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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **May 21, 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 Bruno Federico, Selectmen's Representative
15 Jameson Paine, Member
16 Tom House, Member
17 Mary Jane Werner, Alternate
18 Christopher Merrick, Alternate
19

20 Members Absent: Bob Baskerville, Vice Chairman
21 Steve Doyle, Alternate
22

23 Staff Present: Lincoln Daley, Town Planner
24

25 **1. Call to Order**

26 The Chairman took roll call and asked Mr. Merrick to be a full voting member.

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

28 a. April 16, 2014.

29 Mr. Paine made a motion to accept the minutes from April 16, 2014. Motion seconded
30 by Mr. Merrick. Motion carried unanimously.

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

32 a. **ST Holding Company, LLC, 37 Portsmouth Avenue, Stratham, NH 03885 for the**
33 **property located at 37 & 39 Portsmouth Avenue, Stratham, NH Tax Map 9, Lots 2**
34 **& 3.** Site Plan Review Application and Conditional Use Permit Applications pursuant to
35 Section 3.8.6 and 11.4 of the Stratham Zoning Ordinance to construct a 7,125 square foot
36 auto dealership building expansion, parking lot and roadway improvements, and related
37 lighting, landscaping, drainage enhancements.

38 Mr. Mike Donahue, attorney for the applicant introduced himself. He said the applicant
39 has now closed the transaction with Mr. Plante, prior owner of Tax Map 9 Lot 3 and he
40 would be filing the lot merger indicating that these two lots are now one lot with the
41 Board. Mr. Donahue said they are there tonight for a couple of conditional use permits.
42 One of those relates to the roadway and driveway and although the driveway only exists
43 if the roadway is there, the applicant doesn't need a conditional use permit (CUP) as the

1 roadway is a project the Town of Stratham is undertaking in conjunction with all the
2 relevant land owners. Mr. Daley confirmed that this was fine with the understanding this
3 applies to the driveway access only and not the connector road.

4 Mr. Donahue suggested going through the waivers starting with the wetlands one.

5 Mr. Daley asked the Board to offer guidance on the Gateway conditional use permit as it
6 will affect the overall design of the site plan.

7 Mr. Donahue handed over to Mr. Bruce Scamman, engineer for the project. Mr.
8 Scamman shared a sketch showing the 1774' sq which is affected under the CUP. He
9 said that there are some wetland setbacks on the Subaru property that will be encroached.
10 Now that the Town is taking responsibility for the roadway project they will no longer
11 be impacting the same amount of wetlands as previously discussed. Mr. Daley clarified
12 that the Town will be the lead applicant for the application to the D.E.S. for the connector
13 roadway which will include portions of the Subaru property and Market Basket. The
14 Town is going to front the application fee along with the wetland permit application
15 itself in exchange for Market Basket and Subaru constructing portions of that roadway.
16 The Town is offering to offset mitigation to offset the impacts on wetlands on both those
17 properties. The amount is yet to be determined. Mr. Scamman added that this was
18 offered to Market Basket when Market Basket was originally going to do this and this
19 process started in 2006.

20 Mr. Scamman said they are planning to put in a retaining wall and eventually in Phase 2,
21 the driveway will go straight through. Mr. Paine asked what the elevation of the retaining
22 wall was. Mr. Scamman replied 12'. Mr. Paine asked if the area to the west would be
23 regarded into the slope. Mr. Scamman said that was correct. Mr. Daley suggested a
24 condition be added that this is contingent on the approval of the State wetland permit for
25 the Town. Mr. Paine asked if the retaining wall and driveway access piece is intended to
26 be a road at some point and whether it would be a private or public road. Mr. Scamman
27 explained that it would be a driveway connection for the future Gateway road. Mr. Paine
28 asked if it would be private or would the Town be taking it over in the future. Mr.
29 Scamman said his understanding is that it would stay as Subaru's responsibility as it will
30 be on their land. Mr. Paine asked about stormwater in relation to the retaining wall. Mr.
31 Scamman said right now the stormwater is going to run down the road and into bio
32 retention swales located on either side of the road. There may be a little water that
33 occasionally goes over the wall, but it will be minor and nothing in comparison with the
34 sheet flow that occurs now. Mr. Federico asked if there would be a guard rail on the
35 wall. Mr. Scamman said there would be.

