



Stratham Planning Board Meeting Minutes
December 20, 2023
Stratham Municipal Center
Time: 7:00 pm

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

Members Absent: None

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

1. Call to Order/Roll Call

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

2. Approval of Minutes

a. December 6, 2023

Mr. Zaremba made a motion to approve the December 6, 2023 meeting minutes. Mr. Kunowski seconded the motion. All voted in favor and the motion was approved.

3. Public Meeting:

a. Paul Gallant, Trustee (Applicant), Helen E. Gallant Revocable Trust of 1995 (Owner) - Request for a Preliminary Consultation of a proposed subdivision of 80 and 80R Winnicutt Road, Tax Map 14, Lots 56 and 57, into a Residential Open Space Cluster Development with 54 residential lots and two open space parcels. The parcel is Zoned Residential/Agricultural. Application submitted by Jones & Beach Engineers, P.O. Box 219, Stratham, NH 03885.

Mr. Connors stated that this afternoon the Applicant requested a continuance to be heard at the first January 2024 meeting. Because the request was received so late, Mr. Connors stated that the request could be denied. He offered two additional options: 1) continue the application to the next Planning Board meeting or 2) open the meeting, take comments from the public, and continue the application to the next Planning Board meeting. Mr. House asked how a Preliminary Consultation can be continued. Mr. Connors replied that the Board could close it and require that they submit a new application. Mr. Canada suggested that the Board hear comments from the public and noted it will be difficult for the public to comment on an application with no presentation, but they likely have thoughts that can be heard and can follow-up with written comments or attend the future

meeting. Mr. House addressed the public and explained that a Preliminary Consultation is non-binding and it is not the final application. He added that he agrees with Mr. Canada that the public should be allowed to speak. Mr. House asked Mr. Connors if a formal vote is needed for a continuation. Mr. Connors recommends it.

Mr. Canada made a motion to open the meeting to the public. Mr. Zaremba seconded the motion. All voted in favor and the motion was approved.

Mr. House invited members of the public to speak.

Travis Grieb of 17 Treat Farm Road commented that the cluster subdivision concept plan shows 20 parking spaces for public access. His understanding is that developers often plan for trails with public parking in order to get more acceptance or more flexibility with wetlands. He asked that the Board speak to that. Mr. Grieb commented that 20 parking spots seems like quite a bit for the small trail area shown on the plan. He added that his understanding of the Treat Farm subdivision is that four public parking spots were required in order to get more lots approved. He asked the rationale behind the public parking. Mr. House replied that public parking is not a requirement and that it is up to the Applicant to offer that and it has happened on other projects. Mr. Houghton stated that he does not think the Board can speak to the plan because the Applicant hasn't presented it. Mr. Grieb clarified that he is not asking specifically about the plan and instead is asking what a developer gets in turn for providing public parking. Mr. Houghton replied that generally speaking in a Cluster Development there is a requirement to provide Open Space for the Community and that Open Space is generally encouraged to include trail systems.

Beth Adams of 86 Winnicutt Road asked, what if the Open Space is a swamp? She added that the Open Space with trails (at Treat Farm) was supposed to be for equestrian use but it is so wet, not mowed, and is inaccessible in rain. She believes the Open Space is a farce. Mr. Canada replied that there is a proposed Zoning Amendment for the ballot in March 2024 which would state that wetlands cannot be included the Open Space calculations and this requirement is currently enforced until the Town Meeting. If it doesn't pass, it won't be enforced, but if it passes, this project will be subject to the new requirement.

Mr. Grieb asked why is public access to the Open Space encouraged? At Treat Farm it is a very short trail not like Stratham Hill Park where one can walk for miles. He asked if public parking spaces is part of the Cluster Development requirements. Mr. Houghton replied that part of the zoning is to promote connectivity between trail systems so that people have the opportunity to enjoy the Open Space from a connected perspective. Mr. Grieb asked if the goal is to connect bigger areas. Mr. Houghton replied correct.

Fred Emanuel of Patriots Road is interested in the layout of the development as he has 100 acres adjacent to it and is interested in potential connectivity between the properties.

