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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **July 15, 2015**
8 **Municipal Center, Selectmen's Meeting Room**
9 10 Bunker Hill Avenue
10 Time: 7:00 PM
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13 Members Present: Mike Houghton, Chairman
14 David Canada, Selectmen's Representative
15 Tom House, Member
16 Jameson Paine, Member
17 Christopher Merrick, Alternate
18 Nancy Ober, Alternate
19

20 Members Absent: Bob Baskerville, Vice Chairman
21

22 Staff Present: Lincoln Daley, Town Planner
23

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

25 The Chairman took roll call and asked Ms. Ober to be a full voting member. Ms. Ober
26 agreed.
27

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

29 a. June 17, 2015.

30 Mr. Paine made a motion to approve the June 17, 2015 minutes. Motion seconded by
31 Mr. Canada. Motion carried unanimously.

32 Mr. Merrick arrived at 7:03 pm

33 b. July 1, 2015.

34 Mr. Canada made a motion to accept the July 1, 2015 minutes. Motion seconded by
35 Ms. Ober. Motion carried unanimously.

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

37 a. **Rollins Hill Development, LLC. P.O. Box 432, Stratham, NH for the property**
38 **located at 20 Rollins Farm Drive, Stratham, NH, Tax Map 3 Lot 24, Tax Map 3 Lot**
39 **7, and Town of North Hampton, NH Tax Map 15 Lot 24.** Subdivision Application to
40 construct a 43-lot, over 55 Retirement Planned Community Development.

41 Mr. Houghton said since they last met, the applicant has been working with Planning
42 Board's environmental consultant, Stoney Ridge Environmental. They conducted a site

1 walk of the property. The workshops were attended by Town Staff, Planning Board and
2 Conservation Commission Representatives, Stoney Ridge Environmental, and the
3 Applicant's development team. The discussions were constructive and resulted in
4 modifications to the subdivision design.

5 Mr. Rob Graham for Rollins Hill Development then proceeded to summarize the most
6 current changes to the subdivision design. These changes included a reduction of 4 lots
7 (lots labeled 23 – 25), other lots have been reduced in size, and they have investigated
8 the relocation of septic systems, wells and houses, and the ability to shift the road further
9 away from the pool systems and wetlands. He further stated that it was recommended at
10 the workshop to have narrower Right-Of-Ways and pavement sections.

11 Mr. Graham continued by stating that the plans will be submitted for the August 5th
12 meeting and reflect the changes discussed. He continued by discussing the paving and
13 right of way widths and impacts/increase of the designed open space area to 17.12 total
14 acres.

15 Mr. Merrick asked how many lots are currently proposed. Mr. Graham responded that
16 the subdivision proposed 48 lots which has been reduced to 43. He referred to wetland
17 delineation and said that the Board was satisfied with that delineation. There were some
18 questions about the delineation at the workshop in a couple of areas raised by Cindy
19 Balcius. As a result of the workshop, Mr. Jim Gove conducted an additional site walk
20 to verify two areas of concern identified by Stoney Ridge Environmental.

21 Mr. Gove said that the two areas questioned by Ms. Balcius were not in the location
22 where the wetland comes closest. The first area was located in proximity to the proposed
23 roadway retaining wall and critter crossing. Based on his analysis, wetland delineation
24 was a little further away. The second area he tested was where a detention basin used to
25 be right on the very edge of the wetland boundaries. The data showed this to be an upland
26 area.

27 Mr. Houghton said it looked like the lot line for lots 24 and 25 had been adjusted.

28 Mr. Graham said they had done that as Ms. Balcius wanted to make sure to incorporate
29 more directional access to the different systems and to preserve the upland connectivity
30 around the wetland and to abutting properties. He continued by stating that she thought
31 it would be important to maintain a corridor in that direction which gave the applicant
32 multiple access. This was accomplished by shrinking certain lots by 50' and they have
33 maintained the no cut area off of the lot. This has resulted in none of that land belonging
34 to a property owner.

35 Mr. Houghton inquired about the split rail fence. Mr. Graham explained that there would
36 be a low conservation fence represented as the white line. Lot 31 has been included in
37 the operation and maintenance plan as it is near the wildlife corridor. Lot lines have also
38 been adjusted which provides an actual connection at multiple points for different species
39 to migrate.

