



**Stratham Planning Board**  
**Meeting Minutes**  
**June 21, 2017**  
**Municipal Center, Selectmen's Meeting Room**  
10 Bunker Hill Avenue  
Time: 7:00 PM

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Members Present:     Bob Baskerville, Chairman  
                          Jameson Paine, Vice Chairman  
                          Tom House, Secretary  
                          Michael Houghton, Selectmen's Representative  
                          David Canada, Member

Staff Absent:         Nancy Ober, Alternate

Staff Present:        Tavis Austin, Town Planner

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

The Chairman took roll call.

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

**a. June 07, 2017**

Mr. House made a motion to approve the June 7, 2017 meeting minutes. Motion seconded by Mr. Paine. Motion carried unanimously.

**3. Public Hearing**

**b. Daley Subdivision**, application by property owner Michael Daley, represented by Bruce Scamman, Emanuel Engineering. Lot Line Relocation and Subdivision of 74 & 76 Willowbrook Avenue and 61 Lovell Road, Stratham, NH 03885 (Tax Map 23 Lots 12, 13, and 14) to create 6 new building lots.

Mr. Scamman, Emanuel Engineering reminded the Board and the public the details of the subdivision. There are 4 waivers and since the last meeting, there have been comments from Civilworks on some minor changes which were essentially scrivener errors. At the previous planning board meeting, drainage design was an issue. They have since met with Town staff and worked on that and with a few minor changes which are incorporated in the documents just handed out, the Town staff should be satisfied.

Mr. Scamman listed the waivers; minimum sight distance, pavement width, center crown road, and lastly one for the center line of the road being in the right of way. He added that he had another waiver request with him for bio treatment of storm water just in case the Board would require it.

He has provided a turning template which was submitted earlier.

Mr. Austin said the only revision is for the swale on the one side of the road and addressing all the comments from Mr. Connelly of Civilworks. Mr. Connelly did refer to a fire cistern, but there is a fire pond and hydrant already on site.

Mr. Colin Laverty, Director Public Works informed the Board that himself, Mr. Austin, and Mr. Connelly met to discuss drainage concerns he had about the proposed Town maintained drainage particularly the bio swale that runs along the edge of the road. His concerns are that the road could stay wet so in times of frost, the road could heave more than traditional swales. Mr. Connelly assured him that he felt it wouldn't do that. Regards maintenance, if sand or soil got in these swales, it would require hand raking, however they met with Mr. Scamman and he doesn't feel hand raking would be necessary for the swales. Another concern is a resident loaming and seeding over the stone swale improperly. Mr. Scamman agreed to install a filter fabric over the stone and install 8" of loam so a good root base is formed over the bio swale. Two catch basins were put in by Mr. Scamman at the end of the hammerhead as a fail-safe also. Mr. Laverty feels more comfortable now about the maintenance. He commented that bio swales are becoming more common and cautioned that if they do accept this road and multiple bio swales in the future, they don't know what the true maintenance will be 20 years from now. The Highway Department is maxed out and adding short turnarounds does increase their plowing times as opposed to through roads.

Mr. Baskerville referred to Sheet C4 and asked Mr. Laverty if he was OK with the location of the driveways. Mr. Laverty asked Mr. Scamman if some kind of language could be added to avert the problem of snow piling up at the end of the driveways. Mr. Baskerville referred to the 2 driveways at the bottom and said the pipe for the infiltration swale goes right through underneath them. Mr. Scamman said they will slide one of the driveways down by about 20' as it is not in the correct location. Mr. Scamman said he would be happy to add a note concerning snow storage at the end of the hammerhead. Mr. Baskerville asked if a 10' or 15' wide crossed hatch area reserved at the very 2 ends for snow storage as well as the note. Mr. Laverty said he would be happy with that.

Mr. House asked if the 2 driveways at the top of the hammerhead could be slid down also. Mr. Scamman said they could. He added that the driveways have to be permitted so Mr. Laverty will need to inspect them anyway. Mr. Canada asked that if the swales are covered as described wouldn't that increase the maintenance costs. Mr. Laverty said it would depend if there was a failing.

Mr. Scamman showed the bio swale and explained how it works for the Board. Mr. Austin said the positive thing about this design is that it reduces the clutter of leaves which cause the biggest problem for bio swales.

