



**PLANNING BOARD**  
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**MINUTES OF THE PLANNING BOARD**

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Thursday, June 02, 2022 – 6:30 p.m. – Town Hall Conference Room

Members Present: Bob Dion, Stu Gerome, Steve Gerrato, John McDevitt, Dave Moore, Richard Winsor (Selectmen’s Rep), Frank Catapano (Alternate)

Members Absent: Catie Medeiros

Staff: Mark Fougere – Consultant

Also Present: Attorney Bob Ducharme, Greenland Meadows Homeowners Association; Alberta Cunha – President, Greenland Meadows Homeowners Association; Dave Walker, Rockingham Planning Commission

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Chair Moore opened the Planning Board work session at 6:30 p.m. A roll call was taken and it was announced a quorum was present and the meeting was being recorded.

**I. NON-PUBLIC – 6:30 PM**

MOTION: R. Winsor moved to enter into non-public session under RSA 91-A:3, II(I) at 6:30 p.m. Second – J. McDevitt; all in favor. MOTION CARRIED

MOTION: J. McDevitt moved to leave non-public session and return to public session at 7:18 p.m. Second – S. Gerrato; all in favor. MOTION CARRIED

MOTION: R. Winsor moved to seal the minutes of the non-public session. Second – J. McDevitt; all in favor. MOTION CARRIED

**II. WORK SESSION – 7:00 PM**

**1. Van Etten Drive Homeowners Association**

Attorney Ducharme, Greenland Meadows Homeowners Association, and several members of the HOA were present. M. Fougere noted they were before the Board at the work session on Thursday, April 07<sup>th</sup>.

Attorney Ducharme stated the HOA sent out a survey to its members. They do not want a large permanent structure that will not be used by more than a few people for a couple of months. They plan to keep the gazebo, the four barbecue pits and the bench. The recreation area is used for dog walking. It has been suggested that soccer posts and nets be put up on the end where it is level as well as badminton nets. There will be a shed to store the equipment during the winter.

## DRAFT: SUBJECT TO CHANGE

Barry Posternak, 18 Van Etten Drive, stated they surveyed all the homeowners. The option with the most votes was the soccer nets. They were proposing the soccer nets and the existing use of the recreation area which includes dog walking, grills, gazebo, and picnic tables.

J. McDevitt, referring to the letter dated May 04, 2022, stated that a volleyball/badminton area would be used occasionally. The barbecue area, benches and gazebo would stay. J. McDevitt asked if they understood that they were in violation of the site plan. Attorney Ducharme responded that they were taking exception to the word 'violation' and considered it an alleged violation; there was some legal they were trying not to involve. They were trying to find a resolution. Attorney Ducharme stated the recreation area never 'went away'; it was always used for different forms of recreation. The swing set was not used. There are different ways to define and use recreation. It is used as a park and field for dogs and congregating. Attorney Ducharme continued that if the Board wanted, they would put up soccer nets at the bottom as well as a badminton court. There was no guarantee it would be used; however, residents said that is what they would most likely use. B. Posternak stated it was volleyball, not soccer, that would be used.

R. Winsor noted that the site plan indicates exactly what is supposed to be there. He took exception to the challenges on Van Etten Drive; the site plan was very clear. J. McDevitt pointed out that several houses were there because the recreation area was required. R. Winsor, responding to Attorney Ducharme, clarified that the extra homes were on Van Etten Drive because of the agreed upon recreation area.

Attorney Ducharme stated they were trying to find a workable definition of 'recreation area', and it has to be a playset. R. Winsor stated it has to be a playset according to the plan, which defines what has to be in the recreation area including the equipment. The Board was trying to work with the HOA. As mentioned by R. Winsor at the last meeting, it must be something significant that people will use and has a maintenance plan. The recreation area yielded additional house lots.

The recreation area is mowed every two weeks. The area is used more as a recreational field and a park. The volleyball and badminton nets are easy to install. Tom Barton, 3 Van Etten Drive: the average age on Van Etten Drive is approximately 58; they will not be playing basketball or soccer. The activities will be geared to that age group. There are approximately nine children on Van Etten Drive; there are two existing playsets on private property.

F. Catapano understood why the area was not being used; however, there was an approved site plan. If they wanted to change the use of the area, it will never be a house; they already have the density. The Board needed to decide what would be the accepted use. R. Winsor questioned how the Board could create an opportunity for the community and create an opportunity for kids to get together. F. Catapano noted it was not a Town park. Would a dog park fit the Board's needs?

J. McDevitt stated he was comfortable with the current proposal; it could change in 20 to 30 years. He asked them to flush out the volleyball area: would it be grass or a sandpit. A. Cunha responded it would be grass. Attorney Ducharme commented that things change every 10 to 15 years; the Board could have another review then. It does not have to be static; it could be fluid so they would have to come back every 10 years and justify the use.