40 Mr. Graham continued that one of the concerns Ms. Balcius involved the salt application
41 in proximity to the watershed and vernal pools system. The porous pavement greatly
42 reduces the need and application of salt. The application of salt and the clearing plan will
43 strike a balance to keep as much of the sun on the road while mitigating impacts to the
44 major habitat.

1 Mr. Houghton then raised the concern about driveways and the application of salt by
2 individual homeowners. Mr. Graham stated that the lots listed as sensitive lots will have
3 heated driveways to eliminate the need for applying salt. They are currently working
4 with a propane company to finalize a design with the possibility of expanding the concept
5 throughout the rest of the subdivision.

6 Mr. Paine asked if this would be noted. Mr. Graham replied there would be details
7 provided on the engineered plans and will also be in the stormwater operation and
8 management plan. The management plans will all be referenced in the deeds and as part
9 of the declaration of the condominium documents.

10 Mr. Paine asked about the conservation fence and the buffer for the back lot. Mr. Daley
11 said it is meant to be a structural buffer to delineate the area of the no cut disturbance
12 area. Mr. Paine asked if it would make sense to move the fence an extra 20' to
13 incorporate the no cut / wetlands sensitivity. Mr. Daley said he thought it was worth
14 looking into. Mr. Graham said the ordinance says 25' and they are well away from that
15 with their fence line.

16 Ms. Pat Elwell, Conservation Commission, asked about the status of reflagging wetlands
17 in certain areas as recommended by the Conservation Commission and Ms. Balcius. Mr.
18 Houghton explained that at a previous meeting, the planning board voted to accept the
19 flagging completed by Gove Environmental and the witnessing of the test pits. As a
20 result, the scope for Stoney Ridge's work excluded a wetland delineation review. When
21 they were out there, it was noted that there were a couple of areas in question. During
22 the workshop, the applicant was asked if Jim Gove could look at those areas. The review
23 of the two areas in question was completed and reported the results of the analysis earlier
24 this evening.

25 Mr. House asked for the status of all the state approvals. Mr. Graham said they have
26 submitted a State subdivision approval, and Alteration of Terrain permit, and they have
27 no D.O.T. permits. Reviews have been completed and they have received comments.
28 The applicant had held a certain part of the review open because they intend to
29 supplement the new plans which will require an amendment to the applications.

30 Mr. House referred to the requirement of 65 days for the Town's approval process. Mr.
31 Daley said part of this process will include an extension from the applicant to allow the
32 Town to review the application. Mr. Graham said they will extend to August 5, 2015.

33 Mr. Houghton turned to the topic of waiver requests and observed they don't have all the
34 necessary supporting documentation for all those waivers. Mr. Daley observed that some
35 of those requests have been discussed in depth such as the roadway design waivers so he
36 feels those could be handled through discussion tonight. With the change of the road
37 going from a public to a private road, lots of staff's questions have gone away.

38 The first waiver was the reduction of the gravel shoulder on all roads from 4' to 2'. Mr.
39 Houghton asked about this changing the width of pavements. Mr. Graham referred to
40 the overview sheet of the plan to show which pavements would be affected. Mr.
41 Houghton asked Mr. Daley if Mr. Laverty, Highway Agent had reviewed this. Mr. Daley
42 said he had and was satisfied.

43 Mr. Paine asked about snow storage. Mr. Graham said the company who handles their
44 snow is going to come up with an actual plan, but he pointed out some areas that would

1 be practical for snow storage. Heated driveways will also help reduce the amount of
2 snow storage. Mr. Daley asked if there would be any easements associated with snow
3 storage. Mr. Graham said they typically blanket the roadways with a certain distance off
4 of the roadways with an easement for access, utilities, and management. Mr. Daley asked
5 if there will be easements around the hammerhead and terminus points to allow snow
6 storage as necessary on people's properties. Mr. Graham said one thing they did not do
7 was shrink the right of way size or pavement size for safety and as a reservoir for snow.

