



**Stratham Planning Board Meeting Minutes**  
**December 7, 2022**  
**Stratham Municipal Center**  
**Time: 7:00 pm**

**Members Present:** Thomas House, Chair  
David Canada, Vice Chair  
Mike Houghton, Select Board's Representative  
Chris Zaremba, Regular Member  
John Kunowski, Alternate Member  
Nate Allison, Alternate Member

**Members Absent:** Pamela Hollasch, Regular Member

**Staff Present:** Mark Connors, Town Planner

**1. Call to Order/Roll Call**

Mr. House called the meeting to order at 7:01 pm and took roll call. Mr. House noted that Mr. Allison was sitting in his first meeting as an Alternate Member of the Planning Board after approval by the Select Board. Mr. House welcomed Mr. Allison to the Planning Board.

**2. Approval of Minutes**

**a. November 16, 2022**

Mr. Zaremba commented that the minutes should include the details of the Planning Board review of the Conditional Use Permit Criteria for the 190 Winnicutt Road solar array. Mr. House appointed Mr. Kunowski as a voting member for this meeting. **Mr. Zaremba made a motion to table the approval of the meeting minutes until the December 21, 2022 meeting. Mr. Kunowski seconded the motion. All voted in favor and the motion was approved.**

**3. Old Business:**

**a. Jay and Celeste Ward (Owners) - Request for approval of a conditional use permit to allow the installation of a small-scale ground mounted solar array at 10 Boat Club Drive (Tax Map 12, Lot 2), Zoned Residential Agricultural. Owner/Applicant's representative is Harmony Energy Works, 10 Gale Road, Hampton, NH 03842.**

43 Mr. Connors presented the topic. The public hearing for the project was opened at the last Planning  
44 Board meeting, but postponed a decision until tonight to allow the Board to review revised  
45 materials submitted at the last meeting.  
46

47 Jay Arslanian of Harmony Energy Works spoke on behalf of the Owner. He updated the plan to  
48 show the extent of tree clearing particularly in proximity to the Shoreline Buffer Zone on the  
49 property. Mr. Arslanian also presented to the Board some photographs of the existing conditions.  
50 The clearing will be 100 feet by 150 feet towards the driveway in the opposite direction of the  
51 Shoreland Protection District and not visible from the road or from the neighbors. Mr. House asked  
52 if there are any tree clearing requirements applicable to this project (e.g. a requirement to keep a  
53 certain caliper of tree) even though it is outside of the Shoreland Protection District. Mr. Connors  
54 responded that there is a screening requirement for visual impact from solar array projects, but this  
55 application does not include a screening plan as the Applicant believes there is sufficient existing  
56 screening.  
57

58 Mr. Canada asked who delineated the Shoreline Protection boundary. George Horrocks from  
59 Harmony Energy Works responded that it is an existing overlay available in the State's GIS  
60 system.  
61

62 **Mr. Kunowski made a motion that the application as presented is complete. Mr. Zaremba**  
63 **seconded the motion. All voted in favor and the motion was approved.**  
64

65 **Mr. Zaremba made a motion to open the public hearing. Mr. Kunowski seconded the motion.**  
66 **All voted in favor and the motion was approved.** There were no comments from the public.  
67

68 **Mr. Zaremba made a motion to close the public hearing. Mr. Kunowski seconded the motion.**  
69 **All voted in favor and the motion was approved.**  
70

