

DRAFT – NO LEGAL VALUE

Planning Board Meeting Minutes

Location: Strafford Town Hall Conference Room

Date & Time: February 5, 2026 6:30PM

Members Present:

Phil Auger – Chair
Terry Hyland
Don Clifford
Lynn Sweet – Selectman Representative

Alternate Members Present:

Donald Coker
Susan Arnold

Others Present:

Owen Corcoran, Strafford Regional Planning Commission, Regional Planner
Robert Fletcher, Minutes Recorder

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

General Public Comment

The Chair asked the public attendees if there were any comments or questions that were unrelated to the items on the agenda. There were none.

New Business

Tree Removal on Scenic Roads

Bob Burner, Eversource representative, stated that Eversource Energy/PSNH is requesting permission from the Board to trim and/or remove trees on power distribution lines located along Evans Mountain Road and Willey Pond Road, designated as Scenic Roads in the Town of Strafford. Work is necessary to assist in the replacement of power poles, will remove a total of eight trees, and is scheduled to begin within the next two weeks.

The Board reviewed the list and location of the trees, noting that six of the eight were dead, and determined that a site visit was not required. Lynn Sweet reviewed a map to determine the location of the trees on Evans Mountain Road. Don Clifford made a motion to approve the request which was seconded by Terry Hyland and voted upon verbally in the affirmative by all voting Board members. The motion passed.

Continuing Business

Conservation Development (Major Subdivision) – David & Rebecca S. Lovely Revocable Living Trusts, 7-lot Conservation Development, Canaan Road and 20 Back Canaan Road (Tax Map 4, Lot 83-1)

Conditional Use Permit – David & Rebecca S. Lovely Revocable Living Trusts, Proposed impact to 2451 sq. ft. of wetlands buffer to construct a private roadway for a 7-lot Conservation Development, Canaan Road and 20 Back Canaan Road (Tax Map 4, Lot 83-1)

Before asking Chris Berry of Berry Surveying and Engineering to present the application, the Chair noted that the Board received a letter from the attorney representing some of the abutters to the property requesting a continuance to the next meeting due to lack of access to information and time for adequate review. The Board confirmed that the posting of current information for the project met regulatory posting requirements. Lynn Sweet made a motion to deny the attorney's request for a continuance which was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Chair asked Mr. Berry to proceed. Mr. Berry, representing David & Rebecca Lovely, indicated that this was the same project presented a few months ago. At that time, drafts of waiver requests and a conditional use permit needed to be completed along with a project review by Altus Engineering requested by the Board. These items are now complete. The plans were slightly modified in response to the Altus review and the changes were submitted to the Board. Mr. Berry presented the waiver requests as follows:

1. No greater than 3% grade within 100 feet of the intersection. The proposal is to provide a platform at the project entrance and then start a positive climb at 5%, with the current platform being 76' long and not 100' as required by the subdivision regulations. It was explained that the proposed profile grade would be very navigable and provide no detriment to public safety as people enter and exit the road. The alternative to the design would be to drive the profile down into existing grade further which will require the swales and culverts to be deeper with more land disturbance. The Board confirmed the proposed slope percentage for entry from Canaan Road.
2. 20-foot pavement width. To reduce land disturbance impact, the paved section of the roadway proposal will be narrowed to a 16-foot width with 2 ft shoulders thereby maintaining a 20-foot usable surface. This meets the minimum width for fire access. The Board confirmed that the Strafford Fire Chief indicated in writing that the 20-foot travel section meets the fire equipment access requirements.
3. Minimum horizontal curve radius of 230 feet. The roadway centerline radius will be reduced from 230-feet to 150-feet. This is a short private roadway serving five homes and the low volume design guide does not require nearly as much radius as the town subdivision regulation. Meeting the minimum radius would require a longer roadway, reduce the size of the conserved area, and increase the land disturbance impact. The proposed centerline radius will be navigable by life safety vehicles, standard vehicles and average delivery vehicles. The Board had no questions or comments.
4. Minimum vertical curve sag K value of no less than 40 and crest curves no less than 30. The entrance road will have a sag K of 25 and a small crest K of 15. These tighter K values on a low volume road do not change operations and still provide adequate sight distances. The intent of the regulations is to ensure a smooth transition for longer roads with higher volumes. This road is very short and has a very low volume with the K values proposed being appropriate for the use. Larger K values would only cause additional disturbance on site. The Board had no questions or comments.
5. Pavement width, shoulder width, and 4:1 side slope up to 10 feet. The project proposes side slopes that are 3:1 which is a standard fill or cut slope that can be readily stabilized. readily as proposed in the plans. The alternative is to provide a flatter 4:1 slope and wider pavement and shoulders which will further disturb areas that don't need to be disturbed. The Chair asked what the width of the section between the roadway and the abutting boundary to the southeast was for

