



Stratham Planning Board
Meeting Minutes
April 18, 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
David Canada, Member
Jameson Paine, Vice Chairman
Tom House, Secretary

Members Absent: Robert Roseen, Alternate
Diedre Lawrence, Alternate

Staff Present: Tavis Austin, Town Planner

1. Call to Order/Roll Call

The Vice Chairman took roll.

2. Review/Approval of Meeting Minutes

a. April 4, 2018

Mr. House made a motion to approve the meeting minutes of April 4, 2018 as submitted. Mr. Canada seconded the motion. Motion carried unanimously.

3. Public Hearing

a. Site Plan and Conditional Use Permit Review Applications for proposed residential/commercial buildings with private well and on-site septic at 149 & 151 Portsmouth Avenue, Stratham, NH 03885, Map 17 Lots 39 & 40 submitted by Mark Perlowski, Perlowski Properties, LLC, P.O. Box 1137, Stratham, NH 03885.

Joseph Nichols, Beals Associates representing Perlowski Properties, introduced Mark Perlowski. Mr. Nichols stated a formal site plan has been added to the site plan package and the landscape plan has been separated from the landscape, lighting, and parking plan for

44 clarity. Mr. Nichols stated Jeff Hyland, Ironwood Design Group LLC, a licensed landscape
45 architect, made some recommendation for the landscape plan but did not have enough turn
46 around time to put together formal plans. Minor grading changes, as well as added spot
47 grades were added to the grading plan for clarity. The waiver for the landscape architect's
48 stamp is still proposed. A wall pack was added on either side of the Unit #1 and Unit #2 to
49 make it symmetrical. The wall packs are tucked under the eaves, as presented at the last
50 meeting, so they are not visible with the light shining down and they are dark sky compliant
51 and downward facing. Additional landscaping was added to the front of Unit #1 and Unit #2.
52 DOT site lines were added on the landscaping plan to show requirements for DOT
53 compliance. The landscape bark mulch beds were also added. The applicant has met all the
54 criteria of recommendations and requirements the board made. Mr. Paine asked if the
55 landscape plan includes enough room for snow storage. Mr. Nichols stated yes. Mr. Paine
56 asked for confirmation that the low lying vegetation in the front is to address the DOT site line
57 and safety concern. Mr. Nichols explained that trees were not able to be put in the area due to
58 the overhead utilities, as well as the close proximity to the pavement. Mr. Nichols stated a
59 sidewalk is proposed for the front of the Old Town Hall.
60

61 Mr. Austin stated, from staff perspective, the modifications correctly reflect the discussion and
62 sentiment of the board at the last meeting and is presented in the packet. If the board moves
63 forward with approval staff recommends the board specifically acknowledge the packet, as
64 submitted on April 18, 2018, when taking action and applying the waivers as previously
65 approved to it. Staff has no concerns with the proposed waiver on the landscape architect's
66 stamp not being required and recommends approval of the project as presented this evening.
67

68 Mr. Baskerville arrived at 7:18 pm
69

70 Mr. Paine stated his appreciation with the extra level of detail added based on the comments
71 received and asked if there are concerns from the board regarding the proposed project and
72 waiver request. Board members stated they have no concerns. Mr. Paine reiterated what
73 happened during this presentation for Mr. Baskerville. Mr. House questioned the applicant on
74 the two parking stalls for the physically challenged with the stripping between the spaces and
75 where it was shown on the plan. Mr. Nichols stated they were split up; one is in front of Unit
76 #2 to alleviate the parking area that may be constantly used in front of the entrance, and one is
77 in front of Unit #1 where the handicap ramp is located. Mr. Paine asked if anything unique
78 was required for this site that would not have been done somewhere else. Mr. Nichols stated
79 no.
80

81 Mr. Austin stated there is a pending waiver to Section 5.2.n.ii of the Site Plan Regulations,
82 landscape architect's stamp. Mr. Canada made a motion to GRANT the waiver to Section
83 5.2.n.ii regarding required landscape architect's stamp. Mr. Baskerville seconded the motion.
84 Motion carried unanimously. 5 Votes in the Affirmative, 0 Votes Against.
85

86 Mr. Austin stated staff recommended precedent conditions, should the planning board move
87 toward approval, to be compliance with state and federal improvements, NH DOT, and
88 coordination with the town assessor on map and lot numbers, as well as addresses whether the
89 merger is going to occur now or down the road. Staff recommended conditions subsequent be
90 the performance and bonding agreement for Section VII of the Site Plan Regulations and staff

strongly suggested a stipulation of the siding used on the proposed new structure and/or any replacement siding proposed on the Old Town Hall be compliant with Section 3.9 for the approved materials. Mr. Austin stated the applicant may want to declare the siding material to be used for ease of condition.

