



Stratham Planning Board Meeting Minutes

June 19, 2024

Stratham Municipal Center

Time: 7:00 pm

Members Present: Thomas House, Chair
David Canada, Vice Chair
Mike Houghton, Select Board's Representative
Chris Zaremba, Regular Member
John Kunowski, Regular Member
Nate Allison, Alternate Member

Members Absent: None

Staff Present: Mark Connors, Director of Planning and Community Development

1. Call to Order/Roll Call

Mr. House called the meeting to order at 7:00 pm and took roll call.

2. Approval of Minutes

a. June 5, 2024

Mr. Canada made a motion to approve the June 5, 2024 meeting minutes. Mr. Zaremba seconded the motion. All voted in favor and the motion passed.

3. Public Meeting:

- a. Copley Properties LLC (Applicant), Helen E. Gallant Revocable Trust 95 (Owner) – Request for Preliminary Consultation of a proposed subdivision of 80 and 80R Winnicutt Road, Tax Map 14, Lots 56 and 57, into a Residential Open Space Cluster Development with up to 37 residential lots. The parcel is Zoned Residential/Agricultural. Application submitted by Emanuel Engineering Inc., 118 Portsmouth Avenue, Stratham NH 03885.

Mr. Connors explained that a previous owner submitted a preliminary consultation application for this property previously, but the application was withdrawn before it was submitted to the Planning Board. This is a new owner with a new plan. A conceptual plan was submitted today and was added to the packet, but staff has not had a chance to review it.

Bruce Scamman of Emanuel Engineering and James Verra & Associates presented the project and introduced Drew Goddard, the Applicant. Mr. Scamman stated that the Gallant family still owns the property. Emanuel Engineering has been working on the project for about a year and performed survey work and some wetlands delineation. He stated the Applicant desires to create a plan that

minimizes wetlands and town impacts.

Mr. Scamman presented a plan of the property and described the existing conditions. He described a yield plan with 37 lots and described a 54 unit Open Space Cluster Subdivision plan with a variety of home sizes which includes 11 three-bedroom homes, 20 two-bedroom homes in an array style (5 lots with 4 homes on one lot), 10 four-bedroom homes, and 8 larger estate lots. The concept retains open space around the perimeter and there is a desire to possibly build a trail system that could potentially connect to the power lines that might lead to the library. Mr. Goddard added that he has a meeting scheduled with the Town on Friday to discuss a possible trail system. He believes there is a way to connect this property with Smyk Park and the trails have an opportunity to connect to the trails at Treat Farm which connect to Muirfield's.

Mr. Goddard stated that there is currently onsite a farm/fire pond for the property. He met with the fire department to discuss continued use of the pond as a fire pond by adding a pump house. This would be the only neighborhood in town with fire hydrants. They would need to complete an analysis on the volume of water as it may need to be enlarged. He would like for the pond to be able to be used for recreation purposes like fishing and ice skating.

Mr. House asked Mr. Goddard to elaborate on the fire hydrants. Mr. Goddard replied it would be a pressurized system with a flexible hose connection instead of connecting a rigid pipe to a cistern.

Mr. Houghton asked for an explanation of the density bonuses being sought. Mr. Scamman replied that they have completed test pits on the site and 12 of the 14 passed and they are planning on some centralized systems. For the open space calculations the total combined lots is 103 acres and the open space is 39 acres. The uplands of the open space is 25.86 acres and 35% is required as open space which is met with the 39 acres. Mr. Goddard stated that with 37 lots there is a 10% bonus for environmental land unique features. Mr. Scamman stated there are 34 total lots and using the array is how they get to the extra homes. So there are 37 lots in the yield plan and they are only proposing 34 total lots. The arrays are laid out in the zoning and that is how they get additional homes. They are not asking for additional lots in the subdivision. Mr. Scamman explained that they are trying to do something different by having a variety of homes as opposed to another recent subdivision where the homes are proposed at \$2 million.

Mr. House asked what the fire department's opinion on the length of the street was. Mr. Goddard replied that he was comfortable with the plan as shown and with it not connecting to Treat Farm.

Mr. House stated that in the past Fred Emanuel mentioned that he owns 100 acres that abut the property and proposed connectivity for the future. Mr. Scamman replied that he spoke with Mr. Emanuel and they determined that a large bridge would be need to span the wetlands and they determined it wouldn't make sense to pursue it.