36 Mr. Paine made a motion to close the public hearing for the conditional use permit on the
37 regarding the wetlands conservation. Motion seconded by Mr. Merrick. Motion carried
38 unanimously.

39 The Board went through the criteria of Section 11.4 of the Zoning Ordinance in relation
40 to the CUP.

41 Mr. Daley asked what alternative designs to the retaining wall were considered. Mr.
42 Scamman said the rip rap is on the slope at the bottom in case there is any water that goes
43 over the wall to prevent erosion into the wetlands. Mr. Scamman explained it is a

1 retaining wall with rip rap along the base. Mr. Merrick said they would have to dig up
2 some wetlands to get the wall in. Mr. Daley stressed the criteria is more about the impact
3 on the wetland itself from the design and construction methods. Tom House asked for
4 clarification on the plan and checked the wall would be in segmented blocks. Mr.
5 Scamman confirmed it would be so. Mr. Paine asked if the anticipated ground
6 disturbance limited to the stone fill or beyond the stone wall. Mr. Scamman said it
7 wouldn't. Mr. House asked what the guard rail is made out of. Mr. Scamman said
8 typically they do a timber one but could do a steel one if preferred by the Board. The
9 Board preferred a timber rail. Mr. Scamman suggested steel posts. Mr. Daley asked if
10 the Board would like a condition added to reflect Section 11.4.b that the applicant use
11 best management practices to minimize the disturbance to wetland areas. The Board
12 agreed.

13 In conjunction with Section 11.4.c, Mr. Daley asked about the sewer line on the plan.
14 Mr. Scamman explained it is there should the Town have a sewer system in the future.

15 Mr. Daley shared the conditions he had noted:

16 Final approval of this conditional use permit is contingent on approval from the NHDES,
17 approval of the Town's wetland permit application to NHDES related to the construction
18 and permitting and construction of the Gateway connector road.

19 As associated with 11.4.b the applicant should use best management practices to
20 minimize the disturbance to wetland areas during construction

21 The construction of the retaining wall is conditional upon final approval of the site plan
22 review process for this project.

23 Mr. House asked what the timeline is for the permit approval from the NHDES. Mr.
24 Daley said they are working with consultants and Mr. Yanofsky and are hoping to meet
25 Mr. Yanofsky's deadline of July 1, 2014. Mr. Gove said they have 105 days to review
26 an application once it is submitted, his expectation is that they will be close to that 105
27 days.

28 Mr. Merrick made a motion to approve the conditional use permit with the conditions
29 stipulated by Mr. Daley. Motion seconded by Mr. Paine. Motion carried unanimously.

30 The Board addressed the next CUP requesting some waivers from the Gateway District
31 requirements. Mr. Scamman ran through the requested waivers. Mr. Daley said the
32 challenge is that this is a developed site and as such the applicant is doing their best to
33 comply with the Gateway Design standards, but there are some exceptions the applicant
34 needs relief from. Many of the items have already been discussed in past meetings.

35 Mr. Scamman addressed block size requirements. Gateway standards require 30,000 s.f.
36 but this lot is 153,000 s.f.. He added it would be impossible to have this kind of use on
37 30,000 s.f. Mr. Merrick said he was satisfied with this waiver being granted because it's
38 an existing business and use. Mr. Federico asked how many 30,000 s.f. blocks could be
39 fit into the existing lot. Mr. Scamman said five. Mr. Daley said as they were creating a
40 network around that site, which will lend itself to a really natural development should
41 Mr. Yanofsky ever move out of Stratham. Ms. Werner asked that if the Board approved
42 this site, if that meant it would be grandfathered and stay this size moving forward. Mr.
43 Daley said if there was a new development on this site, it would give the Board the

1 opportunity to revisit it. Mr. House said he agreed with Mr. Merrick about allowing this
2 waiver as they are helping by being willing to build some of the Gateway road.

3 Next Mr. Scamman talked about building size. He said they are proposing a 17,610 s.f.
4 building, the actual footprint with the walls is approximately 15,000 s.f. If you add the
5 roof overhangs and awnings it becomes 17,610 s.f. Mr. Paine and Mr. Merrick said they
6 had no problem with this. Mr. House said his understanding is that it doesn't state in the
7 Ordinance that overhangs and such like are not included as part of the 15,000 s.f.
8 stipulation. Mr. Daley said he spoke with the Code Enforcement Officer who concluded
9 overhangs are part of the overall footprint. Mr. House said he thought it was fine. Mr.
10 Merrick said it sounded like it needed to be clarified further in the Ordinance.

