



Stratham Planning Board
Meeting Minutes
December 20, 2017
Municipal Center, Selectmen's Meeting Room
10 Bunker Hill Avenue
Time: 7:00 PM

Members Present: Bob Baskerville, Chairman
Jameson Paine, Vice Chairman
Tom House, Secretary
Robert Roseen, Alternate

Members Absent: David Canada, Member
Mike Houghton, Selectmen's Representative
Nancy Ober, Alternate

Staff Present: Paul Deschaine, Town Administrator
Tavis Austin, Town Planner-Absent

1. Call to Order/Roll Call

The Chairman took roll and explained Mr. Austin will not be present due to a personal family matter and Paul Deschaine will stand in as town planner for tonight's meeting.

2. Review/Approval of Meeting Minutes

a. December 6, 2017

Mr. Paine made a motion to continue the approval of the December 6, 2017 meeting minutes to January 3, 2018. Mr. House seconded the motion. Motion carried unanimously.

Mr. Roseen arrived. Mr. Baskerville asked if Mr. Roseen would agree to step in as a regular member tonight for voting purposes. Mr. Roseen agreed.

3. Public Hearing

- a. **Site Plan Review Application** to revise existing site plan from 6 buildings to 4 buildings with associated parking, utilities, and drainage. The proposed 4th building will have a footprint of +/-20,000 square feet. The project is located at 118 Portsmouth Avenue, Stratham, NH 03885, Map 13 Lot 69 submitted by Fred Emanuel, Emanuel Companies Inc., 118 Portsmouth Avenue, Stratham, NH.

Bruce Scamman, Emanuel Engineering, representing Emanuel Companies Inc. Mr. Scamman introduced Fred Emanuel, Owner of Emanuel Companies; Mike Donahue; Charlie Cote, Electrical Engineer; and Robbi Woodburn, Woodburn & Company Landscape Architecture. Mr. Scamman explained the site for the audience and the changes done from the previous submittal. The driveway that ran to the end of the building has been removed. The generator and transformer pads have been moved. The dumpster was added to the plan. There is a drainage study with the submittal. Bio-infiltration units have been added for roof run off. Two rows of lights have been removed from the first submission and the intensity of the lights has been reduced. Two light fixtures have panels and the light fixtures have been redesigned for more efficiency and casting the light forward. 150 ft. of 6 ft. stockade fence is being proposed, in conjunction with a 6 ft. berm and vegetation, to prevent car lights from shining onto Mr. King's property.

Ms. Woodburn is extending the existing landscape treatment into the new part of the site so a layer of trees near the entry drive will continue down the driveway. There is an extensive evergreen buffer along the property line with Mr. King. Mr. Baskerville asked for confirmation of what is existing and what is being proposed. Mr. Paine asked if the proposed landscaping will be the same as the existing. Ms. Woodburn stated yes. Mr. Roseen asked if the screening between the properties is 10 ft. on center and staggered. Ms. Woodburn stated yes. Mr. Baskerville asked for a quick summary of the septic and well for the new building. Mr. Scamman stated the test pit information is on Sheet C2, which includes a series of test pits done in the 1990's, as well as additional test pits done recently, and range in places up to 18 ft. deep with the sand and some of the site has been partially leveled. The most recent test pits ranged 36-42 inches after all the cutting was done. Mr. Scamman stated the site has a public water supply and has 14,000 gallon capacity per day. The existing two buildings flow is approximately 300 gallons per day as used, and is currently permitted at 1,600 gallons per day. Mr. Scamman explained the series of test pits done for the porous pavement, which are also listed on drawing C2. Mr. Baskerville asked Mr. Scamman to explain the waivers which are being requested. Mr. Scamman stated two waivers will be requested;

1. A waiver for lighting going over the property line, and
2. To move the vegetation to the outside edge of the island.

Mr. Paine asked Mr. Scamman to explain the traffic report. In summary, Mr. Pernaw recommends leaving the intersection in its current configuration. The traffic movements operate below capacity, through 2029, when the analysis was done. Mr. Scamman stated there is a cistern, which was just for the sprinkler, and a letter from the sprinkler engineers who looked at the existing pump, originally sized for all six buildings, and they concluded a second cistern was not needed so it was removed from the plan. A 12,000 gallon cistern is currently on site with a pump in Building A and has a water loop. Dave Emanuel is working with the fire chief regarding fire safety. Mr. House asked if fencing or screening would be put around the dumpsters. Mr. Scamman stated there is a detail for screening if the board chooses. Mr. House questioned whether a revised plan would be submitted. Mr. Scamman stated yes, the plans will be updated to include everything for the final submission, including a planting list. Mr. House asked if the rooftop unit sizes are estimated. Mr. Emanuel stated there will be one unit to serve one whole floor and the second floor will have several smaller

