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5 **Stratham Planning Board**  
6 **Meeting Minutes**  
7 **March 19, 2014**  
8 **Municipal Center, Hutton 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 Bruno Federico, Selectmen's Representative  
16 Jameson Paine, Member  
17 Tom House, Member  
18 Mary Jane Werner, Alternate  
19  
20 **Members Absent:** Christopher Merrick, Alternate  
21 Steve Doyle, Alternate  
22  
23 **Staff Present:** Lincoln Daley, Town Planner  
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26 **1. Call to Order/Roll Call.**

27 The Chairman took roll call.

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

29 a. January 22, 2014

30 b. February 5, 2014

31 c. February 6, 2014

32 Mr. House made a motion to approve the minutes from January 22, 2014. Motion  
33 seconded by Mr. Federico. Motion carried unanimously.

34 Mr. Paine made a motion to approve the minutes from February 5, 2014. Motion seconded  
35 by Mr. House. Motion carried unanimously.

36 The minutes from February 6, 2014 were not available to review.

37 *Ms. M. J. Werner arrived at 7:02 PM.*

38 The Chairman asked Ms. Werner to be a voting member. Ms. Werner agreed.

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

40 a. **AutoFair Realty II, LLC, 1477 South Willow Street, Manchester, NH 03103 for**  
41 **the property located at 41 Portsmouth Avenue, Stratham, NH Tax Map 9, Lot 4.**

1 Site Plan Review Application to construct a 25,600 square foot auto dealership and  
2 related lighting, landscaping, drainage, and parking/access improvements. (*Continued*  
3 *from February 19, 2014*)

4 Mr. Mike Cheever, Project Architect and Manager representing AutoFair, introduced  
5 himself. He stated that at the conclusion of the previous meeting, he would provide the  
6 Board with further information regarding the gas transmission line easement located  
7 along the southern portion of the property. He distributed a copy of the deed easement  
8 describing/defining the restrictions of the utility easement. He went on to explain that it  
9 was a no disturbance easement which required permission from the NH Department of  
10 Environmental Services (NHDES). Mr. Cheever introduced Mr. Bruce Scamman from  
11 Emanuel Engineering and Ms. Woodburn, Landscape Architect. He went on to stat that  
12 as a result of a meeting held with the gas company, they had to make some changes to  
13 the site plan. Mr. Cheever handed out copies showing those changes. He explained that  
14 the gas company required Autofair to be 20' away from the main line. Autofair was  
15 required to conduct additional test pits to determine the location of the line and 20'  
16 separation. The proposed building had to be slightly relocated outside of the delineated  
17 20' area as a result. The drawings have been revised to reflect the changes.

18 Mr. Cheever then circulated the reply from the gas company stating their support of the  
19 project, but will require their final review and approval. The gas company's biggest  
20 bone of contention is that there must be no trees or structures within their easement.

21 Mr. Cheever said they had received Mr. Daley's review and Civilworks comments. He  
22 referred to Mr. Daley's comments first and said most of them won't be an issue. He  
23 explained that Autofair haven't found a franchise to move into this building yet so he  
24 can't provide exact signage. Mr. Daley said there is a concern with the signage  
25 proposal not meeting the Ordinance sign regulations.

26  
27 Mr. Cheever then discussed the required State permits. He referred to drainage saying  
28 there is still a little bit of a question mark about finalizing that due to landscaping  
29 requirements. The septic system has been fully designed and has been submitted to the  
30 State and Town. Mr. Cheever said he needs to work on the below grade storage tank  
31 and the driveway permit has been submitted to the State.

32 The discussion then turned towards the design and location of connector roadways off  
33 of Portsmouth Avenue. Mr. Houghton said there is an importance in building a  
34 connector road running at the back of the property to Shaw's. Mr. Cheever asked what  
35 the Board believed their role in that might be. Mr. Daley said that Mr. Scamman  
36 provided a conceptual design that looked to realign the back part of the connector road  
37 behind Subaru to River Road. Mr. Cheever said they had no concern about the corner  
38 of their property being used for the connector road. He said with regards to aligning  
39 their private driveway 120' in a direction to better align with Frying Pan Lane, does  
40 pose somewhat of a hardship for Autofair. Mr. Daley said it was worth meeting and  
41 discussing this with other affected property owners. Mr. Cheever asked if there would  
42 be a signalized intersection. Mr. Daley said it would depend on what D.O.T.'s  
43 comments and recommendations were. He said also that the Town could work with  
44 Autofair on creating an easement to utilize the driveway access in the future when a

1 design is agreed upon by all the property owners involved, that way the dialogue could  
2 continue and expedite Autofair's application to move forward. Mr. Daley referred to a  
3 comment made by Mr. Cheever about the driveway access point being less than ideal  
4 for customers. He said they should think conceptually and try to come up with a  
5 possible way to improve upon that access point for all parties involved. Mr. Cheever  
6 said Autofair would love a signal in front of their property, but due to the expense,  
7 imagines that would not be so easy to do. Mr. Cheever said that N.H.D.O.T. thought  
8 the best thing to do was to take Frying Pan Lane and take it through Mitsubishi's  
9 property and come through the backside of Autofair's property.

