



**Stratham Planning Board**  
**Meeting Minutes**  
**November 29, 2017**  
**Municipal Center, Selectmen's Meeting Room**  
10 Bunker Hill Avenue  
Time: 6:00 PM

Members Present: Bob Baskerville, Chairman (7:04 pm)  
Jameson Paine, Vice Chairman  
Tom House, Secretary  
Mike Houghton, Selectmen's Representative  
Robert Roseen, Alternate (6:58 pm)

Members Absent: David Canada, Member  
Nancy Ober, Alternate

Staff Present: Tavis Austin, Town Planner

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

The Chairman took roll.

**2. Review/Approval of Meeting Minutes**

**a. November 15, 2017**

Mr. House made a motion move the review of the November 15, 2017 meeting minutes to the December 6, 2017 meeting. Motion seconded by Mr. Houghton. Motion unanimously.

**3. Public Meeting**

Mr. Austin stated staff review for December 6, 2017 meeting is awaiting the third party review for a project which cannot be discussed tonight. The review was received today and the board will have staff reviews by late afternoon on November 30, 2017. Mr. Austin stated December 6, 2017 meeting will have the continued hearing for 8 Whittaker Drive, Sullivan Subdivision, and a new application for a 1-lot split, porkchop, subdivision which is complete and ready to go before the board. Mr. Austin stated that tonight is a public meeting and not a public hearing so it is the board's discretion if the board chooses to elicit public comment. Mr. Austin received another email since the November 15, 2017 meeting regarding zoning changes and has copies for the board. Mr. Austin has copies of the traditional zoning amendments, as well as the telecommunications facilities, for the public to review.

46  
47 a. **Planning Board Workshop to review Section XIX Telecommunication Facilities**  
48

49 Mr. Austin explained the board packet includes the information from the November 15, 2017  
50 meeting, as well as the model ordinance which was discussed. Mr. Canada sent an email  
51 earlier this afternoon indicating he would not be in attendance and sent along comments for  
52 the board's review. Mr. Austin stated a big discussion from the last meeting was height of  
53 towers, specifically 19.4.3. Mr. Houghton explained the board should go through the  
54 ordinance page by page to be thorough and make sure everything is covered. **See Attached**  
55 **Addendum #1 and Addendum #2 for proposed ordinance changes.**  
56

57 19.1 Authority  
58

59 No changes proposed  
60

61 19.2 Purpose and Goals should change to Statement of Purpose and Findings:  
62

63 The description has been replace with new bullets A-G. Mr. Houghton asked Mr.  
64 Paine if this covers his concerns with encouraging the use of mini-towers on top of  
65 buildings, telephone poles, etc. Mr. Paine agreed but would like 19.2.d highlighted to  
66 encourage the design and construction of towers and antenna which minimize adverse  
67 visual impacts. Mr. Austin stated this is not a regulation and A-G should be the  
68 planning board's philosophy on towers.  
69

70 The board agreed to the changes presented.  
71

72 19.2.1 Preserve

73 19.2.2 Reduce

74 19.2.3 Provide  
75

76 No changes proposed.  
77

78 19.2.4 Permit  
79

80 Mr. Austin modified the definition to include the construction of new towers only  
81 where other reasonable opportunities have been exhausted and encourage users of  
82 towers, antennas to configure them in a way, including, but not limited to, small cells.  
83

84 The board agreed to the changes presented.  
85

86 19.2.5 Require

87 19.2.6 Provide  
88

89 No changes proposed.  
90  
91  
92  
93

94 19.2.7 Provide

95  
96 Mr. Austin added “Include the right to remove abandoned poles...” and later in the  
97 regulations there is a bonding requirement that covers the cost so the town has the  
98 authority and monetary ability to provide the service.  
99

100 The board agreed to the changes presented.  
101

102 19.2.8 Provide

103  
104 Eliminate in entirety 19.2.8.  
105

106 Mr. Austin suggested A-G under 19.2 become 19.2.1-19.2.7 and renumber the following  
107 remaining items.  
108

109 The board agreed to the changes presented.  
110

111 19.3 Definitions

112  
113 19.3.1 Alternative Tower Structure:  
114

115 Language was added to the end of the first paragraph, as well as a new paragraph  
116 regarding “structures may not always ‘camouflage or conceal’ definition.  
117

118 The board agreed to the changes presented.  
119

120 19.3.2 Antenna  
121

122 Strike the word “exterior” from the first paragraph and add paragraph that describes  
123 anything that is put up with the purpose of telecommunication facility is now  
124 considered an antenna.  
125

