

Minutes

Planning Board Meeting

July 1, 2010

Members of the Planning Board in attendance were Charles Moreno, Chairman, James Graham, Lynn Sweet, Mark Whitcher, and Kate Sawal, Alternate member.

The Chairman called the public meeting to order at 7: 38 PM and announced the members present. The closing date for applications to appear on the agenda for the August 2010 regular meeting will be 5 p.m., Tuesday, July 13, 2010. The Chairman reminded the audience that the Board has a policy setting time limits for meetings and that the Board will not consider any new business after 10:30 PM. Board members briefly reviewed the minutes from last month. Lynn Sweet then made a motion, seconded by Jim Graham, to accept the minutes as presented with one minor correction. There was no further discussion and the minutes were accepted by unanimous vote of the members present.

The first order of continuing business was the application of HERBERT SCRIBNER for Modification of an Approved 2-lot Subdivision approved at the May 2, 2008 meeting for land located on Parker Mountain Road and NH Route 126 (Tax Map 11, Lots 89 and 89-3). Randy Orvis of Géomètres Blue Hills presented revised plans showing items requested by the Board at the last meeting, including clarifying the first page and adding the DOT easement to page 2. Mr. Scribner was present. He advised the Board that they have applied to NH DOT for an amended permit. Board members noted that a review of the plans suggests that the fill for the proposed private drive seems to cover the outlet for the drainage pipe under Parker Mountain Road/Route 126. Mr. Orvis suggested that DOT had reviewed the location and had no concerns. Board members repeated that the plans seem to indicate a problem and noted Don Rhodes' recommendation that the Board request that DOT review the detailed plans. Board members agreed that the state drainage easement needs to show on the plan. Lynn Sweet suggested that DOT needs to decide on the design. Board members also advised that the typical section should be modified to show fill rather than cut. The Chairman then opened the public hearing on the application, noting that the application had been accepted as complete at the previous meeting. There were no comments. The Chairman then closed the public hearing.

Board members then turned to the request for waivers. The applicant has asked for waivers to all street construction standards. It was asked if a conditional approval could be issued, contingent upon approval of the private road entrance by NH DOT. The Chairman then asked for the specifics of the requested waivers to the street construction standards while Board members reviewed the plans. Kate Sawal asked why the road profile did not continue to existing ground level and expressed concern that the grade would exceed 10% if shown. Jim Graham attempted to list the waivers he thought were being requested. These included: width, pavement, depth of gravel, platform at NH Route 126 intersection, and potentially the grade. It was also noted that the hammerhead turn-around is a modified design using the driveway entrances for turning. It was agreed that the applicant should submit a waiver letter with more specific requests. Discussion continued. The Chairman reminded Board members that the Board needs to clear about why waivers are being granted. He noted the discussion last time, beginning with the fact that the road will serve only two house lots and the scenic location in the middle of town. Kate Sawal noted Board concerns with setting precedents. Charlie Moreno then again noted the location of the property and suggested that aesthetics is key. He also noted the short length of the road. Lynn Sweet noted that the proposal is protecting the field land out back of the building sites, and noted that the field area includes prime soils in the center of town, which the Board is working to protect. Jim Graham asked if the homes would be single family homes. Mr. Scribner said that he had no plans for building. It was noted that there could be issues if the triplexes were built. Mark Whitcher suggested that the lots be restricted to single family homes with the requirement that the road access be reviewed if additional units were proposed. It was noted that the Board has already requested a note be added to the plans stating that the road must be brought up to full town road specifications before it could be brought to the Town for acceptance. It was noted that the this requirement should be added to the waiver decision. It was agreed that any waivers granted would only apply for the construction of single family homes on the lots, and that multifamily units would require that the road access be reviewed. Kate Sawal noted that the proposal is similar to conservation development, but does not provide permanent protection for the field land. Jim Graham suggested that the waivers could be conditionally approved because the situation is unique due to its location in the center of town, aesthetic concerns, and to be in conformance with surrounding development of single family homes along the road. He said that the Board would need a letter spelling out the waiver requests. Discussion then returned to design characteristics of the road.