93 units. Mr. Deschaine asked if the proper setbacks to the septic were taken into account for the
94 perimeter/foundation drains around the existing buildings and the proposed building. Mr.
95 Scamman stated yes. Mr. Baskerville questioned what is needed for state permits and have
96 they been submitted. Mr. Scamman stated ALT and two septic permits for each of the
97 buildings will be submitted immediately, and the public water supply will be updated and
98 submitted by a company who Emanuel uses and will be submitted post construction.
99

100 Mr. Baskerville opened the hearing for public comment. Jeremy Riecks, 18 Doe Run Lane,
101 stated the lighting plan the board has, which was submitted to Mr. Austin, doesn't show the
102 proposed brass lanterns on each side of the entrance way and does not comply with the
103 requirements of the lighting ordinance. The brass lanterns have 360 watt candelabra base
104 fixtures in them and provide light in all directions and they shouldn't be allowed. Mr. Riecks
105 submitted some cut sheets and picture of a fixture made by Hinkley which appears to be full
106 cut-off with no glare. The bollards on the previous plan had full cut-off optics and the
107 bollards being proposed do not have full cut-off optics and have a glare component. Mr.
108 Riecks would like the board to ask the applicant to use the previously proposed bollards. Mr.
109 Riecks asked if all of the perimeter lights will have backlight control and, if not, why. Mr.
110 Scamman asked Mr. Riecks for clarification. Mr. Riecks stated backlight control prevents
111 light from going behind the fixture to some multiple of the mounting height and keeps it from
112 going half of the mounting height behind the unit. Mr. Scamman explained the current and
113 proposed lighting for Mr. Riecks.
114

115 Charlie Cote, electrical engineer assisting Emanuel Companies, stated he was in the original
116 designer of Emanuel Properties and a simple lantern was installed at the entrance for safety
117 reasons. The fixtures average is 2.09 and Mr. Cote target is 2.04, which is calculated using
118 Foria Analysis. Mr. Cote gave a summary of the decisions that were made regarding lighting.
119 Mr. Baskerville asked what the height of the poles are. Mr. Cote stated 3 ft. base and 17 ft.
120 pole. The fixtures that are being proposed were found on the Dark Sky website. Mr. Cote
121 explained the poles were moved 60 ft. Mr. Cote explained the design took into account Mr.
122 King's concerns, as well as meeting the lighting requirements. Mr. Deschaine asked for
123 clarification of Mr. Cote that the lanterns proposed will be as follows: 2 at each entrance (2 at
124 the back entrance and 2 in the front entrance of the larger building), and 2 at the new smaller
125 building which is a total of 6. Mr. Cote confirmed.
126

127 Kevin King, 1 Portsmouth Avenue, asked for clarification regarding the line of the berm, the
128 fence, and the shrubbery. Mr. King stated it appears the berm is going away and needs to be
129 replaced and the fence needs to be extended from 150 ft. to 200 ft. Mr. Baskerville asked Mr.
130 Scamman to explain the plan for the berm and fencing to Mr. King. Mr. Roseen asked for
131 clarification that the lighting being proposed is within the regulation requirements and
132 everything else is goodwill measures between neighbors. Mr. Deschaine agrees. Mr. Roseen
133 asked for a rendering that would show the approach where the proposed cut is in relation to
134 the topography, the abutter's homes, etc. Mr. Scamman explained the plan for Mr. King
135 regarding the fencing, berm, and vegetation on the property line. Mr. Baskerville stated Mr.
136 Scamman offered to go to Mr. King's property, assess the fencing, and adjust it and add to it if
137 necessary to solve the lighting issue. Mr. Roseen asked what the reason to not do a berm was.
138 Mr. Scamman showed the previous plan to explain that there are existing trees along the