10 Mr. Deschaine, Town Administrator said it was a suggestion not backed up with any  
11 pertinent facts. Mr. Cheever said that easements are in place for that idea. Mr.  
12 Federico said he thinks the objective is to obtain an easement so the Town can continue  
13 to discuss and determine the best alternatives. Mr. Daley said one solution might be to  
14 focus on the existing driveway being the main access road. Mr. Cheever said that  
15 driveway has already been built to Town roadway specs.

16 Mr. Bruce Scamman said that lately his understanding is to have an easement on that  
17 driveway only. He said Autofair would prefer that rather than an easement taking away  
18 frontage from this site plan. Mr. Scamman said he had some discussion with the  
19 Chairman of the Board of Selectmen who said they had written a letter and that is what  
20 the Board of Selectmen were looking for. Both Mr. Scamman and Cheever felt this  
21 would be an idea that Autofair would probably buy into.

22 Mr. Deschaine referred to the meeting with N.H.D.O.T. and said he remembered them  
23 suggesting short term and long term solutions. The driveway would be a short term  
24 solution for an easement and because of the alignment issues with Frying Pan Lane,  
25 D.O.T. weren't enthusiastic about signalization at that point which is when they came  
26 up with a more northerly section which would be a longer term alternative depending  
27 upon the development across the street. Mr. Cheever wanted to know if the Town  
28 wanted the right to use their driveway or did they want to cross onto Nissan's property.  
29 Mr. Cheever said it would be very difficult to sell the idea of using the front of Nissan's  
30 driveway to Autofair. Mr. Deschaine said that was recognized at the meeting so it  
31 would be a short term easement only.

32 Mr. Kirk Scamman, resident said that currently the Town has an easement right across  
33 from River Road which lines up already to put a road in. Mr. Federico said it is  
34 between Sherwin Williams and Munro's and is not wide enough. Mr. Bruce Scamman  
35 said it is actually located north of Sherwin Williams. Mr. Federico concurred with Mr.  
36 Bruce Scamman that it is located right over a gas line. Mr. Scamman said it was.

37 Mr. Baskerville said he knew trees couldn't be planted on a gas line, but wondered if  
38 that applies to a road also. Mr. Cheever answered that they would have allowed  
39 Autofair to put their parking lot over the gas line, with the understanding that should  
40 they need to dig up the line, they will do so and without tidying up afterwards.

41 Mrs. Tammy Yahyapour, Stratham Mitsubishi, said that she and her husband live off of  
42 River Road and she is concerned about wetlands on the opposite side of Stratham  
43 Mitsubishi near the back area of the Shell station, and also the wetlands behind the  
44 Subaru dealership. She has already noticed a difference in her well water at her

1 residence. She wants to make sure that not just the car dealerships are involved, but the  
2 residents in the Town also. She mentioned that she doesn't think any of the residents  
3 that could be affected by the changes in River Road are even aware of the changes.

4 Mr. Cheever asked if he went back to Autofair and said language was being prepared to  
5 have an easement across Autofair's driveway, if that would be correct.

6 Mr. Daley said there were three points to be further discussed: (1) solidify the concept  
7 for connecting the rear connector road, (2) prepare a draft of an easement to utilize the  
8 existing driveway that separates the two AutoFair properties. Said easement would  
9 encompass only the driveway and not encroach upon corners of the property. Mr.  
10 Daley asked Mr. Cheever if he would ask Mr. Crews if there is any flexibility on the  
11 issue of the road taking a slight left in towards Frying Pan Lane. Mr. Cheever said that  
12 is where it begins to get harder. Mr. Houghton asked Mr. Daley if he could say how far  
13 left he thought the driveway might need to be shifted. Mr. Daley said he didn't know,  
14 but he wanted an understanding of how far it could shift as at a previous meeting  
15 involving the first Autofair dealership, it was stated that there is a minimum amount of  
16 frontage required for the dealership. Mr. Cheever said it is dictated by Nissan he recalls  
17 that they just managed to squeeze into it.

18 Mr. Federico asked what the distance is between Frying Pan Lane and the existing  
19 Autofair road. Mr. Cheever replied that it is 122 feet.

20 Mr. Daley asked Mr. Cheever what the minimum amount of frontage is required by the  
21 dealership. Mr. Cheever said he wasn't sure that the lawyer would tell him, but he will  
22 ask. Mr. Bruce Scamman commented that the previous owner of that lot had to get a  
23 lot line adjustment because the lot wasn't wide enough. Mr. House referred to the  
24 island in the center of the plan and wondered why it was there. Mr. Bruce Scamman  
25 explained that it came from D.O.T. They didn't want left hand turns and because of  
26 the proximity to Frying Pan Lane, they had to put in an island.

27 Mr. Baskerville returned to the subject of permits. He asked if there was a wetlands  
28 permit for this. Mr. Daley said there wasn't.

29 Mr. Cheever talked about fire suppression and said they had to build a private cistern  
30 for Nissan. At the time they built it, they also extended a fire line across to the new  
31 property with the hope that they can use the fire suppression system from Nissan. Mr.  
32 Daley said they haven't received comments back from the Fire Chief yet.

