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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **July 18, 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 Bob Baskerville, Vice Chairman
15 Jeff Hyland, Secretary
16 Bruno Federico, Selectmen's Representative
17 Jameson Paine, Member
18 Tom House, Alternate
19 Mary Jane Werner, Alternate
20 Christopher Merrick, Alternate
21
22 **Staff Present:** Lincoln Daley, Town Planner
23

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

25 Mr. Houghton explained that Mr. Federico will be arriving later and asked Mr. Merrick if
26 he would be a full voting member until Mr. Federico arrived. Mr. Merrick agreed.
27

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

- 29 a. April 25, 2012
30 b. May 16, 2012
31 c. June 06, 2012
32 d. June 20, 2012
33

34 Mr. Daley made a note of amendments mentioned by Board members. Mr. Baskerville
35 made a motion to approve the minutes from April 25, 2012, May 16, 2012, June 06, 2012
36 and June 20, 2012 with the corrections noted. Mr. Merrick seconded the motion. Motion
37 passed.
38

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

- 40 a. **Makris Real Estate Development, LLC., 32 Bunker Hill Avenue, Tax Map 9, Lot**
41 **49.** Subdivision Application for a twenty-lot Residential Open Space Cluster
42 Subdivision.
43

44 Mr. Houghton announced that as Mr. Federico had not yet arrived, the meeting would
45 start with the first public meeting on the agenda.

1 **4. Public Meeting(s).**

- 2 a. **Tim Mason/Cabernet Builders, P.O. Box 291, Stratham, NH for the property**
3 **located at 130 High Street, Tax Map 19, Lot 60.** Preliminary consultation with the
4 Planning Board to discuss an age restricted housing development consisting of eighteen,
5 two-bedroom, detached, single-family residential houses.
6

7 Mr. Houghton started by reminding everybody that this was the second public meeting
8 and that a site walk had been conducted since the previous public meeting.
9

10 Mr. Mason explained that their desire was to get consensus from the Board before
11 moving forward with the application and required engineering plans.
12

13 Mr. Houghton asked Mr. Daley to summarize the concerns that have been raised up to
14 date. Mr. Daley summarized the concerns of residents from the site walk as follows:
15 Increased traffic along High Street, proximity of the new units to abutting property
16 lines, the impact upon hydrology in the area, the effect it might have on one abutter's
17 pond, raw density, the proximity of units to the wetlands buffer to the rear of the
18 property, and the affordability component.
19

20 Mr. Merrick agreed with the concern about density especially with the four houses
21 along High Street. He felt that the Board needed to look at preserving the character of
22 the road and the neighborhood. Mr. Houghton agreed and in particular to the two
23 houses with separate driveways. Mr. Mason responded saying they will take care of the
24 four homes being referred to. Mr. Mason then briefly responded to the questions that
25 arose involving the potential impacts to neighboring wells. He stated that if a reduction
26 of the lots discussed would result in the elimination of one well.
27

28 Mr. Paine referred to three other houses which would be affected by the proximity of
29 the new units. Mr. Mason said he had already had a conversation with Mr. Daley about
30 that and they were going to move the location of the units. Ms. Werner suggested Mr.
31 Mason include some kind of screening on the next set of plans. Mr. Merrick added that
32 he would like to see some generic renderings of what the houses are likely to look like
33 including a list of materials.
34

35 Mr. Houghton opened the floor to the public.
36

37 Mr. Wiggin, 138 High Street said he felt it would be good if the process from this point
38 onwards was explained. He added that when comparing this project to others in Town,
39 the density is much higher. In the other communities, the houses were at least set back
40 from the road. The change of the characteristic of the neighborhood concerns him as
41 well as traffic. He feels this development has the ability to lower neighboring property
42 values.
43

44 Mr. Baldasero, said his concern was about the development's impact on neighboring
45 wells. More specifically, the drawn down of water due to the increased number of
46 homes.

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Mr. Mason explained that both his own engineer and Town’s engineer will review the information in conformance with Zoning Ordinance and Subdivision Regulations and that state permit/approvals would also be required. He continued that there are many checks made to ensure the drainage is designed properly. He further stated that there is a need for this kind of community and there has been a lot of interest.

Mr. Houghton said that this is an allowed use in accordance with the Ordinance and to move forward with a formal application.