Mr. Baskerville made a motion to approve the Site Plan based on the plans, as submitted April 18, 2018, with the waivers approved at the April 4, 2018 meeting carrying through to this meeting, as well as the waiver approved this evening with the conditions as stated in the staff report and as summarized by Mr. Austin. Mr. House seconded the motion. Motion carried unanimously. 5 Votes in the Affirmative, 0 Votes Against.

Mr. Paine, Vice Chairman, handed the meeting to the Mr. Baskerville, Chairman, for the remainder of the meeting.

- b. **3 Lot Subdivision Application** to create 2 new duplex building lots for condominium development, and one lot to maintain the condominium duplex at 15-17 Union Road, Stratham, NH 03885, Map 10 Lot 76-1&2 submitted by Brock Ehlers, 163 Deer Street, Portsmouth, NH 03801 and Nina & Mark J Merida, 17 Union Road, Stratham, NH 03885.

Mr. Austin stated this project has been before the board for a preliminary consultation. 15-17 Union Road was approved by the Town of Stratham as a duplex at the time of construction. Since the time of construction it has been a condex. The application before the board is a 3-lot subdivision, and the 3 lots being proposed, one of which is already built with a duplex, and the other 2 lots proposed are for matching duplexes. The applicant is also asking for condexing the 2 new duplexes. Mr. Austin encouraged the board to have a workshop (in the near future) on how to deal with density as it comes to condexes. A condex creates two single-family homes on a 3 acre lot when the regulations require 2 acres for each single-family home, however, a duplex is allowed on a 3 acre lot under the current regulations. There is no physical impact on the land created by the form of ownership. Mr. Austin stated the application before the board this evening is a complete application for receipt by the planning board moving forward. The applicant is proposing a new dead-end road, temporarily named Taylor Court, which has not been approved by the selectmen. The application is complete with comments from Department Heads and a waiver request for 22 ft. of pavement within a 60 ft. right of way where 24 ft. is required. Mr. Austin stated the road agent/DPW is amenable to 22 ft. of pavement, but not amenable to the 2 ft. shoulders proposed where 4 ft. is required. The road will be a town road, a proposed storm water detention facility is shown on the plan and town prefers the pond be maintained by the association and to be consistent with 4.4.3.

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

Christian Smith, Beals Associates, representing the property owners introduced himself. Mr. Smith stated the proposal is for the existing 12 acre piece of property known as 15-17 Union Road which currently has a condex on the property. Mr. Smith explained that by

138 creating two additional lots, two new condexes, this will make the condominium
139 association legal. Mr. Smith explained the 60 ft. right of way will mirror the existing
140 driveway to the extent possible to minimize additional impacts. Two small wetland
141 features will be impacted up front; to extend an existing culvert that outlets a pond on the
142 neighbor's property but that will not be impeded and simply extend the pipe at the same
143 slope. Mr. Smith showed the layout of the subdivision plan with regard to the lots. The
144 applicant agreed to provide a "paper street" to the abutter in the event the planning board
145 is interested for future connection. Mr. Smith explained the proposed plan to the board.
146 Mr. Smith explained there is a 30'x60' easement for the town if they choose to put a
147 cistern in that location in the future. Mr. Smith explained the profile mirrors the existing
148 grade and avoids the wetland features. All of the catch basins are similar to Stratham
149 Lane. The bulk of the storm water and what is left that does not go over the spillway in
150 large storm events infiltrate into the ground after it goes through the treatment media of
151 the bio retention pond. The first wetland impact would be to extend the existing culvert
152 which comes out of the pond next door, roughly 56 ft. of impact, and a small finger of
153 road grading which comes out to 104 ft., so roughly 160 ft. of wetland impact.

