

# Minutes

## Planning Board Meeting

**Location:** Strafford Town Hall Conference Room

**Date & Time:** July 7, 2022 7:00PM

**Voting Members Present:**

Charlie Moreno – Chairman  
Phil Auger – Vice Chairman  
Terry Hyland  
Tim Reed  
Lynn Sweet – Selectman Representative

**Non-Voting Members Present:**

Don Clifford – Alternate

**Others Present:**

Blair Haney, Strafford Regional Planning Commission, Regional Planner  
Autumn Scott, Strafford Regional Planning Commission, Regional Planner  
Dan Howard, Strafford Building Inspector  
Robert Fletcher, Minutes Recorder

The Chairman, Charlie Moreno, called the meeting to order at 7:01PM, recognized Board members Phil Auger, Terry Hyland, Tim Reed, Lynn Sweet and Don Clifford as present. He also recognized as present Blair Haney, Autumn Scott and Robert Fletcher.

The Chairman announced that the closing date for new applications to appear on the agenda for the regular August 4, 2022 meeting will be 5:00PM Tuesday, July 12, 2022. Revised applications for projects already under review must be submitted by Tuesday, July 26, 2022, for the August meeting.

The Chairman tabled review and acceptance of prior meeting and work session minutes until the end of the meeting.

**Continuing Business**

**Design Review – Caverly Hill Farm LLC, proposed 6-lot conservation development subdivision, Leonard Caverly Road, (Tax Map 8, Lot 69)**

The Chairman recused himself and requested Vice Chairman, Phil Auger, to preside. Mr. Auger appointed Don Clifford as a voting Board member and asked for a motion to continue forward the Design Review until the next meeting, which was so moved by Tim Reed, seconded by Terry Hyland, and voted upon verbally in the affirmative by all voting Board members. The motion passed. The Vice Chairman passed control of the meeting back to the Chairman.

**Boundary Adjustment, Subdivision and Conditional Use Permit – KRJ Finance LLC, Webber Road, Boundary Adjustment between Tax Map 1, Lots 22 and 23, 3-Lot Subdivision of Tax Map 1, Lot 22 and Conditional Use Permit application for the construction of a driveway to provide access to a rear building site and to provide access to Lot 23 (Tax Map 1, Lots 22 & 23)**

The Chairman indicated that the Board accepted this application as complete at the May 2022 meeting and conducted a site walk in conjunction with the Town Conservation Commission on May 19, 2022. In response to Board comments at the June 2, 2022 meeting, the applicant submitted minor changes to the proposal. The Chairman asked Christopher Berry with Berry Surveying and Engineering to address the changes.

Mr. Berry briefly reviewed the changes to the proposed plan presented at the June 2, 2022 meeting and highlighted the following for Board consideration:

- Lot Line revisions remain as previously presented.
- The rear parcel of approximately 58 acres of dedicated “open space” conservation land would be owned by proposed Lot 22-3 with recorded protective easement.
- Reduced driveway length to approximately 800 feet
- Used prefabricated open bottom arches for driveway wetland crossings.
- Provided an additional culvert in the position of an existing stone culvert.
- Added a turn-around and turn-out to the driveway.

The Chairman indicated the need to address each part of the application separately, beginning with the Lot Line revisions. The Board members agreed that the applicant’s willingness to convert the proposal to a Conservation Subdivision with the subsequent Lot Line modifications resulted in a significant improvement over the initial proposal. Mr. Berry asked about easement language for the protective easement, and the Board believed the Town office could provide a sample. There being no further discussion, the Chairman called for a motion to accept the Lot Line revisions, which was so moved by Phil Auger, seconded by Tim Reed, and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Chairman opened the meeting for Public comment at 7:16PM, and there being no comments, addressed the Conditional Use Permit application for the construction of a driveway. Mr. Berry provided a detailed description of the prefabricated open bottom arch to be used in lieu of a box culvert. Tim Reed questioned the use of crushed stone above the culvert, which might provide a conduit for water flow adjacent to a vertical wall of soil. Mr. Berry indicated both the culvert inlet and outlet have head walls, which should prevent the flow of water through the crushed stone. Mr. Reed also questioned the need for drainage calculations to address additional flow from the site development that could impact downgradient parcels and the Webber Road culverts. Mr. Berry did not believe current Town Ordinance required these calculations. The Board discussed the intent of the Ordinance with respect to land disturbance associated with driveways, lawn surfaces, residential roof runoff and tree clearing. Mr. Reed expressed concern about not doing anything to attenuate the post-development peak stormwater flow. The Board concluded that the Ordinance did not clearly indicate how to determine when drainage calculations are required, and as a result, would not be required for this proposal. There being no further discussion, the Chairman addressed the motion by Phil Auger for

approval to grant the Conditional Use Permit, which was seconded by Lynn Sweet. All Board members voted verbally in the affirmative, and the motion passed.

