



**Stratham Planning Board
Meeting Minutes
May 17, 2017
Municipal Center, Selectmen's Meeting Room
10 Bunker Hill Avenue
Time: 7:00 PM**

Members Present: Bob Baskerville, Chairman
 Jameson Paine, Vice Chairman
 Mike Houghton, Selectmen's Representative
 Tom House, Secretary
 Nancy Ober, Alternate

Members Absent: David Canada, Member

Staff Present: Tavis Austin, Town Planner

1. Call to Order/Roll Call

The Chairman took roll call.

2. Review/Approval of Meeting Minutes

a. May 03, 2017

Mr. Paine made a motion to approve the meeting minutes from May 03, 2017. Motion seconded by Mr. Houghton. Motion carried 4-1. Mr. House abstained from voting as he wasn't present at the May 03, 2017 meeting.

The Chairman changed the order of the meeting starting with Agenda Item 2 for Realty Acquisitions, LLC.

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.

Ms. Ober recused herself as she is an abutter to the application. Mr. Baskerville took the opportunity to inform the Board of Ms. Paladino's resignation from the Board.

Mr. Austin said the application was complete as submitted except for a stamped surveyor's plan.

Mr. Bruce Scamman, representing the applicant said that this has been their past practice in Town for the last 15 years that they don't have the licensed plan surveyor stamp it. Mr. Scamman stamps it as a professional engineer and septic designer for subdivisions and test pits. At this stage they are not looking for an approval or a signed Mylar; the surveyor stamp tends to get provided at the final approval stage. If the Board decides it wants the stamp at the time of submittal going forward, they will do that, but until final boundary lines are in place, it makes sense to wait until that information is in place. Mr. Baskerville said in the future he thinks the Board should have a stamped surveyed plan to accept things as complete. Mr. Paine and Mr. House agreed. Mr. Austin said staff are happy to make that change at the counter. Mr. Austin felt it was probably OK to let this particular application continue without a stamp as there were many recorded surveys for individual lots on the plan so he couldn't foresee much room for error.

Mr. Scamman asked for clarification. Mr. Baskerville said it should be on any boundary plan, any lot line adjustment, and any subdivision plan and engineering plans such as plan and profile; obviously Mr. Scamman can stamp any septic plans.

Mr. Baskerville talked about the submitted waivers and said if the Board looks at sheet C-3, the well radius goes 30' – 40' into the Town right of way and then it goes over the property line into the abutter's lot. He didn't think that was allowed by the State any more. Mr. Baskerville said the Board should consider if a waiver should be submitted for that. Mr. Scamman said the way NHDES regulations are written is that any place that is not allowed to be built on, in this case you can't built a house or leach field on a road, is OK for a well radius.

Mr. Baskerville referred to bio retention swales instead of normal swales; they are not in the Town's standard right of way. He thinks that needs to be discussed. Mr. Austin said the 3rd party reviewer had no problems with the swales submitted in another application. Mr. Scamman said they did it on the Town road for Subaru also. Mr. Baskerville said he was going to object to that and asked if that swale in the future can be maintained like any other swale in Town and is maintenance of this swale different to a road side ditch. Mr. Baskerville said it needs to be discussed and he thinks the easier way around it is to request a waiver. Mr. Austin said if the application was to move forward with a proposed 60' Town road, the waiver might be in play. Mr. Austin said he didn't want to move that the Planning Board was going to accept the Town road either.

Mr. Baskerville asked if Willowbrook Avenue was a Town road. Mr. Austin said it is a Town road, but is not currently maintained in the winter by Stratham. Mr. Austin continued that the Town of Greenland plows that stretch because it is at the end of their run so it is maintained, but not by the Town of Stratham. After Mr. Austin compiled the staff review, he did receive a letter from the Town Administrator in Greenland indicating that they plan to repave the Greenland portion of Willowbrook Avenue and have requested a bond be in place for the duration of the construction process. Mr. Scamman said the language was "may" request a bond.

The conversation turned back to the need for a surveyor's stamp. Mr. Scamman said they will have a stamp on the next set of plans they turn in.

Mr. Paine made a motion to accept the plans for the Michael Daley project as complete. Motion seconded by Mr. House. Motion carried unanimously.

