

**BOARD OF SELECTMEN**  
**Meeting Minutes October 17, 2016**

**CALL TO ORDER:** Chairman Desilets call the meeting to order at 6:30 PM in the Bartley House. Selectmen Bruce Breton, Jennifer Simmons, Ross McLeod and Roger Hohenberger were present, as was Town Administrator David Sullivan.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. McLeod seconded to enter into non-public session in accordance with RSA 91-A:3 II b. Passed unanimously. Roll call vote all “yes”. The topic of discussion was personnel and the Board and Mr. Sullivan were in attendance. No decisions were made.

**PUBLIC SESSION:** Chairman Desilets called the public session to order in the Community Development Department at 7:05 PM. All members, in addition to Mr. Sullivan, were again present. Mr. Desilets opened the meeting by announcing that the Board had begun their meeting at 6:30 PM with a non-public session. He then opened with the Pledge of Allegiance.

**ANNOUNCEMENTS/LIAISON REPORTS:** Mr. McLeod announced that the 22<sup>nd</sup> Annual Turkey Trot has been scheduled. The 3 or 5 mile road race throughout the Blossom Road area takes place on Thanksgiving Day, beginning at 9AM, and benefits many local charities and organizations. More information can be found at [WindhamTurkeyTrot.org](http://WindhamTurkeyTrot.org). Mr. McLeod extended thanks, in advance, to the neighbors and Police Department for the cooperation and assistance in making sure the event runs smoothly each year.

*Mr. Desilets* noted that at the previous meeting, the Board had talked about the Cable Committee and when they will be meeting next; inquiring whether that date was known. Mr. Hohenberger, WCAB liaison, advised that as of Saturday he had not seen a meeting notice, however, he will advise the Board when he does. Mr. Bob Coole noted that their next regular meeting should be the 3<sup>rd</sup> Thursday in November. Brief discussion ensued.

**GREENWAY TRAIL:** Mr. Sullivan advised that, based upon activities at the NH DOT level, he would like to bring the Board up to speed on the Greenway Project; reminding the Board that this encompasses the old rail trail between North Lowell Road and Meetinghouse Road. Mr. Sullivan advised that a grant application has been submitted to the State to pave the trail at an estimated cost of \$900,000; 80% of which would be covered by the grant. Mr. Sullivan noted that we have applied before, and expressed hope that the review process has changed enough that we will be successful this year. He then indicated that, previously, the Town executed a Municipal Management Agreement with the State to bushwhack the trail area from North Lowell Road to I-93; in exchange for which the State installed a 12’ box culvert valued at \$500,000 under the highway so trail users can cross through.

Mr. Sullivan noted that this latter trail must be done by the end of 2018, as the State is moving forward fairly aggressively and now needs to install a utility trench, for which they’ve asked the Town to bear the costs of the wetland application. Mr. Sullivan indicated that, to date, a little over \$6,000 has been expended for engineering, and that the application is ready to be submitted pending DOT and DRED signatures. He then reviewed with Board the attached plan, highlighting the following:

- Mr. Sullivan explained that the trail needs to be blazed at a width of 10’ from I-93, along the historic rail bed, to North Lowell Road; adding it may move slightly from the depiction. He indicated that he had spoken to Crossing Life Church about a possible easement, which would require a Town Meeting vote, and that nothing can be done until the Town owns the land. Mr. Sullivan noted it is hoped an agreement can be worked out which will allow Crossing Life to continue to use their parking area while the Town would have an easement to access the Trail.

- By locating the access as shown, Mr. Sullivan explained the State will then know where to place the utility trench for the culvert. He indicated that, very shortly, the DOT will begin clearing trees from I-93 to the wetland, at their cost; adding that we will be responsible for the balance wherein there are virtually no trees.
- Mr. Sullivan explained that no paving will be done unless we receive the grant; reiterating, however, that we will still be required to bushwhack the trail.

Mr. Hohenberger inquired what the total length of the Greenway Trail was, and Mr. Sullivan replied almost 13,000 linear feet. Discussion ensued as to the length of the paved Windham Rail Trail, and the cost to complete same. Mr. Sullivan noted he was unsure, as the Town did not complete that project, rather it was the Windham Rail Trail Alliance. He did note that Salem had expended approximately \$65/foot under their TAP grant, however, engineering had represented approximately 30% of the overall project cost in their case.

Mr. Hohenberger then sought clarification of what would happen to the residual monies should we be awarded a \$900,000 grant but the project come in at less. Mr. Sullivan noted that the grant difference would return to the State's kitty, and the Town would pay only 20% of the actual project cost; clarifying further that, conversely, should the project bids come in higher, the Town would be responsible for 20% of the excess cost. Discussion ensued.

Mr. Sullivan then summarized his presentation, reiterating that he will speak to the Church, the DOT's tree cutting will soon begin, and he continues to work with DRED on the ownership change. Mr. Desilets inquired whether any specific action was needed, and Mr. Sullivan replied in the negative; adding that the Board has, in the past, blessed the grant application and the Municipal Management Agreement. He then clarified that it is believed the cost for bushwhacking will be approximately \$15,000.

Mr. McLeod inquired whether the State could be asked to remove the barbed wire that extends into the right of way. Mr. Sullivan noted he would ask, and a discussion ensued in that the wire is at the eastern edge of the wetland, which is the Town's responsibility.

Mr. McLeod then asked that 6 inches of loam instead of 4" be requested, as the former allows the roots to grow deeper and the grass be more sustainable. Mr. Sullivan, again, indicated he would ask.

Brief discussion then ensued regarding the curvature of the exit by Crossing Life, and using same to discourage motorists.

