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5 **Stratham Planning Board**  
6 **Meeting Minutes**  
7 **June 6, 2012**  
8 **Municipal Center, Selectmen's Meeting Room**  
9 **10 Bunker Hill Avenue**  
10 **Time: 7:00 PM**  
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13 **Members Present:** Mike Houghton, Chairman  
14 Bob Baskerville, Vice Chairman  
15 Jeff Hyland, Secretary  
16 Bruno Federico, Selectmen's Representative  
17 Jameson Paine, Full Member  
18 Mary Jane Werner, Alternate  
19 Christopher Merrick, Alternate  
20 Jameson Paine, Alternate  
21

22 **Members Absent:** Tom House, Alternate  
23

24 **Staff Present:** Lincoln Daley, Town Planner  
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26  
27 **1. Call to Order/Roll Call.**

28 The Chairman took roll call.  
29

30 **2. Review/Approval of Meeting Minutes.**

- 31 a. April 25, 2012  
32 b. May 2, 2012  
33 c. May 16, 2012  
34

35 Mr. Paine made a motion to accept the Planning Board May 2, 2012 minutes. The motion  
36 was seconded by Mr. Federico and accepted unanimously.  
37

38 **3. Public Hearing(s).**

- 39 a. **Makris Real Estate Development, LLC., 32 Bunker Hill Avenue, Tax Map 9, Lot 49.**  
40 Twenty Lot Residential Open Space Cluster Subdivision, property located at 32 Bunker  
41 Hill Avenue, Stratham, NH, Tax Map 9, Lot 49 submitted by Makris Real Estate  
42 Development, LLC. (*Continued from May 16, 2012*)  
43

44 Mr. Daley said that several comments and reviews from Town consultants, one being  
45 Civilworks and the other from Stantec about cistern design, had been received.

1 Mr. Kevan, from TF Moran referred to Mr. Daley's memo and addressed the  
2 performance and compliance comments therein. He explained that they were requesting  
3 a waiver for the roadway that will form part of the Gateway road to reduce the width  
4 from 24 feet to 22 feet. Mr. Baskerville asked Mr. Hutton for his comments. Mr. Hutton  
5 said he had none. Mr. Kevan also informed the Board that the Selectmen had approved  
6 the use of Cape Cod berm for curbing.

7  
8 Mr. Kevan then explained the changes that have been made to the landing from the  
9 previous meeting. Mr. Houghton asked about the change in grade. Mr. Kevan  
10 responded that the grade was going to stay at 14%.

11  
12 Mr. Baskerville inquired what was across the street from where the new proposed road  
13 would meet Bunker Hill Avenue. Mr. Baskerville was told it is a driveway leading to a  
14 back lot. Mr. Hutton told the Board that the Town actually owns the lot.

15  
16 Mr. Daley asked Mr. Kevan to talk about the impact to Mr. Hutton's property from the  
17 proposed driveway. Mr. Daley then asked how the alternative road impacts the retention  
18 area on the front part of the property and does it bring the retention area closer to the  
19 people living on Brown Avenue. Mr. Kevan said it doesn't move. Mr. Daley then  
20 referred to the buffering that would exist and the preservation of trees along Bunker Hill  
21 Avenue; he asked if the plan was to replant trees that will be taken down. Mr. Kevan said  
22 they would entertain the idea and discuss it. Mr. Daley asked if this would impact their  
23 calculations of the open space. Mr. Kevan said the open space calculations wouldn't be  
24 affected. He also asked if they were considering some kind of garden or something  
25 similar for Mr. Hutton. Mr. Kevan said his understanding is that Mr. Hutton is happy to  
26 have the easement go across his current easement.

27  
28 Mr. Paine referred to Mr. Hutton's property and asked if there had been any discussion  
29 about moving the driveway access off of Bunker Hill Avenue and just having one access.  
30 Mr. Kevan confirmed that there had been discussion.

31  
32 The topic of conversation turned to impervious surfaces and the Conservation  
33 Commission's desire to see the minimum amount of impervious surface used. Mr.  
34 Donahue said they looked at the Ordinance and consulted with the people who are  
35 marketing the homes to see what the demand for the lots might be. Mr. Donahue said  
36 they reached the conclusion that they could voluntarily impose a 25% cap on impervious  
37 surface on any lot. He did comment the engineer's concern that the drainage calculations  
38 will hopefully not have to be up scaled to reflect a full build out at 25% of every one of  
39 the lots. Mr. Donahue said that the current drainage calculations are based on 4000  
40 square feet.

