

Minutes

Strafford Planning Board Meeting

January 7, 2021

As Chair of the Planning Board of the Town of Strafford, Charles Moreno opened the meeting by stating that he finds that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

The Chair then summarized the following announcements: Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I (the Chair) am confirming that we (the Planning Board) are:

- a) providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means. We are using the Google Meet platform for this public meeting. All members of the Planning Board are able to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing +1 475-675-3191 and using the assigned meeting code or by clicking on the website address: meet.google.com/baf-jrsq-mie.
- b) providing public notice of the necessary information for accessing this meeting. We previously gave notice to the public of the necessary information for accessing this meeting, including how to access the meeting via Google Meet or telephonically. Instructions were posted on the website of the Town of Strafford at www.trafford.nh.gov.
- c) providing a mechanism for the public to alert the public body during the meeting if there are problems with public access: If anybody has a problem they were directed to call or email eevans.trafford.nh@gmail.com.
- d) adjourning the meeting if the public is unable to access the meeting: In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

The Chair opened the meeting at 7:30 PM by taking roll call attendance. Members present were Charles Moreno, Chairman, Phil Auger, Terry Hyland, ex-officio member Brian Monahan, and Donald Coker, Don Clifford, and Susan Arnold, Alternate members. The closing date for applications to appear on the agenda for the February 4, 2021 regular meeting will be 5 P.M. Tuesday, January 12th, 2021; revised materials for continuing applications must be submitted by Tuesday, January 26th. Noting that one member was absent, the Chairman designated Donald Coker as a voting member for this evening. Board members turned to the minutes of the December meeting. Phil Auger then moved to approve the minutes as presented. Terry Hyland seconded the motion. The Chairman called the vote: Phil Auger—aye, Terry Hyland—aye, Brian Monahan—aye, Charles Moreno—aye; Donald Coker abstained because he had been absent from the December meeting. The minutes were accepted by majority vote.

The first order of business was the application of MARK and JUDITH WHITCHER for the 2-lot subdivision of their property located on Province Road and Webber Road (Tax Map 1, Lot 20). One additional lot was subdivided out of this same property in November 2020. Chris Berry of Berry Surveying and Engineering presented the plans. The Whitchers are dividing out a 5 acre lot on the Province Road end of the property for their daughter. The new lot will be bounded by the Province Road and the Waldron Road, a Class VI road running from Province Road up to Evans Mountain Road that runs through Tax Map 1, Lot 20. Mr. Berry advised Board members that after the November meeting, he began researching the Waldron Road in the Barrington archives. The road predates the division of Barrington and there are no records in Strafford. Mr. Berry said that Waldron Road was laid out with a 3-road right of way. He said that he feels that the road subdivides the land. Finally, he noted that there is no evidence that the road was ever formally abandoned. The legal frontage for the proposed lot is all on Province Road. Sheet one shows the overview, Sheet 2 shows the detail of the new lot with full metes and bounds information, and

Sheet 3 shows the topographic and wetlands information. Mr. Berry noted that there is a wetlands area that extends into the property, so the lot was extended up along Waldron Road to get the full 5 acres; NH DES subsurface subdivision approval will therefore not be required. There are 4.53 acres of uplands, he noted. An existing traveled way up through the fields forms the side boundary, which juts in around the old house site. They are planning to put the driveway access off of Waldron Road. He noted that the access for Waldron Road would actually be improved in order to get to the driveway location.