**RANGE ROAD/ROUTE 111 TRAFFIC SIGNAL:** Mr. Desilets advised that the Board had received letters from various businesses impacted by the deactivation of the traffic signal at this location; also indicating he had bumped into traffic engineer Rob Woodland earlier, who was present to speak. Mr. Desilets noted that, after the Board's last meeting, he had been asked to attend a scoping meeting in Concord regarding this issue, and that it is his understanding that the DOT is currently reconsidering the existing decision to remove the light and are taking into consideration any input they receive. Mr. Desilets noted this has been previously discussed and that the Economic Development Committee unanimously supports retention of the light, as does the Police Department, and that the majority of the Selectmen had voted it be retained; however, the DOT had decided to remove the light.

Mr. Desilets then advised that, in addition to the letters received from the businesses, he had received a couple which he had been asked to read; summarizing them as follows:

- Kathy Robertson-Souter requested the light be reinstated.
- Kelsey McIntosh noted this was a dangerous intersection with speed/turn concerns; and that the impact of the light being turned off continues down the road.

Mr. Desilets then read several comments on this issue that he had obtained from Facebook in support of the light being reactivated.

Mr. Rob Woodland, Woodland Design Group, then approached noting that he had been asked to conduct a traffic study relative to the proposed Gateway development and, as part of that, they were asked by the NH DOT to consider their project as it pertained to the potential of keeping the light. Mr. Woodland then reviewed with the Board several pages of graphics/study results, summarizing that:

- Without the light, at peak hours there are 254 cars turning onto Route 111A without the Gateway project.
- Discounting internal trips, the Gateway project will generate 509 vehicles in the morning, 766 at peak evening times, and approximately 500 on Saturdays.
- For each use category of the project, a detailed mode had been developed, and roughly 50% of trips will be oriented to and from the interstate ramps and points further west; if the signal is removed, roughly 77% will exit onto the old Range Road.
- If the light remains, then left turns can be accommodated at the existing signal. This significantly reduces the amount of traffic at the new 111A/Range Road intersection, which was not designed for that type of traffic.
- The left turn demand at 111/111A if the signal remains is only 180 cars; whereas without signal it will be 443 cars. That much left turn demand requires breaking up the main line corridor flow more often and for longer periods of time.
- With or without the signal, there will be zero impact on the level of service and queues at the ramps, but there will be a substantial improvement to the level of service at the other signals; bringing it from a “D” to a “B” rating. Effective queue management and no spillback will result if the signal remains.
- There is a substantial benefit to future growth along 111A in keeping the signal and, at the same time, it provides significantly enhanced access to the Gateway project that is before the Planning Board.
- Several years ago, without the Gateway project, his traffic study had shown that warrant requirements for the signal were still able to be met.

Brief discussion ensued regarding the traffic flow, which Mr. Woodland felt could be maintained through better synchronization of the lights.

Mr. Desilets then advised that letters had been received from three (3) local business owners regarding this issue.

Mr. Forrest Barnes, District Manager Heav'nly Donuts, then approached noting that with the light off it puts everyone into one exit on the side of the building that shares the entrance. He indicated that the drive-through and pass-through lanes are both backed up, and line of site issues are occurring. Mr. Barnes also noted that the Rehab facility involves senior/impaired drivers, and that he has had a number of customers advise him they will no longer come in due to safety concerns. He also indicated that he has noticed a decrease in traffic at McDonalds. Mr. Barnes then noted he has seen a 20% reduction in his sales, and he is cutting back because of it. He requested that the light be kept, reactivated, and synchronized with the other signal to open traffic up.

Ms. Elizabeth Kayo, Clinic Manager at Northeast Rehab, advised that the traffic is a big issue, and the biggest concern for her is her patients/employees trying to cross three lanes of traffic in order to take a right out of the facility. Mr. Desilets then read a portion of Ms. Kayo's letter to the Board.

Mr. Max Puyanic, ConvenientMD, approached noting that Windham was their first location and that he has been very concerned since learning the light was to be turned off. He indicated there were immediate, daily complaints, and a reduction in patient volume; concurring with Ms. Kayo that people are struggling daily to cross lanes to make a u-turn at a very busy intersection. He has also been told by patients that they will not be returning. Mr. Puyanic noted that there is a certain level of anxiety involved with their patients, and that he was urgently requesting that this be reconsidered. Mr. Puyanic also noted that he is excited for the new development in the area and what it will mean for the Town; adding it does not make any sense that the light in question would not be maintained.

Mr. Desilets noted it was his understanding from the DOT's meeting that there are two requests they are open to considering: either keeping the light or immediately turning it back on while a decision is made. Mr. Puyanic indicated he would like it reactivated and then maintained in the long term.

Mr. Peter Mullet, Aragon Investment, indicated he has spoken to several neighbors and all have concerns regarding their customers getting into their business; particularly with the new development coming. He expressed his support for reactivating and keeping the signal.

Dr. Melissa Magnussen, Canobie Lake Vet, approached indicating that the light is a matter of safety. She noted that she sees people going around the barrier to make a left, or cutting through parking lots only to be pulled over by Police. She noted that people are very frustrated and upset and that she has received calls after clients have left because they cannot get back I-93. Dr. Magnussen noted that she is afraid for her business because, although she hasn't felt the impacts yet, she receives daily complaints. She noted she was in favor of turning the light back on and keeping it on.

Mr. Shawn Foster, who owns a home behind the Searles wall, noted that he and his neighbors all have children and that it was a nightmare before leaving/re-entering their homes, and it is now worse. He asked that re-engaging the light as soon as possible be considered.