154
155 Mr. Baskerville asked for clarification that the bio retention pond will be privately
156 maintained by the Condo Association and asked Mr. Smith to submit draft condo
157 association documents. Mr. Smith stated yes, the pond will be maintained by all three
158 building owners. Mr. House asked Mr. Smith to change "Breakfast Hill Road" to
159 "Bunker Hill Road". Mr. Paine asked if the "paper street" would be extended to the
160 property line. Mr. Smith stated it would be to project the end of the turnout to the
161 adjacent property. Mr. Baskerville asked the board if they would like to do a site walk.
162 Mr. Houghton stated the Conservation Commission may want to do a walk through as
163 well. Mr. Baskerville asked if the board could have an open invitation to go with the
164 Conservation Commission for their site walk. Mr. House asked for clarification for
165 which of the "fingers" would be part of the future road if it was there. Mr. Smith stated it
166 would just project forward and would be recorded on the plan as a "paper street for future
167 access". Mr. Baskerville asked if the "paper street" gets constructed as a right of way it
168 cuts off a lot and creates a fourth non-confirming lot. Mr. Austin stated he does not
169 believe putting a road across formalizes a subdivision in the State of NH and was the
170 question raised by the applicant also. Mr. Baskerville stated that question would be
171 researched before the next meeting to get a final answer. Mr. Austin stated the
172 subdivision site plan shows the existing driveway encroaching into the proposed right of
173 way and would need to be modified. Mr. Baskerville stated DES has updated their water
174 regulations and claim they are going to "hold people's feet to the fire" and wells will be
175 required to be drilled where they are shown. Mr. Austin spoke of the existing subdivision
176 and stated the planning board at the time was concerned about the landfill, now transfer
177 station, which abuts this property to the east, and stated all wells within 1,000 ft. would
178 need to be monitored. Mr. Austin explained the two parcels west of this property have a
179 20 ft. wide well easement that extends from the left border of this parcel across the two
180 neighbors for future well locations, so if the wells on this site become impeded they have
181 the right to traverse the two properties to the west to drill wells.

182
183 Mr. Baskerville opened the meeting up to public comment and stated this application will
184 not be voted on tonight; the plans will be sent out for third party engineer for review, the

Conservation Commission will need to meet and have a site walk, state permits are required, and staff will have more time for review.

Tom Stranger, 1 Strawberry Lane, asked if there is a history of what has been going on with that property. Mr. Stranger stated concern for going down the path of condexes which could lead to rental properties in a family oriented residential area and he does not want cluster housing. Mr. Baskerville stated zoning and subdivision regulations state the use in a residential zone, and anyone in a residential zone could rent their house. The purpose of planning board is to determine if the plans meet the regulations and if it meets solid planning. Mr. Baskerville stated the planning board cannot specify owner-occupied property.

Bill Edwards, 13 Union Road, stated concern with the subdivision proposal and additional condominium duplexes is beyond the density of this parcel in the spirit of residential zoning in Stratham. Half of this land is wetland, which is 6 out of 12 acres, and is standing water for most of the year. The town assessment card reflects wetland status on the tax card of this parcel. There is also a healthy brook and pond which border the property. Mr. Edwards asked the board to please give consideration to the zoning ordinance, Table 4.2, Footnote "E", "in the R/A district a duplex house on a single lot should have a minimum of 3 acres", coupled with subdivision regulation 4.3.1.b.2.i Minimum Lot Size, "areas designated as very poorly drained may not be utilize to fulfill the minimum lot size". Mr. Edward understands that proposed Lot 76-3 is described as 3.1 acres with ½ acre of very poorly drained soils which would diminish the lot below the 3 acre requirement. Mr. Edwards stated concern with the access to the property. With roughly 690 ft. of frontage on Union Road there is only one location where access is possible and that is across a large wetland area. An existing 15 ft. wide driveway, which is a small road based on length, currently exists and this access was built from an existing farm logging road with one edge located 3 ft. from the pond. Adding this length to a potential public road may be an undo burden to the town. Section 1.2 of the Stratham Ordinance titled "Purpose" states "to protect and conserve the value of property" and Mr. Edwards doesn't see how the proposal satisfies this purpose for the abutters. Mr. Edwards asked the board to consider the reduction of the proposal to potentially one additional dwelling in consideration with a like and large private driveway to be capable of additional use which could be easily maintained by a two dwelling homeowner association. Mr. Edwards asked for a correction on Page 17_037-1 of the Condominium Site Plan which incorrectly lists David R & Michelle A. Johnson as that abutter but should be listed as William R & Amy E Edwards. Mr. Baskerville explained that a road would be required to be built to full town standards, approved by the planning board and highway department before it is accepted. Mr. Baskerville asked the applicant to have a wetland scientist double check the soils type in order to get the proper lot sizing.