126 The board agreed to the changes presented.  
127

128 19.3.3 FAA

129 19.3.4 FCC

130 19.3.5 Height

131 19.3.6 Planning Board  
132

133 No changes proposed  
134

135 19.3.7 Preexisting Towers and Antennas  
136

137 Change the word “Preexisting” to “Existing” and add “Planning” before “Board”.  
138

139 The board agreed to the changes presented.  
140  
141  
142

143 19.3.8 Telecommunications Facilities

144  
145 Add “broadband Wi-Fi services” to the description. Mr. Paine questioned if the word  
146 “broadband” will create any technology issues in the future. Mr. Paine stated it can  
147 stand for now and be looked at in the future if needed. Mr. Austin suggested “all  
148 applications for a new telecommunication facility, the applicant must prove by  
149 substantial evidence, including, but not limited to, a town-wide site evaluation master  
150 plan for coverage that details possible antenna or co-locations that anticipates future  
151 needs for 5 years.” Mr. House stated a master plan will include all equipment in town.  
152

153  
154 The board agreed to the changes proposed.  
155

156 19.3.9 Tower

157  
158 Expand the definition of “tower” throughout the description.  
159

160 The board agreed to the changes proposed.  
161

162 19.4 Siting Standards

163  
164 19.4.1 General

165  
166 a. Principal or Accessory Use:

167 Correct general grammatical errors in the description and add the word “and;” to  
168 the end of the description.  
169

170 b. Add description that substantial evidence must be provided for the need for a  
171 facility.  
172

173 Mr. Houghton stated that alternative approaches need to be satisfied before the  
174 board will approve. Mr. Houghton would like this to hold the applicant to looking  
175 at alternative options to reach their goal with coverage. Mr. Austin stated the word  
176 “facility” is critical in the description and whether “facility” should reference  
177 “antenna” specific to 19.3.2 because “antenna” is defined as any apparatus  
178 designed to put something in the air for communication. This description is for the  
179 applicant to prove there is a need for their proposal and (C1) goes further into  
180 applicant submitting evidence they’ve made a genuine effort to solicit additional  
181 users for proposed tower. Mr. Paine asked if the board could request the review of  
182 a larger area to ensure tower locations cover the most area possible in concert with  
183 each other or regionalize the approach instead of isolated towers. Mr. Houghton  
184 would like the applicant to prove that two smaller towers would close the coverage  
185 gap if that is what the board would like to see. Mr. Austin stated the applicant  
186 needs to prove that no reasonable combination of locations, techniques or  
187 technologies will satisfy the need. Mr. Paine would like to request the applicant  
188 provide this information be submitted during preliminary consultation or  
189 application to understand what the long-term goal of providing coverage is.  
190

191 c. To remain as written.

- d. Mr. Austin would like confirmation from Mr. Deschaine on the length a bond can be held. Mr. Deschaine stated the applicant is being held to a performance standard as a condition of the approval. Mr. Deschaine stated the board could request the applicant, for the duration of the permit, provide a current cost estimate to remove structures and equipment, and provide said surety bond to reflect that amount and be reviewed in 5 year increments. Mr. Austin will change “\$10,000 cash surety” to “the applicant will provide a cost estimate, along with an escrow fund for said amount, to remove above-ground structural items on the site, the amount to be reviewed and amended, as necessary, in 5 yr. increments.”

The board agreed to the changes proposed.

Mr. Deschaine stated a legal review should be done at some point to make sure the town is in compliance with statutes and present laws. Mr. Austin stated these changes will be updated and sent along with the planning materials for the December 6, 2017 meeting and the board can then decide to go forward with legal review or not.

Ceyda Yalcinkaya, 3 Bittersweet Lane, is concerned with the wording in 19.4.1(b) “cost of co-location exceeds the cost of a new facility by at least fifty percent” and does not feel it necessary. Durham does not have a cost related item for this. If the applicant needs to strengthen an existing tower it will be at their cost. Mr. Austin stated obligating an applicant to co-locate without choice may become a legal issue under the statute of the FCC. Mr. Austin will seek the attorney’s advice on this question.