- b. **Kirk Scamman, 9 Frying Pan Lane, Stratham, NH for the property located at 6 Frying Pan Lane, Tax Map 9, Lot 113.** Preliminary consultation with the Planning Board to discuss a site plan proposal for a 36,000 square foot automobile storage area.

Mr. Bruce Scamman from Emanuel Engineering introduced himself as representing the applicant, Mr. Kirk Scamman. Mr. Scamman summarized the proposal for an automotive storage facility as well as a truck unloading area for auto dealerships. Mr. Scamman said that Mr. David Yanofsky from the Subaru dealership is seeking to construct an additional 98 space parking lot for his existing dealership located on Portsmouth Avenue. He explained that instead of traditional landscaping, they would like to buffer the parking lot with a row of trees and fencing.

Mr. Merrick commented that there were already lots of auto dealerships in Stratham. Mr. Houghton asked Mr. Daley if this would be an allowed use. Mr. Daley said that this use is not cited within the Ordinance’s Table of Uses. When he reviewed the application, he tried to marry it up with a use currently listed in the Ordinance, but was unable to do so. However, in accordance with Section 3.5.1, for any use not specifically listed in Section 3.6, the Planning Board shall determine whether the proposed use is of the same general character as uses allowed in the Table 3.6. If the Board determines it is, the use will be allowed, if not, it will not be permitted.

Mr. Bernie Pelech, attorney from Portsmouth, on behalf of Mr. Yanofsky spoke next. He drew the Board’s attention to Section 5.5 of the Ordinance which talks about outdoor storage. It says that storage of materials used in conjunction with a permitted use within any district will be permitted. However, all goods and materials must be stored in accordance with the minimum yard dimensions specified in Table 4.2. Mr. Pelech said they do comply with that and feel this does refer to the storage of materials used in conjunction with the Subaru auto dealership.

Mr. Paine asked what class road Frying Pan Lane is and if it can handle tractor trailer trucks. Mr. Daley said it was premature to determine that now, but that there may not be a big enough turnaround area for a 60 foot plus trailer. It would go before the Town’s engineer should the application reach that point.

Mr. Baskerville asked about the drainage coming across the road. Mr. Scamman said currently there is a culvert that comes under the road which they are going to improve

1 by using a swale. He explained that by doing that, trees would be left deep down in the
2 swale so the swale would need to be shallow and an extended pipe used. Mr.
3 Baskerville would like to see the drainage go up along behind the Shell station so the
4 treatment that is there now, is duplicated. Mr. Scamman commented that they feel
5 planting a row of maple trees would look nicer than putting in the drainage there and
6 mentioned also that the wetlands are quite far away from the site. Mr. Baskerville is
7 concerned with cars driving down Frying Pan Lane and seeing the lot or a trailer
8 unloading. Mr. Scamman said his understanding is that there will be only 1 or 2 tractor
9 trailers a week.

10
11 Mr. Merrick asked if this lot was for the exclusive use of Subaru. Mr. Scamman said
12 that at this point because of how the zoning is written under Section 5.5 the response
13 was in the affirmative. Mr. Merrick the inquired if it would ever be used for multiple
14 dealerships. Mr. Pelich responded currently it is contemplated to be a lease between
15 Mr. Scamman and the Subaru dealership only. Mr. Kirk Scamman confirmed that and
16 added that his understanding is there will be 1 to 2 trucks a month not a week, so truck
17 use will be minimal. He added also that tractor trailers go up and down Frying Pan
18 Lane all day long.

19
20 Mr. Daley asked if it would be for storage only or did Mr. Scamman envision a retail
21 compenent. Mr. Scamman replied that it would be for storage only and would be
22 fenced off for that purpose.

23
24 Mr. Paine asked if the parking lot got built, would it have the potential to serve a future
25 building. Mr. Daley said it could potentially. Mr. Paine then asked about snow
26 storage. Mr. Bruce Scamman said they have additional areas at each end and the fence
27 has been offset 4 feet with a gravel shoulder that will help serve snow storage. If
28 necessary a few of the parking spots could also be used. Mr. Baskerville asked if they
29 envision any lighting or security lighting. Mr. Scamman said security lighting was on
30 the plan; they proposed 4 light posts around the facility with nothing going over the
31 property lines. Mr. Baskerville asked how tall the posts would be. Mr. Scamman said
32 22 feet and added that they are proposing using the same lighting as Nissan facility
33 across the street on Portsmouth Avenue.

