



TOWN OF STRATHAM

INCORPORATED 1716

10 BUNKER HILL AVENUE • STRATHAM NH 03885

VOICE (603) 772-7391 • FAX (603) 775-0517

MEMORANDUM

TO: Michael Houghton, Select Board Chair
Allison Knab, Vice Chair
Joe Anderson, Select Board

FROM: David Moore, Town Administrator

DATE: August 19, 2022

RE: Process for Accepting Donated Land – 18 Jana Lane

As you may recall, the Select Board has authorize scheduling a public hearing for acceptance of a donation of land, 18 Jana Lane. The process for accepting an interest in land is laid out in RSA 41:14a. Whereas the Stratham Town Meeting has previously authorized the Select Board to accept and dispose of interests in land, the next steps is to follow the RSA driven procedures, which include the following:

1. Consultation with the Planning Board (complete – see attached memo from Mark Connors).
2. Consultation with the Conservation Commission (complete – see attached memo from Mark Connors).
3. Consultation with the Heritage Commission (scheduled for September 7, 2022)
4. Two public hearings are to be held, no closer than 10 days apart.

Based on the requirements of the law and the Board's past direction, I will publish a legal notice for the first public hearing on September 19, 2022. With the Board's agreement on that evening, I will release a notice for a second public hearing.

We have kept the donors up to date on our progress as well as consulted with our Town Counsel concerning the potential upcoming transaction.

If you have any questions, please do not hesitate to reach out to me.

cc: Mark Connors, Town Planner



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10 Bunker Hill Avenue · Stratham, NH 03885 Town

Clerk/Tax Collector 603-772-4741

Select Board/ Administration/ Assessing 603-772-7391

Code Enforcement/ Building Inspections/ Planning 603-772-7391

Fax (All Offices) 603-775-0517

TO: Select Board Members
FROM: Mark Connors, Town Planner
FOR: August 1, 2022
RE: **Potential Land Donation to Town – 18 Jana Lane**

Pursuant to the Select Board's request, the Planning Board and Conservation Commission recently evaluated the proposal by Richard and Marilyn Young to donate a 0.84 tract of land at 18 Jana Lane (Tax Map 24, Lot 31) to the Town of Stratham. Both the Planning Board and Conservation Commission voted to recommend the Select Board accept this donation.

The Planning Board and Commission discussed several advantages of the proposal including the tract's location adjacent to the Salt River Association Land which, through its conservation easement, allows for public access for passive recreational activities. The Board and Commission felt that there was minimal risk to accepting the donation but that it provided for many potential benefits. Because the parcel is currently only assessed at \$17,200, it generates only approximately \$320 in tax revenues annually. The impact of removing the parcel from the community tax base would therefore be non-consequential. The Jana Lane parcel has been identified as a potential location for a trailhead and a few parking spaces to provide better public access to the Salt River land and to other abutting conservation tracts owned by the Town and the NH Fish and Game Department that do provide for public access. For your reference, minutes from the Planning Board discussion and a letter from the Conservation Commission are attached.

The Town is aware that a sizable portion of the parcel is wetland. Drainage from the housing development has been directed to this area through existing conveyance systems. However, the Youngs have indicated that the eastern areas of the parcel include uplands. The only way to confirm this would be to have the property surveyed and flagged by a certified wetland scientist.

If development of the property involved a wetland impact or crossing, a Dredge and Fill Permit would need to be obtained from NHDES. However, if the impacts are relatively minimal, it is possible no significant mitigation would be required.

At this early juncture, it is too soon to determine the best use of the property, but it is clear from the discussions and further analysis that the potential benefits of accepting the donation of 18 Jana Lane outweigh the potential disadvantages. Staff agrees with the Planning Board and Conservation Commission recommendations that the Select Board vote to begin the process of formally accepting the land donation. Whatever the Board decides, staff will promptly let the Youngs know.

Finally, if the Board votes to accept the land donation, staff would recommend that an outlay be budgeted for, ideally for next year, to survey the property and develop preliminary plans for its highest and best use.

Mr. Canada made a motion to open the public hearing. Mr. Zaremba seconded the motion. All voted in favor. Mr. Canada made a motion to close the public hearing. Mr. Zaremba seconded the motion. All voted in favor and the motion was approved.

