



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a previous owner submitted a preliminary consultation application for this property previously, but the application was withdrawn before it was submitted to the Planning Board.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

45 minimizes wetlands and town impacts.
46

47 Mr. Scamman presented a plan of the property and described the existing conditions. He described
48 a yield plan with 37 lots and described a 54 unit Open Space Cluster Subdivision plan with a
49 variety of home sizes which includes 11 three-bedroom homes, 20 two-bedroom homes in an array
50 style (5 lots with 4 homes on one lot), 10 four-bedroom homes, and 8 larger estate lots. The concept
51 retains open space around the perimeter and there is a desire to possibly build a trail system that
52 could potentially connect to the power lines that might lead to the library. Mr. Goddard added that
53 he has a meeting scheduled with the Town on Friday to discuss a possible trail system. He believes
54 there is a way to connect this property with Smyk Park and the trails have an opportunity to connect
55 to the trails at Treat Farm which connect to Muirfield's.
56

57 Mr. Goddard stated that there is currently onsite a farm/fire pond for the property. He met with the
58 fire department to discuss continued use of the pond as a fire pond by adding a pump house. This
59 would be the only neighborhood in town with fire hydrants. They would need to complete an
60 analysis on the volume of water as it may need to be enlarged. He would like for the pond to be
61 able to be used for recreation purposes like fishing and ice skating.
62

63 Mr. House asked Mr. Goddard to elaborate on the fire hydrants. Mr. Goddard replied it would be
64 a pressurized system with a flexible hose connection instead of connecting a rigid pipe to a cistern.
65

66 Mr. Houghton asked for an explanation of the density bonuses being sought. Mr. Scamman replied
67 that they have completed test pits on the site and 12 of the 14 passed and they are planning on
68 some centralized systems. For the open space calculations the total combined lots is 103 acres and
69 the open space is 39 acres. The uplands of the open space is 25.86 acres and 35% is required as
70 open space which is met with the 39 acres. Mr. Goddard stated that with 37 lots there is a 10%
71 bonus for environmental land unique features. Mr. Scamman stated there are 34 total lots and using
72 the array is how they get to the extra homes. So there are 37 lots in the yield plan and they are only
73 proposing 34 total lots. The arrays are laid out in the zoning and that is how they get additional
74 homes. They are not asking for additional lots in the subdivision. Mr. Scamman explained that
75 they are trying to do something different by having a variety of homes as opposed to another recent
76 subdivision where the homes are proposed at \$2 million.
77

78 Mr. House asked what the fire department's opinion on the length of the street was. Mr. Goddard
79 replied that he was comfortable with the plan as shown and with it not connecting to Treat Farm.
80

81 Mr. House stated that in the past Fred Emanuel mentioned that he owns 100 acres that abut the
82 property and proposed connectivity for the future. Mr. Scamman replied that he spoke with Mr.
83 Emanuel and they determined that a large bridge would be need to span the wetlands and they
84 determined it wouldn't make sense to pursue it.
85

86 Mr. House stated there is an existing lot for the homestead and one for the farm and asked for
87 confirmation that in this case they want to merge lots. Mr. Scamman replied yes that essentially
88 they are asking for only another 48 lots because there are already two lots. Mr. House reminded
89 the applicant that the process to merge the lots must be completed as well.
90

91 Mr. House asked about plans for the existing barn. Mr. Goddard replied that he met with Nate
92 Merrill and Drew Bedard regarding preservation of the house and the barn. He stated there is a
93 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 radiiuses 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.
191

192 Mr. House reminded the applicant to share the plan with other departments such as the police
193 department and to submit responses received as part of the application. He added that they will
194 need to seek state approval for the wetlands crossings.
195

196 Mr. Allison commented that the project seems to be obligated to use the general area of the
197 roadway as proposed. He asked if the owners of Lot 14-55 would consider allowing a connection
198 to Treat Farm Road through their property. Mr. Scamman replied it is in conservation. Mr. Allison
199 wondered if a trade of conservation land could be made elsewhere. Mr. Scamman replied he knows
200 the owners and they were one of the first landowners to put land in conservation.
201

