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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **April 25, 2012**
8 **Municipal Center, Selectmen's Meeting Room**
9 **10 Bunker Hill Avenue**
10 **Time: 7:00 PM**
11

12
13 **Members Present:** Mike Houghton, Chairman
14 Robert Baskerville, Vice Chair
15 Jeff Hyland, Secretary
16 Jameson Paine, Alternate
17 Tom House, Alternate
18 Christopher Merrick, Alternate
19
20 **Members Absent:** Bruno Federico, Selectmen's Representative
21 Mary Jane Werner, Alternate
22
23 **Staff Present:** Lincoln Daley, Town Planner
24
25

26 **1. Call to Order/Roll Call.**

27 The Chairman took roll call and explained that Mr. Baskerville would be late in arriving to
28 the meeting.
29

30 **2. Review/Approval of Meeting Minutes.**

- 31 a. March 7, 2012
32 b. March 21, 2012
33 c. April 4, 2012
34

35 Mr. Hyland made a motion to accept the minutes from March 7, 2012, March 21, 2012, and
36 April 4, 2012. Mr. Paine seconded the motion. Motion passed unanimously.
37

38 **3. Public Hearing(s).**

- 39
40 a. **Makris Real Estate Development, LLC., 32 Bunker Hill Avenue, Tax Map 9, Lot 49.**
41 Twenty Lot Residential Open Space Cluster Subdivision, property located at 32 Bunker
42 Hill Avenue, Stratham, NH, Tax Map 9, Lot 49 submitted by Makris Real Estate
43 Development, LLC.
44

1 Upon Mr. Daley's recommendation, Mr. Houghton asked Mr. House to be a full member
2 for voting purposes as there were only four full members currently present. Mr. House
3 agreed. All in favor.
4

5 Mr. Houghton began the meeting by explaining that members of the Conservation
6 Committee were present to jointly discuss the application in particular the lot layout,
7 stormwater and drainage requirements and the road layouts. Mr. Houghton then outlined
8 the format for tonight's meeting.
9

10 Mr. Daley invited the Conservation Committee to introduce themselves.
11

12 *(Mr. Baskerville arrived at 7:11pm)*
13

14 Mr. Daley reminded Mr. Houghton that the application needed to be accepted as
15 complete by the Board before proceeding. After a brief discussion, Mr. Hyland made a
16 motion to accept the application as complete. The motion was seconded by Mr. House.
17 The motion was passed unanimously.
18

19 Mr. Baskerville made a motion to open the public hearing. The motion was seconded by
20 Mr. Paine and the motion was passed unanimously.
21

22 Jeff Kevan, Civil Engineer, TFMoran on behalf of the Applicant, introduced himself and
23 provided the Board with an update and status of the application. Mr. Kevan said the
24 current layout and number of total lots is the same as the one when Makris came before
25 the Board for a conditional use permit. He explained that the configuration of the lots
26 and open space hasn't changed dramatically. One of the lots is in the aquifer district, but
27 the house is being taken down as is the septic system. One other lot has part of the rear in
28 the aquifer protection district. What is shown are twenty cluster lots, five of which have
29 three bedrooms and fifteen of them have four bedrooms, equating to a total of seventy
30 five bedrooms. For the conditional use permit the developer was allowed seventy six
31 bedrooms. Mr. Kevan said they still proposed to build part of the future Gateway Road
32 in line with the Town's regulations and provide eight gravel parking spaces by the
33 Town's athletic fields. They have put the drainage systems where the house and open
34 land is to try and maintain the wooded buffer at the front of the property. Mr. Kevan then
35 reminded everybody of the other features Makris was intending to build.
36

37 Mr. Houghton asked what the distance of the no cut buffer was. Mr. Kevan said twenty
38 feet. Mr. Paine asked about demarcation of the buffer. Mr. Daley said that since the
39 setback requirements for a cluster development are twenty five feet, is there an
40 opportunity to increase that buffer to twenty five feet also. Mr. Kevan said it was
41 something they would look at. Mr. Paine asked if the crossing on the east side was a
42 natural crossing. Mr. Kevan explained it was an asphalt crossing. Mr. Paine asked about
43 the drive access along Bunker Hill Avenue commenting that there appeared to be a
44 clearing near one of the properties. Mr. Paine asked about headlights hitting the property
45 and if there some kind of buffer to help with that. Mr. Kevan said there were 4 or 5 trees
46 there.