Mr. Canada made a motion to adopt the following interim fee schedule for Route 33 Heritage District application fees: base fee/existing residential/agricultural applications is \$50; the new residential application fee is \$150 plus \$100 per new housing unit; minor commercial/mixed use applications is \$150 where no more than 1,500 square feet of additional interior space is proposed; and major commercial/mixed use applications is \$150 plus \$100 per 1,000 square feet where more than 1,500 square feet of additional interior space is proposed and to be capped at \$450. The fees will remain in place until revised at the continued public hearing on September 7, 2022. Mr. Houghton seconded the motion. All voted in favor and the motion was approved.

4. Public Meeting:

a. Potential land donation of 18 Jana Lane to Town of Stratham

Mr. Connors presented the topic. The property is 0.84 acres on Jana Lane in Stratham. Mr. and Mrs. Young, the owners, previously lived adjacent to this property that abuts the Salt River Association Conservation Land which is open to the public for passive recreation uses like hiking, cross country skiing, picnicking, and even for boating access to Squamscott River. The land abuts other land owned by the State of New Hampshire and the Town of Stratham which are also open for public access. There is an opportunity for Stratham to build a trailhead on the property to access the adjacent conservation land potentially with a small parking area. Mr. Canada asked for confirmation that it is not a buildable lot. Mr. Connors believes that it is not buildable based on some information that the Youngs presented to Stratham, but buildable for a trailhead and limited parking is very different than buildable for a single-family structure. Mr. Connors referred to the letter and maps submitted to the Select Board from the Youngs.

Mr. Canada asked if there is any liability to Stratham and suggested the tax value must be low if it is not buildable. The Youngs had the land for sale for \$125,000 and the tax assessor increased the assessed value, but they could not find a buyer and submitted to the assessor an opinion from a wetlands scientist who believes the lot is quite wet and would be very difficult to build a home on. Based on the information submitted, the tax assessor reduced the assessed value to approximately \$20,000. Mr. Houghton asked if we have access to New Hampshire Fish and Game's parcels for trails and walking. Mr. Connors replied yes. Mr. Houghton stated it would be nice to get this parcel to connect to Salt River, come down Linda Lane to New Hampshire Fish and Game's parcel to Turnberry. Mr. Connors stated that unfortunately Turnberry does not allow public access.

Mr. Kunowski asked if Stratham were to acquire this, would there be a problem with abutters with regards to the public access? Would the abutters have a say if Stratham could make it a trailhead? Mr. Connors does not believe it would be problematic; this would be a Town project and we would probably notify abutting property owners as a courtesy. We would obviously want

176 to work with the abutting property owners, he said. Mr. Zaremba asked if there were reasons to
177 not accept the donation? Discussion ensued that it would be removed from the tax revenue base
178 but is a nominal value. Mr. Zaremba noted there would be a cost to maintaining the trailhead, but
179 is a separate discussion and not pertinent. Mr. Connors noted that the downside is that we find
180 out it is completely wet and we cannot build a trail. If that were the case, there may be another
181 town use for it, for example perhaps a fire department use, but there is very limited downside.
182 Mr. Canada asked for confirmation that the Planning Board is reviewing this because the Select
183 Board asked for a recommendation. Mr. Connors replied yes.
184

185 **Mr. Canada moved that the Planning Board recommend to the Select Board to accept the**
186 **donation because there is very little downside and the tax benefit is minimal. Mr. Zaremba**
187 **seconded the motion. All voted in favor and the motion was approved.**
188

189 **b. Formation of the Pedestrian-Bicycle Sub-Committee of the Planning Board.**
190

191 Mr. House asked if Ms. Hollasch is on the sub-committee. Mr. Connors replied yes and that he'd
192 like to present this topic with the Master Plan Implementation topic regarding walking, biking,
193 and automobiles which is listed later in the agenda. Stratham has had for many years the PCAC
194 (Pedestrian and Cyclist Advocacy Committee). The charge of the PCAC was approved annually
195 by the Select Board, but it was a very independent Committee. This year it was felt that some
196 changes might be beneficial and that discussion moved toward creating a subcommittee of the
197 Planning Board focused specifically on pedestrian and bicycle issues. It would change from an
198 advocacy committee however, to one that makes recommendations to the Planning Board and is
199 delegated certain tasks by the Board. The Planning Board could delegate specific activities to the
200 committee with deadlines for completion. The Sub-Committee would also be staffed by the
201 Planning Department so staff would help address these tasks.
202