Attorney Ducharme also offered to take the original site plan and mark the volleyball area and show that the gazebo and shed were still there. They can also provide the contract indicating the area is always mowed. M. Fougere noted that the plan does not have to be drawn by a civil engineer but should be in

## DRAFT: SUBJECT TO CHANGE

the file for future reference. The Van Etten Drive HOA will be at the next Planning Board work session will be Thursday, July 07, 2022.

Referring to HOA's and condo associations, Attorney Ducharme suggested a community building works for density purposes and creates community. Developers do not want it, but they are getting extra homes. That is what works for most.

### 2. Rockingham Planning Commission: 10-Year Plan

Dave Walker, Rockingham Planning Commission, joined the Board to discuss the 10-Year Plan and Rt. 33. M. Fougere noted that he saw an email from D. Walker regarding the 10-Year Plan and community updates. M. Fougere felt D. Walker should address the concerns of the Board as well as provide an update.

D. Walker stated that RPC has been designated as a Metropolitan Planning Organization (MPO), which is a federal designation. They are required to implement the federal planning process. There is a long-range transportation plan (20 plus years) that is project specific. There is the Transportation Improvement Program (TIP) for projects that are being implemented now or imminent future. New Hampshire includes a State process which sets the que for 10-year projects.

A flier was given to the Board (copy on file) explaining their process. Communities are solicited for projects as part of their long-range plan that need to be addressed through a transportation project. Those issues are collected, organized, and prioritized. Top priorities are recommended for the State's 10-year plan. Recommendations are forwarded to NHDOT. They will review and send any concerns and/or comments to RPC. Priorities for the next iteration of the 10-year plan will be set in February/March. \$6.7 million is received each 10-year plan cycle to prioritize.

J. McDevitt asked about the selection criteria: equity, accessibility, and environmental justice. D. Walker explained that equity and environmental justice made sure that the proposed projects do not pose an undue burden on people who have traditionally been under served in the past (minorities or lower income). Accessibility is expanding access to the transportation system: improving the ability of people to get from place to place.

S. Gerrato noted that TAC meetings have recently started again after COVID. As of January 12, 2022, the MPO presented 232 projects to the Governor. Greenland was not included in one of those projects. D. Walker explained that the project submitted by Greenland two years ago is in the long-range plan but not the 10-year plan. They are processing a TIP amendment that would add a project to do an engineering analysis at the Winnicut River bridge; the cost is \$125,000. D. Walker emailed the DOT Project Manager for an update but had not received it at the time of the meeting. J. McDevitt asked the study timeframe if the project was approved. D. Walker stated the money was scheduled for 2024 and would be put out to bid. The study would be for an engineering assessment to improve resiliency and capacity. DES has funding to do construction projects related to resiliency. There was a brief discussion about the fish ladder and the fact that it does not work. This study may also deal with the fish ladder. They are specifically looking at the bridge.

J. McDevitt noted that there is a proposal for 130 condos in the old Stratham community college on Rt. 33. If the study was done prior to that being built out, additional traffic would not be taken into consideration. D. Walker stated traffic engineers would look at what other projects were proposed in the region; a growth factor is usually included. M. Fougere added that growth at Pease would also need to be included.

## DRAFT: SUBJECT TO CHANGE

Chip Hussey, 207 Winnicut Road, clarified the bridge design and engineering is a different project from the road work DOT is already planning. D. Walker responded DOT is working on a project through the Highway Safety Improvement Program in response to the fatalities in the Dearborn Road/Rt. 33 area. Between Stratham Hill Park and Winnicut Road they will be working within the existing right-of-way to slightly reduce the lane and shoulder widths and squeeze in a center turn lane to get turning vehicles out of the flow of traffic.

M. Fougere questioned the \$500 million in federal funding the State would be receiving and if it was going to help fund projects that are in the loop and potentially speed up projects that are further back. The 10-year plans are really 30-year plans. D. Walker felt the funding would help accelerate projects off the 10-year plan. DOT is pushing that money into fully funding projects that were phased out or underfunded. A large portion of money has to go towards bridges; they are accelerating the number of red list bridges, including municipally owned bridges. The paving program is also being expanded. The remainder will go to expanded projects. RPC may receive some additional funding.

M. Fougere commented that this corridor is one of the key access points to a huge State-funded economic development initiative at Pease. Was that included in the mix? D. Walker responded 'yes' and was based on the selection criteria mentioned earlier. The criteria are set at the State level; RPC determines the weight of each criterion.

J. McDevitt stated safety is the first priority and should be weighted over equity and environmental justice. He questioned how RPC weighed safety in their criteria. D. Walker stated that was their process right now and was done by their Transportation Advisory Committee. He does a survey, asking each member to prioritize the eight categories. Weights are then established based on the survey. D. Walker agreed safety was the highest and most important priority that should be addressed.