It was noted that the road design does not provide the 4:1 shoulders required. Unless changed, an additional waiver would be required. Noting the number of waivers required, Board members agreed that further action should wait until DOT has reviewed the plans and the design has been finalized and all the waiver requests have been specified. The following items must be addressed: provide a letter specifying the waivers requested; provide documentation from DOT that the outlet for the culvert under Parker Mountain Road/Route 126 has been addressed; amended permit from NH DOT; clearly show the drainage easement on the plans; correct the typical section to show fill and provide cross sections to go with the road profile including a cross-section for the point where the pipe outlet is located; show the road profile ending at ground level and calculate grade; add a note on the requirement that the road be brought up to specifications before being brought to the Town for acceptance; add a note regarding single family use or the road access must be reviewed; and finally it was noted that a financial guarantee for road construction costs is required for final approval of the plan. Further discussion of the application was continued to the next regular meeting.

The first item of new business before the Board was the application of ROBERT and JUDITH ARCIERO for two-lot subdivision of land located on Crown Point Road (Tax Map 20, Lot 57). Jon Berry of Berry Surveying and Engineering presented the plans. There were no abutters present. The Arcieros hope to divide their 26.57 acre undeveloped property into two lots using the Berry River as the dividing line. Both lots will have frontage on Crown Point Road. The new lot would be 9.40 acres, reducing the original parcel to 17.17 acres. The plan shows a buildable area meeting zoning requirements on each of the proposed new lots. Test pits have been dug. Wetlands delineation has been completed only in the area of intense survey completed to show buildable area. They have held to the greater setbacks around the potential vernal pool area shown on the plan.

It was noted that Don Rhodes had raised the question of water rights to the Berry River. Jon Berry advised the Board that Rochester Aqueduct had purchased the water rights for the Berry River. It was agreed that this note should show on the plan. In addition, a note should be added regarding the special setback requirements under Env-WS 386.59/60 for the Berry River. The existing woods road by the bridge should be shown. And finally, a note should be added regarding Article 1.4.1 J, which extends Shoreland Protection rules to the Berry River by local ordinance. Board members then reviewed the plans with the checklist. The following items are missing and/or need clarification: correct locus to show Strafford and Rochester; correct typos on Sheet 1; clarify the note regarding clearing along the Crown Point Road ROW; reference datums so they match. Noting that these items are minor and do not affect the overall plan, Lynn Sweet then made a motion, seconded by Jim Graham, to accept the plans as complete for consideration, conditional upon the completion of the items noted above. There were no further comments, and the vote was unanimous in the affirmative. The Chairman then opened the public hearing on the application. There were no comments. The Chairman then closed the public hearing. Noting that all of the items needed for completion of the plan are minor, Lynn Sweet then made a motion to approve the plans for two-lot subdivision, conditional upon the completion of the items noted above. Jim Graham and Mark Whitcher both seconded the motion, there was no further discussion, and the vote was unanimous in favor of the motion. Mr. Berry was advised to bring the mylar and copies to the Town Office for signatures and recording once completed.

The second order of new business was the application of ERIC and JENNIFER NOEL for two-lot subdivision of their property located at 926 Second Crown Point Road (Tax Map 19, Lot 5-2). Jon Berry of Berry Surveying and Engineering presented the application. There were no abutters present. The Noels hope to divide one new 3.29 acre lot, proposed Lot 5-3, off their 26+ acre property. Lot 5-2 would be reduced to 23.09 acres. Lot 5-3 would have 1.22 acres of contiguous uplands. The proposed building site is near the road. State of NH WSPCC subdivision approval #SA201009383 has been granted. The Road Agent has approved the proposed driveway location for the new lot. Mr. Berry noted that although the proposed lot lines do not form a traditional rectangle, the proposed lot makes sense on the landscape due to the terrain. He has followed his clients' requests regarding frontage and area for the new lot, and their desire to keep the pond area on Lot 5-2.

