



**Stratham Planning Board
Meeting Minutes
December 5, 2012
Municipal Center, Hutton Meeting Room
10 Bunker Hill Avenue
Time: 7:00 PM**

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- 13 **Members Present:** Mike Houghton, Chairman
14 Bob Baskerville, Vice Chairman
15 Mary Jane Werner, Alternate
16 Christopher Merrick, Alternate
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- 18 **Members Absent:** Bruno Federico, Selectmen's Representative
19 Jeff Hyland, Secretary
20 Jameson Paine, Member
21 Tom House, Alternate
22
- 23 **Staff Present:** Lincoln Daley, Town Planner
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26 **1. Call to Order/Roll Call.**

27 The Chairman took roll call. Mr. Houghton asked Ms. Werner and Mr. Merrick to be full
28 time voting members for the evening. Both members agreed.
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30 **2. Review/Approval of Meeting Minutes.**

- 31 a. October 17, 2012
32 b. November 7, 2012
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34 Ms. Werner made a motion to accept the minutes from October 17th, 2012 as written.
35 Mr. Merrick seconded. The motion carried unanimously. The Chairman recommended
36 reviewing the November 7th minutes at the next Planning Board meeting.
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38 **3. Public Hearing(s).**

- 39 a. **Makris Real Estate Development, LLC., 11 Wentworth Terrace, Dover for the**
40 **property located at 32 Bunker Hill Avenue, Tax Map 9 Lot 49.** Public Hearing to
41 discuss amendments to the July 18, 2012 conditionally approved twenty lot residential
42 open space cluster subdivision plan.
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1 Mr. Daley recommended that the Board take jurisdiction for the plan as filed. Mr.
2 Merrick made a motion to accept the application. Ms. Werner seconded the motion. The
3 motion was carried unanimously.
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5 Mr. Donahue, attorney for the applicant, introduced himself to the Board and gave an
6 update on the project to date. He explained that the N.H.D.O.T. has given a further
7 preliminary approval of the location and relocation of the street where the driveway
8 would be. One of the conditions suggested by them was to have a 100 foot widened
9 shoulder as it approaches what will be Bittersweet coming from Portsmouth Avenue. Mr.
10 Donahue said this concerned abutters but they have been able to get this reduced to 50
11 feet. The NHDOT did want reassurance that further development would not occur. Mr.
12 Donahue said they are having another meeting with 2 of the N.H.D.O.T consultants to
13 work through the issues a little more and as of today's date, they do not have the
14 N.H.D.O.T permit.
15

16 Mr. Donahue said that an agreement had now been reached with the Selectmen over the
17 work being done in the right of way, in the area of the improved drainage and also
18 concerning the water tower. Makris will construct the tower and lay the water pipe and
19 they are also reconfiguring the parking area to make access easier for the Town. There
20 will be a small modification made to the conceptual plan concerning the connection of
21 the pipe to the water tank as the contractor feels the pipe can be connected in a more
22 direct manner than shown currently. Mr. Donahue said there will be a site walk on
23 Friday December 7th so the Conservation Committee can identify if any trees can be
24 preserved. The applicant will work with the Conservation Committee in the future
25 concerning the trails in particular.
26

27 Mr. Donahue referred to the conditional approval and the maintenance bond for the
28 chambered drainage system on the Town property. He asked if it could be moved to
29 conditions subsequent that would be met at the time the Town accepts the improvements
30 so it becomes a maintenance bond for something that has been built and is in place.
31

32 Mr. Malcolm McNeil, attorney for Mr. and Mrs. Foss, referred to the appeal based on the
33 conditional approval granted on July 18, 2012. At that time, he said the N.H.D.O.T
34 issues were not resolved. Mr. McNeil then explained that although the N.H.D.O.T has
35 agreed to reduce the widening of the afore-mentioned hard shoulder from 100 to 50 feet,
36 they had now imposed new preliminary conditions that are not resolvable at this moment
37 in time. Mr. McNeil said that he and Mr. Donahue had agreed that Mr. Donahue would
38 not request approval of the project tonight due to the N.H.D.O.T issues as they affect the
39 Fosses. Ms. Werner asked if there were any other issues the Board should be aware of
40 beside the driveway. Mr. McNeil said he wasn't aware of any.
41