the proposed foliage plantings. Mr. Berry indicated that it was approximately 15-feet with a 3:1 cut slope as a result of moving the roadway in a westerly direction.

6. Volume of Runoff. The project proposes to increase the total volume of runoff while reducing the peak rate of flows to final analysis points. The design proposes rain gardens that do not intentionally infiltrate flow but provides an extended detention system which holds stormwater longer and meters a slower outflow. The volume of runoff will be compliant with NHDES Alteration of Terrain Standards and therefore meets the intent of the regulations. The Board had no questions or comments.

7. Groundwater Recharge Volume. The project does not intentionally provide a recharge volume other than areas of lawn and forest that remain prior to final analysis points. As noted above, the soils on this site are not conducive to providing an intentional recharge area. However, the entire project is designed around less impact than would ordinarily exist as part of a conventional subdivision with a large portion of the land remaining for ground water recharge. Therefore, the regulation intent has been met. The Board had no questions or comments.

8. 100-foot building setback from existing lot lines. The project proposes 50-foot sideline setbacks to existing lot lines on Lots 83-1-12 and 83-1-13. A larger setback is proposed than what is required in a standard subdivision; however, the regulation allows flexibility on the lots so that additional sprawl isn't required. The intent of the regulation is to provide for a similar development size in a smaller area while providing a balance with additional setbacks to abutting lot lines. In this case the applicant is providing larger areas of open space than required and is still providing a building setback that is larger than would ordinarily be found in a conventional subdivision. Lastly, the requested areas to be reduced are not adjacent to abutting lot lines that are near the existing tillage areas of abutting owners. Donald Coker questioned the Board's authority to waive a setback which normally requires a variance approval from the Zoning Board of Adjustment. The Chair indicated that the Planning Board is authorized to modify many regulatory requirements under a conservation development design.

Mr. Berry presented the Conditional Use Permit (CUP). He indicated that the applicant is proposing to impact up to 2,451 square feet of the 25-foot wetland buffer; however, there will be no impact to the wetlands themselves. The effected lots are as follows:

- Lot 83-1-9. Disturbance of the buffer is necessary in order to capture the highest amount of stormwater flow coming from the proposed private roadway, as the location is at the lowest point on the lot. Denial of the CUP would require a one-foot increase in the elevation of the retention pond which would capture less stormwater flow to it from the proposed roadway.
- Proposed roadway between Lots 83-1-12 and 83-1-13. The wetland buffer will be disturbed by roadway side slopes when raising the roadway in order to grade in a culvert.

Mr. Berry addressed the Strafford Fire Chief's letter which indicates a roadway width of 20 feet meets fire equipment access requirements. Additionally, the Chief asked that the hammerhead be 70 feet long; however, the proposed plan has an 80-foot hammerhead. Mr. Berry asked if the Board wanted to address the Altus Engineering review, but the Board did not feel this was necessary. Don Clifford noted that Altus Engineering did not visit the site during their review as requested by the Board. Mr. Berry stated that the Board did not specifically ask Altus to visit the site. They were to review the roadway and stormwater design which does not necessarily require a site visit.