The Board then reviewed the plans with the checklist. The following items were missing and or need clarifications: add a note that the lot is under 800 feet in elevation and note that bounds have been set. Noting that these items are minor, Jim Graham then made a motion to accept the plans as complete for consideration, conditional upon the completion of the items noted above. Lynn Sweet seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. The Chairman then opened the public hearing on the application. There were no comments. The Chairman then closed the public hearing. Jim Graham then made a motion to accept and approve the plans for two-lot subdivision, conditional upon the completion of the one item noted above. Lynn Sweet seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. Mr. Berry was advised to bring the mylar and copies to the Town Office for signatures and recording once completed.

The final order of new business was the application of ROBERT, ELAINE, and REBECCA WHITE for Non-Residential Site Plan Review for the Whitehouse Early Learning Center, 352 Province Road (Tax Map 8, Lot 75). The Whites are proposing to expand their Family Group Child Care to Day Care Center. They have chosen to apply for Non-Residential Site Plan review as suggested by the Planning Board several years ago should the day care expand to become a pre-school. Schools are allowed under Strafford zoning, although site plan review is required. The Whitehouse Early Learning Center is currently allowed to take a maximum of 15 children. Expanding to a Center would allow them to take up to 24 students and to hire an employee. Rebecca is now qualified as a "director", which allows them to apply for the designation as a Center. Ted White explained that part of their problem comes from kindergarten students that attend their child care center before and after school, and who count as a full day student. He noted that they will need to make few changes to their facility in order to take more students, but they will need to increase the size of the fenced-in play yard to accommodate more children. Locally, the fire department and health officer have reviewed their facility. They have completed a water test. They now need to have the town sign to confirm that the center meets zoning requirements in order to return their application paperwork to the state.

Board members reviewed the 1999 septic system design plan and plans for the recent new ell and full basement on the rear of the White's home where the day care center is located. Ted White explained that they would like to add a parking area below the new ell section, to be accessed by extending the driveway around the back of the ell section. He said that there is adequate sight line to see cars coming and going around the home. They would not change the location of the access to Province Road. Jim Graham suggested that the Whites prepare a plan showing the lot, existing and proposed driveway, play yard, and parking area. It was discussed whether the Board needed to require a new plan, and Board members agreed that they would like to see one. It was agreed that the Whites would not need to have a new surveyed/engineered plan, and that they could use their septic system design plan as a base for drawing their own plan. Board members then reviewed the various items on the Non-Residential Site Plan checklist. The Whites advised that they do not get deliveries, except occasional UPS deliveries, and do not need additional area for truck turning. Noting the Whites' need for a response to the zoning question, Jim Graham then made a motion seconded by Lynn Sweet, to approve the expansion of the Whitehouse Early Learning Center as consistent with Strafford Zoning Ordinances. There was no further discussion and the vote was unanimous in the affirmative. Mr. Moreno signed the zoning form. The Whites were advised to continue working on the site plan drawing and to work through the checklist to address, at least briefly, the items on the list that apply to their day care center. Further discussion will be continued to the next meeting.

Board members then reviewed recent correspondence. There being no further business before the Board, it was moved, seconded and voted to adjourn at 10:45 pm.

Minutes

Planning Board Work Session

July 15, 2010

Members present: Charles Moreno, Chairman, James Graham, Lynn Sweet, and Mark Whitcher.

Cynthia Copeland of SRPC was present.

Cynthia Copeland of SRPC attended to work further with the Board regarding long-term planning issues regarding agricultural soils. She brought a draft agricultural soils overlay district regulation for Board members to review which included several different alternatives for guiding development. It was agreed that the Board will also need to consider how to determine the threshold for inclusion in the district, and how many lots would be impacted for different determinations based on percentage of agricultural soils.

It was noted that our technical assistance time with SRPC funded by the ARRA Water Quality grant is almost fully used. However, it was agreed that the Board will continue to work with SRPC to complete the proposed agricultural soils regulations. Board members will work from Cynthia Copeland's draft language and schedule one more meeting with SRPC, tentatively scheduled for October, to finalize the project. The ARRA grant will cover the final meeting. It was agreed to apply to PREP for a technical assistance grant to work on drafting stormwater management regulations, the other project initially proposed by the Board.

Board members then reviewed recent correspondence. There being no further business before the Board, it was moved, seconded and voted to adjourn at 10:00 pm.