Mark Sullivan, 11 Union Road, asked for an explanation of the statement "where it goes over the property line" and whose property is being impacted. Mr. Baskerville explained the state DES sends plan to the subsurface bureau and the subsurface bureau checks that lots are buildable, a septic system, and well meets state requirements. Mr. House stated there is a 20 ft. setback. Mr. Sullivan stated his concern with an interested party stating "there has never been any problem with the wells" and the population is tripling. Mr.

Sullivan questioned if he should be concerned about the flow of his well. Mr. Austin stated he cannot comment as to whether Mr. Sullivan should be concerned about his well and reiterated the state reviews the wells, not the planning board, before they are put in. Mr. Baskerville stated the planning board is approving the applicant subdividing land, that they are the legal owner of the land, and creating a lot that meets the requirements. Mr. Austin and Mr. Baskerville explained the status of the existing condexes.

David Johnson, 20 & 22 Hickory Pond Lane, stated there is a stream between the two properties which appears to be ground-fed water and stated concern that by widening the road it would affect the pond which is on Union Road and the stream. Mr. Smith stated the storm water and treatment of storm water is going to be collected through a system of swales, culverts, catch basins and then put the water through a bio-retention pond which is a filtration media, recent BMP's of the Alteration Terrain Bureau, and is comprised of approximately 2 ft. of compost and sand and as the water percolates through it gets treated for removal of the nutrients and other contaminants in the water. Mr. Sullivan asked for confirmation that the Conservation Commission would be looking at this proposed project before there is a sign off. Mr. Baskerville stated yes.

Mr. Baskerville closed the meeting to public comments. Mr. Baskerville asked the applicant if he would like to take another look at the plans prior to them being sent to Civilworks. Mr. Smith agreed he would take another look and let Mr. Austin know so they can be sent off for review by Civilworks.

Mr. Canada made a motion to send the application to Civilworks for engineering review. Mr. House seconded the motion. Motion carried unanimously.

Mr. Paine made a motion to continue this hearing to the May 16, 2018 meeting. Mr. House seconded the motion. Motion carried unanimously.

- c. **6-Lot Subdivision Application** to create five (5) new building lots with road to Hillcrest Drive at 8 Whittaker Drive, Stratham NH 03885, Map 19 Lot 68, submitted by Jonathan S. Ring, PE, Jones & Beach Engineers, Inc., P.O. Box 219, Stratham, NH 03885.

Mr. Austin stated the application is complete and information was provided in accordance with the subdivision checklist. There are a number of waiver requests and a subset of those are potential need for waiver requests. Mr. Austin, Mr. Laverty, and Chief Larrabee went over the plans and some comments need to be addressed. The Planning Board may accept the application as complete but there is hesitation until third party reviews the proposed subdivision. The applicant was sent an email regarding specific comments from Mr. Laverty, Highway Department; Chief Larrabee, Fire Department; and Ms. Lewy, Assessing Department. Mr. Austin stated one waiver request is whether the planning board would like a waiver request form for the proposed granite curbing. The typical cross section in the regulations does not include granite curbing, in any way, shape or form. Mr. Laverty made a verbal comment to Mr. Austin that he preferred the sloped granite curb as opposed to the high bank granite curb for plowing purposes.

Mr. Baskerville stated one of the waiver requests is for the application fee. Mr. Baskerville stated the board waived the application fee and the applicant would pay the abutter notice fee.

Mr. Austin confirmed the applicant paid the abutter notification fee. Mr. Houghton made a motion to waive the application fee and allow the applicant to pay the abutter notification fee under Section 2.3.6.a for the 6-Lot Subdivision Application to create five (5) new building lots with road to Hillcrest Drive at 8 Whittaker Drive, Stratham NH 03885, Map 19 Lot 68, submitted by Jonathan S. Ring dated April 18, 2018. Mr. Paine seconded the motion. Motion carried unanimously.

Mr. Canada made a motion to accept the application as complete. Mr. House seconded the motion. Motion carried unanimously.

Mr. Baskerville opened the meeting for discussion with staff and the board. Mr. Baskerville stated this is a new application before the board, and engineering and third party review has not been completed. Mr. Austin stated the Conservation Commission has signed off on this application. Mr. Baskerville stated staff recommended not opening the public hearing this evening and have the applicant give an overview of the application submitted. Mr. Austin explained staff recommendation is regarding the new details that have not been reviewed by the board.

