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Stratham Planning Board Meeting Minutes
October 18, 2023
Stratham Municipal Center
Time: 7:00 pm

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

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Members Absent: John Kunowski, Regular Member

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Staff Present: Mark Connors, Director of Planning and Community Development

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1. Call to Order/Roll Call

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Mr. House called the meeting to order at 7:00 pm and took roll call.

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2. Approval of Minutes

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a. October 4, 2023

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Mr. House made a motion to approve the October 4, 2023 meeting minutes. Mr. Canada seconded the motion. All voted in favor and the motion was approved.

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3. Public Hearing:

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a. Public hearing to adopt amendments to Stratham Site Plan Regulations including to Sections III Scope & Requirements, Section IV Application Procedures and Requirements, Section V Design & Construction Requirements. The proposed amendments relate to application processes and notification fees, criteria qualifying projects for site plan review, and required materials for site plan applications.

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Mr. Connors presented a summary of proposed amendments including:

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- Update the definition of abutter to include reference to the NH RSA abutter definition.
 - Add regular mail abutter notification for preliminary consultation applications for which no abutter notification currently exists and also add regular mail abutter notifications for applications that require certified mailing. The net effect would be a \$2 new or additional fee for each abutter.
 - Clarify the required preliminary consultation application materials.
 - Require that the preliminary consultation takes place prior to submittal of a site plan application.

- 44 • Establish a submittal deadline for written abutter comments.
- 45 • Updates to abutter and public notice fees for preliminary consultations and site plan
- 46 reviews.
- 47 • Clarify that the Board has the right to call upon a technical expert and charge to the
- 48 applicant the costs of doing so.
- 49 • Update the recording costs to include the cost of town staff delivering materials to the
- 50 Registry of Deeds.
- 51 • Removing outdated language that references the Rockingham Planning Commission
- 52 Circuit Rider Planner.
- 53 • Require all plans under review to be stamped by a licensed surveyor and a professional
- 54 engineer.
- 55 • Clarify plan requirements to include compliance with parking requirements, locations of
- 56 fire hydrants/ponds/cisterns, and wetlands stamped by a certified Wetlands Scientist.
- 57 • Remove the requirement for a licensed landscape architect to stamp plans.
- 58 • Clarify the lighting plan should be a photometric plan.
- 59 • Add a 95-day review period for regional impact projects in accordance with State Law.
- 60 • Remove the requirement that the Select Board has to approve an application extension.

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62 Mr. Houghton asked for clarification on the removal of the requirement for a licensed landscape
63 architect. He asked if a landscape architect is still required. Mr. Connors replied that a landscape
64 plan is required but it can be submitted by another professional such as an engineer. Mr. Canada
65 asked if an amended landscape plan approved for a project on Stratham Heights Road was
66 implemented. Mr. Connors replied yes. Mr. House asked what the value of a landscape architect
67 is. He added that the site plan is prepared with topographic and drainage information. Mr.
68 Houghton replied that a landscape architect is a person with a level of education regarding plant
69 varieties and what is applicable for the climate. Mr. Houghton is fine with a designer not being
70 licensed but it is beneficial for the person to be part of a landscaping organization. Mr. Allison
71 stated that a landscape architect is a 4-year degree program with courses related to dendrology,
72 layouts, and conceptual drainage. He added that the primary expertise is knowing what each
73 individual tree proposed needs for soils, water, planting depth, etc. He agrees that a licensed
74 landscape architect isn't necessary in all projects, but he recognizes the education involved with
75 being licensed. Mr. Canada has personal knowledge of a person without a license who completes
76 landscape design in conjunction with other projects and is completely competent. He added that
77 the plan is ultimately up to the owner and if the owner chooses plantings that require a lot of care,
78 then that is their choice as they will need to replace the plantings if they die. He agrees that a
79 licensed landscape architect is not needed. Mr. Allison stated the requirement has been removed,
80 so it is not an issue. Mr. Connors and Mr. House replied that the requirement for a stamp has been
81 removed, but the regulations still have landscape criteria. Mr. House asked if that addresses Mr.
82 Houghton's comments. Mr. Houghton replied that he believes the requirement was added years
83 ago because the Board was not pleased with the landscaping completed in some developments. He
84 added that there are people without licenses who are capable, but there are many that are not. He
85 agrees that the licensing and stamp may be more than what is needed for many projects, but
86 someone with competence should design the plan. Mr. Zaremba asked when a landscape plan is
87 required, for example is one required for someone adding a garage. Mr. Connors replied not for a
88 garage and that a plan is required for commercial, multifamily, or subdivision projects. Mr.
89 Zaremba replied that based on that perhaps a licensed individual should be required. Mr. Connors
90 added that the landscape standards are not changing, just the requirement for a licensed person.
91 Mr. Zaremba asked if, for example, he could create a landscape plan not knowing what would