42 Mr. Jeff Kevan, engineer for the project, spoke next and explained that the only change to
43 the original approval was the conveyance of the right of way to the Town's property, the
44 conveyance of a right of way, and parcel of land to Mr. and Mrs. Foss. These changes
45 mean the overall property was reduced to 35.9 acres and the open space reduced from
46 18.9 acres to 17.9 acres. They are still working on some minor issues concerning

1 easements and curb cuts. A maintenance plan is now in existence for the front system.
2 Mr. Daley reminded the Board that there were some conditions that needed to be met as
3 part of the conditional approval and Civilworks had to review the final design of
4 Bittersweet Lane along with reviewing the bond estimates for the overall cost of the
5 entire project and that was recently submitted to the Board and the Highway Agent for
6 review.

7
8 Mr. Donahue requested the meeting be continued to December 19, 2012.

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10 Mr. Merrick made a motion to continue until December 19th. Motion was seconded by
11 Ms. Werner. Motion carried unanimously.

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13 Mr. Houghton shared with the Board that he had received a letter from Mr. Bernie Pelich,
14 Kirk Scamman's attorney requesting that the Board continue the site plan review
15 application to January 16, 2013 to allow the applicant sufficient time to prepare revisions
16 and a drainage study as requested by Civilworks.

17
18 Mr. Baskerville made a motion to continue the site plan application of Kirk Scamman on
19 Tax Map 9 Lot 113 to January 16, 2013. Motion seconded by Ms. Werner. Motion
20 carried unanimously.

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

23 **a. 2013 – 2017 Stratham CIP Update**

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25 Mr. Daley shared the draft CIP for the Town Meeting in March 2013. He stressed that
26 the numbers are preliminary. Ms. Werner asked about the improvements to the
27 Municipal Center's parking lot expansion/improvements. She asked for confirmation
28 that it would be completed by the end of 2013. Mr. Daley confirmed that it should be.
29 Mr. Houghton asked if Mr. Daley knew what had driven the 20% increase in costs from
30 2012. Mr. Daley said when the budget was initially created for this project, it evolved
31 over time and incorporated more elements plus the price of asphalt had increased also.
32 Mr. Daley said the budget for the Stratham Hill Park parking lot replacement had also
33 increased for the same reasons. Mr. Merrick asked if the costs had been spread out over
34 the year as he thought it would be a project that could be completed in a couple of
35 months. Mr. Daley explained that the cost is appropriated over a series of years, in this
36 case for 3 years so they are confident it will be completed by 2014. He explained also
37 that several projects included in the budget are "place holders" so they are in the budget
38 for such time it is sensible to begin them.

39
40 Mr. Baskerville asked about conservation easement bonds and whether a year can be
41 skipped as 2013 was showing as blank. Mr. Daley said he would talk to Mr. Deschaine
42 about it. Mr. Houghton commented that he struggled with 30% and 40% increases. Ms.
43 Werner said part of it is what people think they will need in the future and part of it is a
44 wish list and nothing is written in stone.

45
46 **b. Zoning and Land Use Amendments – Workshop**

1 i. Zoning Ordinance, Section VIII. Residential Open Space Cluster Subdivision &
2 Subdivision Regulations.

3 Mr. Daley said this was the first attempt to make amendments involving in particular
4 the methodology and determination of density bonuses and how open space is defined
5 in Stratham. Mr. Daley ran through the major changes he had made including
6 clarifying how an applicant would go about applying for a conditional use permit for
7 an open space cluster subdivision, There followed some discussion about having to
8 apply for two different applications concurrently and the cost associated with doing
9 that. Mr. Baskerville felt that only one application should be necessary.

10 An abutter asked how open space cluster subdivisions first came to Stratham. Ms.
11 Werner explained that the open space cluster subdivisions the purpose of could
12 preserve more open land in the Town. A brief discussion then ensued involving the
13 positive and negative aspects of open space cluster subdivisions. The conversation
14 ended with everyone agreeing that certain aspects of the regulations definitely needed
15 changing.