202 Mr. House commented that he believes the project has some challenges with the well locations in
203 the “yellow” parcel and suggested the applicant review that.
204

205 Mr. House stated this is a consultation meeting and nothing is binding. He invited members of the
206 public to speak.
207

208 Mark Adams of 86 Winnicutt Road spoke. He asked for clarification on which plan is proposed.
209 Mr. Scamman clarified that the yield plan is not proposed and is a requirement for submission
210 before requesting a cluster subdivision. Mr. Adams commented that the cluster subdivision plan
211 will be a bigger draw on the land and questioned how the applicant knows there is sufficient water
212 to support the project and he has concerns for how it might affect his well. Mr. Scamman replied
213 that water has never been an issue in past subdivisions and there is a lot of water on the lot. Beth
214 Adams of 86 Winnicutt commented that this has been a wet year. Mr. Scamman replied that the
215 water table is at the surface for a good chunk of this lot. He knows there can be hydrogeological
216 studies of water but has never had to do one on a subdivision. He stated that the leach fields will
217 return most of the water to the ground and therefore the treatment of the leach fields is more
218 important in his opinion. Mr. House and Mr. Scamman added that the NHDES and a third party
219 engineer from the Conservation District will review the septic system designs. Mr. Canada stated
220 that the wells won’t be taking surface water that they will withdraw from the bedrock. Mr.
221 Scamman replied that the septic systems will return water to the ground that eventually will
222 replenish the water table even in the bedrock.
223

224 Mr. Allison asked for confirmation that most of the wells will be hundreds of feet deep. Mr.
225 Scamman confirmed. Mr. Allison stated that what is seen on the surface as the groundwater is not
226 impacted at the deep level, this can be very old water and a very small portion of what you see on
227 the surface ends up deep. He added that surface wells are the ones that end up getting contaminated,
228 these are not going to be surface wells. Mr. Scamman provided an example of contaminated deep
229 wells at Pease. He stated that he believes treatment of stormwater is also important. He compared
230 this project to the large withdrawals at a golf course and provided an example of a leach field that
231 was destroyed by improper disposal of construction materials (sheetrock) before the home was
232 completed. He added that everybody in town is dependent on what everybody else does and that’s
233 why he feels that septic and stormwater design is most important.
234

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

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246 be submitted to a third party engineer for review and if there are legal questions, those can be
247 addressed by the town's attorney. Mr. Connors stated that regarding past practice vs. what is in the
248 ordinance, the ordinance prevails, but sometimes what is in the ordinance is not always as clear as
249 we would like so some interpretation may be required.
250

251 Josh Crow of 74 Winnicutt Road spoke. He noted there is a considerable change between the yield
252 plan and the cluster subdivision plan. He believes the concept of trail connectivity and open space
253 is a great concept. Mr. Crow stated he was a steward for the property owner when she was alive
254 and that it is truly one of the last 100-acre natural, beautiful pieces of land in this town. Regarding
255 the preliminary open space cluster subdivision plan, he likes the proposal of an accessible pond
256 for recreation, fishing, and skating. Mr. Crow added that Mill Brook is a large body of water and
257 in the wintertime he can skate it from Winnicutt Road to past the barn and in the springtime, it is
258 passable by kayak. He asked for as minimal disturbance as possible to preserve that. He also
259 requested retaining as many wildlife corridors as possible as deer, coyotes, and bobcats, travel that
260 Millbrook thoroughfare. He would like to see that open space common corridor retained.
261

262 Mr. Kunowski asked if the areas labeled on the plan are an indication of the development process
263 or just nomenclature. Mr. Goddard replied that his expectation is that all the road infrastructure
264 will be constructed at once and because there will be likely different price points and housing types
265 and housing needs he believes they will build in every single phase from start to finish. Mr.
266 Kunowski asked if it will be spec building or build to suit. Mr. Goddard replied that they will
267 construct some inventory because not every buyer wants to go through the entire process. At that
268 time they will get an idea of what the target market is looking for and he anticipates more
269 customized homes for end users.
270