Mr. John Silva, a resident of the West Shore Road area, approached in support of turning the light back on; citing drivers trying to cross multiple lanes and the impending bad weather. He noted it is inevitable that someone will be hurt and urged the Board to reach out to the DOT and to keep the citizens in mind in regards to safety.

Mr. Bob Coole, Morrison Road, noted that the perspective of someone who does not live in town should also be considered; noting the confusion in getting back to I-93. He felt those who come to Town to spend money should be accommodated by keeping the light on.

Mr. Puyanic then noted that Mr. Klemm, the owner of McDonalds, has seen a large number of vehicles cutting through his businesses, and has already had an accident in the parking lot since the light was turned off.

Mr. McLeod noted that he was in favor of keeping the light prior and that, based on developments since, he is even more convinced. He indicated it was a difficult decision, and the Board spent a lot of time on it with many people coming out on both sides. Mr. McLeod noted the Board had made a decision to keep the light, however, the State did not agree. He went on to note that now, however, there is progress on the golf course area, and many businesses are suffering which is a problem for him. Mr. McLeod felt the light would not hurt other businesses, and that both could be had; noting that a lot of thought and planning had gone into the Gateway District and it was important to get it right. Mr. McLeod also noted that development at this light far exceeds that in any other area.

Mr. McLeod then noted the traffic study shows keeping the light has no impact on I-93, substantially improves the new 111A, accommodates the existing businesses, and ensures workable traffic flow for new businesses. He indicated the success of businesses is important to tax revenues, and that we need to be able to provide services for residents. Mr. McLeod saw no harm in keeping the light there and functional; rather he only saw harm in removing it. He suggested a letter be sent to the State requesting they keep the light there and that it be made functional again.

Mr. Desilets echoed all of Mr. McLeod's sentiments; adding that he had personally spoken to many business owners and residents. He indicated he appreciated the magnitude of issue, and that he has seen how absolutely dangerous the area can be. He also felt there was no harm in leaving it and believed keeping it would show great consideration to business owners; adding he saw a lot of benefit in turning the light back on immediately while the DOT makes their final determination. Mr. Desilets went on to note that the Gateway District is a signature development for the Town and is certainly something to support. He noted that the business owners are willing to bear the costs incurred by the State, as well.

Mrs. Simmons extended thanks to all for attending; noting much had been clarified for her. She then noted that she'd actually been one of those driving through the McDonald's lot, as she did not know it wasn't permitted. She then inquired of the Chiefs whether there has been an uptick of issues in the area. Chief Lewis replied in the affirmative, noting a significant number of vehicles are making the left out of Range Road, as well. He indicated it is very frustrating and a huge safety concern. He noted he had expressed his concerns to the Commissioner's office regarding the left turns and urged them to make whatever their decision was going to be quickly, as it is a significant concern.

Mrs. Simmons then inquired of the u-turns being made after taking a right, and Chief Lewis noted he has not seen issues with that, yet, however there will be; adding that there are a number of conflicting maneuvers that are happening throughout the day. Mrs. Simmons then indicated that she is in support of reinstating the light immediately and questioned how to go about same.

Mr. Woodland noted that first and foremost he would like to see the Board support their prior decision from years ago to keep the light, as the DOT needs to hear that message, and secondly, that it be turned back on in all haste. He noted that the DOT's position this time, in consideration of development moving forward, is different. Mr. Woodland then explained that the DOT temporarily surrenders control of the light during construction to the contractor, however, they can coordinate with them immediately and this can happen very quickly.

Mr. Breton noted that all of the improvements in the area are not complete and, though he felt for Mr. Puyanic, the landlord there knew the light was going away. He noted that the plan for the new project includes right in/right out only traffic and, as it pertained to the left turn issue, he believes it is because the proper infrastructure is not there. Mr. Breton noted he would like to hear from the DOT; adding that the purpose of the access road was to make everyone whole on Range Road and for the Gateway District. Discussion ensued regarding the recent DOT meeting and their wish to hear from the Town, as well as others in the area affected by the light. Mr. Puyanic approached to clarify that he was not aware at the time he chose to put his business there that the light was going away.

Mr. Jay Yennaco, Delahunty Nursery, approached clarifying that he was not speaking for or against the light. He noted he has been in his location since 2007 and had leased his property from the State prior to purchasing it. Mr. Yennaco indicated he had done his due diligence and was sold the property knowing the whole plan, including removal of the light, which he has made plans based around. Mr. Yennaco noted that he has 25 acres he is planning to develop, and that the light in question does not just affect that area, but the whole corridor.

Mr. McLeod noted that the discussion had nothing to do with Mr. Yennaco's potential light, and questioned how the removal of the light in question would hurt him. Mr. Yennaco noted that a corridor like Elm Street or Route 28 is a deterrent; reiterating that he had done his due diligence. He noted he had worked with the State's plan and adapted because that is what businesses do.

Mr. McLeod questioned to what extent removal of the light would be a deterrent, and Mr. Yennaco noted it had the potential to hurt his business significantly. Discussion ensued, and Mr. Desilets questioned whether Mr. Yennaco wanted a signal in front of his business. Mr. Yennaco replied he would not be opposed to that.

Mr. McLeod noted that, looking at the curve of the road, it made more sense to have the light where it is for optimal impact in a safe way on traffic speed and flow.

Mr. McLeod then moved to contact the State and reaffirm support for the light, citing primarily the safety concerns raised, and secondarily the protection of economic development in the area; noting how much development has occurred since the previous discussion, as well as what is occurring.

Mr. Hohenberger asked the motion be amended to include that the light be reinstated immediately. Mr. McLeod concurred, and Mr. Hohenberger seconded.