11 Mr. Houghton read that the maximum front setback is 15', the applicant is proposing
12 102'. Mr. Scamman said the previous zoning required a 100' setback so the building was
13 set at 102'. There is an existing building and it makes sense that when expanding that
14 building, it remains contiguous.

15 Mr. Scamman talked about walkways; for phase 2 they had discussed that River Road
16 may go away and there was going to be a stone dust path and a discussion was had about
17 not putting lights on the sidewalk on the front of the property. There will be lighting on
18 the rear of the property and on the Gateway road. He said they would like to move
19 forward on the walkways. Mr. Daley said during the last discussion there wasn't a
20 consensus among board members about the lighting along the Route 108. Mr. Merrick
21 said they discussed also the light spill in the parking lot and who would be responsible
22 for the light poles. Mr. Scamman said the stone dust path probably wouldn't be
23 maintained during the winter. Mr. Daley asked who is going to maintain that stone dust
24 path. Mr. Scamman said he thought possibly the Town. Mr. Donahue said one of the
25 issues is that if Town gives up its rights to River Road that is one thing, but if the Town
26 doesn't want to do that, then it takes things in a different direction. He said realistically
27 they won't know that within a reasonable time frame and will probably be a Board of
28 Selectmen decision. Mr. Houghton said it should be a condition of the site plan. Mr.
29 Daley said it would be good to solidify who is responsible for the maintenance of certain
30 elements of the site plan. Mr. Paine asked if the right of way continues to be owned by
31 the Town, would the applicant still be willing to construct the stone dust path. Mr.
32 Donahue said they would, although the maintenance issue would need to be clarified.

33 Mr. Houghton said regarding lighting as it relates to the Gateway standards, he doesn't
34 see that as being practical to this particular project as this existing business is structured
35 such that it's not really conducive to connecting to other businesses or residences. Mr.
36 Merrick said the lack of light on that path doesn't prevent it from being a walking path.
37 Mr. Paine agreed. Ms. Werner said she agrees, but looking forward to the future, the
38 conditions of the Gateway say lights are required. She added it would be redundant at
39 the moment, but if it does carry on to the next property in the future, lighting would be
40 needed. Mr. Scamman said in the past they have discussed how they would like to get
41 people off of the Route 108 and onto the Gateway road.

42 Mr. Daley said part of the discussion with the Planning Board was the allowance to install
43 lights and trees on the east side of the street and the west side would be left for future
44 development, which should be part of the conditional use permit. Mr. Daley then

1 addressed ambient lighting on the stone dust path. He said looking at the aggressive
2 landscaping plan along the northern side of that property, would that preclude ambient
3 lighting to spill on the path way going forward. He mentioned how Autofair Nissan had
4 some criminal activities on their site so he would like to see some lighting along the stone
5 dust path. Mr. Scamman said his understanding is that Autofair cannot put trees along
6 that side because of the gas line there. Mr. Daley said that was a valid point, but some
7 analysis should be done to see about lighting that path way. Mr. Scamman said it would
8 be hard to find an electrical engineer who would stamp a plan allowing spillover of light
9 onto the path, they would want lights all along the path. Mr. Daley asked the Board said
10 if long term they are requiring lighting on all sidewalks and pathways, how does that
11 standard deviate from a pathway that is over 400' in length and what about the security
12 for that pathway.

13 Mr. Jeff Hyland said that as this pathway is in the future, a lot of things have to happen.
14 One of the things that could be looked at in the future is doing a solar light bollard. Mr.
15 Merrick suggested not having the path at all. Mr. Merrick he understood the sense in
16 lighting on the 108 every 25' rather than a stone dust path that may or may not be used
17 until River Road is done. Mr. Daley agreed with the Route 108, but thought Mr. Hyland's
18 idea of solar bollards one to consider for the path. Mr. Merrick questioned the cost of
19 putting in solar bollards just for a stone dust path and why not make it a real walkway
20 instead. Mr. Daley said that is another alternative. Mr. Hyland said at the last meeting
21 they discussed putting in a type 5 distribution array on the front lights so that there would
22 be some light sent out to the front walkway on the Route 108. He added that at night
23 time there will be too much lighting. Mr. Daley agreed and thought some kind of fixture
24 to the proposed poles would be a welcome alternative to satisfy the requirement. Mr.
25 House thought that was a good idea also. He asked why they have to set a condition for
26 the stone dust path tonight. Mr. Daley said the plan doesn't show River Road as part of
27 the overall design and essentially if River Road was never abandoned, there would be a
28 roadway without a sidewalk which is required under the Town's Gateway standards. He
29 asked if some of the lighting from the parking lot could be used to light the path. Mr.
30 Hyland said they would have to look at the grading and alignment of the path. He said
31 that they are trying to create a visual buffer which could be at odds with that lighting. It
32 might work in winter time when it gets dark earlier. Mr. Donahue said there needs to be
33 a balance.