203 The committee has been inactive since the start of the year and we've been recruiting people to
204 serve on it. We have a group of four members of the public and Ms. Hollasch has volunteered to
205 be the Planning Board representative. There could be a second Planning Board representative if
206 any other members are interested in serving on it. The committee would like specific tasks
207 designated to them. Mr. Connors presented ten recommendations from the 2019 Master Plan and
208 three suggested tasks to the Planning Board.
209

210 Mr. House asked if there was a consultant who worked on the first recommendation in the past.
211 Mr. Houghton believes there was someone from the State Transportation Department who gave a
212 presentation on the first recommendation of adopting a "Complete Streets" policy. Mr. House
213 suggested we find and review that presentation. Mr. Houghton stated that part of the outcome of
214 that presentation was bicycle lanes that were created in certain places around town. Mr. Connors
215 stated the second recommendation related to "Green Streets" might be able to merge with the
216 first recommendation to address both issues at once.
217

218 There are three suggested tasks for the sub-committee. The first is to produce a draft Complete
219 Streets Policy for the consideration of the Planning Board and the Select Board including
220 specific corridors or roadways where pedestrian and bicycle accommodations would be most
221 impactful. The second is to advise the Planning Board, Conservation Commission, and Open
222 Space Plan Committee (which has not been formed yet) on recommendations related to the Open
223 Space and Connectivity Plan and participate in public outreach activities associated with the



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July 27, 2022

Stratham Select Board
Attn: Michael Houghton, Chair
10 Bunker Hill Avenue
Stratham, NH 03820

Dear Mr. Houghton

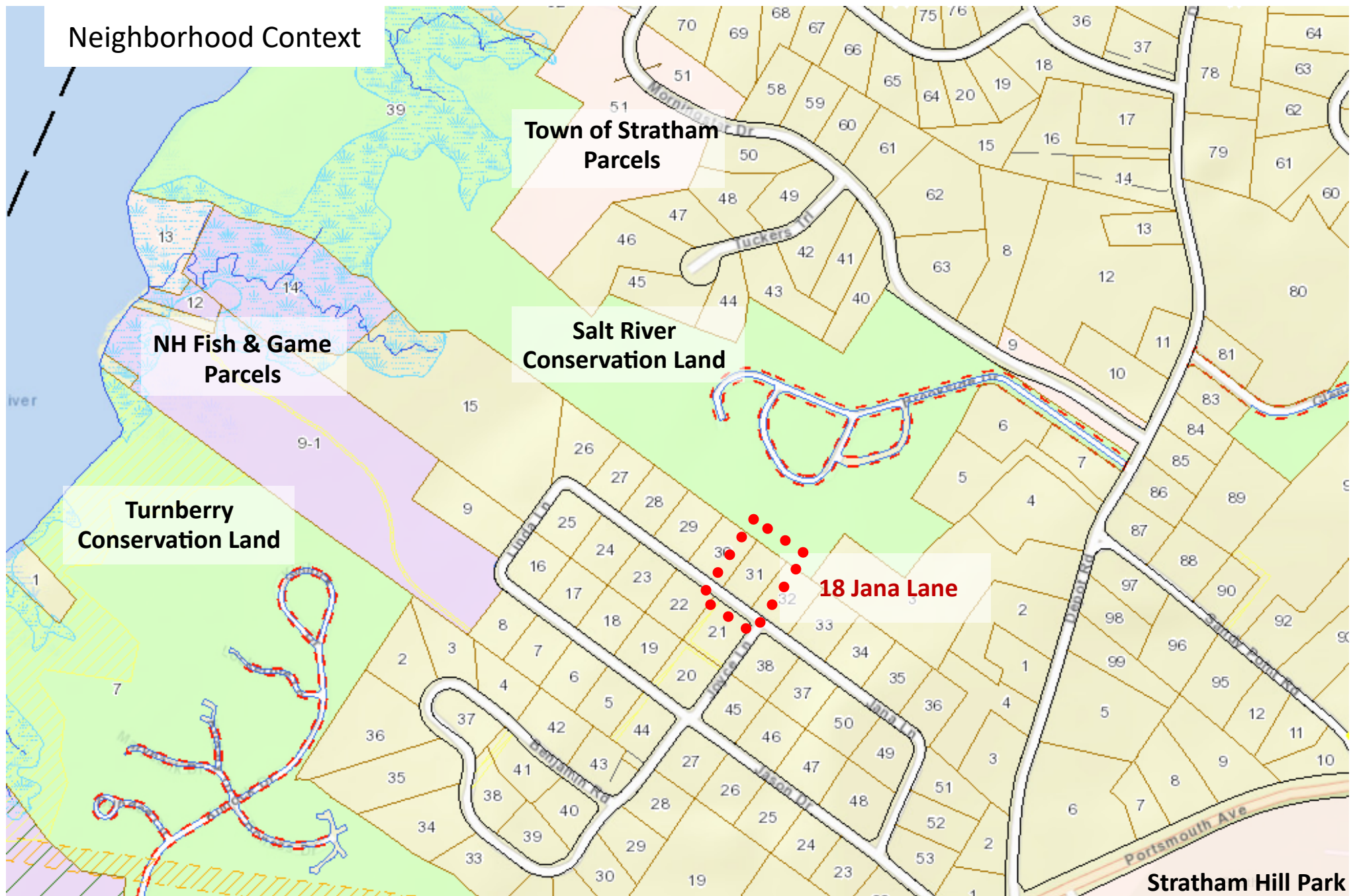
The Conservation Commission discussed the proposed donation of the land at 18 Jana Lane to the Town at its meeting on July 27, 2022. I served as chair for the meeting in the absence of the Chair and Vice Chair. The Commission voted to recommend that the Select Board accept the donation of the land without the need for the site walk. The Conservation Commission felt that there was clear conservation value in the property with little downside to the Town which informed their decision to recommend to recommend the acceptance of the Youngs' donation.

