



**Stratham Planning Board**  
**Meeting Minutes**  
**February 07, 2018**  
**Municipal Center, Selectmen's Meeting Room**  
10 Bunker Hill Avenue  
Time: 7:00 PM

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

Members Absent: Tom House, Secretary  
Robert Roseen, Alternate

Staff Present: Tavis Austin, Town Planner

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

The Chairman took roll. Mr. Baskerville asked Ms. Ober to be a voting member due to Mr. House's absence. Ms. Ober agreed.

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

**a. January 31, 2018**

Mr. Paine made a motion to accept the meeting minutes for January 31, 2018 as submitted.  
Ms. Ober seconded the motion. Motion carried unanimously

**3. Public Hearing**

**a. Subdivision application** for a four (4) lot residential subdivision to create four (4) new building lots at 13 Stratham Lane, Stratham, NH 03885, Map 26 Lots 1&2 submitted by Joseph Falzone, Harbor Street Ltd. Partnership, 7B Emery Lane, Stratham, NH 03885. Mr. Austin stated the only change in the plan since the last meeting is an inclusion by the applicant of all things discussed by the planning board; town road, town maintenance of the storm water retention area to be replaced with shrubs to a grass area, Mr. Roseen and Mr. Laverty reviewed and approved the plans before the planning board this evening, also included is a 50 ft. no-cut/no disturb deed restriction offered by the applicant which staff recommends being a condition of approval and that this be shown on the recorded mylar and the language reflect the appropriate map and lot number of the recorded

document in accordance with the town assessor's map and lot numbers and a the slight modification to state that not only is this applicable to "Jessica A Trammel", but "Jessica A Trammel and all heirs and successors to the property". Scott Cole, Beals Associates, introduced Joe Falzone and stated the planning board recommendation have been included with this submittal and the chairman's request to add the existing monuments into the existing conditions plan and the 50 ft. deed restriction area has been added. The revised plans have been reviewed with Mr. Laverty and he approved the road would be a town right-of-way and the new drainage design. Mr. Cole stated an HOA is not necessary with the right-of-way given to the town. Mr. Cole explained that Mr. Falzone has been in contact with the abutter and language was created which Ms. Trammel is willing to take over the deed restriction. The owner of the property has submitted a lot merger application which shows Lot #1 and #2 will be joined prior to the subdivision which negates the need for a lot line adjustment.

Mr. Baskerville opened the meeting for public comment. No public comments came forward. Mr. Baskerville confirmed that regional impact was discussed and Mr. Austin stated there was no regional impact for this project. The board discussed the waiver request to reduce the pavement width from 24 ft., which is required by the regulations, to 22 ft. is proposed and accepted by the highway agent, as well as planning staff.

Mr. Paine made a motion to accept the waiver request to reduce the pavement width from 24 ft. to 22 ft. knowing town staff is supportive of the request and is shown in other parts of town to be part of accepted plans. Ms. Ober seconded the motion. Motion carried unanimously.

Mr. Baskerville asked if the catch basin will run into the rim. Mr. Cole stated it is a deep sump catch basin as requested by the board. Mr. Baskerville questioned what the culvert crossing the road cover is over the pipe. Mr. Baskerville stated he would like Mr. Laverty to double check and confirm he approves the cover. Mr. Austin recommends conditions precedent that the boundary line adjustment occur prior to the subdivision. Ms. Ober made a motion to close the public hearing. Mr. Pained seconded the motion. Motion carried unanimously.

Staff recommends to move forward with acceptance and approval of the subdivision application and boundary line adjustment/merger as presented with the conditions as represented in the staff review submitted and based on the plans submitted this evening.

Mr. Canada made a motion to approve the application as amended this evening, including staff recommendations for precedents and minor editorial changes to the deed restriction. Mr. Paine seconded the motion. Motion carried unanimously.

#### **4. Public Meeting**

- a. Preliminary Consultation application** for clarification of records regarding condo owners from approximately 1999-2000. No elevation certificate for existing building. Removal of faux chimneys that were rotting causing water damage at 72 Portsmouth Avenue, Map 9 Lot 8 submitted by Frank Catapano, Association Board Member, for Stratham Plaza Association.