1
2 Mr. Hyland asked about the stormwater components. He asked why they had chosen
3 different options and what kind of sub surface investigations had been done in those areas
4 just to ensure that the stormwater elements will work properly.
5

6 Mr. Houghton then asked if any members of the Conservation Commission had
7 comments before progressing to the stormwater aspects of the plan.
8

9 Mr. Grace asked for confirmation of the Gateway Road's dimensions. Mr. Daley said
10 that right now there is a tree line that lines both the Town's property and the proposed
11 property. He inquired how many trees may be impacted with the construction of the
12 roadway. Mr. Kevan referred to the plan to show which area of trees will be maintained.
13 Mr. Daley also asked if there was a curb on the left hand side of the Gateway Road. Mr.
14 Kevan showed where the curbing would be on the plan. Mr. Daley asked Mr. Kevan to
15 summarize the use of the open space and who is allowed to use what and if the public
16 will be able to use the intended Village Green. Mr. Kevan said his understanding is that
17 the trail system will be for everybody to use. Mr. Houghton asked if there was a
18 provision in the covenants of how the trails will be maintained. Mr. Donahue said they
19 will be required to be maintained by the Homeowners' Association. He continued that
20 there should be a provision that if the Homeowners' Association doesn't maintain them,
21 the Town has the right to do so and charge the Association for doing so.
22

23 Mr. Hyland commented on the curbing of the Gateway Road saying he believed that in
24 the Gateway documents, it calls mainly for a granite curb. Mr. Hyland asked if the
25 reason they were choosing a bi-tuminous curb was to cut costs. Mr. Kevan answered that
26 they chose this as it blends easier with the edge and the Selectmen agreed with it. Mr.
27 Hyland said he found it odd that they were allowing a four feet shoulder for cyclists, but
28 only on one side of the road. Ms. Makris responded saying that the primary use of it was
29 not for bicycles but to allow access from the Town property down to the ball fields as
30 there will be a flow of pedestrians using that path. Sidewalks were ruled out due to
31 maintenance issues with the Town. Mr. Hyland said he felt a little wary putting a
32 pedestrian area as part of the road way as there could potentially be problems with
33 vehicles going forward especially if the Gateway opens up in the future.
34

35 Ms. Jensen asked about the parking by the ball field and said she was under the
36 impression it had to be done for the Fire department. Mr. Kevan confirmed that there
37 was a dedicated area for the Fire department. Ms. Jensen continued that they don't want
38 to foster lots of cars being parked along the roadside and would like it minimized for just
39 the elderly and handicapped. Mr. Houghton asked Mr. Kevan to display the plan
40 showing the Gateway Road and asked if the curb cut was intended to flow in to the
41 Municipal building. Mr. Daley said the Town was looking to work with the developer, as
42 it was thought to be advantageous to have an additional connection point around the
43 Town Hall to the Gateway Road, additional safety and better access around the entire
44 Town Hall area. Ms. Jensen asked who the eight parking spaces were intended for. Mr.
45 Kevan said they were for those who were unable to walk to the ball field like an elderly

1 person. Ms. Jensen said she was concerned about the extra impervious surface being
2 created as well as increased traffic in that area.

3
4 Mr. Paine asked if the new access point into the parking lot was intended for local
5 vehicles only. Mr. Kevan said it was up to the Town.

6
7 Mr. Kevan referred to the planned trail system and how it would be affected by the water
8 tower. He explained that the trails would be kept at 10% and tie in to the existing trails.

9
10 Mr. Houghton asked about the easement for the Town. Mr. Kevan said as they continued
11 to go through the process, they intended to work with the Selectmen and work on the
12 details as everything moves forward. Mr. Houghton then inquired to both Boards' input
13 reference parking spots. Mr. Hyland said he felt there was a need to have some on street
14 parking; however he wasn't in favor of increasing the impervious surface and
15 recommended porous asphalt. Mr. Kevan responded saying they were going to use
16 gravel with some reclaimed asphalt on top of it to make it a durable surface.

17
18 Fred Hutton, Head Highway Department was asked his opinion. He commented that as
19 far as the gravel areas, he suggested using the ground up asphalt because every place that
20 has dirt involves the Highway Department having to fix it at least once a year. Pervious
21 surfaces last for about 3 years.