Please feel free to contact me should you have any questions.

Sincerely,

William 'Bill' McCarthy
Stratham Conservation Commission

Neighborhood Context



Neighborhood Context







June 30, 2022

Stratham Select Board
C/O David Moore, Town Administrator
10 Bunker Hill Avenue
Stratham, NH 03820

RE: Potential land donation of 18 Jana Drive

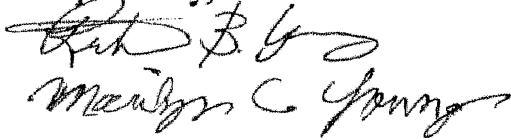
Dear Members of the Stratham Select Board,

We own property at 18 Jana Lane in Stratham (Tax Map 24, Lot 31). The lot is approximately 0.84 acres and includes approximately 150 feet of frontage along Jana Lane. We previously lived at the abutting lot at 20 Jana Lane but sold the property and relocated out of the area. If the Town is interested, we would like to donate the property to the Town. The lot abuts the Salt River Association Conservation Area and we believe it would be beneficial for conservation and/or recreational purposes. Additionally, there may be some benefit to the Fire Department to maintain equipment on the property to serve the Jana Lane/Joyce Lane/Jason Drive/Linda Lane neighborhoods.

Although we are willing to transfer the land to the Town at no cost, the transfer of the property would be contingent on the Town being responsible for costs associated with the property transfer, including associated taxes, legal or other professional fees, document preparation (including preparation of the deed) and other costs associated with the transfer and/or the Town's due diligence of this offer. However, if we choose to be represented by our own attorney, we recognize we would be responsible for those costs and we will remain responsible for the paying property taxes on the parcel up to the date of the property transfer.

We recognize that the Board will likely want to conduct its due diligence and solicit the input of other Boards and Commissions, however we are anxious to move forward and would appreciate a response if the Town desires to accept the land donation no later than August 1, 2022. We understand that the transfer may not happen until a later date to allow for sufficient time to accommodate the need for public hearings and the preparation of the necessary transfer paperwork.

Respectfully,

Handwritten signatures of Richard and Marilyn Young. The first signature is for Richard Young, and the second is for Marilyn C. Young.

Richard and Marilyn Young