34
35 Mr. Houghton asked Mr. Daley if the application was approved, whether it could be
36 used for multiple dealers. Mr. Daley said if they arrange this agreement to include
37 multiple dealers, then potentially it could, but reiterated that that is under the
38 presumption that 5.5 applies. Mr. Kirk Scamman said his plan is to deal with one
39 dealership. Mr. Merrick said he felt if that was included as a condition, it might sit
40 better with the Board. Mr. Daley reminded the Board that at this time, it is only a
41 preliminary consultation.

42
43 Mr. Baskerville said that dealerships usually have bright lighting for people to see the
44 cars at night time. He feels that the bright light will attract people and so it should be
45 gated and locked. He doesn't think they need that much lighting for security purposes.
46 Mr. Paine pointed out that maple trees don't have leaves for 4-6 months a year and had

1 they had any thoughts about incorporating evergreens. Mr. Scamman explained why he
2 was choosing maple trees. However, he stated that if the Board wants evergreen trees,
3 the landscape plan could be a revised.
4

5 Mr. Hyland referred to the Gateway Master Plan and said it is their guiding document
6 for this area. He continued that in that document it talks about creating a viable,
7 attractive, business district. He feels this plan doesn't fit with the Master Plan.
8

9 Mr. Deschaine said he wanted to echo what Mr. Daley had said earlier, namely that it is
10 too premature in the proceedings to discuss these issues. Mr. Daley suggested to Mr.
11 Scamman that they might want to look at the Gateway Master Plan and apply the plan
12 to those standards. Mr. Hyland referred to the buffering and said he felt significant
13 buffering would be needed to reduce the visual impact. He referred to the security
14 lighting saying there are lots of options available nowadays including solar lighting or
15 motion detection lighting.
16

17 Mr. Roger Groux, owner of the Citizens Bank building wondered if it would be
18 possible for a permanent agreement that no longer allows car carriers to unload on
19 Portsmouth Avenue. He said Subaru is the only dealership that does that continues this
20 practice which sometimes creates a dangerous situation for cars existing from the
21 Citizen Bank. Mr. Pelich said that would not be a problem and is one of the reasons Mr.
22 Yanofsky is seeking a site such as this.
23

24 Discussion concluded. Mr. Houghton encouraged them to submit an application for
25 review.
26

27 *Mr. Bruno Federico arrived at 7:55pm*
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- 29 c. **Makris Real Estate Development, LLC., 32 Bunker Hill Avenue, Tax Map 9, Lot**
30 **49.** Subdivision Application for a twenty-lot Residential Open Space Cluster
31 Subdivision.
32

33 Mr. Houghton reminded everybody that the public hearing for Makris Real Estate
34 Development, LLC., 32 Bunker Hill Avenue, Tax Map 9, Lot 49 was a continuation
35 from June 6, 2012. He briefly summarized the primary issues which included the
36 reconfiguration of the driveway for Larry and Debra Foss, reconfiguration of the
37 eastern access for the subdivision, drainage utilities, and easements. Mr. Houghton
38 stressed that he would like everybody to remain focused and not to revisit old issues.
39

40 Mr. Donahue, attorney for Makris Real Estate Development, LLC, introduced himself
41 as well as Jeff Kevan from TF Moran and Alexis Makris. He said they had worked
42 hard to resolve the mentioned issues. They now met the standards for the state of New
43 Hampshire and the Town of Stratham for the driveways. He said they had received a
44 letter from New Hampshire D.O.T. which authorizes Makris not to have to utilize the
45 Foss driveway. Mr. Donahue said the drainage review was now complete and there was
46 one issue for discussion with the Board from that. He continued that there had been no

1 changes in the easements relating to the Foss family and the Town. Mr. Donahue said
2 that they had prepared and committed a condition regarding an easement for the Town
3 to access the water tank and they have a limited easement as it relates to Mr. Hutton's
4 existing garden. Mr. Donahue then said the issue concerning the one bio-retention area
5 will need to be addressed by the Board. He said the Association will take on the
6 maintenance responsibility for the wet pond at the southern extreme of the sub division.
7

8 Mr. Jeff Kevan spoke next. He said ideas after much consideration they decided to
9 leave the Foss driveway as it is and shift the road east by approximately 70+ feet. He
10 showed everybody the new location on the plan explaining that due to the lower grade
11 of 4%, the rip wrap would no longer be needed on the road or swale. The only place
12 that the rip wrap would remain is where the road is at 7.5% grade. He said that
13 stormwater management had barely changed since the previous plan. Due to the
14 straightening of the road, about one tenth of open space had been added to the
15 development.
16

