

**DRAFT – NO LEGAL VALUE**

**Planning Board Meeting Minutes**

**Location:** Strafford Town Hall Conference Room

**Date & Time:** May 7, 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:**

Jen Czysz, Strafford Regional Planning Commission, Executive Director  
Lisa Wise, Strafford Regional Planning Commission, Senior Regional Planner  
Kerian Roman, Planning Board Legal Counsel  
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 Jen Czysz, Lisa Wise, and Keri Roman.

**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**

**Preliminary Conceptual Consultation – John Michaud, 84 Range Road, two-lot subdivision.**

John Michaud indicated his desire to subdivide a 10-acre parcel at 10 Range Road into two lots. The parcel has 279 feet of frontage on Range Road, and he would like to create a back lot with a right-of-way from Range Road. The Board informed him that a minimum lot of 20-acres is required for a subdivision of this type. Mr. Michaud asked if a variance for the acreage requirement would be possible. The Board advised Mr. Michaud that the Planning Board does not have authority to grant variances, and he would need to address this with the Zoning Board of Adjustment.

**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)**

The applicant is seeking approval of a 7-lot Conservation Development Subdivision that would maintain the existing duplex on one lot encompassing 1.13 acres and create five new buildable lots that range in size from 1.33 to 1.85 acres and a 31.34-acre protected conservation lot.

The Chair indicated that this is a re-hearing of the Subdivision application as a result of an appeal to the Superior Court and will include a representation of the application, discussion and comments on abutter letters, public hearing, and specific findings of fact regarding the application.

The Chair appointed Donald Coker as a voting Board member in the absence of Charlie Moreno and asked the Board to address the completeness of the application. He noted that the Strafford Regional Planning Commission had reviewed the subdivision application and conditional use permit application and found both to be complete. Donald Coker asked if the current plan was different in any way from the previously presented plan. Jen Czysz indicated that the current plan was updated based on comments at the February 2026 Planning Board meeting to add a plan note regarding extension of a gravel access road to the conserved area, increase the setback from abutting properties to 100-feet, and modify of the planting plan along the roadway entrance abutting a neighboring property. Lynn Sweet made a motion that the subdivision application was complete in accordance with Section 2.7 and 2.8 of the Subdivision Regulation and conditional use permit application was complete in accordance with Section 1.4.4 of the Zoning Ordinance which was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Chair asked Chris Berry of Berry Surveying and Engineering to present the yield plan for the application. Mr. Berry stated that a yield plan is developed to determine maximum unit or lot count based on the buildable area located on the parcel by following the rules and standards for a conventional subdivision to include direct wetland, wetland buffer and steep slope impacts and minimum lot size and frontage requirements. The yield plan showed that development of the property would involve a connected access from Back Canaan Road and Canaan Road with a continued roadway spur to serve a total of six lots not including the lot containing the existing duplex. Each additional lot would have enough buildable area for each to support a two-unit buildout. The Chair asked Mr. Berry what the additional paved roadway footage would be compared to that proposed for the conservation subdivision. Mr. Berry indicated that the yield plan paved roadway footage would be approximately 1,700 feet as opposed to approximately 575 feet of roadway for the conservation subdivision which would be an addition of approximately 1,125 feet. The Chair also asked about the width of the paved roadway. Mr. Berry stated that the conventional subdivision paved roadway would be between 20 and 22 feet in width with a 3-foot gravel shoulder while the conservation subdivision paved roadway width would be 16 feet wide with a 4-foot gravel shoulder. In response to a question from the Chair, he indicated that the stormwater containment areas would need to be increased for a conventional subdivision due to the increase in impervious surface area. There being no questions from the Board, the Chair asked for a motion to accept the yield plan, which was so moved by Don Clifford, seconded by Donald Coker and voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Chair asked Mr. Berry to present the proposed conservation development subdivision. Mr. Berry indicated that, at the request of the applicant to create a conservation development subdivision, he developed a full, existing conditions plan which includes a boundary survey, wetland scientist delineation of all jurisdictional wetlands, and topographic survey to show steep slopes, wetlands, wetland buffers, and test pit locations. A preliminary consultation and design review before the Planning Board resulted in the proposed conservation development subdivision with an approximately 8-acre, 5-lot cluster subdivision and an approximately 31-acre conserved area. Access to the