property line and they are trying to save those. Shane Wilson, electrical contractor, asked Mr. Scamman to go over the lighting plan again to clarify why the lighting is not on the edge of the property throwing the light forward. Mr. Cote stated if a fixture is put along the property line with 5, 3, .5 ft. candles at the property line and Mr. Wilson is proposing is 7, 5, right at the property line. Mr. Scamman, Mr. Cote, and Mr. Wilson discussed the lighting design. Mr. Baskerville reminded attendees that the Planning Board's responsibility is to look at the big picture and making sure regulations are met and has little to no authority over cut sheets. Mr. Wilson asked for clarification of the lighting waiver that states "match existing" and is a 12 ft. pole. Mr. Cote stated the town's lighting height regulation is 25 ft. Mr. Baskerville stated it technically is not a waiver. The applicant is turning in revised plans with revised pole heights. The waiver process is for items that don't meet the regulations, and since this is a revision to the plan, it doesn't require a waiver per planning board requirements. Fred Emanuel stated he chose the Progress fixtures for their colonial, brass appearance.

Mr. House made a motion to close the public hearing. Mr. Paine seconded the motion. Motion carried unanimously.

Mr. House asked for clarification that the light poles will be removed from the islands and grass area and that some poles will be in the pavement with no grass area. Mr. Scamman stated yes.

Mr. Paine made a motion to grant the waiver of Site Plan Review Regulations Section 4.3.2.g, with the understanding that the applicant has made strides to accommodate environmental considerations with the pervious surface and lighting arrangements mentioned previously, in addition that the alignment of the trees along the road has accentuated those areas. Mr. House seconded the motion. Motion carried unanimously.

Mr. Roseen made a motion to accept the waiver, as amended, per Lighting Plan E1 and E2, for Site Plan Review Regulations Section 4.3.2.j. Mr. Paine seconded the motion. Motion carried unanimously.

Mr. Paine made a motion to grant the waiver of Site Plan Review Regulations Section 4.3.2.n, for traffic impact analysis with the understanding that the data provided by The Stephen G Pernaw & Company Inc. report dated December 20, 2017 provides input as to onsite traffic and potential offsite improvement considerations that were found to be not advantageous to the immediate project area for public safety considerations. Mr. House seconded the motion. Motion carried unanimously.

The board discussed precedent and subsequent conditions which will be addressed prior to the mylar being signed and recorded.

Mr. Paine made a motion to approve the Site Plan Review application to revise existing site plan from 6 buildings to 4 buildings with associated parking, utilities, and drainage. The proposed 4th building will have a footprint of 20,000 +/- square feet located at 118 Portsmouth Avenue, Map 13 Lot 69, Stratham, NH.

185 The following are conditions precedent:

- 186
- 187 1. The applicant to provide landscape architect stamped plans which will be modified to
- 188 reflect the current plan submitted December 20, 2017.
- 189 2. The applicant shall comply with state and local permitting and provide the planning
- 190 department copies of all permits outside town jurisdiction.
- 191 3. Town staff to review Stephen Pernaw traffic report dated December 20, 2017 and concur
- 192 with the findings stated in the report.
- 193 4. The applicant to provide a site section from the abutter's home to the site and the turning
- 194 location to identify lighting at night.
- 195

196 The following are conditions subsequent:

- 197
- 198 1. Landscape performance, maintenance surety to be provided in accordance with Section
- 199 VII of the Site Plan Regulations.
- 200 2. Applicant shall comply with the Town of Stratham Site Plan Regulations in their entirety
- 201 where not addressed by standing 1997 approval or the waivers granted December 20,
- 202 2017.
- 203 3. The applicant to submit a report of their review with the abutter to confirm location of
- 204 fencing, the report to be signed by both parties.
- 205

206 Mr. House seconded the motion. Motion carried unanimously.

207 4. Public Meeting

- 208
- 209
- 210 **a. Preliminary Consultation Application for 257 Portsmouth Ave. *Site Plan Revision-Kevin***
- 211 **Roy. Preliminary Consultation** to permit a site plan revision due to changing conditions in
- 212 order to construct a garage at Tax Map 22 Lot 8.
- 213

214 Kevin Roy, 257 Portsmouth Avenue, requested an amendment to the current recorded site

215 plan, which was requested and approved in 2014. Mr. Roy stated he was granted a variance in

216 2014 due to the wetlands being within the area of the proposed building and the wetlands at

217 that time were considered man-made drainage. Mr. Roy stated he is currently looking to put a

218 detached garage on the property. Mr. Roy explained he spoke with John Hayes, who

219 completed the original wetlands delineation, to confirm the setback regulations. Mr. Roy was

220 informed by Mr. Hayes that man-made drainage is no longer considered part of jurisdictional

221 wetlands. Mr. Hayes recently flagged the property and submitted a report which has been

222 submitted to the board. Ken Berry Engineering has been to the property to document the flags

223 which the board also has in their packet.