34 Mr. Scamman addressed frontage next. He explained that the Gateway regulations
35 stipulates that 60% - 80% of frontage has to be building. In this case the building is 37%
36 so they require a CUP for that. Mr. House said they have already said the building can't
37 be more than 17,610 s.f. so they are not going to meet the frontage requirement, therefore
38 it is reasonable to allow that.

39 Mr. Scott Vlasak introduced himself and talked about the wall planes. Regulations state
40 that wall planes shouldn't extend beyond 50' - 75' without including changes of wall
41 plan that provide strong shadow or visual interest. This relates primarily to the west
42 façade, which is the service bay portion of the building. He feels they meet the intent of
43 the regulations by providing the overhang. They are exceeding the linear length, but they
44 are meeting the intent by providing some strong shadowing elsewhere. The northern
45 elevation also exceeds the 50' - 75' regulation which is made up entirely of the new

1 addition. There is also a portion of the service bay that exceeds but again they have
2 provided an overhang that gives a strong shadow and visual interest. Mr. Paine asked if
3 it was possible to add a couple of columns to break it up more. Mr. Vlasak said he would
4 prefer not to because of the functionality of the service bays. Mr. Paine pointed out that
5 the west side will be facing the new access road and Mr. Merrick added the view will be
6 blank walls so pilasters and possibly spando glass could help. Mr. House said they talked
7 about that during the Technical Review Committee (TRC) meeting for this project. He
8 agreed pilasters would help. Mr. Scamman said that several portions of this was
9 discussed at the TRC meeting. One of them was the elevation difference from the road
10 down 5' below the parking lot elevation. There's also coming up the hill from the road,
11 there's a row of trees and bushes and vegetation which will block most of the lower part
12 of the building and one member of the TRC commented that she liked the bracket on the
13 building; not only did she find it useful, but decorative also. Mr. Vlasak added that this
14 really won't be an access point for customers. Mr. Houghton said he could see a door,
15 but wondered what else would be up against the wall such as parked vehicles. Mr.
16 Scamman said there would be some bushes along the wall. Mr. Daley asked for
17 confirmation of what Mr. House and Mr. Merrick would like to see for that part of the
18 building. Mr. House said a couple of pilasters, but no glass. Mr. Merrick agreed.

19 Mr. Daley explained to Mr. Vlasak, that the plan is to introduce a pocket park to the
20 western corner of the property itself so people will congregate there. He asked what a
21 person could see from the elevations of the pocket park. Mr. Scamman said there is a
22 10' difference in elevation and there is vegetation on the slope so people won't see
23 anything. Mr. Daley asked what the elevation of the connector road was. Mr. Scamman
24 said there is still 8' of elevation. Mr. Houghton said it seems that there is general
25 agreement that the Gateway standards for the wall plane are more restrictive than they
26 need to be, but there are some architectural features the Board would like to see added
27 specifically the brackets to be extended, some trim and pilasters.

28 The next thing to be discussed was roof lines and materials and roof top equipment. Mr.
29 Vlasak said at the last meeting, the basic thinking was that we are dealing with an existing
30 building which has some pitched roofs on it which serves as a great base to develop a
31 theme. Traditional New England features such as gable roofs, gable dormers that are set
32 into the roof to break up the roof line, and a cupola will be introduced as a focal point.
33 The color of the siding will be gray and designed to look like wood with white trims.
34 The siding will extend to all 4 sides of the building. Mr. House said the dormers on the
35 east and north elevations don't look consistent with the other ones. Mr. Vlasak said it
36 was intentional due to the difference in depth of the 2 canopies. Along the east and north
37 and south portions that wrap around the show room, there is a 6' deep canopy. Columns
38 will be there which makes more sense as that is where customers are entering and exiting.
39 Around the service areas, it is for decorative purposes only. Mr. Merrick asked if a little
40 more molding could be added as for him it would add so much more interest and
41 exemplify the New England character especially at the gable ends. Mr. Vlasak said they
42 could look at it. Mr. Daley asked if the peaks on the front façade were purely decorative.
43 He wondered if it was possible to make it more functional. Mr. Vlasak said the challenge
44 is the ceiling height of the show room.

