



**Stratham Planning Board Meeting Minutes**  
**February 21, 2024**  
**Stratham Municipal Center**  
**Time: 7:00 pm**

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

**Members Absent:** David Canada, Vice Chair

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

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

Mr. House called the meeting to order at 6:59 pm and took roll call.

**2. Approval of Minutes**

a. January 17, 2024

**Mr. Zaremba made a motion to approve the January 17, 2024 meeting minutes. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.**

**3. Public Meeting:**

- a. Lindt & Sprungli USA, Inc. (Applicant & Owner) - Request for approval of an Expedited Site Plan Review Application to construct a proposed 600-foot addition to an existing manufacturing and office use at One Fine Chocolate Place, Tax Map 3, Lot 1, Zoned Industrial. Applicant is represented by The H.L Turner Group, 27 Locke Road, Concord, NH.

Mr. Connors introduced the application. The Lindt facility is the largest commercial/industrial use in town. This project is a small addition on the front side of the building closest to Marin Way. He stated this is a secure facility and the addition will likely not be visible from the right of way. Due to the size of the building and the lack of needed waivers, this project meets the requirements for expedited Site Plan Review which does not require a public hearing.

Douglas Brodeur from the HL Turner Group spoke on behalf of the Applicant. He directed the Board's attention to the cover sheet and described the location of the project as well shielded from any residential abutters and will also be difficult to see from the right of way. Mr. Brodeur stated there is one change from the submitted plans. Two inches was added to one side of the building and four inches to the other side for a total of 12 square feet. The purpose of the addition is to

house mechanical equipment for the processing. As such there will be no additional employees, traffic, or parking. Regarding stormwater the Applicant does not believe it is necessary to perform an analysis as this is only an additional 630 square feet of roof to an existing million and a half square feet of impervious area. It will drain to the front fire pond that was approved for stormwater treatment as a retention basin. Mr. Brodeur added that the capacity of the basin was reviewed during the last application and there is excess capacity available for this project. The building will be single story, about 12 feet inside, and about 15 feet on the exterior roofs. There is a fourth transformer pad adjacent to the building along with some relocation of water lines and there will be no mechanical equipment mounted on the roof or exterior.

Mr. Houghton asked if there are any exhaust fans. Mr. Brodeur replied his understanding is there is nothing.

Mr. Kunowski asked if the pumps to be housed in the space are being relocated from another part of the facility or if they are additional pumps. Mr. Brodeur replied they are additional in order to bring some new manufacturing lines into the facility. Mr. Kunowski asked if any demolition is proposed. Mr. Brodeur replied there will be some selective demolition for penetrations to the existing wall for piping. There is a small pump house on one side of the building that is about 6 feet by 6 feet, that is for the future doorway to go between the existing building and into this one. There is equipment currently in that space that will be relocated in the future.

Mr. House asked if there will be any noise generation. Mr. Brodeur replied that there will be insulated metal panels like in the existing facilities and they are very sound attenuating. Mr. Houghton asked if they are four or six inch walls. Mr. Brodeur replied he thinks they are six inch walls that are made out of sheet metal with spray foam on the interior.

There were no further questions from the Board and Mr. House requested a motion to open the meeting to the public.

**Mr. Zaremba made a motion to open the meeting to the public. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.**

Mr. House announced that no members of the public were present.

**Mr. Zaremba made a motion to close the meeting to the public. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.**

Mr. Zaremba asked if all construction will be done during normal business hours. Mr. Brodeur replied that he assumes so. Mr. Zaremba asked Mr. Connors if the Town has a requirement for that. Mr. Connors replied that we don't have a specific ordinance for construction, but the general noise ordinance would apply. Mr. Houghton suggested that be included as a condition of approval.

Mr. Connors presented the following conditions of approval:

1. A note shall be added to the plan that the proposed addition is for a utility room and will not directly incur any additional employees or traffic to the facility.
2. The applicant shall work with the Town Planner to incorporate minor technical revisions into the plans.
3. The applicant shall work with the Town Planner to ensure the application meets the letter, spirit, and intent of the Town's Stormwater Regulations.

4. The applicant shall be responsible to obtain any associated state or federal permits and the permit numbers shall be noted on the plan.

Mr. Houghton stated that condition 5 should be that construction will take place during normal business hours. Mr. Connors suggested 7:00 am to 7:00 pm.

Mr. House asked if there will be any new landscaping. There will be some grass to the sidewalks. Mr. House asked if the transformer location was approved by the utility company. Mr. Brodeur replied yes.

Mr. House called for a motion if there are no additional questions.

**Mr. Kunowski made a motion that the Planning Board approve the Expedited Site Plan Review application to construct a 600 square foot addition to the existing manufacturing office use at 1 Fine Chocolate Place, Tax Map 3, Lot 1, Zoned Industrial, consistent with the site plan and associated materials submitted by Turner Group subject to the following binding conditions:**

**1. A note shall be added to the plan that the proposed addition is for a utility room and will not directly incur any additional employees or traffic to the facility.**

**2. The applicant shall work with a town planner to incorporate minor technical revisions into the plans.**

**3. The applicant shall work with the Town Planner to ensure the application meets the letter of spirit and intent of the Town's stormwater regulations.**

**4. The applicant shall be responsible to obtain any associated state and federal permits and the permit number shall be noted on the plan.**

**5. Construction will be limited to the hours of 7am and 7pm.**

**Mr. Zaremba seconded the motion. All voted in favor and the motion passed.**

**b. Other Business:**

**1. Stratham RPC TAC Member Recommendation**

Mr. Connors explained that the TAC is the advisory committee of the Regional Planning Commission and every town is assigned a member. The committee that meets monthly. Stratham's representative has typically been the town planner. The new term expires on December 31, 2025 and the Planning Board needs to nominate someone to serve in this role. Mr. Connors is happy to continue in the role and Susan Connors, the Planning Project Assistant would serve as the alternate.