41  
42 Mr. Daley said it would be worthwhile for Mr. Kevan and Mr. Connelly to discuss what  
43 is an agreeable maximum area to allow for the flexibility that Mr. Donahue is asking for.

44  
45 A representative from TFMoran then described in detail the enviro-septic system being  
46 used for the project.

1  
2 Mr. Kevan referred to stormwater management saying he had provided Civilworks with  
3 the latest set of plans, but as yet a complete review of those plans hadn't been completed.  
4 Mr. Kevan then talked through the stormwater management aspects of the plan. Mr.  
5 Baskerville asked who was going to be responsible for future maintenance. Mr. Kevan  
6 said the system that captures all the water from the Town Hall will be maintained by the  
7 Town. Mr. Baskerville suggested a maintenance bond be placed on the system as it is out  
8 of the ordinary.  
9

10 The next topic of discussion was the cistern. Mr. Kevan said they are leaving it on the  
11 plans for now, but wondered if it was better to discuss it in more detail once it was  
12 installed. Ideally they would like to wait for the planned water tower to be installed to  
13 see whether they needed a cistern or whether they could tie into the water tower using a  
14 hydrant. Mr. Houghton requested something in writing from the Fire Chief confirming  
15 that he was supportive of the plan as submitted.  
16

17 Mr. Houghton asked Mr. McNeill, attorney for Mr. and Mrs. Foss to speak about a letter  
18 received from Mr. Caran also an attorney for Mr. and Mrs. Foss which related to the right  
19 of way that the Town will utilize to get to the future water tank plus access issues. Mr.  
20 Kevan said they haven't yet agreed on what approach they will be coming in from, but  
21 they have agreed that ten units per year will be built a year in two phases. He commented  
22 that street names have been submitted. Mr. Donahue addressed the phasing issue and Mr.  
23 Daley agreed to look in the regulations for more detail.  
24

25 Mr. Baskerville asked if the applicant would be phasing the building of the road too. The  
26 applicant said the aim was to build it in one go.  
27

28 Mr. Kevan continued to address the various comments listed by Mr. Daley in his  
29 memorandum.  
30

31 Mr. Daley asked if there were plans to submit renderings showing plantings around the  
32 bioretention areas around the properties. Mr. Kevan explained that there was only one  
33 bioretention area. Mr. Hyland said the bioretention area is about 3 feet deep and yet the  
34 ponding depth is only about 6 inches. Mr. Kevan explained that they are building on a  
35 hill side which is why there is such a difference. Mr. Hyland observed that the Town had  
36 to maintain it so wanted to make sure they could. He then discussed plantings with Mr.  
37 Kevan and ways to make it obvious that a bioretention area exists to prevent it being  
38 mowed.  
39

40 Mr. Hyland said that last time they discussed the rip wrap in the swales along the  
41 roadside and the applicant was going to look into alternate ways to armor the swales  
42 without using rip wrap. Mr. Hawkes from GZA said they are looking into matter that bio  
43 degrades and they are happy to submit plans showing that.  
44

45 Mr. Houghton said the applicant had put forth a proposal on the impervious surface  
46 discussion for the Conservation Commission but hadn't addressed their previous request

1 for those lots with wetlands. The Commission requested that rocks be put down to  
2 prevent people going onto the wetland buffers. Mr. Kevan said they have added some  
3 boulders to the plan and they will also put signs up telling people not to go on the wetland  
4 areas. Mr. Houghton said that there is a large common area with open space coming  
5 down the road to the little recreation area and he wanted to know if there had been any  
6 consideration for a side walk on one side. Mr. Kevan said they hadn't proposed a side  
7 walk because they are trying to minimize impervious surface and there should be  
8 relatively low amounts of traffic. Mr. Hyland said he would like to see more side walks.  
9 Ms. Werner agreed with Mr. Hyland. Ms. Makris explained the reason they weren't  
10 planning to put in many side walks was due to Town maintenance issues and impervious  
11 surfaces. Mr. Hutton commented that although side walks are nice, they have to be  
12 maintained all year around and at a convention he attended recently the cheapest machine  
13 available for maintaining side walks was \$85,000.

14  
15 Nancy Hunter, abutter from Brown Avenue asked why they couldn't put into the  
16 covenants that the property owner has to maintain the sidewalk in front of their property.  
17 Mr. Baskerville thought he remembered them deciding to either go with a trail system or  
18 sidewalks and that the preference was for a trail system.

