

**TOWN OF WINDHAM
TOWN COUNCIL**

WINDHAM TOWN HALL AUDITORIUM

SEPTEMBER 21, 2010

PUBLIC HEARING MINUTES

1. Call to Order

Mayor Eldridge called the Town of Windham Public Hearing to order at 6:07 p.m. to hear comments regarding setting an ordinance that sets a 20,000 lb. weight limit on Card Street.

Town Council members present: Mayor Ernest S. Eldridge, Christel Donahue, Erika Haynes (6:20 p.m.), Jerry Iazzetta, Lorraine McDevitt, Teresa Santucci, N. Joseph Underwood

Town Council members absent: Kevin Donohue, David Howe Sr., Mike Lessard, Arnaldo Rivera

2. Public Comments regarding setting an ordinance that sets a 20,000 lb. weight limit on Card Street

James Bergenn, Shipman and Goodwin, representing Mitlitsky Eggs of 74 Card Street, presented a power point presentation and reviewed facts of the business.

Sheri Major, Card Street, urged the Town Council to listen to the children that live on the street that have previously come before the board. She feels it is dangerous for the residents and the traffic needs to be decreased on this residential road.

Henry Crane, expressed concern for the big trucks taking the corners, hitting the curbs, and coming onto blind corners for fear there may be children playing.

Peter McManis, stated that the expansion of the business and the increase in traffic is the concern.

John Postemski, feels the Town Council shouldn't regulate truck traffic on any road in Town. He stated that most service vehicles will exceed this weight limit.

Alan Casey, noted that he built his home 30 years ago and the traffic has increased substantially. He stated that he is not against the farm just the traffic it has generated and he is concerned for the safety of the residents.

Robin Marrotte, stated that she has lived on Card Street for over 20 years and she thinks the truck drivers are more considerate and respectful than the residential drivers who speed.

Joseph Major is in favor of the weight limit, expressing concern for the safety of children and the noise being generated. He doesn't feel Mitlitsky is being a good neighbor.

Donna Reynolds expressed concern for the truck traffic and the speeding.

Anne King, stated the presentation was informative but is concerned for the safety of residents and then neighborhood.

Robert Shinus, Pleasant Street, stated that noise and safety is an issue for not only Card Street residents but also Pleasant Street due to the noise, speeding and safety issues raised by the truck traffic.

Melanie Turner, stated that in 2009 the traffic increased and feels that the business should relocate to a business friendly zone.

Nicole Major (young girl), stated that the noise bothers her, the smell from the exhaust bothers her asthma and that she is scared to ride her bike or walk.

Anne Dawson, doesn't want the business to go out, just relocate, noting that it doesn't belong in a residential neighborhood, noting that it is no longer a farm but a distribution center. She noted that the Lebanon PZC document 36 trips in a 24 hour period.

Jean deSmet, noted that when the use of the property changed, the complaints regarding traffic and noise increased. She suggested the trucks travel up Mountain Street into Lebanon.

Jim Turner, urged the Council to approve the weight limit, noting the increase in volume of traffic and the wide turns onto Pleasant Street disrupts traffic.

Mr. Mitlitsky, 73 Card Street, apologized to the public for not communicating better with them and noted that if the weight limit is passed they would go out of business because the trucks cannot travel the other way and it would cost millions of dollars to move their business.

Dan Reynolds, would like to see the business moved to a suitably zoned area, and doesn't want to see it go out of business.

Ishai Stein, employee of Mitlitsky, noted that there are 20 people in the company that would be detrimental impacted by this decision to night. He stated that they respect the neighbors concerns, noted that this same issue arises with residential neighbors all over the world, but relocating is not an option due to the cost.

Rich Mitlitsky, stated that it is disconcerting to be told by the neighbors that they aren't concerned with safety when their track record shows differently. He noted that the cost to move would be over \$4 million.

The secretary read into the record a 9/21/10 email from Clarence Nichols of 81 Card Street who is in support of Mitlitsky, noting that his experience has been the drivers are courteous and respectful.

Mayor Eldridge noted no further comments or questions. Iazzetta MOVED, Donahue seconded to continue the Public Hearing on October 19, 2010 at 5:30 p.m. MOTION PASSED with all in favor except Haynes and Santucci who were opposed.

The Public Hearing closed at 7:00 p.m.

Submitted By:

Jessie L. Shea
Clerk of the Town Council