

## Planning Board Meeting Minutes

**Location:** Strafford Town Hall Conference Room

**Date & Time:** October 5, 2023 6:30PM

**Voting Members Present:**

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

**Non-Voting Members Present:**

Don Clifford – Alternate  
Donald Coker – Alternate  
Susan Arnold – Alternate

**Others Present:**

Blair Haney, Strafford Regional Planning Commission, Regional Planner  
Robert Fletcher, Minutes Recorder

The Chairman, Phil Auger, called the meeting to order at 6:31PM, and recognized Board members Charlie Moreno, Terry Hyland, Tim Reed, Lynn Sweet, Susan Arnold, Donald Coker, and Don Clifford as present. He also recognized as present Blair Haney and Robert Fletcher.

**Continuing Business**

**Site Plan Review - Navigator Properties LLC (Mariner Tower), Telecommunications Facility: Proposed 160-foot lattice telecommunications tower on the property of Gail J. & Michael A. Barry Jr., 15 Strafford Road (Tax Map 11, Lot 83)**

The applicant requested a continuance. Charlie Moreno recused himself as a voting Board member, and the Chairman appointed Susan Arnold as a voting Board member. Lynn Sweet made a motion for continuance to the Planning Board 6:30PM meeting on November 2, 2023 at the Strafford Town Office, which was seconded by Tim Reed and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Board reviewed and voted to approve several invoices for payment as follows:

- IDK Communications, September 11, 2023. Lynn Sweet made a motion to approve payment, which was seconded by Tim Reed and voted upon verbally in the affirmative by all voting Board members. The motion passed.
- CMA Engineers, July 29, 2023 to September 1, 2023. Lynn Sweet made a motion to approve payment, which was seconded by Tim Reed and voted upon verbally in the affirmative by all voting Board members. The motion passed.
- CMA Engineers, July 1, 2023 to July 28, 2023. Lynn Sweet made a motion to approve payment, which was seconded by Tim Reed and voted upon verbally in the affirmative by all voting Board members. The motion passed.

**Minor Subdivision (3 lots or fewer) - Michael R. Thivierge & Dawn S. Thivierge Revocable Trusts, 2-lot subdivision, 681 First Crown Point Road (Tax Map 19, Lot 72)**

The Chairman informed the applicant and public attendees of the need to enter a non-public session in accordance with RSA 91-A:3 to discuss legal advice from the Town's attorney. He removed Susan Arnold as voting Board member and reinstated Charlie Moreno as a voting Board member, who made a motion to enter a non-public session, which was seconded by Tim Reed and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Board entered the non-public session at 6:37PM. At 7:00PM, the Chairman asked for a motion to close the non-public session, which was so moved by Lynn Sweet, seconded by Charlie Moreno, and voted upon verbally in the affirmative by all voting Board members. The motion passed. Public attendees were asked to rejoin the meeting at 7:01PM.

The Chairman opened the meeting for public comment at 7:04PM, and there being none, closed the meeting to public comment at 7:04PM. He called for a motion to address the application approval, which would be followed by discussion prior to a Board vote. Charlie Moreno made a motion to conditionally approve the minor subdivision because there is a question of access that the Board is not in a position to resolve. The approval would be conditional upon the applicant providing proof of access to the buildable area of Lot 72-2 via agreement with the abutter, such as a lot line adjustment with the abutter, another driveway access that meets Town specifications, court order, or something similar as reviewed and approved by the Planning Board and the Town's attorney at the applicant's expense.

The Chairman asked for any discussion regarding the motion, and Attorney Kevin Baum representing the applicant asked to speak. He respectfully asked the Board to reconsider the approval conditions, which he considered to be unreasonable because the deeded easement provides access to the lot and the Board is relying on unsubstantiated claims of the abutter. He indicated that the applicant would have no choice but to appeal the decision. The Board reemphasized concerns regarding viable lot access as a condition of approval and discussed alternate approval conditions. Charlie Moreno retracted his motion, and Tim Reed made a motion to approve the subdivision on the condition that if the easement does not provide viable access to Lot 72-2, a plan with alternate access must be brought before the Board. The motion was not seconded. The Board continued to discuss the approval, and Lynn Sweet made a motion to approve the subdivision without conditions, which was seconded by Charlie Moreno and voted upon verbally in the affirmative by all voting Board members. The motion passed.