Mr. Scamman said he was representing Mr. Daley and working also with Ms. Carol McGrady who is working with them on a lot line adjustment as part of this subdivision.

Mr. Scamman showed and explained the plans for the benefit of the audience. He said they have proposed putting in a road coming off Willowbrook Avenue, extending it a little over 500' with a hammerhead. That road will have 6 new house lots on it as it wraps around and the existing house lot will be made larger. They took the direction of the Board at the preliminary hearing to straighten the road to make it 72 degrees; it was approximately 60 degrees before.

Mr. Scamman said they have had conversations with one of the abutters since the preliminary because the survey for her leach field shows it on Mr. Daley's property. They have worked with the abutter to give her land around her leach field and her septic tank so that would benefit her and give her frontage on the new Town road that is being proposed. A small quadrilateral of land is given to Mr. Daley as she received a triangular piece of land over her leach field. With that said, as they go forward with the lots, shortening the road and the lot line adjustment has given the applicant more acreage to create 6 lots on the proposed road. The road design will be 22' wide rather than 24'. They have a waiver for that. The road has a singular pitch so the water will all go to one side and go into the bio swales so the water will be treated and slowed down. The water will infiltrate too so that will decrease the amount of water flowing off the site. They have done drainage calculations which show a reduction of water flowing off the site so less water will enter the neighbors' properties.

Mr. Scamman showed the location of easements on the plans and said Mr. and Mrs. Daley would like to have a no cut zone on the property line which they have put in the 20' setback. There is a utility pole that runs power to the existing house so an area has been added to allow for maintenance of those power lines. There is a proposed 20' drainage easement which runs off the hammerhead. They have put a utility easement and drain around the hammerhead for the construction and are proposing underground utilities for the whole site. Mr. Austin suggested that if possible, the well radius on Lot 23-55 could be shifted at the terminus of the hammer head north by north west so it would overlap Pheasant Run open space, a no build area. Mr. Scamman said State law says you can go over any property by 10' with a well radius because it's illegal to put a septic system within 10' of a property line.

Mr. Baskerville referred to the road and said there seem to be 6' or 7' cuts. Mr. Scamman said at station 250 is the highest point of existing grade and the proposed grade is 115.8, so a 3' cut. Mr. Baskerville said he would like to see driveways with culvert sizes on the plans.

Mr. Paine talked about the driveway accesses and swales. Mr. Baskerville said he is looking at 2 options; rock swales and bio swales. For the west side of the road, the rock swales will work. One option would be to fill below the pavement with just rock so the water can traverse under the driveway and the other option is to remove about 4' of the area and put rock down all the way to the existing rock just before you get to the crossing, Mr. Paine asked about snow. Mr. Scamman said if they put in a rock infiltration area then it would be able to drop down through that. He can still put in a pipe but he thinks there is more of a chance of degradation to the swale and under drain in the future. Mr. Paine asked if there was a treatment plan for the discharge. Mr. Scamman said it is already treated by the time it gets there. Mr. Paine said he was referring to another discharge pipe to protect it from eroding. Mr. Scamman said there is rip rap to maintain the speed of water as it goes down the swale. Mr. Paine asked if this was going to be a homeowners' association or private, individual lots. Mr. Scamman said they are proposing individual lots.

Mr. Baskerville said he has concerns because as of right now ditches are being proposed that are 9' wide, 7' deep and made of different materials with under drains. He feels they need to consider

the DPW because these may work great for the first year, but will need to be properly maintained. There are going to be a stretch of swales which need different maintenance to all the other swales in Town. The lots are small and if someone mows over it, it could add a lot of additional cost and maintenance for the Town. Mr. Paine said he had concerns about the chlorination of the well too. Mr. Austin said all these issues could be addressed with a private road and an association. He added that he did raise the point in his staff memo that it is good to have access to a road that is currently not plowed by the Town; he asked the question, is it scattered and premature to put public roads out in the middle of an area that isn't regularly serviced. Mr. Baskerville said he didn't buy into that because there must be an agreement between Greenland and Stratham.