Donald Coker asked why they are using Waldron Road for the driveway. Mr. Berry answered that it reduces curb cuts off of Province Road. Mr. Coker asked if they have any future plans for Waldron Road; Mr. Berry responded that there are no immediate plans for Waldron Road. Don Clifford noted that the town is trying to protect Class VI roads, noting that Province Road is open and maintained. Mr. Berry noted that there have been many projects over the years where small sections of Class VI roads have been upgraded, and he noted that this is also what the owners want. The Chairman noted that the Board should consider acceptance of the plans before going further. Several Board members then volunteered to work on sections of the checklist. Phil Auger asked Chris Berry to explain his position that Waldron Road creates two parcels from Lot 20. Mr. Berry said that the road ownership is separate from the parcels. It was agreed that the layout of the public right of way and the deeds will need to be examined, as roads do not automatically create subdivisions or change the ownership of the underlying land. Charles Moreno asked if a turn-out would be required for the road; Chris Berry noted that they would only be using about 150 feet of road. Donald Coker, Don Clifford, and Susan Arnold noted that the plans include the required information for the various sections of the checklist. Donald Coker said that he wanted more information on the Class VI road proposal, and asked if the applicants would be required to bring Waldron Road up to town specifications. Terry Hyland noted that this would only be true if Waldron Road was being used for frontage. Chris Berry said that they plan to upgrade Waldron Road to driveway standards. Board members reviewed the second column of the checklist together. It was noted that some requirements are addressed in the waiver request. Just as was requested for the previous subdivision of Lot 20, the applicants are requesting waivers to the requirements for a full survey, topographic information, wetlands delineations, etc. on the large lot of remaining land. Chris Berry noted that they have provided detailed information on the front 30 acres of the parcel, which demonstrates that the remainder lot meets zoning minimums. With the checklist completed, the Chairman said that he would entertain a motion. Donald Coker moved to accept the plans as complete for consideration. Terry Hyland seconded the motion. There was no further discussion. The Chairman called the vote: Phil Auger—aye, Terry Hyland—aye, Brian Monahan—aye, Donald Coker—aye, Charles Moreno—aye. The motion was passed by unanimous vote.

The Chairman then asked Mr. Berry about cellar holes and historic features. Mr. Berry noted that the lot jogs along the side boundary around the old cellar hole, to keep the historic features with the large lot. Discussion turned to question of lot numbering. Mr. Berry had indicated a different map and lot number for the part of Lot 20 that lies on the west side of Waldron Road. Mr. Auger noted that on very old lots often include land on both sides of a road. Mr. Berry agreed that this is at least a point of discussion, and said that if it is determined that the western part of the lot is not a separate lot, the tax map will remain the same. Mr. Auger said that the plan should reflect the current tax maps, which show the land (before subdivision) as all one parcel. Don Clifford asked why they are not using the stone walls along Waldron Road as boundaries. Mr. Berry noted that the road right of way is 3 rods, which is different than the distance between the walls in many areas, so they have laid out boundary lines for the ROW. Mr. Berry noted that they are complying with corner lot requirements and maintaining the 40 foot setback from both roads. Scott Whitehouse, the Fire Chief, noted that it is crucial to keep Waldron Road open for access to the back land in case of fire. Don Clifford noted that the landowner has always worked well with the snowmobile club and said that there is no reason for concern. Chris Berry advised Board members that the gate that currently blocks Waldron Road near Province Road would move back beyond the new driveway, but otherwise they are proposing no changes to Waldron Road. Scott Whitehouse asked if the new home would be numbered off Province Road or Waldron Road; it was noted that this will be determined in coordination with e-9-1-1. Continuing discussion on Waldron Road, Phil Auger noted a concern with maintaining the stone walls; Mr. Berry noted that only a small opening will be required. Terry Hyland again noted that he would prefer to have the new driveway off Waldron Road as he feels it would be better visually.

There were no additional comments and the Chairman then opened the public hearing. Alison Brisson spoke, noting that the land has been in the family for 200 years and that they do not intend to change the look or feel. She said that she feels that they have a right to use Waldron Road for the driveway and that it would be a hardship to have to open a new driveway on Province Road. Dave Perkins said that he thought development was not

allowed on Class VI roads unless they were brought up to Class V standards and asked if they would be therefore be required to bring Waldron Road up to Class V standards. It was noted that there is adequate legal frontage on Province Road to meet requirements. Mr. Perkins noted that fire access is an issue, and Mr. Moreno noted that was why the Board had turned to the Fire Chief for comments. Scott Whitehouse asked about the plans for upgrading the road for access and for the building permit. There were no additional questions. The Chairman noted that the main issues seems to be the question of Waldron Road. Chris Berry said that he would follow Phil Auger's suggestion and let the assessors determine if Lot 20 has been subdivided by the old road layout.

