



**Stratham Planning Board**  
**Meeting Minutes**  
**March 15, 2017**  
**Municipal Center, Selectmen's Meeting Room**  
10 Bunker Hill Avenue  
Time: 7:00 PM

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Members Present:     Mike Houghton, Chairman  
                             Bob Baskerville, Vice Chairman  
                             David Canada, Selectmen's Representative  
                             Jameson Paine, Member  
                             Nancy Ober, Alternate  
                             Lee Paladino, Alternate

Members Absent:     Tom House, Secretary

Staff Present:         Tavis Austin, Town Planner

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

The Chairman took roll call and asked Ms. Ober to be a full voting member in the absence of Mr. House. Ms. Ober agreed.

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

a.    March 01, 2017

Mr. Paine made a motion to accept the meeting minutes for March 1, 2017. Motion seconded by Ms. Ober. Motion carried unanimously.

**3. Public Hearing(s)-- NONE**

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

- a) **Daley Subdivision**, application by property owner Michael Daley, represented by Bruce Scamman, Emanuel Engineering. *Preliminary Consultation* for a proposed subdivision of 74 & 76 Willowbrook Avenue and 61 Lovell Road, Stratham, NH 03885 (Tax Map 23 Lots 12, 13, and 14) to create 8 total lots, 5 new building lots.

Mr. Bruce Scamman, Emanuel Engineering representing the applicant took the floor. He explained the property is located at the corner of Lovell Road and Willowbrook Avenue. Mr. Daley owns 3 lots, one of which he would like to subdivide. He would like the 3 lots to be combined and then re shaped. Mr. Scamman explained that he had some amended drawings which they believe provides a better layout than the original preliminary drawings submitted in December. The Board permitted Mr. Scamman to show the updated plans. Mr. Scamman explained that these latest plans included surveying so are more accurate. They want to have 5 lots around the road and make the existing house lot a little larger, they would create

a lot around the house lot on Lovell Road and create another buildable lot which is between the pond and the existing house. Mr. Baskerville asked about topography. Mr. Scamman said it was fairly flat. He continued that they have done test pits. Mr. Paine asked about the back property. Mr. Scamman explained that was part of the common land of Pheasant Run Condos.

Mr. Austin said the weird hook off of Willowbrook Avenue on the existing map was at one time an anticipated extension of Alderwood Drive. However when Alderwood was built it was moved over.

Ms. Ober asked about the difference in the road length between the 2 versions of plans. Mr. Scamman said it was about 100' west on the new one because of curves. They are looking at the possibility of trying to straighten up a part of the road more and shorten the hammerhead a little. He said at this moment it is in the 600' – 700' length range. Ms. Ober asked where the road came out in relation to Alderwood Drive. Mr. Scamman showed the location on the plan and said he believes there is about 100' – 125' separation.

Mr. Canada asked if there was a possibility to get the road to come back through onto another road. Mr. Scamman said they had met with Mr. Austin and Mr. Laverty on site to look at possibilities and without having to buy a parcel, there is no way to get a road through. Mr. Canada said his concern lies with the Highway department needing another plow to cope with all the extra hammerheads and cul-de-sacs being introduced to Stratham. Mr. Austin asked if there was a way to minimize the plowing the Highway department would need to do. Mr. Scamman explained this was a full hammerhead as required by the Town regulations. Mr. Scamman added that if they put in a circle it would require using 2 lots.

Mr. Baskerville asked what the angle of the proposed road was onto Willowbrook. Mr. Scamman said about 56 – 58 degrees which is why they are looking at straightening the road. Mr. Paine asked if they had investigated teeing the road up with Alderwood and creating an intersection. Mr. Scamman said they did talk about it, but it runs up right at the side where all the passed test pits are. Mr. Paine asked if the road could continue through. Mr. Scamman said the Town of Greenland and duplexes were there and behind those are the Pheasant Run Condos too. Mr. Paine confirmed there was no driveway access they could exit to. Mr. Scamman said they couldn't. Mr. Canada asked if they couldn't connect to Pheasant Run. Mr. Scamman said it is between a half and third mile over and would involve significant wetland crossings.

Mr. Baskerville said his issue is with the road and straightening it out would help.

Mr. Scamman said they have tried to make the lots rectangular in shape as much as possible.