Mr. Colin Lavery, Director of Public Works said ideally simpler means for drainage swales are better and it's better for the department if they are uniform throughout the Town. He can't say what the maintenance on swales could be 10 or 15 years from now. They do sub-contract maintenance out when needed so he is not saying it can't be done. Mr. Lavery confirmed there was an agreement with Greenland. Stratham plows roads for Greenland too. Mr. Lavery said he is happy to take on this subdivision, but these short roads add half an hour here and there for plowing, and the Planning Board and Selectmen have to be aware that eventually more resources will be needed.

Mr. Austin said that this application is in line with the regulations. Mr. Houghton said a Town road should be 24' wide though. He continued that there are alternatives, but they may not result in 6 lots.

Mr. Austin suggested the Board consider asking third party review their opinion of what they see as the implications on the Town with a bio swale that is Town maintained.

Mr. Scamman said he is a little surprised by the Board because when he was there with the preliminary for the other subdivision it said it didn't meet the requirements for drainage, this Board said they needed to have correct drainage. State laws, which this doesn't fall under because it's smaller, show this type of drainage for treatment which is safer for the environment and Thompson Brook is just down the way. They are doing better treatment for the water so when it goes down to Thompson Brook and everybody's property, it is better treated than any other traditional systems out there.

Mr. Scamman said that everybody in Stratham is on some sort of road, and he wanted to know why this road and this time and juncture is now being put to a different standard than anything else in the past. He said he will make the road 24' wide if that is what they want, but it means more pavement and more run off.

Mr. Scamman said he hasn't received any of the comments supplied to the Planning Board by staff.

Mr. Baskerville said he doesn't think the Board is holding Mr. Scamman to a different standard. It was brought up by the Planner several meetings ago that perhaps in the future all dead end streets should no longer be public roads. The swales are different from the norm and that could mean extra costs to maintain them. Mr. Paine said perhaps this newer technology could be situated at a drainage collection system. This is a residential area with access and maintenance considerations. Mr. Baskerville referred to the driveways and said for now he would like to see how they are going to be handled, whether it's going to be a pipe, if they quick infiltrate and there's no pipe underneath will that mean the driveway gets washed away and has to be replaced. Mr. Scamman said he

assumed that would go to Civilworks for their review. Mr. Austin said it would be better if things such as driveways and culverts be included before plans go to Civilworks.

Mr. Houghton asked Mr. Scamman what the recommended procedures were for maintaining the bio swales. Mr. Scamman said it's the same for any drainage structure and the reason they put them all down the road was because of the 1:1 strategy meaning one square foot of paved area to one square foot of infiltration area. Traditional systems are ponds which end up around a ratio of 21:1, 40:1. So if you have infiltration rates, it is much more damaging on the soils under a pond versus under a swale. If the swale is 9 feet wide it has more room for infiltration coming off 22' of pavement.

Mr. Austin asked Mr. Scamman if he knew how bio swales were affected by events such as frost versus heat. Mr. Scamman said bio swales are mostly sand and have a fast infiltration rate and the movement of water goes down so the pavement doesn't break up. Mr. Paine asked that if the bio retention units were on both sides of the road, would the applicant be amenable to placing markers on the exterior property side. Mr. Austin said the setbacks alone would almost triple the area which will more than cover the 9' of the structure. Mr. Paine asked if they had been before the Conservation Commission. Mr. Scamman said as there are no wetland impacts, they hadn't.

Mr. House pointed out a discrepancy on the notes relating to the infiltration swale. The notes say 9' bio retention instead of swale.

Mr. Baskerville asked if the road was centered on the right of way. Mr. Scamman said it wasn't because of the narrowness of Willowbrook Avenue. Willowbrook is so close to the edge of the existing right of way that they had to off center the road so that the curb fit within the right of way. They did have a small easement for the gravel and maintenance. They spoke to Mr. Lavery about this so for winter and plowing purposes, they put a 10' easement on that corner also. Mr. Baskerville suggested another waiver as it is very unusual for a road not to be in the center of a road. He added that there is an infiltration swale that he assumes the Town will be responsible for and some of it is on the lot. Mr. Austin said that is a bigger concern for him that the centering of the road. Mr. Scamman said what is difficult is Willowbrook Avenue being in the middle of the right of way which is what caused this. He said they could ask for a waiver for a narrower radius, but they feel it is worse on this road because of the curvature.

Mr. Baskerville suggested a site walk.

