



PLANNING BOARD
Town of Greenland • Greenland, NH 03840
11 Town Square • PO Box 100
Phone: 603.380.7372 • Fax: 603.430.3761
Website: greenland-nh.com

MINUTES OF THE PLANNING BOARD

Thursday, February 18, 2021 – 6:30 p.m. – Virtual via Zoom

Members Present: Frank Catapano, Stu Gerome, Steve Gerrato, Catie Medeiros, David Moore, Steve Smith (Selectmen's Rep), Bob Dion (Alternate)

Members Absent: John McDevitt

Staff: Mark Fougere – Consultant

Co-Chair Gerrato opened the Planning Board public hearing at 6:31 p.m. He announced a quorum was present and the meeting was being held virtually through Zoom and recorded by audio. A checklist to ensure meetings are compliant with the Right-to-Know Law during the State of Emergency was read into the record by Co-Chair Gerrato.

Attendance of Planning Board members was taken by roll call: F. Catapano – present, C. Medeiros – present, D. Moore – present, S. Smith – present, B. Dion – present, S. Gerome – present, S. Gerrato – present.

1. Preliminary Conceptual Consultation: 51 Great Bay Drive (R12, 52)

Owner/Applicant: John A. Pearl, Jr.

The owner/applicant is proposing a two-lot backlot subdivision, requesting a waiver from Subdivision Regulations Section 4.4.1 – Lot Configuration.

Attorney John Bosen, representing the owner/applicant addressed the Board. The property is 16.9 acres; the owner would like to create another lot for his brother to build a house on the property. They were looking for Board comments on the subdivision plan that was submitted.

Bruce Scammon, Emanuel Engineering, joined the meeting via Zoom. M. Fougere stated this project dated back to the 1990's and was a 13-lot subdivision at the corner of Dearborn Road and Great Bay Road. The Planning Board had given permission for a backlot; under the current Subdivision Regulations, there can only be one back lot. A large lot was created with the potential for a Town road. There is a piece of property that is land-locked and the right-of-way was deeded to the Town. There is another right-of-way that was deeded to the Town and an access easement used by the property owners to get to their lots on either side of the existing 50 ft. strip.

They had originally discussed with M. Fougere about doing two condominiums; it is not allowed under the Zoning Ordinance (you cannot have two homes on a property). The alternative is to be granted a Variance or for the Board to waive its requirement allowing one backlot (Subdivision Regulations, Section 4.4.1 – Lot Configuration). M. Fougere suggested a plan with the property line down the center of the 50 ft. strip, giving each lot 25 ft. of frontage with a common access easement. There would be two lots: one lot would be 2.7 acres, the other 14 acres.

DRAFT: SUBJECT TO CHANGE

B. Scamman pointed out the location of the existing home and the proposed location of a home on Lot 2. There is a possibility of future development on the lot; the Town and Planning Board had the foresight to put in right of ways that would allow future development. Displaying a color plan, B. Scamman explained how land would be a contiguous lot to the frontage. He also showed the condominium plan with two limited condominium areas. There would be a driveway to the back that could be for further development of the common land.

B. Scamman asked for Board feedback on the 17-acre parcel. Two houses on a large lot was not outrageous. If there was access to the rear lot for a single house, it would be approximately 1,700 ft. of road. They may have to put in more lots and more houses, which would not necessarily what the Town or the Pearl's wanted. They were trying to create an innovative plan that worked with the Town Ordinances and Subdivision Regulations.

Board comments: Board members did not like the layout. They preferred to see a road built and upgraded if the property was going to be subdivided and possibly subdivided in the future, especially for emergency access with a turnaround. B. Scamman stated there would be several turnarounds along that stretch and for the existing house. There was a discussion about a thinner private road or a large driveway on the 50 ft. strip. There would be an easement along the limited common area rather than deeded land. B. Scamman noted there does not have to be frontage with condo developments as with a subdivision. M. Fougere noted that Greenland's zoning does not allow condo developments; it would require a Variance from the ZBA.

F. Catapano suggested creating 200 ft. of frontage for each lot would the easiest way. There was already a backlot.

If the 50 ft. right-of-way was upgraded and frontage was created, there may not be a problem. B. Scamman asked if a road would need to be built to Town standards for two houses. They would be happy to do a road right-of-way with a 12 ft. wide driveway, and include pull-outs, if the Board granted a waiver for the road width. If the lot were further subdivided, they would return to the Planning Board; the road would be upgraded to Town standards at that time.