16 Mr. Daley addressed the issue of buffers and asked if a 50 feet buffer was acceptable
17 to the Board. The Board felt it was reasonable. Mr. Baskerville talked about the
18 effect it could have on a developer claiming open space. Mr. Daley felt it was
19 important to allow for a portion of that buffer to be part of the open space calculation.
20 The Board agreed that there also needed to be some internal upland green areas
21 available in a cluster development. The Board discussed what percentage they would
22 like. The abutter felt that allowing the buffer to be part of the open space calculation,
23 would not help maximize the amount of green space allotted to a development. Ms.
24 Werner said that in her opinion a buffer should be just that and it shouldn't count
25 towards anything.

26 There was discussion about whether or not a buffer should be a "no cut" buffer. Mr.
27 Daley stated the Board want a 50 feet buffer and a sub section breaking down
28 percentages for required open space and include a sentence that the buffer is not
29 counted toward open space. The Board then discussed why wetlands are included as
30 part of the open space calculation when it is unusable land.

31 Mr. Daley then moved on to the density bonuses. He said the types haven't been
32 changed, but the percentages have been decreased. He asked the Board if this
33 methodology was acceptable to them and compared the methodology to other towns.

34 He then took the Board through the current criteria for awarding density bonuses.
35 Mr. Merrick challenged the bonus given for innovative storm water management.
36 Mr. Houghton and Mr. Baskerville both felt it should still be available as the
37 possibility for an innovative storm water management system going forward exists.
38 Ms. Werner asked what the maximum percentage of density bonuses would be for a
39 10 house subdivision. Mr. Daley said it was about a 60% bonus. Under the amended
40 draft version, 10 lots would qualify for an extra 6 lots. Mr. Baskerville suggested
41 capping the percentage. Ms. Werner agreed suggesting a cap of no more than 50%.
42 The Board then discussed the bonus for innovative layout. Mr. Daley read out the
43 definition for that as stated in the regulations.

1 Mr. Daley then addressed work force housing and the inclusion of it in the overall
2 open space cluster subdivisions. He explained that he had condensed the wording
3 from the previous version. Having 20% of the units designated for work force
4 housing attracts a 5% density bonus and the Board may allow a reduction in the
5 minimum open space cluster development acreage from 20 down to 10. He also
6 added that this satisfies the State Mandate.

7 The last thing on this topic concerned the approval and granting of the permit.
8 Currently, it is covered under a note in the Table of Uses. Mr. Daley looked at other
9 communities and as a result clarified what is required by the Planning Board and has
10 given the Board a little more leverage for what they would like to see for the overall
11 design of a cluster subdivision development.

12 Mr. Baskerville commented that by giving a conditional use permit an expiration date
13 there could be a situation when the Board needs to give an extension on a subdivision
14 plan. He feels it isn't necessary when tied to a subdivision plan because when the
15 subdivision plan expires, so does the permit. Mr. Baskerville suggested saying the
16 permit will expire if the subdivision plan is not approved.

17 Mr. Daley asked the Board if they felt these changes were the best approach. Ms.
18 Werner wondered if they could have a hard cap on the maximum amount of bonuses
19 allowed. Mr. Daley said he had considered it and suggested the cap be set at 35%.

20 Mr. Baskerville asked about a cap on frontage lots. Mr. Gove, resident voiced his
21 opinion that he didn't think this would encourage developers to opt for a cluster
22 subdivision development. Mr. Gove felt 50% cap was reasonable.

23 Mr. Houghton suggested finalizing the amendments at the next meeting.
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25 ii. Steep Slope Protection Overlay District.

26 Mr. Daley asked the Board if they would be amenable to the idea of meeting on
27 December 12th to discuss the steep slope protection. Mr. Baskerville said he had read
28 it and as it wasn't what he expected, he wasn't going to vote for it and suggested
29 putting it on the agenda for next year.
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31 **5. Miscellaneous.**

32 a. Report of Officers/Committees.

33 There were no reports from Members
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35 b. Member Comments.

36 Mr. Daley reminded everybody about the site walk at 32 Bunker Hill Avenue on
37 December 7th at 9: am
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39 **6. Adjournment.**
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41 Ms Werner made a motion to adjourn the meeting at 9:56 pm. Motion seconded by Mr.
42 Baskerville. Motion carried unanimously.
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