19  
20 Mr. Houghton opened the floor up to the public. Ms. Hunter started by saying she still  
21 had a problem with the bioretention system that would be right behind her lot as she has  
22 concerns it could affect her well. She also commented on the new location of the road  
23 which in her opinion takes away some of the open space and she felt the calculations  
24 should be re visited.

25  
26 Mr. McNeill spoke next saying that it was apparent on the site walk to both himself and  
27 his clients that the roadway was not going to work. In the interim an effort has been  
28 made to come up with an alternative plan but closure has not yet been reached in regards  
29 to those discussions. Mr. McNeill then quoted from the Site Review regulations Section  
30 4.4.6.f. which refers to driveways being safe during all seasons. He then quoted from  
31 Town's Counsel's letter in relation to the driveway and right of way. Mr. McNeill said  
32 that they propose that the Foss access way not be impacted at all and the street for the  
33 subdivision be moved approximately 75 feet closer to Brown Avenue and that it be  
34 separated from the Foss driveway. He said that his clients would still allow Mr. Hutton  
35 right of way to allow him to get out to the street and they understand that Bunker Hill  
36 Avenue is a state highway and may or may not be affected by the number of curb cuts  
37 that are permitted. Mr. McNeill said that Mr. Connelly had not yet made any comments  
38 at all with regards to the access road.

39  
40 Mr. McNeill invited Gordon Leedy, landscape architect and planner to talk about the  
41 driveway. Mr. Needy said he was at the site walk and has reviewed the plans to see if  
42 there was some solution to the driveway issue. He agreed that the new driveway proposal  
43 is an improvement over the previous proposal. Mr. Needy referred to the plan and said  
44 that with this new proposal there is a 90 degree turn and also a 75 degree turn so  
45 functionally where Mr. and Mrs. Foss now have 200 feet from the edge of Bunker Hill  
46 Avenue allowing them to get steam up before navigating the 14% grade, they will now

1 have to make these turns. Mr. Needy doesn't think it will be possible for Mr. and Mrs.  
2 Foss to get the speed they need to hold the curve to make it up the slope. He continued  
3 that by moving the road 75 feet to the east, there does not need to be a change to their  
4 driveway at all. Mr. Leedy then shared his view on the bioretention area.

5  
6 Mr. Baskerville wondered how many DOT permits would be needed for curb cuts and  
7 asked Mr. Leedy what he thought about the 75 feet. Mr. Leedy said he has not got a final  
8 answer from the DOT yet, but it is something they will entertain.

9  
10 Mr. Foss then described how it is to use their driveway and said by shortening the  
11 driveway and putting in turns will not be helpful as momentum is required and he is  
12 concerned about stopping when coming down hill during winter months.

13  
14 Mr. Daley asked Mr. Leedy if in his opinion using the current proposal put forth by TF  
15 Moran, he can see a workable solution. He also said that the DOT does not encourage  
16 roads 75 feet apart, they prefer to consolidate curb cuts on a state road. Mr. Leedy said  
17 he is not in a position to say it is impossible, but he thinks that the desirable outcome  
18 would be to leave the driveway alone. He understands the DOT doesn't encourage  
19 driveways and although the driveway is a shared one, functionally a maintenance vehicle  
20 occasionally from the Town for the water tank will use it as well as Mr. and Mrs. Foss.  
21 Mr. Daley said that the possibility exists that there could be 3 driveways within 85 feet of  
22 each other and he is looking to the applicant and abutters to work together to try and  
23 consolidate these driveways as best as possible. Mr. Daley addressed Mr. Leedy saying  
24 that he wasn't hearing from Mr. Leedy that the new proposed driveway is impossible.  
25 Mr. Leedy responded by saying the new proposal is not viable. Mr. Houghton asked Mr.  
26 Leedy if he had looked at any other alternatives. Mr. Leedy said he had only looked at  
27 the latest proposal. Mr. Leedy asked if the Town has any particular issue with leaving  
28 the driveway where it is. Mr. Houghton said there is concern over the potential number  
29 of driveways that could exist. Mr. Merrick felt the curb cut could be a problem. Mr.  
30 McNeill said that the applicant knew the rights of way when they bought the land. He  
31 respectfully requested that moving the road by 75 feet to the east at least be explored as  
32 an option.

33  
34 Mr. Donahue stressed that his applicant would have preferred not to have any dealings  
35 with the Foss driveway but there are no other curb cuts and another driveway has to be  
36 closed.