Mr. Baskerville referred to Lot 8 and observed a wetlands permit might be required just to get from the house to the septic. Mr. Scamman said there was a chance of that. Mr. Austin suggested making lot 7 half an acre smaller although the lot shape would change. Mr. Scamman said that was a possibility. Mr. Canada agreed. Mr. Scamman said another possibility could be to instead of going along the wetlands, an easement could be put in to run a line underneath the edge of the road which would be in the right of way; they might be able to get a sewer line in there.

Mr. Houghton asked if they anticipated any more waivers. Mr. Scamman said not at this point.

- b) **Reiss Subdivision**, application by property owner John Reiss, represented by Bruce Scamman, Emanuel Engineering. *Preliminary Consultation* for a proposed subdivision of 97 Portsmouth Avenue, Stratham, NH 03885 (Tax Map 13 Lot 38) to create two (2) new building lots.

Mr. Bruce Scamman said the parcel was located at the corner of Emery Lane and Portsmouth Avenue. They are putting in a private way to reach 2 lots in the rear. Due to the cost of the road, the applicant would like to get a third lot out of building the road. Mr. Reiss decided to take another look at the entire property and what they are proposing is putting in a Town road and adding 2 lots. They have done test pits including an extra one on the front lot because of the slope easement that might be needed for the new Town road.

Mr. Scamman they are proposing to put in a 22' wide road. A new culvert has now been put in with accordance with the existing plan with amendments requested by Mr. Laverty. There will be no wetlands impact for this proposed minor subdivision.

Mr. Baskerville commented on the lot shapes. Mr. Scamman said this is what is left over from the previous approval for a minor subdivision. Mr. Canada said he was questioning whether that was justification. He said it would be better to negotiate with the Town to buy it as an extension to the cemetery. Mr. Baskerville suggested considering making the road longer which could help make the lots less irregular in shape.

Mr. Austin asked if the Board would be amendable if the Highway Agent was open to amending the subdivision regulations to include the half T. Mr. Canada said he has a problem with creating another public road that is going to be a real challenge to plow and add burden to the Town to get this odd shaped lot. Mr. Scamman said the issue then becomes that people have been building roads like this in Town for 30 years so does that mean that going forward nobody is allowed to do a road to the standards written in the subdivision regulations. Mr. Canada and Scamman discussed the irregular lot. Mr. Austin asked about doing a one way loop road that starts where the private road is approved and terminates on Emery Lane since the property touches all the way around. Mr. Scamman said it is quite steep and they wouldn't be able to subdivide so many lots. Mr. Austin asked if the installed culvert precludes moving the hammerhead location and if it were to make a radius northward and terminate perpendicular to where it is, it could fix some of the rectilinear issue.

Mr. Houghton said if you bring the 2 lots approved previously back into the mix and you look at constructing a Town road with 5 lots, is there a better solution when you bring that all back into the fold. Mr. Scamman said he had looked at it many times but it's his understanding they have met the regulations and zoning and when it comes to the interpretation of irregular shaped lots when it specifically says a narrow point in the width of that in a buildable area. Mr. Canada asked Mr. Scamman if he was contending this is not irregularly shaped. Mr. Scamman said it meets the width regulations that the Town has. Mr. Austin said he thinks it would be beneficial for staff and the Board to work on a definition of what is intended as a definition for a regular lot and therefore an irregular lot. In his opinion, lot 3 is an irregular shape and irregular in comparison to the other 4 lots in the mix. It does meet the dimensional requirements and is larger than 2 acres so the irregular shape is not being used to gain acreage.

Mr. Baskerville said the way he looks at it, it is that they came in and did a private road and did 2 lots, now they are saying they are going to have irregular shaped lots because they already have the 2 approved lots and want to now make it a public road. There is a new culvert that ends in front of the other proposed house and he asked if that would have to be piped or ditched around the house. Mr. Scamman explained that there is an existing swale and a drainage easement was put in the last application. He showed where it runs on the plan. Mr. Scamman said that is just a proposed location for a house. Mr. Baskerville said he tends to be in agreement with Mr. Canada and has concerns about the water flow. Mr. Paine added that when they came forward with the previous application for the 2 lots in the back, it was his understanding that they were going to have the 2 in the back and the one in the front would be commercial. Mr. Scamman said they had also talked about a third lot and the road would have to be brought up to a Town standard. There was talk about an access point if that lot was to become a commercial operation, but they thought coming back again so soon, it would be better to show it all subdivided and if that becomes a commercial lot they can move the lot line and put it back together. If somebody else wants another house lot, they thought it would be good to come with the whole thing. Mr. Scamman added that Mr. Reis's house was the old tavern in Town and is in the Lane book and he has been working with the Town somewhat on the history of that so he is more interested in keeping that rather than have it torn down.