Motion passed 4-0, with Mr. Breton opposed.

*The Chairman* called for a five (5) minute recess.

**WATER BAN WAIVERS:** Mrs. Simmons recused herself from the Board.

Mr. Desilets indicated that the Board would be discussing potential waivers of the mandatory ban relative to newly seeded lawns and as yet unsold properties; adding that two (2) requests for same have been received. Mr. Sullivan noted that Ms. Toothaker was present and that the other request was from Mrs. Simmons.

Mr. Breton noted that someone had expressed concerns to him that if the Board were to do it for someone who had just planted, then what of someone who'd planted a month ago and invested tens of thousands of dollars. Mr. Sullivan noted that the Board can waive any part of the regulations; adding they could do a blanket waiver or handle just these two (2) requests. Brief discussion ensued.

Ms. Diana Toothaker approached noting that she had moved here three (3) years ago and just this past year had cut down several trees and put in fill. She noted they had sprayed on Friday and then found out that there was a watering ban. Ms. Toothaker advised that they will lose literally thousands of dollars, as the area in question is massive. She noted that, realistically, there is only two or three weeks before the irrigation has to be shut down anyway. Mr. Hohenberger sought clarification of the address, and Ms. Toothaker replied she resides at 5 Mitchell Pond Road.

Mrs. Simmons, who resides at 17 Porcupine Road, indicated that they had just finished installing a pool in the back yard and the lawn was ripped up during the installation. She advised she was requesting a waiver as the area had been hydroseeded that evening and there is a need for some grass to be in place before winter to prevent erosion. Mrs. Simmons noted they would like to water a very small area, late in the evenings only, for the next two weeks.

Mr. McLeod noted he was in favor of the waivers, as this is the time to get down as much dirt as one can. He noted the Board was not trying to penalize people with the ban, but rather to encourage responsible water use.

Mr. Hohenberger agreed that having a provision for waivers is important as there are always mitigating circumstances, however, he would like more information as to whether there are any well issues in these neighborhoods. Ms. Toothaker replied that she had spoken to a few of her neighbors and there were no issues.

Mr. Bob Coole, Morrison Road, approached noting that the area of Mitchell Pond had well issues when first constructed; adding some of the homes have two or three wells.

Mr. Desilets indicated he appreciated the requestors proactively asking for waivers, and that he is also concerned as the Board did put the ban in place because of folks watering for pretty green lawns, rather than for ones just planting. He noted that, ideally, the Board should have considered the latter at the time.

Mr. Sullivan advised that, during the drought, calls have been received from Mitchell Pond residents who have had problems with their wells.

Mr. Breton inquired whether Ms. Toothaker would be using sprinklers, and the latter replied in the affirmative. Mr. Breton noted it was supposed to rain for the next few days, and that he hoped they would not be running when it is raining.

Mrs. Simmons indicated that she would double check with her neighbors; adding that she knows two had to replace their pumps this summer. She indicated she can find out more before the Board makes their decision. Discussion ensued in that Mrs. Simmons' sprayed that evening for erosion concerns, and that the decision to install the pool was made in May.

Mr. Desilets indicated he was hesitant to only address these two and ignore others who had made the same decisions. He felt the Board could effectively detail which sorts of situations they might want to grant waivers for, such as those who made major landscaping decisions prior to the ban going into effect and those who have sodded/seeded. Discussion ensued regarding smaller patches needing attention, as well.

Mr. McLeod then moved to grant the waivers to Mrs. Simmons and Ms. Toothaker for the balance of the season. Mr. Sullivan inquired whether watering would be restricted to certain hours, and Mr. McLeod replied it should be consistent with the regulations of 8P to 8A.

Mr. Desilets noted he would be inclined to support the motion if it took into account others in identical situations.

There was no second.

Mr. Hohenberger expressed concerns regarding issues in the Mitchell Pond neighborhood; adding that the reason the Board was so adamant for the ban is that there are people without water. He indicated living without water is hard, particularly if one has children. Lengthy discussion ensued regarding the impacts on neighbors of watering, investments made, and calls received by Mr. Sullivan regarding Mitchell Pond. Mr. Desilets noted that not granting the waivers will have a known detrimental impact on two residents without there being any known detrimental impact to others.

Mr. Breton noted that, since the drought, landscapers have been putting different seed down that requires 40-60% less water; adding it breaks his heart that they do that and people still water for hours when they do not have to. He noted that someone may have problem and not call, or are conserving but the Town does not hear about. Mr. Sullivan clarified that people are calling and asking that the ban be enforced. Discussion ensued regarding Mr. McLeod's motion and what it had entailed, specifically that watering be between 8P and 8A; without a restriction on the number hours watering occurs therein.

Mr. Desilets indicated that he viewed it as negligence on the Board's part that they had not considered these situations. He agreed that not having water is a sacrifice, however, there is a reasonably large sacrifice to people who have just invested thousands of dollars prior to having any knowledge that this ban was going into effect. Mr. McLeod pointed out that was why he had not liked the DES regulations as their notification requirements were patently absurd.

Mr. Desilets indicated that these requests were not being done for vanity, but for erosion control and it would be unjust not to grant the waivers. Mr. Breton countered that there are different methods of erosion control that do not require watering and a lengthy discussion ensued. Mr. McLeod noted that the requestors could take their chances and water at night and hope they do not get caught or, if they do, pay the fine as a cost of doing business.

Mr. Hohenberger then moved to grant these two waivers as requested; clarifying it was because the process is new and, moving forward, he wanted to know what neighborhood issues there are relative to wells prior to any waiver requests being considered. He also requested that the Board also consider requiring abutters to be notified prior to waivers being heard.

