



Stratham Planning Board Meeting Minutes
March 6, 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. February 21, 2024

Mr. Zaremba made a motion to approve the February 21, 2024 meeting minutes. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.

3. Public Hearing:

- a. Chinburg Properties, Inc. (Applicant), Lanzillo Irrevocable Trust (Owner) - Request for approval of a proposed conventional subdivision of 189 Bunker Hill Avenue, Tax Map 6, Lot 167, into six buildable lots served by a new road. The parcel is Zoned Residential/Agricultural. Application submitted by Beals Associates, 70 Portsmouth Avenue, Stratham, NH 03885.

Mr. Connors introduced the application. This is a 13.2 acre parcel towards the end of Bunker Hill Road almost at the North Hampton town line. The parcel currently has one single family home on it. The parcel has no steep slopes and a small wetland on one corner of the lot. For the most part it's a dry lot. The proposal is to install a road and have six buildable lots.

Christian Smith from Beals Associates presented the application on behalf of Chinburg Properties and introduced Alex Monastiero from the Gove Group. He stated that the plan has not changed a tremendous amount since the December preliminary consultation meeting except that they have a firm boundary survey completed along with topography and test pits located. The site specific soils have been delineated by Gove Environmental Services. The road was slightly altered to retain a

couple of trees that are very important to a neighbor to the west. They have located the high point of the road to about 40 or 50 feet of the actual high point of the existing property. The applicant has filed a driveway permit with NH Department of Transportation (DOT). Mr. Smith noted that because they have to take a negative slope off Bunker Hill, they have a system of catch basins designed which travel to a manhole, then through a swale and into the proposed infiltration pond at the end of the cul de sac. That will eliminate any stormwater from the new road reaching Bunker Hill Road. The plans include the 5,000 square foot septic reserve areas and 150 foot required boxes. Mr. Smith stated that when they reviewed the formal drainage calculations, one area resulted in the need for new test pits, drainage test pits, and design of another infiltration pond that will take overland flow from the lots and technically does not require treatment, but they need to get the water back into the ground. Mr. Smith stated there are no wetlands on the property and the lot sizes vary from 2 acres to 2.17 acres for a total of six proposed lots. All of the test pits were witnessed by Mike Cuomo of the RCCD. The road measures about 850 feet to the throat of the cul de sac which will have a conforming cul de sac radii for both pavement and the 60 foot right of way which they propose as a public road. Mr. Smith stated that only two state permits are required which are the subdivision permit and the DOT driveway permit and the project requires no waivers from the Planning Board. He asked for questions from the Board.

Mr. House asked if there are any houses on the other side of Bunker Hill Road opposite the new road. Mr. Smith replied there are not homes directly across the street but there is one a bit to the west. Mr. House's concern was with headlights exiting the new road. Mr. Smith replied that the Applicant has engaged with Ironwood Landscape Architects to work specifically with the abutter at 188 Bunker Hill Ave. The Applicant has agreed to provide a 50 foot setback on the rear line of the parcel at 180 Bunker Hill Avenue and Mr. Smith presumes that will be a deed restriction.

Mr. Allison stated he had a question on the stormwater drainage strategy and system and asked if the Town would be taking responsibility of it. Mr. House replied that the town will be a public road and he suspects it would be the Town's responsibility but he deferred to Mr. Connors on the answer. Mr. Connors replied that it varies by subdivision but in this case it would probably be the Town's responsibility. Mr. Smith added there will not be an HOA, but it's up to the municipality. He has seen municipalities go both ways, some wanting control of the maintenance and others not. In the latter case easements would be provided. Each of the ponds is located on an individual lot, so the deed would reflect the maintenance of stormwater ponds, which is not a huge endeavor for infiltration problems. Mr. Smith stated that it is not a great deal of work to maintain them, but to keep them functional would be on the homeowner. The easements would then be granted to the Town so that if the Town determines that that owner is not properly maintaining the structures, then the Town can do the work and then invoice the owner. Mr. Zaremba asked for clarification that the individual lot owners are responsible for maintaining the infrastructure. Mr. Smith replied in some cases. Mr. Zaremba asked what is being proposed here. Mr. Smith replied that it would all be town drainage and the Applicant has proposed and provided easements for that.