Mr. House stated there is an existing lot for the homestead and one for the farm and asked for confirmation that in this case they want to merge lots. Mr. Scamman replied yes that essentially they are asking for only another 48 lots because there are already two lots. Mr. House reminded the applicant that the process to merge the lots must be completed as well.

Mr. House asked about plans for the existing barn. Mr. Goddard replied that he met with Nate Merrill and Drew Bedard regarding preservation of the house and the barn. He stated there is a concept to preserve the barn, but the details are not finalized. It will either stay onsite and be

94 preserved, moved to another location on the site, or moved to another project in town. Mr. Goddard
95 added that having it end up in the dumpster is not on the table. He added there was a thought of
96 using the barn for a community space but that had mixed reviews.
97

98 Mr. House asked about the individual driveways depicted in the array homes. Mr. Goddard
99 explained they would be two or three bedrooms, some with first floor masters, and with one car
100 garages. He had a project in Dover where this style of home was successful. He added that those
101 parcels would be owned by a condo association because the homes would be 20 feet apart and
102 mowing 10 feet of grass does not make sense. He added it is possible that the existing home could
103 be added to the condo association for long term preservation. Mr. Goddard stated there would be
104 multiple condo associations, a master condo association, and sub-associations for the array houses.
105

106 Mr. Connors stated that the zoning states historic buildings need to be preserved and incorporated
107 into the development, so if the plan is to move the barn off site, then relief will need to be granted
108 through a variance or a conditional use permit.
109

110 Mr. House asked if the roads are proposed to be public. Mr. Goddard replied yes. Mr. House stated
111 that requires Select Board approval. Mr. House asked about the roads for the arrays. Mr. Goddard
112 replied they will be fully paved cul-de-sacs and that the fire chief prefers a fully paved cul-de-sac
113 as it aids in turning radiuses with snow banks. Mr. Goddard stated that a fully paved cul-de-sac is
114 not an approved road ending in Stratham and he would seek approval for that for recreation
115 purposes and fire apparatus maneuverability.
116

117 Mr. Allison discussed the yield plan with respect to Section 8.11, maximum density, of the zoning
118 ordinance. He read the ordinance "the maximum density for residential open space cluster
119 development shall be determined by the use of the yield plan. The purpose of the yield plan is to
120 show the density that is reasonably achievable under a conventional subdivision in accordance
121 with the requirements of the zoning ordinance and subdivision regulations." He stated that Section
122 8.4.g, non-buildable areas is land that cannot be counted toward the minimum lot size for a
123 conventional subdivision including areas with the following characteristics: wetlands or wetland
124 soils, slopes greater than 25%, submerged areas, utility rights away, land area within the 100-year
125 floodplain, or land that is restricted from development by covenant easement or other discretion.
126 Mr. Allison stated he wonders then if the no disturbance area of the wetlands buffer zone would
127 be included as well. Mr. Scamman asked if Mr. Allison is stating that there can be no wetlands on
128 any lot for a yield plan. Mr. Allison replied that is his interpretation and asked how it has been
129 done in the past. Mr. Goddard replied there is a requirement for how much of a conventional lot
130 has to be upland and he believes they meet that. Mr. Scamman further described the details of the
131 yield plan. Mr. Allison commented on the location of Mill Brook on the property and how some
132 of the lots are heavily burdened by wetlands buffer zone and the brook. He described that one of
133 the lots is bisected by the brook into a front and rear lot and State approval would be needed to
134 install a pipe crossing to access the back lot. Mr. Scamman agreed with Mr. Allison's
135 interpretation. Mr. Allison stated that Lots 7, 8, 9, and 10 have rear yards that are swamped. Mr.
136 Scamman agreed and explained that they considered constructing a road over the water to get two
137 more house lots, but decided against it. Mr. Allison commented that he believes the ordinance is
138 clear that the boxes on the yield plan need to be a functional building area and many of the boxes
139 on the plan are within the property line and wetlands setback areas. Mr. Goddard replied that his
140 understanding is that the box can be within wetlands and within setbacks, that the purpose of the
141 box was not to show buildability but to show a lot is not irregular shaped. Mr. Allison repeated
142 that he is not familiar with the history of the 150 foot square boxes, he likes that the project is not

143 increasing the density, but he does not believe the yield plan meets the ordinance.