Mr. Breton seconded Mr. Hohenberger's motion, which passed 4-0.

Mr. Breton then expressed concerns with others who may now go out and hydroseed tomorrow and then claim it was done for erosion control. Discussion ensued regarding Mr. Hohenberger's request that more information be provided with future waiver requests. Mr. McLeod indicated he is not comfortable with a blanket anything going forward, rather he would prefer each be handled case by case in order to understand the particular aspects of each waiver request. Further discussion ensued.

It was the consensus of the Board that if Mr. Sullivan receives a waiver request, that the requestor be advised to come to the meeting prepared to provide information or a letter from abutters, along with pictures of area, etc. Mr. Sullivan noted that, if it comes to the Board, the address should also be on the agenda so that people who have concerns can attend, as well.

*Mrs. Simmons* resumed her seat with board.

**OLD/NEW BUSINESS:** Mr. Hohenberger noted he had requested cost information to deliver water to Griffin Park, and had not received same. Mr. Desilets pointed out that, subsequently, the Board had decided to take conservation measures instead. Mr. Hohenberger indicated he still wished to know the costs. Staff will provide same.

*Mr. Desilets* indicated he has received calls from people who have seen others utilizing hoses and pumps at fire detention ponds; adding that this is not appropriate. Chief McPherson clarified that he has not received any such calls regarding cisterns, however, if they are able to get water out of the Department's static sources, good luck to them. Discussion ensued.

**CORRESPONDENCE:** None.

**MINUTES:** Tabled.

**OLD/NEW BUSINESS CONTINUED:** Mr. Sullivan requested the Board approve the issuance of a timber tax warrant in the amount of \$407.73 for lot 2-A-76, and one in the amount of \$195.65 for lot 11-A-1653.

Mr. McLeod moved and Mr. Hohenberger seconded to issue the warrants. Passed unanimously.

*Mr. Sullivan* advised that two emergency Right of Way permits had been issued by the Highway Agents, which the Chair must now sign off on. He explained one was related to a ground fault in the Oxford/Princeton Road area, and the other to a cable fault on Almas Street. The Chair executed both accordingly.

*Mr. Sullivan* advised that the State's Site Evaluation Committee has approved National Grid's Merrimack Valley Reliability Project, which the Board has expressed support for, and that the full report is available for review. He indicated that representatives of our Local Energy Committee will be attending the next meeting.

*Mr. Sullivan* advised that the State is looking for suggested names for the new Route 111A access road; adding it could be placed on an upcoming agenda for public input, if the Board wished. Mr. McLeod suggested that a letter be sent to the abutting property owners to seek input, as well as the Historic District commission. The Board concurred, and staff will follow up to do so.

*Mr. McLeod* noted he had received an email from Peter Griffin relative to the right of way from Squire Armor Road to Griffin Park; inquiring whether the Board would be willing to discuss same. Mr. Desilets suggested this be an agenda item, and a discussion ensued regarding the hazards of the area and Harvest Fest.

Mr. Sullivan indicated he had suggested to Ms. Haas that she reinstitute the shuttle bus for the event, as people this year were parked all down Range Road to the Common Man and up to Horseshoe Road. Discussion ensued.

Mr. Hohenberger indicated he was not in favor of discussing the right of way, as the Squire Armor residents are opposed to same, however, if it is to be scheduled he would like everyone on the road notified.

Mr. Breton sought clarification as to whether the right of way goes through one property only, or more than one. Mr. Sullivan replied one property; adding that Mr. Griffin had spoken to the owner that abuts it and he is not opposed to opening it up. Mr. Breton suggested that stakes be placed and it be used only for that event to offer safe travel, versus opening it up permanently.

*Mrs. Simmons* inquired as the status of the No Parking signs on Range Road, and Mr. Sullivan clarified that those need to be approved by the State.

*Mr. Bob Coole* approached noting he had seen a legal notice regarding the installation of 105' monopole at 105 Londonderry Road; inquiring whether the Board was aware of it. Mr. Sullivan clarified that it would not come to the Selectmen, but rather the Planning Board.

**NON-PUBLIC SESSION:** Mr. Hohenberger moved and Mr. McLeod seconded to enter into non-public session in accordance with RSA 91-A:3 II a and e. Passed unanimously. Roll call vote all "yes". The topics of discussion were personnel and legal.

The Board, Mr. Sullivan and Chief McPherson were in attendance in the first session to discuss the vacant Administrative Assistant position.

Mr. Hohenberger moved and Mr. McLeod seconded to extend an offer of employment to the selected candidate subject to completion of the employment process. Passed unanimously.

*The Board* and Mr. Sullivan were in attendance in the remaining sessions.

*Mr. Hohenberger* moved and Mr. Breton seconded to extend an offer of employment to the selected candidate for the vacant Planning Director position subject to completion of the employment process. Passed 4-1, with Mr. Desilets opposed.

*Mr. Sullivan* updated the Board on their minute taker position. No decisions were made.

*Mr. Sullivan* updated the Board on a legal matter. No decisions were made.

Mr. McLeod moved and Mr. Hohenberger seconded to adjourn. Passed unanimously.

Meeting was adjourned at 10:40 PM.