subdivision is via a roadway from Canaan Road and terminates at a hammerhead which meets fire equipment turning standards. The path of the roadway does not contain steep slopes or wetlands and is not located within wetland buffers. A stormwater containment area near Canaan Road prevents excessive flow through an existing culvert under Canaan Road. Additionally, a small stormwater containment area near the hammerhead provides treatment of drainage from the site before it continues flow in a northerly direction off the property. The “rain gardens” are designed for nutrient load reduction and continuation and volumetric control during a 24-hour storm event. The conditional use permit applications address grading and wetland buffer requirements for each of the stormwater containment areas. A recorded homeowner’s association (HOA) agreement will address roadway and stormwater containment area maintenance. Containment areas are inspected annually, and a report is submitted to the town. Overall, the project attempts to maximize conserved open space and prevent land fragmentation associated with a conventional subdivision on this property. Based on traffic standards, the five proposed single-family homes may each generate nine and one-half trips per day with a one to two trip increase during AM peak hours and a two to three trip increase during PM peak hours which is not excessive and does not impact left turns into the subdivision. Each lot is buildable and home sites will support a 4,000 square foot leaching area and the required well radius except one site on which the well radius intersects the roadway and a wetland area. If required by NHDES to achieve needed buildable area, an easement will be drafted and recorded to protect these areas. Altus Engineering reviewed the proposed plan and requested waivers and provided technical comments.

The Chair asked about specific plan and HOA documentation to allow only single-family structures. Both Mr. Berry and the applicant’s attorney agreed to include this restriction. The Chair noted an issue with three well radiuses. Keriann Roman asked for an easement document be provided for each which the applicant’s attorney agreed to provide. Donald Coker questioned the use of a 24-hour rain event to determine stormwater volume. Mr. Berry indicated that the state of New Hampshire requires modeling to use a two-year 24-hour event based on Cornell rain models for extreme rain event.

The Chair opened the meeting for a public hearing at 7:13PM and stated that he would begin by addressing the submitted letters and allowing public comment separately for each concern.

Marshall Letter, 75 Canaan Road:

- **Headlight intensity on the Marshall residence when vehicles enter the roadway.** The Chair noted the changes made to the plantings along the roadway bordering the Marshall’s property.
- **Headlight intensity on the Marshall residence from the hammerhead.** The Chair noted that there is no driveway from the hammerhead that would allow headlights to shine toward the Marshall’s residence. Only headlights of a large vehicle turning around in the hammerhead would be seen by the Marshall’s. Mr. Marshall was concerned about vehicles parking in the hammerhead for a large family gathering on one of the lots. Chris Reagan, 36 Back Canaan Road, suggested moving the hammerhead further to the southeast to reduce the possibility of headlight’s shining on the Marshall residence. Mr. Berry indicated that this would create additional land disturbance impact and suggested plantings between the proposed hammerhead and the Marshall’s border to block headlights.
- **Concerns about the gravel roadway.** The Chair noted that the roadway is paved from Canaan Road to the hammerhead.
- **Location of the subdivision entrance.** The Chair noted that the roadway entrance from Canaan Road would also be the same location as described in the yield plan but would not include the

additional entrance from Back Canaan Road. He asked Mr. Berry what the impact would be to shift the proposed entrance further to the west. Mr. Berry indicated that a shift to the west would impact a wetland area.

- ***Increased traffic at a single point is a safety issue.*** Mr. Marshall indicated concern that the proposed subdivision entrance was no more than five feet from his driveway. The Chair believed it was much more than that and asked Mr. Berry to comment. Mr. Berry stated that the subdivision entrance is slightly curved and shifted to the north on Canaan Road which results in a 25-foot separation from the Marshall's driveway.