The Chair asked the Board for questions or comments on the proposed plan. Donald Coker questioned the benefit the town was receiving by placing land in conservation that contains dump areas. He

disagreed with the legal opinion and noted several regulations that dictate the enhancement of public health and safety and the wise use of land. He asked Mr. Berry to identify the dump location on the plans. Mr. Berry indicated that there were various locations on the property that contained common farm products; car parts, an empty rusted out barrel, and glass bottles. He marked each location on the plan, all of which were in the conserved area. Owen Corcoran noted that the town attorney determined that the dump in the conserved area would not be cause to deny approval of the conservation development; however, the Board could require as a condition of approval that any "junk" found in the developed portion of the property during project development be cleaned up before certificates of occupancy are issued. The Chair noted that the "dump" areas were not located in the proposed build-out area. Donald Coker reemphasized his concern about public health and safety and the possibility of well water contamination. The Chair noted that this was not a town dump. Terry Hyland stated that if this was a municipal dump it would be a concern, but a farm dump, bottle dump, and car parts are common in New Hampshire. Susan Arnold asked Mr. Coker if he felt the dump lessened the conservation value of the project. Mr. Coker indicated that there were too many unknowns but was not trying to prevent a property owner from subdividing land for highest and best use. He was concerned about what the rusted-out barrel might have contained. Lynn Sweet noted that the property was not a hazardous waste dump. Mr. Coker also questioned the Board's authority to grant a waiver for the 100-foot building lot line setback which he thought would need to be addressed by the Zoning Board of Adjustment. The Chair indicated that for a conservation development the Planning Board had the authority to waive setback requirements and modify other regulatory requirements to maximize open space set aside.

The Chair questioned access to the open space. Mr. Berry indicated that the open space does not touch the proposed roadway, but an easement is planned to provide access to the conserved area. The Chair addressed the proposed planting area at the roadway entrance stating that it should be done in part, to screen vehicle headlight exposure to the abutting property. He asked that the plan be modified to include low growing, dense, salt-tolerant foliage with staggered plantings. Mr. Berry pointed out that the roadway is almost four feet below the level of the abutter's property line but he would incorporate the changes.

The Chair opened the meeting for public comments at 7:11PM.

Chris Reagan, 36 Back Canaan Road, expressed a number of concerns regarding the proposed development.

- Traffic safety with the addition of five new residences and that no traffic study was required by the board.
- Infrastructure that will directly affect property values; roadway right next to abutter's property line, hammerhead facing the residence of two abutters, lights, and noise.
- Regional impact due to close proximity to the Barrington town line.
- Dangerous road conditions created by excessive vehicle speed.
- Possibility of oil and chemicals left from a racetrack located on the property in the past.
- Additional well drilling affecting current abutting wells.
- Wetland issues and need for permits and lack of space to put in a proper road.
- Project doesn't feel right for the neighborhood.

Mr. Reagan believes the town will be responsible for any problems associated with the dump if the subdivision is approved. He also feels that the Board has not listened to the residents and abutters and

has not given them adequate time to review the massive data dump associated with this project. He also feels that the Board has a duty and responsibility to manage subdivision based on safety and infrastructure that will affect property values. He implied that a decision to approve the conservation development would be appealed.

The Chair responded to Mr. Reagan's reference to the town's responsibility for the open space. He indicated that it will be privately owned with a perpetual deed restriction and is not a conservation easement. The Chair noted that he had spoken to the Strafford police regarding increased patrols to monitor traffic speed not only in the Canaan Road area but throughout the town. He emphasized the need for the residents to address excessive vehicle speed in the neighborhood with the Police Chief. He also stated that an increase in residential traffic based on a national average of eight to nine trips per day per residence would not warrant a traffic study. In response to Mr. Reagan's concern about water quality on site, the Chair asked if any of the abutters present currently had issues with their water quality. Mr. Reagan and another abutter indicated that they did not; however, he was concerned about additional wells effecting the water quality.

Ryan Baer, 85 Canaan Road, expressed concern about a subdivision like this in small town sticking out like a sore thumb. He would be okay with a nice farm house that blends in with the country side but doesn't understand why the Board is pushing so hard for a conservation subdivision in an area with wetland all around it. He believes the state will get involved in determining what type of wetland buffer permits will be needed and he wants to be notified when this occurs. He also wanted to know why houses need to be stuck in the middle of a wetland area near a brook and where the water runoff goes. The Chair referred to the plan set that delineated the wetland areas as determined by a wetland scientist, indicated that the Board conducted two site walks, and stated that the siting of the houses complies with regulations.