144
145 Mr. Canada asked if the project will undergo third-party review. Mr. Connors replied yes.

146
147 Mr. Kunowski asked if the master association will own the common land. Mr. Scamman replied
148 yes. Mr. Kunowski asked about the property taxes on the common land and on the array land. Mr.
149 Scamman replied that open space is not taxed and the property tax for the land in condo ownership
150 would be divided among the condo owners. Mr. Kunowski stated that there are 50 to 60 acres of
151 land that has value and asked how it is assessed. Mr. Connors replied that he believes that the value
152 of the common area land is divided and assigned to the individual lots. Mr. Scamman added that
153 being non-buildable, the land will have lower value.

154
155 Mr. Kunowski stated he understands there will be shared wells and septic systems in the array
156 development and asked if that will be the plan anywhere else. Mr. Scamman replied there will be
157 additional shared septic systems. Mr. Goddard stated that wells will be shared only in the array
158 areas and likely they would not be public water systems.

159
160 Mr. Zaremba commented that they should check the calculations on the allowed percentage of
161 open space that can be wetlands as the zoning was updated recently. Mr. Goddard went over the
162 numbers and believes this project meets the requirements. Mr. Scamman suggested that they could
163 add some of the wetlands acreage in the open space to the individual lots, but that doesn't make
164 much sense.

165
166 Mr. Zaremba asked if sidewalks are proposed. Mr. Goddard replied no. Mr. House replied they
167 should consider it in the array section due to the density.

168
169 Mr. Canada asked if they spoke with DPW regarding the cul-de-sacs. Mr. Goddard replied he has
170 spoken with Tim Stevens and Mr. Stevens replied that all cul-de-sacs are difficult. Mr. Goddard
171 believes that Mr. Stevens was leaning towards being okay with a full paved cul-de-sac.

172
173 Mr. Canada asked if there is a possibility to connect to Treat Farm Road. Mr. Goddard replied
174 there is a connection easement to Treat Farm Road, but he does not desire to connect to it. He
175 added that they will connect to Treat Farm via a walking path for pedestrians but not for vehicular
176 access as he wants to minimize wetlands impacts and the road would require a wetlands crossing.
177 He added that some of the residents in Treat Farm do not want it connected. Mr. Canada replied
178 that's for the DPW to decide and not the residents.

179
180 Mr. Canada commented that many cultural assets have been lost in town over the years due to
181 development and he would hate to see the barn moved because the siding is so important and that
182 the house and barn are classic examples of a nice rural farmstead. He would rather see the road
183 moved to preserve the existing locations and he doesn't agree with moving the barn offsite. Mr.
184 Goddard asked if Mr. Canada would be okay with reducing the barn to the original size. Mr.
185 Canada replied yes. Mr. Goddard said that would help avoid having to move the barn or the road.
186 Mr. Goddard asked what relief could be possible because front setbacks are 30 feet. Mr. Connors
187 replied he'll have to look into that but he thinks if it is part of a common area, relief can be granted
188 but if it is part of a house lot, it would have to meet the setbacks. He believes a variance would be
189 required. Mr. Scamman added that creating a road around the barn would be very close to the pond
190 on one side and to the wetlands and Mill Brook on the other side.

Mr. House reminded the applicant to share the plan with other departments such as the police department and to submit responses received as part of the application. He added that they will need to seek state approval for the wetlands crossings.

Mr. Allison commented that the project seems to be obligated to use the general area of the roadway as proposed. He asked if the owners of Lot 14-55 would consider allowing a connection to Treat Farm Road through their property. Mr. Scamman replied it is in conservation. Mr. Allison wondered if a trade of conservation land could be made elsewhere. Mr. Scamman replied he knows the owners and they were one of the first landowners to put land in conservation.

Mr. House commented that he believes the project has some challenges with the well locations in the “yellow” parcel and suggested the applicant review that.

Mr. House stated this is a consultation meeting and nothing is binding. He invited members of the public to speak.