#### 19.4.2 Use Districts

Mr. Houghton asked whether the board needs to permit this in residential zones and whether the board can say “not permitted”. Mr. Austin will make the following changes in the table: change “Co-location on Pre-Existing Tower” to “Co-location on Existing Structure” and “Commercial Zone” and “Residential Zone” to plural form. Mr. Austin asked if the board would like to require the special exception. Mr. Houghton and Mr. Paine agreed they would like to leave the special exception in. (Rob Roseen arrived at 6:58 pm). Mr. Austin explained the next changes. Co-location on Existing Structure is stricken in its entirety. Footnote #2, remove in its entirety. Footnote #3 stricken by the 3<sup>rd</sup> party and replace with new paragraph. Footnote #4.1 change “flush mounted” into “interior array”; #4.2 change to “Shall be located within a currently constructed with approved site plan”. (Bob Baskerville arrived at 7:04 pm). Mr. Paine turned the meeting over to Mr. Baskerville, Planning Board Chairman. Footnote #4.3 remains as is. Footnote #4.4 add new paragraph at the end regarding height and screening. Mr. House stated Mr. Deschaine sent out a spreadsheet with the available acreage in Stratham. Mr. House questioned if a resident would like to put a tower in their available 20 acre parcel would they be able to add a tower. Mr. Roseen stated no they would not be able to. Discussion ensued regarding towers in commercial and residential areas. Mr. House questioned the definition of “existing” in Footnote #2. Mr. Austin stated that is the current regulation and his interpretation is those things called out all require site plans, therefore, it made sense to extend that to only within the approved site plan.

241 The board agreed to the changes proposed.

242  
243 Ms. Yalcinkaya, would like the ordinance to include the clause “the tower must be  
244 located a minimum of 1,500 ft. away from school zones and residential areas” in the  
245 residential zone table. Mr. Paine asked what towns have this ordinance. Ms.  
246 Yalcinkaya stated Walnut, CA. Mr. Baskerville stated tall tower’s that are powerful is  
247 what the town is trying to avoid. When 5G becomes available little towers that are  
248 weaker will be sought.

249  
250 Ms. Yalcinkaya was reminded that this meeting was a Planning Board working session  
251 and not a public hearing. The Planning Board is interested in her concerns and  
252 receiving comments from town residents, but that takes place at a Public Hearing and  
253 not a Public Meeting.

#### 254 255 19.4.3 Height Requirements

256  
257 The table column headings changed; remove “Preexisting” to “Existing Structure” and  
258 remove percentages and leaving “Current Height”. Mr. Austin read Mr. Canada’s  
259 comments since he was unable to attend. Mr. Canada is against more stringent height  
260 requirements for cell towers. Cell towers need to work in terrain such as Stratham’s  
261 and short towers will likely not work. Cell companies are not our enemies and provide  
262 us an important service we all demand, and although not pretty, neither is a series of  
263 poles with multiple wires strung up on them, utilities are just utilities. Mr. Roseen  
264 agreed. Mr. Houghton does not want to enable, but to make the applicant to consider  
265 different alternatives that might include multiple sites, which are less obtrusive. Mr.  
266 Paine asked for confirmation that the ordinance will give the applicant the current  
267 height of the pole plus 10%. Mr. Austin stated no, the middle column the board  
268 suggested striking 10%, the applicant can go on an existing structure at current height.  
269 Mr. Austin stated the rule today states current height plus 15% and it has been  
270 modified to 10%, which the board then deleted. “New Tower Construction” will  
271 change to 100 ft. Remove “Co-location on Existing Structure” column in its entirety.  
272 Add Footnote #1 paragraph regarding dense vegetation; (B) add paragraph regarding  
273 “aesthetically acceptable” and “undisguised” facility; (C) add paragraph regarding  
274 “atop or within existing buildings not to increase in height of structure of no more than  
275 10% of the structure’s height without the facility of the maximum height, whichever is  
276 less provided any additional height is disguised allowing in the zoning district... ”.  
277 Add definition for the word “disguised”.

278  
279 The board agreed to the changes proposed.

#### 280 281 19.5 Applicability

##### 282 19.5.1 Amateur Radio; Receive-Only Antennas

##### 283 19.5.2 Essential Services & Public Utilities

284  
285 No changes required.

#### 286 287 19.6 Construction Performance Requirements

290 19.6.1 Aesthetics, Noise, and Lighting

291  
292 Add paragraph regarding “alternative tower structures” for main description.  
293 Discussion ensued regarding the noise regulations to encourage decibel ranges. Add  
294 “no equipment shall be installed at height less than 15 ft... to 19.6.1(c).

295  
296 The board agreed to the changes proposed

297  
298 19.6.2 Federal Requirements

299  
300 Add paragraph regarding all support structures shall comply with setbacks.

301  
302 The board agreed to the changes proposed.

303  
304 19.6.3 Building Codes-Safety Standards

305  
306 No changes required.

307  
308 19.6.4 Additional Requirements for Telecommunication Facilities

309  
310 a(i) “Towers must be set back a distance equal to 125% of the height of the tower  
311 from any line;”

312 b(ii) Strike “flush mounted” and capitalize Planning Board.

313 c(i) and c(ii) Correct grammatical errors.

314  
315 19.6.4(a)(1-5) to read “alternative tower structures”.