8 Mr. Houghton referred to the applicant's waiver request for a reduction in the right of
9 way of 60' to 50' and observed that he had heard Mr. Graham say 45'. Mr. Graham said
10 they are requesting 45' on the north road which is as a recommendation of Ms. Balcus
11 and the workshop.

12 Mr. Paine said he doesn't have an issue with the reduction in the gravel shoulder as it's
13 a low speed private road as long as they maintain their snow storage plans and it's not
14 placed in the adjacent wetland areas.

15 Mr. Paine made a motion to accept the waiver request for a 2' shoulder with the condition
16 that the applicant follows the BMPs of the operation plan or snow management and no
17 snow is placed in the adjacent wetland areas as delineated by Gove Environmental
18 Services on the current submitted plan. Motion seconded by Mr. Canada. Motion carried
19 unanimously.

20 A resident from Stratham Heights Road said this is an over 55 development and he
21 understood best practices to have well lit sidewalks, wider roads, wider setbacks from a
22 driving stand point, but also because the community likes to walk. His concern is with
23 safety issues and asked what the implications would be should somebody get hurt and
24 where the Town stands in that situation if they have approved this waiver.

25 Mr. Daley said he had spoken with the Fire Chief on numerous occasions and asked those
26 questions specifically. The Fire Chief had no issues with the waivers being granted. His
27 only concern was having enough room for fire trucks to maneuver. Mr. Daley said in
28 relation to pedestrian movement on the property, it is within the Board's purview in
29 accordance with the subdivision regulations to require sidewalks. He asked the Board
30 for their opinion. Mr. Canada said there may not be enough foot traffic to be a safety
31 concern. Mr. House asked if the applicant knew what the speed limit would be and
32 suggested that could be one way to help.

33 Mr. Houghton asked Mr. Graham to rewrite the waiver for 45' right of way. Mr. Daley
34 asked for the status on the need for special investigative studies. Mr. Graham said they
35 would like to withdraw that waiver.

36 Mr. Daley spoke to the waiver for phasing development. He said in Addendum B of the
37 subdivision regulations about phasing and cluster guidelines, the limit is 10 units per
38 year. This development is really based on getting the roadway constructed as quickly as
39 possible which may not be adequate to allow for 10 units per year to be developed. In
40 this case, it could be 4 or 5 years before the units are fully finished which may not be in
41 the best interest of the environment and ensuring the preservation of the natural resource
42 areas. Mr. Daley asked the applicant what he envisioned for a phasing plan.

43 Mr. Graham said Mr. Daley had summed that up well and added there is another issue
44 that was raised by Rob Roseen involving the porous asphalt. The nature of the porous

1 asphalt is very sensitive to the quality of the asphalt product coming out of the plant. The
2 applicant believes for a lot of reasons that the phasing mechanism isn't as relevant for an
3 over 55 community as the impact to the school system is minimal. They hope to build
4 in 3 phases, but there are complications coordinating with the road building and the
5 market dictates the rate at which these kind of homes sell.

6 Mr. Daley said the reality behind the phasing was to try and handle the growth of school
7 children and mitigate the overall impacts. Mr. Daley asked the applicant if he could
8 identify those phases with a short narrative.

9 Mr. House made a motion to approve the waiver for phasing with the condition that a
10 construction phasing plan be prepared and accepted by the Town Planner. Motion
11 seconded by Mr. Paine. Motion carried unanimously.

12 Mr. Daley addressed the cistern design. There are 2 proposed locations on the property
13 located on road labeled West Road and North Road. The cistern design deviates from
14 the standard template the Town applies. The Fire department has recommended that the
15 applicant utilizes the Town's design. The access to the cisterns needs to be modified also
16 to comply with the Town's regulations. Mr. Graham said their tendency to lean toward
17 concrete systems is because they are little more stable in the ground, less expensive and
18 in an area with a higher water table it is more expensive to install them. Mr. Graham said
19 they would like the opportunity to speak to the Fire Chief one more time about using the
20 concrete design. Mr. Daley said he would help to set up that meeting.