33 Mr. Houghton asked if there would be an easement for that. Mr. Cheever said there are  
34 2 properties, but they are under one ownership so at this time, he doesn't believe it is  
35 necessary.

36 Mr. Daley brought up the issue of sidewalks. He said the site plan regulations state that  
37 the Planning Board shall require that sidewalks be put in place for all commercial  
38 developments. There is an opportunity as the Gateway continues to grow, to continue  
39 the sidewalk that Subaru will be putting in. Mr. Daley said he would like the Board's  
40 input on that for the applicant. Mr. Baskerville said it sounds to him like a lot of what  
41 is left involves landscaping working in with the sidewalk. He asked for an update on  
42 the landscaping plan for this application. Mr. Cheever said his goal was to finish the  
43 list of comments first as received from Mr. Daley. He said that the list of waivers are

1 principally all landscaping requests and he understands that the responsibility lays with  
2 Autofair to prove an unnecessary hardship. He said the current Nissan dealership is one  
3 of Autofair's smallest and their intent with this second site, is to provide some extra  
4 storage for the Nissan site. He continued that the original intent on setting this design  
5 up is that it seemed reasonable to him to have the buildings aligned along the front and  
6 to have their driveways aligned across the front. Once that decision was made, the  
7 amount of front display space that they ended up with actually diminished significantly.  
8 From a business point of view, it made sense to go ahead, however this new site will  
9 have 63% less display space than the Nissan site.

10 Mr. Cheever talked next about the Ordinance requiring some type of divider Island  
11 which needs to be 10% of the available parking area. If they do that it would take up the  
12 entire length of some display space and would need to be 20' deep. That would bring  
13 the display area down to 50% of Nissan's. At that level, it is on the breaking point of  
14 no longer being a viable business. He asked if the Board would prefer it if they moved  
15 the building back. Ms. Werner thought it a good idea, but Mr. Federico mentioned that  
16 the Gateway requires buildings to be closer to the road. Mr. Daley reminded the Board  
17 that this site plan application was submitted before the Gateway regulations came into  
18 effect under the General Commercial district (GCM). He said the applicant is trying to  
19 include some elements of the Gateway district, but it needs to be evaluated under the  
20 GCM district.

21 Mr. Houghton requested that the applicant share their landscaping proposal before  
22 continuing with waiver requests. The landscape architect presented the landscaping  
23 pointing out that there is the issue with the gas line, there are 3 bioretention areas. She  
24 continued by stating that the Board needs to be cognizant that the project is a car  
25 dealership and the owner wants their products seen. They want the trees planted in a  
26 way you can see under the canopy, but not over the plantings. In accordance with the  
27 regulations, they are required to have 27 trees. She said they are planning 26 evergreen  
28 trees to screen the backside of the parking lot from the street. They have elms along the  
29 front of the property. There is a mixture of mostly native perennials around the bio  
30 retention areas. Wetland shrubs and trees will be planted in another bio retention area.  
31 The landscape architect said they will be planting salt tolerant trees and plantings also,  
32 but the choice is extremely limited in New England.

33 Mr. Baskerville said it seems to him the landscaping waivers fall into two main  
34 categories; one involving the gas line easement and the other for a minimum amount of  
35 display space in front. Mr. Baskerville confirmed that the applicant wants a waiver  
36 from having to certify that all plantings within 20 feet of sidewalk and/or pavement are  
37 salt tolerant.

38 Mr. Paine said would it be fair to assume that the applicant would be willing to replace  
39 in kind. Mr. House asked about trees to the left of the property stating that they are  
40 already in the 20 feet area of the road. Mr. Baskerville asked if the trees that are being  
41 proposed similar to the ones on the first Autofair site. The Landscape Architect said  
42 they will be a different species due to the bioretention area that is located there,  
43 however they could plant similar looking trees. Mr. Baskerville said he would like both  
44 sites to look similar. Mr. Daley asked if it was possible to plant some trees or  
45 additional landscaping just outside the area designated as L1; the easement area.

1 Mr. Baskerville asked if a strip of ground cover could be introduced, something that  
2 will break up the grass. Mr. Bruce Scamman said that Autofair does not support the  
3 installation of ground cover because the deeper root systems. Mr. Baskerville made the  
4 applicant aware that Subaru proposed a stone dust path along the side of River Road.

5 Mr. Daley said this could be an opportunity for Autofair to work with Subaru on a side  
6 walk design be it a short or long term design.

7 Mr. Baskerville said it might be a way to mitigate some of the landscaping waivers.  
8 Mr. Cheever said that sidewalk area is where the gas line is located. Mr. Daley read  
9 from the Site Plan regulations, Section 5.7. "Sidewalks must be provided for pedestrian  
10 traffic to permit passageways between entrances of commercial housing industrial  
11 establishments and parking areas." Mr. Cheever said he didn't interpret that to mean  
12 sidewalks along Route 108. Mr. Daley felt it did mean that. Mr. Houghton thought it  
13 wasn't clearly defined. Mr. Bruce Scamman said he interpreted it the same way as Mr.  
14 Cheever and pointed out that none of the other car dealerships or commercial  
15 businesses on Portsmouth Avenue have sidewalks. Mr. Federico said the developments  
16 that have gone in north and south of the Route 101 have had to put in sidewalks since  
17 2007. Mr. Daley quoted some examples on Portsmouth Avenue that were required to  
18 put in sidewalks. Mr. Houghton commented that they didn't require Nissan to put in  
19 sidewalks and he's not sure he would even use a piece of sidewalk on the Route 108  
20 (Portsmouth Avenue).