Mr. Baskerville said he is tempted to ask for the gravel to be extended onto the road to both of the swales at the end of the road. He explained that in rainy events the infiltration swales will act like under drains and will drain the gravel base to avoid standing water. If the gravel is extended to these, the water will be drained down to the catch basins and out. He worries about a saturated road bed. Mr. Scamman said the pipes are designed to act that way.

Mr. Paine said what the Town will be taking on at this location is a storm water utility because whatever pipe goes in the ground the Town will have to fix it if it breaks and as MS4 issues come in, the Town will need a GIS storm water layer. Mr. Austin says as far as he is aware every subdivision as built is submitted with some CAD format in GIS, but also comes as a PDF and the Town can keep track of all that. Mr. Paine said he thinks there is also a maintenance consideration with the access to that storm water utility. Mr. Scamman said the catch basin has access to all the pipes. He thinks this is better for MS4 as the treatment is better. Mr. Austin said this whole system will ultimately discharge to a wetland which then discharges into Thompson Brook which then discharges into the next water way. Mr. Scamman said the pipes are really a backup system and this whole drainage system is full of backups.

Mr. Baskerville talked about the utility easement and asked for a copy of the easement language once it was established along with the as built. He said it should be a condition precedent. Mr. Scamman asked if it could be a subsequent condition. Mr. Baskerville agreed.

Mr. Baskerville asked about legal documents for the well radiuses that overlap lots. Mr. Scamman said that hadn't been done yet; they are being proactive about putting it on the plan as well as several easements which he mentioned to the Board. All of the relevant information and language would be part of the future deeds too to his knowledge.

Mr. Paine asked about the lot on Lovell Road. Mr. Scamman showed the general area a driveway would go for that lot and a house also. Mr. Paine asked about the drainage. Mr. Scamman showed where the drainage would go referencing the plan. It will be a standard driveway with a standard culvert which would have to be outside the wetland buffer. Mr. Baskerville observed that the well itself is right up against the wetland 25' set back. Mr. Scamman said you can put them in a wetland, but they have no problem moving it. Mr. Austin said the well locations are not going to be recorded on the subdivision anyway.

Mr. Baskerville opened the floor up to the public.

Mr. Austin made the Chair aware that written comments had been received by the Planning Office and some of the representatives were here tonight. Mr. Baskerville read the comments out about the possibility of having a seasonal bike/walking path connection to Lovell Road from the Daley subdivision.

Ms. Bettina Kersten, Lucien Way explained that she is one of the organizers for bike to school day at SMS and a lot of parents have said they would like to see their kids biking or walking to school more often. She said for the kids living in Alderwood/Burnhaven there is no safe way for them to bike or walk to school and if a child wants to visit a friend over there, even though it is only half a mile away, a parent has to drive them for safety reasons. When she saw this new development going in, she saw it as a great opportunity to provide the kids with more safety and freedom to walk or bike to the school.

Mr. Scamman said his client has very little interest in putting in a right of way through the existing lot or where the proposed house is. The width of the right of way will become an issue as part of the process. As an alternative the Alderwood property owns the property that is past the pond so they could widen on their side of the road and put in a path through the woods.

Mr. Austin said from a planning perspective he encourages bikable and walkable, but from a functional point, he is not sure it is possible here. Mr. Scamman said there is also a liability issue. He suggested that another possibility for a path could be in the right of way behind the guard rail on the other side of the road, but his client feels putting it on private property would not be prudent at this time.

Ms. Kersten said most people move to their neighborhood because it is close to the park and the school with a couple of trails. These people think it is a safe place to go walking and biking, but discover they need a car to be safe to go down Willowbrook Avenue. She feels that this would be a positive to put this in.

Mr. Scamman said it would be nice to have sidewalks or bike lanes all over Town and he agrees with the theory behind it, but he just doesn't know if moving forward with it in this location as a condition would be appropriate.

Mr. Daley said he owns both the properties that would be affected if this were to go ahead and it would go across his lawn which is an invasion of his privacy and he would not agree to it.

Ms. Benson, Butterfield Lane said she has 2 children at the school and over 50 people signed an on line petition for this. She understands the regulations, but this is something more people desire.