Chris Reagan, 36 Back Canaan Road, expressed concern about the negative impact of the subdivision on property values. Donald Coker asked Mr. Reagan to indicate the basis for this claim and if some type of a appraisal was done. Mr. Reagan indicated that it's just common sense and if you place a road right on someone's property line, hook it around to a hammerhead, remove all vegetation in an established area, put homes on tiny lots, and increase traffic it will negatively affect property values.

Ryan Baer, 85 Canaan Road, expressed concern about five additional houses in a small area. It will increase sewage, decrease drinking water, and increase traffic, noise and lights.

The Chair noted the alleged concern that this was not a conventional conservation development. He wanted to make it clear that Board considered this proposal to be a conventional application of the town's conservation zoning ordinance. He noted that there was a change to the ownership of the open space. The applicant's attorney indicated that rather than the open space being owned by a single owner, they now desire that it be owned and managed by the HOA. The right-of-way access to the open space area and deed restrictions will still exist.

Joe McGann, 131 Back Canaan Road, asked if the proposed lots meet the 2-acre minimum, and if not, wouldn't there need to be a request for a variance. The Chair stated that the lots did not meet this requirement because the Board has the authority to reduce lot size under the conservation design zoning ordinance to less than the minimum requirement without a zoning variance to conserve open space. Lynn Sweet noted that some years ago the town voted on the ordinance to allow an owner of a large tract of land to create smaller lots in exchange for the set aside of a conserved area that could not be further developed.

Ed Morse, 98 Canaan Road, asked if the conserved area would have a development restriction. Lynn Sweet stated that the HOA would reference a restriction to any development of the conserved area and Susan Arnold noted that the deed would include the same restrictions. The Chair stated that a deed restriction template approved by the town attorney is used to permanently restrict the open space from development but will allow forest management, agriculture and passive recreation.

Chris Reagan letter, 36 Back Canaan Road:

- ***The town of Strafford was late in getting the subdivision information to the abutters.*** The Chair confirmed with Jen Czysz that all application materials were received before the official application deadline. He noted that the town made a concerted effort to make the information available to the abutters. Mr. Reagan stated that he noted this to make it clear that the information was not received by the original deadline but thanked the town attorney for allowing additional time for its review. Keriann Roman stated that the applicant did meet the application submission requirements; however, due to the high level of public interest in the project, she requested the applicant provide the materials one week in advance of the deadline to ensure they were available for review and response.
- ***The allowance of multiple waivers without regard to abutters concerns.*** The Chair noted that it is common for waivers to be considered for projects before the Board to avoid unnecessary and

unproductive regulatory activity that has no significant bearing on the project. He believes the number of waivers requests for this project is typical and not excessive and each of the waivers for this application will be individually addressed later in the meeting.