1 Mr. Vlasak said the issue with roof top equipment is the existing unit. It is about 15' –
2 20' up on the front of the building. They are unable to move it, but they can make sure
3 that the new units on the addition are away from the exterior of the walls and not visible.
4 To some extent the addition of the gables will help shield the view of the existing unit
5 from certain angles. Mr. Houghton asked if there was a drop ceiling because furnaces
6 could be put above the dropped ceiling in the new addition. Mr. Vlasak said they haven't
7 got that far yet. Mr. Houghton said condensers can go on the roof and are much smaller
8 than furnaces. Mr. Daley asked if the Board is saying that the existing unit is satisfactory
9 and they are happy with the plans for the new units.

10 Mr. Jeff Hyland said the landscaping meets the quantity and size of the current Gateway
11 regulations. There are some site conditions that do impact how the applicant can place
12 the landscaping. The storage of the cars makes meeting the interior landscaping
13 requirements difficult. The perimeter plantings have been beefed up and plantings done
14 to break up the overall site. The other difficulty is the fact it is a car dealership so they
15 don't want to completely obscure the cars. To get around this, they tried to create heavy
16 blocks of buffering and little view sheds. Mr. Hyland showed the location of trees and
17 bio retention areas. There will be some lighting on the Gateway road interspersed
18 between trees and in the front primarily to light the parking lot, but they are going to look
19 into options to create a 360 distribution from those lights. There will be some outdoor
20 public space around the back of Sullivans' Tires.

21 Mr. Paine said that on the preliminary sketch it shows the Subaru sign where heavy
22 planting will be located. Mr. Hyland said they haven't really looked at that and figured
23 out what the height of the sign will be or how they will need to do the planting around
24 the sign, but they will work on it soon.

25 Mr. Merrick made a motion to close the public hearing. Motion seconded by Mr. House.
26 Motion carried unanimously.

27 Mr. Daley recommended using the criteria under Section 3.8.6 iv Sections 1a – g and 2.
28 The Board agreed the applicant met all the criteria. Mr. Daley said a condition should be
29 added that the final approval of the CUPs as discussed this evening is predicated upon
30 Planning Board approval of the Site Plan Review process that incorporates the site and
31 design elements discussed this evening.

32 Mr. Federico made a motion to approve the conditional use permit as it relates to
33 deviations from the Gateway standards with the conditions stated by Mr. Daley. Motion
34 seconded by Mr. Paine. Motion carried unanimously.

35 Mr. Scamman asked if they could continue this application to July 2, 2014 and Mr.
36 Donahue requested the temporary site plan granted in 2013 could be extended to July 2,
37 2014 also.

38 Mr. Merrick made a motion to extend the site plan application to July 2, 2014 which
39 included the same extension for the temporary site plan. Motion seconded by Mr. House.
40 Motion carried unanimously.

41

42 b. **Public Service of New Hampshire, 780 North Commercial Street, Manchester, NH**
43 **03101.** Conditional Use Permit pursuant to compliance with Section 11.4 of the Zoning

1 Ordinance to conduct improvements and maintenance on an existing transmission line
2 within the designated Public Service of New Hampshire utility right of way.

3 Mr. Daley reminded everybody what happened the last time the applicant was before the
4 Board. One of the issues to be resolved was involving a request from a property owner
5 to re-examine the height of certain sections of the proposed modifications to
6 accommodate agricultural uses. Since then a site walk took place with relevant parties
7 and PSNH are working with the property owner to raise the power lines so agricultural
8 equipment may be used safely. Mr. Daley received an email from PSNH confirming they
9 had made modifications to satisfy the request of the property owner.

10 Ms. Green from GZA Environmental, representing PSNH introduced herself and Mr.
11 **McKin??**. She showed the modifications referred to by Mr. Daley on the plans. Mr.
12 Daley confirmed the ground clearance would be 29'. Ms. Green confirmed that under
13 emergency conditions it would be, but under regular conditions, it would be 26'.