S. Gerome stated the Board may not have that jurisdiction. They can grant waivers; the Board could not go from 24 ft. to 12 ft. F. Catapano suggested a privately maintained road and nothing else could be built unless it was built to Town standards. S. Gerome stated 1,700 ft. of dirt driveway would not be allowed for safety; it was out of the Planning Board's realm. S. Gerrato noted the property was saturated with wetlands. The Planning Board would not allow a subdivision.

There was continued discussion about the road. S. Gerome reiterated that the Planning Board could not approve a condominium development; the ZBA would have to grant a Variance. Attorney Bosen asked if they were granted a Variance from Zoning Ordinance Section 4.1.3 allowing two houses on one lot, could they come back to the Planning Board for approval. S. Gerome responded it was beyond his scope; the Board would look at it. It would not allow a condominium; it allowed two residences on one lot. S. Gerrato stated there were not many places to put a house due to wetlands and have the setbacks. F. Catapano noted there were just as much uplands as wetlands. B. Scamman noted the plan is not a finalized version.

There was further discussion about the lot and road. M. Fougere noted there was a 1,000 ft. road limit for a dead end. Without the Brackett's, the development potential of the lot was limited due to the dead-end requirement. There was not enough land to do an age-restricted housing development.

DRAFT: SUBJECT TO CHANGE

M. Fougere clarified they could only go 1,000 ft. off Great Bay Road without a waiver from the Subdivision Regulations. The Fire Department would also want to have input. B. Scamman noted there are things that can be done to allow for a longer road (example: sprinkler system in the house). He questioned if a road were in put to make the frontage, would the Board approve putting in the second lot. F. Catapano stated if they had the frontage, it was 'pretty much by right'. Since there was not enough room for a hammerhead, the road would have to be a 'T' or one-side 'T' turnaround. M. Fougere noted that even though the specs were not in the regulations, the Board could waive it with input from Altus Engineering.

2. Subdivision of Land: 14 Stratham Lane (R12, 12A)

Owner: Agnes Martel

Applicant: Adam Fogg, Atlantic Survey Co., LLC

The owner and applicant are proposing to subdivide 14 Stratham Lane into two lots: 1.45 acres from a 4.12-acre parcel; the remaining lot will be approximately 2.67 acres.

Ken Martel joined the meeting via Zoom.

MOTION: F. Catapano moved to accept the application for Subdivision of Land at 14 Stratham Lane as complete. Second – S. Smith; roll call vote: F. Catapano – yes, C. Medeiros – yes, D. Moore – yes, S. Smith – yes, B. Dion – yes, S. Gerome – yes, S. Gerrato – yes.

M. Fougere summarized that the owner wanted to subdivide the 4-acre lot into two lots. Both lots will meet the minimum lot area and minimum upland area requirements. The surveyor has moved the location of the home so it is not on the wetland buffer line. The septic system will be on the left side, the home on the right. There will be a limited backyard before getting into the wetland buffer.

F. Catapano noted on the plan the house was on the setback line. He recommended pinning the foundation; the overhang would count. The foundation should not be on the setback line. M. Fougere stated it met all the requirements.

S. Gerome questioned the abutter's letter (copy on file) and if any legal issues needed to be resolved before approval was granted. The abutter lives at 20 Stratham Lane; there was some confusion as to which lot caused the problems on her property. K. Martel stated it was from an existing lot; the only dirt he was removing was to build the foundation. The proposed lot is vacant. S. Smith clarified that there have been culvert issues on Drake Drive; the water does not drain under the road. He felt the letter was referencing Drake Drive and concerns that improvements on the proposed lot may cause more damage. B. Dion stated there needed to be clarification of the abutter's complaint.

S. Gerrato opened the hearing to public comments. There being none, he closed the public hearing and returned to the Board for discussion.

MOTION: B. Dion moved to continue the Subdivision of Land at 14 Stratham Lane until the public hearing on Thursday, March 18, 2021. Second – S. Smith; roll call vote: F. Catapano – yes, C. Medeiros – yes, D. Moore – yes, S. Smith – yes, B. Dion – yes, S. Gerome – yes, S. Gerrato – yes. All in favor.
MOTION CARRIED

DRAFT: SUBJECT TO CHANGE

3. Preliminary Conceptual Consultation: 529 Portsmouth Avenue (U5, 9)
Owner/Applicant: Jeff Apsey, Granite State Pioneer Group LLC
The owner/applicant is proposing to demolish the existing duplex home and build a two-unit condex.

Jeff Apsey, owner/applicant, joined the meeting via Zoom. M. Fougere explained that this was an existing duplex site at the corner of Portsmouth Avenue and Cemetery Lane. The owner/applicant is proposing to tear down the existing duplex.