Mark Adams of 86 Winnicutt Road spoke. He asked for clarification on which plan is proposed. Mr. Scamman clarified that the yield plan is not proposed and is a requirement for submission before requesting a cluster subdivision. Mr. Adams commented that the cluster subdivision plan will be a bigger draw on the land and questioned how the applicant knows there is sufficient water to support the project and he has concerns for how it might affect his well. Mr. Scamman replied that water has never been an issue in past subdivisions and there is a lot of water on the lot. Beth Adams of 86 Winnicutt commented that this has been a wet year. Mr. Scamman replied that the water table is at the surface for a good chunk of this lot. He knows there can be hydrogeological studies of water but has never had to do one on a subdivision. He stated that the leach fields will return most of the water to the ground and therefore the treatment of the leach fields is more important in his opinion. Mr. House and Mr. Scamman added that the NHDES and a third party engineer from the Conservation District will review the septic system designs. Mr. Canada stated that the wells won’t be taking surface water that they will withdraw from the bedrock. Mr. Scamman replied that the septic systems will return water to the ground that eventually will replenish the water table even in the bedrock.

Mr. Allison asked for confirmation that most of the wells will be hundreds of feet deep. Mr. Scamman confirmed. Mr. Allison stated that what is seen on the surface as the groundwater is not impacted at the deep level, this can be very old water and a very small portion of what you see on the surface ends up deep. He added that surface wells are the ones that end up getting contaminated, these are not going to be surface wells. Mr. Scamman provided an example of contaminated deep wells at Pease. He stated that he believes treatment of stormwater is also important. He compared this project to the large withdrawals at a golf course and provided an example of a leach field that was destroyed by improper disposal of construction materials (sheetrock) before the home was completed. He added that everybody in town is dependent on what everybody else does and that’s why he feels that septic and stormwater design is most important.

Mr. Adams has concerns with a previous discussion about what the ordinance says regarding the yield plan vs. what has been done in the past. He asked if that matters and if the project will follow the ordinance? Mr. Scamman replied that he thinks the project follows the ordinance. He believes the yield plan meets the ordinance. He understands Mr. Allison’s comments regarding it, but believes it is a more restrictive interpretation of the ordinance and Mr. Scamman’s understanding is that it has never been interpreted that strictly. Mr. Connors replied that the final application will

241 be submitted to a third party engineer for review and if there are legal questions, those can be
242 addressed by the town's attorney. Mr. Connors stated that regarding past practice vs. what is in the
243 ordinance, the ordinance prevails, but sometimes what is in the ordinance is not always as clear as
244 we would like so some interpretation may be required.
245

246 Josh Crow of 74 Winnicutt Road spoke. He noted there is a considerable change between the yield
247 plan and the cluster subdivision plan. He believes the concept of trail connectivity and open space
248 is a great concept. Mr. Crow stated he was a steward for the property owner when she was alive
249 and that it is truly one of the last 100-acre natural, beautiful pieces of land in this town. Regarding
250 the preliminary open space cluster subdivision plan, he likes the proposal of an accessible pond
251 for recreation, fishing, and skating. Mr. Crow added that Mill Brook is a large body of water and
252 in the wintertime he can skate it from Winnicutt Road to past the barn and in the springtime, it is
253 passable by kayak. He asked for as minimal disturbance as possible to preserve that. He also
254 requested retaining as many wildlife corridors as possible as deer, coyotes, and bobcats, travel that
255 Millbrook thoroughfare. He would like to see that open space common corridor retained.
256

257 Mr. Kunowski asked if the areas labeled on the plan are an indication of the development process
258 or just nomenclature. Mr. Goddard replied that his expectation is that all the road infrastructure
259 will be constructed at once and because there will be likely different price points and housing types
260 and housing needs he believes they will build in every single phase from start to finish. Mr.
261 Kunowski asked if it will be spec building or build to suit. Mr. Goddard replied that they will
262 construct some inventory because not every buyer wants to go through the entire process. At that
263 time they will get an idea of what the target market is looking for and he anticipates more
264 customized homes for end users.
265