271 Mr. Allison asked how much the least expensive home would be if built right now. Mr. Goddard
272 replied that is difficult to answer as he doesn't know the infrastructure costs yet and therefore how
273 it would be divided between each lot. He expects the largest homes to be over \$2 million and that
274 for the smaller arrays he anticipates \$600,000 to \$800,000. He added that build costs are still very,
275 very high. Mr. House stated there is a need for workforce housing and suggested the array section
276 could be workforce housing. Mr. Scamman replied that a recent news article stated the average
277 home price is \$850,000. Mr. Allison stated that was a median with 50% lower and 50% higher.
278 Mr. Scamman stated that duplexes are running \$650,000 in Stratham and these will be stand-alone
279 homes and he is working on a home in Newington where the lot itself was \$900,000. Mr. Allison
280 asked if it would be age-restricted. Mr. Scamman replied no. Mr. Connors added that age-restricted
281 is no longer allowed in the ordinance except in one small zoning district.
282

283 Mr. House asked for an overview of the types of buildings proposed. Mr. Goddard displayed the
284 array home footprints which are 34 feet by 40 feet with a choice of three different plans and the
285 homes will be a minimum of 20 feet apart. Some plans will have a first floor master option. They
286 will all likely be two bedrooms and an office as office needs are important with work from home
287 and will range from 1,400 to 2,000 square feet. Mr. Goddard added that the plans are efficiently
288 laid out that not much square footage is wasted and will be a smaller footprint that is more energy
289 efficient. He believes the maintenance costs will be low.
290

291 Mr. House asked if all the utilities will be underground. Mr. Goddard replied yes.
292

293 Mr. Zaremba asked to double check the wetlands percentage allowed in the open space that he
294 thought it was only 20% of the open space and not of the total parcel. Mr. Goddard replied that is
295

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

301
302 Mr. Houghton asked Mr. Connors if the increased percentage of wetlands in the open space would
303 require a waiver. His concern is that if the Board interprets the regulations as opposed to following
304 them, then as going forward in every future application, there are no regulations. He respects and
305 appreciates the applicant's explanation, but to him it suggests it requires a waiver. Mr. Connors
306 replied that he agrees and a cluster subdivision requires a Conditional Use Permit so the Planning
307 Board could grant relief through the permit or it might require a variance. Mr. Goddard stated they
308 can create a plan where they wouldn't have to ask for relief along with the plan that includes relief.

309
310 Mr. House asked if the Board should continue the consultation so they can review that plan. Mr.
311 Connors agreed that is a good idea and asked that it be included when they submit the final
312 application. Mr. Scamman asked why an additional preliminary consultation is needed. Mr. House
313 and Mr. Connors stated that they just received the plans this evening and the Town staff and
314 abutters have not had a chance to review the plans. Mr. Connors added that he also seeks review
315 from department heads in town for preliminary plans and has not yet due to the late submittal. Mr.
316 Scamman asked for clarification on the continuing process and assumed that abutters need to be
317 notified again. Mr. Connors replied that abutter notification does not need to be repeated if the
318 meeting is continued and that is what he recommends. The Board agreed. Mr. Connors requested
319 that new material be submitted at least one week in advance of the next meeting which is July 10.
320 This was followed by a discussion of the timing of submission of the full application. Mr. Connors
321 explained that they can submit the full application in time to be scheduled for an August meeting,
322 but if changes are made based on the July 10 discussion, then revised plans would need to be
323 submitted at least two weeks in advance of the scheduled meeting.

324
325 **Mr. Zaremba made a motion to continue the consultation to July 10. Mr. Kunowski seconded**
326 **the motion. All voted in favor and motion passed.**

327
328 **4. Public Hearing (New Business):**

329
330 a. Copley Properties LLC (Applicant), C.A.N Realty Trust and GGF Limited Liability Co (Owners)
331 – Request for approval of a Site Plan and Conditional Use Permit at 89 and 91 Portsmouth Avenue
332 (Tax Map 13, Lots 22 & 23) to construct a mixed-use development to include six residential units
333 in three buildings and two office buildings totaling 12,624 square-feet of general office and
334 medical office uses. The parcels are zoned Professional/Residential. Application submitted by
335 Emanuel Engineering Inc., 118 Portsmouth Avenue, Stratham NH 03885.