Mr. Austin explained that Stratham Plaza, from original approval until recently faux chimneys existed on the elevation. A planning board site plan approval was in 1980's, signed by all planning board members, which references a subset of plans which were submitted to the planning board during a meeting. The elevations as that time included a faux chimney element on the structure. Approximately 2012, around the time of the Domino's Pizza fire, the entire plaza was reroofed and the faux chimneys were removed. From the town's perspective, the

97 reroof which was or was not permitted included the removal of the faux chimney's which was or  
98 was not actually in the authority of the building official at that time since the planning board  
99 approved the structure with the faux chimneys. This was done prior to anything referencing  
100 gateway regulations, design review, or the elevations, other than the fact that the planning board  
101 approved the site plan based on the elevations and site plan which were submitted at the time.  
102 Mr. Austin suggested to the board of selectmen to move this forward that since the planning  
103 board approved something subject to elevations that, at the bare minimum, a preliminary  
104 consultation application can be submitted with photos of what the applicant would like to have  
105 and the planning board could determine the course of action. Mr. Baskerville questioned why  
106 this is being brought up years after the Domino's fire. Mr. Austin explained about a year ago  
107 during the CEO/Town Planner Report to the Board of Selectmen the question was raised of what  
108 happened to the chimneys at 72 Portsmouth Avenue. Mr. Baskerville asked were the faux  
109 chimneys were on the building. Frank Catapano, Stratham Plaza Association Board Member,  
110 stated there were six which were above the "A" on the building. Mr. Houghton stated that  
111 Attorney Descharme came before the planning board and talked about the potential for a pad site  
112 out front, moving the septic system to the ballfields behind the building, a new roof, and new  
113 façade for Stratham Plaza which are somewhere in the planning board records. Mr. Austin stated  
114 planning and building files have been researched with minimal information regarding the faux  
115 chimneys. Mr. Austin explained that there are changes in the building which have been before  
116 the board. The building was approved as tenant spaces and is currently condo spaces. There are  
117 recorded condo documents, but no planning board approval of said condo documents. Mr.  
118 Austin stated the building which exists today is not the building which was originally approved.  
119 Mr. Catapano stated the town files do not include an approved elevation and nothing that shows  
120 the building which is there now. Mr. Austin asked the board how the town acknowledge what  
121 currently exists as an approved elevation. Mr. Austin explained the files Mr. Houghton is  
122 referencing state the septic move, creating a road which goes around the building, and is a full  
123 discussion regarding back and cross access on the rear side of the building, etc. but no elevation  
124 that coincide with that exist. Mr. Austin also explained that there is not a clear succession in  
125 building permit history of what occurred with this building. Mr. Catapano stated he purchased  
126 the building in 2015 and the work occurred in 2012 from the information they've been able to  
127 find. Mr. Austin explained the current owners are under enforcement action unless the planning  
128 board agrees with the way it is to date. Mr. Baskerville asked if the septic system is still  
129 currently in the front or has it been moved to under the ball fields. Mr. Catapano stated it is out  
130 front. Mr. Baskerville stated that was a conceptual discussion and was not an actual planning  
131 board site plan. Mr. Canada stated that pre-gateway, the design is the developer's choice, and  
132 agreed it is acceptable as it is today. Mr. Austin explained that the minutes and the notices on the  
133 recorded document, the planning board originally approved the elevations that had chimneys,  
134 however, the regulations at the time of the planning board approval did not require the chimneys.  
135 Mr. Paine stated that based on the development along the corridor in the area, there are some  
136 buildings with cupolas and some without, and structure is well maintained and presents well and  
137 should be allowed to move ahead. Mr. Baskerville asked if there are any plans or ideas being  
138 considered that would come before the planning board in the near future. Mr. Catapano stated  
139 they are looking to fix the sign's internal lighting and changing the street side sign. Mr.  
140 Houghton stated he is not concerned with the chimney and has more concern with having the  
141 proper and appropriate documentation in the files so it is understood what building is supposed to  
142 be there and the ownership structure regarding condominiums versus tenants. Mr. Austin  
143 explained that the documents do not exist at the town level, but each owner has a recorded  
144 document.

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146 Staff recommends the planning board accept the architectural elements as presented by photo  
147 documentation this evening and require the applicant to come back with the appropriate

subdivision application to create the 23-unit condominium subdivision including the Homeowner's Association which exists at Map 9 Lot 8. Mr. Deschaine asked if the original site plan is being amended. Mr. Baskerville stated it is not a public hearing.