Mr. House said on the plans it is showing underground utilities on the south side. Mr. Scamman said there is a utility easement there and the infiltration swale is covered also. They will put utility boxes at the property lines and they have one set to run back across.

Mr. Baskerville said the legalities of the utility easement will need to be worked out. There was further discussion on the various easements. Mr. Baskerville said they would work out the finer details as they continue through the process.

Mr. Baskerville opened the meeting up to the public for their comments.

Mr. Beckstead, Willowbrook Avenue referred to water running off to the left hand side which is his back yard. He has wetland and standing water there now and he wondered if that would increase from this development.

Mr. Scamman said they have designed it for less infiltration so there will be less water existing on the site. He showed Mr. Beckstead where the water would go.

Mr. Figary, 44 Willowbrook Avenue, Greenland asked about the drainage also. He said where the water is coming across is dumping straight into his property. Mr. Baskerville said there are rules that say the rate of flow can't be increased so this will be sent out to a third party reviewer to review the submitted drainage calculations. The Board has the right to question them. The resident then wondered about this being considered regional impact.

Mr. Baskerville read a letter dated May 10, 2017 from the Town Administrator from Greenland referring to the Greenland portion of Willowbrook Avenue being paved and the concern of damage from construction vehicles. Mr. House observed the trucks could use a route to avoid the Greenland part of Willowbrook Avenue. Mr. Austin said it is part of the role of the Board to determine whether or not there may or may not be municipal impact for the purposes of noticing those adjacent municipalities.

The Board decided out of courtesy, the Town of Greenland should be notified going forward. Mr. Austin referred to the bond request from the Town of Greenland and said a condition of approval could be added that the applicant speak to the Town of Greenland at the time of construction to determine whether or not a bond would need to be placed. The Board discussed whether or not they felt this was considered regional impact. Mr. Scamman argued that the size of the development wouldn't have a regional impact.

Mr. Houghton made a motion that given the proximity of the Town line while it may not qualify under the threshold of a regional impact, the Planning Board would like to send an official notice to the Town of Greenland accepting their letter as a comment and to ask if they have additional concerns. Motion seconded by Mr. House. Motion carried unanimously.

Mr. Figary inquired about snow removal and asked if the lane going into the hammer head was public. Mr. Austin said it was proposed. Mr. Figary said if Greenland plows Willowbrook, who will plow the proposed road. Mr. Austin said presumably Stratham unless Greenland suggests an arrangement with Stratham. Mr. Austin asked what the width of the Greenland portion of Willowbrook Avenue is. Mr. Figary said probably around 18' – 20'.

Ms. McGrady, Willowbrook Avenue asked if this was going to be completely clear cut behind where the subdivision is going. Before Mr. Scamman answered, Mr. Austin asked if the lot line adjustment would go ahead anyway. Mr. Scamman said he is assuming everything will move forward so he isn't sure. Mr. Baskerville said that as a Board they don't have complete control over what will happen with clear cutting as subdivisions are often sold on to other parties who then develop the land. The Board can ask for areas not to be cut. Mr. Austin said in this case though the applicant has requested a no cut buffer along their boundary. It would be consistent if appropriate to put a similar no cut buffer or a screened fence or something similar around the new rear property line.

Ms. McGrady asked if there was a way to have a privacy fence at the rear of her property because at the moment she had a private idyllic wooded area and now 6 new houses are going to be built. Mr. Scamman clarified that although it is in the Manufactured Housing district, doesn't mean the houses going in will be manufactured. Mr. Scamman said they might be able to put something in for Ms. McGrady, but he would need to talk to his client.

Mr. Paine said with the proposal as shown, the road accessing Willowbrook across from the property will be an existing homeowner who may be affected by headlights and in the past with other applicants, mitigation to alleviate those concerns have been made. Mr. Scamman said he

would have to go out and look at it. Mr. Paine referred to the hammerhead and asked if alternatives were considered across from Alderwood Drive. Mr. Michael Daley said there isn't enough room between the existing dwelling and the boundary line to put a road through there.

Mr. Austin asked if there had been any discussion about a road name if it becomes a public road.

Mr. Baskerville discussed third party review and felt that this should be sent out for review. He would like the review to include driveways. Mr. Scamman said he would need to add details to the plan. Mr. Baskerville said he wants to see grading for each driveway too, not just details. Mr. Scamman said they would need to know where each house was going in which isn't possible right now. Mr. Baskerville said to put them in for now.