Board members then turned to the waiver requests. The Chairman asked Mr. Berry to read the waiver requests into the record. The first requested waiver was to the requirement that the plans show natural features for the entirety of the large parcel of remaining land. Mr. Berry noted that they have shown details for the front 30 acres to the east of Waldron Road, which shows that the large 100 ± acre lot meets minimum requirements. The second waiver is a request for a waiver to the requirement that physical features and topography be shown for the remainder parcel. The third waiver request is for a waiver to the requirement that a full survey, including corners, etc. be completed for the remainder parcel. Mr. Berry again noted that they have provided detail on about 30 acres and that details on the remainder of the large parcel are not necessarily germane to his subdivision. The Chairman advised that he would take a motion. Phil Auger then moved to grant the three waivers as requested. Terry Hyland seconded the motion, there was no further discussion, and the vote was unanimous in the affirmative. The Chairman then called the vote. The vote went as follows: Phil Auger—aye, Terry Hyland—aye, Brian Monahan—aye, Donald Coker—aye, Charles Moreno—aye. The motion was passed by unanimous vote. There were no additional comments and the Chairman then closed the public hearing. Phil Auger then made a motion to approve the 2-lot subdivision. Mr. Moreno asked if there were any proposed conditions of approval. Mr. Auger said just the correction on the lot numbering to the west of Waldron Road. Brian Monahan seconded the motion, there was no further discussion, and the Chairman called the vote: Phil Auger—aye, Terry Hyland—aye, Brian Monahan—aye, Donald Coker—aye, Charles Moreno—aye. The motion was passed by unanimous vote. The Chairman noted that there is a 30-day appeal period and advised the applicants to bring final copies of the plans to the Planning & Zoning Office for signatures, accompanied by checks for recording the plans at the Registry.

The first order of informal business was to consider an email from a resident on Garland Road who is concerned about truck traffic and an expanding business operating out of a residence further up the road from her home. Scott Whitehouse noted that there is a home being substantially renovated at the top of the hill and that some of the traffic stems from that project. He noted that he has spoken with the owner of the business and has inspected dumpsters located at his home. He said that the dumpster is only for small jobs cleaning after floods or fire, and that most of the abatement work is done on-site at people's homes. He said that he believes that their business has been expanding and that they are now looking for another location. It was agreed to send a letter to the homeowner to ask them to meet with the Board, and to forward the complaint letter to the Selectmen. There being no other regular business, Donald Coker then moved to close the regular meeting at 8:57 PM. Phil Auger seconded the motion, there was no further discussion, and the Chairman called the vote: Phil Auger—aye, Terry Hyland—aye, Brian Monahan—aye, Donald Coker—aye, Charles Moreno—aye. The motion was passed by unanimous vote. The Chairman then opened the work session part of the meeting. The Chairman advised that Scott Schroeder and the cell tower committee have been making progress and are now investigating Blue Job. Mr. Schroeder has asked if the town or the Board would be willing to make a formal inquiry of NH DNCR regarding space on the existing towers. Scott Whitehouse noted that he believes that the towers are owned by the state police and are only for public safety. Susan Arnold said that the state does lease out in some locations, and suggested it would be worth asking. She also suggested that the Board connect with SRPC to see if there are any regional-level planning initiatives. Donald Coker said that he would pursue this with SRPC. Mr. Moreno noted that the cell tower committee would like clarification on the proposed deliverables from their work, and Board members agreed that the key is to come up with a list of proposed best sites for cell tower development, probably in a map form, that could then be used to draft an overlay district. Finally, Board members briefly reviewed the compiled list of the various zoning proposals developed over the past few months of work sessions. It was agreed to schedule the hearing for the proposed changes for Thursday, January 28th at 7PM. There being no further business, Donald Coker made a motion to adjourn the meeting. Brian Monahan seconded the motion. The Chairman called the vote. The vote went as follows: Phil Auger—aye, Terry Hyland—aye, Brian Monahan—aye, Donald Coker—aye, Charles Moreno—aye. The work session adjourned at 9:53 PM.