Meghan Sealy, hoping to represent the owner at 86 Winnicutt Road, asked if a community water system will be established or if there will be individual wells. Mr. Connors replied they are proposing a community water system that will be regulated by NHDES.

Tim Willis of 4 Chestnut Way commented that there is a lot of traffic along Winnicutt Road and there is a passing zone in the area that needs to be removed especially with the addition of Treat Farm and increased pedestrian traffic. He is aware that Winnicutt Road is a State road and not

under the purview of the Town but this project will add much more traffic right at the bend coming down the hill. Mr. Houghton replied that the line of sight and other concerns would be validated through the subdivision process.

Mr. Canada made a motion to continue the application to the January 3, 2024 meeting. Mr. Zaremba seconded the motion. All voted in favor and the motion was approved.

Mr. Connors reminded the public that another notice will not be mailed since the continuance was announced at this meeting and advised that the public continue to review the Planning Board agenda online.

4. Other Business:

a. Amendment X Regulation of Storage Containers and Semi-Trailers: Review of Draft Language

Mr. Connors presented proposed language to regulate storage containers in the Zoning Ordinance. Section 5.5 of the Ordinance regulates accessory outside storage and Mr. Connors believes that this amendment will fit well in that section. The name of the section would be expanded to include storage containers, trailers, and dumpsters. A new subsection would be added prohibiting storage containers, semi trailers, dumpsters larger than 5 cubic yards, recreational vehicles or travel trailers/campers more than 30 feet in length, and other similar structures if they are maintained on a site for more than 30 consecutive days. Exemption criteria and definitions are also proposed.

Mr. Canada asked if this would apply to the Commercial District. Mr. Connors confirmed but it could be approved through a Site Plan. Mr. Canada commented that dumpsters are usually sized as even number cubic feet and the proposed language of 5 cubic yards would result in the allowance of a 4 cubic yard dumpster which is not sufficient for most businesses. He thinks there should be some exemption for commercial properties or the size increased. Mr. Canada stated that a lot of commercial properties are operating under a site plan approval but there are a number of properties that are not. Mr. Houghton agreed. Mr. Connors suggested exempting commercial and industrial land uses. Mr. Houghton agreed and provided some examples of existing storage trailers and he believes in the commercial environment it would be punitive to take that away. Mr. Zaremba asked if it would be by District or by use. Mr. Connors replied it can be done either way. Mr. Canada agrees with Mr. Houghton with regards to the Industrial District, but he's unsure about allowing it in commercial areas like the Gateway District. He added that dumpsters larger than 4 yards is needed. Mr. Houghton agreed and suggested 8 yards is the smallest. Mr. House commented that in industrial areas there will always be something in the parking lot, but in commercial areas they would likely be onsite for less than 30 days. Mr. Zaremba stated that dumpsters will be there. Mr. Canada stated that the next commercial property that uses a trailer for storage won't be the first one. He added that if it is allowed, there will be more commercial properties that will use trailers for storage.

Mr. Allison asked about the garage criteria. He wonders if screening might not be appropriate. Mr. Connors asked if Mr. Allison is requesting screening. Mr. Allison commented that the criteria statement mentions "any" and not "all" criteria being met. He added that there is a difference between a camper and a dumpster in terms of aesthetics and noted that a 25 foot setback is a lot but it will still be visible.

Mr. House commented that with regards to the criteria for structures less than six feet in height,