21 Mr. Baskerville asked Mr. Cheever if he envisages a sidewalk between the 2 Autofair  
22 buildings. Mr. Cheever said the issues of sidewalks was discussed at some point early  
23 on and not knowing the extent of what was being asked for, Mr. Crews had his attorney  
24 look into the matter. The attorney's interpretation was the same as Mr. Cheever's. Mr.  
25 Cheever stressed that he couldn't make any decisions and that he had to take these  
26 questions back to Mr. Crews for him to decide. He added he wasn't sure where they  
27 would make the connection for sidewalks between the 2 Autofair buildings. Ms.  
28 Debbie Foss, resident observed that a cross walk would be required also.

29 Mr. Baskerville asked if the reason the applicant was requesting a waiver from  
30 landscape screening of buildings and parking areas, was due to the gas line and the  
31 display issue. Ms. Woodburn confirmed it to be so. The applicant and Board continued  
32 to discuss the landscaping related waivers. There was much discussion about the end  
33 terminals and how it affects display space.

34 Mr. Cheever said he has doors on the building facing both River Road and the Route  
35 108. Mr. Paine asked how they would line up with the landscaping plan. Ms.  
36 Woodburn added that there is also quite a change in the grade so they want to put lilac  
37 shrubs and percupia along that area. Ms. Werner asked what the purpose of the three  
38 garage doors on the side will be. Mr. Cheever said during summer they will mostly be  
39 open.

40 Mr. Baskerville talked about how close the building should be to the Route 108. He  
41 feels it shouldn't be moved back, he would rather it was more in line with the existing  
42 Nissan and Subaru buildings. Mr. Baskerville stated that he would support the waivers  
43 if they could expand the landscaping plan to show both Autofair dealerships. He  
44 suggested using some of the same plants for both dealerships. Mr. Houghton agreed

1 and added he'd like to see the same thing done with some of the trees. Mr. Houghton  
2 referred back to the terminal space saying it would only take up the equivalent of one  
3 car space so he doesn't understand why that would make a difference. He is not too  
4 bothered about the divider islands and understands the restrictions of the gas  
5 transmission line. He would like to see sidewalks on the Gateway connector road and  
6 he would like that road illustrated in a way that depicts how it may look in the future.

7 Ms. Werner said her interpretation on the sidewalk issue is that the Board can ask for  
8 sidewalks in the front of the property, between entrances to properties. If landscaping  
9 isn't put in the front of the building, she thinks it will look like a huge parking lot.

10 Mr. Paine spoke about the island issues saying if the island can't be put in the particular  
11 area, they should at least beef up the vegetation out front instead and maybe reduce the  
12 concrete area out front plus a couple of the parking spots.

13 Mr. Kirk Scamman said if River Road is closed off does that mean that Autofair's  
14 driveway will become a public road if the easement is granted. He continued that if  
15 that is the case then 18 and 10 wheelers will be going down between the two car  
16 dealerships.

17 The Board went through each waiver and voted.

18 Ms. Werner made a motion to grant a waiver from Section 5.2.C.13. Motion seconded  
19 by Mr. House. Motion carried unanimously.

20 Mr. Federico made a motion to grant the waiver from Section 5.2.E.2 with the  
21 condition that additional landscaping be added to the north side of Nissan Dealership to  
22 further mitigate the visual impacts of the buildings. Motion seconded by Ms. Werner.  
23 Motion carried unanimously.

24 Mr. Federico made a motion to grant the waiver from Section 5.2.H.4. with the  
25 conditions stated by Mr. Baskerville and modifications discussed to the north side of  
26 the Nissan dealership. Motion seconded by Mr. House. Motion carried 4:1. Ms.  
27 Werner opposed the motion.

28 Mr. House made a motion to accept the waiver request from Section 5.2.H.5. Motion  
29 seconded by Mr. Paine. Motion carried 4:1. Mr. Houghton opposed the motion.

30 Mr. House made a motion to accept the waiver request from Section 5.9.10. with the  
31 condition that the applicant be required to improve landscaping along the northern side  
32 of the Nissan dealership and to create consistent landscape design for both properties  
33 owned by the applicant. Motion seconded by Ms. Werner. Motion carried  
34 unanimously.

35 Mr. Paine made a motion to accept the waiver request from Section 5.15.i, with the  
36 conditions of the landscape improvements that have been suggested. Motion seconded  
37 by Ms. Werner. Motion carried unanimously.

38 Mr. Bruce Scamman offered to go through the comments from Civilworks. Mr.  
39 Houghton suggested they be discussed after plans are revised. Mr. Scamman did refer  
40 to one comment however, about signage at end of driveways and asked for clarification.

1 It was agreed that Autofair should come back for the April 16, 2014 Planning Board  
2 meeting.

3 Mr. Cheever double checked the requests concerning sidewalks. Mr. Daley  
4 summarized the discussion by stating that the Board is seeking the applicant to  
5 construct sidewalks beginning at the beginning of the existing shared access road  
6 extending to River Road.

