

Planning Board Meeting Minutes

Location: Strafford Town Hall Conference Room

Date & Time: September 4, 2025 6:30PM

Members Present:

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

Alternate Members Present:

Donald Coker
Susan Arnold
Sue Higgins

Others Present:

Robert Fletcher, Minutes Recorder

The Chairman, Phil Auger, called the meeting to order at 6:30PM and recognized Board members Charlie Moreno, Terry Hyland, Don Clifford, Lynn Sweet, Donald Coker, Susan Arnold, and Sue Higgins as present. He also recognized as present Robert Fletcher.

Continuing Business

Major Subdivision – Michael D. Whitcher Revocable Trust of 2002, 8-lot subdivision, Whig Hill Road, (Tax Map 4, Lot 1) and Conditional Use Permit – Michael D. Whitcher Revocable Trust of 2002, Proposed Private Roadway impacting the Wetlands Buffer, Whig Hill Road, (Tax Map 4, Lot 1)

The Chair noted that the Altus Engineering review had been completed but not in time for adequate review by the applicant who is requesting a continuance. Charlie Moreno made a motion for continuance of the Major Subdivision application to the October 2, 2025 Planning Board Meeting at 6:30PM at the Town office in Strafford, NH, which was seconded Terry Hyland and voted upon verbally in the affirmative by all voting Board members except Don Clifford who abstained. The motion passed. Charlie Moreno also made a motion for continuance of the Conditional Use Permit application to the October 2, 2025 Planning Board Meeting at 6:30PM at the Town office in Strafford, NH, which was seconded Terry Hyland and voted upon verbally in the affirmative by all voting Board members except Don Clifford who abstained. The motion passed.

Minor Subdivision – Todd Cain, 2-Lot Subdivision, 263 Province Road (Tax Map 8, Lot 60)

Chris Berry of Berry Surveying and Engineering, representing the applicant, presented the proposal. The applicant, who resides on the lot, wants to subdivide the 4.7-acre lot into two equal sized lots each of approximately 2.3-acres. Currently, the lot with the residence is accessed from Province Road with sufficient frontage and includes an existing septic system and well. The second lot will have sufficient frontage on and access from Spruce Pond Road. Test pits have been completed on both the parent lot and the second lot to ensure each lot can support a septic system. Neither lot contains any wetlands, steep slopes or ledges.

The Chair asked for questions or comments from the Board. Lynn Sweet made a motion to accept the application as complete which seconded by Charlie Moreno, and voted upon verbally in the affirmative

by all voting Board members. The motion passed. Lynn Sweet also made a motion that the application presented no regional impact which was seconded by Don Clifford, and voted upon verbally in the affirmative by all voting Board members. The motion passed.

Don Clifford questioned the need for the “dogleg” shape of the parent lot. Mr. Berry indicated that minimum frontage was used to create the second lot and it was made as perpendicular as possible. The existing lot is dogleg shaped, and redesigning the second lot to eliminate the parent lot dogleg would then create a dogleg in the second lot.

The Chair opened the meeting for public comments at 6:40PM.

John Rodenhuis, 271 Province Road, asked for further clarification regarding the dogleg which Mr. Berry provided. Mr. Rodenhuis also confirmed that access to the second lot would be from Spruce Pond Road.

Bill Riendeau, 20 Spruce Pond Drive, wanted to confirm the location of the proposed driveway access to the second lot from Spruce Pond Road to ensure it wasn’t too near his driveway, an implied right-of-way crossing a small portion of the second lot.

The Chair closed the meeting for public comments at 6:45PM.

There were no further questions or comments from the Board, and Lynn Sweet made a motion to approve the plan as presented which was seconded by Don Clifford, and voted upon verbally in the affirmative by all voting Board members. The motion passed.