Merriel Fischer, 142 Canaan Road, an environmental scientist, express several concerns regarding the conservation development:

- Dump areas most likely contain some form of contamination and should be cleaned up.
- No problem with drinking water now is not relevant to possible problems after drilling more wells in the proposed subdivision.
- Proposed plantings look good when planted but what assurances are there that those that die will be replaced.
- Is the number of waivers for this project typical for a conservation development? If waivers can be granted to this extent, what is the point of having subdivision regulations. It goes against the spirit and intent of ordinances. The Chair responded that the number of waivers vary with each application and sometimes none are requested. The Chair, Don Clifford, and Donald Coker, and the Chair clarified this by indicating that waiver requests are normal for a conservation subdivision where the Board has authority to modify regulatory requirements to maximize conserved area set aside, such as reducing roadway and lot size.
- How many lots could the entire parcel support? Lynn Sweet stated that the applicant has indicated that the total property would support seven new conventional lots.
- Has the Fire Chief confirmed that the proposed roadway is acceptable and is he aware of all the waivers? The Chair stated that the Fire Chief reviewed the plans that contained the proposed 20-foot travel way with 16 feet of paved surface and confirmed his approval in writing. He was not sure if the Fire Chief was aware of the additional waivers.
- The 100-foot building lot line set back is an ordinance requirement and a waiver cannot be granted by the Planning Board. The Chair restated the Board's authority to allow setback

modifications; however, Owen Corcoran believes that the Planning Board may modify subdivision regulation requirement for a conservation development but cannot modify building lot line setback requirements which are part of zoning ordinances.

The Chair asked Merriel Fischer if she had any other concerns about the other waivers, and she indicated that she was done addressing them. He noted that if the Board agreed that it is not authorized to waive the building lot line setback requirements, then the applicant would need to request a variance with the Zoning Board of Adjustment. To make it easy for all concerned, Mr. Berry withdrew the request to waive the 100-foot building lot line setback from consideration. Mr. Berry believes that conservation subdivision guidelines are part of the ordinance and the Planning Board has been granted authority to modify conventional requirements to allow the best design. The Chair indicated that legal counsel will be consulted to determine the Board's authority to modify setback requirements.

Chris Reagan, 36 Back Canaan Road, asked if the total acreage for the seven conventional lots would be 14 acres. The Chair indicated that the acreage of each lot would be three to four acres to achieve an appropriate buildable area within each lot and there would be not conserved area. Mr. Reagan felt it was not necessary to bunch five houses together to conserve a small area. Susan Arnold pointed out that the alternative of seven houses means more infrastructure; longer roadway and additional longer driveways to access larger lots. The conservation development goal is to provide a contiguous residential grouping with limited infrastructure and land disturbance while providing maximum conserved open space.

Merriel Fischer, 142 Canaan Road, asked if the plans would need to be modified now that the building setback waiver is withdrawn. Mr. Berry indicated that the plans would be changed after this meeting, and when revised to meet the setback requirements, they would be presented to the Board.

Ryan Baer, 85 Canaan Road, reiterated his concern regarding the need wetland buffer permits. The Board did not agree that additional wetland buffer permits were required or that such permits existed. Owen Corcoran indicated that any wetland impact would be addressed with a Conditional Use Permit and voted upon by the Planning Board.

There being a further public comments, the Chair closed the meeting to public comments at 7:50PM and asked the Board for any questions or comments. Although he is not a voting member of the Board for this project, Donald Coker stated that individuals may have different opinions about a particular project. The Board generally approves an application if an applicant meets regulatory requirements; however, this may not be the case for this project. The Chair briefly addressed the public comments with the following:

- The plantings that border the private roadway he assumes will be maintained by the owners of the subdivision properties.
- The dump has been discussed extensively but expects the Board will discuss how to handle it.
- The Board when previously accepting the plan as complete also voted that the subdivision did not have a regional impact.
- The Board notified the Strafford Police Chief regarding traffic safety concerns in the area of the proposed subdivision.

The Chair, at the consensus of the Board, addressed each of the requested waivers separately.