92 survive. Mr. Connors suggested a change that would list other professions that could create a plan.
93 Mr. Zaremba stated that landscaping is more important for site plan projects where screening is
94 necessary vs. for a subdivision. Mr. Houghton suggested changing landscape architect to landscape
95 professional. Mr. House stated that the Board needs to review the landscape design standards
96 before December. Mr. Houghton agreed and reiterates that he thinks some sort of landscape
97 professional needs to prepare the plan.

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99 **Mr. Zaremba made a motion to open the public hearing. Mr. Houghton seconded the motion.**
100 **All voted in favor and the motion was approved.**

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102 No members of the public requested to speak.

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104 **Mr. Canada made a motion to open the public hearing. Mr. Zaremba seconded the motion.**
105 **All voted in favor and the motion was approved.**

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107 **Mr. Zaremba made a motion that the Planning Board adopt amendments to the Stratham**
108 **Site Plan Regulations including to Section 3 Scope and Section 4 Application Procedures and**
109 **Requirements relating to site plan application processes and notification fees, criteria**
110 **qualifying projects for site plan review, and required materials for site plan applications, as**
111 **stipulated in the staff memorandum dated October 18, 2023. Mr. Canada seconded the**
112 **motion. All voted in favor and the motion was approved.**

113 114 4. New Business:

115 116 a. Discussion of proposed zoning amendments for 2024

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118 Mr. Connors presented an updated staff memo on proposed zoning amendments. One amendment
119 will exempt small sheds from property line, Shoreland Zone, and wetlands setback requirements.
120 Mr. Canada asked if the Building Inspector would inspect the location when complete. Mr.
121 Connors replied yes.

122
123 The next amendment is to clarify when a property survey or wetlands delineation is required for
124 small building projects. The Board discussed this in September and the consensus was discretion
125 should be given to the Building Inspector to determine when a survey or wetlands delineation
126 would be required. Mr. Connors presented draft language to incorporate the building inspector's
127 authority. Mr. Canada asked if language could be added that the Building Inspector would require
128 surveys when it is reasonable as opposed to requiring it for every application. Mr. Allison added
129 that a site visit by the building inspector might be warranted to determine when a wetlands
130 delineation would be required. Mr. Canada suggested the phrase 'when it's not self-evident'. Mr.
131 Allison stated that would require the Building Inspector to review the property in person. Mr.
132 Houghton agreed that upon a site review the Building Inspector could use their discretion to
133 warrant additional actions and that the Inspector would need to substantiate their decision in
134 writing or with photographs. Mr. House agrees with a site observation. Mr. Connors summarized
135 that he will draft language on this topic for the next meeting. He added that the decision could be
136 appealed if it is the Building Inspector's sole decision.

137
138 Mr. Connors presented two options for proposed changes to the Route 33 Heritage District in
139 relation to the three residential units per acre allowance: 1) exclude wetlands, steep slopes, and
140 conservation easements from the lot area used to calculate the maximum density potential of a

141 parcel or 2) lower the maximum density to two units per acre on parcels that are greater than 1.5
142 acres, require a Conditional Use Permit to approve up to three units on a lot less than 1.5 acres,
143 and require that all multi-family structures be located within 800 feet of the Route 33 frontage. Mr.
144 Canada stated that he did not think the purpose of the District was to increase density, so he agrees
145 with reducing it to two units per acre and suggested also excluding the wetlands, steep slopes, and
146 conservation easements exclusion. Mr. Zaremba and Mr. Houghton are supportive of Mr. Canada's
147 suggestion. Mr. Zaremba asked the significance of 800 feet. Mr. Connors replied that he chose a
148 distance that is approximately one-third of a depth of a particular parcel in the District that could
149 have significant development and that only about six properties would be affected.
150