**Mr. House made a motion to nominate Mark Connors to serve as Stratham's TAC member of the Regional Planning Commission with Susan Connors as the alternate. Mr. Houghton seconded the motion. All voted in favor and the motion passed.**

**2. Legislative Update**

Mr. Connors presented some proposed Legislations that are only in the early stages.

House Bill 1291 relates to Accessory Dwelling Units and would require Towns to allow two ADUs per property. One would be detached which Stratham already allows. One ADU would be allowed by right and the second would require a Conditional Use Permit or a Special Exception. There is

some text in the bill that says towns could establish a minimum lot size of half an acre. There is a committee hearing on March 8.

House Bill 1359 would expand the definition of abutter. Currently, we are required to notify anyone who whose property touches or is across the street from the subject property. The bill would define abutters to those within 50 feet of the property boundaries. It would also allow abutters to appeal a ZBA application. Currently an abutter must raise an objection at the hearing to be able to appeal the decision.

House Bill 1399 would allow the conversion of single family homes to duplexes without discretionary review or hearing if the conversion does not involve demolition and more than 25% of exterior walls. This would affect Stratham because we have a higher minimum lot size for duplexes. With this bill if a property owner had only two acres, they could convert to a duplex where currently they could not in Stratham. Mr. Houghton asked if that would be only in Zones that allow duplexes. Mr. Connors replied yes. Mr. Zaremba asked if we can still require the larger lot size. Mr. Connors replied no as long as they are not dramatically changing the exterior of the building.

Senate Bill 538 is a miscellaneous group of changes. It would allow the Select Board to approve amendments to the Zoning Ordinance instead of having to go to ballot. It would also extend property tax relief, incentives to the conversion of office space to residential uses. And it would provide some density bonuses for workforce housing if the town does not already have them on the books, which Stratham does.

House bill 1567 would require municipalities to permit home based care (family care and group family care) by right including an accessory use to primary residential and not subject to Site Plan review in residential districts

Senate Bill 471 would establish a 45 mile per hour speed limit on rural highways. Mr. Connors is not sure exactly of the definition of rural highways, but he suspects that Route 33 would qualify north of the traffic circle.

House Bill 1483 would allow municipalities to include provisions to ensure there's adequate water supply to support existing or anticipated future land uses, including minimum private well testing. The committee hearing for that was today so Mr. Connors is not sure of the outcome.

House Bill 1215 would exempt subdivision plats, site plans, and building permits from changes to local ordinances and state building codes after they are approved.

Senate Bill 364 would establish a historic housing preservation tax program administered by the Housing Finance Authority. This bill has gone through the committee and has sought to pass recommendation from the Senate Committee.

HB 1602 would expand the authority of the Housing Appeals Board to hear appeals state agency permits where it is currently limited to municipal decisions.

### 3. Draft Open Space & Connectivity Plan Update

Mr. Connors presented the draft Open Space and Connectivity Plan. It is in a story map format that

is designed to be read online. It can be downloaded as a pdf but it is more effective to be viewed online as there are some interactive features. The Town is accepting comments on the draft for 30 days.

4. Staff Request for Third Party Engineering Review: 189 Bunker Hill Avenue six-lot subdivision application

Mr. Connors stated that the formal application was submitted for this project and the public hearing is scheduled for early March. He recommends that the Board not get into a discussion about the project at this meeting as the abutters are in the process of being notified. But he would like to get started on third party review with the Town's consulting engineer and he is seeking the Board's approval for that.

Mr. Houghton asked who the town is using. Mr. Connors suggested CMA out of Portsmouth.

Mr. Allison asked if they are a municipal engineering firm. Mr. Connors replied they are an engineering firm that does a lot of third party work for municipalities.

Mr. Zaremba asked Mr. Connors if this process is proposed to be changed at Town Meeting so that the Town Planner does not need approval from the Board for third party review. Mr. Connors replied no.

Mr. Kunowski asked if the review would be completed prior to the March 6<sup>th</sup> meeting. Mr. Connors replied no but they would have some preliminary input and he does not anticipate the Board making a decision at the March meeting.

Mr. Zaremba asked if this is normal for a subdivision. Mr. Houghton replied not for all, but it is typical.

**Mr. House made a motion to authorize the Planning Director to obtain the services of the town consulting engineer to engage in a comprehensive third-party engineering review of the plans and associated materials for the pending subdivision application at 189 Bunker Hill Avenue. Mr. Allison seconded the motion. All voted in favor and the motion passed.**

5. 13-15 Stoneybrook ZBA decision

Mr. Connors stated that the Select Board requested a rehearing of the Stoneybrook decision by the Zoning Board next Tuesday. They have two options, deny the rehearing which the Select Board could subsequently appeal or they can approve the rehearing which starts the whole process over again with abutter notification. And the Zoning Board would not be impacted at all by their earlier decision.

**4. Adjournment**

**Mr. Zaremba made a motion to adjourn the meeting at 7:36 pm. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.**