22
23 The next item of discussion concerned the lot layout. Mr. Daley reminded the Board that
24 they issued a conditional use permit for 76 bedrooms and through the calculations the
25 applicant is proposing a total of 20 lots, 15 of which will have 4 bedrooms and 5 will
26 have 3 bedrooms totaling 75 bedrooms. Mr. Kevan explained the layout of lots to
27 everybody. Mr. Baskerville commented that his concern is that further down the line
28 some of the well locations might be less than ideal especially if a neighbor wants to
29 relocate their septic, but can't due to the neighbor's well radius. Mr. Donahue, attorney
30 for Makris Development, said they would make sure it was addressed in the covenants.
31 Ms. Pat Elwell, Conservation Commission inquired if there was anything in the
32 covenants that limits sheds, pools or other impervious surfaces being put on the
33 development. Mr. Donahue responded that there are limitations, but the covenant does
34 not say pools are not allowed. Ms. Jensen said that they would prefer fewer lots and she
35 wondered if the developer would be prepared to combine lot 18 which has wetlands with
36 lot 17 next to it. Mr. Kevan explained that they would not be able to do that.

37
38 The conversation then turned to the topic of stormwater and drainage. Mr. Kevan
39 explained in detail how Makris was treating stormwater using rain basins, ponds, bio
40 retention systems, culverts and drainage. Mr. Paine asked if the bio retention would be
41 able to handle the extra parking at the back of the Town Hall. Mr. Kevan said he didn't
42 think so. Mr. Daley concurred and said that the Town is using their own consultant
43 together with the applicant to resolve all of the drainage issues on the property itself. Mr.
44 Hutton asked if the prints had been pulled for the septic system as he believed there was
45 more than one tank in it. Mr. Kevan confirmed that there was and that they were aware
46 of it.

1
2 Mr. Houghton asked Mr. Daley if CivilWorks had reviewed the drainage plan. Mr. Daley
3 said that they had and Mr. Paul Connelly from CivilWorks was present this evening to
4 present to the Conservation Commission his analysis of the plan. Mr. Connelly
5 introduced himself and summarized his report from reviewing the Makris plan. He
6 mentioned that they looked at the plan in conjunction with the Stratham Zoning
7 Ordinance, the Subdivision Regulations and general review of subdivisions' design and
8 engineering. He had one comment related to the subdivision regulations review; namely
9 that the Board needs to act on the written waiver request submitted by TFM with regard
10 to allowing a relaxation from the subdivision regulation roadway standards in 3 particular
11 portions of the Gateway road.
12

13 Mr. Connelly finished his presentation by requesting that TFM address all the comments
14 made and resubmit their drainage plan with those changes.
15

16 Mr. Baskerville referred to the bio retention area that will be on Bunker Hill Avenue
17 asking if the plantings will be good for salt resistance. Mr. Hyland agreed that it is a
18 concern as salt used for deicing will be sprayed from traffic into the area. Mr. Kevan said
19 they will take the plantings into consideration. Mr. Hyland said the planting is limited
20 and when looking at a bio retention area of this size, grass will be the obvious choice. He
21 observed that on the plan it is showing a typical lawn mix which would be more impacted
22 than specialized plantings by salt spray. Mr. Hyland commented that the bio retention
23 area is not going to be ascetically pleasing if left as shown on the plan. Ms. Makris
24 confirmed that Bunker Hill Avenue is a state road so it will be hard to limit the amount of
25 salt used.
26

27 Mr. Daley asked if Mr. Connelly found the analysis used by the applicant satisfactory in
28 accordance with the State and local regulations. Mr. Connelly said that in general the
29 methodology used was consistent.
30

31 Ms. Elwell said that one of the abutters were concerned about the retention pond and the
32 impact on her well and/or septic and asked Mr. Connelly if that would indeed have an
33 impact. Mr. Connelly said it shouldn't.
34

35 Mr. Baskerville inquired about road grades. Mr. Kevan talked through that, referring to
36 State and local requirements and reiterated the need for the waiver mentioned by Mr.
37 Connelly earlier. Mr. Daley registered his concern about the grade on the platform as it
38 may get icy at times and he is concerned about the Foss family being able to stop in time
39 to access the subdivision road and wondered if it is too steep for them to access a
40 property from the Gateway Road. Mr. Paine also asked about maintenance vehicles
41 accessing that platform too. Mr. Kevan shared a sheet detailing the proposed driveway
42 with the existing driveway which shows the proposed platform versus what is currently
43 there. Mr. Kevan said he sees it as an improvement in comparison with what is there
44 right now. Mr. Baskerville agreed he couldn't see any other way to do it. Mr. Connelly
45 commented that TFM haven't set forth anything that is in excess of what is there now.

