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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **July 2, 2014**
8 **Municipal Center, Hutton 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 Bruno Federico, Selectmen's Representative
16 Tom House, Member
17 Steve Doyle, Alternate
18

19 Members Absent: Jameson Paine, Member
20 Mary Jane Werner, Alternate
21 Christopher Merrick, Alternate
22

23 Staff Present: Lincoln Daley, Town Planner
24

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

26 The Chairman took roll call and asked Mr. Doyle to be a voting member. Mr. Doyle
27 agreed.

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

29 a. June 4, 2014

30 Mr. Baskerville made a motion to approve the minutes from the June 4th 2014 meeting.
31 Motion seconded by Mr. Federico. Motion carried unanimously.

32 b. June 18, 2014

33 Mr. Federico made a motion to accept the June 18, 2014 minutes as stated. Motion
34 seconded by Mr. House. Motion carried unanimously.

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

36
37 a. **ST Holdings Company, LLC, 37 Portsmouth Avenue, Stratham, NH 03885 for the**
38 **property located at 37 & 39 Portsmouth Avenue, Stratham, NH Tax Map 9, Lots 2**
39 **& 3. Site Plan Application to construct a 7,125 square foot auto dealership building**
40 **expansion, parking lot and roadway improvements, and related lighting, landscaping,**
41 **drainage enhancements. (Continuation from May 21, 2014).**

1 Mr. Donahue, representing the applicant, explained they would like to make a
2 modification to the phasing of the project. He said as the Board know they have been
3 working on this application for some months now and working very cooperatively with
4 the Town. Mr. Donahue said that the manufacturer has made it very clear to the franchise
5 holder that the dealership needs to be upgraded to be a viable facility and as such the
6 applicant is under pressure. The applicant is requesting that they take phase 1 and divide
7 that up into 2 phases; 1a and 1b.
8

9 Mr. Bruce Scamman, engineer for the project said they met with the Army Corps, and
10 the EPA and there was some discussion about the permitting for the portion of the
11 wetlands that would be filled. The site walk was put off until July 22, 2014 so the permit
12 won't get in until around September, 2014, and probably not approved until late fall,
13 early winter if they are lucky. At a recent work session, Mr. Canada, selectman, inquired
14 if Subaru could start some construction on the front part. At first Mr. Scamman didn't
15 believe so, but brought the idea before Mr. Yanofsky. After discussion they found a
16 possible way to at least provide extra parking equal to what exists. Mr. Scamman shared
17 a sketch with the Board to explain how it could be done.
18

19 Mr. Doyle asked what timeline Mr. Scamman envisaged if they have phases 1a and 1b
20 and then phase 2. Mr. Scamman said Mr. Yanofsky would like phase 1a to start as soon
21 as possible, but Phases 1b and 2 are dependent upon the Town getting the wetlands permit
22 and Phase 2 requires Market Basket's input also. Phase 1a doesn't impact any wetlands.
23

24 Mr. Baskerville said this phase only has the one entrance and exit versus the 2 on the
25 other plan. Can a fire truck and car carrier make it around the building? Mr. Scamman
26 said a fire truck probably as they intentionally didn't put any parking in the area to allow
27 more space. A car carrier could not drive around the building, but for delivery purposes
28 there is the site on Frying Pan Lane. Mr. Baskerville asked how they intend to tie in
29 Phases 1b and 2 once 1A is completed. Mr. Donahue said it would be incumbent upon
30 them to work with Mr. Daley and Mr. Deschaine to work through the remaining phases.
31 Mr. Baskerville asked if there was enough parking to meet Town requirements in Phase
32 1a. Mr. Daley said with the inclusion of the Frying Pan Lane lot, the regulations will be
33 met. Mr. Scamman made the Board aware there will be some double stacking at the back
34 of the property to make building the addition feasible.
35

36 Mr. Daley asked Mr. Scamman if the phasing process will affect the Alteration of Terrain
37 (A.O.T.) process with the State. Mr. Scamman said there had been a lot of discussion
38 about that; they are hoping to apply for the A.O.T. permit for the entire project not just
39 Phase 1A. As part of the A.O.T. permit, a wetlands permit is required so the Town
40 therefore would have the authority because everything will be the same as the final plan.
41 He wanted to know if it was even viable with the Town.
42

43 Mr. Daley addressed the issue of fire trucks and the one access point. He wanted to make
44 sure that the applicant would have the Fire Chief come and look at that. It is important
45 that the Fire Chief feels comfortable with the fire truck radius. Mr. Scamman said that
46 they did submit a fire truck turning radius plan showing it can be done to the Fire Chief.