Mr. Paine referred to the pipe just put in and said it is obviously sized for more water, but he asked they take into consideration the extra development so a dam isn't created that dumps extra water onto someone else's property. Mr. Scamman said Mr. Laverty wanted a 12" pipe; which they did. The road would be a single pitch instead of a crown road which would make the water flow in one direction so there won't be any more water flowing through the pipe than there is today. There will be some slope but it will be grassed. They had initially looked at putting in a bio retention swale, but Mr. Laverty asked them not to as he would rather have the water treated as it goes across the lawns than a bio retention swale that the Town has to maintain. Mr. Baskerville asked if there would be any type of drainage structure to keep the flow equal to previous conditions. Mr. Scamman said it's just going to be flowing through all the grass and fields because that is what Mr. Laverty asked them to do. Mr. Baskerville said he thought it was in the regulations that post needs to meet pre. Mr. Scamman said yes once you get to the point when that

requirement is needed. Mr. Austin said he assumed no changes to the road other than what Mr. Laverty asked for. Mr. Scamman said that was correct. Mr. Paine said that they are directing the storm water right at a potential house and asked where the rain would go and how fast. Mr. Scamman replied it is sheet flow and it will end up back at the pond. Mr. Baskerville suggested that if there is a lot of water flowing through the lots with no control, the Board might want to see plot designs to see where the house is going to go, the septic, drains, driveway and grading. Mr. Scamman said Mr. Laverty's concern was to put in a channel and concentrate that flow into one spot. Mr. Baskerville said with the new road there will be a ditch going down the edge of the road fill.

Mr. Houghton said tonight's comments from the Board are direct feedback as this is a preliminary stage and he suggested Mr. Scamman pay attention to that feedback before going forward.

- c) **Wireless Communication Facility**, an application by Victor Manougian, Esq. as Attorney for Cellco Partnership d/b/a Verizon Wireless c/o McLane Middleton, Professional Association. *Preliminary Consultation* for construction of a proposed 130' monopole and 12'x16' concrete equipment pad with cabinets and generator, enclosed within an 8' tall wood stockade fence at 58 Portsmouth Avenue, Stratham, NH 03885.

Ms. Paladino recused herself due to a conflict of interest.

Mr. Victor Manougian took the floor and introduced Robert Baker and Chip Fredette on behalf of Verizon Wireless and said he feels this is a better proposal than the previous one.

Mr. Fredette started by showing the search ring which was the same as the application for the 57 Portsmouth Avenue location. He referred to the site plan and said the access easement will follow the existing roadway up to the back of the lot where the storage units are located. This location was chosen for a number of reasons one of those being that there is a row of arbor vitae trees which are about 25' – 30' tall which can work as a buffer including for the Market Street area. It is essentially the same configuration as the previous application which is a 130' tall monopole in the center, stockade fence surrounding it, the equipment pad will be to the left of the monopole and there will be a propane tank that will fuel the emergency backup generator. They have opted for propane as there is some wetland on the property. The utilities will come from the last pole on the lot underground from there to the site.

Mr. Austin informed the Board that the access way until the point it turns parallel to the storage units, are both outlined as future Gateway roads. Mr. Canada commented that he didn't think they should inhibit the applicant because of something they might do in the future. Mr. Austin agreed and said he just wanted to make the applicant aware and said if currently they are looking at \$1,000 a foot for a right of way across the parking lot that could be conceivably much shorter in the future. He added that to Mr. Canada's point, it doesn't seem appropriate to hold Verizon to maintaining a standard for the aesthetic of that based on a future maybe date for a Gateway road to the east of it. Mr. Paine asked if fire access had been taken into consideration for fire trucks. Mr. Fredette said they are showing a width of 20' and they haven't looked at the NFPA code for fire truck access, but they have looked at it from the perspective of the trucks that bring in the tower which are equal to and if not longer than a fire truck. Mr. Paine asked if the truck could get in between the fence and the storage units. Mr. Fredette said he would get the dimensions for the next set of plans.

Mr. Baskerville asked if the elevation was higher than at the previous location applied for. Mr. Fredette said it is similar, probably about 10' higher.