151 Mr. Canada suggested another zoning change to allow ground-mounted medium-sized solar arrays
152 by right if they follow certain qualifications. He believes this is a use that should be encouraged.
153 Mr. Zaremba would entertain it under certain conditions. Mr. House agrees it can be reviewed. Mr.
154 Allison reviewed the current process and commented that currently the Board could deny the
155 project if sufficient screening is not allowed. If the projects are reviewed only by the Building
156 Department, then there could still be some level of review of screening or location. The problem
157 with allowing by right means that it can be placed in a location that harms a neighbor's visual
158 impact, so Mr. Allison would like to ensure some level of town review is completed for that
159 purpose, but agrees it can be allowed by right. Mr. Canada gave the example that the construction
160 of a garage doesn't require review by the neighbors and it is reviewed by the Town and must meet
161 certain requirements such as setbacks. He suggested that the conditions to allow it, such as greater
162 property line setbacks, could be created that are specific to solar arrays. Mr. House suggested that
163 a property owner might not be aware of certain restrictions, for example the Shoreland Zone. Mr.
164 Allison and Mr. Canada replied it would be the responsibility of the Building Inspector to find
165 those restrictions. Mr. Zaremba asked the size difference between small and medium and asked
166 what size has been recently approved by the Planning Board. Mr. House replied that both sizes
167 have been before the Board recently. Mr. Connors replied that all ground-mounted solar arrays
168 need Planning Board review. Mr. House asked if solar is in the Master Plan. Mr. Connors replied
169 that the Master Plan broadly encourages alternative energy. Mr. Canada stated that 1,750 to 40,000
170 square feet is a medium system. Mr. Houghton was surprised at the 40,000 SF maximum. Mr.
171 Canada suggested that the definition could be changed to reduce the maximum size classified as a
172 medium-scale system. Mr. Connors will draft some language for review.
173

174 **b. Miscellaneous Community Planning Issues**

175 1. 2023 PREP State of Our Estuaries Report

176 Mr. Connors presented a summary of the 2023 State of Our Estuaries reported prepared by the
177 Piscataqua Region Estuaries Partnership. Stratham is on the southern area of Great Bay and the
178 Town is almost completely in the Great Bay Watershed with the eastern portion of Stratham in the
179 Winnicutt River Watershed which also drains into Great Bay. Great Bay and Little Bay are the
180 only bays in New Hampshire. They are unusual in that they are far from the coastline (almost 8
181 miles), where bays are normally an inlet off the ocean. PREP tracks 20 indicators related to water
182 quality and rates the trends as positive, cautionary, or negative. Six of the 20 indicators are positive
183 which include seaweed, conserved lands, shellfish harvesting, nitrogen loading, nutrient
184 concentrations, and bacteria. Areas identified as negative are salt marsh, beach advisories, and
185 softshell clams. Mr. Connors segued the presentation into MS4 Requirements.
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189 2. MS4 Requirements

190 In Stratham, Parkman Brook is impaired for chloride and as part of Stratham's MS4 permit issued
191 by the US Environmental Protection Agency (EPA), Stratham needs to implement a Salt Reduction
192 Plan. Mr. Canada asked what the alternative to salt is. Mr. House and Mr. Allison replied sand.
193 Mr. Connors added that pre-treating with brine before storms is a suggestion to reduce salt usage.
194 Mr. Connors displayed a map showing very few town-owned roads within 500 feet of Parkman
195 Brook and notes that Route 101 and Route 108 which are maintained by the State both cross the
196 brook. Mr. Zaremba asked if the Town follows State green salting guidelines and what are the
197 guidelines. Mr. Connors replied that a requirement of the permit is that the Town has to implement
198 pre-treatment. The Town also needs to look at roads within 500 feet of Parkman Brook to
199 determine where salt can be reduced.

200

201 A culvert project on Squamscott Road will replace two 18-inch pipes with an 8-foot crossing with
202 a natural bottom. Construction is proposed for the summer of 2024.

203

204 The Federal government regulates water quality in surface waters. Industrial waste disposal in the
205 1950s and 1960s severely degraded water quality. The federal Clean Water Act was passed to
206 address point source discharges to surface waters. The biggest remaining contributor to water
207 quality issues is stormwater pollution. Therefore the EPA passed an administrative measure which
208 issues permits to municipalities for their stormwater systems. Some of the requirements include
209 annual reporting to EPA, street sweeping, catch basin cleanings, enacting stormwater pollution
210 land development requirements, monitoring and inspecting construction activities, ensuring proper
211 maintenance of stormwater facilities, and performing public education. Mr. Allison asked if the
212 Town is planning to inspect the oil and water separators in the stormwater infrastructure in his
213 development and if there are companies that can be hired to clean them. Mr. Connors replied that
214 he is aware of some companies that could be contracted and he can provide a list to Mr. Allison.

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216 **5. Adjournment**

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218 **Mr. Zaremba made a motion to adjourn the meeting at 8:09 pm. Mr. Canada seconded the**
219 **motion. All voted in favor and the motion was approved.**