Mr. Austin said he has met with 2 people from this group and he has started to take a look at possibilities such as how to connect conservation areas. He went to a DOT presentation separate to this which was about how to encourage bikeable and walkable areas in existing rights of way. He was motivated so spoke to Mr. Lavery who explained that they are all starting on roads that are wider than Stratham has. DOT said that the more cul-de-sacs a Town has, more people get infuriated with them and end up speeding when they finally access a through road. Another solution would be to narrow roadways where possible to slow people down.

Mr. House asked the residents if they had looked at Mr. Scamman's suggestion of using Alderwood property. Ms. Kersten said they hadn't looked at that, but she would look into it.

The Board addressed the waivers.

Mr. Paine made a motion to approve the waiver request for subdivision regulation Addendum A Table 1 (Minimum Stopping Sight Distance) based on the information provided to the ASHSTO's Geometric Design on Highways and Streets. It appears the project exceeds the national highway standards. Motion seconded by Mr. House. Motion carried unanimously.

Mr. Paine made a motion to approve the waiver for subdivision regulation Addendum A Table 1 (Pavement Width) for 22' road that is proposed would carry out the spirit and intent of current regulations. Motion seconded by Mr. House. Motion carried unanimously.

Mr. House made a motion to approve the waiver for Addendum A center crowned road, the proposed pavement has a single cross pitch of the 22' road and Town officials are OK with this. Motion seconded by Mr. Paine. Motion carried unanimously.

Mr. House made a motion to accept the waiver for Addendum A centerline road in the center of ROW. It meets the intent of the regulations and they also have additional retention on both sides, infiltration and bio retention. Motion seconded by Mr. Paine. Motion carried unanimously.

Mr. Paine made a motion to approve the waiver request for Addendum A; Figure A – Typical Road Section. The request for a bio retention swale for this unique case on this particular project appears to work at this location and site and should not be seen as a blanket approval across Town, but on this particular location it appears to be a viable solution. Mr. House added that Mr. Lavery has approved that detail as well. Motion seconded by Mr. House. Motion carried unanimously.

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

Mr. Paine made a motion to approve the subdivision proposed for 61 Lovell Road, 74 & 76 Willowbrook Avenue, Stratham, Map 23 Lots 12, 13, and 14 subdivision application to create 6 new building lots and lot line relocation between Map 23 Lots 13, 14 & 15 with the plans as modified and superseded by the plans received today for the project dated 6/21/2017 with the conditions precedent and subsequent as provided by Town staff with additional conditions precedent of:

The cross hatch snow storage areas shall be shown on the road plan

Condition subsequent; copies of easements should be provided to the Town prior to dedication or at time of dedication of the road.

Motion seconded by Mr. House. Motion carried unanimously.

- c. **Reiss Subdivision**, application by property owner John Reiss, represented by Bruce Scamman, Emanuel Engineering. *Minor Subdivision application* for a proposed subdivision of 16 Emery Lane, Stratham, NH 03885 (Tax Map 13 Lot 38) to create two (2) new building lots.

Mr. Scamman passed out some revisions to the plan which includes the removal of the bio swale, infiltration swale and under drain and replacing it with a traditional swale and pond system.

Mr. Austin said staff is comfortable that review by Civilworks is not necessary at this time unless the Chair decides otherwise.

Mr. Scamman reminded everybody about the application. He talked through the changes to the swale and how it affects the parcel. The amount of fill for the lot will be reduced and pulled in by about 9'. The water will run under the first driveway and into a pre-treatment swale which drops eventually into a large fore bay which holds 100% of the water quality volume for the entire road. Additionally there is a swale that runs around the hammerhead which gets to a catch basin which has a pipe which will daylight and be treated in the fore bay also. There is a rip rap level spreader overflow weir which will then allow the water to flow down into the larger pond which can store up to the 100 year storm event. They have added a catch basin at the point where it flows out as an outlet structure, in the pond. The pond lip is at grade and the pond is below grade. They have put an under drain in under the pond as they don't want standing water which will help reduce mosquitoes too.

Mr. Scamman referred to Sheet C3 to show the existing drainage easement.

They have moved the house on Lot 4 to the rear of the lot where it is highest.