224

225 Mr. Baskerville asked if there would be pavement going to the garage. Mr. Roy stated yes, it

226 is currently gravel and there is a parking lot in front of the gravel drive. Mr. Baskerville asked

227 if the garage would be accessed from the left or right side of the current building. Mr. Roy

228 stated down the existing driveway going to the short side. Mr. Deschaine explained that staff

229 review stated Mr. Austin has not had ample time to review the prior approval and asked what

230 comments the planning board would like addressed if this application is to go forward as

231 presented. Mr. Paine asked Mr. Roy what the expectations of the garage are. Mr. Roy stated

36' x 42', 10 ft. walls with a loft on top which will be mainly storage, with a 10 pitch roof. Mr. Paine asked if the abutters are residential on both sides of the property. Mr. Roy stated yes. Mr. Baskerville asked if it will be a peaked or flat roof. Mr. Roy stated peaked roof. Mr. Paine asked if the building will have the same characteristics of the existing building. Mr. Roy stated yes. Mr. Baskerville stated it should not be an issue if it is not in the wetland setback, but there is a history of variances for the use, etc. which need to be reviewed. Mr. Roy stated this is the problem, is the property a commercial property or a residential property. Mr. Baskerville stated Mr. Austin will need to do some research and make a determination of what the process is. Mr. Baskerville explained to Mr. Roy that he will need to show on the plans how the gravel will be extended and that there will be adequate parking, the drainage, grading to meet requirements, etc.. Mr. Paine asked if there is anticipated electrical or plumbing. Mr. Roy stated he would like to have a bathroom in the garage. Mr. House asked Mr. Roy if there would be any residential living. Mr. Roy stated not that he's thinking about. Mr. Baskerville questioned if a new septic would be done for the bathroom in the garage. Mr. Roy stated he is looking at prepping it for a bathroom and would tie into the existing 3-bedroom system through the basement. Mr. Roy stated there is a 3-bedroom septic system, but there is no bedroom and it is not being lived in, which is where the question comes in as to whether it is an accessory building or a house. Mr. Roseen asked about the process for determining jurisdictional versus man-made drainage. Mr. Roseen stated he is familiar with the fact that it's established now that man-made drainage is non-jurisdictional, and questioned how the line is determined. Mr. Deschaine stated there is an article he read today that jurisdictional wetlands may not meet the state jurisdictional wetland determination, but the Town of Stratham's ordinance and setbacks are based on poorly and very poorly soils, and is no longer addressed at the state level. Mr. Roseen explained the planning board will need more information and staff will need to help the planning board interpret the information needed. Mr. Deschaine asked Mr. Roy if the proposed addition/garage on the original site plan was built. Mr. Roy stated yes the garage exists on the main building. Mr. Deschaine questioned what will happen to that garage and will it stay a garage. Mr. Roy stated yes. Mr. Paine asked if Mr. Roy anticipates additional parking leading up to the proposed garage, or pavement, and if the gravel will remain going to the garage. Mr. Roy stated he will probably pave it. Mr. Paine asked if there is anticipated signage on the building. Mr. Roy stated no. Mr. Roy stated some fill will be needed to raise up the area where the proposed garage is to be placed. Mr. Roseen stated AOT storm water management will be requested.

Mr. Deschaine stated a co-location agreement has been submitted by Verizon Wireless in order to comply with the ordinance that speaks to a co-location agreement. The agreement was prepared by Verizon Wireless attorney, staff reviewed the agreement, and the Planning Board Chairman is required to sign the agreement before a building permit can be issued. Mr. Paine made a motion to authorize the Planning Board Chairman to sign the Co-Location Agreement submitted by Verizon Wireless. Mr. House seconded the motion. Motion carried unanimously.

5. Adjournment.

Mr. House made a motion to adjourn the meeting at 9:48 pm. Mr. Roseen seconded the motion. Motion carried unanimously.