Mr. Paine made a motion to send plans submitted this evening to third party review. Mr. House seconded the motion. Motion carried unanimously. Mr. Baskerville stated before the application is continued a date will be chosen to send the plans to Civilworks for review.

Mr. Paine made a motion to open the public hearing for the 6-Lot Subdivision application to create five (5) new building lots with road to Hillcrest Drive at 8 Whittaker Drive, Stratham NH 03885, Map 19 Lot 68, submitted by Jonathan S. Ring, PE, Jones & Beach Engineers. Mr. House seconded the motion. Motion carried unanimously.

Jonathan Ring, Jones & Beach Engineers, introduced Brian Sullivan and Attorney Kevin Baum. Mr. Ring stated the proposed project is a 15 acre piece of property which is located between Whittaker Drive and Hillcrest Drive with an existing house occupied by the Sullivan's. Mr. Ring stated this is a new application, but the applicant has been before the board for 15-18 months regarding the proposal to develop five new single family house lots. Mr. Ring explained there is a proposed road connection between Whittaker Drive and Hillcrest Drive, the lots each have the required frontage and lot size of at least 2 acres, underground utilities are proposed, as well as leach fields and wells. Mr. Ring stated the third sheet of the plan set is the topography plan which shows the wetland locations and soils as required by the regulations. There is a waiver request for a 22 ft. wide road which is 2 ft. less than the 24 ft. wide town requirement. The reason for this waiver is due to the proposal being only 5 lots with a 50 ft. right of way constraint at the Hillcrest Side and the Whittaker Drive side having a 60 ft. right of way shown between the two 50 ft. wide right of ways the applicant is trying to minimize the width of the road construction and impacts, specifically on the Hillcrest side. The waivers are listed on Note #3 on Sheet A-1 of the plan set. The existing site slopes from north to south, sloping from High Street down through the property which is the low edge of the wetlands and a marsh exists between one of the properties and Union Road. The proposed road will intersect the drainage, from the right hand side of the plan, and carries it to a low spot shown on P-1. There are catch basins and cross pipes and the storm water will be carried, with a drainage pipe and a 20 ft. wide drainage easement, toward the back of Lot #3 and Lot #4 into a detention basin which will be privately maintained by the Homeowner's Association. The road will be a town road. The pond at the bottom would be

maintained by the Homeowner's Association and Attorney Baum will put together those documents. Mr. Ring stated once the plans are reviewed by Civilworks the applicant will make changes to the plans as necessary. There are two small wetland areas, one is a minimum expedited wetland permit which is 2,350 SF; broken out as 1,350 and 1,000. The homes will have stone drip edge for the roof runoff to capture and infiltrate the ground water, and each will have a rain garden near the driveways. There are some waivers for the Hillcrest side of the proposed plan. There is a 4 ft. wide gravel shoulder for most of the road, but when you approach the 50 ft. right of way the applicant is trying to minimize the construction impact and 22 ft. wide pavement with 4 ft. wide shoulders, and sloped granite curbing which goes from station 800 up to the existing bubble at Hillcrest Drive. The applicant will work with Civilworks and Mr. Lavery regarding the sloped granite curbing, reduced shoulder widths and some 2:1 side slopes due to the 50 ft. Mr. Ring stated Note 23 on Sheet C2 and Note 22 on A1; Note 22 on Sheet A1 reads "each new home will include a residential sprinkler system per NFPA Chapter 13R" and is included on Sheet C2 and the plan profile sheet. There is no cistern proposed for the 5 new house lots.