Mr. House reminded Mr. Smith that the Applicant will need to go before the Select Board to get a name for the road.

Mr. Allison stated that the project is within the Town's MS4 area for stormwater and therefore he thought the Town would need to maintain the infrastructure.

Mr. Smith stated that they ran an analysis for the drainage plans and there is a large subcatchment area. He explained stormwater flow direction for the Board. The project collects probably two-

94 thirds of the water that's coming from the west and directs it into that infiltration pond. That will
95 maintain the flow patterns coming from North and reduce the flow coming off that area to the
96 abutter to East as well.

97
98 Mr. House asked if the plans show the depth of the lots. Mr. Smith replied that they have completed
99 the dimensions but they did not make it to the formal plans.

100
101 Mr. House asked if the Applicant looked at a future secondary road. Mr. Smith replied that he
102 didn't see much of an opportunity for that at this parcel. He added to the northwest is conservation
103 land and the other surrounding lots are privately owned residential properties.

104
105 Mr. House asked if they are taking down the existing home. Mr. Smith replied yes. Mr. House
106 reminded that requires review by the Demolition Review Committee. Mr. Smith agreed.

107
108 Mr. House asked Mr. Connors if the Town has received comments from the third party engineering
109 review. Mr. Connors replied that we are still waiting for formal comments. Mr. Smith asked the
110 Board if he has questions on the comments, can he contact the engineer directly. Mr. House replied
111 and the Board members agreed that the questions should go through Mr. Connors.

112
113 Mr. Allison has a question about the shape of Lot 4 and noted that there is an easement over about
114 half of the area of the lot. The functional area that can be used is only about 1 acre. He also noted
115 that the 150 foot box goes into the front setback line, so it is pretty tight. He asked if the owner
116 will be allowed to use the detention basin for their purposes. Mr. Smith replied that he doesn't
117 think there will be much that an owner will want to do in there, but that the portion to the north is
118 available. Mr. Allison asked for confirmation that they can go into the stormwater basin. Mr. Smith
119 replied yes, it is the owner's lot and there will just be an easement for the Town to maintain the
120 ponds if they choose to or to maintain them if the owner is not maintaining properly. Mr. Allison
121 asked if the owner is expected to maintain the pond most of the time and the Town will come in
122 only as a last resort. Mr. Smith replied that it depends on the DPW's position on this. If the DPW
123 wants to have the maintenance on this then they can, but if they do not then it would be the
124 homeowner until somebody complains that they are not functioning properly. In the latter case the
125 Town can converse with the owner on the complaint or the Town can do the work and invoice the
126 owner. Mr. Smith believes it is a lot cleaner if the Town takes over responsibility. Mr. House asked
127 for confirmation that the basins are not considered wetlands. Mr. Connors replied they are not
128 wetlands now. Mr. Smith replied no, they are infiltration basins. Mr. House asked if there is a
129 buffer for these ponds. Mr. Connors replied he does not think so. Mr. Smith replied he believes it
130 is just the standard 35 feet to the septic system. Mr. House expressed concern that the owner might
131 disturb the pond and hinder its function. Mr. Smith replied that the owner will be made well aware
132 of the requirements including an Inspection and Maintenance Plan which each owner will be given
133 a copy whether it's their primary responsibility or not.

134
135 With no further questions from the Board, Mr. House called for a motion to open the meeting to
136 the public.

137
138 **Mr. Zaremba made a motion to open the hearing to the public. Mr. Kunowski seconded the**
139 **motion. All voted in favor and the motion passed.**

140
141 Mr. House announced that written comments were submitted by Rick and Susan Philbrook,
142 abutters. He read aloud the letter which expressed concerns with stormwater runoff which Mr.

House noted was previously addressed by Mr. Smith. Additional concerns were stated with that section of Bunker Hill Road being dangerous for walking or biking due to blind and hilly corners. Mr. House asked if sight line studies have been completed. Mr. Smith replied there is a highway access sheet in the plan set which has been provided to DOT and they have not yet received a response. Mr. House noted that this concern is being addressed. Mr. Smith added that they have in excess of 400 feet in both directions. Mr. House continued reading the abutters' concerns with regards to wildlife and the corners of the road and that they oppose the project. He noted this letter has been entered into the record.