Mr. Austin asked if someone were to subdivide on the Butterfield side would it be possible to connect to the road the way it is designed without any impacts to the pond. Mr. Scamman said it was possible.

Mr. Baskerville said he is generally much happier with this design which ends up with a much better road design for the Town and for Lot 4. He asked if the pond would be taken care of by the Town and if there would be an easement. Mr. Scamman said they already have easements designed.

Mr. Paine referred to the corner catch basin that crosses to the fore bay; he said they should probably have an easement over the drainage line. Mr. Scamman said he could do that.

Mr. Baskerville referred to sheet C4 and asked if it was possible for the Town to just drive up the driveway to access the pond. Mr. Scamman said that was discussed, but they haven't had time to add the finer last minute details. Mr. Austin asked Mr. Laverty where he would like to see the access. Mr. Laverty said if the whole area could be delineated as an easement that would be his preference. He would need at least 20' around the pond and points leading up to it as a minimum. Mr. Scamman and his client were happy to fulfil Mr. Laverty's request.

Mr. Baskerville said that on the roadway in, the side slope is 4:1, but it looks steeper to him. He asked Mr. Scamman to note on the plan that the minimum is 4:1. Mr. Scamman said it is already on the plan under the detail. Mr. Paine asked in terms of the front lot does Mr. Scamman anticipate a need for access to this road. Mr. Scamman said at some point there very well could be a need although right now they are not proposing any. Mr. Baskerville confirmed with Mr. Laverty that he was happy with this plan. Mr. Laverty said he was. Mr. Scamman said they would be glad to work together with Mr. Laverty.

Mr. Baskerville opened up the hearing to the public for comments. There were none.

Mr. Baskerville said he feels this is a traditional design and he doesn't see the need to send it back to Civilworks.

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

Mr. Paine made a motion to approve the minor subdivision application to create 2 new building lots for 16 Emery Lane, Stratham for the properties located at 16 Emery Lane, Tax Map 13 Lot 38 with the conditions precedent and subsequent in Staff Review for the plans dated 6/21/2017. Town Staff,

including the Town Road Agent, should be allowed to review the plans, provide comments, and have them addressed accordingly. Update easements as noted with regards to distances and locations and as discussed here the 20' access around the pond, with access to the pond as requested by the Town Road Agent. Under conditions subsequent, copies of all easements to be provided by him prior to implementation. Motion seconded by Mr. House. Motion carried unanimously.

Mr. Scamman asked when the review would likely to be. Mr. Austin said during the next couple of weeks.

- d. Wiggin Way Subdivision**, Mark Perlowski, 70 Portsmouth Ave., Stratham, NH 03885, for the property located at 14-16 Wiggin Way, Stratham, NH 03885, Tax Map 11 Lot 1. 2-lot Subdivision to create one new parcel

Mr. Austin said there are only some minor changes on the plans since the preliminary hearing at the last Planning Board meeting. Mr. Austin ran through the couple of scrivener errors.

Mr. Austin said he has spoken with Mr. Albert, Jones and Beach and suggested that when the Mylar gets recorded, it will not reflect the full extent of the driveway, but it will indicate the driveway location at the point of crossing the wetland. The dredge and fill permit has been endorsed by the Conservation Commission. His suggestion about the driveway is because they don't know at this point where the house will ultimately end up on the lot. The Fire department comment on the length of the driveway was to have a turnaround incorporated into the driveway.

Mr. Chris Albert took the floor. He said they have submitted the minimum expedited permit to the DES as the Conservation Commission approved it. Mr. Albert said the DES work number has been added to the plan and they should receive approval by July 16, 2017.

At the last meeting there was discussion about the well radius and the water system in the development. Mr. Albert shared the documentation that proves these 2 lots in this application are not part of the community water system for Wiggin Way.

Mr. Albert said they have 3 waiver requests. One for the outline for a reserve septic area, HIS mapping and plan scale.

Mr. Albert clarified that the USGIS stream on the lot is relatively far away in terms of the Shoreland Protection district. Mr. Austin had asked whether that is infringed upon by the development because of the stream on the adjacent parcel.

Mr. Albert said they have added a note that there is a cross hatch across the street which is part of a pedestrian access.