Mr. House made a motion to have Civilworks review the documents once the applicant is ready to submit. Motion seconded by Mr. Paine. Motion carried unanimously.

Mr. Scamman asked if the Board could review the waivers, one for a 22' road width instead of 24' and the other for sight distance. The regulations require 400', the applicant is asking for 340'.

Concerning sight distance, Mr. Baskerville said as they are planning to go out and do a site walk he would rather see it before approving a waiver first. Mr. House said he is familiar with the site and there aren't many trees there so he thinks it will be fine.

Mr. Austin talked about the other waiver for road width and said in his opinion 22' made more sense. Mr. Austin said if it was determined later, there would be room for sidewalks, although his concern is whether or not the bio swale would have the capacity for the extra pavement if sidewalks were to happen. Mr. Laverty added that the DPW would support 22'. Mr. Baskerville said there are so many issues concerning the road that again he would rather wait until the site walk.

The Board discussed the site walk.

Mr. Baskerville requested that the road centerline be staked out along with the frontage corners. Mr. Scamman said he would do that.

Mr. Baskerville made a motion to hold a site walk to which the public and abutters are invited, on Wednesday 24 May, 2017 at 6:00 pm. The meeting point will be at 70 and 72 Willowbrook Avenue. Motion seconded by Mr. House. Motion carried unanimously.

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

- c. **SITE PLAN AMENDMENT for Realty Acquisitions, LLC, 142 Portsmouth Avenue/PO Box 432, Stratham NH 03885 for the property located at 9 Portsmouth Avenue, Tax Map 4 Lot 11.** Site Plan Review and Conditional Use Permit to construct a banking facility with drive-through services. Public Hearing scheduled for March 16, 2016 following recommendation of approval from Technical Review Committee.

Mr. Austin explained that this was essentially a modification to put on the originally proposed canopy which at the time was truncated for the Fire department. The Developer has now decided to propose sprinkling the building and the Fire Department has stated that the access around the canopy will not be required.

Mr. Paine made a motion to accept the application for the amended site plan as complete. Motion seconded by Mr. House. Motion carried unanimously.

Mr. Mark Stevens reiterated what Mr. Austin said, but added that the Fire department had requested that a connection be put on the front of the building so they can use the front parking lot to fight a fire if it is in the front of the building. The applicant has agreed to do that. The canopy will extend 13' 8" from the edge of the pavement, so a 2' extension. Mr. Paine confirmed it would be the same style as was originally approved. Mr. Stevens confirmed it would be. Mr. Austin said this would require a recordation of an amended site plan which removes the note referencing the condition of 13' 8" previously.

Mr. Paine asked what the source of water was. Mr. Stevens said there will be a water line from the suppression system that was installed in the rear.

Mr. Paine made a motion to approve the amended plan for Kennebunk Savings Bank for the extension of the canopy approximately 2 feet as shown on the plans provided. Motion seconded by Mr. House. Motion carried unanimously. Mr. Austin suggested a condition that the amended plan be recorded. Mr. Paine added the motion be amended to include the condition that the amended site plan is recorded. Mr. House seconded the amended motion. The amended motion carried unanimously.

4. Public Meeting—

- a. **Sullivan Subdivision**, represented by Jonathan Ring, PE, on behalf of Robin Sullivan, of 8 Whittaker Drive, Stratham, NH 03885, Tax Map 19 Lot 68. *Preliminary Consultation* for proposed 6-lot subdivision to establish 5 new building lots along a proposed town road.

Mr. Austin explained that this is a second preliminary consultation for this property.

Mr. Jonathan Ring, representing the applicant took the floor. He introduced the applicant Brian Sullivan.

Mr. Ring showed the plan from the first preliminary consultation as a comparison for the new plan. At the first preliminary hearing the Board preferred the idea of a through road whereas the applicant preferred the idea of a cul-de-sac as depicted in the first set of plans.