316  
317 The board agreed to changes proposed

318  
319 19.6 Conditional Use Permits

320  
321 19.7.1 No changes required.

322  
323 19.7.2 (ii) Add “alternative tower structure”

324  
325 Add “(xi) Acoustic impact”.

326  
327 The board agreed to changes proposed.

328  
329 19.7.3 Information Required

330  
331 Add “and calibration data”, as well as “feet” to definition paragraph.

332  
333 (b) Add “Stratham” after Town.

334 (c) Add “and radiating sites”. Strike (iv) in its entirety, this information is in 19.4.i.b  
335 states the applicant has to approve they can’t co-locate and 19.4.i.c states the  
336 applicant will have to make the tower available for co-location.

337  
338 The board agreed to the changes proposed.

339  
340 19.7.4 Co-location Agreement

341  
342 Strike in its entirety.

343  
344 The board agreed to the changes presented.

345 19.7.5 Coverage “and Capacity” Engineering

346  
347 Add language regarding cellular traffic congestion.

348  
349 The board agreed to the changes proposed.

350  
351 19.8 Waivers

352  
353 19.8.1 General

354 19.8.2 Conditions

355 19.8.3 Procedures

356  
357 Add the word “Planning” before Board. Mr. Austin will check with legal counsel  
358 regarding waivers.

359  
360 The board agreed to the changes proposed.

361  
362 19.9.9 Bonding and Security

363  
364 No changes required.

365  
366 19.10 Remove of Abandoned Antennas and Towers

367  
368 Add “pursuant to Section 19.4.1 (d) above” and “(2)”.

369  
370 The board agreed to the changes proposed.

371  
372 **b. Planning Board Workshop to review potential Zoning Amendments**

373  
374 3.6 Table of Uses

375  
376 A.8 Strike “Accessory Apartments” and replace with “Accessory Dwelling Units”.  
377 Correct the word “Unis” and replace with “Units”

378  
379 Mr. House made a motion to correct the Scribner’s error and to make the  
380 modification without going to Town Warrant. Mr. Houghton seconded the  
381 motion. Motion carried unanimously.

382  
383 3.8.8 Development of Standards and Tables

384  
385 Mr. Paine made a motion to correct the Scribner’s updates to 3.8.8. Mr. House  
386 seconded the motion. Motion carried unanimously.



388 3.9 Town Center District

389  
390 3.9.6 Mr. Austin explained a change was made last year to 3.8.6 to clarify how  
391 Gateway Projects go from TRC to the Planning Board. This new language is  
392 the same at 3.8.6 for Gateway, but for the Town Center.

393  
394 3.9.8 Development of Standard and Tables

395  
396 Change “accessory apartments” to “accessory dwelling units”.

397  
398 Mr. Paine made a motion to correct the Scribner’s updates to 3.9.8. Mr. House  
399 seconded the motion. Motion carried unanimously.

400  
401 4.2 Table of Dimensional Requirements

402  
403 Add sentence to description paragraph that this section shall not regulate any Gateway  
404 (Center or Outer) or Town Center Zoning due to 3.8 and 3.9 regulating those areas.

405  
406 7.4 Permit Procedures

407  
408 a.9. “Design information such as illumination, function, and other central  
409 characteristics of the proposed sign. For temporary signs also include name  
410 and contact number to individuals responsible for the installed sign.”

411  
412 b(v) Add “both sides of the completed sign”, as well as “the photo must show the  
413 responsible party’s name and contact number displayed on the installed sign.”

414  
415 7.5 Exempt Signs

416  
417 i. Add “the total number of signs per location shall not exceed two (2) in  
418 number.”

419  
420 s. Add paragraph for “Not-For-Profit Fundraising” signs.

421  
422 8.11 Maximum Development Density

423  
424 a. Density

425  
426 “The Planning Board shall adopt regulations that provide for the generation of a  
427 yield plan in accordance with this section. In no case shall any bonuses,  
428 hereinafter described, shall exceed 50%.”

429  
430 b(ii) Change language to read “A density bonus of up to 1 lot may be awarded for the  
431 preservation of each potential frontage lot vacant at the time of application.”

432  
433 b(v) Merge b(iv) and b(v) and add “bicycle or pedestrian trails” and remove “the  
434 board may grant additional density bonus of up to 10%. Change language “If the  
435 improvements are made available to the general public, this bonus may be  
436 increased to an additional 5%”.

437  
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439  
440  
441  
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443  
444  
445  
446  
447

12.6 Permitted Uses

12.6.4 Special Exception for Lots of Record

Add the word “any” before structures.

**5. Adjournment.**

Mr. Houghton made a motion to adjourn the meeting at 9:27 pm. Mr. House seconded the motion. Motion carried unanimously.