Mr. Canada made a motion to accept the building roof line at 72 Portsmouth Avenue, Stratham Plaza, as presented tonight with the pictures submitted and faux chimneys are not required. Mr. Paine seconded the motion. Motion carried unanimously.

- b. Preliminary Consultation application** for four (4) lot residential subdivision to create four (4) new building lots at 12 Sandy Point Road, Stratham, NH 03885, Map 25 Lot 91 submitted by Scott Cole, Beals Associates PLLC, 70 Portsmouth Avenue, Stratham NH 03885.

Mr. Austin stated the plan shows a 4-lot subdivision which requires two boundary line adjustments on the original parcels that exist, as well as the development of three (3) new single family house lots. Staff thanked the developer for providing a 60 ft. through right-of-way from Sandy Point Road through the property to the former Vo-Tech site. It is staff's understanding that the applicant is proposing a road base sufficient to support 28 ft. of pavement which is the proposed pavement width of the highway agent/DPW director has offered to the planning board as a future through road development pattern. The plans show a 2/3 hammerhead and the dash line on the second lot in is a construction and maintenance area for a cul de sac/hammerhead approach that would disappear at the time of through road connectivity with the Vo-Tech site. The right hand lot, 2.2 acres, is not an irregular lot without the through road, but is made irregular with a through road. The concept plan before the board not only shows the existing setbacks dictated by the zoning, it also shows the 75% road frontage square exists at the front setback line which is not irregular in the not-in-effect regulations of today. The developer has shown that this plan complies with the square regularity, as well as showing through lot connectivity. Mr. Lavery is accepting of the idea where the majority of the road, i.e. the road base is put in to support the future 28 ft. of pavement and accepts 22 ft. of pavement as shown. Mr. Paine asked if the 28 ft. includes bike lanes. Mr. Austin confirmed the 28 ft. includes 4 ft. of bike lanes on each side of the road. Mr. Baskerville questioned if the 2.04 acre piece has no frontage. Mr. Austin confirmed that 2.04 acre lot has zero frontage and is accessed by a right of way off of Sandy Point Road. The 2.04 acre piece currently has the long solid, dash dash, long solid configuration that is shown to the left most structure on that lot and what it currently looks like. Approximately 6.7 acres are being swapped with the development piece to keep the road further away from the existing historic barn on the property, as well as to allow for a more through road approach. The proposed right of way connection with the Vo-Tech, originally the plan shows the potential road connectivity running northeast to attach to the parking lot area at the Vo-Tech, but Mr. Lavery questioned why it was not being shown at a right angle along the common property line.

Scott Cole, Beals Associates, stated there have been several working meetings with Mr. Austin and the developer and at the recommendation of the town the future connection was added. Mr. Cole handed the board a copy of a normal hammerhead design to compare with the plan before them. Mr. Houghton asked for the existing condition to be outlined for clarity. Mr. Cole explained the plan to the board and discussion ensued. Mr. Cole stated Mr. Lavery agreed with "T" intersection cul de sac with a driveway coming off the end as long as language exists on the plan so the respective buyers know that is a snow storage area and becomes the property owner's responsibility to make sure they could get their driveway access there so the highway department can plow to the end. Mr. Baskerville asked if the state is going to require the applicant to shift the road to avoid the wetland impact. Mr. Austin stated he was not under the understanding that the current applicant would be building the road base to the Vo-Tech line and the road base

would be constructed to the extent of the current 22 ft. of pavement with the anticipation that the future developer would need to incur the wetland fill/impact costs. Mr. Paine agreed with Mr. Baskerville to allow a realistic roadway approach without dramatically impacting the wetland system. Mr. Baskerville asked if there are recently flagged and located wetland flags. Mr. Cole stated the flags are preliminary based on a sketch from the wetland scientist per site walk. Mr. Paine questioned if the lot that has no roadway frontage has no other access point to bring access to that lot. Mr. Paine asked Mr. Cole to explain the property to the north of Lot #1 and #2. Mr. Cole believes it to be Glengarry Condo Association open space. Mr. Baskerville asked to see the easement on the existing house lot which has no frontage becoming a section of the right of way and a buildability draft profile of the easement trying to limit any future wetland impact for the extended right of way. John Schoch, 12 Sandy Point Road, stated the wetland was caused by the berms the Vo-Tech built around the building.