17 Mr. Kevan continued by explaining that extra plantings had been added to the basin
18 areas and some wild flower mix to the slopes. They are now going to use stump
19 grindings rather than mulch which are heavier and stay in place better making those
20 areas a little more low maintenance than previously. Drainage will be altered due to the
21 road shift and an alteration of terrain permit will be required. The NH D.O.T. will also
22 check the drainage so there will be a triple check on that.
23

24 Mr. Houghton asked Mr. Daley to go through the list of comments as per his staff
25 review. Mr. Daley invited Board Members to comment or ask questions as he read
26 through the list.
27

28 Mr. Daley asked the applicant if they would construct the municipal water pipe line
29 from the Municipal Center property to the recently purchased property (formerly owned
30 by David Foss) located at the top of Bunker Hill. Ms. Makris replied that in all their
31 meetings, they have always said only under the road.
32

33 Mr. Donahue talked about Mr. Daley's comment regarding the approval of use of Town
34 property for the construction of the Gateway Road. He said they would be happy to go
35 before the Board of Selectmen for their approval.
36

37 Mr. Hyland referred to sheet 28 of 33 which has the bio retention area. He said there is
38 mention of a wild flower mix, but no specification as to what that mix is and in the
39 notes a grass mix is specified for that same area. Mr. Hyland observed they need to
40 switch those around. Mr. Hyland then referred to the top soil loam specification
41 explaining why it can potentially lead to a very high organic matter in the bio retention
42 mix, potentially up to 50%. He requested the applicant looks at that and also noticed
43 that there is no reference to cat iron exchange capacity of the soil.
44

45 Mr. Hyland talked next about the amount of invasive species on the site; he would like
46 to see some information on how the applicant intends to remove and identify them. Mr.

1 Hyland then referred to the trail and requested additional details be provided to properly
2 manage erosion on the trail. Mr. Hyland continued by asking about the resin being
3 used to reinforce the asphalt on the crosswalk. Mr. Kevan said they had decided to
4 keep the crosswalk nice and simple. Mr. Hyland then asked about the bike path and
5 pedestrian demarcation on the roadway. He asked if there are any standards for
6 demarcating a road for pedestrian use without a separation. Mr. Kevan said that they
7 were going to do a striping down the side of the road. Mr. Hyland suggested that a
8 copy of the plan also be included in the maintenance manual.

9
10 Mr. Baskerville asked if the Board had voted yet on the bio-retention area in front of
11 the Town Hall. Mr. Daley confirmed that it had and had approved the construction of
12 underground storage chambers. Mr. Deschaine seconded what Mr. Daley had said, but
13 said final details still need to be resolved. Mr. Baskerville observed that many issues
14 had been cleared with the Board of Selectmen, but the Planning Board hasn't seen
15 anything in writing to substantiate this. Mr. Federico said that at this stage it is
16 conceptual and final approvals are still to be determined.

17
18 Mr. Baskerville asked the applicant which waivers they were requesting for drainage.
19 Mr. Kevan said for the fire retention area and for a test pit.

20
21 Chris Merrick said Civilworks had some comments on the elimination of the rip wrap
22 particularly at the intersection of the proposed Gateway Road with Bunker Hill Avenue.
23 Mr. Kevan said they are now using North American green fabric in the swale system.

24
25 The public were invited to ask questions and make comments.

26
27 Mr. Malcolm McNeill, attorney for the Foss family, introduced himself and Mr.
28 Gordon Leedy, consultant from VHB. Mr. McNeill said they appreciated the
29 developer's cooperation with regards to the driveway configuration. He requested that
30 any approval granted to the applicant shall provide that the existing driveway servicing
31 the Foss property and abutters will not be impacted. Mr. McNeill said that access may
32 be permitted from the Hutton premises to the Foss driveway as it presently exists.

33
34 Mr. McNeill thought that there may be a request from Mr. Hutton to cross the Foss
35 driveway and then proceed from there to Bittersweet Lane. Mr. Donahue referred to a
36 hand out which shows the crossing. Mr. McNeill said if it's the consensus of the Board
37 and it's the desire of Mr. Hutton to have that additional access point over to Bittersweet
38 Road, Mr. and Mrs. Foss vigorously object to that.