37  
38 Ms. Makris asked Mr. Kevan to explain the discussions that have taken place during the  
39 last 3 years concerning curb cuts. Ms. Makris added that they have been told they cannot  
40 have an additional curb cut, and the only way to put a curb cut elsewhere is by  
41 eliminating an existing one.

42  
43 Mr. Merrick suggested looking at two versions of the plan one with the driveway as it  
44 currently is and the other with the driveway being moved to the east by 75 feet. Mr.  
45 Daley suggested that the Town engineer also review both designs and determine which  
46 one is more appropriate.

1  
2 Mr. McNeill referred to the Conservation Commission's request that there be only 19 lots  
3 and not 20 as the applicant is currently proposing. He feels that the Planning Board  
4 should seriously consider the Commission's request. Mr. McNeill then addressed the  
5 25% cap discussed earlier saying the Commission should be informed, he wanted to  
6 know how it would be enforced, and how likely is it to be enforced. He mentioned the  
7 concerns of the Commission about the wildlife corridor and the lay out of the trail  
8 system. Mr. McNeill felt that the Commission's finalizing of the trails be completed  
9 before the applicant acts finally on the plan. He mentioned that the stormwater  
10 management plan hasn't been resolved yet and he would like to use his own expert to  
11 review those plans also. Mr. McNeill reminded the Board of Mr. Knight's evaluation and  
12 what he had to say about the view from Mr. and Mrs. Foss's house. He requested that if  
13 the plan does go forward, that there be an appropriate fence installed around the Foss  
14 property by the developer and he explained why.  
15

16 Ms. Werner addressed Mr. McNeill about the trail system saying her recollection was  
17 that the AMC was going to design the trail system. Mr. Daley said they would no longer  
18 be helping. Ms. Werner commented also that she walks many trails and has never seen  
19 anybody go off the trail and trespass on somebody's property.  
20

21 Ms. Werner asked Mr. and Mrs. Foss if they can see other properties during winter when  
22 there are no leaves on the trees. Mr. Foss said they can make out Brown Avenue and  
23 silhouettes of houses and the lights of a couple of houses, but not the houses themselves.  
24

25 Mr. Daley referred back to the trail system; Doug Greiner the representative for the  
26 applicant was working with the Commission and the involvement of the AMC was  
27 discussed. The AMC usually work on larger projects so would not be suitable for this  
28 kind of environment. Mr. Greiner presented the Commission with several designs which  
29 the Commission found viable.  
30

31 The abutter from 4 Brown Avenue spoke about the water that will come down the hill  
32 and onto his driveway and said that in the 30 years he has lived on Brown Avenue, the  
33 Town has not maintained his culvert or paved Brown Avenue. He feels the stormwater  
34 plans should be reconsidered, there should be more culverts and catch basins as trees will  
35 be taken away that help with stormwater. He then confirmed what Mr. Foss said about  
36 his driveway and pointed out also that there is a significant amount of wildlife which will  
37 now be disturbed.  
38

39 Ms Hunter said nothing had been said lately about the aquifer interference in lots 1 and 2.  
40 She sought confirmation that the building on those lots would be limited.  
41

42 Mr. Donahue said that Ms. Hunter must have missed a meeting as they had eliminated a  
43 lot. Mr. Donahue said they have one lot that is partially in the aquifer district and a septic  
44 design has been designed for that lot to be suitable for that location.  
45

1 Mr. Houghton asked Mr. Kevan to respond to Ms. Hunter's earlier question about how  
2 the bioretention system shouldn't affect her well.

3  
4 Mr. Houghton talked about the recommendations made by the Conservation Commission  
5 and wanted to clarify that so far nothing has been set in concrete.  
6

7 Mr. Paine confirmed the exact location of the cistern and asked if they had a rough plan  
8 on where the piping would be located from the cistern. Mr. Kevan said that would have  
9 to be modified once the hydrant location was determined.

10  
11 Mr. Hunter, 2 Brown Avenue said he has concerns about the water. They currently have  
12 too much water coming down the hill and if impervious surfaces are added, it won't be  
13 any better than it is now. He requested that the developers do the best that they can so  
14 that the Hunters don't have any problems with their well 10 years from now. Mr. Kevan  
15 explained that they have reduced the amount of water that heads down to Brown Avenue  
16 plus a buffer will be put in to further reduce the water run off.

17  
18 Mr. Kevan was asked to explain the applicant's two waiver requests. The first one is a  
19 waiver to build the road 22 feet wide instead of 24 feet to bring it in line with the  
20 Gateway Road and to decrease impervious surface. The second waiver request is not  
21 having a horizontal curve on a grade greater than 4%.

