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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **November 20, 2013**
8 **Municipal Center, Selectmen's Meeting Room**
9 **10 Bunker Hill Avenue**
10 **Time: 7:00 PM**
11

12
13 Members Present: Mike Houghton, Chairman
14 Bob Baskerville, Vice Chairman
15 Jameson Paine, Member, Planning Board
16 Tom House, Member
17 Mary Jane Werner, Alternate
18 Christopher Merrick, Alternate
19

20 Members Absent: Bruno Federico, Selectmen's Representative
21 Steve Doyle, Alternate
22

23 Staff Present: Lincoln Daley, Town Planner
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25
26 **1. Call to Order/Roll Call.**
27

28 The Chairman took roll call.
29

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

31 a. November 6, 2013
32

33 Staff requested that the minutes be reviewed at the next meeting. The Chairman
34 asked Ms. Werner if she would be a full voting member for tonight's meeting. Ms.
35 Werner agreed.
36

37 **3. Public Meeting(s).**

38 a. **Makris Real Estate Development, LLC., 32 Bunker Hill Avenue, Tax Map 9, Lot 49.**
39 Bond reduction request for work completed related to the approved Residential Open
40 Space Cluster Development.
41

42 *Mr. Baskerville joined the meeting at 7:02 pm.*
43

44 Colin Laverty, Highway Agent was requested to take the floor and share his view
45 about the work completed by Makris Development thus far and whether he felt they
46 qualified for a reduction in their bond. Mr. Laverty broke down the work that had
47 been completed and costs associated with that. He recommended that the bond be

1 reduced to \$189,801.50 from \$838,442.62. He added also that the Conservation
2 Commission had a list of concerns about the trail system. He has asked the developer
3 to resolve all those concerns before the bond item is reduced. The Board then
4 discussed how nice the development looked so far.
5

6 Ms. Makris thanked the Board for their comments and explained that there is an open
7 house available to look at should any members wish to. She added they had met and
8 worked with the Conservation Commission, a process which had worked out well, and
9 she commented that using Severino Trucking had been a good decision as they had
10 done a really good job.
11

12 Mr. Daley asked Ms. Makris if she still wanted to go before the Board on December 4,
13 2013 to discuss the underground storage chambers. Ms. Makris said she would like to
14 have that removed from the agenda, but she still wanted to go ahead with the request
15 for having a letter of credit in addition to the bond. Mr. Daley said that he had spoken
16 with Town Counsel about that topic and they are on task to have that public hearing on
17 December 4, 2013.
18

19 Mr. Baskerville asked Ms. Makris if she was intending to put down the top coat next
20 year. Ms. Makris confirmed that was her intention.
21

22 Ms. Debra Foss asked about Open Space criteria 4.6.6.d. and said small children have
23 been running up and down her private driveway from the trail system. Mr. Daley said
24 there was an easement across the driveway for the trail. Ms. Foss said the easement is
25 not up near her house where the children were playing. Ms. Foss said she would like a
26 fence put up as it states mitigating measures should be put in place.
27

28 Ms. Makris said when they went through the design of the development, one of the
29 components was a trail network that had to be in open space and from day one the
30 open space has been dispersed. Ms. Makris showed the plan of the original trail
31 network versus what has actually been built due to working with the Conservation
32 Commission. She said there is a piece that is further away from the Foss property and
33 a piece because of the slope and condition is closer to the Foss property. Ms. Makris
34 said several conversations were had including Attorney McNeil raising the
35 requirement of fencing. The Planning Board believed that fencing was not necessary.
36 Ms. Foss has brought this point up to the Conservation Commission, but the majority
37 stated that the developer should not be required to install fencing. Ms. Makris has
38 said to the Foss family they can fence their property if they wish to.
39

40 Mr. Daley said that these regulations were interpreted by the Board at the time as a
41 fence wasn't needed. The Board didn't feel the trails negatively impacted the
42 residentially zoned properties that abut the development. Ms. Foss argued that the
43 trails interfered with her property and the regulations state that "may interfere, that it
44 shall be required" She said that "shall" means "yes" and she would like the Board to
45 uphold the regulations. Mr. Daley used the Crockett Hill Farm subdivision as an
46 example of a subdivision with trails that even run in between property lines. He added
47 you can never predict what will happen to an undeveloped piece of property next to

1 your property, you should probably expect that an open area will be developed at some
2 point in time and potentially with some uses that abut your property that you may not
3 have anticipated. Mr. Daley felt this was a good discussion point for the Board to have
4 going forward in relation to amendments to be made in the regulations.
5

6 Mr. Baskerville made a motion to accept the recommendation from Mr. Lavery in his
7 memorandum dated 11/19/13 recommending that the bond be reduced from
8 \$838,442.62 to \$97,332.55. Motion seconded by Ms. Werner. Motion carried
9 unanimously.
10

11 Mr. Baskerville made a motion to release the bond that is held for the placement of the
12 bounds and pins in its entirety, that the Board recommends that to the Selectmen.
13 Motion seconded by Ms. Werner. Motion carried unanimously.
14

15 b. Zoning and Land Use Regulation Amendments:

- 16 i. Zoning Amendment Calendar.
 - 17 ii. Proposed Zoning Amendments:
 - 18 1. Section IV. Dimensional Requirements, Subsection 4.3
 - 19 2. Section VII. Signs, Subsection 7.9.b. Wall/Building Signs
 - 20 3. Town Center District – Draft Form Based Code.
 - 21 4. Section 20 Sanitary Protection & Septic Ordinance, Subsection 1.5.
 - 22 iii. Subdivision Regulations:
 - 23 1. Section 2.3.6. Fees & Charges, Subsection e.iv.
 - 24 2. Section 4.6 Open Space Cluster Subdivision.
 - 25 iv. Site Plan Review Regulations
 - 26 1. Section 4.2.7 Fees & Charges, Subsection f.iv.
- 27