Mr. Austin referred to the HIS mapping waiver request. He explained that in the staff review he suggested being supportive. Two questions have arisen since; if the wetland boundary is moved from where it had been originally mapped then the soils will have also changed. He continued that if the wetlands moved, it is the wetlands modulation that would be affecting the HIS map which would be the same area you couldn't be building on anyway so he can't see a reason for justifying HIS mapping as a result of the wetlands boundary changing.

Mr. Albert said they have added a note on Sheet C2 that the final driveway permit would be reviewed by the Fire department. Mr. Austin said a note can be added to the building software which flags the fact the fire department needs to review the driveway permit.

Mr. Austin said there was a question at the last meeting about where the well radius was for the community wells which hit this property. Mr. Albert said he didn't know. Mr. Baskerville said it could be added as a condition. Mr. Austin asked if the purpose of the condition is to make sure the well radii don't extend across the line, into the buildable area, within the well radii of the proposed

lot. Mr. Baskerville said he is fine if they are in the wetland areas, but he doesn't want them to extend into the buildable area.

Engineer to coordinate with staff on verifying well radii locations for the community wells for Wiggin Way and should they cross into this project they will be added to the final plan.

Mr. Baskerville opened the floor to the public for comments.

Mr. Eric Flaim, Christie Lane said there are a few strains of wetland through the property and he thought the applicant was asking for some sort of variance. Mr. Austin said the application requires a wetland crossing which is the expedited permit that the Conservation Commission supported and DES would ultimately have to act on. Mr. Flaim said some of the neighbors had sent him emails with various concerns about the green space adjacent to this property, the wetlands, and proximity to existing properties. Mr. Flaim asked about the water issue and how it could impact the situation if the Aquarion deal falls through. He worried about the effect on the wonderful wildlife in that area.

Mr. Baskerville said that these 2 lots were reserved by the developer of the original subdivision with the intention of getting more lots in the future. In the covenants it states the community water applies to everybody except these 2 lots.

Mr. Baskerville said all the regulations appear to have been met. He asked about test pits. Mr. Albert said he had done them through RCCD and Mr. Cuomo. Mr. Gove did the wetland delineation. Mr. Baskerville explained that someone from RCCD has to agree with what Mr. Gove says it is. Mr. Austin requested copies of the emails for the record.

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

Mr. Canada made a motion to approve the waiver to not show a 4k reserve area on Lot Tax Map 11 Lot 1. Motion seconded by Mr. Paine. Motion carried unanimously.

Mr. Paine made a motion to approve the waiver for 2.3.2.d HIS mapping. Motion seconded by Mr. House. Motion carried unanimously.

Mr. House made a motion to approve the waiver for a 60 plan scale instead of 50 per section 2.3.2.c. Motion seconded by Mr. Paine. Motion carried unanimously.

Mr. Paine inquired about the shed on the property. Mr. Austin said the Code Enforcement Officer, Mark Morong was working with the applicant to resolve that issue.

Mr. Paine made a motion to approve the subdivision application for Wiggin Way subdivision, Mark Perlowski, 70 Portsmouth Avenue for the property located at 14-16 Wiggin Way in Stratham, Tax Map 11 Lot 1. A 2-Lot subdivision to create one new parcel with the conditions precedent:

Compliance with the Town Of Stratham Subdivision Regulations.

Applicant must provide Mylar for the proposed minor subdivision.

and:

Conditions Subsequent:

All State and local permits shall be in order prior to recordation of the Mylar;

Note to be added to plan Applicant shall coordinate with the Stratham Fire Department prior to issuance of a building permit to determine an approved fire apparatus turn-around to the satisfaction of the Fire Department;

There is a note 11 on the topographic subdivision plan sheet 2 which should be put on the actual subdivision plan for the Mylar

Applicant shall verify all notes and references provided in *Subdivision Notes* on Sheet A1 specifically Note 4 related to FEMA.

The radii be shown for the Wiggin Way community well to confirm they are not in a buildable area and be shown on the Mylar should they cross into the project site.

Motion seconded by Mr. Canada. Motion carried unanimously.