1 Mr. Baskerville also confirmed that once they start the cutting for the road the developer
2 makes sure it is still passable. Mr. Kevan confirmed that it would be.
3

4 Mr. Daley asked Mr. Connelly what in his experience; the maximum acceptable grade
5 would be for maintenance vehicles of a certain size to access a town property. Mr.
6 Connelly said he wasn't sure that there were any general guidelines, but quoted examples
7 of towns that do have steep grades.
8

9 Mr. Hyland said that he had noticed that a number of the swales along the side of the road
10 are stone lined swales. Personally, Mr. Hyland finds stone lined swales along a
11 residential road looks engineered and not particularly residential in appearance. He
12 wondered why the developer lined the swales with stone and what their maintenance plan
13 was for those. Mr. Kevan said that once you get over 5% or 6% of water it picks up some
14 velocity so the safest choice is stone. Mr. Hyland understood the reasoning, but
15 wondered if something else could be chosen to help with the ascetics of the
16 neighborhood. Mr. Kevan said they would be happy to work with a road agent and
17 consulting engineer.
18

19 Mr. Hyland then asked about the switchback in the common area. He said he didn't
20 realize how depressed the common area was and that there is about a 10% drop from the
21 road to the common, making it significantly lower than the road way. Mr. Hyland said he
22 felt the path that leads to the common should look more inviting and be paved. He asked
23 if they would be able to achieve a 5% slope going down ten feet. Mr. Kevan said they
24 could. They also discussed that it needed to be ADA accessible and if it isn't going to be
25 paved then the stone top used needs to be of a good quality due to the seasonal weather
26 changes.
27

28 Mr. Hyland wondered how the stormwater was going to be dealt with on individual house
29 lots. Mr. Kevan said they weren't planning anything more than allowing the water to run
30 off into the systems they are putting in place. Mr. Hyland said he was concerned as
31 States have found that a lot of pollution does come from individual house lots.
32

33 Mr. Hyland asked about the construction entrance near one of the house lots and he
34 wondered why it wasn't situated away from a residential home. Mr. Kevan explained
35 that it was in fact an outlet area for the bioretention area. Mr. Hyland asked about bio
36 retention area number four and the soils there. Mr. Kevan explained they would be using
37 fill there to help infiltration. Mr. Hyland reiterated the comment about using ascetically
38 pleasing plantings.
39

40 Mr. Daley commented on a letter from the Conservation Committee from October 2011
41 requesting big rocks be placed around identifiable wetland areas. He asked if that was
42 still the desire of the Conservation Commission. Ms. Elwell said it was and also around
43 buffer areas. Mr. Kevan said they are intending to use little signs instead. Ms. Jansen
44 said rocks would be preferable to physically prevent people from encroaching on the
45 wetlands.
46

1 Mr. Houghton asked about maintenance of bio retention areas. Mr. Kevan said the
2 drainage system would be part of the Town road. Mr. Donahue said that the trail system
3 and Village Green would be maintained by the Homeowners' Association. He did add,
4 however that if the Village Green is used by the public that they would have to think
5 more about that.
6

7 Mr. Paine asked about the location of the retaining wall on the slope. Mr. Kevan
8 explained that it is terraced to match the grade. Mr. Paine asked also about safety issues
9 when coming down the slope in bad weather.
10

11 Mr. Daley suggested that the applicant provide details on the construction of the trail
12 system and a typical scale.
13

14 Mr. Houghton asked the public if they had any questions.
15

16 Mr. Malcolm McNeill, attorney for Mr. and Mrs. Foss, respectfully requested a site walk.
17 to ascertain what the actual plan is on the ground.
18

19 Mr. McNeill then addressed the letter sent by the Conservation Commission. He had
20 asked them if they were prepared to change any components of that letter and the
21 Commission said they were not. He continued that one of the components of the letter
22 was the Commission's request for 19 lots. He feels that the density bonus allotment
23 should be revisited as this new plan might have details that were not available when
24 deciding about the allotment of density bonuses.
25

26 Mr. McNeill stated that he had only seen the stormwater report from Mr. Connelly a few
27 hours earlier. He was troubled that Mr. Connelly's report relating to drainage stated,
28 "please note that we have not undertaken the complete and comprehensive review of the
29 analysis provided, but have undertaken a general review to determine if the analysis is
30 performed in the manner consistent with the knowledge and acceptance of industry
31 standards." Mr. McNeill requested that Mr. Connelly complete a complete and
32 comprehensive review of the stormwater as opposed to the report shown today. He
33 requested also that Mr. Connelly review the landing area in the Foss's property
34 thoroughly.
35

36 Mr. McNeill then discussed Homeowners' Associations and requested that the Town's
37 counsel look at the Homeowners Association documentation for this particular project.
38