- ***Reducing the lot size of the duplex lot is not acceptable.*** The Chair indicated that the duplex was previously approved on a single lot of over 40-acres and now, as part of a conservation development subdivision, the Board has the authority to allow a lot size of less than the standard subdivision lot size for a duplex in exchange for a large open space area set aside. Mr. Reagan expressed concern that a precedent is being set that the town can allow a duplex on less than the required acreage. He would like more consideration be given to the abutting property owners than the developer in allowing a duplex on such a small lot. The applicant could have easily provided a standard lot size for the duplex for this subdivision.
- ***Boundary line question with movement of lot line pins.*** The Chair confirmed with Mr. Berry that he did not note any disturbances of previous survey markers during his survey of the property. It was noted that the property had been surveyed multiple times in the past. The Chair noted that the current property lines indicated on the plan appear to favor the abutters. Donald Coker asked for more details regarding the lot line question. Ryan Baer, 85 Canaan Road, indicated that he purchased his property in 2015 with property lines established by a survey in 1993. He indicated that an additional stake has been placed approximately eight feet from an original stake which would affect the size of his property. Mr. Berry indicated that he researched the boundary line extensively when it was brought to his attention earlier. Joe McGann, 131 Back Canaan Road, suggested that deed research would help clear up boundary concerns. The Chair noted that a boundary line discrepancy is a civil matter that would need to be addressed separately by the property owners.
- ***Dump sites have been disregarded completely.*** The Chair believed that no dump sites are located on any of the buildable lots and some are located on abutting properties. He noted that the Board does not have authority to require a phase one environmental. The presence of dumps has been discussed at previous meetings and separately with the town attorney. Mr. Reagan would like to know if the dumps contain any material that would affect the quality underground water supply. Donald Coker noted that during a previous meeting he asked if anyone had their well tested and an abutter indicated they had with good results. Mr. Reagan is also concerned about the increased draw on the water supply with the addition of five homes.
- ***Is there a bond to ensure completion of the subdivision.*** Lynn Sweet indicated that a bond for the infrastructure, roads, and utilities must be in place prior to sale of any parcels within the subdivision or request for a building permit for structures or human occupancy. The Planning Board shall not require the forfeiture or automatic call bond to be provided by the developer. The Chair indicated that this process is governed by state law.
- ***Roadway built to private driveway specifications.*** The Chair stated that the proposed roadway will be paved and built to subdivision standards with a waiver request for reduced width. The town fire department has reviewed the roadway design. Ryan Baer, 85 Canaan Road, questioned the safety of vehicles using a narrow roadway. The Chair provided his opinion that for this size subdivision the reduced roadway width does not present a hazard. The subdivision roadway standard addresses the need for large vehicles to pass each other and is excessive for this subdivision.

Abutter's attorney letter.

**Compliance with the 100-foot setback requirement.** The Chair indicated that building setback requirement is enforced by the town building inspector when a building permit is issued and foundation location is determined. Jen Czysz noted that the subdivision plans has been revised to show 100-foot setbacks.

Having addressed the concerns expressed in the letters, the Chair asked if there were any further comments from the Board or the public.

Chris Reagan, 36 Back Canaan Road, stated that the abutter's attorney could not be at the meeting but wanted to address a few points:

- The number of small lots proposed for the subdivision. Less lots would be the desire of the abutters.
- Abutter input has resulted in no substantial change to the plan other than additional plantings and 100-foot setbacks.
- Waivers are not a right and an applicant has the burden on each to show evidence that there was no reasonable, feasible alternative.
- Questionable regional impact.
- No findings of fact determined. The Chair indicated that the Board will address this during the meeting.

Mr. Reagan expressed his opinion that the abutters want a better subdivision development that will positively impact the neighborhood, maintain property values, and provide a more marketable project for the Lovelys.

Jenes Kelley, 138 Canaan Road, asked if there was only one access road to the development. The Chair confirmed that the proposal has only one entrance; however, the yield plan for a standard subdivision would have an entrance from both Canaan Road and Back Canaan Road.

The Chair asked the Board to consider the regional impact of the proposal. Lynn Sweet outlined the criteria used to determine regional impact:

1. The number and size of the number of dwelling units compared to those existing.
2. Proximity to borders of neighboring communities and transportation networks.
3. Anticipated emissions such as light, noise, smoke, odors, and particles.
4. Proximity to aquifers, surface waters, and municipal boundaries.
5. Use of shared facilities such as schools and solid waste disposal.

The Board determined the following Findings of Fact regarding regional impact:

1. The additional 5 dwelling units proposed by this application does not present a large increase relative to existing stock.
2. The town line with Barrington is approximately half a mile away, and there are multiple routes to get to the proposed subdivision location.
3. The additional traffic on the transportation network (estimated at 45-50 new trips per day) does not pose a significant regional impact.
4. There are no anticipated regional impacts from any emissions such as light, noise, smoke, odors, or particles as a result of the proposed development.
5. There is no aquifer in this location.
6. There are no shared facilities impacted by the proposed development.