1. No greater than 3% grade within 100 feet of the intersection. Don Clifford made a motion to grant the waiver which was seconded by Lynn Sweet and voted upon verbally in the affirmative by all voting Board members. The motion passed.
2. 20-foot pavement width. Lynn Sweet stated that the Strafford Fire Chief has looked at the roadway design and does meet what he requested. Don Clifford made a motion to grant the waiver which was seconded by Lynn Sweet and voted upon verbally in the affirmative by all voting Board members. The motion passed.
3. Minimum horizontal curve radius of 230 feet. Don Clifford made a motion to grant the waiver which was seconded by Lynn Sweet and voted upon verbally in the affirmative by all voting Board members. The motion passed.
4. Minimum vertical curve sag K value of no less than 40 and crest curves no less than 30. Lynn Sweet made a motion to grant the waiver which was seconded by Terry Hyland and voted upon verbally in the affirmative by all voting Board members. The motion passed.
5. Pavement width, shoulder width, and 4:1 side slope up to 10 feet. Lynn Sweet asked Mr. Berry to provide the plan cross section which she reviewed. Lynn Sweet made a motion to grant the waiver which was seconded by Terry Hyland and voted upon verbally in the affirmative by all voting Board members. The motion passed.
6. Volume of Runoff. Upon permission from the Board, Mr. Berry stated that the waiver request is only for an increase in runoff volume and does not increase the rate of runoff. Lynn Sweet made a motion to grant the waiver which was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.
7. Groundwater Recharge Volume. Don Clifford made a motion to grant the waiver which was seconded by Lynn Sweet and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Chair noted that the applicant withdrew the waiver request to the 100-foot building setback from existing lot lines requirement.

The Chair addressed the Conditional Use Permit to allow the impact up to 2,451 square feet of the 25-foot wetland buffer as presented earlier by Mr. Berry. Lynn Sweet made a motion to grant the Condition Use Permit which was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Chair summarized the changes to the conservation development proposal:

- Modify the planting design near the abutting border at the entrance to the subdivision.
- Modify the plan to comply with the requirement for 100-foot building setback from existing lot lines for Lot 83-1-11 and Lot 83-1-13.

Susan Arnold asked Mr. Berry to clearly identify the easement from the roadway to the conserved open space and he agreed do so with the use of a gravel pathway. She also mentioned the public's request that the Strafford Fire Chief review all the requested waivers. Terry Hyland asked Mr. Berry if the plan set that the Strafford Fire Chief reviewed reflected all the requested waivers. Mr. Berry responded that it did along with the proposed 80-foot hammerhead.

The Chair called for a motion to approve or deny the proposed conservation development. Lynn Sweet made a motion for approval with the following conditions; 1) modify the planting design near the abutting border at the entrance to the subdivision to incorporate the Board's recommendations, 2)

present to the Board a modified plan which complies with the requirement for 100-foot building setback from existing lot lines for Lot 83-1-11 and Lot 83-1-13. The motion was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.

Other Business

The Chair noted a problem with applicant payment for Board required third-party engineering or wetland scientist review. Establishing an escrow account when needed would be the best way to deal with this. The Board concluded that the need for an escrow account should be documented in the meeting minutes followed by the Board notifying the Town Clerk and agreed to require a minimum of \$2,500 or higher, as necessary, for any major subdivision.

The Board reviewed the minutes of the January 6, 2026 Public Hearing. Don Clifford 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 January 6th Public Hearing.

The Board reviewed the minutes of the January 8, 2026 Planning Board meeting. Lynn Sweet made a motion to accept the minutes as written, which was seconded by Phil Auger and voted upon verbally in the affirmative by all voting Board members present who attended the January 8th Planning Board meeting.

The Board reviewed the minutes of the January 21, 2026 Public Hearing. Susan Arnold made a motion to accept the minutes as written, which was seconded by Donald Coker and voted upon verbally in the affirmative by all voting Board members present who attended the January 21st Public Hearing.

There being no further business before the Board, Lynn Sweet made a motion to adjourn the meeting, which was seconded by Donald Coker. The Board voted unanimously in favor, and the meeting adjourned at 8:28PM.

Minutes Prepared by Robert Fletcher