Mr. House asked if any member of the public wanted to speak.

Donna Frederick from Montrose Condos spoke on behalf of the board members from the Association. She asked if there will be individual wells or will they connect into Aquarion Water. Mr. House replied that the plans show individual wells. Ms. Frederick stated that is a concern for Montrose because the location of Montrose's wells abuts the project and they already have precarious water output. She asked if the project will have any effect on the water table where their wells are. Ms. Frederick stated that Lot 3 will abut their property and Montrose already has issues with their water and that DES is concerned with how much water they are putting out or not putting out. She asked if this is going to affect the amount of water that they can pull from the water table. Mr. Smith replied to her concerns and stated that it would be highly unlikely that the project will affect the water table. The septic system design is 600 gallons per day for a four bedroom home and the well draw would equal that. He cannot fathom that new withdrawals could have any impact on the condominiums' wells and that the condominium's wells are probably deeper than what the new wells will be. Mr. Smith also stated that it appears that groundwater flow is to the southeasterly direction which is away from the Montrose property towards this project. Mr. House stated that the project will not have an adverse effect on the wells for Montrose. Ms. Frederick replied that they have just completed a lot of work on their wells and they will check with their engineer on their output. She reiterated concerns that the project could affect their wells and that DES is concerned with the output from Montrose's wells. Sarah Cook from Montrose Condos added that Mr. Smith's response was more like an assumption and not a clear response. Mr. Connors replied that if Montrose's engineer has concerns, to let the Town know and the Planning Board could require a study be done either by the Town or by the Applicant to show that your water needs wouldn't be affected, or how we can mitigate it so that they wouldn't be affected from this development. Ms. Frederick replied that they will contact their engineer tomorrow. Mr. Canada asked if their well is inadequate and he added that it is 30 years old so it is likely calcified. Ms. Frederick replied that it was cleaned and they completed an upgrade of their well equipment which was led by DES stating that they were not putting out enough water for the amount of people in the development. Mr. Canada asked if they have adequate supply now. Ms. Frederick replied yes but if they do not pull enough water in the future then DES will put them in probationary standards again. Mr. Canada asked if the state is currently satisfied with the output. Ms. Frederick replied yes.

Alexandra Cody, an attorney for Leah Gray of 181 Bunker Hill Avenue, spoke. She asked that the 50 foot side setback from Lot 1 and her client's property that has been in agreement, be added as a deed restriction and be reflected on the approved plan.

Michael Cole of 10 Wedgewood Drive spoke. He asked for clarification on what some of the features of the plan are. Mr. Smith described certain features such as the wells and a 75-foot protective radius around them, test pits, and septic reserve areas. Mr. Cole stated that in Lot 3

192 where the leachfield is, there was significant runoff from Wedgewood Drive from the heavy rain
193 a few weeks ago which resulted in a stream there. He wondered if that is not a good place for a
194 leachfield. Mr. Smith replied that the test pits passed and that the 5,000 square-foot size designated
195 on the plan is enormous for a single family home and the actual field will be a quarter of that size
196 or less. He showed a stand of trees that is proposed to remain as well. Mr. Smith added that the
197 squares on the lot depict a 150' by 150' box that needs to fit on every proposed lot in town. Mr.
198 Cole asked if the house would not necessarily be within the box. Mr. Smith replied not necessarily,
199 but likely. Mr. House stated that the Town wants to be sure it is a buildable lot. Mr. Canada added
200 that the idea is that there can't be a real squiggly two acre lot, that there has to be some substance
201 to it.