1 Mr. Daley then asked how the Frying Pan Lane facility will function with this facility.
2 Will it be used as over flow inventory? Mr. Donahue said that is part of the problem;
3 until Mr. Yanofsky can demonstrate that he has an adequate facility that includes
4 maintenance, he is not going to get the cars.

5
6 Mr. Paul Deschaine, Town Administrator said there has been one incident when a car
7 carrier stopped on Frying Pan Lane to unload inventory. He wanted to make management
8 aware.

9
10 Mr. Houghton spoke to Mr. Deschaine and asked if there were any other obstacles he
11 could think of from the Town's point of view. He replied that funding could be an issue
12 as at this stage, the Town doesn't know the level of detail that will be required for
13 permitting. There is a concern it may be over the current budget.

14
15 Mr. Houghton said he supports the phasing process as outlined but the devil will be in
16 the details. There would need to be very strong bonding associated with assurances that
17 the project moves forward with no exception to ensure completion. Mr. Baskerville said
18 he agreed and that it would be nice to get something approved for this project. Mr.
19 Houghton stressed the importance of the applicant fulfilling the conditions stated as part
20 of the approval.

21
22 Mr. Doyle asked by what date the applicant's franchise would be jeopardized if the work
23 wasn't done. Mr. Donahue said he couldn't answer that without asking the applicant; he
24 wasn't able to attend the meeting tonight. Both Mr. House and Mr. Doyle said they
25 support the phasing approach.

26
27 Mr. Deschaine commented on the side walk at the front of the building. He said it goes
28 in and out of the D.O.T. right of way and if it could be kept out of that, it will prevent
29 another issue of whether the Town should take over maintenance for that sidewalk. Mr.
30 Daley said a possible element that might end up having to be sacrificed is the extensive
31 landscaping that wraps around the entire property.

32 Mr. Scamman said they had been in discussion with the D.O.T. to close the 2 driveways
33 and have the driveway for the expansion of the building. One of the requirements was a
34 memorandum of understanding (M.O.U.) that the Town would maintain that walkway.
35 Mr. Scamman said he had made the suggestion to Mr. Daley that they put a note on the
36 plan stating that if there is no M.O.U. that they will not build that sidewalk.

37
38 It was decided, after some discussion that the applicant would come back before the
39 Board on August 6, 2014 with more detailed plans.

40
41 Mr. Baskerville made a motion to continue this application until August 6, 2014. Motion
42 seconded by Mr. House. Motion carried unanimously.

43
44 Mr. Daley confirmed with Mr. Scamman that a site visit about the sidewalk was
45 scheduled for July 16, 2014. Mr. Scamman said he wasn't entirely sure, but would let
46 Mr. Daley know as soon as he could.

1
2 b. **Renee Riedel, Trustee of the Renee M. Riedel 2003 Revocable Trust, 1 Harbour**
3 **Place, Suite 5B, Portsmouth, NH 03801 for the properties located at 134 & 138**
4 **Bunker Hill Avenue, Stratham, NH, Tax Map 6 Lots 77 & 78.** Lot Line Relocation
5 Application.
6

7 Mr. David Eckman, Eckman Engineering, representative for the applicant started by
8 saying it was a straight forward application; the 2 lots in question are owned by the same
9 owner. They wish to move the lot line so it is possible to have a building on there. Soils
10 are good and tests were witnessed by the RCCD.
11

12 He said Lot 77 was 3.77 acres and will end up being 2.5 acres. Lot 78 was 1 acre and
13 will end up being 2.27 acres.
14