71 The board reviewed the Conditional Use Permit Criteria.

- 72 1. Spirit and Intent of the Ordinance: The Stratham Master Plan encourages the development of  
73 renewable energy systems, therefore the application is consistent with the Master Plan.
- 74 2. Conformity to Zoning Ordinance: The Planning Staff and Board are not aware of any violations.
- 75 3. Site Suitability: Adequate vehicular and pedestrian access for this project exists for the  
76 authorized persons. Public service availability is not applicable to this project. The site is flat and  
77 outside any protection districts. The project is an electric utility needing no additional access to  
78 appropriate utilities.
- 79 4. External Impacts on Abutting Properties and the Surrounding Environment: The board noted  
80 that the area surrounding the proposed array is heavily wooded.
- 81 5. Character of the Site Development: The project location is over 300 feet from the nearest  
82 neighbor and heavily wooded. Positive comments from abutters were submitted by the Applicant  
83 at the last meeting.
- 84 6. Character of the buildings and structures: The height and mass of the structure is in line with  
85 residential uses.
- 86 7. Preservation of natural, cultural, historic and scenic resources: The project is located outside  
87 the Shoreland Protection Act resource and there is no historic resource identified.
- 88 8. Impact on property values: The board is not aware of any property value diminishment due to  
89 solar arrays and the location is far from abutters.
- 90 9. Availability of Public Services and Facilities: The project requires no municipal services.
- 91 10. Fiscal Impacts: There are no negative fiscal impacts identified for the Town.

92 11. Public Interest: Renewable energy is within the public interest.  
93

94 **Mr. Canada made a motion to approve the Conditional Use. Mr. Kunowski seconded the**  
95 **motion. All voted in favor and the motion was approved.**  
96

97 **Mr. Zaremba made a motion approve the application for a Conditional Use Permit for a**  
98 **ground-mounted 17.64 kilowatt ground-mounted solar energy system at 10 Boat Club Drive**  
99 **(Tax Map 12, Lot 2), as the Planning Board has determined the application meets all of the**  
100 **Conditional Use Permit criteria, subject to the following conditions:**

101 **1. A note shall be added to the plan that site disturbance and limits of clearing shall be limited**  
102 **to the area demarcated on the plan by the white dash line.**

103 **2. Prior to the start of construction, the applicant shall stake out the location of the panels on**  
104 **the property and contact the Town Planner to conduct an inspection to ensure the location**  
105 **is consistent with the approved plans.**

106 **Mr. Canada seconded the motion. All voted in favor and the motion was approved.**  
107

#### 108 **4. Other Business:**

##### 109 **a. Proposed 2023 Zoning Amendment Workshop:**

##### 110 **1. Request by Stratham Green for amendment to Solar Energy System Ordinance**

111  
112 Mr. Connors presented the project. Stratham Green currently has an approved medium-scale  
113 ground mounted solar array. The Zoning Ordinance currently requires that the Town hold a  
114 financial guarantee for the life of the solar array to ensure that when the property owner  
115 discontinues use of the array, it is properly disassembled and removed from the property. This  
116 requirement is unusual in that financial guarantees are usually held for short periods of time and  
117 this requirement is indefinite. Stratham Green has requested that their \$4,000 guarantee be  
118 returned. The only way that can occur is with a Zoning Amendment. Stratham Green requested  
119 Planning Board support for a proposed Zoning Amendment.  
120  
121  
122

123 Mike Ficara spoke on behalf of Stratham Green. The residents of Stratham Green researched and  
124 determined the scrap value of the array is \$43,000. They have created a decommissioning plan that  
125 includes the proposed decommissioning cost (approximately \$4,000) which would be more than  
126 covered by the scrap value. The life of the array is about 40 years and the component warranties  
127 are 25 years. Therefore the residents of Stratham Green request that the \$4,000 financial guarantee  
128 be returned.  
129

130 Mike Rowe, Stratham Green Board Member, spoke on behalf of the finances at Stratham Green.  
131 The community recently installed a water treatment system to remove PFAS that cost \$62,000.  
132 And although Stratham Green may be able to recover some of the cost of installation, there are  
133 ongoing maintenance costs that they will incur.  
134

135 Mr. House asked for clarification if Stratham Green is asking for a zoning amendment or for the  
136 money to be returned without an amendment. Mr. Connors replied that the Planning Board does  
137 not have the authority to return the money but they could support a change to the ordinance. The  
138 Zoning Board has a long process to return the funds. If the Town voted to pass a change to the  
139 ordinance in March, then the Select Board would vote to release the money.  
140

141 Mr. Canada asked how the scrap value was determined. Mr. Horrocks responded that it came from  
142 online sources for recycling of aluminum, glass and silicon.