202
203 Jeff Sonneborn of 8 Wedgewood Drive spoke. He understands the proposed 50 foot rear setback
204 for trees on the specific lot mentioned earlier and asked if there is language that will require the
205 owner to retain the trees. Mr. Smith replied that the rear yard setback is 20 feet, so that is the most
206 that they could cut and the lots are so open that he doesn't see a reason why anybody would cut
207 more. Mr. Zaremba stated that the property owners could still cut them. Mr. Smith agreed. Mr.
208 Connors stated that they cannot build a structure within 20 feet of Mr. Sonneborn's lot but they
209 could remove vegetation unless there was some kind of special condition placed on the approval.
210 Mr. Canada asked if that is what Mr. Sonneborn is asking. Mr. Sonneborn replied yes. Mr. Canada
211 asked Mr. Smith if the Applicant would be amenable to that. Mr. Smith replied that he will have
212 to check with his client and that they have been very willing to work with the neighbors. He added
213 that in any cut restriction that would go with an individual lot as a deed restriction, they would
214 have to have the ability to take up dead and diseased trees if they become a hazard to the home.
215 Mr. Sonneborn agreed with that.

216
217 Mr. House asked if the Board has any questions.

218
219 Mr. Allison stated that in light of the written comments received from the Philbrooks, he would
220 like the Board to consider putting sight triangle easements so that the Town can make sure that if
221 there are obstructions from vegetation, that the Town can come in and clean them out. The typical
222 problem, in the absence of easements, is that a Department of Public Works will feel very uneasy
223 and often will not do the trimming that's required to keep the lines of sight.

224
225 Mr. Zaremba asked Mr. Connors if the DPW currently maintains any retention ponds. Mr. Connors
226 replied yes. Mr. Zaremba asked if they need to consult with the DPW. Mr. Connors replied that he
227 is waiting for comments from the DPW. He noted one drainage area set back from the road and a
228 little challenging to access whereas the one at the top of the cul de sac is very easy for the town to
229 access. Mr. Connors stated that in the preliminary application they proposed open drainage and
230 asked for an explanation for the change. Mr. Smith pointed to the high point of the road and with
231 the water coming downhill, they are compelled to go negative off the DOT pavement so they ended
232 up with a hole or sump, so they had to figure out a way to get water into pipes and direct it to the
233 larger detention pond. Mr. House summarized that the water is coming from that high point
234 towards Bunker Hill and that they are going to redirect the water underground or to that catch basin
235 and direct the water to the rear, so water will not go across the street. Mr. Smith replied yes and
236 that they are taking a bit of their side of the crown of Bunker Hill that travels down in that direction.

237
238 In response to Mr. Allison's previous comment, Mr. Smith stated that on the highway access sheet,
239 it appears the sight line triangles are within the right of ways. Mr. Allison asked if Mr. Smith thinks
240 that is enough. Mr. Smith replied that it should be and they may get input back from DOT on that.

Mr. Allison asked if there is any dedication being given for the right of way. Mr. Smith replied not in addition to the standard right of ways. Mr. Allison described a situation where a property owner could install vegetation that blocks the line of sight and he asked the Applicant to look at that. Mr. Smith replied they will and they will mention it to DOT.

Mr. Zaremba asked if there is a plan showing the drainage ponds and the wells on one sheet. Mr. Smith directed his attention to the profile sheets but those sheets do not include the wells and the radii. Mr. Zaremba asked if the house can be built in the radius. Mr. Smith replied yes, the radius only restricts septic systems.

Mr. House asked for the lot with the existing home, how they will finish the lot with regards to backfilling and seeding. Mr. Smith replied that the road takes part of the existing house and his understanding is the remaining area will be loamed and seeded.

Mr. Houghton stated that police and fire need to review the plan and he asked Mr. Connors to make sure that the Town's engineer looks carefully at the retention ponds particularly with an eye for MS4. Mr. Connors replied that is a good comment and he added that he is aware that with the MS4 requirements, the Town is required to sweep streets that have closed drainage and that is why he asked about the change from what was presented in the preliminary consultation. Mr. Smith replied that it is essentially open drainage except where the sump locations are. He further described the proposed stormwater and stated that he believes that covers the Town for MS4.

Mr. Canada stated he would like to see the 50-foot no cut zone codified into the approval process. Mr. Smith said the trees aren't that deep on the property so they can't meet that.

Mr. House commented that they should revise the plans to add something about landscaping. Mr. Smith replied that they will do so when they receive plans from Ironwood Landscape.