## 5. Public Meeting

- a. **Millbrook Office Park**, represented by Fred Emanuel and Bruce Scamman, for 118 Portsmouth Ave, Stratham, NH 03885, Tax Map 13 Lot 69. *Noticed Preliminary Consultation* for Site Plan Amendment.

Mr. Scamman explained the changes they wished to make to the original approved site plan. They would like to take buildings 4, 5 and 6 and combine them into one building, slightly moving building 2. The amount of impervious surface will be dramatically reduced because they plan to put porous pavement in both of the lots. The soils are sand and the pond out front never sees water even in the 100 year storm event that occurred. They would like to do away with the pond as it's not developed. They feel it is better for the water to be treated than go to the pond where the water just goes straight through because of the sandy soil. They are proposing to build a by-pass drive and eventually it will all be connected to other roads. They think if they could get some different ways to get in the site, they could minimize some of the traffic. They would hope employee parking would be on the outside ring and the inner ring for visitors. The well is in the front of the property.

Mr. Scamman continued that the new building is larger in mass than the existing building and he shared some renderings. He observed that Mr. Emanuel added landscaping to the existing site of his own free will and is sure that will be the same for the new lay out.

Mr. Austin asked if the porous fails, if it would be possible to design it so it flows to the pond. Mr. Scamman said they shouldn't have any issue as the test pit revealed that the sand is deep.

Mr. Austin talked about the parking and said the front set of parking has arguably more landscaping than the large expanse. He would suggest providing additional landscaping and right of ways for people stuck out there. Mr. Scamman said they are going to have aisle ways with no parking and connections for sidewalks. They have a large number of people who work there that do a lot of walking. Mr. Scamman said that they were planning to make it a walking destination so people can walk around the site. There are picnic sites already around the back of the building and they plan to keep all of that.

Mr. Houghton asked what was driving the need for the larger single building. Mr. Scamman said they have a potential client who wants one floor that size. Mr. Baskerville asked if it was going to be all office. Mr. Scamman said yes it would remain office as it is today.

Mr. Houghton said it looks like the difference between this amended plan and the new one is 5,000 S.F. of building. Mr. Baskerville said they would need an AOT permit, septic design, and driveway permit. Mr. Austin said there isn't really a process in the regulations for a site plan amendment. It's a matter of how many studies need to be redone. Mr. Baskerville said if a new AOT permit is needed then a new drainage study will be required too.

The members discussed the differences between an amended versus a brand new site plan. Mr. Houghton said he didn't really see a change as such. Mr. Austin said the pond is going away and porous pavement was going to be added.

Mr. Emanuel talked about extending the road to Stevens Drive and make it a Town road. Mr. Baskerville said it would be nice to see something which shows everything Mr. Emanuel owns and long term thoughts. Mr. Scamman had the information with him and shared it with the Board. Mr. Emanuel said one of the reasons they want to extend the road is to reduce traffic jams. Mr. Scamman talked about the traffic pattern. Mr. Houghton said they could have a path for trucks and just have signage for them.

Mr. Paine asked how many parking spots they were hoping to have. Mr. Emanuel said about 200 new spots which will result in about 350 total. Mr. Paine wondered if they had considered more than just one access point onto the site. Mr. Scamman said they will continue to work on making the access safer. Mr. Paine asked what the rough distance was from the site to Stevens Drive. Mr. Emanuel said about 2,000'. Mr. Canada said he thought that would be Trisha's Way. Mr. Scamman said he meant Trisha's Way. Mr. Austin said it might even make things worse as Bunker Hill doesn't have a light either. Mr. Austin asked if D.O.T. get any say. Mr. Emanuel said the intent is to keep the original plan and loop around the whole building. Mr. Austin said he has had several complaints about people taking a left turn out of the site and the only way to fix it is to modify the pork chop which then begs D.O.T. intervention.

Mr. Scamman said there will be 2 entrances.

Mr. Houghton feels that the issues seem to be drainage and traffic. Mr. Paine suggested some landscaping to break up some of the pavement. Mr. Austin mentioned lighting.

## **6. Miscellaneous**

Mr. Austin said he anticipated the next meeting on July 19 being used as a work shop to discuss the dead end street issue.

## **7. Adjournment.**

Mr. House made a motion to adjourn at 10:45 pm. Motion seconded by Mr. Paine. Motion carried unanimously.