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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **November 4, 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 Jameson Paine, Member
16 Tom House, Member
17 Christopher Merrick, Alternate
18
19 **Members Absent:** Bob Baskerville, Vice Chairman
20 Nancy Ober, Alternate
21
22 **Staff Present:** Lincoln Daley, Town Planner
23

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

25 The Chairman took roll call and asked Mr. Merrick to be a full voting member in place of
26 Mr. Baskerville. Mr. Merrick agreed.

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

28 a. October 7, 2015

29 Mr. Paine made a motion to accept the meeting minutes from October 7, 2015. Motion
30 seconded by Mr. House. Motion carried unanimously.

31 b. October 21, 2015

32 The Chairman requested that any feedback or comments be forwarded to the Land Use
33 department.

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

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

39 Mr. Houghton explained that the Road Agent for the Town, Colin Laverty was present
40 because there needed to be a discussion about Stratham Heights Road. Mr. Daley
41 provided an aerial picture for everybody to see. Mr. Laverty said that he had met with
42 the Police Chief and after multiple traffic studies, they have some additional concerns

1 relating to 139 Stratham Heights Road. In the traffic studies, there are suggestions for
2 additional traffic signage along with some site line thinning, exiting Rollins Farm Drive.
3 The real issue is the blind corner on Stratham Heights Road; the Highway department
4 has cut back as much as they physically can within the Town right of way. The other
5 trees are actually on the property of 139 Stratham Heights Road so additional approval
6 would be required to maintain that. Mr. Lavery said he is concerned also by the extra
7 traffic that will go onto Stratham Heights Road from this subdivision. He is worried
8 there will be additional accidents from traffic coming off of Bunker Hill Avenue. Exiting
9 is not an issue, just entering the subdivision.

10 Mr. Paine asked if Mr. Lavery had some suggestions to address his concerns. Mr.
11 Lavery said he thinks the best route would be to get permission from the land owner of
12 139 Stratham Heights Road to do some thinning of their trees. Mr. Daley asked Mr.
13 Lavery if any conversation has ever taken place with the property owner about the trees.
14 Mr. Lavery said there hadn't been. Mr. Daley asked what the extent of the thinning
15 would be. Mr. Lavery said it won't be a clear cut, but selective removal.

16 Mr. Stevens said the traffic study done by the Town and his own consultant states there
17 is no problem in this area and now the Town is telling him there is a problem. Mr. Stevens
18 said the traffic studies bring to attention the signage that is inadequate and so low in speed
19 that nobody pays attention to it. Mr. Lavery disagreed. Mr. Stevens said he can't go up
20 to the property owner to ask about the trees, but Mr. Lavery could in his role as Highway
21 Agent. Mr. Lavery said he is not saying the burden has to be solely on the applicant to
22 do the work, but this is an issue which needs to be resolved before additional traffic is
23 put on Rollins Farm Drive. Mr. Daley said there is an opportunity for all parties to work
24 collectively on this. Mr. Stevens was informed that there have been 4 accidents at this
25 intersection since 2011 according to the traffic study. Mr. Stevens reminded the Board
26 that he had offered to pay for trees to be cleared on the other side of the road in the
27 Town's right of way, and he was happy to put that money toward the tree clearing on 139
28 Stratham Heights Road instead.

29 Mr. Deschaine said that there were specific recommendations made in the applicant's
30 traffic study; one being to trim back and maintain road side vegetation located in the right
31 of way to aid with the sight distance from Rollins Farm Drive. The study talks to when
32 people are on Rollins Farm Drive; it doesn't speak to drivers on Stratham Heights Road
33 turning onto Rollins Farm Drive.

34 After further discussion, Mr. Stevens said if the Town gets a quote from Seacoast Tree
35 he will be happy to cover the cost for the tree thinning and clearing on 139 Stratham
36 Heights Road. Mr. Lavery agreed to contact the homeowner.