7 Ms. Werner made a motion to continue this application to April 16, 2014. Motion  
8 seconded by Mr. Paine. Motion carried unanimously.

9

10 **Kevin Roy Builders, Inc, 64 Portsmouth Avenue, Stratham, NH 03885 for the**  
11 **property located at 257 Portsmouth Avenue, Stratham, NH Tax Map 22, Lot 8.**  
12 Site Plan Review Application to construct a 2,273 square feet addition and building  
13 expansion with related landscaping and drainage improvements. *(Continued from*  
14 *March 5, 2014)*

15 Mr. Ken Berry, engineer for the project introduced himself and started by talking about  
16 the elevations. Mr. Federico asked if the roof line could be broken up suggesting a  
17 dormer. Mr. Berry requested skylights instead as shown on the rendering. He said  
18 there were three items he wished to discuss three minor changes to the site plan;  
19 lighting, drive way and level spreader.

20 Mr. Berry said they want the look and feel to be residential and have opted for pole  
21 lights and matching wall lights. He added that there will also be several three head  
22 halogen motion activated floodlights. The benefit of this is that the heads of the light  
23 can be aimed and put in a downward motion so the light will only be on this property.  
24 One will be over the garage door, one over the main door, one on the front corner, and  
25 the other will illuminate the handicap ramp.

26 Mr. Berry then summarized the proposed landscaping. He explained that on one side  
27 they were going to extend the existing evergreen to the edge of the right of way. There  
28 is going to be a small island of plantings in front of where the garage will go, there will  
29 be a small strip of perennials adjacent to the handicap parking space and then are 2  
30 strips between the building and the handicap ramp and a strip between the handicap  
31 ramp and sidewalk.

32 Mr. Berry said at the previous meeting, Mr. Baskerville had asked for the driveway  
33 radius to be cut from the first parking spot on the left. He said they are willing to cut  
34 the pavement, but they are concerned about preserving their rights with the  
35 grandfathering and existing conditions of the driveway. He asked the Board to consider  
36 allowing them to paint that radius and put a “no parking” sign in lieu of cutting that  
37 pavement.

38 Mr. Berry said in between the dumpster and screening of the dumpster in the parking  
39 lot, they are proposing a three feet wide riprap stone level spreader which is going to  
40 catch the runoff coming sheet flowing from the parking lot. The silt sack will be  
41 extended to that area also.

1 The septic system was then discussed. Mr. Berry said that in order for them to get a  
2 building permit, the Building Inspector has requested a septic system design. Mr. Berry  
3 said they will be moving forward with that once the frost isn't an issue any more. He  
4 asked it be added as a condition to the approval. Mr. Baskerville said he was OK with  
5 that.

6 Mr. Daley spoke of the street view and whether this property fits in with the character  
7 along the Route 33.

8 Mr. House asked for more clarification about the evergreen hedge and where it is  
9 shown on the site plan. Mr. House commented that the addition is being put fairly close  
10 to the existing well head. Mr. Berry said it is probably about four feet away, but he  
11 wasn't aware that it was an issue. Mr. House then inquired about signage. Mr. Berry  
12 explained they wanted to move the free standing sign back from the right of way.

13 Mr. Daley confirmed that the applicant would have to apply for a variance for the  
14 signage as they are increasing the size of the sign above and beyond what is currently  
15 there. He stated that the applicant included the signposts which exceeds the signage  
16 allowance by quite some margin.

17 Ms. Werner said last time the applicant was before the Board, there was one floodlight  
18 at the corner of the building and now two additional are being requested. Mr. Berry  
19 said on the original plan, they called for four flood lights, but they weren't defined and  
20 Mr. Roy is proposing to take two floodlights that were on the existing building and  
21 reuse them. Ms. Werner asked if they would be turned off at night time. Mr. Berry  
22 said they would be put on a motion detector mode. Ms. Werner said they don't want  
23 the neighbors being disturbed every time a flood light goes on because an animal has  
24 gone through the property. Mr. Berry said they could turn three of the flood lights off  
25 and leave the one on over the garage door. He said you can adjust the sensitivity and  
26 distance someone or something is before it activates the motion detector.

27 Mr. Paine said he imagines that adjacent residential uses could also have motion  
28 sensors on their properties. He feels that some of the mitigating factors Mr. Berry has  
29 offered helps get rid of the concerns. Mr. Paine referred to the siding on the building  
30 and wondered if they could break some of it up. Mr. Roy said the plan makes it look  
31 bigger than it looks in reality and that it is pretty much the same size as the barn next  
32 door. He was happy though to put some vinyl shingles up to break up the look.

33 Mr. Federico asked Mr. Berry what the height of the current structure was. Mr. Berry  
34 said he wasn't sure. Mr. Federico said the current drawing of the side view from Route  
35 33, looks to him like it is more than double and he asked again if they couldn't  
36 incorporate a dormer into the structure. Mr. Berry said that Mr. Roy doesn't like the  
37 look of the building with dormers especially when you view it from the front. Mr.  
38 Federico said his problem is with the view people will have when they drive past the  
39 property, it will appear to be a massive, long, unbroken structure which is something  
40 the Board tries to avoid. It is more important in this area with it being residential. Mr.  
41 Federico is opposed to this current structure. He mentioned also that he had received a  
42 letter from the Heritage Commission who are totally against this project because of the  
43 massive size of the structure. Mr. Daley said for clarification the views were those of  
44 Becky Mitchell only and not the Commission.