Respectfully submitted,

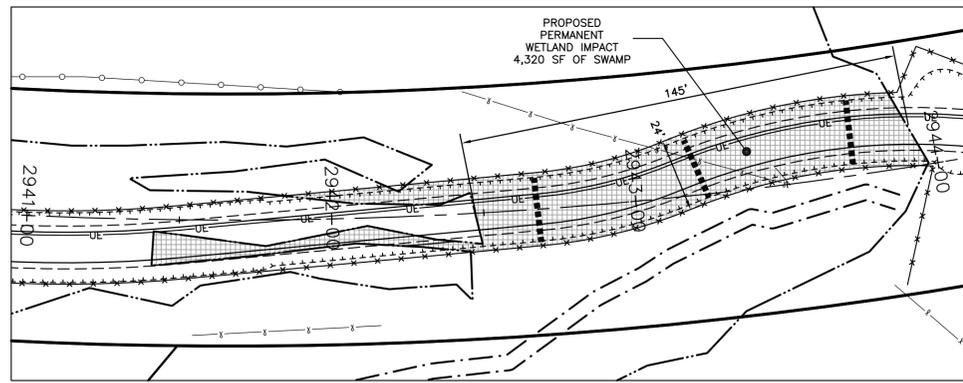
Wendi Devlin, Administrative Assistant

*Note: These minutes are in draft form and have yet to be submitted to the Board for approval.*

**CONSTRUCTION SEQUENCE:**

THE FOLLOWING CONSTRUCTION SEQUENCE IS A GENERAL GUIDELINE FOR THE CONTRACTOR TO FOLLOW. ADJUSTMENTS SHALL BE MADE DUE TO WEATHER AND PERMIT CONDITIONS.

- CONTRACTOR TO NOTIFY DIG-SAFE 72-HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- CUT AND CLEAR TREES AND BRUSH FROM CONSTRUCTION AREAS TO THE EXTENT NECESSARY. ALL BRANCHES, TOPS AND BRUSH TO BE PROPERLY DISPOSED OF BY CONTRACTOR. THIS PROJECT SHALL BE MANAGED TO MEET THE REQUIREMENTS AND INTENT OF RSA 430:53 AND AGR 3800 RELATIVE TO INVASIVE SPECIES.
- PRIOR TO GRUBBING OF CLEARED AREAS, ALL SILTATION BARRIERS DESIGNED FOR USE AS TEMPORARY EROSION CONTROL MEASURES SHALL BE INSTALLED AS CALLED FOR ON PROJECT PLANS. INSTALL STABILIZED CONSTRUCTION EXIT AT LOCATION OF CONSTRUCTION ACCESS AT THE INTERSECTION WITH EXISTING PAVEMENT.
- COMPLETE GRUBBING OPERATIONS UNDER THE TRAIL AND SLOPE SECTIONS. ALL STUMPS AND SIMILAR DEBRIS SHALL BE PROPERLY DISPOSED OF BY CONTRACTOR. ORGANIC MATERIAL SUITABLE FOR USE AS TOPSOIL SHALL BE STOCKPILED IN UPLAND AREAS. ALL STOCKPILES SHALL BE SEEDDED WITH WINTER RYE AND, IF NECESSARY, SURROUNDED WITH HAY BALES IN ORDER TO PREVENT LOSS DUE TO EROSION.
- COMMENCE CONSTRUCTION OF THE TRAIL, PERFORM EXCAVATION AND FILL ACTIVITIES REQUIRED TO ACHIEVE SUBGRADE ELEVATION. ALL EMBANKMENTS, DITCHES, AND SWALES SHALL BE CONSTRUCTED AND STABILIZED. ALL SWALES AND DITCHES SHALL BE PROTECTED FROM EROSION BY IMPLEMENTATION OF TEMPORARY EROSION CONTROL MEASURES AS SHOWN ON PROJECT PLANS. SLOPES AND EMBANKMENTS SHALL BE STABILIZED BY TRACKING AND TEMPORARY SEEDING WITH WINTER RYE PRIOR TO TURF ESTABLISHMENT. ALL DITCHES AND SWALES SHALL BE STABILIZED PRIOR TO HAVING RUNOFF DIRECTED TO THEM.
- INSTALL THE CULVERTS AS SHOWN ON THE APPROVED PLAN. ALL SUCH CULVERTS SHALL BE PROTECTED WITH THE EROSION CONTROL MEASURES AS OUTLINED ON THE APPROVED PLAN.
- INSTALL THE UNDERGROUND ELECTRIC UTILITIES FROM NORTH LOWELL ROAD TO THE I-93 TUNNEL CROSSING.
- COMPLETE THE WETLAND CROSSING IN ACCORDANCE WITH THE WETLAND PERMIT AND APPROVED PLAN. THE TRAIL BASE SHALL BE ESTABLISHED THROUGH THE PLACEMENT AND COMPACTION OF THE GRAVEL.
- APPLY TOPSOIL TO SLOPES AND OTHER AREAS DISTURBED BY CONSTRUCTION. TOPSOIL USED MAY BE NATIVE ORGANIC MATERIAL SCREENED SO AS TO BE FREE OF ROOTS, BRANCHES, STONES AND OTHER DELETERIOUS MATERIALS. TOPSOIL SHALL BE APPLIED SO AS TO PROVIDE A MINIMUM OF A 4-INCH COMPACTED THICKNESS. UPON COMPLETION OF TOPSOILING, FINISHED SECTIONS ARE TO BE LIMED, SEEDDED AND MULCHED. CONSTRUCTION PERSONNEL SHALL INSPECT COMPLETED SECTIONS OF WORK ON A REGULAR BASIS AND REMEDY ANY PROBLEM AREAS UNTIL A HEALTHY STAND OF GRASS HAS BEEN ESTABLISHED.
- AT A FUTURE DATE AS DETERMINED BY THE TOWN OF WINDHAM, PERFORM FINE GRADING OF ROADWAY BASE MATERIALS AND PAVE BINDER COURSE.
- MAINTAIN, REPAIR AND REPLACE AS NECESSARY TEMPORARY EROSION CONTROL MEASURES UNTIL SUCH TIME AS THE ENTIRE CONSTRUCTION AREA HAS BEEN STABILIZED (A MINIMUM OF ONE WINTER SHALL HAVE PASSED).
- AFTER STABILIZATION, REMOVE AND SUITABLY DISPOSE OF TEMPORARY EROSION CONTROL MEASURES.