37 Ms. Kathleen Breslin, abutter commented on trees she had seen with blue ribbons and
38 was curious as to whether all those would be cut down. Mr. Lavery said he would need
39 to assess the corner to give an answer, but they will take down as much as necessary to
40 obtain an improved sight distance. Regulations require a minimum of 400' sight distance.

41 Mr. Daley said it would be good to focus on some of the documentation which is nearing
42 resolution. There followed a general discussion to address the revisions and amendments
43 to the various documentation associated with the subdivision addressing such issues as
44 the surety bond, road and driveway maintenance, building completion dates, cisterns,

1 septic designs, times for construction and road lengths amongst others. Mr. Stevens said
2 he thought they were done when they submitted the final revisions on Friday. He feels
3 that some of the changes he can't agree to and some are confusing. Mr. Daley apologized
4 about the lateness of the documents, but stated it is very difficult to revise these
5 documents in time for the meeting when provided a few days before the meeting, due to
6 other's work schedules.

7 Ms. Breslin, abutter asked if anything had changed in regard to her questions about the
8 open space addressed in the last meeting. Mr. Stevens said that in order to complete the
9 approval process, plans and documents need to be signed and nothing has changed since
10 the last meeting.

11 Mr. Daley said there needed to be final resolution on the loop road which connects lots
12 6 through 12, and reminded Mr. Stevens there was a question about the design for the
13 grading work, but he had asked for flexibility on the designing of that roadway. Mr.
14 Daley asked if he had determined whether it was going to be a shared driveway or a lane
15 of some sort. Mr. Stevens said it is currently shown as a 2 way street although he is not
16 necessarily sure that it will remain that way; it would be maintained by the association.
17 They will have a better idea when they start building it and are able to see the sub grade;
18 plans will be provided. Mr. Daley asked if it will be a defined street that will run across
19 people's properties. Mr. Stevens said it will. Mr. Daley recommended that the Board
20 receive engineered drawings of that street as a condition of approval and the road name
21 will require Board of Selectmen approval.

22 Mr. Daley referred to the rendering for the roundabout and entrance way and said an
23 inclusion of a landscape plan will need to be a condition of approval too.

24 Mr. Merrick made a motion to close the public hearing. Motion seconded by Mr. House.
25 Motion carried unanimously.

26 Mr. Houghton said the next step would be to draft the notice of decision, and complete
27 all of the documents discussed this evening. Mr. Daley asked the Board if this was
28 something they would like staff to work administratively with the applicant and
29 Chairman of the Planning Board or would they like to see the finalized notice of decision
30 for their final review on November 18, 2015.

31 Mr. Paine made a motion to approve the project as discussed and amended this evening
32 which incorporates the draft conditions of approval and all the associated documents as
33 amended this evening with the understanding that the Notice of Decision will be worked
34 through with staff and the Planning Board Chair and Vice Chair including the Declaration
35 of Covenants, Easements and Restrictions, Storm water Management Systems for Vernal
36 Pool Protection and Operation and Management Plans, Deed and Easements to the Town
37 of Stratham and Development Agreement, Vernal Pool Protection Restrictions and
38 Construction Notes and Deeds, revised landscape plan, and design for the looped
39 roadway associated with lots 6 through 12. Motion seconded by Mr. House. Motion
40 carried unanimously.

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1 **b. John Reiss, 16 Emery Lane, Stratham, NH 03885 for the properties located at 97**
2 **Portsmouth Avenue, Tax Map 13 Lot 37 and 16 Emery Lane, Tax Map 13 Lot 38.**
3 **Subdivision application to create a 1 Lot Subdivision and Lot Line Adjustment.**