Lynn Sweet made a motion with reference to the Findings of Fact as noted above that the proposed subdivision presents no regional impact which was seconded by Don Clifford. The Chair asked for public comments.

Chris Reagan, 36 Back Canaan Road, expressed concern about safety with an increase in traffic, especially at the curve where Canaan Road enters Route 202A and the intersection of Back Canaan Road and Canaan Road which already experience excessive traffic. The Chair noted that the standard subdivision alternative to the current proposal would result in a significantly higher amount of traffic than the conservation design option. Mr. Reagan suggested the alternative of fewer homes than proposed would be better.

Jenes Kelley, 138 Canaan Road, stated that since they fixed Canaan Road it has turned into a super highway. He indicated that he has spoken to the police about this. The Chair restated his comment about the abutters addressing the current traffic concerns with the Strafford and Barrington police departments as a unified group.

Chris Reagan, 36 Back Canaan Road, stated that Strafford is a big town and the police force cannot be everywhere. He noted that both Route 202A/Canaan Road and Route 202/Canaan Road intersections are very dangerous and more traffic with this development will make it worse.

Ed Morse, 98 Canaan Road, expressed concern for the safety of the children with traffic in the area now and this subdivision will be an addition impact.

There being no further comments from the public or the Board, the Chair called for a vote on the motion of no regional impact which was voted upon verbally in the affirmative by all voting Board members. The motion passed.

The Chair closed the public hearing at 8:09PM; however, at the suggestion of the town attorney allowed one last chance for public comment.

Chris Reagan, 36 Back Canaan Road, noted that there was a lot of discussion and discretion of the Board leans heavily in the direction of the developer. The abutters want the applicant to be able to develop his property; however, there are alternative ways to do this that would enhance its marketability and preserve community safety and quality of life. There haven't been significant changes to the plan to address the abutter's concerns and it doesn't leave a "warm and fuzzy" feeling about the process.

There being no further public comments, the Chair closed the public hearing at 8:11PM.

The Chair asked Mr. Berry to address the waiver requests which he did as follows:

1. Section 2.6.5.C – No greater than 3% grade within 100' 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. The proposed profile grade is very navigable and provides no detriment to public safety for multiple vehicles as they enter or exit the road. NHDOT has a requirement that the exiting slope from a highway be 4% or greater in certain circumstances. The alternative to the design would drive the profile down into existing grade further which will require the swales and culverts to be deeper with more land disturbance.

Don Clifford made a motion to approve this waiver with reference to the Finding of Fact that the Specific circumstances relative to the application, or conditions of the land, indicate that a waiver from Section 2.6.5.C for a 4% grade where no greater than 3% grade within 100' of the

intersection is required will properly carry out the spirit and intent of the Subdivision regulations. Lynn Sweet seconded the motion which was voted upon verbally in the affirmative by all voting Board members. The motion passed.

2. Section 2.6.5.D – 20' pavement width. This width is normally required for a standard subdivision. To reduce impact, the paved section is narrowed to 16' wide while maintaining a 20' gravel base. The travel-way section is designed to be a combined 20' wide surface to comply with fire equipment safety requirements in accordance with NFPA1, chapter 18. The alternative would create an unnecessary width to a roadway with a small number of homes on it and would only cause additional land disturbance.

Lynn Sweet made a motion to approve this waiver with reference to the Finding of Fact that specific circumstances relative to the application, or conditions of the land, indicate that the waiver from Section 2.6.5.D for a 16' pavement width but with a 20' total road width will properly carry out the spirit and intent of the Subdivision regulations which was seconded by Don Clifford. Donald Coker questioned if the requirement that only NFPA designs and dimensions will be allowed, as indicated in the Strafford Fire Chief email dated May 1, 2026, was being waived. The Chair confirmed that it was not part of the waiver. Lynn Sweet questioned a May 1, 2026 follow up email from the Chief follow which indicated the need for a for one consistent solid road surface 20' wide to support a weight of 75,000 lbs. Mr. Berry stated that a subsequent conversation with the Chief disclosed that a single surface is a preference not a requirement. Mr. Berry indicated that the roadway is being built to conventional subdivision standards at a 20' width with 16' of pavement and will support 75,000 lbs. There being no further discussion, the Chair called for a vote on the motion which was voted upon verbally in the affirmative by all voting Board members. The motion passed.