M. Fougere reviewed the proposed plan with the Board. Under the Town's zoning, the setback and footprint cannot be violated any worse than the existing. The proposed condex will be pulled back from Portsmouth Avenue and stay within the footprint. The owner/applicant wanted feedback from the Board; the Board does have oversight due to the provisions in the Ordinance regarding design.

There was a question about wetlands on the property. J. Apsey explained that the wetlands have encroached over time, possibly due to development on Post Road. Run off has increased over the years due to surrounding development. There was a seasonal stream on the property at one time. There is standing water during a big rain event. M. Fougere noted that the wetlands and septic will have to be added to the submitted plan.

J. Apsey pointed out the location of City water entering the building. Portsmouth requires two separate water services; two new taps with shutoffs will be installed. The neighborhood is primarily colonial styled homes. The styles are less contemporary and more historical.

S. Gerrato questioned if loading was done on the lot for the number of units. J. Apsey responded they were planning on using the existing four-bedroom septic. The proposed units are two bedrooms each. The septic was installed around 2000; J. Apsey will have the septic tested.

M. Fougere explained that the project needed Board approval was to create a condominium (subdivision). J. Apsey will be returning to the Board to create two condominiums, with an elevation (the Board has oversight) and keeping with the village atmosphere.

S. Gerome added feedback from J. McDevitt: he would prefer the colonial style. S. Gerome also preferred that style. There was a question on the septic issue; M. Fougere stated the surveyor could certify the septic. S. Gerome stated that the system is over 20 years old. With the increasing wetland issue, there needed to be clarification on the septic. A wetland scientist will need to flag the wetland area; the surveyor will need to add them to the plan.

D. Moore was concerned about the wetlands. The further back the proposed building is moved, the closer it will be to the wetlands. B. Dion was also concerned about the wetlands and septic. He wanted to see something done on the property that would remain an improvement for a long time. S. Smith was concerned with the wetlands. S. Gerrato was also concerned about the wetlands and septic. F. Catapano recommended the septic be inspected and a report be given to the Board. J. Apsey stated that the leach field was an enviro-system and built when the wet area was there; it was raised for that reason.

The consensus of the Board was anything done on that lot would be an upgrade; a traditional colonial look would be a good fit in that area. Wetlands need to be added to the submitted plan. J. Apsey noted that the decks on the rear of the units will extend out further and be an encroachment. M. Fougere commented that the sidewalks and curbing on Portsmouth Avenue will have to be repaired if they are

DRAFT: SUBJECT TO CHANGE

damaged. J. Apsey responded he was trying to maintain the existing curb cuts. Based on the design, he should not have to disturb any of the curbing. There will be one access point for the water; he will repair any section of the sidewalk that is disturbed.

J. Apsey was concerned about having the field inspected due to weather conditions. M. Fougere noted that he would need State Subdivision approval and they will want to know about the septic. The Board will want to know the status of the septic system and location of wetlands before approval is granted.

4. Approval of Minutes

MOTION: F. Catapano moved to approve the minutes of Thursday, February 04, 2021. Second – C. Medeiros; roll call vote: F. Catapano – yes, C. Medeiros – yes, D. Moore – abstain, S. Smith – yes, B. Dion – abstain, S. Gerome – yes, S. Gerrato – yes. Five in favor, two abstain (D. Moore, B. Dion). MOTION CARRIED

5. Approval of Invoices

MOTION: S. Gerome moved to approve the payment to of the Altus Engineering invoice for engineering services at Seavey Way in the amount of \$540.73 from the Planning Board Escrow Account. Second – F. Catapano; roll call vote: F. Catapano – yes, C. Medeiros – yes, D. Moore – yes, S. Smith – yes, B. Dion – yes, S. Gerome – yes, S. Gerrato – yes. All in favor. MOTION CARRIED

6. Other Business

The Board was reminded that voting will take place on Tuesday 03.09.2021, at Greenland School; polls are open 8 am to 7 pm. The Board should reorganize at the meeting on Thursday, March 18, 2021. S. Gerrato reviewed the list of candidates for elected office.

7. Topics for Public Hearing: Thursday, March 04, 2021

There will be a public hearing for the adoption of the Master Plan.

8. Adjournment

MOTION: S. Gerome moved to adjourn at 7:54 p.m. Second – F. Catapano; roll call vote: F. Catapano – yes, C. Medeiros – yes, D. Moore – yes, S. Smith – yes, B. Dion – yes, S. Gerome – yes, S. Gerrato – yes. All in favor. MOTION CARRIED

NEXT MEETING

Thursday, March 04, 2021 – 6:30 p.m., Zoom

Submitted By: Charlotte Hussey, Administrative Assistant