4 The Chairman said the applicant was before the Board in July for a preliminary hearing.

5 Mr. Bruce Scamman, Emmanuel Engineering representing the applicant took the floor.
6 He explained there are 2 lots; one being 7.63 acres and the other 4 acres. They are
7 splitting the 7.63 acres lot into 2 lots and the remaining land will become part of the front
8 lot via a lot line adjustment. The 2 lots will have a shared driveway/private road. They
9 are putting in a 50' easement to the rear of the lot where there is an existing 400' of road
10 with a 50' wide access. They are going to build a hammerhead at the end of it to meet
11 Town regulations. They are asking for a few waivers relating to that; one for the right of
12 way width to be 50' instead of 60' and a pavement width of 12' instead of 24'. They
13 would like to put in a 24' wide entrance to accommodate 2 cars in case one car is pulling
14 in the same time another car is pulling out. It will go back approximately 30' and it will
15 taper down to a 12' driveway to the back of the lots. Lastly they are asking for waivers
16 for sections of the driveways, as unlike traditional roadways the water will flow onto the
17 property, but there is a big field which can hold the water. They will be going to D.O.T.
18 next once they have the Planning Board's blessing and they will need a wetlands permit
19 from D.E.S. as there is a small culvert that comes underneath Butterfield Lane under the
20 stone wall; it will need to be extended under the driveway. The wetlands permit will be
21 for a 200' area. There is a D.O.T. state right of way; they are going to be expanding an
22 existing driveway which has always been maintained. There is a chance past the first 30'
23 of driveway that it will be gravel rather than pavement.

24 Mr. House made a motion to accept the application as complete. Motion seconded by
25 Mr. Paine. Motion carried unanimously.

26 Mr. Paine asked if there were any alternative access points rather than having a driveway
27 coming off a state highway where many already exist in a small area. Mr. Scamman said
28 they thought there was an old easement off of Butterfield Lane; they couldn't find
29 anything on file to substantiate that so it isn't an option at this point. Mr. Merrick asked
30 if this is a driveway or a roadway. Mr. Scamman said it is going to be a private roadway,
31 but it is essentially a shared driveway. Mr. House had a concern with a 12' width if 2
32 cars are passing at the same time especially on a gravel roadway. Mr. Paine asked if Mr.
33 Scamman had inquired with any Town officials such as the Highway Agent. Mr. Daley
34 said the department distributes plans to all department heads for review and comment; to
35 date we are waiting to hear back from the Fire department. Mr. Merrick and House
36 worried if a car got stuck on the driveway because there is no room for that to happen.
37 Mr. Scamman said they may be able to add a couple of wider spots. Mr. Merrick said it
38 would be better if the road was 16' or 18' wide.

39 Mr. Houghton referred to the proposed houses in the back; he asked if they were going
40 to be built or proposed only. Mr. Scamman said traditionally they show structures on
41 subdivision plans; they are 30' x 40' structures, they show a reserve area and proposed
42 well radius. They will most likely not be built in those locations. He added that he
43 believes Mr. and Mrs. Reiss, the current property owners will market the lots for sale for
44 somebody else to build on them. Mr. Houghton said in his view this is a public road and

1 should be a more suitable roadway; he suggested 22' in width. Mr. Daley said it was
2 worth mentioning that the easement that is described as part of the right of way also
3 includes access for the existing Reiss property. Mr. Scamman said part of the reason
4 they will be asking D.O.T. for a 24' curb cut is so should the remaining lot get developed
5 it will be a suitable driveway to handle that development. He added that there are plenty
6 of shared driveways that are 12' wide. Mr. Paine asked how the access for the existing
7 lot will be handled. Mr. Scamman said he wasn't sure, but would expect them to retain
8 ownership of the right of way. Mr. Daley referred to the easement and said there is a
9 question as to whether it satisfies R.S.A. 674:41 Creation of Streets. It says that if you're
10 defining an easement to back lots, it doesn't qualify as a street. Mr. Scamman asked
11 what Mr. Daley would like him to do. Mr. Daley said a more substantial street in line
12 with what has been approved in the past by the Board. Mr. Paul Deschaine said they
13 can't really advise on this as it's more of a legal matter. Mr. Scamman said this was
14 discussed in July when they brought in a 3-lot subdivision design, a 2-lot and a 1-lot.
15 The Board gave the direction of wanting a 2-Lot with a shared driveway. This plan has
16 been developed based on that.