3. Section 2.6.5.E – Minimum horizontal curve radius of 230'. For the short private road servicing five homes, the centerline radius is reduced from 230' to 150' which is navigable by life safety vehicles, standard vehicles and average delivery vehicles. The alternative is larger flatter curves and the addition of a "T" section in the middle of the subdivision which will require the development to be pushed further into the area being proposed as open space.

Don Clifford made a motion to approve this waiver with reference to the Finding of Fact that specific circumstances relative to the application, or conditions of the land, indicate that the waiver from Section 2.6.5.E for a horizontal curve radius of 150' where a minimum horizontal curve radius of 230' is required will properly carry out the spirit and intent of the Subdivision regulations which was seconded by Lynn Sweet and voted upon verbally in the affirmative by all voting Board members. The motion passed.

4. Section 2.6.5.E – Minimum vertical curve sag K value of no less than 40 and crest curves no less than 30. The proposed entrance road has a sag K of 25 and a small crest K of 15. Higher K values are needed for higher speed roadway designs and these tighter K values on a low volume road do not change operations and still provide adequate vertical sight distances and comfort. The alternative to meet larger K values would cause additional disturbance to the site. Lynn Sweet made a motion to approve this waiver with reference to the Finding of Fact that specific circumstances relative to the application, or conditions of the land, indicate that the waiver from Section 2.6.5.E for a vertical curve sag K value of 25' and a crest curve of 15' where 40' and 30' are required, respectively, will properly carry out the spirit and intent of the Subdivision regulations which was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.

5. Section 2.6.5, Figure 1 – Pavement width, shoulder width and 4:1 side slope up to 10'. The project proposes side slopes that are 3:1 which is a standard fill or cut slope that can be stabilized readily as proposed in the plans. Pavement widths are reduced as are the shoulder widths to reduce impact on a low volume road. The alternative is to provide a flatter 4:1 slope which will further disturb areas that currently don't need to be disturbed.  
Lynn Sweet made a motion to approve this waiver with reference to the Findings of Fact that specific circumstances relative to the application, or conditions of the land, indicate that the waiver from Section 2.6.5, Figure 1 for a 3:1 side slope where a 4:1 side slope is required will properly carry out the spirit and intent of the Subdivision regulations which was seconded by Terry Higland and voted upon verbally in the affirmative by all voting Board members. The motion passed.
6. Section 5.4 (5) – Volume of Runoff. The project proposes to increase the total volume of runoff while reducing the peak rates of flows to final analysis points. The design proposes rain gardens that do not intentionally infiltrate flow, however there is volume that is captured in the system. The alternative to not infiltrating storm water would increase impact on down-stream culverts. Lynn Sweet made a motion to approve this waiver with reference to the Finding of Fact that specific circumstances relative to the application, or conditions of the land, indicate that the waiver requested from Section 5.4(5) (Stormwater Management) to not require that the post-development peak run-off volume shall not exceed pre-development levels for a 50-year storm event, will properly carry out the spirit and intent of the Subdivision regulations which was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.
7. Section 5.4 (6) – Groundwater Recharge Volume. The project does not intentionally provide a recharge volume other than areas of lawn and woods that remain prior to final analysis points. The soils onsite 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. Lynn Sweet made a motion to approve this waiver with reference to the Finding of Fact that specific circumstances relative to the application, or conditions of the land, indicate that the waiver requested from Section 5.4(6) (Stormwater Management) to not require that stormwater management designs demonstrate that annual average pre-development groundwater recharge volume (GRV) is maintained post-development when compared to pre-development conditions, will properly carry out the spirit and intent of the Subdivision regulations which was seconded by Don Clifford and voted upon verbally in the affirmative by all voting Board members. The motion passed.