336
337 Mr. Connors presented a summary of the project. There are two office buildings currently on the
338 properties that date back to the 1980s. The applicant proposes to merge the two lots, demo the

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

345
346 Mr. Scamman of Emmanuel Engineering spoke on behalf of the applicant. He stated that the
347 buildings were initially constructed as homes in the 1980s and were expanded over the last 20
348 years. The proposal is to demolish the existing buildings and construct a new office space
349 commercial plaza in the front which will replicate an old farmstead with a barn and include three
350 duplexes in the rear at a lower price point, possibly leased. A right-of-way exists in the back and
351 the Town asked for there to be connectivity to Butterfield Lane and maybe continue down to Doe
352 Run Lane and Raeder Drive. Mr. Scamman reviewed the request and it would have a direct impact
353 on a pond and wetlands. He proposes a curved road to Butterfield Lane but some of the land is not
354 part of the subject properties. They will remove the existing center driveway that splits the lots.
355 The well location was submitted to NHDES for preliminary review and it was determined that the
356 well will be classified as a public water supply. The project originally called for porous pavement
357 but porous pavement cannot be within the well radius, so they will end it farther away from the
358 well. He described the area of traditional pavement, how porous pavement works, and described
359 the direction of stormwater throughout the project. Crushed stone drip edges are proposed around
360 the buildings. The trash containers will be located in a back corner. Sidewalks are proposed to
361 connect the commercial entrances.

362
363 Mr. Connors asked if the idea is to separate the buildings into three separate office spaces. Mr.
364 Goddard replied that he does not know at this point. His plan is to frame the buildings as clear span
365 and the interior walls will be non-load bearing if possible for future flexibility.

366
367 Mr. Scamman stated that they tried to put all of the parking in the rear of the property and the
368 parking lot will separate the commercial and residential parking. The residential units will have a
369 drive-under garage from the driveway side not from the road. Mr. Goddard added that each unit
370 has two bedrooms.

371
372 Mr. Connors asked if the units will be rentals or condos. There was no audible response.

373
374 Mr. Kunowski asked if there are walkways around the residential units thinking in terms of guests.
375 Mr. Scamman replied they can add walkways.

376
377 **Mr. Canada made a motion to accept the application as complete. Mr. Kunowski seconded
378 the motion. All voted in favor and motion passed.**

379
380 Mr. House asked if one of the buildings will be medical office. Mr. Goddard replied that it is
381 general office space but they labeled it as potential medical office. Mr. House stated that if it is
382 medical, they need to be aware of the requirements for biohazard waste disposal and that it cannot
383 be put into the dumpster. Mr. Scamman agreed and replied that typically there are biohazard waste
384 lock boxes. Mr. House asked if there will be recycling bins. Mr. Scamman replied yes. Mr. House
385 asked if each unit will have their own bins. Mr. Goddard replied that all residents and offices will
386 use the onsite facilities. Mr. House asked if the number of dumpsters is sufficient. Mr. Scamman
387 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.
436

437 Mr. Canada stated that he likes the concept and design.
438 Mr. Kunowski stated that he likes the project as well and wants to go on record that the project
439 must comply with the sign ordinance.
440

441 Mr. House asked that the landscape plan include a title block. Mr. Goddard replied that they just
442 received the landscape plan from the landscape designer and Mr. Scamman hasn't had time to
443 transpose it onto the engineered plans. Mr. House asked for that to be completed and added that
444 he likes the concept of the project.
445

446 Mr. House asked if there will be a free-standing sign. Mr. Goddard replied yes and he will obtain
447 a building permit. Mr. Houghton and Mr. House asked for it to be included on the site plans. Mr.
448 Scamman asked if the board wants to see the elevations of the sign or just the location. Mr. House
449 replied both. Mr. Goddard stated that it is difficult to predict the size of the sign not knowing the
450 number of occupants.
451

452 Mr. House stated that the Town's third-party engineer needs to review the project and he request
453 a motion to open the meeting to the public.
454