Mr. Austin asked the Board if it would be requesting a third party review for the RF report or would it consider the previous one adequate. Mr. Baskerville said he didn't feel the need for another one. Mr. Paine asked if 130' was the lowest they could go. Mr. Fredette replied that the regulations state they can have a 150' tower, but they have chosen 130' as a concession. Mr. Paine said the area where they are locating the tower by the storage units, could be torn down and redeveloped for other uses in the future. His preference would be to have the antennas internal to the pole, and would like mitigation for any visual intrusion which also allows for better redevelopment adjacent to the property.

Mr. Canada asked if there was a downside to using internal antennas. Mr. Fredette said there was because in a pole like this you are limited to 3 panel antennas as opposed to having the ability to have 12 panels. When you limit from 12 to 3, the purpose of the site is limited coverage and capacity wise. Mr. Paine said an internal pole would be better suited for the Town's best interest. Mr. Fredette said he understood that, but while they are not defined as utility, smart phones are certainly a chosen utility by everyone and having coverage to support that development is the other side of the coin. Mr. Paine said it would be good if they investigated other options such as multiple locations. Mr. Fredette said this site is designed not just to provide coverage to sites in Stratham that don't have coverage, but also to pick up the capacity that has been loaded on all the sites through Exeter and Newfields. Mr. Canada asked if allowing the pole to be taller would help if they had internal antennas. Mr. Fredette said you end up limiting the co-location opportunities.

Mr. Baskerville said whether it is a stealth or monopole, it's going to be seen, but then if you go with a shorter stealth pole, is that an invitation to other people coming in and putting up more poles. Mr. Baskerville said he is in agreement with Mr. Canada and the Board asked them to move it across the street so he doesn't mind a 150' pole. Mr. Austin asked what happens when 4G becomes 8G. Mr. Fredette said they are still trying to get the first tower in and they are still at 4G; he can't see the need for another pole in the foreseeable future.

Mr. Houghton asked if there were any waiver requests. Mr. Fredette said there weren't any although he said arguably they are increasing impervious surface by changing from pavement to stone. The Board said that isn't a problem. Mr. Austin asked about soil type and wetland characteristics and whether or not 62' setback is enough based on wetland setback. Mr. Fredette said the wetlands were surveyed. Mr. Baskerville explained that wetlands are judged on the quality of the soils underneath and whether it's poorly drained or very poorly drained and for him this is a manmade wetland so it shouldn't be a very poorly drained wetland so for him this would be an improvement.

The applicant asked if the Board would like a balloon float to take place before the next meeting. The Board felt it would be better sooner rather than later. The Board thought non-certified letters should be sent to the abutters about the balloon float. Mr. Austin said the regular certified abutter notices will go out and then non-certified letters about the balloon float once a date and time was established.

## **5. Miscellaneous**

Mr. Austin sought the opinion of the Board on the level of detail they would like in a staff review for preliminary consultations. Mr. Houghton said he didn't feel much detail was needed. Mr. Baskerville said if there is a plan, he likes to see it so he can do a drive by. Mr. Austin said that will be on the website. He asked if they would prefer to receive the materials via e-mail for a meeting. The Board agreed a link to the website would be acceptable. The Board said they liked the format Mr. Austin had used for today's preliminary consultations.

The Board and Staff discussed the road issue with the Reiss application. Mr. Austin asked the Board if they would like Staff to work with the Fire and Highway Agents to come up with other iterations. Mr. Houghton thought it might be too difficult. However, he does think the Board should spend time trying to bring definition to irregular shaped lots. Mr. Austin said the only reference currently to irregular shaped lots is in the subdivision regulations which states that lots shall not contain irregular shapes or elongations solely to provide necessary square footage. Mr. Austin said he will look at irregularity in frontage.

Mr. Austin updated the Board that he had put together a Staff memo with a punch list of action items regarding Rollins Hill Development. He did meet with representatives from Rollins Hill going through the list and put together a summary of that meeting which hasn't been formalized yet because he spoke to the Town attorney who is doing his own version of the same. Mr. Austin shared that one of the buyers requested a sunroom be added to their house but the contractor didn't think to check the site plan and the sunroom now sticks across the setback line approved by the Planning Board. At the moment they are deciding what to do to come into compliance.

Mr. Houghton said this will be his last meeting as Chairman and he wanted to take the opportunity to say how much he has enjoyed being the Chair and working with the Board. He can't recall working with a more dedicated and committed group of people volunteering their time. It has been his pleasure to Chair. The Board thanked him.

6. **Adjournment.**

Mr. Baskerville made a motion to adjourn at 9:02 pm. Motion seconded by Ms. Ober. Motion passed unanimously.