Minor Subdivision – Mark Whitcher 2011 Revocable Trust, 2-Lot Subdivision, Province Road (Tax Map 1, Lot 20B)

Donald Coker recused himself as an alternate Board member. Chris Berry of Berry Surveying and Engineering, representing the applicant, presented the proposal. He noted that a preliminary proposal was presented earlier under Design Review. Through records research and demerger action by the Selectboard, the lot was confirmed to be a separate lot of record. The chair questioned whether the now single parcel on the west side of Waldron Rd. was not in fact historically two parcels. Mr. Berry responded that it has always been a single lot. Mr. Berry proceeded and explained that the applicant appeared before the Zoning Board of Adjustment and was granted a Variance for creation of a lot with less than 200-feet of frontage. The applicant proposes the subdivision of the approximately 10-acre lot into two lots; one lot (20B) of 2.27-acres with 200-feet of frontage on Province Road, and one lot (20B-1) of 7.62-acres with 185.7-feet of frontage on Province Road and an eastern border on Waldron Road. The parcel contains wetland areas which are located in the middle of the property and are not considered a flood zone. Wetland buffers are delineated on the plan along with possible structure locations, suitable test pits, and well locations.

Lynn Sweet made a motion to accept the application as complete which was seconded by Charlie Moreno, and voted upon verbally in the affirmative by all voting Board members. The motion passed. Lynn Sweet also made a motion that the application presented no regional impact which was seconded by Don Clifford, and voted upon verbally in the affirmative by all voting Board members. The motion passed.

Charlie Moreno confirmed with Mr. Berry that access to Lot 20B-1 on the plan was from Province Road; however, Mr. Berry stated that no regulation prevented the owner of the lot from accessing the

property from Waldron Road. Both the Chair and Mr. Moreno expressed concern regarding the use of a Class VI Road as a driveway. Lynn Sweet indicated that when new State regulations become effective in July 2025 access to a buildable area on the property from a Class Vi Road would be allowed if residential structure insurance could be obtained.

The Chair opened the meeting for public comments at 6:58PM.

Donald Coker, 1283 Parker Mountain Road, expressed concern about the process of obtaining a variance to allow creation of a lot with less than the required frontage. The applicant was allowed to go before the Zoning Board of Adjustment for a variance before the Planning Board determined the need for a variance to create the lot. Mr. Coker cited an opinion by an attorney at the New Hampshire Municipal Association that the ZBA by design is an appellate body to provide relief when an applicant has been denied what they are trying to accomplish. He feels that this application should have come before the Planning Board first and then gone to the Zoning Board of Adjustment for a variance or other relief. He asked what the Board could do to prevent this from happening again. The Chair agreed that the Planning Board should have been involved first but stated that RSAs do not specifically indicate that an applicant has to appear before the Planning Board first before seeking relief. Lynn Sweet indicated that the State Legislature would need to modify the RSA to specifically direct the order for Board appearance.

Don Clifford read for the record a note from Liz Evans indicating that the 200-foot frontage requirement is also in the Subdivision Regulations (Article 2.6.3 Frontage) and the Board should follow case law which indicates granting of a waiver should be based on a hardship. Mr. Berry stated that the Town regulations address frontage requirements in both zoning and subdivision documents. He contends that the granting of a variance for frontage satisfies both regulatory requirements and is not seeking a waiver for the minimum frontage requirement.

Donald Coker, 1283 Parker Mountain Road, provided an additional comment that he took exception to the Zoning Board of Adjustment approving a variance for a lot that didn't exist. Charlie Moreno offered the clarification that a lot does not exist until Planning Board approval; therefore, the variance needed to be granted before the lot could exist.

The Chair closed the meeting for public comments at 7:10PM.

There were no further questions or comments from the Board, and Charlie Moreno made a motion to approve the plan as presented which was seconded by Lynn Sweet and voted upon verbally in the affirmative by all voting Board members except Don Clifford who voted against the motion. The motion passed.

Conditional Use Permit, Jessica & Michael Baker, 25 Fire Road 32, Proposed driveway to new home impacting the Wetlands Buffer (Tax Map 26, Lot 1A)

Chris Berry of Berry Surveying and Engineering, representing the applicant, presented the proposal. The applicant is demolishing an existing cottage and constructing a new year-round residence to include a new drilled well, a new NHDES approved septic system, and a relocated driveway. The larger new residence will be further from Bow Lake than the existing cottage. The new structure is positioned to meet the sideline setbacks and be further from the wetland's boundary. The new driveway, however, will impact nearly 1700 square feet of the 25-foot wetland buffer and requires a Conditional Use Permit. There will be no other impact to the jurisdictional wetlands. There will be stormwater runoff improvements to the site with all roof runoff being captured into two drywells. The

new septic system uses innovative technology to reduce nitrogen, phosphorous, and bacteria. The project includes revegetation of certain areas and the use of porous materials. The Conservation Commission did not oppose the development of the property as proposed.

