second by Mr. Guttman

Vote 6-0-0

Motion carries

Subdivision Regulations

Mr. Guttman reviewed changes made to 602.2.4 and 610.3.7-1

Motion by Ms. Post to move forward with correction to public hearing on 7/29/14

Second by Mr. Rounds

Ms. Woods suggested the PB give direction on language regarding site distance

Amend the motion to include: request a standard provision from Mr. Keach for sight distance to be included in the subdivision regulations.

Second by Mr. Rounds

Vote 6-0-0

Motion carries

Motion to adjourn by Mr. Guttman

Second by Ms. Difruscia

Vote 6-0-0

Meeting adjourned 10:15