266 Mr. Allison asked how much the least expensive home would be if built right now. Mr. Goddard
267 replied that is difficult to answer as he doesn't know the infrastructure costs yet and therefore how
268 it would be divided between each lot. He expects the largest homes to be over \$2 million and that
269 for the smaller arrays he anticipates \$600,000 to \$800,000. He added that build costs are still very,
270 very high. Mr. House stated there is a need for workforce housing and suggested the array section
271 could be workforce housing. Mr. Scamman replied that a recent news article stated the average
272 home price is \$850,000. Mr. Allison stated that was a median with 50% lower and 50% higher.
273 Mr. Scamman stated that duplexes are running \$650,000 in Stratham and these will be stand-alone
274 homes and he is working on a home in Newington where the lot itself was \$900,000. Mr. Allison
275 asked if it would be age-restricted. Mr. Scamman replied no. Mr. Connors added that age-restricted
276 is no longer allowed in the ordinance except in one small zoning district.
277

278 Mr. House asked for an overview of the types of buildings proposed. Mr. Goddard displayed the
279 array home footprints which are 34 feet by 40 feet with a choice of three different plans and the
280 homes will be a minimum of 20 feet apart. Some plans will have a first floor master option. They
281 will all likely be two bedrooms and an office as office needs are important with work from home
282 and will range from 1,400 to 2,000 square feet. Mr. Goddard added that the plans are efficiently
283 laid out that not much square footage is wasted and will be a smaller footprint that is more energy
284 efficient. He believes the maintenance costs will be low.
285

286 Mr. House asked if all the utilities will be underground. Mr. Goddard replied yes.
287

288 Mr. Zaremba asked to double check the wetlands percentage allowed in the open space that he
289 thought it was only 20% of the open space and not of the total parcel. Mr. Goddard replied that is

correct and described that 30% of the parcel needs to be open space and of that 30% only 20% can be wetlands. For this project that equates to 24 acres which is met. Mr. Zaremba asked if the calculation is based on the minimum and not the actual because the actual open space is about 40 acres and therefore 20% of that would be 8 acres. Mr. Scamman replied that they can reconfigure the lots to contain more of the wetlands. Mr. Goddard added that they thought it was better for long term preservation to put more wetlands into open space and that he wants to minimize impacts to abutters as much as possible. He stated that with the layout of the road and the lots, he has reduced the amount of trees that have to come down and he is maximizing a lot of those two major fields. Mr. Scamman stated they discussed putting a road across Millbrook but instead they've tried to pull the development to the center of the lot and stay away from the edges so there's more buffer to the neighbors and for the wetlands.

Mr. Houghton asked Mr. Connors if the increased percentage of wetlands in the open space would require a waiver. His concern is that if the Board interprets the regulations as opposed to following them, then as going forward in every future application, there are no regulations. He respects and appreciates the applicant's explanation, but to him it suggests it requires a waiver. Mr. Connors replied that he agrees and a cluster subdivision requires a Conditional Use Permit so the Planning Board could grant relief through the permit or it might require a variance. Mr. Goddard stated they can create a plan where they wouldn't have to ask for relief along with the plan that includes relief.

Mr. House asked if the Board should continue the consultation so they can review that plan. Mr. Connors agreed that is a good idea and asked that it be included when they submit the final application. Mr. Scamman asked why an additional preliminary consultation is needed. Mr. House and Mr. Connors stated that they just received the plans this evening and the Town staff and abutters have not had a chance to review the plans. Mr. Connors added that he also seeks review from department heads in town for preliminary plans and has not yet due to the late submittal. Mr. Scamman asked for clarification on the continuing process and assumed that abutters need to be notified again. Mr. Connors replied that abutter notification does not need to be repeated if the meeting is continued and that is what he recommends. The Board agreed. Mr. Connors requested that new material be submitted at least one week in advance of the next meeting which is July 10. This was followed by a discussion of the timing of submission of the full application. Mr. Connors explained that they can submit the full application in time to be scheduled for an August meeting, but if changes are made based on the July 10 discussion, then revised plans would need to be submitted at least two weeks in advance of the scheduled meeting.

Mr. Zaremba made a motion to continue the consultation to July 10. Mr. Kunowski seconded the motion. All voted in favor and motion passed.