28 Mr. Daley said he would like to spend the bulk of the time discussing the form based
29 code for the Town Center, but would skim through the more clerical amendments
30 first. He started with signs reminding the Board this referred to how wall signage is
31 currently calculated in the Ordinance. He moved to Section IV. Dimensional
32 Requirements, Subsection 4.3. It is hard to understand the dimensional requirements
33 for the Gateway District so a clarification in the foot notes is required to go to Section
34 3.8.
35

36 Mr. Daley referred to both the Subdivision and Site Plan regulations and mentioned
37 he hadn't included the septic regulations in Section 20 of the Ordinance, sub section
38 1.5. which raised the issue of the height above the water table and the fact that
39 applicants have to go before the ZBA instead of the Planning Board. Mr. Daley said
40 his goal is to modify the language to reflect that. Section 20.1.e allows the Planning
41 Board as part of a conditional use permit to waive the requirement of that section as
42 long as certain criteria are met. The Board had some discussion trying to fully
43 understand point i.i. and felt a modification was needed to clarify that.
44

1 Mr. Daley said he had crossed out language about circuit riders in the Subdivision and
2 Site Plan regulations after Mr. Deschaine's comments at the October 16, 2013
3 Planning Board meeting.

4
5 Lastly, Mr. Daley reminded the Board about changing the percentage of density
6 bonuses for Open Space Cluster subdivisions.

7
8 Mr. Daley presented his recommendations for a new section 3.9 about form based
9 codes in the Town Center. He explained that he used the current model for the
10 Gateway District and tried to incorporate some historic and civic uses that are needed
11 within the Town Center area. He asked for guidance and input from the Board. The
12 Board discussed on street parking and how to address that particular issue. It was
13 suggested that on street parking should be emphasized for any future roads.

14
15 Mr. Daley asked the Board if they would prefer that the Town Center have multiple of
16 subzones similar to the Gateway District. He suggested a residential or lower density
17 zone. The Board didn't think there was enough space. Mr. Daley reminded the
18 Board that the setbacks were reduced last year for the Town Center, but he wondered
19 about replicating the Gateway District's setbacks of 0 to 10 feet. Mr. Paine asked
20 about development that could abut the residential area. Mr. Daley said he had added a
21 25 foot buffer to border the residential properties.

22
23 Mr. Daley turned the conversation to Section 3.9.6. which addresses whether a
24 committee should be formed to review applications for projects in the Town Center.
25 The Board felt it should be especially as there are historical buildings in the district.
26 Mr. Paine asked if there was going to be a consistent review for all projects as his
27 concern was that the PRE district which separates the Gateway and Town Center
28 districts. Mr. Houghton said he would have the Heritage Commission representative
29 be one of the 4 members on the Gateway and Town Center Review Committees.

30
31 Mr. Daley then discussed sidewalks and asked how the Board felt about requiring
32 benches or seats at a specified distance on the street right of way. The Board didn't
33 want to support the idea of benches and seats due to the lack of area in the district.
34 Some of the members liked the idea of sidewalks but Mr. Baskerville added that as it
35 is such a small area, it might make sense to have them going through lots and not
36 along roads. Mr. Daley shared a schematic so the Board could visualize how on street
37 parking and sidewalks would look including a planting strip. Some members felt it
38 could take up too much space. The Board returned to discussing on street parking and
39 the 13 feet that would be needed for parking, sidewalk, planting strip, lighting, and
40 possible bicycle paths. Mr. Houghton felt that could be scaled back. Mr. Daley said
41 he would work on the schematic. Mr. Paine suggested speaking to D.O.T. for
42 anything on the state road and their standards for things such as dashed white lines.

43
44 Mr. Daley's next questioned whether the need for open space should be required.
45 Some Board members liked the idea of pocket parks. Mr. Paine suggested a formula
46 or a flat fee for developers to provide some green space somewhere in the district.

1 Ms. Werner discussed pocket parks again and wondered whether they were feasible
2 options due to the lack of space available especially if a development were to be built
3 in the Town Center district. Mr. Daley and other Board members felt it could be
4 done with a little creativity. Ms. Werner suggested adding pocket parks as a
5 recommendation rather than a mandatory thing. Mr. Daley reminded the Board that
6 in the central zone of the Gateway District it states that if a developer doesn't have
7 enough room to add green space, they can add it instead, in another part of the zone.
8 Mr. Merrick asked about property lines. Mr. Daley said that in form based codes,
9 property lines aren't used; instead blocks have to be created. Mr. Baskerville said if
10 somebody wants to develop some land, the developer has no control over abutting
11 properties. He asked how this works. Mr. Daley said the developer would have to
12 provide green open space or sidewalks. Mr. Daley confirmed with the Board that
13 they are favorable towards the idea of sidewalks and open spaces, but not entirely
14 happy with the methodology. The Board confirmed Mr. Daley's statement. Mr.
15 Houghton emphasized he liked the fee option for developers. Mr. Paine added that a
16 variety of options should be available for a developer to choose from.

17
18 Due to the late hour, Mr. Houghton suggested that this item be tabled to a later
19 meeting for further discussion. The Board agreed and tabled the discussion to the
20 next available meeting.

21
22 **4. Miscellaneous.**

- 23 a. Report of Officers/Committees.
24 b. Member Comments.
25 c. Other.

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27 **5. Adjournment.**

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29 Motion to Adjourn at 9:15 PM made by Mr. Baskerville. Motion seconded by Mr. House.
30 Motion carried unanimously.

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