14 Ms. Green said that now they have addressed the issue for the property owner they are
15 hoping that the Board will now approve their amended CUP request to conduct
16 improvements and maintenance on an existing transmission line within the designated
17 Public Service of New Hampshire utility right of way. Mr. Bruce Scamman commented
18 that in the email sent by PSNH, it says that when the new poles are put in, they will be
19 aligned. At the moment they are offset by about 50' and at the site walk, there was a
20 discussion that the poles can't be in the same location. They were going to offset them a
21 little but have the two on the hill top aligned to aid with plowing and planting of crops.

22 Mr. Merrick asked for clarification on emergency clearances. Mr. McKin said it is a
23 calculation for when 2 conditions would occur such as hottest day so ambient temperature
24 at the same time with the heaviest load on that line. It wouldn't be long term.

25 Mr. Daley said one of the other things discussed at the site walk was temporary matting
26 to help minimize the impact to wetlands. The Scammans are looking to do more
27 permanent wetland crossings and Mr. Daley wondered what the time frame would be.
28 Ms. Green said they were hoping to start work in the Fall. He asked Mr. Scamman for
29 more information. Mr. Scamman said they had talked about a gully between pole 133
30 and headed west. There is a wetland crossing proposed by PSNH to get to the field that
31 they are actively opening. The Scammans were hoping to put in a culvert that would be
32 several hundred feet away from the originally suggested PSNH crossing. When the
33 Scammans saw where PSNH were planning to put a temporary crossing, the Scammans
34 wondered if they could put in a permanent one that both PSNH and the Scammans could
35 benefit from. The type of crossing would be a rock forge. An area of approximately 20'
36 would be dug out which is 2' – 3' deep, a layer of fabric would be placed inside and then
37 filled back in with stone so water can continue to flow over that area and equipment could
38 continue to drive over the rock. He said they don't have a definitive time line right now
39 due to other projects happening right now. Mr. Daley asked if they could use the
40 temporary matting in between time for their purposes. Mr. Scamman said they will need
41 a permanent one. He added that if they can get it built in time for PSNH to use it, PSNH
42 would be willing to share the cost.

43 Mr. Daley asked PSNH if they could articulate the construction project. There was
44 discussion of using Town roads to facilitate the replacement of certain poles and he

1 wondered if they had a clear understanding of how they were going to access areas
2 associated with the improvements. Ms. Green said they were going to access areas via
3 Raeder Drive and go down the right of way, but when they were out on the site walk they
4 ascertained it might be possible to use the same road they used for the site walk if they
5 can get their equipment down it. It has been used for maintenance before but that doesn't
6 use as much equipment so at the moment the plans still reflect using Raeder Drive. She
7 added that if they can avoid some additional wetland impacts by using the Town road,
8 then they will be happy to work that out with the Town.

9 Mr. Federico made a motion to close the public hearing. Motion seconded by Mr. House.
10 Motion carried unanimously.

11 The Chairman and Board went through the criteria for a CUP in accordance with Section
12 11.4.

13 The Board agreed the applicant met the criteria. The Chairman felt that a couple of
14 conditions should be added to the CUP; one, that the applicant shall agree to submit a
15 performance security to the Board of Selectmen. The security shall be submitted in a
16 form and amount, with surety and conditions satisfactory to the Selectmen and approved
17 by Town Counsel to ensure the construction has been carried out in accordance with the
18 approved design. The security shall be submitted and approved prior to issuance of any
19 permit authorizing construction. The applicant asked how that was determined. Mr.
20 Daley said it is based on the cost of construction that may impact the wetland areas.

21 The Chairman said the other condition is to make sure the plan is revised to reflect the
22 changes referred to in the email, specifically between stations 133 and 151, the height of
23 the lines during peak emergencies shall provide sufficient access for agricultural
24 equipment to safely traverse under the lines and not fall below 29'. The final condition
25 would be that all erosion control measures would be inspected and approved by the Town
26 prior to any start of work.

27 Mr. Federico made a motion to approve the conditional use permit application with the
28 stated conditions. Motion seconded by Mr. Merrick. Motion carried unanimously.

