

Planning Board Meeting Minutes

Location: Strafford Town Hall Conference Room

Date & Time: April 3, 2025 6:30PM

Members Present:

Phil Auger – Chairman
Charlie Moreno – Vice Chairman
Don Clifford
Lynn Sweet – Selectman Representative

Alternate Members Present:

Donald Coker
Susan Arnold

Others Present:

Robert Fletcher, Minutes Recorder

The Chairman, Phil Auger, called the meeting to order at 6:32PM and recognized Board members Charlie Moreno, Don Clifford, Lynn Sweet, Donald Coker, and Susan Arnold as present. He also recognized as present Robert Fletcher.

New Business

Design Review – Michael D. Whitcher Revocable Trust of 2002, proposed 8-lot subdivision and new cul-de-sac road, Whig Hill Road (Tax Map 4, Lot 1)

Board members Lynn Sweet and Don Clifford recused themselves, and the Chairman appointed Susan Arnold and Donald Coker as replacements, respectively.

The Chairman stated for the benefit of public attendees the proposal being addressed as a Design Review and not as of yet a full-fledged application. The Design Review provides a non-binding opportunity for the Board to offer comments and/or suggestions regarding the subdivision proposal and to hear public comments.

The Chairman asked Chris Berry of Berry Surveying and Engineering representative for the applicant to address the proposal. Mr. Berry stated that the Design Review process provides the opportunity for the developer to modify the plan as necessary prior to submitting a formal subdivision application. He indicated that Mr. Whitcher owns 181 acres bordering Whig Hill Road and Aspen Drive. John Hayes, a wetland and soil scientist, has delineated all poorly drained soils on site to determine wetland setbacks. There are wetland pockets adjacent to Whig Hill Road that feed into two separate culverts that go under Whig Hill Road. There is also a perennial stream that runs through the property.

Mr. Whitcher is proposing the subdivision of Lot 1 into eight buildable lots; one 4.65-acre lot with access from Aspen Drive, a second 4.10-acre lot with access from Whig Hill Road, and the remaining five lots with access from a private roadway to be named Caverno Drive. The roadway will be approximately 775 feet long and will terminate at its extreme with a hammerhead which provides frontage for a lot containing the remaining 154+ acres of the property. A 3.48-acre lot with frontage on Whig Hill Road contains a cemetery and remains of stone foundations. There are no wetland crossings for any of the driveways and the private roadway. The roadway has been positioned to avoid the stone foundations and will require a conditional use permit due to being within the 25-foot wetland setback requirement. Some test pit sites have been done but there are others that need to be

completed. The final plan will demonstrate 4000 square foot leaching and well sites. The design will address the control and containment of stormwater runoff due to the addition of impervious surfaces.

The Chairman confirmed with Mr. Berry that the subdivision proposal is entirely in the Spruce Brook vs. Lamprey watershed. He also asked Mr. Berry to address what is happening with the proposed 154-acre lot that borders both Strafford and Northwood properties. Mr. Berry indicated that the applicant plans to hold and maintain the property. The proposed subdivision design limits any further development at this time of the 154 acres due to lack of road frontage access. Additionally, the topography of the property does not lend itself to further development. The Chairman noted that Whig Hill Road provides access to a large residential area and is a dead-end road. He questioned if the applicant during the subdivision design had considered the impact on Whig Hill Road to serve eight additional residences. Mr. Berry indicated that it had not been discussed but the new lots were closer to the intersection than the majority of the lots in the Whig Hill Subdivision. Charlie Moreno questioned the location of the building site on the lot with the stone foundations. Mr. Berry indicated that the site would be located in the southern section of the lot and away from the foundations. Mr. Moreno also asked if the sight distances on Whig Hill Road at the proposed private road had been checked. Mr. Berry indicated that the position of the private road entrance was selected based on the best sight distances available. Donald Coker wanted to be sure that extensive stormwater management be considered in the final design. The Chairman asked how the addition of nitrogen and phosphates associated with the application of fertilizer around the new homes would be addressed. Mr. Berry stated that the plan design will capture water flow all “dirty surfaces” for direct treatment through a “rain garden infiltration” or best management practices.

The Chairman opened the meeting for public comments at 6:55PM.

Tom Flynn, 42 Beaver Brook Drive, expressed several concerns regarding the proposed subdivision.

- Access and egress on dead-end Whig Hill Road during emergencies. Additional residences will only add to this.
- The proposed private road is located at the worst corner on Whig Hill Road with limited visibility of Whig Hill traffic, pedestrians and bicyclists.
- Increased possibility of stormwater flooding and overload on Whig Hill Road culverts.
- Subdivision and residential construction may result in further deterioration of the lower section of Whig Hill Road.

Jessica Kenny, 332 Drake Hill Road, expressed the following concerns:

- Additional noise and neighborhood disruption associated with the construction of eight new residences.
- The impact on wildlife in the area. She believed that Mr. Whitcher’s grandfather wanted to preserve the area for community enjoyment and wildlife.
- The future development of the remaining 154 acres with the possibility of further subdivision and more residences.
- The impact on town services due to residential expansion.

Gabriele Holland, 63 Red Oak Lane, was not in favor of any further residential expansion in the area of Drake Hill Road and Whig Hill Road.