39 Mr. McNeill addressed the trails system requesting that they be included in the approval
40 process and not treated as an after the fact consideration. He referred also to the wildlife
41 corridor. He said that in Mr. Daley's memo, there were at least twenty outstanding
42 comments that had not yet been addressed by the applicant. Mr. McNeill requested that
43 the Board go through all of those comments. Mr. McNeill also requested that letters from
44 the Foss's attorney Mr. Caron be addressed at the next meeting when Mr. Caron is able to
45 attend.
46

1 Mr. McNeill then returned to the topic of the number of the lots and road waivers. He
2 also said that he and his clients would like to have a reasonable opportunity to review all
3 of the new information before the next meeting.
4

5 Mr. Donahue, attorney for the applicant said he felt that many of the questions have
6 already been answered in the presentation. He said that they have tried to work together
7 with the Foss's concerning the driveway and were blindsided by the letter received from
8 Mr. Caron. Mr. Donahue said he felt comfortable not to spend time at tonight's meeting
9 discussing it.
10

11 Mr. Houghton said that they should continue the meeting until May 2, 2012. He referred
12 to some housekeeping issues raised by Mr. Daley and requested the applicant address the
13 issues between now and the next meeting. Mr. Daley said that regarding the acceptance
14 of the plan, the applicant had met the minimal requirements and the comments that he
15 made were referring more to details on the plan and don't impact the process of accepting
16 the application.
17

18 Mr. Donahue requested they continue the meeting to May 16, 2012 to give ample time to
19 address the issues. The Chairman agreed.
20

21 Mr. Houghton and Mr. Daley addressed Mr. McNeill's request of holding another site
22 walk. Mr. Houghton felt it was a good idea. Ms. Makris was also in agreement, but
23 stressed it would not be possible to flag everything. It was agreed to meet for a site walk
24 on May 12, 2012 at 9: AM in the Town Hall's parking lot.
25

26 Mr. Daley said staff would continue to work with the applicant on the covenants for the
27 property and informed the applicant that Town Counsel always review covenants.
28

29 Mr. Hyland made a motion to continue the hearing until May 16, 2012. Mr. Baskerville
30 seconded the motion and it was passed unanimously.
31

32 **4. Miscellaneous.**

33 a. Report of Officers/Committees. 34

35 Mr. Houghton shared that they had been working in conjunction with the Exeter Area
36 Chamber of Commerce (EACC) and the Stratham Economic Development Committee
37 (EDC). He continued that the EACC is presenting Town information forums, the first of
38 which was held in Exeter. It's a forum to inform business leaders, developers, realtors
39 and stake holders in Town about what is going on in Stratham and Stratham has agreed to
40 hold a breakfast forum on May 30, 2012 in the Town Hall. Mr. Daley shared which
41 presenters they were hoping to invite. Mr. Houghton added that the Board members
42 should share the invitation with people they feel would benefit. The Board members then
43 discussed the development potential of Stratham.
44

45 A discussion then ensued about the various seminars that were available for board
46 members to attend.

1
2 Mr. Daley told everybody that the South Eastern Watershed Alliance has put out a
3 stormwater regulations draft template which might be a good tool for the Stormwater
4 Management Sub Committee to use. The need for uniformity in stormwater regulations
5 across Towns was then discussed.
6

7 Mr. Daley gave an update on the Town Center Committee next. He explained that the
8 Committee is in the process of finalizing the four signs that will be located on the
9 roadway perimeters of the Town Center. The signs need to be a break away design in
10 accordance with D.O.T. regulations so the Committee is trying to work with property
11 owners to locate the signs outside the right of way. Mr. Daley said that the People's
12 Bank has agreed to install a decorative stone wall on their perimeter and the Village Store
13 has agreed to do an outside garden to improve their property.
14

15 Mr. Houghton said the Meat House was opening on Saturday.
16

17 Mr. Paine gave an update on the Exeter Squamscott River Advisory Committee. He said
18 that some members have suggested a letter be written from the previous month's meeting
19 to the editor of the newspaper to state that the Committee would suggest moving ahead
20 instead of law suits against the D.E.S. Mr. Paine then shared the different outreach
21 programs being provided by the Committee.
22

23 b. Member Comments.
24

25 Mr. Baskerville asked how much information was put in an abutter's notice.

26 Mr. Daley agreed going forward, to send a copy of any notices sent to abutters to the
27 Planning Board members also.
28

29 c. Other.
30

31 **5. Adjournment.**
32

33 Mr. Hyland made a motion to adjourn the meeting at 9:53 PM. The motion was seconded by
34 Mr. House and passed unanimously.
35