The Chair asked for questions and comments from the Board. Charlie Moreno asked about the drainage pattern of the runoff to Bow Lake. Mr. Berry indicated that the flow from the northeast of the residence will be directed to the southwest through a culvert under the driveway and to the south on the other side of the residence. Mr. Moreno also asked about the roof runoff. Mr. Berry again stated that roof runoff will be captured with gutters and directed to two dry wells on the lake side of the structure with a capacity to handle first rain flush and a two-year rain event. The Chair questioned the vegetation plan for the site. Mr. Berry stated that the Shoreland Protection Plan indicates a revegetation of the entire perimeter with shrubbery and no change to the vegetation in the lake shoreline setback area. There is no plan to increase the current lawn area. The Chair indicated that vegetation of the shoreline area is a critical area for protection of the lake and he would like to see a detailed plan for vegetation to eliminate as much lawn area as possible. Charlie Moreno noted the improvements to the site by moving the structure further from the lake and installing a new septic system but is concerned about the increased size of the structure which causes the driveway location to impact the wetland buffer. He is concerned about protecting the lake. Mr. Berry indicated that the applicant may not be opposed to vegetating the shore area. Susan Arnold asked about the driveway composition, which Mr. Berry stated would be paved, and the possibility of using a more permeable surface. Mr. Berry indicated that it was a possibility but it is a small area and the site plan reduces the amount of impervious area overall. Donald Coker asked if a note to restrict the use of fertilizers could be placed on the plan. Mr. Berry indicated that would not be a problem and that it was the condition of all Shoreland Permits.

Lynn Sweet made a motion to accept the application as complete which seconded by Don Clifford, and voted upon verbally in the affirmative by all voting Board members. The motion passed. The Chair opened the meeting for public comments at 7:29PM.

Robert Kennedy, 29 Fire Road 32, asked what road frontage was being used to allow construction of the new residence. The Board indicated that the property is an existing lot which is grandfathered from current requirements. Mr. Kennedy expressed concern about the wetland on and near the property which he stated is spring fed with the runoff flowing down to the lake between his and the applicant's property through the driveway culvert and recent tree damage is affecting the flow. Mr. Berry confirmed the driveway culvert will be eighteen inches in diameter. Mr. Kennedy was also concerned about the increase in Fire Road maintenance, year-round use of the Fire Road with plowing and salt application in the winter, and tax increases because of the new year-round residence. The Board did not believe taxation of adjoining properties would be affected.

There being no further comments, the Chair closed the meeting for public comments at 7:41PM.

Charlie Moreno asked about the nature of the variance granted by the Zoning Board of Adjustment. Mr. Berry stated that a variance was needed for structure setback from the wetlands and the deck setback from the lake. He also indicated that at the Board's suggestion he could develop a landscaping plan for the front of the site. The Chair asked for a motion regarding the application. Charlie Moreno recommended waiting until seeing a landscaping plan before voting for approval. He made a motion for continuance to the October 2, 2025 Planning Board Meeting at 6:30PM at the Town office in

Strafford, NH, pending the applicant providing a landscaping plan to address water quality protection. The motion was seconded Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.

Other Business

Rules of Procedure. The Board reviewed a final version of the Rules of Procedure provided by Owen Corcoran. After a brief discussion, the Chair asked for a motion to accept the Rules of Procedure as written with a date of September 4, 2025 which was moved by Lynn Sweet, seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed. Susan Arnold noted that subsequent agendas need to indicate an opportunity for a public comment period.

Hazardous Waste Sites. The Board discussed how to address hazardous waste when located on property considered in an application before the Board.

New Zoning Regulations. Owen Corcoran and the Board need to formalize the zoning changes in time to allow required public hearings before presentation for approval at the March 2026 Town Meeting.

The Board reviewed the minutes of the August 7, 2025 Planning Board Meeting. Don Clifford made a motion to accept the minutes as written, which was seconded by Lynn Sweet and voted upon verbally in the affirmative by all voting Board members present who attended the August 7th Planning Board Meeting.

There being no further business before the Board, Charlie Moreno made a motion to adjourn the meeting, which was seconded by Don Clifford. The Board voted unanimously in favor, and the meeting adjourned at 8:01PM.

Minutes Prepared by Robert Fletcher