Mr. Zaremba asked what the timeline for the DOT driveway approval is. Mr. Smith replied they say no longer than 30 days, but it has been longer for this application. Mr. Zaremba commented that the lots seem very tight and hopefully they won't have to move the driveway.

Mr. House asked if there will be sidewalks. Mr. Smith replied no.

Mr. House asked if there are any additional comments from the public. There were none. He explained that the Applicant will be back again and the public is welcome to attend.

Mr. Connors stated there is a note on the plans that the houses will have fire suppression systems and asked if that is the case. Mr. Smith replied yes the homes will be equipped with sprinklers in lieu of a 30,000 gallon cistern. Mr. House asked if the fire department required it. Mr. Smith replied no, that it is the Applicant's desire. Mr. House asked if they have installed them off of a well system before. Mr. Smith replied yes, there will be a tank in the basement that is pressurized.

Mr. Connors stated that he sees the project is under the AOT threshold and asked what the total disturbance is. Mr. Smith replied he thinks around 72,000 to 78,000 but he will confirm.

Ms. Cook from Montrose Condos asked if there will be street lighting. Mr. Smith replied there is no lighting proposed.

Mr. Connors asked if what kind of housing is being proposed. Ms. Monastiero from the Gove Group replied the homes will be semi-custom single family homes with three or four bedrooms. Mr. Houghton asked that on Lots 3 and 4 where the septic reserve is identified as much larger than it needs to be, can they remove the portions in the setbacks and show where they will actually go. Mr. Smith corrected that they are out of the setback and that is a tree line. Mr. Houghton asked them to be removed from the tree line because the project could go through multiple builders who could be lead to believe they can put them anywhere and Mr. Houghton prefers for the systems to not be in the trees.

Mr. Zaremba asked that the 150-foot lot depth be included on future plans. Mr. Smith agreed.

Peter Wiggins of 179 Bunker Hill Avenue asked if the no cut buffer applies to the entire periphery of the property. Mr. Zaremba stated he would like to see that. Mr. Smith replied that there is only 20 feet of tree depth currently. Mr. Houghton stated it could be added as a condition. There was discussion about retaining the existing tree line as a restriction. Mr. Smith stated he would bring that to his client.

Mr. Connors stated he would like the Applicant to return on April 3rd to give the Town sufficient time to receive the engineer's comments.

Mr. Zaremba made a motion to continue the application to the April 3, 2024 meeting. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.

4. Public Meeting:

a. Other Business:

1. Legislative Update

Mr. Connors stated that are no legislative updates on the verge of passing but he will continue to keep on top of them.

2. Planning Board Goals for 2024/2025

Mr. Connors stated that Voter Information Night is tomorrow at the Town Municipal Center, the town vote is on Tuesday next week, and Town Meeting is Saturday March 16th. He asked the Board if they have any Zoning ideas for next year that might take a lot of workshopping to get started on those now. Mr. Zaremba asked if in light of recent tax bill increases, is there anything the Board can do to make commercial districts more appealing. The Board discussed the issues with the lack of municipal water and sewer services and what could be done to bring the discussion back.

Mr. Connors noted a few suggestions including revamping the Gateway District, creating a complete streets policy, considering restrictions on building demolition in the Town Center District, adding a residential bonus for smaller housing units, a fire alarm ordinance proposed by the fire department, updating the Town's driveway standards, updating the wetlands ordinance, and updating certain definitions.

Mr. Connors stated that there are a vacancies for positions on the Planning Board, Conservation

Commission, and Zoning Board.

Mr. Canada asked if the ZBA met yet to determine if they will rehear the Stoneybrook project. Mr. Connors replied the ZBA met last night but the Select Board requested a postponement until five members could be present. The ZBA granted the postponement and voted to suspend the variance pending the decision on the rehearing. The next ZBA meeting is April 2nd. Mr. Canada asked if the Applicant responded to the Town's request for rehearing. Mr. Connors replied yes and he will forward it to Mr. Canada.

5. Adjournment

Mr. Canada made a motion to adjourn the meeting at 8:19 pm. Mr. Zaremba seconded the motion. All voted in favor and the motion passed.