- 29
- 30 c. **AutoFair Realty II, LLC, 1477 South Willow Street, Manchester, NH 03103 for**
31 **the property located at 41 Portsmouth Avenue, Stratham, NH Tax Map 9, Lot 4.**
32 Site Plan Review Application to construct a 25,600 square foot auto dealership and
33 related lighting, landscaping, drainage, and parking/access improvements. (*Request to*
34 *continue to June 4, 2014*)

35 Mr. Houghton shared that AutoFair Realty have requested a continuance to June 4,
36 2014.

37 Mr. Paine made a motion to accept the continuance to June 4, 2014. Motion seconded
38 by Mr. House.

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

- 40 a. **Sarnia Properties, Inc., 953 Islington Street, Suite 23D, Portsmouth, NH 03801 for**
41 **the properties located at 1 & 3 Portsmouth Avenue, Stratham, NH Tax Map 4, Lot**
42 **3. Preliminary Consultation - Site Plan Review to amend the September 4, 2013**

1 Planning Board Notice of Decision to allow the conversion of a 6,400 s.f. medical
2 office use to a child daycare facility, the construction of an additional outdoor play
3 area, and modifications to the parking design and utilities.

4 Mr. Todd Baker, Project Manager introduced himself and Ms. Patricia Forbes from Lil
5 Sprouts Daycare. Mr. Baker explained that since the original application, one of their
6 tenants had decided to back out. He continued that this site has had a day care facility
7 for a long time and when this whole space opened up as a result of the original tenant
8 backing out, another day care - Lil Sprouts Daycare were interested in moving in. The
9 existing day care and Lil Sprouts are currently working on a merger, but Lil Sprouts
10 would be the official name. Due to this there is a minor change to the original site plan.
11 There is no change to the original foot print, and there will be a minor change to the
12 façade. The main change is that the daycare will need a play area that is larger than the
13 previous one. The original day care was going to have 60 children, but this newer space,
14 albeit almost 4 times as large, will be licensed for 98 children.

15 Mr. Baker said they are able to get rid of some of the less appealing aspects that the
16 dialysis company wanted including a drive through area, 2 dumpsters right behind their
17 space, a transformer, a generator and a place to deliver for a 55' truck. They are asking
18 the Planning Board to approve those changes as well as allow for some extra parking
19 spaces and a slightly larger play area as mentioned earlier. They would like to move the
20 dumpsters further away from Stoneybrook Lane too.

21 Ms. Forbes talked about Lil Sprouts. They are a 30 year old company with 17 centers
22 currently with one of those in New Hampshire. They like the location of this site because
23 of its accessibility for parents. They plan to have 98 children and have devised their plan
24 based on the state regulation that are responsible for licensing child care facilities. The
25 age group will range from infant to pre-school so the oldest children will be 5. The
26 changes to the plan are needed for their operations. The centers open at 6am and there is
27 a staggered drop off between 6:00 am and 9:00 am and in the afternoon typically between
28 4:00 pm and 6:00 pm.

29 Ms. Werner asked if parents come in and get their children when doing pick up and drop
30 off. Ms. Forbes said that they did. Ms. Werner asked if the entrance door for pick up
31 and drop off was in the front of the building. Ms. Forbes showed it was where the truck
32 deliveries were going to be.

33 Mr. Paine asked where deliveries would be now if this area was being taken off the plan.
34 Mr. Baker said there are 3 access points into the building and there is also an emergency
35 door in the side that faces the Lindt building and there's another one on the ramp. Ms.
36 Forbes said there wouldn't be any deliveries of a large nature. Mr. Paine asked how
37 many staff would be employed for the daycare. Ms. Forbes said there will be 18. Mr.
38 Baker added that what they had anticipated for the dialysis company was 18 staff and 18
39 beds and the small space next to it in the original plan was for 60 children and 10 staff.
40 He said this does mean there will be a reduced number of permanent parking
41 requirements and a little bit more during the peak hours. A traffic study was done and
42 revealed that during peak hours that there will be one car every 60 or so seconds. Mr.
43 Houghton said the Board will need to really understand more the traffic impact especially
44 from a queuing point of view. Mr. Baker said originally they were approved for 146

1 parking spaces and this plan is for 148. Ms. Forbes said Lil Sprouts have a similar
2 facility in Amesbury and at any given time, they have 7 cars parking around the same
3 time during that peak window. She said she looked at the ratios too and quite often there
4 are siblings so it isn't always one car per child.