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

The applicant seeks approval of a proposed impact to 2451 square feet of wetlands buffer to construct a private roadway for a 7-lot Conservation Development.

The Chair asked Mr. Berry to present the CUP request. Mr. Berry indicated that CUP approval is necessary due to 2451 square feet of impact on a wetland buffer. The Conservation Commission had no objection to a CUP in this regard. Current methodologies and best management practices for

erosion control devices will be used during construction along with habitat safe items such as non-plastic materials supported by New Hampshire Fish & Game.

The Board determined the following Findings of Fact regarding the Conditional Use Permit application:

1. The proposed construction is essential to the productive use of areas not within the wetland conservation district.
2. Design, construction, and maintenance methods will minimize any detrimental impact upon the wetlands and buffer areas and will include restoration of the site as nearly as possible to its original grade and condition.
3. No alternative route is feasible or reasonable.
4. Economic advantage is not the sole reason for the proposed location of the activity.
5. No permits are required from the Wetlands Bureau or the Army Corps of Engineers.
6. The Conservation Commission submitted a letter dated February 3, 2026 stating that they had no objection to granting the Conditional Use Permit.

Lynn Sweet made a motion with reference to the Findings of Fact as noted above to grant the Conditional Use Permit which was seconded by Don Clifford. The Chair asked for public comments.

The Chair asked the Board for comments regarding a motion to approve or disapprove the 7-lot conservation development subdivision. Don Clifford expressed concern about the small size of the lot containing the existing duplex which he felt should be larger. Mr. Berry indicated that the minimum lot size for a conservation subdivision is 15,000 square feet and the duplex requires an additional 20,000 square feet for a total of 35,000 square feet. The proposed lot is 49,000 square feet. Lynn Sweet noted that a NHDES review of the proposal will be the next step in the process and will determine if the duplex lot is able to support waste loads, and if not, an adjustment to the plan would need to be made.

The Board determined the following Findings of Fact regarding the conservation development subdivision application:

1. The proposal is for a seven-lot Conservation Development Subdivision that would maintain the existing duplex on one lot encompassing 1.13 acres, create 5 new buildable lots that range in size from 1.33 to 1.85 acres, and create a 31.34-acre protected conservation lot.
2. On May 7, 2026, the Strafford Planning Board accepted the major subdivision application as complete in accordance with Section 2.7 and 2.8 of the Subdivision Regulations and accepted the conditional use permit application as complete in accordance with Article 1.4.4, Section 4 of the Zoning Ordinance.
3. The application was determined to not be of regional impact on May 7, 2026.
4. Public hearings were conducted on May 7, 2026, to review the applications and waivers requested.
5. The applicant has demonstrated compliance with the Zoning Ordinance, particularly Article 1.4.3 Conservation Development, including:
  - a. The applicant has submitted Homeowners Association Documents and Declaration of Covenants, Easements and Restrictions to the town's legal counsel for review.
  - b. The applicant has utilized a yield plan approach that clearly demonstrates six (6) buildable lots. The Strafford Planning Board accepted the yield plan on May 7, 2026, by unanimous vote of the members in attendance.