#### **c. Capital Improvement Program-Town Administrator**

Paul Deschaine, Town Administrator, stated the Capital Improvement Program is a sub-set of the master plan and the planning board gets to view the plan as currently developed by the department heads and budget committee which focuses on the future years, 2019-2023. When the process was started there were requests, updates, and changes for 2018 which totaled almost \$2.6 million. One of the major changes this year the Department of Revenue Administration has made the determination that capital reserve funds, per the statute, need to be in a separate warrant article. For purposes of this presentation, the capital reserve funds are separated and included on the back page. Mr. Austin explained that the Master Plan Update Reserve, past two years the town asked and raised \$25,000, which Mr. Austin \$50,000 was originally listed for 2018 in anticipation of spending upwards of \$100,000 on the Master Plan Update. The RFP deadline was last Friday and the prices came in under \$100,000 which helps the plan to go down to \$25,000 to cover the Master Plan Update for upwards of a total of \$75,000 in the next year. The additional \$20,000 continuing throughout Mr. Austin supports that dollar amount to be looked at by a similar consultant to look at the Zoning Ordinance for consistency. Mr. Deschaine stated in 2021 and 2023 portions of the town hall roof will be reaching their expected useful life and repairs and/or replacement will need to be considered. The computer replacement programs was raised to \$6,000 which, in part, is for the mobile data terminals. John Scippa, Police Chief, stated the computer replacement program is a capital reserve fund which was established to help stay on pace with replacing and repairing computers that the police department uses both inside the building and inside the police cars. Chief Scippa explained in the past there was private funding to help equip every police car with a Panasonic Tough Book laptop and the computer stand to hold the equipment and connect it to the wireless antenna. The computers have been in place for the past 8 years and the computers are starting to fail. The Capital Reserve Fund has been in place during Chief Scippa's entire tenure and is asking for an increase of \$1,000. Chief Scippa explained a police officer cannot do their job unless they have immediate access to data. Mr. Deschaine stated due to access to the FBI database, there are a number of added security measures which raises the cost. Mr. Paine asked if the planning board's ability to use a developer fee could be put towards a health and safety program under Capital Improvement project. Mr. Deschaine stated a generalized impact by the development would have to have an impact fee ordinance; if a logical connection to the development and the need sited in the CIP you can have an exaction for that but then it would need to be expanded within 6 years. Chief Scippa explained the Traffic Control program and our community has a very strong need for programmable message boards for the community and the motoring public. The police and highway department work closely together and both could use in a collaborative way. The New Hampshire Department of Safety helps to administer federal grants and some of those grants are

50% matching grants for hard equipment to include these message boards. There is an application process for the 50% matching grant in September 2018 and it is the plan to have all of the requirements that both the police and highway department need and then the police department will file for the grant application. Chief Scippa stated he's been successful working with the grant program and is positive that a good presentation will be able to allow the town to get 2 for 1 message boards. Chief Scippa explained the replacement of the in-car radar systems. Mr. Deschaine discussed more of the proposed improvements for the board. The Heritage Preservation Fund is showing \$0 due to a separate warrant article proposed for that fund. The targeted purpose for the \$150,000 being requested is a preservation easement on the old town hall. Mr. Houghton suggested discussion take place regarding the highway department's budget costs with the updated Master Plan coming up.

Mr. Paine made a motion to accept the Capital Improvements Program as presented. Ms. Ober seconded the motion. Motion carried unanimously.

## **5. Miscellaneous**

Mr. Austin stated there were six letters of interest submitted under the Master Plan RFP and four proposals put forward. Mr. Austin is meeting with the Board of Selectmen on Monday, February 12, 2018 and the RFP advertisement stated within two weeks of the closing date interviews with selected candidates and moving forward prior to town meeting. Mr. Austin will be sending an email in the near future to Planning Board, TRC, Selectmen, and 108 Corridor Committee to ask for a representative for the selection committee.

Mr. Baskerville thanked Nancy Ober for her participation in the Planning Board and wished her well in her retirement.

## **6. Adjournment.**

Ms. Ober made a motion to adjourn the meeting at 9:03 pm. Mr. Canada seconded the motion. Motion carried unanimously.