Next, the Chairman addressed the Conservation Subdivision and a list of comments/questions regarding application completeness as prepared by Blair Haney, Strafford Regional Planning Commission. The Board reviewed items on the list, asked for Public comments, and indicated the following conditions of approval:

- Title Plan as “Conservation Development Subdivision” instead of “Open Space Subdivision.”
- Prepare and submit deed restrictions for unbuildable, conserved land and driveway easement language for review by Town Counsel.
- Provide open space calculations on the Plan.
- Add a note regarding the Board agreeing to conventional Lot Line setbacks.

The Chairman called for a motion to approve the Plan with the above conditions, which was so moved by Phil Auger, seconded by Lynn Sweet, and voted upon verbally in the affirmative by all voting Board members. The motion passed.

**Subdivision Application – Terrence and Brianna Hyland, 243 First Crown Point Road, proposed 2-Lot Subdivision (Tax Map 19, Lot 35)**

Terry Hyland, voting Board member, recused himself from consideration of this application. The Chairman appointed Don Clifford as a voting Board member and asked the applicant to address the subdivision proposal.

Ashley Rowe, Norway Plains Associates, presented a brief overview of changes to the proposal:

- Proposed driveway was extended to indicate entrance from First Crown Point Road.
- The callout for the access easement was doubled in size and now references recording of a Declaration of Easement.
- Draft Declaration of Easement was submitted.
- A letter, dated June 17, 2022, from Matt Messenger of Radford Messenger, Inc. indicating intention for driveway construction was submitted.

The Chairman indicated that a site walk was conducted on June 15, 2022, which resulted in several recommendations for proposed driveway construction. Discussion began with the Declaration of Easement, which had been reviewed and found adequate by the Town Attorney. The Board and the applicant agreed that it would be proper to record the declaration and reference the book and page on the drawings.

The Board discussed the driveway construction in detail with respect to width, surface crowning, ditching, culverts, turn-around and turn-outs, gravel or pavement, and slope. The Board determined that replacement of the existing 36-inch diameter CMP culvert would not be required. The Board spent time debating the driveway slope, which exceeds 16 percent in a 150-foot section. The Town Road Agent indicated this area could be reduced to a 14 percent grade. The Chairman stated for the record that 1) the Strafford Fire Chief indicated in writing that a fire truck would not have a problem with the slope and recommended a gravel surface in the steep areas, 2) the proposed driveway follows

an existing woods road, 3) the steep grade is only a short distance, 4) proposed construction includes proper ditching and materials to reduce erosion, and 5) the driveway only services a single family dwelling.

The Chairman read the applicant's waiver requests, dated May 4, 2022, that seek relief from the Ordinance that limits driveway slopes to eight percent (unpaved) and twelve percent (paved) and the requirement for an engineered design for the driveway. The Board discussed the slope waivers and concerns regarding emergency vehicle access and the need for pavement. They also discussed whether or not to consider the slope waivers and the engineered design waiver separately or as one. The Board determined they could be addressed the waivers as one, and Phil Auger made a motion to approve acceptance of the waivers, which was seconded by Lynn Sweet. With Board members Lynn Sweet, Tim Reed and Charlie Moreno voting verbally in the affirmative and Phil Auger and Don Clifford voting in the negative, the motion passed.

Next, the Board considered approval of the proposed Subdivision and indicated several conditions of approval as follows:

- Driveway slope not to exceed fourteen (14) percent.
- Adhere to all other Town driveway Ordinances.
- Provide driveway turn-around detail on the plan.
- Incorporate Matt Messenger letter, dated June 17, 2022.
- Declaration of Easement recorded and referenced on the plan.

The Chairman, noting no public comments, closed the meeting to the Public and asked for a motion to approve the plan with the above conditions, which was so moved by Tim Reed and seconded by Phil Auger. With Board members Lynn Sweet, Tim Reed and Charlie Moreno voting verbally in the affirmative and Phil Auger and Don Clifford voting in the negative, the motion passed.

### **Other Business**

The Board reviewed the following Planning Board Work Session and Meeting minutes:

- Work Session and Meeting Minutes, April 7, 2022.
- Work Session and Meeting Minutes, May 5, 2022.
- Work Session Minutes, June 2, 2022
- Meeting Minutes, June 2, 2022.
- Site Walk Minutes, June 15, 2022.

Lynn Sweet moved to accept the above minutes as written, which was seconded by Phil Auger, and voted upon verbally in the affirmative by all Board members.

There being no further business before the Board, Phil Auger made a motion to adjourn the meeting, which was seconded by Tim Reed. The Board voted unanimously in favor, and the meeting adjourned at 9:19PM.