- c. Lot sizes meet the minimum required and as a condition of approval will be required to obtain a NHDES subsurface subdivision permit further demonstrating soil capacity of the lots.
  - d. The applicant has either met or exceeded the individual lot specifications.
  - e. The applicant has exceeded the requirements for the land to be placed into permanent open space protection.
6. The applicant has demonstrated compliance with the Town of Strafford Subdivision Regulations Section 2.6 General Requirements for applications. Notably, as included below and as can be found in the minutes:
- a. Character of the land: The applicant has presented a plan that places 76% of the parent parcel in conservation, protecting natural resources and lands not suitable for development. The proposed building lots are concentrated to avoid steep slopes. The proposed building lots are at a similar elevation to those of abutting properties, mitigating any possible viewshed impacts.
  - b. Lot configuration: Lots are fairly conventional in configuration, with some irregularities that are consistent with section 1.4.3.D.2.d that allows for irregular lot shapes and sizes.
  - c. Frontage: Consistent with a Conservation Subdivision Design, lot frontages vary with a range of those with the traditional 200' of frontage and others with reduced frontage to minimize the impacts of development.
  - d. Grading and drainage: The applicant has provided for adequate grading and drainage to capture stormwater flows from the proposed roadway.
  - e. Streets: With the granting of waivers, the applicant has designed the streets to meet town requirements and mitigate impacts to the site.
  - f. Sewage disposal and water supply: The applicant has demonstrated the ability to provide for both well and septic systems on each lot
  - g. Building lines: All building envelopes are shown on sheet 6 of 24 and conform to the required distances from property lines, roads, and waterbodies.
  - h. Easements: The applicant has provided the board with draft easement language as included within the Declaration of Covenants, Easements, and Restrictions that is subject to review by the town's attorney.
  - i. Operation and maintenance of facilities: The applicant has provided a draft of bylaws for the Homeowners Association that will be responsible for the operation and maintenance of facilities and the conservation area.

Lynn Sweet made a motion to approve the plan as presented based on the Findings of Fact as listed above with the following conditions:

- *Prior to the signing of Final Plans:*
  - Applicant will provide three plan copies with all professional seals and signatures.
  - Applicant will submit materials electronically per regulations.
  - All fees will be paid and escrow maintained as required (estimated cost of legal review is \$3,500-\$4,300).
  - The Homeowners Association bylaws will be reviewed and approved by legal counsel.
  - The Declaration of Covenants, Easements and Restrictions, including permanent restrictions on the conservation area, will be reviewed and approved by town legal counsel.

- Applicant will provide a well radius easement for lot 83-1-12 where it encroaches onto lot 83-1-11 for review and approval by the Planning Board's Legal Counsel.
- Applicant will confirm receipt of any State permits as may be required including but not necessarily limited to: NHDES Subsurface Subdivision Permit (Septic).
- Boundary monuments will be set and property boundary lines blazed as needed.
- Applicant will add any waivers granted and their date approved to the plan set.
- Applicant will include the following plan revisions:
  - Add plantings to block light from the first hammerhead turnaround. Plantings shall be placed near the boundary with Map 4, Lot 83-3.
  - Extend the hammerhead turnaround for the shared driveway to provide a minimum of 70' length of pavement.
  - Insert sheet 20 into the full plan set.
- Applicant will add a note to the plans and include within the covenants that the new undeveloped lots will be for single-family development.
- Declaration of Covenants, Easements, and Restrictions will include statement that school bus service will not be provided along a private road, and property owners will be responsible to bring children to the nearest Class V road school bus stop.
- *Prior to issuance of a building permit or sale of lots:*
  - Applicant must be granted approval of the proposed road name from the Board of Selectmen.
  - Applicant must meet with the Board of Selectmen to determine the amount of any required Performance Guarantee to be provided (e.g., for completion of roads, infrastructure, utilities, and site work).
  - If a performance guarantee amount is set by the Board of Selectmen, it must be in place before either a building permit is issued or a lot is sold.
- *Prior to start of construction*
  - Applicant will provide a copy of the EPA NPDES Notice of Intent to the Town's Land Use Office.

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 Board reviewed the minutes of the April 2, 2026 and April 8, 2026 Planning Board meetings. Don Clifford made a motion to accept both minutes as written, which was seconded by Donald Coker and voted upon verbally in the affirmative by all voting Board members. The motion passed.

There being no further business before the Board, Don Clifford made a motion to adjourn the meeting, which was seconded by Donald Coker. The Board voted unanimously in favor, and the meeting adjourned at 9:07PM.

Minutes Prepared by Robert Fletcher