15 Mr. Daley referred to note number 6 on sheet LLR1 which says “Lot 77 subject to
16 reservation for the Wiggin burial lots along with a right of way to the cemetery. An
17 obelisk and snapped off headstone were found. The exact limit of the burial lot is not
18 evident on the ground. Location and width of the right of way to the burial lot is not
19 defined. No evidence of a route being used was observed.” Mr. Daley asked if going
20 back into the deed history of the property, revealed if there anything discovered about
21 the location and proximity of that right of way burial ground.
22

23 Mr. Eckman said they didn’t find a defined right of way. Mr. Daley said his concern is
24 that it could impact Lot 78 in some way so that should be part of the deed for the property
25 itself. Mr. Daley observed also that there was no note about the soil test pit data on the
26 plan, and requested it be added.
27

28 Mr. Daley confirmed the applicant was requesting a waiver from providing a high
29 intensity soil survey of the property. Mr. Daley asked for the rationale behind the request.
30 Mr. Eckman said the soils are very good as attested to by the test pit data. They exceed
31 the required criteria for such a survey; there are no poorly drained soils at the location.
32 Mr. Daley checked both lots met the requirement of at least 200 feet of frontage and lot
33 size of 2 acres. He asked if the driveway on Lot 77 impact Lot 78 in any way. Mr.
34 Eckman replied there would be no impact. Mr. Daley asked if the current septic system
35 on Lot 77 was still functional. Mr. Eckman said it was but they had shown a reserve area
36 on the plan as well.
37

38 Mr. Baskerville asked if they had submitted a subdivision approval to the State. Mr.
39 Eckman said they had and were still waiting for a response. Mr. Baskerville said based
40 on the plan he has no issue granting a waiver for a HIS especially as the wetland scientist
41 had been out there, and provided a letter.
42

43 Ms. Breslin, resident, asked where the lots and road were located. Mr. Eckman answered
44 they were located on Bunker Hill Avenue directly across from Union Road.
45

1 Mr. Houghton asked about what looked like 3 driveways on Lot 77. Mr. Eckman said
2 one comes in from over near Fifield Lane, one is a turnaround area so isn't a driveway,
3 and the other comes in from Union Road. Mr. Houghton asked if there was any thought
4 about abandoning any of those. Mr. Eckman said there was a thought of combining, but
5 they prefer to have their own driveway.
6

7 Mr. Daley asked if the tennis courts on Lot 78 would stay. Mr. Eckman said not
8 ultimately. He then asked if the driveway met site clearances. Mr. Eckman said they
9 were working with the State on that, but the feedback so far has been positive.
10

11 Mr. Baskerville made a motion to accept the application as complete. Motion seconded
12 by Mr. Federico. Motion carried unanimously.
13

14 Mr. House made a motion to close the public hearing. Motion seconded by Mr.
15 Baskerville. Motion carried unanimously.
16

17 Mr. Baskerville made a motion to approve the applicant's request for a waiver to Section
18 2.3.2.d High Intensity Soils Information based on the evidence provided of adequate test
19 pits, good soils and the letter from the wetlands scientist. Motion seconded by Mr.
20 House. Motion carried unanimously.
21

22 Mr. Houghton asked Mr. Daley to state the conditions that needed to be attached to the
23 motion.
24

25 Mr. Daley stated that wording needs to be incorporated into the deeds clarifying the burial
26 lot and right of way to cemetery and should be added to the plan also.

27 Lot bounds will need to be set or bonded.

28 All State and local permits will need to be received, such as the D.O.T. permit.

29 New deeds will need to be prepared for the parcels for review and recording which shall
30 include all easement language associated with the reservation for the Wiggin burial lot
31 and the right of way to the cemetery.

32 Recording fees will need to be paid for recording purposes.
33

34 Mr. Baskerville made a motion to approve the subdivision based on the comments that
35 were explained by Mr. Daley along with the comment and the information for the deed
36 for the Wiggin Cemetery. Motion seconded by Mr. House. Motion carried unanimously.
37

38 **4. Miscellaneous.**

39 There were no miscellaneous items to report

40 **5. Adjournment.**

41 Mr. Doyle made a motion to adjourn the meeting at 8:09 pm. Motion seconded by Mr.
42 House. Motion carried unanimously.