143 Mr. Canada appreciates the comments from Mr. Rowe on their water quality expenses. Mr. House  
144 commented that a zoning change will affect all solar arrays. Mr. Houghton commented that the  
145 intent of the ordinance was to protect the Town from incurring costs for removal and if an  
146 alternative can be put in place, he is supportive. He added that the administrative costs of managing  
147 \$4,000 over 30 years is not insignificant. The Board discussed establishing a lien in lieu of the  
148 escrow. Mr. Zaremba agreed with a change to the ordinance. Mr. Kunowski asked how many other  
149 small escrows are currently held by the Town for solar projects. Mr. Connors responded that this  
150 is the only one at this time, but a second medium-scale project (under appeal) was approved under  
151 the ordinance.

152  
153 Mr. Connors commented that many surrounding towns don't have solar ordinances and the ones  
154 that he researched, do not have escrow requirements. He suggested that since the board is  
155 supportive of this change, he can provide language for review at the next Planning Board meeting.  
156 Mr. Connors further described the zoning change process and timelines.

157  
158 Mr. Kunowski commented that the Stratham Green letter requests acceptance of the decommission  
159 plan and noted that it is not in the Planning Board's purview to do so. Mr. Connors concurred and  
160 stated the Planning Board can recommend that zoning language be developed to address the issue.  
161 The new language could require development of a decommission plan.

162  
163 Mr. Allison agreed with a Planning Board recommendation to amend the zoning ordinance.

## 164 165 2. Various Zoning Amendments

166  
167 Mr. Connors presented the following various proposed zoning amendments:

- 168
- 169 • Amend Section 3.8.8, Table 2 of the Gateway Commercial Business District to change the  
170 minimum front setback from zero feet to 15 feet and the maximum from 15 feet to 40 feet.
- 171 • Amend the front setback in the Professional/Residential District in the Table of Dimensional  
172 Requirements from 100 feet to 20 feet for those parcels that abut residential properties.
- 173 • Amend Section 3.8.8 of the Gateway Commercial Business District to establish minimum  
174 standards for driveways, sidewalks, and electric car charging stations.
- 175 • General amendments to correct minor errors and to insure consistency between the Gateway  
176 District section and the Table of Uses.
- 177 • Amendments to the definitions section and to Table 3.6, Table of Uses to add "Places of  
178 Worship".
- 179 • Add subsections to Section 4 to add maximum residential densities in the Commercial District  
180 and to clarify that only one primary dwelling shall be permitted on lots in the  
181 Residential/Agricultural and Manufactured Housing/Mobile Home Districts.
- 182 • Revisions to the Sign Ordinance to incorporate U.S. Supreme Court decisions on regulating  
183 sign content. Additional amendments include limitations on size and illumination of signs.
- 184

185 The Board agreed to advance all of the amendments to the next meeting.

## 186 187 **b. Source Water Protection Discussion**

189 Mr. Connors presented suggestions for amendments to the Aquifer Protection District. The Board  
190 determined a two-phase approach to amendments may be necessary.

191

192 **c. Stratham Master Plan Recommendations Review**

193 1. Sustaining Our Natural Resources

194

195 Mr. Connors presented the Master Plan recommendations on Sustaining Natural Resources and  
196 asked that the Board continue to review those applicable to the Planning Board for input and  
197 implementation.

198

199 **d. Miscellaneous Community Planning Issues**

200

201 None discussed.

202

203 **5. Adjournment:**

204

205 Mr. Canada made a motion to adjourn at 9:24 pm. Mr. Zaremba seconded the motion. All voted in  
206 favor and the meeting adjourned.