The applicant met several times with Mr. Austin and Mr. Laverty to try and move forward with the cul-de-sac, but were told it is better to have a through road. The current plan now has a connection from Hillcrest Drive to Whittaker Drive which is 1100 linear feet of road and they still have 5 house lots. The entire property is 15 acres and there are 2 50' rights of way that allow for this through connection. All necessary test pits have been performed as has the soil survey. He is proposing that the storm water would be detained in the right of way, but based on the previous conversation he is not sure which kind of swale they will choose.

Mr. Austin started by saying it was somewhat enlightening to see that the stubs left by the 1986 and 1987 subdivisions, markers of the Planning Board, actually worked and the number of lots weren't reduced.

Mr. Baskerville asked if they followed the contours. Mr. Ring replied that the trickiest part will be the connection to the existing Hillcrest Drive, the rest is manageable. Mr. Ring said the other thing is that the Town requires a 60' right of way, but this has two 50' rights of way. They will be looking for a waiver for the width of that and they would love a 20' wide road, but they are showing a 22' wide road at this time. The connection to Hillcrest Drive is also off center toward High Street so they can deal better with the slope down to the existing house.

Mr. Baskerville asked about wet lands. Mr. Ring explained that there were only wet lands down the far end of the property.

Mr. Austin asked Mr. Lavery how either Whittaker or Hillcrest existing bulbs would be addressed if this moves forward and if it would play into the center line. Mr. Lavery said the Whittaker bulb would be pulled back so there would be a constant curve to the road, there would be no need to plow additional pavement so that would be just grass that would be mowed by the homeowner or the Highway department during normal roadside mowing operations. Mr. Lavery said that he would need to take a look at the cul-de-sac on Hillcrest as it's not as simple.

Mr. Austin said he understood Mr. Ring to say that the intersection of the through road to Hillcrest wasn't inherently smooth, but there might be some room within the existing right of way to minimize that impact. Mr. Ring said he meant to say the existing Hillcrest driveway to the Graves property is relatively steep so they will be coming down 9% so they have to flatten it out to 8% or get a waiver for 9%. They haven't done the final design for this yet. There may be an opportunity to cut back the cul-de-sac toward the Hillcrest side so they can start the slope a little more gradually.

Mr. Houghton asked about the driveway on Lot 5. Mr. Ring said that was the Brockelbank property which was talked about at the previous preliminary consultation; they have a sump pump drain that extends onto the Sullivan property which the applicant would like to cut back so it doesn't encumber the property. They want to pull back the foundation drain by 20' and there was also a driveway coming off of the same property onto the Sullivan property. They want to propose discontinuing both of the Brockelbanks' driveways and build a new driveway for them which exits onto the new road. They want to build a little rip rap depression to have the sump pump water go into that instead.

Mr. Austin shared that the Assessor suggested that Whittaker extend through to the point of intersection of Hillcrest as the addresses there are receptive to adding numbers correctly. It would not continue all the way through, but wouldn't affect the existing numbers on Hillcrest, but Whittaker would extend. Mr. Austin suggested a condition that the driveway be off the through road extension not off of High Street. Mr. Baskerville added that if they can get another bulb on Whittaker it will just seem like an extension of Whittaker and then they can deal with what happens with the bulb on Hillcrest later.

Mr. House confirmed that it was only part of the road that would be off center. Mr. Ring confirmed that was the case. Mr. House referred to Lot 3 and its curve. Mr. Ring explained that is the detention area.

Mr. Baskerville opened up the session to the public.

Mr. Byrnes, Hillcrest Drive commented that he had just listened for 2 hours to the potential approval of a hammerhead and here they are looking to eliminate 2 cul-de-sacs and disrupt 2 neighborhoods. Mr. Baskerville explained that they have always had some issues with both hammerheads and cul-de-sacs when it comes to plowing. There is a concern with the Selectmen with the number of plows the Town has right now and the time it takes to plow.

Mr. Austin added that at the same time the subdivision on either side of this open piece was set by a previous Planning Board in such a way that when the center piece of the land got developed, it was a through road which is why there are 50' rights of way extending in. Mr. Byrnes asked if documentation existed to quantify that. Mr. Austin confirmed that there was and he could provide

it. Mr. Houghton added that the Town's Master Plan also speaks to the desire to promote connectivity. Mr. Byrnes said he is going to be getting a road on 3 sides of his house so it won't feel very rural. Mr. Byrnes asked about the previous design, his preferred option. Mr. Austin said that functionally it is a non-answerable question because the full design hadn't been done, but one of the interesting things about that design was that the design included the cul-de-sac for the benefit of maximizing lot potential while putting in a hammer head to minimize construction costs. The regulations don't speak to putting in a hammer head in a cul-de-sac.