17 Mr. Merrick and Houghton said the shared driveway is fine, it is the width of the road
18 that is the issue. Mr. Merrick said it has to be wide enough for 2 cars to get by each
19 other and there needs to be consideration for snow plows. Mr. Scamman said with the
20 shoulders, it is currently 16' wide. He feels for 2 lots that 2 cars crossing at the same
21 time will hardly ever happen. Mr. Merrick pointed out it could be 3 lots in the future.
22 Mr. Scamman said they would have to come back before the Board again for that.

23 Mr. Paine said they should get input from the Road Agent. Mr. Scamman said the road
24 is about 600' long in total with it splitting off at about the 500' point. He said if they
25 added another 1' of gravel on either side of the shoulder that would increase it to an 18'
26 wide road. Mr. Daley mentioned that in the subdivision regulations for a cluster
27 development, it says the minimum width for a common driveway is 18'. Mr. House
28 asked who would maintain the driveway. Mr. Scamman said the owner of the lots. Mr.
29 Daley asked if the applicant envisaged forming an association to maintain the roadway.
30 Mr. Scamman said he'd imagine there would be at least an agreement in place. Mr.
31 Deschaine mentioned that an association may be more advantageous when considering
32 R.S.A. 674:41. Mr. Houghton asked if it was going to be named and if so, it becomes a
33 road, not a driveway. Mr. Scamman said it had to be a road to be able to get a waiver; in
34 actuality it is a roadway, but in reality it is a driveway. Mr. Houghton said he is fine with
35 it not being 24', a 16' wide with a 2' shoulder either side would probably be OK.

36 Mr. Paine asked about the zone. Mr. Scamman said it was all residential. Mr. Paine
37 said if a 3 homeowners association is created, and one of the lots becomes commercial
38 in the future, that could cause legal issues.

39 Mr. Daley asked Mr. Scamman to describe the impact of the culvert and any
40 improvements to the wetland resource areas. Mr. Scamman said it is 201 S.F. of wetlands
41 which is basically the mouth of the culvert. That whole area will be filled by putting in
42 the driveway and with the wider driveway, it will extend it even further. The only
43 wetlands on the site apart from this 201 S.F. is way out back. Mr. Paine asked if there
44 would be buffers along the property to prevent headlights shining into the properties.
45 Mr. Scamman showed on the plan how headlights wouldn't shine onto the properties

1 because of existing tree lines and the angle of head lights heading up the roadway. Mr.
2 Scamman said dimensional setbacks are being maintained. The lot is restricted by a 50'
3 wide part of the lot that was granted by the Planning Board. Mr. Daley asked if
4 historically this was a pork chop lot. Mr. Scamman said he thinks it was before pork
5 chop lots came into play. Mr. Reiss, property owner and applicant said he believed 1976.
6 Mr. Daley said he was checking because today's regulations don't allow a pork chop lot
7 to be subdivided again.

8 Mr. Kevin Madden, abutter Butterfield Lane questioned the location shown for the
9 houses. He confirmed that the houses may not be built where they are shown. Mr.
10 Scamman said the Board needs to see that a building will fit on the lot. Mr. Peter Lawley,
11 abutter, Butterfield Lane said everything said about the headlights and the buffer is all
12 theoretical. Mr. Scamman said the driveway is not theoretical. Mr. Lawley said that a
13 future owner could cut down all the trees if they wanted to. Mr. Scamman confirmed
14 that they could do that. Mr. Madden said that Mr. Scamman had previously said they
15 would be maintaining the existing tree buffer along the stone wall, but building a
16 structure would require cutting down some of the trees. Mr. Houghton said concerning
17 the houses on the plan, they could be located somewhere else. He asked what exists
18 along the stone wall currently. Mr. Madden said there aren't many trees along the south
19 side and Mr. Lawley said there is literally nothing on the south side of the wall;
20 everything is to the north. Mr. Lawley asked for clarification on frontage requirements.
21 Mr. Scamman explained the frontage using the plan.