21 Mr. Graham said they would like to place the sensitive resource areas as restriction area
22 in the Homeowner Declarations. He further stated that Rollins Hill Development would
23 expand their operation management reports to include an inspection and annual
24 monitoring program of these areas by the association. However, they are amenable
25 dedicating the areas and creating a conservation easement for the Town. Mr. Graham
26 then stated that they would like to suggest a period of 2 – 3 years or throughout the
27 construction period a self-reporting mechanism to include Rob Roseen to ensure that the
28 stormwater management systems are being maintained and working properly. They
29 would also like Jim Gove in conjunction with Rob Roseen to produce part of that report
30 verifying system functionality and natural resource protection. Once the higher risk
31 period has passed, the Homeowner Association will need to put out an initial report that
32 the areas are being properly managed and protect, but provide access for the Town to go
33 out and take a look.

34 Mr. Daley said he thought that was a good possibility and inquired about enforcement
35 mechanisms to ensure compliance including repair or restoration. Mr. Graham said the
36 association can repair, build and any offending party cannot sell their property until they
37 have satisfied the association.

38 Mr. Paine asked about the notice of intent for ground disturbance. Mr. Graham said they
39 are required to participate in the SWPPP program with the amount of ground disturbance
40 associated with this project. The SWPPP program makes sure they are monitoring and
41 filing reports on all pre construction.

42 Mr. Graham said he would like to talk about the issue of memorializing the access road
43 and the rights for the connector road with Lindt chocolate. He continued that Rollins Hill
44 Development have laid out the physical location and agreed that is where they would like

1 to have the connector road which the Town appears to be in agreement with. The only
2 stipulation to that agreement is, it won't be any good to Rollins Hill Development unless
3 they can use it. They need to see the documents that allow them to rely on that connection
4 just as they are providing Lindt with the documentation for the cross easements.

5 Mr. Daley said he did speak with Robert Michalski, Vice President of Lindt and they will
6 mimic the Rollins Hill Development easements. In addition, in the letter written by the
7 Town to Lindt, they are required to bond the road completely. The matter is getting the
8 easement language constructed to allow all parties to pass and repass over both sections
9 of the connector road to Rollins Farm Road. Mr. Daley expects it to be resolved by the
10 August 5, 2015 meeting. Mr. Graham asked if Mr. Daley would be willing to give Lindt
11 their documentation for the road and easements. Mr. Daley said he could do that.

12 Mr. Graham said they would like to continue until the next meeting on August 5, 2015.

13 Mr. House asked Mr. Graham about the road name and if he was coming before the Board
14 of Selectmen. Mr. Graham said they would be and that he had talked to Mr. Deschaine
15 today about it.

16 Mr. Paine made a motion to continue the meeting until August 5, 2015. Motion seconded
17 by Mr. House. Motion carried unanimously.

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

19 a. **John Reiss, 16 Emery Lane, Stratham, NH, Tax Map 13 Lot 57.** Preliminary
20 Consultation to subdivide the property into 3 total lots.

21 Mr. Bruce Scamman, Emanuel Engineering representing Mr. Reiss took the floor and
22 summarized both conceptual subdivision alternatives consisting of 2 and 3 total lots. The
23 3 lot concept would include the construction of a road off Portsmouth Avenue
24 terminating in a hammerhead. The 3 lots would meet the Town regulations of 2 acres and
25 200' frontage. The 2 lot subdivision design would include a shared driveway design
26 servicing both lots. Mr. Scamman explained that Mr. Reiss would prefer the 2 lot
27 scenario so building a Town road could be avoided.

28 Mr. Paine asked if the applicant has had any initial consultation with the D.O.T. about
29 the driveways. Mr. Scamman said they haven't, but there is an existing gateway which
30 has been used previously. Mr. Paine then asked if the land is in current use. Mr.
31 Scamman responded in the affirmative, but not anymore.

32 Mr. Scamman said he believes 12 to 16 test pits were done on this property in the 2000's.

33 Mr. Daley said on the plan exist 2 primary wetland resource areas, one at the entrance
34 way of the proposed subdivision. Mr. Daley asked if that would require a wetlands
35 crossing. Mr. Scamman said there are already culverts there so he wasn't sure right at
36 this moment. Mr. Daley made the applicant aware that when a wetlands crossing is
37 required, a conditional use permit is needed from the Planning Board.

38 Mr. Paine asked about the wetland boundaries. Mr. Scamman said it was done by Gove
39 Environmental originally in 2000.