Mr. House said the 50' right of way might have met the regulations that were in place at the time. It does go to 60' further into the site. Mr. Byrnes asked if that meant it was grandfathered. Mr. House said it did. Mr. Byrnes said the proposed road ends at 10' off of his property. Mr. Austin said the proposed road will be no closer to the property line than the current right of way for that road. Mr. Byrnes asked if there were any regulations covering the setback to the road. Mr. Austin said there weren't any current regulations. Mr. Baskerville said they will have to show that all the grading and storm water works and meets codes and Town regulations and that hasn't been designed yet. Mr. Byrnes asked about utilities next. Mr. Ring said they hadn't got that far into the process yet. Mr. Byrnes asked if there would be street lights. Mr. Austin said these are all addressed in the subdivision regulations. Mr. Byrnes inquired about what happens to his assessed tax rate if this road goes in. Mr. Austin said that was a question for the Assessor.

Mr. Don Graves, 5 Hillcrest Drive said he had some exhibits to share. He started by pointing out the wetland mapping from 1995. Mr. Baskerville informed Mr. Graves that anything presented tonight would need to be provided to the Board and staff so as to be entered into the record. Mr. Graves agreed to have copies delivered by the end of the week (May 19, 2017). Mr. Graves said to connect these roads 31 years after the first rights of way were put on the original Hillcrest/Whittaker map, is blowing up the neighborhood. The elevation from Hillcrest versus the highest elevation on the proposed through road is going to cause all the water to go to the lowest point which is where the driveway enters his property.

Mr. Graves said a lot of salt is dropped on Hillcrest during winter for the snow already and he looks at this through road like an aqueduct to his property. He is very concerned. He has 2 dug wells, he has water tests, chlorine tests as they exist right now and if his wells get contaminated, he wants to avoid going after anybody. He referred to a proposed detention basin on elevation 82 and from there it is still 12' down to his driveway so he wanted to know where that water would go; he doesn't want to put in pump stations. Mr. Graves talked about wildlife and said this piece of property is of the highest value for wildlife habitat according to NH Wildlife Fish and Game. Mr. Baskerville said they should probably get that on record. Mr. Graves said it is published on the Wildlife Planning Commission website. Mr. Baskerville asked if they could still have a copy. Mr. Graves then referred to the surface water resource map and at the end of Hillcrest Drive, it is indicated as very hydric soil. He talked about the Town's street map and said he counted 78 dead end streets and this doesn't include any approved in 2016. The net gain from this is zero cul-de-sacs and the net loss is the same. The through road represents a high speed lane and runs about 300' parallel to High Street. When it comes to resurfacing the road, there will be more to resurface with this through road and more taxes.

Mr. Ring said that wetland regulations have changed since 1995 so the wetlands on this plan have been delineated in accordance with today's rules and soils have been mapped with today's regulations also.

Ms. Zaniboni, High Street asked about setback requirements when a new Town road is built. Mr. Baskerville said the Town requires a 60' right of way and typically a road is centered in that. That right of way can be right up to the edge of a property. Ms. Zaniboni said she understands why the Board favor the connection, but she is disappointed that the Board would disregard the privacy, safety and value of existing homes while trying to build new homes. She read the subdivision regulations and under "Purposes" 1.4 there are 3 sections one of which speaks to danger. She purchased her home because the back yard is safe for her children to run around in, but if this proposal goes ahead, it won't remain that way. She referred to 1.4.d which talks about conserving the value of the land and this through road will affect the value in her opinion and then lastly she referred to natural resources and she feels storm water run-off without mitigation is asking for issues. She knows of other subdivisions built in Town with cul-de-sacs and grass in the middle which eliminates the plows having to clear the middle.

Mr. Lavery addressed some of the comments made so far. He said since 2012 salt has been cut back 20% and all of his operators are NHDES Green Snow Pro certified so they are putting down the minimum amount of salt they have to, to make the roads safe as possible. From a budgeting perspective, the Town used to spend \$150,000 a year on salt and now it is \$88,000.