4. Public Hearing (New Business):

- a. Copley Properties LLC (Applicant), C.A.N Realty Trust and GGF Limited Liability Co (Owners) – Request for approval of a Site Plan and Conditional Use Permit at 89 and 91 Portsmouth Avenue (Tax Map 13, Lots 22 & 23) to construct a mixed-use development to include six residential units in three buildings and two office buildings totaling 12,624 square-feet of general office and medical office uses. The parcels are zoned Professional/Residential. Application submitted by Emanuel Engineering Inc., 118 Portsmouth Avenue, Stratham NH 03885.

Mr. Connors presented a summary of the project. There are two office buildings currently on the properties that date back to the 1980s. The applicant proposes to merge the two lots, demo the

existing buildings, and construct a mixed use development consisting of a few office buildings and three duplexes. There will be about 12,000 square feet of office space and 9,000 square feet of residential. Mr. Connors believes the project is consistent with the Master Plan and the architecture is very traditional, colonial for Stratham. He does not recommend taking action on the application today because the materials were submitted this afternoon and therefore there has not been sufficient time to review them.

Mr. Scamman of Emmanuel Engineering spoke on behalf of the applicant. He stated that the buildings were initially constructed as homes in the 1980s and were expanded over the last 20 years. The proposal is to demolish the existing buildings and construct a new office space commercial plaza in the front which will replicate and old farmstead with a barn and include three duplexes in the rear at a lower price point, possibly leased. A right-of-way exists in the back and the Town asked for there to be connectivity to Butterfield Lane and maybe continue down to Doe Run Lane and Raeder Drive. Mr. Scamman reviewed the request and it would have a direct impact on a pond and wetlands. He proposes a curved road to Butterfield Lane but some of the land is not part of the subject properties. They will remove the existing center driveway that splits the lots. The well location was submitted to NHDES for preliminary review and it was determined that the well will be classified as a public water supply. The project originally called for porous pavement but porous pavement cannot be within the well radius, so they will end it farther away from the well. He described the area of traditional pavement, how porous pavement works, and described the direction of stormwater throughout the project. Crushed stone drip edges are proposed around the buildings. The trash containers will be located in a back corner. Sidewalks are proposed to connect the commercial entrances.

Mr. Connors asked if the idea is to separate the buildings into three separate office spaces. Mr. Goddard replied that he does not know at this point. His plan is to frame the buildings as clear span and the interior walls will be non-load bearing if possible for future flexibility.

Mr. Scamman stated that they tried to put all of the parking in the rear of the property and the parking lot will separate the commercial and residential parking. The residential units will have a drive-under garage from the driveway side not from the road. Mr. Goddard added that each unit has two bedrooms.

Mr. Connors asked if the units will be rentals or condos. There was no audible response.

Mr. Kunowski asked if there are walkways around the residential units thinking in terms of guests. Mr. Scamman replied they can add walkways.

Mr. Canada made a motion to accept the application as complete. Mr. Kunowski seconded the motion. All voted in favor and motion passed.

Mr. House asked if one of the buildings will be medical office. Mr. Goddard replied that it is general office space but they labeled it as potential medical office. Mr. House stated that if it is medical, they need to be aware of the requirements for biohazard waste disposal and that it cannot be put into the dumpster. Mr. Scamman agreed and replied that typically there are biohazard waste lock boxes. Mr. House asked if there will be recycling bins. Mr. Scamman replied yes. Mr. House asked if each unit will have their own bins. Mr. Goddard replied that all residents and offices will use the onsite facilities. Mr. House asked if the number of dumpsters is sufficient. Mr. Scamman replied with a comparison of the square footage of the Millbrook Office Park and the number of

388 dumpsters there. Mr. House suggested that the DPW or Casella might have comments on that. Mr.
389 Canada asked if the dumpsters will be 6 yards. Mr. Scamman replied 8 yards. Mr. House was
390 satisfied with 8 yard dumpsters.

391
392 Mr. Houghton asked about the number of parking spaces. Mr. Scamman replied there is enough
393 parking in the rear inside the garage plus four additional spots behind each unit. The required
394 parking is calculated at 43 spaces and the plans shows 46 for the office parking. Mr. House
395 commented that two handicapped parking spaces are shown by the front of the “homestead” office
396 building and if they proceed with a medical office, then there should be a handicapped space near
397 there as well. Mr. Scamman replied that they added a handicapped space there based on comments
398 on the original submission.