Mr. Baskerville asked what state permits will be required. Mr. Ring stated the NH Subdivision Approval Permit, which has been submitted; test pits need to be staked for the site walk and revisions need to be made in response to the request for more information. The second permit is the wetland permit for the minimal impact on the wetlands which has been filed with the Conservation Commission last week and filed through the Town Clerk process and is now at the state. Mr. Baskerville questioned how many feet of disturbance there is and if an Alteration of Terrain Permit is required. Mr. Ring stated less than 100,000 SF of disturbance and an Alteration of Terrain Permit is not required. Mr. Austin asked the applicant if it is permissible that the sheet flow from the proposed road south, which the surface flow has been captured with the swale that runs along the High Street side of the road but it is a proposed crown road so half of the road will sheet flow onto Lot #3, #4, and #5. Mr. Ring stated yes, the watershed flows mostly in the direction of the same detention pond and is controlled and included in the storm water management. Mr. Austin questioned if the wetland impacts can be avoided with the granite curb or another system, and Sheet P1 shows catch basins #1 and #2 are labeled but there is one further west that catches the swale. Mr. Rings stated there are 3 catch basins. Mr. Austin asked if curb section of road could go all the way to that westerly most catch basin with a pipe going in-board of the wetlands. Mr. Ring explained, that storm water management installed through a wetland currently can be maintained in 30 years because it is a man-made disturbance to the wetland; a man-made detention basin can be maintained without a state permit at this current time. The reason for the drainage to be at this location, some 25 ft. off the lot line, is where the low spot is to get down to the detention basin at the back of Lot #3 and Lot #4. Mr. House asked Mr. Ring to clarify the sprinkler system NFPA Chapter referred to; 13D is usually used for 1 and 2 family dwellings, "R" is usually multi-family and 13 is the commercial section. Mr. House asked the applicant to check on whether generators will be needed if the house is sprinkled and the power is lost. Mr. Canada questioned if Lot #1 and Lot #2 are irregular shape and requires discussion. Mr. Canada questioned if Mr. Brockelbank has given up all claim to the driveway in question that spills onto Lot #2. Mr. Brockelbank stated he cannot comment on that question directly, but they have not entirely. Mr. Canada stated the board would be approving Lot #2 based on partially disputed land which has not been resolved. Mr. Austin stated he would not be comfortable supporting the planning board taking the position that it is disputed land. Mr. Baskerville stated the surveyor has shown a property line. Mr. Austin stated that until proven otherwise by a higher authority it is not disputed land. Mr. Austin stated staff

position with regarding to the regulations is the current proposal is not proposing the “dog leg” for Lot #1 or the rectilinear portion of Lot #2, the current applicant is not proposing irregularity for the purpose of lot size.

Mr. Baskerville opened the public hearing for public comment at 9:17 pm.

Roy Byrnes, 2 Hillcrest Drive, stated him and his wife are not in favor of this project and believe it will destroy their neighborhood. They have lived on a cul de sac for 20 years and have enjoyed the peace and solitude of their backyard with very little traffic down the road. Mr. Byrnes stated concern for the safety aspects of the road with respect to the grade coming off Hillcrest Drive, down the road, with the turn being rather sharp, going downhill, and will be dangerous. Mr. Byrnes stated traffic will have trouble navigating through there. Mr. Byrnes stated concern for kids racing bikes down the road and with a blind curve adds additional safety concerns. Mr. Byrnes stated concern with people accelerating up the hill towards Hillcrest in the winter weather.

Scott Longwell, 1 Whittaker Drive, asked for confirmation whether there is an issue with the lot shapes; it appears to be not a problem and then it gets brought up as a problem. Mr. Baskerville stated, with board approval, that the current regulations as very vague and “odd shaped lots” are in the eye of the beholder and doesn’t give specifications. The town has a vast majority of lots that are not perfectly square or rectangular. The planning board has “past practices” of what is allowed and not allowed and it creates a precedent. At some point very soon the regulations will be updated with actual language that defines an odd shaped lot. Mr. Austin understands the regulations to be “lot shall not contain irregular shapes by design of the current application” staff understands that to mean if you have no control over what your neighbor’s side line looks like when you buy a piece of property one cannot be held accountable for it, which is functionally what happened with this property. Mr. Austin explained the back site history as he understands it for this property.

Mr. Austin stated an email was received from an abutter, Lori Zaniboni, requesting slope protection be included along the cut bank where the proposed road abuts her property. This email request will added to the record for the next meeting.

Don Graves, 5 Hillcrest Drive, stated he is not in favor of a through road, but with this plan Mr. Graves requested some edification on the abutting lot to his property with regard to the 50 ft. setback of the wetland be clearly, and boldly, marked and the bituminous 6 inch bump be less than 6 inches. The flow of water being on a downhill gradient the chances of the water flowing over a 6 inch lip is minimal. Mr. Austin questioned if the bump is in the right of way. Mr. Ring stated yes, it would be at the edge of the pavement. Mr. Ring stated the applicant would be agreeable to make this 4 inches high and 12 inches wide.