40 Mr. Daley referred to the 2 lot subdivision design and said according to the regulations,
41 a waiver for roadway design would be required. Mr. Scamman said they would only be
42 seeking waivers if moving forward on the three lot alternative.

1 Mr. Merrick and Paine stated they preferred the 2 lot design. Mr. Paine then inquired if
2 there was an opportunity to square up the lots. Mr. Scamman responded that they had
3 just put them down on the paper for now so they could play around with them.

4 Mr. Paine said the Heritage Commission may be interested in the property.

5 Mr. Scamman summed up the Board's preference for the two lot version and asked if the
6 Board wanted a Right of Way with a hammerhead so it could be built in the future.

7 Mr. Daley asked where Mr. Scamman envisioned the location of the houses and
8 suggested speaking with the Fire Chief about access to the properties.

9 Ms. Breslin, resident asked where the cemetery and Emery Lane were in relation to the
10 lot. Mr. Scamman showed both on the plan.

11 The Board said if they choose the 2 lot option, they didn't see a need to build a Right Of
12 Way as a shared driveway should suffice. Mr. Scamman stated that current there is a 50'
13 right of way which they want to expand to 60'. Mr. Daley said the Board might want to
14 consider maintaining the 50' right of way. However, the width of the private way could
15 be reduced down to the minimum size possible.

16 Mr. Scamman said that basically they are creating a pork chop lot, but the original lot
17 wasn't created under a pork chop lot provision. The lot is an existing lot of record with
18 a 50' ROW access from Portsmouth Avenue.

19 Mr. House inquired about the length of the conceptual roadway. Mr. Scamman replied
20 about 600 to 700 feet and 12' wide. Mr. House said they might want to consider what
21 happens when one car comes in as another goes out. Mr. Daley used Spring Creek Lane
22 as an example of a private way. The private roadway is 16' wide and cars struggle to get
23 by one another when they are driving in opposite directions.

24 Mr. Scamman said he hasn't talked with Mr. Reiss yet, but he assumes that the Right Of
25 Way is a possibility for an entrance for the other lot because if it ever gets developed it
26 makes sense planning wise. Mr. Daley said that a less complex way may be to put it in
27 the deed or part of the easements that gives access to that private way.

28 Mr. Canada asked how many lots can be built on one driveway. Mr. Daley responded
29 with two and added that it will probably need to be built up to Town specifications.

30 Mr. Scamman said looking toward the future, if it did become a road, it would require a
31 site plan approval from the Board and an expanded driveway permit from the D.O.T. Mr.
32 Daley said whether it becomes a 2 or 3 lot subdivision, they may want to consider a 50'
33 right of way to allow for the possible expansion should that occur. Mr. Scamman said it
34 is a 50' right of way currently. Mr. Daley said another suggestion might be to maintain
35 the 50' right of way through the entire length of that area or to add as part of the
36 conditional approval that if there is an expansion into the Reiss property that the road has
37 to be upgraded automatically to meet Town standards.

38 Mr. Paine said Mr. Scamman is proposing to put the driveway off of the busy one way.
39 He asked if there is a way to put access through the gap between the existing house and
40 the property line. Mr. Scamman said it does drop off a little back there. Mr. Paine
41 continued it would allow the applicant to use the southern piece of land to avoid busy
42 residential traffic. Mr. Canada asked Mr. Paine why Mr. Reiss would want to do that.
43 Mr. Paine said it would provide a safer access point. Mr. Scamman said Mr. Reiss may

1 wonder why this is being discussed now, and it might get dictated by the D.O.T. in the
2 end anyway. Mr. Scamman said Mr. Reiss thinks there is an old right of way that comes
3 off of Butterfield Lane. He did some research and discovered there were 3 access points.

4 Mr. Daley asked when Mr. Scamman was anticipating submitting the formal application.
5 Mr. Scamman said he expected it to be fairly soon.

6 **5. Miscellaneous.**

7 There were no miscellaneous items to report.

8 **6. Adjournment.**

9 Mr. Canada made a motion to adjourn the meeting at 8:44 pm. Motion seconded by Mr.
10 Paine. Motion carried unanimously.

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