5 Ms. Werner said with the changes happening with the day care center if it wouldn't be
6 advantageous to make the driveway one way going out. Mr. Daley said the concern
7 would be during peak hours; there would be an impact on the businesses in the
8 surrounding area. A 2 way entrance way on the back end of the property would make it
9 easier for accessing the area. Mr. Daley said he shared concerns about traffic impacts in
10 the area, not only on the internal circulation, but Stoneybrook Lane and other roadways
11 in Exeter. He believes there will some impact during the peak drop off and pick up times
12 which he thinks the Board should take into consideration. Ms. Forbes said there would
13 be no impact from them on the weekends. She feels the opportunity for queuing will be
14 minimized because of the extra spaces available for spill over. Not only that their
15 operating hours start earlier than most businesses in the vicinity so they won't be
16 impacted for some of the drop off time. Mr. Baker said there is a letter from Convenient
17 MD stating that they are happy about Lil Sprouts moving in next door. He said that Mr.
18 Daley had been invited to tour one of their facilities and they are happy to make a video
19 showing what the peak hours for drop off and pick up look like.

20 Mr. Houghton said he thinks the day care option is a positive change, but he will need to
21 study the traffic report in more detail. Mr. Daley asked if the Board wanted the Town to
22 hire a consultant to analyze the traffic in this area as associated with this project. Mr.
23 Houghton said he wasn't ready to request that at this stage. Mr. Daley said the Board
24 may request such a consultant if they feel it is necessary as part of the review process.
25 Mr. Paine said he still has a concern with deliveries especially if a truck is idling. He
26 suggested some sort of screening for the outdoor play area. Mr. Baker said they had
27 agreed to put in some landscaping and he will bring the landscaping plans to the formal
28 site plan review hearing.

29 Mr. Federico confirmed that the State had allowed 98 children. Ms. Forbes said they
30 haven't been licensed for that yet but have designed the site for that maximum capacity.
31 Mr. Federico asked Mr. Baker to show the play area on the plan. He asked what kind of
32 fence they would be using. Ms. Forbes said aluminum posts which will be 5' tall. Mr.
33 Baker said there is no change to the fence previously approved. Mr. Federico said the
34 only concern he has is the traffic coming down Stoneybrook Lane connector in case a
35 vehicle doesn't stop. Mr. Baker said there are a couple of options; one is to put a guard
36 rail between the arbor vitae and the fence and another one is to put big stones or bollards
37 there or a big cable that winds through the fence itself. Mr. Merrick said he is surprised
38 by the location of the play area being adjacent to the parking area. Ms. Forbes said that
39 most of the centers have a PVC coated chain link fence which is fully transparent. She
40 said that some of them are also located near the parking like this one.

41 Ms. Werner asked about noise from the play area affecting people across the street. Ms.
42 Forbes said the access to the play area is controlled; children are taken out a class at a
43 time and no time would there be more than 29 children out there plus there will be a
44 fence, screening and Stoneybrook Lane itself before getting to any residences. Mr. Baker

1 added that not to forget there was a day care center out there for years prior to this with
2 a large playground.

3 Mr. Houghton said that the core topic for discussion when they come back before the
4 Board will be about the traffic and traffic flow and the issue of safety.

5 Mr. Daley said because of the change of use and increase of children is the issue of
6 regional impact. Per State statute one of the triggers for a regional impact is the impact
7 of a development on abutting community systems such as Stoneybrook connector road,
8 Stoneybrook Lane and the Route 108. Mr. Baker said the Town of Exeter was notified.

9 Ms. Werner said this could have a traffic impact on one of the roads in Exeter as you exit
10 the Route 101. She asked Mr. Baker if he felt that road would be impacted quite
11 considerably. Mr. Baker said he felt the impact would be small. She said they may want
12 to consider an extra traffic study of that particular road for the Town of Exeter.

13 **5. Miscellaneous.**

14 a. Report of Officers/Committees.

- 15 i. Economic Development Committee
- 16 ii. Exeter-Squamscott River Local Advisory Committee
- 17 iii. Heritage Commission
- 18 iv. Public Works Commission
- 19 v. Stormwater Management Committee
- 20 vi. Town Center Revitalization Committee

21 b. Member Comments.

22 c. Other.

23 **6. Adjournment.**

24 Mr. Merrick made a motion to adjourn at 10:15 pm. Motion seconded by Mr. House.
25 Motion carried unanimously.

26