D. Moore questioned if Greenland was competing against any bike trails. That money could be used to improve Rt. 33 and the bridge. There are safety and traffic issues on the Rt. 33 corridor and Greenland has difficulty getting on the 10-year plan. A bike path does not have a problem getting on the 10-year plan. D. Walker stated that Greenland is sometimes competing against those type of projects. He added that regional balance and readiness are also considered.

M. Fougere noted that leveraging the tie-in to Pease was important. The State is making a lot of money in that area. R. Winsor added it was an equity issue. D. Walker stated that their data indicates there is a que, but the traffic is moving, noting that the light was an issue. When DOT put the light in, they said it needed to be a five-lane section. It could not be done because they were limited to \$500,000 for that project.

F. Catapano noted that additions needed to be submitted to RPC by July 15<sup>th</sup>; did Greenland need to do anything. D. Walker stated nothing needed to be done for this project and that the numbers were pretty good. The cost estimate was for 2020 and will need to be inflated.

B. Dion asked how the Town could better compete. D. Walker commented it was a good question but did not think it was 'better competing' at this point; it was the group of projects they had. M. Fougere mentioned 'politics'; D. Walker stated politics were on the 10-year plan side of things. C. Hussey stated that in his last discussion with Division 6, it was going to be 30 years before the bridge would be replaced. M. Fougere noted the existing structure does not have to be torn down; it could be augmented. D. Walker stated that TIP would look at the bridge and determine if it could be expanded.

## DRAFT: SUBJECT TO CHANGE

D. Walker reported that in the 10-year plan two rounds ago, DOT added a corridor study program. The cost is \$750,000 per year to do that study. That should be implemented at any time. RPC has two top priority corridor studies: Rt. 33 and Rt. 111 in the western part of the State. Information from DOT has not been made available. DOT knows a Rt. 33 corridor study needs to be done; the last study was done in the late 1980's. RPC would be involved in the corridor study and would expect involvement from Greenland and Stratham.

M. Fougere: At what point will this project be considered for the 10-year plan. D. Walker: RPC is soliciting projects between now and mid-July. The prioritization process will be worked on in July and finalized in November, sending a draft list to DOT. DOT will receive a short list of projects and DOT will send their recommendations back to RPC. Final priorities must be to DOT by March 31<sup>st</sup> and held to \$6.7 million.

D. Walker stated he needed to find out from DOT if there was construction funding to follow the study. If they were going to earmark the money using the coastal zone money to fix the bridge and intersection at the same time, or if they were just fixing the bridge, then maybe the intersection could be paired with RPC resources. D. Walker will forward any information to M. Fougere; S. Gerrato is also part of RPC.

B. Dion asked how the funding for the engineering study of the bridge got into the budget and was it related to the corridor study. D. Walker stated it was not related to the corridor study but was unclear how it got there. He was told there was money to do transportation projects if it benefited resiliency and the Winnicut River seemed like a good opportunity to do that. The funding source was noted as 'other federal aid'.

There was a brief discussion on DOT projects not included on the 10-year plan and happens on a much faster timeframe. Some are part of the Highway Safety Improvement Program and addresses low-cost safety issues.

### 3. Approval of Minutes

Minutes from the public hearing on Thursday, May 19, 2022, were not available.

### 4. Consent Agenda

#### a. Voluntary Lot Merger: 597, 603 Portsmouth Avenue

The Board approved this project in February 2022. The lots need to be merged prior to construction. A public hearing is not required for a voluntary lot merger.

#### b. Invoices

- Town Budget: Fougere Planning & Development - \$1,120.82
- Escrow: Fougere Planning & Development - \$523 (Tower Place)

MOTION: R. Winsor moved to approve the consent agenda dated Thursday, June 02, 2022, as presented. Second – J. McDevitt; five in favor, two abstained (S. Gerome, F. Catapano). MOTION CARRIED

## DRAFT: SUBJECT TO CHANGE

### 5. Topics for the Public Hearing

Tower Place and 309 Portsmouth Avenue (Mercedes-Benz) are the only items on the agenda at this time. 309 Portsmouth Avenue has received their permit from DES.

The Board requested that the Planning Board Engineer and Planning Board Attorney be present at the public hearing. The Board agreed density should be discussed sooner rather than later.

### 6. Other Business

There was no other business to discuss.

### 7. Adjournment

MOTION: J. McDevitt moved to adjourn at 9:00 p.m. Second – F. Catapano; all in favor. MOTION CARRIED

NEXT MEETING
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Thursday, July 07, 2022 – 6:30 p.m., Town Hall Conference Room

Submitted By: Charlotte Hussey, Administrative Assistant