

Planning Board Meeting Minutes

Location: Strafford Town Hall Conference Room

Date & Time: August 1, 2024 6:30PM

Members Present:

Phi Auger – Chairman
Charlie Moreno – Vice Chairman
Terry Hyland
Don Clifford

Alternate Members Present:

Donald Coker
Susan Arnold
Sue Higgins

Others Present:

Dan Howard, Strafford Building Inspector
Robert Fletcher, Minutes Recorder

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

Preliminary Conceptual Consultation - David and Rebecca Lovely, 20 Back Canaan Road, Tax Map 4, Lot 83-1

Eric Lovely indicated the family's desire to subdivide their 40-acre Lot 83-1 that borders both Canann Road and Back Canann Road into four lots. There is currently one residential structure on Lot 83-1 with access from Back Canann Road. The Lovely's are seeking Board guidance on the best way to proceed. The Board indicated that there is not adequate road frontage to create a four-lot Major Subdivision without constructing a road at Town specifications to access two of the four proposed lots. As an alternative, the Lovely's are considering a Conservation Subdivision with two frontage lots and two back-lots with access from Canann Road. The remaining acreage estimated at 27 acres would be a conserved open space area.

The Board provided the following guidance regarding a possible Conservation Subdivision:

- Reduce the size of the lots to maximize the conserved open-space area.
- Provide access to the conservation area.
- The conserved area requires a deed restriction and cannot be further subdivided.

The Board suggested conducting a site walk to provide a better understanding of the lot topography, buildable areas, and the proposed conservation area. The site walk is scheduled for August 7, 2024 at 6:30PM.

Continuing Business

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)

Christopher Berry with Berry Surveying and Engineering provided a brief review of the Conservation Subdivision that was conditionally approved at the July 7, 2022 Planning Board meeting to create a four-lot subdivision with two frontage lots, two back-lots, and a 65-acre open-space conserved area. The approval was granted with the following conditions:

- 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 Board reviewed and discussed the above conditions of the approval and found each to be properly addressed except for the deed restrictions. The Chairman asked for a motion to approve the application. Charlie Moreno made a motion to grant final approval of the application (initially approved with the conditions on July 7, 2022) with the condition that the deed restriction be recorded with language finalized by Phil Auger and the Town Attorney. The motion was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members, which included Susan Arnold as a voting Board member who was authorized by Lynn Sweet in her absence. The motion passed.

Other Business

The Board reviewed the minutes of the June 11, 2024 Planning Board Meeting. Charlie Moreno made a motion to accept the minutes as written, which was seconded by Susan Arnold and voted upon verbally in the affirmative by all voting Board members present who attended the June 11th Planning Board Meeting.

Other Discussion

Dan Howard, Strafford Building Inspector, joined the meeting.

KOA Campground. The Chairman indicated that Blair Haney heard from the property owner representative who did not agree to appear before the Board as requested but asked for a list of concerns that their attorney could review. The issues to be addressed, but not limited to the following:

- Current number of available camp sites. The Zoning Board approved 140 sites, but the state certified 135 sites. The published campground map indicates 168 sites.
- Compliance with 100-foot boundary line buffers.
- Code compliance and Town approval for “water park” and/or pool operation.
- Town approval for operation of camp store and sale of alcoholic beverages.
- The approval on record bans the use of motorcycles and ATV’s

The Board also indicated the need for a traffic study and septic system capacity analysis due to the campground expansion. All Board members agreed that the Town Attorney needs to be involved in the response to the campground owners and any follow-up actions. Terry Hyland pointed out that Town Zoning regulations do not provide any guidelines or procedures to address business expansion, which would facilitate Town oversight and possibly prevent similar situations with other businesses. The Chairman stated that he would work with the Town Attorney to draft a response letter.

E-Bikes on Old Ridge Road. The business sign has been removed. The Town planned to send a second letter requesting appearance; however, Dan Howard will stop by to speak with the owner.

Barn in the Woods on Mousam Road. They advertise event space and a learning center. The Board needs to address several concerns about this business operation.

Terry Hyland indicated the need for specific guidelines to determine when a business start-up needs to appear before the Board, and Charlie Moreno emphasized the need for a business site or operations plan to establish a start-up baseline, which would be helpful for Board follow-up if a business grows.

Accessory Dwelling Units (ADUs). The Chairman questioned if construction of an ADU could be authorized in advance of construction of a primary residence. Town Ordinance is not clear on this other than the use of the term “accessory” which implies “in addition to.” The Board did not reach a consensus on this issue.

Right-of-Way to Lot. The Chairman confirmed that the Building Inspector directs applicants to the Zoning Board when requesting a building permit for property with right-of-way access. Subdivision of property accessed via a right-of-way may be allowed with construction of a road at Town specification over a 50-foot minimum right-of-way, although other restrictions may apply.

Major and Minor Subdivisions. The Town Attorney reviewed the proposed Subdivision, Major Subdivision, and Minor Subdivision definitions and made numerous additions. The Board agreed to add “private roads” to both Major and Minor Subdivision definitions. Public hearings are needed to formally adopt the definition changes.

Reformat of Zoning and Subdivision Regulations. Blair Haney continues to work on the draft revision.

Class VI Road Policy. Don Clifford reminded the Board that a review of the policy is needed.

Town Department Meeting. Lynn Sweet still coordinating efforts to schedule a meeting in September. Charlie Moreno suggested having a Planning Board Work Session to determine issues to present at the meeting.

There being no further business before the Board, Don Clifford made a motion to adjourn the meeting, which was seconded by Charlie Moreno. The Board voted unanimously in favor, and the meeting adjourned at 8:25PM.