Amy Harnish, 92 Whig Hill Road, verbally presented written comments by her husband, Eric, who could not be at the meeting. His concerns are summarized as follows:

- Single entry to Whig Hill Road from Drake Hill Road presents safety concerns for residents regarding emergency vehicle access if there is any road blockage-natural or otherwise.
- Approval of a major subdivision without addressing Whig Hill Road's single entrance should be considered a town liability.
- The possible impact on current residential wells with the creation of additional wells to serve the proposed subdivision.
- The impact on wetlands and stormwater runoff associated with residential construction.
- The location of the proposed subdivision private road at a known "blind spot" on Whig Hill Road.
- The proposed use of the remaining undeveloped acreage.

Lisa Soiett, 14 Aspen Drive, questioned if the plan included a fire pond to provide a water source for fire equipment and if stone walls along Whig Hill Road would be disturbed. The Chairman indicated that the final plan would indicate stormwater collection areas and that stone walls delineating lot boundaries would not be disturbed.

Regina Flynn, 42 Beaver Brook Drive, expressed concern about limited visibility where the proposed private road intersects at the Whig Hill Road curve, the stormwater runoff from the proposed subdivision, and wildlife impact.

Kevin McLaughlin, 19 Aspen Drive, expressed concern about the proposed subdivision effect on current wells, stormwater runoff onto his property, blasting of ledges for home construction.

Unidentified attendee, questioned further development of the 154-acre lot and how the Whig Hill subdivision was approved with dead-end access exceeding 800 feet. The Chairman stated that the Whig Hill subdivision was approved before the 800-foot limitation was adopted. Jessica Kenny also had the same question regarding the 800-foot limitation.

Kate Sawal, Tax Map 4, Lot 35, questioned if Mr. Berry would address the use and further development of the 154-acre lot and if the applicant owns property that could provide separate access this lot.

The Chairman noted that there were no further comments from the public and closed the meeting to public comment at 7:19PM. He asked Mr. Berry to address the public concerns as needed, and his comments are as follows:

- Development of the 154-acre lot. The lot in the proposed configuration cannot be further developed, and the applicant does not own any abutting parcels on Drakes Hill Rd. that would provide the ability to access the 154 acres from that direction.
- Water drainage onto property at 19 Aspen Drive. Water flow direction is from Aspen Drive onto the proposed subdivision. The stormwater management design will take into consideration a 100-year storm event and the impact on the existing culverts on Whig Hill Road.
- Sub-surface ground water capacity and quality. It is very difficult to predict how additional wells will affect current wells which are already impacted by climate change. On-sight loading calculations will be provided to include volume of water expected to be reintroduced to the sub-surface.
- Wildlife impact. The proposed lots incorporate a small portion of the entire property and, due to lot sizes, the proposed placement of homes will provide adequate open area to minimize wildlife impact.
- Visibility limitations at the intersection of the private roadway and Whig Hill Road. The private road intersects the outer circumference of the corner on Whig Hill Road, and as a result

provides adequate sight lines for motorized traffic and pedestrian conditions upon entry to Whig Hill Road.

- Residential construction impact. Existing conditions of Whig Hill Road prior to construction is documented photographically and compared with post-construction conditions to determine any damage and appropriate responsibility for correction.

The Chairman asked if the Board had any questions or comments. Donald Coker asked if a hydrology analysis could be part of a subdivision application to determine possible impact on residential wells in the area. Mr. Berry indicated that the Subdivision Regulations don't require this; however, the Board has the authority to request special studies, as necessary. There being no further questions or comments, the Chairman asked for a motion to close the Design Review for this project, which was so moved by Charlie Moreno, seconded by Susan Arnold, and voted upon verbally in the affirmative by all voting Board members except Donald Coker who abstained. The motion passed.

The Chairman reinstated Lynn Sweet and Don Clifford as voting Board members, and Susan Arnold and Donald Coker returned to alternate Board member status. The Chairman noted that he had taken a pledge for appointment as an elected Planning Board member and also recognized Donald Coker's official reappointment as an alternate Planning Board member.

The Board reviewed the minutes of the March 6, 2025 Planning Board Meeting. Don Clifford made a motion to accept the minutes as written, which was seconded by Charlie Moreno and voted upon verbally in the affirmative by all voting Board members present who attended the March 6th Planning Board Meeting.

Other Business

Process for addressing a Variance. The Chairman noted the need in some cases to clarify how and when a required variance is addressed. Current regulations don't specify if a variance is addressed by the Zoning Board of Adjustment prior to or after the Planning Board determines a variance is necessary. The Chairman consulted with the Town attorney to see if the process can be regulated, and it was determined that the process cannot be regulated. The Board discussed this determination at length and agreed on the need to set aside any pre-approved variance when addressing an application before the Planning Board.

Class VI Road Policy. A question exists regarding the process to address an appeal to a decision by the Board of Selectmen to not allow construction on a Class VI Road, and if the Zoning Board of Adjustment would be involved in adjudicating the appeal. The Board tabled forwarding a final version of the policy to the Board of Selectmen for review and acceptance.

There being no further business before the Board, Don Clifford made a motion to adjourn the meeting, which was seconded by Susan Arnold. The Board voted unanimously in favor, and the meeting adjourned at 7:48PM.