**Design Review (Conservation Subdivision) – Riley Family Trust of 2013, Dal Ray Riley and Joanne D. Riley, Trustees, 2-lot conservation subdivision, 845 Second Crown Point Road (Tax Map 19, Lot 17-1)**

Ray Bisson of Stonewall Surveying, representing the Riley Family Trust, indicated that the Design Review for a conservation subdivision was presented at the September 2023 meeting. He briefly reviewed the proposal for a two-lot conservation subdivision of the 44.33-acre parcel with limited frontage on Second Crown Point Road and indicated the plan to use portions of the conserved area for horse pasture as permitted by regulation and approved by the town.

The Chairman stated that the September 14<sup>th</sup> site walk was cancelled because it was not posted properly. In advance of this meeting, the applicant provided several photos of the property, which the Board indicated they had reviewed.

The Board reviewed the application for completeness, to include a regional planning review, and determined that it met all application checklist conditions. Charlie Moreno made a motion to accept the plan for consideration, which was seconded by Tim Reed, and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Chairman identified, and the Board discussed, the following regarding the conservation subdivision:

- Approval of a subdivision on property that could not otherwise be subdivided.
- Consideration of other property development, such as full buildout yield plan or use of an accessory dwelling unit.
- Size of exclusion area provides adequate space for structures, including barns
- Limited use of conserved area due to its physical nature to be specified in deed restrictions.
- Percentage of buildable area to be conserved.
- Importance of a site walk to determine the value and appropriateness of the conserved land.

The Board scheduled a site walk for Tuesday, October 10, 2023. at 4:00PM.

### **Other Business**

#### **KRJ Finance, LLC – Subdivision and Lot Line Revision Project Expansion Request, Webber Road (Tax Map 1, Lots 22 and 23**

Applicant requested extension of project to the December 7, 2023 meeting. Charlie Moreno made a motion to approve the extension as requested, which was seconded by Lynn Sweet and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Board reviewed the minutes of the September 7, 2023 Planning Board Meeting. Tim Reed made a motion to accept the minutes as written, which was seconded by Terry Hyland and voted upon verbally in the affirmative by all voting Board members present who attended the September 7<sup>th</sup> Planning Board Meeting.

### **Master Plan Follow-Up**

The Master Plan was nominated for Master Plan of the year. Phil Auger and Charlie Moreno emphasized the need to re-energize the committees formed at the July 2023 Master Plan work session, which were:

- Water quality.
- Arts.
- Design standards.
- Town build-out strategy.
- Community center.
- Green considerations.

Each committee needs a stated purpose or charter with focus on related Master Plan action items. Charlie Moreno volunteered to develop each committee charter and actions, and when complete, a community session will be scheduled with the Board and committee members.

### **Zoning and Subdivision Regulations**

Several zoning and subdivision regulation changes are being considered by the Zoning Board of Adjustment and the Planning Board, including:

- Recreation Vehicle Ordinance.
- Supplementary Lots.
- Frontage definition.
- Accessory Building Structure or Use.
- Structure definition.
- Building definition.
- Stormwater Management.
- Cumulative Impact.

The Board briefly reviewed and discussed the draft changes to each with emphasis on the recreation vehicle ordinance, supplementary lots, and frontage. The Chairman asked the Board members to send him any changes to any of the drafts, which he will incorporate and present at subsequent meetings.

### **Shared Driveways**

Charlie Moreno expressed concern about approval of a shared driveway to provide access to three lots without consideration of the number of possible dwelling units. Initial approval may be based on single family units, which will not exceed maximum trips per day for a shared driveway. Subsequently, property owners may increase the number of dwelling units (duplex, triplex, etc.) if warranted by adequate buildable area, which may result in exceeding the maximum trips per day. Currently, there is no requirement to obtain Planning Board approval to allow these changes. Tim Reed suggested the use of the term “dwelling units” as a limit for a shared driveway.

There being no further business before the Board, Lynn Sweet made a motion to adjourn the meeting, which was seconded by Tim Reed. The Board voted unanimously in favor, and the meeting adjourned at 9:14PM.