399
400 Mr. House commented that he appreciates the proposed road in the rear and that it is curved, but
401 cautioned against the width of the road and children playing back there.

402
403 Mr. Kunowski asked if the proposed dumpster enclosure in the lower left corner is for the entire
404 complex or just the commercial. Mr. Scamman replied for the entire complex.

405
406 Mr. Allison commented that he thinks the last duplex needs a turn out. Mr. Scamman replied that
407 the area is very long, about 40 feet deep, so he thought it would be fine but is not opposed to a turn
408 around.

409
410 Mr. Kunowski asked Mr. Connors if the extension to Butterfield Lane is within acceptable
411 boundaries in terms of the distance to Portsmouth Avenue. Mr. Scamman replied it is about 120
412 feet and that on state roads driveways can be every 50 feet or with about 100 feet separation, so
413 120 feet should satisfy that.

414
415 Mr. House asked if the road connection from the last duplex to the property line towards Butterfield
416 Lane will be paved. Mr. Scamman replied it is just an easement.

417
418 Mr. Kunowski asked if school buses stop along Portsmouth Avenue to pick up students. Mr.
419 Scamman believes that younger kids would be picked up on Portsmouth Avenue and older kids
420 might have to walk to Butterfield Lane.

421
422 Mr. Allison commented that he appreciates the lighting plan and it demonstrates very nicely that
423 the project is not bleeding out onto the main thoroughfare. Mr. Scamman added that the lighting
424 on the buildings is in the courtyard and will not be visible from Portsmouth Avenue.

425
426 Mr. Allison commented that there is a fair amount of grade into the bioretention basin and the
427 house is almost right up against that. He suggested the addition of a bleeder pipe for emergency
428 purposes if the ground was frozen so that it could drain off. Mr. Scamman described the drainage
429 plan on C-3 with a pipe and a catch basin that will connect to the house. Mr. Allison commented
430 that his development experienced a failure in a shallow pipe and recommends that they consider
431 an alternate way for drainage if that happens.

432
433 Mr. Houghton asked if there is an operations and maintenance plan for the porous pavement. Mr.
434 Scamman replied it is in the drainage study that the third party will review. He has installed this
435 same pavement at other locations in town.

Mr. Canada stated that he likes the concept and design.

Mr. Kunowski stated that he likes the project as well and wants to go on record that the project must comply with the sign ordinance.

Mr. House asked that the landscape plan include a title block. Mr. Goddard replied that they just received the landscape plan from the landscape designer and Mr. Scamman hasn't had time to transpose it onto the engineered plans. Mr. House asked for that to be completed and added that he likes the concept of the project.

Mr. House asked if there will be a free-standing sign. Mr. Goddard replied yes and he will obtain a building permit. Mr. Houghton and Mr. House asked for it to be included on the site plans. Mr. Scamman asked if the board wants to see the elevations of the sign or just the location. Mr. House replied both. Mr. Goddard stated that it is difficult to predict the size of the sign not knowing the number of occupants.

Mr. House stated that the Town's third-party engineer needs to review the project and he request a motion to open the meeting to the public.

Mr. Zaremba made a motion to open the meeting to the public. Mr. Kunowski seconded the motion. All voted in favor and motion passed.

Girard Nista purchased 89 Portsmouth Avenue in 1989 and used it until Mr. Goddard took it over. He thinks what Mr. Goddard is proposing is a good replacement that will be an asset to the town visually and functionally. He believes it is time for an update to the property.

Tim Willis commented that he thinks the project looks really good.

Mr. Connors asked if they have spoken to NHDOT. Mr. Scamman replied not yet but it is on their list.

Mr. House stated that NHDES needs to look at the project as well. Mr. Scamman replied yes, that they will review the public water supply and septic system. The land disturbance is about 90,000 square feet so an Alteration of Terrain permit is not required.

Mr. Zaremba made a motion to continue the hearing to July 10. Mr. Kunowski seconded the motion. All voted in favor and motion passed.