1 Mr. House asked about the windows in the building. Mr. Roy said the windows on all  
2 three sides are existing. He is only replacing the windows on the front. Mr. Paine said  
3 he doesn't mind the craftsmen's style as long as it's consistent around the building.

4 Mr. Daley addressed the issue of the side view of the property. He asked if Mr. Roy  
5 would be amendable to the idea of planting trees close to the building itself as a way of  
6 breaking up the façade. Mr. Roy said he wasn't opposed to exploring the possibility of  
7 dormers and he said he could even drop the back roof line so it doesn't look like one  
8 continuous straight roof. Mr. Daley said that was a possibility and a good suggestion.  
9 Ms. Werner supported the recommendation and suggested planting a few extra trees.

10 Mr. Houghton addressed the list of requested waivers from the Site Plan Review  
11 Regulations:

12 Section 4.3.1.d requires existing trees over 6" in caliper at 4' above the existing ground  
13 elevation must be shown on the existing conditions plan.

14 Mr. Berry said they had not picked up the trees in the back because they are not doing  
15 anything at the back of the property and the 14" maple is going to stay.

16 Mr. Baskerville made a motion to grant a waiver from Section 4.3.1.d. Motion  
17 seconded by Mr. Paine. Motion carried unanimously.

18 Section 4.3.1.k Soils map showing all soil types and delineating any poorly or very  
19 poorly drained soils.

20 Mr. Berry said they provided a copy of the web soil map which shows the poorly  
21 drained soils, but they did not do a high intensity soil survey.

22 Mr. Baskerville said that due to the small size of the site and the fact a septic design  
23 will be provided he would like to make a motion to grant a waiver to Section 4.3.1.k.  
24 Motion seconded by Mr. House. Motion carried unanimously.

25 Section 4.3.2.f requires a storm drainage plan be performed by a registered professional  
26 engineer.

27 Mr. Berry said a dry swale around the back side of the property and the east side of the  
28 garage has been proposed. The gutters will discharge into the bio retention area and if  
29 the opportunity to infiltrate is there, the ground water will infiltrate. If the conditions  
30 are high sometimes, the drains underneath the bio retention area will tie into the  
31 foundation drains.

32 Mr. Baskerville made a motion to grant the waiver from Section 4.3.2.f with the  
33 condition the detail of the level spreader. Motion seconded by Mr. Paine. Motion  
34 carried unanimously.

35 Section 5.2.h. Parking Areas, internal landscaping.

36 Mr. Daley said Section 5.2.h is more appropriate for compact, urbanized areas not  
37 residential.

38 Mr. Baskerville repeated that at a minimum he would like the parking space referred to  
39 earlier to be painted with a "no parking" sign added. Mr. Daley said that as this is a  
40 residential area, did he really want painted surface out there to show case a commercial

1 operation. Mr. Baskerville asked if they could take it out without a DOT permit. He  
2 didn't like the idea of someone parking in that spot as it is too close to the Route 33.  
3 Mr. Berry said it's an existing parking lot and it's been used and they want to preserve  
4 the rights to the parking area that is there because it would be too expensive to change.  
5 Ms. Werner observed that there had never been an incident there before.

6 Mr. Daley asked if the Board wanted to recommend, if possible, some plantings along  
7 the easterly side of the building. Ms. Werner and Mr. Paine said they would like that as  
8 a mitigating factor. Mr. Berry said they were going to add three more 2" or 3" caliper  
9 maple trees once they have found out what they can about the existing leach field.  
10 They will locate them on the septic system design plan. Mr. Daley said trees should be  
11 a minimum of 3" in caliper. Mr. Daley said the condition can be part of the Notice of  
12 Decision.

13 Mr. Paine made a motion to accept 5.2.h. waiver for additional landscaping in the  
14 perimeter parking area. Motion seconded by Mr. House. Motion carried unanimously.

15 Section 5.2.2 The Plan shall be prepared by a Professional Landscape Architect  
16 registered in the State of New Hampshire.

17 Mr. Houghton said he would like something more detailed about the evergreen hedge.

18 Mr. Daley asked if Mr. Berry could give Mr. Short a copy of the site plan and ask him  
19 to draw in the detail and sign the relevant sheet as the preparer. Ms. Werner said that  
20 she would like to know which mixed perennials, Mr. Short was going to plant.

21 Mr. Baskerville made a motion to grant a waiver from Section 5.2.2. Motion seconded  
22 by Mr. House. Motion carried unanimously.

23 Section 5.8.1.b.iii General Lighting Requirements.

24 Mr. Daley said that this is meant more for commercialized properties. As represented  
25 by the applicant, their intent is to maintain the rural character as much as possible.  
26 Their lighting plan is very basic and exists to service the parking lot.