39
40 Mr. McNeill referred to an easement deed created by the developer that says the grantee
41 shall also have the right to install a garden or other landscaping improvements and may
42 be improved from time to time within the easement area. Mr. McNeill said they don't
43 object and asked that the easement document be entered as part of the record.

44
45 Mr. McNeill then referred to the list of conditions in Mr. Daley's staff review and
46 requested that approval not be granted for the trails until they are placed on the ground

1 and approved by the Conservation Commission so as to minimize any impacts on the
2 Foss premises. He continued that they also propose there be no conditional approval
3 until the monitoring and maintenance plans for the public trail system has been
4 reviewed by the Conservation Commission and a report is supplied to the Planning
5 Board. Mr. McNeill said they would like the developer to provide all necessary open
6 space as a result of the reconfiguration of open space B as referred to in the staff
7 review. They would also like the total number of lots to be 19 as recommended by the
8 Conservation Commission. Mr. McNeill continued that they would like the Planning
9 Board to define a rule that the plan be denied and that the true wildlife corridor does not
10 exist on the current plan as a result of the roadway's modification recommended by
11 public safety officials. They are also requesting that pursuant to Section 4.6.6bii of the
12 Subdivision Regulations, that the applicant shall mitigate any adverse effects on the
13 Foss property from the use of trails and open space with the placement of a 6 foot
14 opaque barrier between the Foss premises contiguous to the open space and trails.
15 They also request that the Planning Board find and rule that the Conditional Use Permit
16 should not have been granted in accordance with Section 8.1.10. due to conditions not
17 being fully understood by the expert provided by the applicant. Mr. McNeill said that
18 the plan and Conditional Use Permit should be denied as it's not in the public's interest
19 and quoted several reasons why he feels it should be so.
20

21 Mr. Paine agreed with the viewpoint of the Foss family concerning the additional
22 access point for Mr. Hutton. Mr. Baskerville asked for further clarification from the
23 applicant on that. Mr. Kevan explained it was an alternative means of access should
24 Mr. Hutton find the other way too steep. Mr. Donahue said the decision was up to Mr.
25 Hutton. Mr. Hutton said that right now he might use the other driveway. Mr. Donahue
26 said a discussion had taken place and he believed that everybody was happy with the
27 suggested easement.
28

29 Mr. Donahue expressed his discontent that, old issues that have already been discussed
30 and agreed upon were going to be discussed again by the Board. Mr. Daley explained
31 that it was the Board's right to do so due to the reconfiguration of the roadway.
32

33 Mr. Baskerville made a motion to close the public hearing. This was seconded by Mr.
34 Federico. Motion carried.
35

36 Mr. Houghton said the Board should review Section 4.2 of the Subdivision Regulations.
37 The Board members agreed with the criteria of Section 4.2.
38

39 Mr. Daley said he had made some revisions to some of the conditions. He then
40 proceeded to review said conditions with the Board. Mr. Baskerville asked if a bond
41 could be placed concerning concrete monuments. Mr. Baskerville commented that
42 number 3 needed to go in place of d. Mr. Daley asked Mr. Kevan if the existing well
43 would be abandoned or moved. Mr. Kevan said they normally abandon a well
44 according to state standards. Mr. Daley asked if there was an opportunity to use the
45 well as a test well of some sort. Mr. Kevan said he didn't think so, but would be
46 willing to look at it.

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Mr. Deschaine said this is a very complex approval and it is important to state in the general conditions that the Planning Board is the final harbinger of these drafted conditions.

Mr. Deschaine referred to Item 4 and confirmed that he and Mr. Daley had talked about making it a performance and maintenance bond. He then referred to the enviro-septic systems stating that as they are relatively new there isn't a long-term history to them. By waiving the 5000 square feet, should those systems fail the only option available would be replacement in kind. He asked that if a situation arose when that wasn't possible, is there anything in the open space that would prohibit the possibility of a community system being placed. He is concerned that there isn't a fail safe system available. Mr. Baskerville said the size of the systems are about 10 feet by 30 feet so on any of the lots there is room to move them 30 feet away and in worse case they would have to be raised up by 2 feet with the added expense to a home owner of needing a pump. Mr. Baskerville said he felt comfortable there were enough alternatives available.