Mr. Lavery was asked by Mr. Ring if the Town would prefer a cul-de-sac or hammer head. Mr. Lavery gave 2 options; if it's a hammerhead they have to abide by certain radii for emergency vehicles and plow trucks and if it's a cul-de-sac he prefers one with grass in the middle because it's quick in and out. It was brought to Mr. Lavery's attention not long after by the Planning Board that there were 2 50' right of ways and what would he prefer. From a maintenance perspective it is easier for the Highway department to plow snow on a through road than to do cul-de-sacs. He stressed that the Highway department is not trying to prevent development or dead ends. He referred to the current size of the department and the fact they have to maintain 56 miles of public roads which doesn't include current subdivisions being developed so in the future there is a chance that they will need to add resources to do so, but there will be a cost associated with that.

Mr. Lavery responded to Mr. Graves's comment about the cost of resurfacing. He said although the through road will have more linear footage, the way the paving contract is set up and has been for at least 5 years, cul-de-sac roads are more time consuming. If the through road design is not approved, he requests instead a cul-de-sac with grass in the middle of it.

Lastly Mr. Lavery said Mr. Ring mentioned the possibility of doing some curbing if he had to tighten up his footprint on his paved surface; Mr. Lavery would like to prevent any curbing going in place and that catch basins be put outside the roadway. The more structures within the road are more cost due to more maintenance. If curbing has to be done Mr. Lavery would prefer vertical granite curb over Cape Cod berm.

Ms. Brockelbank, 110 High Street said she doesn't believe the Board will hear any abutter say they want the through road. She appreciates the consideration of the Sullivans to remove the second driveway as well as addressing the drainage issue. She is concerned with the overcrowding of the high impact wildlife area and the effects it will have on that. It appears to her that some of the lots are irregularly shaped and would request the Board look at 4.4.7 Designs of the subdivision regulations concerning lot configurations.

Ms. Graves, Hillcrest Drive said she was here when Michael Rush tried to stuff this subdivision with 7 or 8 lots and the Planning Board said they wouldn't do it and he was the first one who

wanted to act on the 1986 rights of way of Hillcrest and Whittaker. They were told 4 or 5 weeks ago that this through road was a done deal. A site walk was done by Mr. Lavery, Mr. Austin and Mr. Deschaine. She understands the Board conceptualizing for the whole Town, but she wants the Board to really take a look at the drainage that will come down on their lot.

Mr. Baskerville said he hasn't made his mind up at all and is independent. There isn't an easy answer to this. At this point everything is on the engineer, the applicant and his consultants. The Board hasn't had an official meeting on this at all so there is no decision made.

Mr. Graves referred to the through road and said it won't work and a waiver shouldn't be needed. The paper streets have been sat there for 31 years and there should be a statute of limitation. He talked about being a licensed septic designer for 27 years and one time he had to chop out an ice flow infringing on his garage doors coming across the property line; it was 14". Finally French drains were put it so there is water coming down and clearly classifies as hydric soils which is not shown on the plan. He requests that it gets revisited.

Mr. Ring reminded everybody again that today's wetland regulations are different and Whittaker will receive more traffic. He also repeated that the Sullivans prefer the first version that was presented last year, but because of direction from the Board and Town they felt it would never get approved. They will have to figure out what to do.

- b. **Extension Request** Massidda Subdivision, represented by Bruce Scamman, Emanuel Engineering, Inc., 118 Portsmouth Ave. Stratham, NH 03885, for the property located at 8 Oxbow Farm Road, Tax Map 8 Lot 22. 2-lot Minor Pork-chop Subdivision to create one new parcel.

The Chairman agreed to address Agenda Item 4b before 4a as Mr. Scamman was still present.

Ms. Ober rejoined the Board at 9:26 pm.

Mr. House asked how long the extension request was for. Mr. Austin replied 60 days; or until August 2, 2017.

Mr. Paine made a motion to allow for a 60 days' extension for the subdivision approval for the Massidda proposal. Motion seconded by Mr. Houghton. Motion carried unanimously.

5. Miscellaneous

There were no miscellaneous items to report

6. Adjournment.

Mr. Paine made a motion to adjourn at 10:36 pm. Motion seconded by Mr. House. Motion carried unanimously.