Roy Byrnes, 2 Hillcrest Drive, stated the drainage on the north side of the cul de sac will be cut and move the road quite away from the drain and questioned if the drain will be effective that far off the road or should it be relocated nearer to the road. Mr. Ring stated Note #21 on Sheet P1 which reads “Hillcrest Drive existing drainage and underground utilities to be relocated and adjusted satisfactorily to Stratham Department of Public Works and the utility companies.” Mr. Byrnes stated Note #5 and Note #21 states “all the decisions will be made later by other parties” and for someone who is going to have work done on their property, due to the easements already in place, he would like a better understanding of exactly what work

will be occurring. Mr. Byrnes stated on the north side of the new road it appears to be fairly close to his property line and is concerned with a fence being in jeopardy of damage from the plow pushing snow out of the way. Mr. Baskerville asked the applicant to provide a detail for this to review it closer.

Mr. House asked the applicant for clarification of the note on Sheet C1 which states “TBNE, see note 7” since there is no Note 7.

Mr. Baskerville asked the applicant if they believe the plans are ready to go out “as they are” to Civilworks. Mr. Ring stated yes. Mr. Baskerville stated the plans should go out April 19, 2018, as submitted. Mr. Houghton asked the applicant what they hope to accomplish at the May 2, 2018 meeting. Mr. Ring stated they would have the questions from Civilworks and they will revise those, including any additional input with respect to the waivers or the inclination of granting the waivers or not, and get a game plan to revise the plans in the next week and a half and submit them to the board 2.5 weeks ahead of June 6, 2018 meeting so it can be sent back to Civilworks at the same time and then hopefully Civilworks would have a clean letter by June 1, 2018 to allow a potential approval on June 6, 2018. Mr. Houghton stated it sounds like a work session so plans don’t have to be being done more than once. Mr. House stated it will help expedite and keep the application within the 60 days.

Mr. House made a motion to continue this hearing until May 2, 2018. Mr. Canada seconded the motion. Motion carried unanimously.

Mr. Austin stated he would email the plans to Mr. Connolly at Civilworks. Mr. Austin explained to the board that a facsimile was received this evening from Robin Wilkins. Ms. Wilkins stated she and her sister are legal property owners of land on Whittaker and they were not duly noticed as an abutter for this project. Mr. Austin went through the tax map and cannot find a Robin Wilkins owning property in the Town of Stratham, none of the abutters under state statute of the regulations go by that name. Mr. Austin stated he does not believe this to be a failure in the process, the abutter labels were provided by the applicant, verified by the town, and sent out. Attorney Baum requested Mr. Austin share that email with him. Mr. Austin agreed.

4. Miscellaneous

Mr. Austin stated the 120 day deadline is very close since 118 Portsmouth Avenue has received approval. The applicant has been waiting to submit the site plan for recordation pending AoT and they’ve received a few issues to clear up and are formally requesting a 90-day extension.

Mr. Houghton made a motion to grant the initial 120 day period a 90-day extension for the approved application for 118 Portsmouth Avenue. Mr. Paine seconded the motion. Motion carried unanimously.

Mr. Austin stated 118 Portsmouth Avenue found more loam than they expected to find so they may come before the board with plans and forms to move some of that loam off site, possibly on a temporary basis.

Mr. Houghton asked the board to put the “odd shaped lot” discussion on an agenda sooner rather than later. Mr. Austin stated he would put together a definition for a “regular lot” and “an irregular lot” and put together a metric to help the planning board determine whether a lot is regular or not. Mr. Baskerville recommended the board put together the list of regulation changes to be discussed and have one meeting to make the necessary changes. Mr. Houghton stated these items seem to be happening more often and the board will need to make more decision regarding these items in the future and were caused by prior planning. Mr. Austin stated the five items which need to be discussed for changes are: “regular versus irregular lots”, “no hammerheads”, “cross sections”, “drainage”, “Illicit Discharge Detection Elimination (on-site construction management and BMP implication)”, and “cisterns”.

Mr. House made a motion that the May 16, 2018 meeting will be a Planning Board work session for Subdivision Regulation changes. Mr. Paine seconded the motion. Motion carried unanimously.

5. Adjournment.

Mr. Houghton made a motion to adjourn the meeting at 10:04 pm. Mr. House seconded the motion. Motion carried unanimously.