5. Other Business:

- a. Discussion of potential zoning/land use tools related to preservation of historic properties

Mr. Connors stated the Heritage Commission recently had a discussion about a commercial property that is in a historic building, who replaced the siding with vinyl siding. That project will be presented soon to the Planning Board for an after the fact approval. Mr. Connors would like to have a discussion with the Board tonight on what tools are place to control these issues and prevent demolition or degradation. Currently the Town has a demolition review ordinance that applies to buildings 50 years old or older where the Demolition Review Committee (DRC) will meet and issue an opinion on that. This is an advisory process where the DRC meets within five days of the application. If the DRC has no issues, then the demolition permit can be issued. If the DRC thinks

the building is historically significant, then that opens a 60-day period where the owner can't demolish the property. The DRC would then work with the owner on an agreeable solution. If there is no solution, then at the end of 60 days the owner can proceed with demolition. The hope is that through this process, the owner doesn't proceed with demo in those cases. The second control is the site plan review process for commercial, mixed use, or multifamily buildings. The third control is the Route 33 Heritage District which is a process that covers all the buildings in that district, including single family residential and duplexes which are exempt from site plan review. The fourth control is that there are many incentives in place to get people to maintain historic buildings including a tax break. There is a historic barn assessment where an owner does not have to pay taxes on the barn itself for 10 year period if it is a historic barn. The idea of that is to take the tax savings and invest it into the barn. The final control is the new cluster subdivision requirements that require retaining historic buildings on the property unless a waiver is granted. Mr. Connors suggested if the Board wants to increase protections in town, an overlay district could be added to capture properties outside of the Heritage District. Regarding the project mentioned earlier, the change to vinyl siding could not be denied because it is not in the Heritage District. Mr. Connors suggested two options: 1) review the architectural standards and make sure that there is language in place regarding preservation and 2) to review potentially expanding the Heritage District.

Mr. Canada stated that Mr. Connors suggested an overlay district along the entire corridor and asked if it could be across the entire town. Mr. Connors replied he does not think so and that he spoke with the Municipal Association and the Town's attorney and their opinion is that it cannot be done on a town-wide level.

Mr. Zaremba asked if the restrictions in the Heritage District apply to all houses or just historic ones and asked if a house was built in 2000 and the owner wants to change the siding, does that require Planning Board review. Mr. Connors replied yes.

Mr. Zaremba commented that there are historic barns throughout the town as well that are worth trying to preserve.

Mr. Houghton is in support of an overlay outside the Gateway District. Mr. Canada provided a couple of examples of historic properties in the Gateway and suggested using River Road as the dividing line. Board members are in favor of expanding it.

Mr. House asked about reviewing the architectural standards. Mr. Connors replied he will review them and present suggestions at the next meeting.

Mr. Zaremba asked if historic houses in proposed conventional subdivisions could have a preservation factor like in the cluster subdivisions. Mr. Connors replied that he could look into it but he thinks it would be tricky due to the takings issue. He added that it works well with cluster subdivisions because the Town is giving something to those applicants.

b. Discussion of revised Driveway Permit Ordinance

Mr. Connors presented draft driveway standards created by the previous DPW Director. Although this is more a DPW issue, he is seeking Planning Board input on a few areas. The first is there is nothing in the current regulations that prevent someone from having two driveways. This includes circular driveways which in some cases are needed but for most properties one driveway is sufficient. One driveway is easier from drainage and maintenance perspectives. The draft standards

535 include the allowance of a second driveway for properties with 500 feet of frontage along a public
536 roadway, if more than one primary use is active on the parcel, and/or if a hardship or safety concern
537 merits a second driveway. This would be an administrative decision from the DPW director and
538 the Planning Director that could be appealed to the ZBA. Another issue from a planning
539 perspective is the slope of driveways. The National Fire limits it to 10% grade and the draft
540 proposes no higher than 9%. Lastly the existing regulations are in the subdivision regulations and
541 the Town's attorney recommended that driveway standards become a separate regulation. Mr.
542 Houghton agreed that makes sense. There were no other comments or questions.

543
544 Mr. Canada asked when the Wingate siding project will come before the Board. Mr. Connors
545 replied he is working with them now on the application. Mr. Canada asked if the progress has
546 stopped. Mr. Connors replied a Notice of Violation was issued that tells them what they need to
547 do within a certain period of time.

548 549 **6. Adjournment**

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551 **Mr. House made a motion to adjourn the meeting at 9:33 pm. Mr. Canada seconded the motion.**
552 **All voted in favor and the motion passed.**