143 that it must, rather than may, be maintained within a fenced-enclosure. He asked what if it is more
144 than six feet in height. Mr. Zaremba replied then they would need to use a different criteria for
145 exemption or not be able to have one under the new provisions.
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147 Mr. Kunowski is struggling with the inclusion of recreational vehicles or travel trailers/campers
148 more than 30-feet in length and is trying to understand the intent. He believes there may be more
149 of those kind of structures currently in use in town than anything else potentially. He asked if there
150 is any language currently in the Ordinance regarding storage of RVs and campers. He is also
151 struggling with the 30-day criteria. Mr. Connors replied he added it because they are large vehicles
152 that sometimes neighbors don't like but their inclusion is optional or could be subject to less
153 stringent requirements. For example, maybe it only has to meet the setbacks. Mr. Kunowski
154 wondered if it is allowed and meets the criteria, would it be allowed as an ADU. Mr. Connors
155 replied that he believes the Town is covered from that with septic and other requirements in order
156 to be a living unit. Mr. Canada replied that Mr. Kunowski has a good point and he would like to
157 see unregistered recreational vehicles included.
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159 Mr. Zaremba asked if boats are included. Mr. Connors replied no.
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161 Mr. House asked if someone can place a storage container in their back yard within the setbacks,
162 is maintenance required. Mr. Allison replied the registration requirement would cover that. Mr.
163 Connors replied that storage containers would not be registered.
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165 Mr. House asked if RVs can be registered part-time and not year-round. Mr. Canada replied they
166 would be year-round. Mr. Connors replied that the term unregistered would cover that for RVs.
167 Mr. House asked if it is road worthy then it can sit there. Mr. Connors replied that means that it is
168 being maintained to some extent, that it is being inspected and registered. Mr. House replied that
169 a car needs to be registered before it is inspected, not the other way around. Mr. Connors noted
170 that it can't be driven if it is not inspected. Mr. Canada suggested adding that it must be registered
171 and inspected but that wouldn't apply to all trailers.
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173 Mr. Zaremba asked how big is 30 feet, is it the size of school buses? Mr. Connors replied basically,
174 yes.
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176 Mr. Willis asked if the public just listens to the Board discussion or if the public can speak. Mr.
177 House replied the public can speak. Mr. Willis has concern that boats aren't included and that he
178 thinks people have RVs and anything over 30 feet is probably (voice trails off). He has a neighbor
179 with a few boats out front and he wonders what the deal is with that.
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181 Mr. Emanuel asked if this is a problem in Stratham and have there been complaints. Mr. Canada
182 replied it came up. Mr. Emanuel just wanted to make sure and if there is a situation, this is a good
183 thing. He wonders once you have all of the paperwork, who is going to monitor it. Mr. Canada
184 replied it's like most things where the Town reacts to complaints and that we don't cruise the town
185 looking for trouble. Mr. Emanuel provided a final comment that he thinks this should be applicable
186 to the Residential zone only and not in the commercial or industrial areas. He added that there are
187 dumpsters in the Professional/Residential District as well. Mr. Allison replied that those properties
188 have the option to have the dumper permitted. Mr. Zaremba asked if they can exempt dumpsters
189 for normal business use. Mr. Connors replied it can be by zoning district or by use. Mr. Canada
190 suggested excluding commercial and industrial uses. Mr. Zaremba suggested exempting all of the
191 restrictions in the Industrial Zone. Mr. Connors replied he thinks virtually all of the properties in

the Industrial Zone have gone through site plan approval so he thinks they will meet the criteria for exemption related to a land use application approval.

Mr. House suggested edits to “may” for screening and maintenance. Mr. Connors offered edits including screening “shall” be required and only for properties that are eligible for site plan review.

Mr. House commented that the discussion is regarding storage of materials in general terms and that campers are included. He is concerned with people living in trailers and campers and asked if that would be a problem. Mr. Connors replied that there was a code enforcement issue recently where someone was living in a trailer and he was relocated and there are other provisions in the zoning that restrict that.

Mr. Connors read aloud edits to the draft language including requiring screening and adding unregistered and uninspected to recreational vehicles. He will research potential language for screening in criteria b. A subsection will be added exempting commercial and industrial uses. Criteria d will clarify that structures ‘shall’ rather than ‘may’ be maintained within a fenced enclosure. And finally he will finish the definition of semi-trailer.

Mr. Canada asked if this will be discussed before the public hearing. Mr. Connors replied that the amendments have been set for public hearing so the revised language will be reviewed at the public hearings on January 3rd and 17th. Changes can be made at the first hearing but at the second hearing only minor changes can be made or the amendment can be pulled.

5. Adjournment

Mr. Zaremba made a motion to adjourn the meeting at 7:45 pm. Mr. Kunowski seconded the motion. All voted in favor and the motion was approved.