22  
23 Mr. Baskerville referred to the second waiver request. He said he had reviewed the plan  
24 and said the road is at 4% where there are no curves and there are little deflections in the  
25 road. Mr. Baskerville made a motion to approve the second waiver that pertains to the 4%  
26 maximum grade on a horizontal curve. The motion was seconded by Mr. Paine. Motion  
27 passed unanimously.

28  
29 Mr. Paine asked Mr. Daley if the road is consistent with the roadway guidelines for  
30 Stratham. Mr. Daley said it is consistent with the Gateway Road guidelines. Mr. Daley  
31 said that the Board has approved roadways for subdivisions that are less than 24 feet in  
32 the past.

33  
34 Mr. Paine made a motion to accept the roadway as proposed at 22 feet. Mr. Hyland  
35 seconded the motion. Motion passed unanimously.  
36

37 Mr. Merrick commented on the applicant using Cape Cod curb which doesn't last very  
38 long. He said he isn't a fan of using it. Mr. Hutton said that the Town has a few yards of  
39 Cape Cod which does need more maintenance but is cheaper than other options. Mr.  
40 Merrick asked how much Cape Cod curb would be used. Mr. Kevan was unable to give  
41 an exact measurement. Ms. Werner asked Mr. Hutton what he would prefer. Mr. Hutton  
42 said he would sooner see the Cape Cod curb.

43  
44 Mr. Paine asked if the Cape Cod curb would affect the Gateway Road. Mr. Daley said  
45 ideally it would be good to have granite to match the Gateway Road, but the Board may  
46 want to consider using Cape Cod instead of granite.

1  
2 Ms. Werner asked what the difference was between the two concerning stormwater run  
3 off. Mr. Kevan said it made no difference.

4  
5 Mr. Federico asked about the proposed 4 feet wide pedestrian/bike area for the Gateway  
6 Road. Mr. Daley confirmed it would amount to 26 feet of roadway. Mr. Kevan  
7 reminded everybody that the Selectmen would like the Cape Cod. Mr. Hyland said he  
8 feels they should use the Gateway Master Plan as a guiding document for the project  
9 which states granite curbing should be used. Mr. Hyland asked if it was possible to  
10 eliminate the curbing all together. Ms. Makris said the plan has been redesigned many  
11 times over and they took the final output which was no granite and no sidewalks and to  
12 please think of accommodating a pedestrian/bicycle walk. She added that the Board was  
13 now tinkering with decisions that have already been made.

14  
15 The Board agreed with the Cape Cod, 5 votes to 2.

16  
17 Mr. Houghton said the application would be continued to June 20, 2012.

18  
19 Mr. Houghton said that they would need to follow up with Mr. Connelly about the lot  
20 coverage and the 25% issue. He continued that there still seemed to be some issues  
21 around stormwater management and erosion control. Mr. Daley said Mr. Connelly was  
22 waiting for other information from the Applicant in order to complete a final review.

23  
24 The phasing of the building was discussed. The Board agreed they had no issues with it.

25  
26 Mr. Daley commented on Mr. McNeill's request to revisit the appraisal. Mr. Daley said  
27 ultimately they will need to look at the density bonus calculations again and the Board  
28 may want to decide on that. Mr. Houghton asked the Board members if they wished to  
29 reopen that discussion. Ms. Werner said she felt this issue had already been addressed.  
30 The Board decided that the issue had been settled.

31  
32 Mr. Houghton then turned the subject to Mr. McNeill's request to relook at the appraisal.  
33 The Board felt it wasn't necessary to redo the appraisal. Mr. McNeill asked for  
34 confirmation that there wouldn't be any workforce housing. Ms. Makris said there  
35 wouldn't be and that was incorrect reporting in a newspaper article.

36  
37 Mr. Houghton confirmed that the applicant could make the June 20 meeting. Mr.  
38 Federico asked if the applicant would have a definitive answer from the DOT by June 20,  
39 2012. Mr. Donahue said they already have the definitive answer which is unless  
40 somebody gives them their curb cut; there is no other curb cut.

41  
42 Ms. Werner made a motion to continue the Makris Development application to June 20,  
43 2012. Mr. Paine seconded the motion. Motion passed unanimously.

44  
45 **4. Miscellaneous.**

1        There were no miscellaneous items or reports.

2

3    **5. Adjournment.**

4

5        Mr. Federico made a motion to adjourn the meeting. Mr. Baskerville seconded the motion.

6        Motion passed unanimously.

7