22 Mr. Deschaine asked exactly where the fork in the roadway occurs. Mr. Scamman said
23 just before the hammerhead. Mr. Deschaine asked about emergency vehicles and how
24 they will back out. He asked if there could be one half of a hammerhead so there is
25 somewhere for them to maneuver. Mr. Scamman said they are widening the roadway
26 now, the road is being built to Town specifications with the thickness of the gravel below
27 it. Mr. Scamman said this situation exists for other long driveways in town. Mr.
28 Deschaine commented that some of those driveways get damaged because they weren't
29 well thought out. Mr. Merrick said they should wait to see what the Fire Department has
30 to say.

31 Mr. John Reiss said the rationale behind this was to put a driveway in with the
32 understanding that if they went beyond the driveway limits depicted by 2 logs, that
33 something more substantial would have to be done such as a private road up to a certain
34 point. He added that with the hammerhead not being totally paved, there is rock up there
35 so there is room to turn around. He said there is a third lot, but it didn't make any sense
36 using it in case the cemetery expands in the future.

37 Mr. Madden asked if the 50' width requirement applies to the area at the hammerhead
38 because it doesn't look that wide to him. Mr. Scamman said the 50' width applies to the
39 lot. Mr. Madden said the regulation refers to no portion of the lot created shall be less
40 than 50' in width. Mr. Scamman said when you are putting in a hammerhead, the Town
41 regulations require the ability for a turnaround, so the road had to be minimized. Mr.
42 Houghton said the applicant should submit a waiver request for that regulation. There
43 followed some discussion on how to design the hammerhead in a way that has the yard
44 and house as far away as possible from Mr. Madden's house. Mr. Houghton said they
45 should think of ways to minimize the impact to abutters and wondered if extra plantings

1 could be used. Mr. Reiss said it is pretty heavily forested down there. Mr. Scamman
2 said they will take everything into consideration and take another look at the plans.

3 The discussion turned to the waiver requests, starting with the sections of the driveway
4 where the water will flow onto the property. Mr. Madden asked if they had checked on
5 the adequacy of the size of the culvert. Mr. Scamman said the existing pipe is 8" in
6 diameter; they are proposing to extend it an additional 16' to 18'. The fill will go back
7 to grade. Mr. Merrick asked how deep the pipe would be under the driveway. Mr.
8 Scamman said between 18' and 24" below the driveway. Mr. Merrick asked if they
9 wouldn't want to replace the rest of the pipe. Mr. Scamman explained it is on another
10 property.

11 Mr. Daley asked Mr. Scamman if he would like to continue the application to the second
12 meeting in November or the first meeting in December. Mr. Scamman said December
13 would be better. Mr. Daley advised the applicant to meet with the Conservation
14 Commission also. Mr. Scamman said Mr. Gove usually does that. Mr. Deschaine made
15 Mr. Scamman aware that the next Conservation Commission meeting would be on
16 November 19, 2015.

17 Mr. Deschaine asked about the no man's land. Mr. Scamman said they eliminated it just
18 so the lot is not exactly 2.00 acres; Mr. Houghton commented it would be good if they
19 can make the lot larger in the back to square up the front and eliminate the no-man's land.
20 Mr. Paine reminded Mr. Scamman to look at ways to protect the abutters.

21 Mr. Paine made a motion to continue the Reiss subdivision until December 2nd. Motion
22 seconded by Mr. House. Motion carried unanimously.

23 **4. Miscellaneous.**

24 The Board thanked Mr. Daley for the great job he had done as Town Planner.

25 **5. Adjournment.**

26 Mr. Merrick made a motion to adjourn at 10:26 pm. Motion seconded by Mr. House.
27 Motion carried unanimously.

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