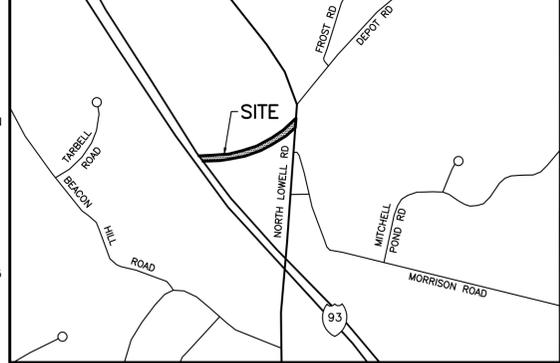
DETAIL VIEW  
SCALE: 1"=30"

**NOTES:**

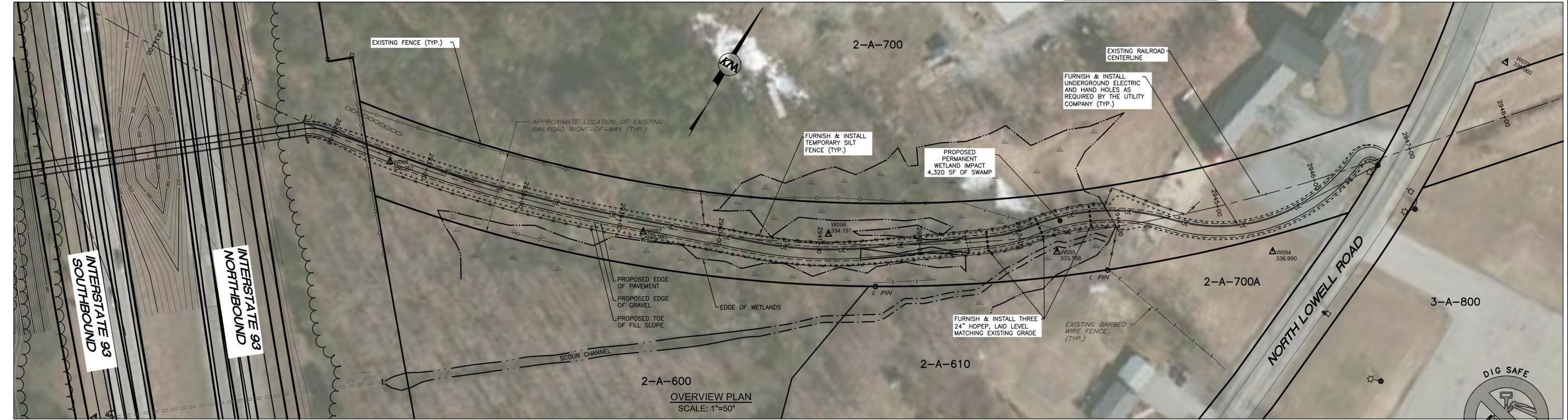
- THE PURPOSE OF THIS PLAN IS TO DEPICT THE WETLAND IMPACT ASSOCIATED WITH THE CONSTRUCTION OF "GREENWAY TRAIL" LOCATED ALONG THE ABANDON B&M RAILROAD BETWEEN NORTH LOWELL ROAD AND I-93.
- BOUNDARY INFORMATION SHOWN HEREON IS BASED ON PLANS BY CHA COMPANIES DEVELOPED FOR NHDOT PROJECT #146338. THIS PLAN WAS DEVELOPED USING AN ELECTRONIC FILE PROVIDED BY NHDOT FOR THE TOWN OF WINDHAM'S USE.
- WETLANDS WERE DELINEATED BY CHRISTOPHER DORION, CWS OF FB ENVIRONMENTAL IN AUGUST OF 2015. THE WETLAND DELINEATION WAS PERFORMED USING PROTOCOLS DESCRIBED IN 1987 USACE WETLANDS DELINEATION MANUAL AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2 (USACE, 2012).
- EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) FOR THE TOWN OF WINDHAM, MAP NUMBER 33015C0533E, PANEL 533 OF 681, EFFECTIVE DATE: MAY 17, 2005 INDICATES THAT THE SUBJECT PARCEL IS NOT LOCATED WITHIN A DESIGNATED 100 YEAR FLOOD HAZARD ZONE.
- THERE ARE NO RECOGNIZED PRIME WETLANDS LOCATED IN THE TOWN OF WINDHAM.

LOAM & SEED ALL DISTURBED AREAS (TYP.)

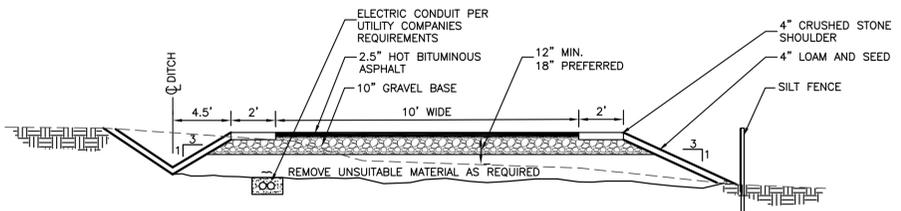
FURNISH & INSTALL EROSION CONTROL BLANKETS ON ALL SLOPES 3:1 OR STEEPER (TYP.)