27 Mr. Baskerville made a motion that they grant the waiver to Section 5.8.1.b.iii with the  
28 condition that the flood lights are generally pointed downwards as much as possible and  
29 where possible, are switched off over night. Motion seconded by Mr. Paine. Motion  
30 carried unanimously.

31 The Board and applicant discussed the signage. Mr. Daley explained to the Board that  
32 Mr. Roy would have to go before the ZBA and receive a variance for the proposed free  
33 standing sign (larger than existing) and the proposed wall sign.

34 Mr. Houghton asked Mr. Daley to remind the Board of the conditions for this  
35 application. Mr. Daley stated they need to provide a finalization of the landscape plan,  
36 added details for the low level spreader, revised elevations showing both the roof line  
37 and dormers, and a septic design.

38 Mr. House made a motion for a conditional approval with the stated conditions and  
39 granted waivers. Motion seconded by Mr. Baskerville. Motion carried unanimously.

40

1 **4. Public Meeting(s).**

- 2 a. **Rollins Hill Development, LLC, 20 Rollins Farm Road, Stratham, NH 03885, Tax Map**  
3 **3 Lot 24.** Preliminary Consultation to discuss a conceptual over 55, multi-lot  
4 subdivision development and roadway plan.

5 Mr. Rob Graham introduced himself as representing Rollins Hill Development, LLC, and Mr.  
6 Mark Stevens, principal property owner. He started by saying they were before the Board for  
7 a conceptual review. They have 107 acres in the Retirement Planned Community (RPC) zone  
8 for a 47-lot subdivision.

9 He referred to the plan and talked about possible access over towards some Town owned  
10 conservation land at the end of the cul-de-sac. He believes according to the regulation for  
11 subdivision road standards a road length waiver would be required. The road length for the  
12 developable area for the house lots would be a little under the 800 foot requirement. Another  
13 way out of the subdivision would be a loop road which would also require a waiver as it's  
14 considered a dead end road. He referred to the agreement with Lindt & Sprungli for the  
15 emergency access road and pointed out where it was on the plan. The density calculations  
16 come from the State of New Hampshire soil based calculations for septic design. In addition  
17 to the road link standard issues, Mr. Graham said they would like to discuss some  
18 construction standards changes in the road design with the overall pavement width, shoulder  
19 construction and trying to tighten up some of the road impact and look and feel of the  
20 subdivision. One of the issues is to ask for a narrower right of way which they will explain  
21 the reasons why at the next meeting.

22 Mr. Daley asked if there were any wetland related issues. Mr. Graham said they have two  
23 crossings, but they haven't been able to complete their wetlands work because of the weather,  
24 but they have done some estimates. They expect to be close to the minimal impact standard.  
25 Mr. Daley asked if there were issues concerning septic design. Mr. Graham said the soils are  
26 good on the site and their lot calculations are generous. Mr. Daley asked if all the wells and  
27 septic would be individual. Mr. Graham confirmed they would be. Mr. Daley asked if any  
28 cross easements would be needed. Mr. Graham said he expected they would need some  
29 radius easements.

30 Mr. Baskerville asked about the topography. Mr. Stevens said it is meandering topography  
31 with some differing grades. One of the things he is interested in is minimizing the impact of  
32 road cuts and subsequent fills. His concern is that with a 60 foot right of way you are cutting  
33 through the woods, then you have to strip it and clean it out and he doesn't find that necessary  
34 so he was seeking guidance about that. He said he could build Town roads which residents  
35 typically prefer or a private road which has the advantage of being able to limit what they do  
36 within the roadway system. He would rather have a narrower road with a shoulder and where  
37 there is a steep cut, he would prefer to put in a nice stone wall of 5 or 6 feet and then slope up  
38 and eliminate the back slope on a larger cut. It also means it has less of an impact overall. He  
39 pointed out 88 acres of land on the plan that Beatrice Rollins gave to the Town about 15 years  
40 ago and said there is no access to it. It could be used as a park or conservation land and it  
41 would be nice to be able to access it.

42 Ms. Werner said that a RPC zone doesn't necessarily mean less traffic or less children. Mr.  
43 Stevens that typically the traffic is a third of what the traffic is in a regular subdivision in  
44 accordance with the ITE manual. Mr. Daley said that the Board can request a traffic study if  
45 they so wished.

46 Mr. Houghton asked what the size of the lots would be. Mr. Graham said the vast majority  
47 are a little over an acre and there are a couple of lots which are a little under. Mr. Baskerville

1 asked about fire protection. Mr. Stevens said they will probably have to build a pond or a  
2 cistern. He prefers ponds. Mr. Paine asked if the properties can only access through one  
3 source of exit, does it have the capacity to handle an emergency. Mr. Graham felt it would  
4 and said it exits through Stratham Heights Road.

5 Mr. Baskerville said he knew the previous Roadway Agent's opinions on road, but he  
6 wondered what the current Roadway Agent's opinion was. Mr. Federico said it would need to  
7 be built to Town specifications. Mr. Baskerville said that wouldn't apply if it was private. He  
8 talked about right of way specifications too and if the right of way width could be such that  
9 the Town doesn't have responsibility for a wall. That way Mr. Baskerville wouldn't have a  
10 problem allowing a waiver. He commented on the road and said as long as it has a good site  
11 distance and curves aren't too sharp, he would be OK with it. Mr. Stevens said he likes  
12 curves in a road as it acts as a traffic calming system, however he doesn't think the curves are  
13 excessive and they are where there is no slope.