Mr. Deschaine moved to Item 6 which refers to the easement. He said he knew there had been some discussion about the applicant assisting the Town with installing the water main. Mr. Deschaine then talked about Items 2 and 12. He referred to Item 5a about best engineering management practices; he said it seems to be divorced from the storm water management plan so it should be referenced in the item. He discussed item 13 saying that there is some confusion as to who is responsible for approvals. Mr. Baskerville asked why that is a condition precedent and not a subsequent one. Mr. Donahue said he had no problem with that change. Mr. Baskerville asked also about Item 16 and if that could be changed to a condition precedent. Mr. Donahue said it could. Mr. Baskerville commented on Item 11, that he didn't fully understand it. Mr. Donahue explained that the chart was handed out about six months ago that covers ownership and maintenance. Everything in there have been in there has been in the covenants that have been reviewed by Town Counsel. Mr. Baskerville asked if it could be moved to a condition precedent.

Mr. Federico referred to item number 6 conditions subsequent; the development being done in 2 phases. He wanted to know if when it says phase one 10 homes, if that is any 10 in any order in any place.

Mr. Baskerville referred to Exhibit A, the last line which refers to the 20 feet vegetative buffer located adjacent to Brown Avenue. He wanted to know who would protect the abutters' rights if the buffer disappears. Mr. Donahue said they would have to go to the Homeowners' Association. The Board discussed who should be responsible for enforcement of the buffer. The Board decided it should go to Town Counsel for recommendation. Mr. Baskerville referred to the condition precedent of providing a performance guarantee and maintenance bond for the drainage facility. He asked if they needed a bond for the roadway improvements also. Mr. Daley said that was part of the all encompassing bond discussion that will be had with the applicant. Mr.

1 Hyland asked about inspection fees. Mr. Daley said they could look at that going
2 forward.

3
4 Mr. Hyland said invasive species need to be identified before construction starts. Mr.
5 Daley wondered if this could be part of the pre-construction meeting to identify a
6 process for removal of invasive species.

7
8 Mr. Houghton acknowledged that the Board had received a letter from Mr. McNeill on
9 behalf of Lawrence and Debra Foss outlining a number of items. Mr. Houghton asked
10 the Planning Board to review the letter and offer any insights. Mr. Houghton felt that
11 most of them have been covered or are items he does not wish to revisit. He did say
12 that the Board may want to address them from the point of view of adding conditions of
13 approval. Mr. Baskerville commented that he felt all of the conditions of approval are
14 thorough and have incorporated all of the discussions. Mr. Hyland felt the same way.
15 Mr. Federico asked about item number 7 in the letter. He wanted to know if the amount
16 of buffer between the trails and property line had been agreed upon. Mr. Donahue said
17 it is unwarranted due to the topography. Mr. McNeill explained his reason for
18 requesting the buffer. He felt that a fence wouldn't be appropriate which is why he
19 had requested a 6 foot barrier which is consistent with the regulations.

20
21 Mr. Daley commented on item number 12 on page 2 of the letter; the frontage lot
22 bonus must be adjusted in that as a result of the movement of the subdivision road
23 many of the buffer features and natural condition features have changed it would result
24 in a different bonus calculation. Mr. Daley said he would like to get the Planning
25 Board's opinion on whether due to the modification, they feel the frontage lot bonus
26 should change. Mr. Baskerville felt there wasn't a change. Mr. Daley referred to an
27 early discussion that was held about preserving the tree line on Bunker Hill Ave and did
28 the Board feel the revised plan was consistent with that previous determination. Mr.
29 Baskerville said his opinion still stands.

30
31 Mr. Houghton returned to Item 7. Mr. Merrick said that the topography had a lot to do
32 with the recreational use of the trail and felt that due to that the trail will likely not
33 interfere with the adjacent abutter. Mr. Hyland felt that it was fine as it was.

34
35 Mr. Houghton asked the Board if they felt comfortable that the conditions of approval
36 have been resolved.

37
38 Mr. Baskerville made a motion to grant conditional approval on this subdivision
39 application with the conditions stated and edited this evening by Mr. Daley. The motion
40 was seconded by Mr. Federico. The motion was carried unanimously.

41
42 **5. Miscellaneous.**

43
44 There were no miscellaneous items to report.

45
46 **6. Adjournment.**

1
2 Mr. Baskerville made a motion to adjourn the meeting at 10:18pm . Motion was seconded
3 by Mr. Federico. Motion carried unanimously.