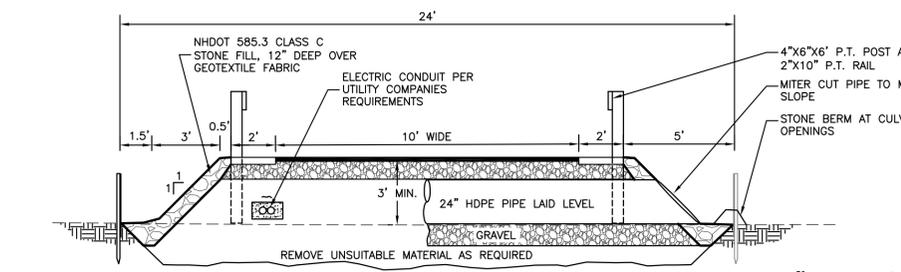
VICINITY PLAN  
-NOT TO SCALE-



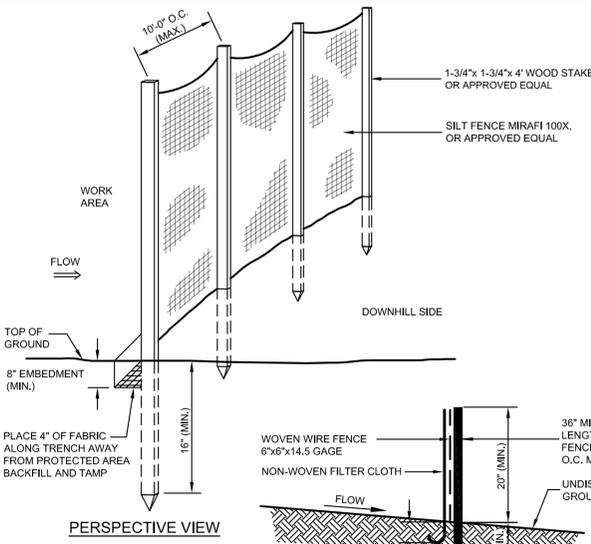
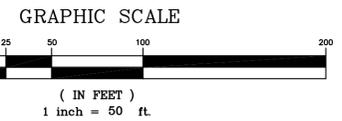
OVERVIEW PLAN  
SCALE: 1"=50"



TYPICAL CROSS SECTION  
NOT TO SCALE



WETLAND FILL CROSS SECTION  
NOT TO SCALE



SILT FENCE DETAIL  
NOT TO SCALE

**CONSTRUCTION SPECIFICATIONS:**

- THE GEOTEXTILE FABRIC SHALL MEET THE DESIGN CRITERIA FOR SILT FENCES.
- THE FABRIC SHALL BE EMBEDDED A MINIMUM OF 8 INCHES INTO THE GROUND AND THE SOIL COMPACTED OVER THE EMBEDDED FABRIC.
- WOVEN WIRE FENCE SHALL BE FASTENED SECURELY TO THE FENCE POSTS WITH WIRE TIE OR STAPLES WHERE NOTED OR AS DIRECTED BY DESIGN ENGINEER.
- FILTER CLOTH SHALL BE FASTENED SECURELY TO THE WOVEN WIRE FENCE WITH TIES SPACED EVERY 24 INCHES AT THE TOP, MIDSECTION AND BOTTOM.
- WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER, THEY SHALL BE OVERLAPPED BY 6 INCHES, FOLDED AND STAPLED.
- FENCE POSTS SHALL BE A MINIMUM OF 36 INCHES LONG AND DRIVEN A MINIMUM OF 16 INCHES INTO THE GROUND. WOOD POSTS SHALL BE OF SOUND QUALITY HARDWOOD AND SHALL HAVE A MINIMUM CROSS SECTIONAL AREA OF 3.0 SQUARE INCHES.
- MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

**MAINTENANCE:**

- SILT FENCES SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. ANY REPAIRS THAT ARE REQUIRED SHALL BE MADE IMMEDIATELY.
- IF THE FABRIC ON A SILT FENCE SHOULD DECOMPOSE OR BECOME INEFFECTIVE DURING THE EXPECTED LIFE OF THE FENCE, THE FABRIC SHALL BE REPLACED PROMPTLY.
- SEDIMENT DEPOSITS SHOULD BE INSPECTED AFTER EVERY STORM EVENT. THE DEPOSITS SHOULD BE REMOVED WHEN THEY REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
- SEDIMENT DEPOSITS THAT ARE REMOVED OR LEFT IN PLACE AFTER THE FABRIC HAS BEEN REMOVED SHALL BE GRADED TO CONFORM WITH THE EXISTING TOPOGRAPHY AND VEGETATED.

**PLAN FOR TRAIL CROSSING  
GREENWAY TRAIL**

MAP 2, BLOCK A, LOT 650  
NORTH LOWELL ROAD  
WINDHAM, NEW HAMPSHIRE

<p><b>OWNER:</b> STATE OF NEW HAMPSHIRE - DOT PO BOX 483 CONCORD, NH 03301</p>	<p><b>APPLICANT:</b> TOWN OF WINDHAM 3 NORTH LOWELL ROAD WINDHAM, NH 03087</p>
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**KMA KEACH-NORDSTROM ASSOCIATES, INC.**  
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REVISIONS			
No.	DATE	DESCRIPTION	BY

**Draft Print**  
09/27/2016 10:37:04 AM

**DATE:** AUGUST 1, 2016  
**PROJECT NO:** 16-0413-5

**SCALE:** AS NOTED  
**SHEET** 1 OF 1