14 Mr. Baskerville commented that the plan doesn't show all of the Lindt buildings and to  
15 remember there are sound and odor issues associated with living near the industrial areas.

16 Mr. Daley asked if there would be any recreational amenities associated with the project. Mr.  
17 Stevens said there wouldn't be. Mr. Paine asked if there would be common space outside of  
18 the access to the existing conservation easement. Mr. Graham said there are 107 acres of  
19 which they will be developing 45 acres. Mr. Paine continued to ask about parks or open green  
20 spaces. Mr. Graham said there will be lots of land surrounding the community.

21 Mr. Daley explained that developments now tend to look for the ability to connect to  
22 recreational trails. He asked if there was some way to create a connection. Mr. Graham said  
23 he would like to see how they can best utilize Beatrice Rollins' piece of property. Mr. Daley  
24 stated that he would prefer to see it incorporated as part of the overall design.

25 Ms. Werner said there could be a parking problem if there was additional land. Mr. Paine  
26 asked about the piece of land on the plan close to Lindt, and wondered why they hadn't used  
27 that. Mr. Graham said it was a marsh.

28 Mr. Baskerville commented that three of the lots are in North Hampton. Mr. Graham said  
29 they were thinking of putting one lot in North Hampton but not including it as part of the  
30 subdivision per se. Mr. Daley said was there any thought to connecting to Goss Road in the  
31 abutting community in North Hampton. Mr. Graham said there is no way to get to it.

32 Mr. Daley asked if there was any discussion about the length of the road and the density it has  
33 to support. The Board members didn't have any issue with it at this point. Mr. Houghton said  
34 obviously the soils need to be tested. He said he agreed with Mr. Baskerville that they should  
35 get the Highway Agent's input on the road. Mr. Graham said they will try to design using the  
36 Town criteria, but if they can't make it work, they will switch to building a private road. Ms.  
37 Werner asked if there would be an association. If the road is private, an association would  
38 have to be formed, but they are not sure if there will be one should the road be Town owned.

39 Mr. Daley asked Mr. Stevens if he knew when they would next come before the Planning  
40 Board. Mr. Stevens said April 16, 2014. Mr. Graham asked what other meetings needed to  
41 occur before April 16. Mr. Daley said he would set up a meeting with himself, Mr. Graham,  
42 Highway Agent, Police Chief, Fire Chief, Mr. Baskerville or Mr. Houghton and the Town  
43 Administrator if he is available to go over the plan development in more detail. Mr. Daley  
44 said the Board could do a site walk once the land is somewhat developed and the weather is  
45 better. Mr. Federico asked how big the homes would be. Mr. Graham said about 2200 square  
46 feet up to 3000 square feet. Mr. Daley asked what the price would be. Mr. Graham said he

1           wasn't sure, but probably around \$450,000. Mr. Daley asked Mr. Stevens if there would be  
2           an opportunity to use some of the lots for workforce housing. He said he would look into it.

3   **5. Miscellaneous.**

4       a. Report of Officers/Committees.

5           There were no reports.

6       b. Member Comments.

7           Mr. Baskerville mentioned that a while ago he asked the Board if the fact he was involved in a  
8           contract involving Autofair in another Town would be considered a conflict of interest for the  
9           current Autofair project before the Board. He updated the Board and explained that in the end  
10          he had no contact whatsoever with Autofair, only with Volkswagen so for him that means no  
11          conflict. The Board agreed with him.

12      c. Other.

13          Mr. Daley shared that on the previous night Town representatives, along with Town Counsel  
14          met with the Smith Farm Road Association to discuss the issue of individual wells versus the  
15          current community well. Mr. Daley explained that the subdivision was approved back in the  
16          late 1970s/early 1980s with the condition that twelve property owners share a community well,  
17          but the water quality and pressure for this well had deteriorated over time to the point where  
18          issues of safety have been raised. Eleven of the twelve property owners are seeking individual  
19          wells. However, in accordance with the approval for the subdivision, in order to have standing  
20          in front of the Planning Board, all twelve property owners have to agree to submit an  
21          application to the Planning Board to amend their subdivision. Mr. Daley said complicating the  
22          issue is that there are no recorded homeowner's association documents which means the  
23          Town's determination is that all 12 property owners have to agree. One individual wants to  
24          maintain the community well so there is a conflict to the point that a state representative is  
25          involved.

26          It was decided at the meeting that the eleven property owners who want individual wells will go  
27          ahead and submit a plan to the State for approval to modify the state subdivision approval and  
28          that may have repercussions and require the Town to take action against the association and/or  
29          individual property owners. The family that decided not to agree to individual wells may do the  
30          same also.

31          Ms. Breslin, resident asked if the eleven individuals change to having their own wells, could the  
32          remaining person just continue using the shared well. Mr. Daley explained it is an issue of  
33          maintaining the well which is a big expense.

34   **6. Adjournment.**

35          Mr. Baskerville made a motion to adjourn the meeting at 11:04 PM. Motion seconded  
36          by Mr. House. Motion carried unanimously.

37

38