455 **Mr. Zaremba made a motion to open the meeting to the public. Mr. Kunowski seconded the**
456 **motion. All voted in favor and motion passed.**
457

458 Girard Nista purchased 89 Portsmouth Avenue in 1989 and used it until Mr. Goddard took it over.
459 He thinks what Mr. Goddard is proposing is a good replacement that will be an asset to the town
460 visually and functionally. He believes it is time for an update to the property.
461

462 Tim Willis commented that he thinks the project looks really good.
463

464 Mr. Connors asked if they have spoken to NHDOT. Mr. Scamman replied not yet but it is on their
465 list.
466

467 Mr. House stated that NHDES needs to look at the project as well. Mr. Scamman replied yes, that
468 they will review the public water supply and septic system. The land disturbance is about 90,000
469 square feet so an Alteration of Terrain permit is not required.
470

471 **Mr. Zaremba made a motion to continue the hearing to July 10. Mr. Kunowski seconded the**
472 **motion. All voted in favor and motion passed.**
473

474 **5. Other Business:**
475

476 a. Discussion of potential zoning/land use tools related to preservation of historic properties
477

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

486 the building is historically significant, then that opens a 60-day period where the owner can't
487 demolish the property. The DRC would then work with the owner on an agreeable solution. If there
488 is no solution, then at the end of 60 days the owner can proceed with demolition. The hope is that
489 through this process, the owner doesn't proceed with demo in those cases. The second control is
490 the site plan review process for commercial, mixed use, or multifamily buildings. The third control
491 is the Route 33 Heritage District which is a process that covers all the buildings in that district,
492 including single family residential and duplexes which are exempt from site plan review. The
493 fourth control is that there are many incentives in place to get people to maintain historic buildings
494 including a tax break. There is a historic barn assessment where an owner does not have to pay
495 taxes on the barn itself for 10 year period if it is a historic barn. The idea of that is to take the tax
496 savings and invest it into the barn. The final control is the new cluster subdivision requirements
497 that require retaining historic buildings on the property unless a waiver is granted. Mr. Connors
498 suggested if the Board wants to increase protections in town, an overlay district could be added to
499 capture properties outside of the Heritage District. Regarding the project mentioned earlier, the
500 change to vinyl siding could not be denied because it is not in the Heritage District. Mr. Connors
501 suggested two options: 1) review the architectural standards and make sure that there is language
502 in place regarding preservation and 2) to review potentially expanding the Heritage District.
503

504 Mr. Canada stated that Mr. Connors suggested an overlay district along the entire corridor and
505 asked if it could be across the entire town. Mr. Connors replied he does not think so and that he
506 spoke with the Municipal Association and the Town's attorney and their opinion is that it cannot
507 be done on a town-wide level.
508

509 Mr. Zaremba asked if the restrictions in the Heritage District apply to all houses or just historic
510 ones and asked if a house was built in 2000 and the owner wants to change the siding, does that
511 require Planning Board review. Mr. Connors replied yes.
512

513 Mr. Zaremba commented that there are historic barns throughout the town as well that are worth
514 trying to preserve.
515

516 Mr. Houghton is in support of an overlay outside the Gateway District. Mr. Canada provided a
517 couple of examples of historic properties in the Gateway and suggested using River Road as the
518 dividing line. Board members are in favor of expanding it.
519

520 Mr. House asked about reviewing the architectural standards. Mr. Connors replied he will review
521 them and present suggestions at the next meeting.
522

523 Mr. Zaremba asked if historic houses in proposed conventional subdivisions could have a
524 preservation factor like in the cluster subdivisions. Mr. Connors replied that he could look into it
525 but he thinks it would be tricky due to the takings issue. He added that it works well with cluster
526 subdivisions because the Town is giving something to those applicants.
527

528 b. Discussion of revised Driveway Permit Ordinance
529

530 Mr. Connors presented draft driveway standards created by the previous DPW Director. Although
531 this is more a DPW issue, he is seeking Planning Board input on a few areas. The first is there is
532 nothing in the current regulations that prevent someone from having two driveways. This includes
533 circular driveways which in some cases are needed but for most properties one driveway is
534 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**

550

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.**