



Stratham Planning Board Meeting Minutes

August 05, 2020

Virtual Meeting/Conference Call

Time: 7:00 PM

Members Present: Mike Houghton, Selectmen's Representative
Tom House, Member
David Canada, Member
Colin Lavery, Member
Pamela Hollasch, Alternate Member

Members Absent: Robert Roseen, Member

Staff Present: Tavis Austin, Town Planner

1. Call to Order/Roll Call

Mr. House welcomed everyone to the Town of Stratham Planning Board meeting for August 05, 2020. He said before they get started he is required to notify everyone that do to the State of Emergency declared by the Governor as a result of the Covid-19 Pandemic in accordance with the Governor's Emergency Order number 12 pursuant to Executive Order 2020-04 the public body is authorized to meet electronically. Please note that there is no physical location to observe and listen contemporaneously. This meeting is authorized pursuant to the Emergency Order however, in accordance with the Emergency Order, he is confirming that all members of the Planning Board have the ability to communicate contemporaneously during this meeting through this platform and the public has access to listen and participate if necessary in this meeting. The public can dial in with the number 1-800 764-1559 with an access code of 4438. Meeting materials are available through the town website and can be found by clicking on the agenda links under each section. The agenda includes information for accessing the meeting including Tavis Austin's number to call if there is a problem, 603-772-7391 extension 147 and he will be able to help someone get on. Mr. House asked everyone to silence their phones and announce if anyone else is present with each participant.

Mr. Austin took roll call. Mr. Canada stated he was present and by himself, Mr. Houghton stated he was present and by himself, Mr. House stated he was present and by himself, Mr. Lavery stated he was present and by himself, and Ms. Hollasch stated she was present and by herself. Mr. House asked Ms. Hollasch to be a voting member.

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40 **1. Review/Approval of Meeting Minutes: July 15, 2020**
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42 Mr. Houghton made a motion to approve the July 15, 2020 meeting minutes and Mr.
43 Canada seconded the motion. Mr. Austin took roll call; Canada, Aye; Houghton, Aye;
44 House, Aye; Lavery, abstained; Hollasch, Aye. Minutes approved.

45 **2. Public Meeting:**

- 46 **a. Cleary Subdivision.** Minor Subdivision Application to create one (1) new
47 building lot at 7 Boat Club Drive, Tax Map 8, Lot 39, owned by Robert and
48 Stephanie Cleary. Application submitted by Justin L. Pasay, Esq, Donahue,
49 Tucker and Ciandella, 111 Maplewood Ave., Suite D, Portsmouth, NH
50 03801.

51 Mr. Austin provided an overview of the submitted application materials and the
52 proposed project. He also indicated receipt of public comment via email earlier in the
53 afternoon noting the Board should not review the material until after opening the
54 public hearing. Mr. Austin recommended that the application was complete and,
55 further, recommended the Board open the public hearing following acceptance of the
56 application as complete.

57 Mr. Houghton motioned to accept the application as complete. Mr. Lavery seconded
58 the motion. The application was accepted as complete upon a unanimous roll call
59 vote.

60 Mr. Houghton motioned to open the public hearing. Mr. Canada seconded the
61 motion. The public hearing was opened at 7:10 PM, upon a unanimous roll call vote.

62 Justin L. Pasay, Esq, Donahue, Tucker and Ciandella, representing the applicant,
63 stated he was alone and proceeded to provide some additional details on the proposed
64 project. Mr. Pasay concluded by requesting a continuance of the public hearing until
65 September 2, 2020 in order to allow him to coordinate with the abutters related to
66 their expressed concerns as referenced earlier by Mr. Austin. He further requested
67 the Board consider a site walk; perhaps prior to the September 2, 2020 meeting if
68 such a schedule was amenable to the Board.

69 Mr. Houghton motioned to continue the public hearing until September 02, 2020 at 7
70 PM and for staff to schedule a site walk for September 02, 2020 at 6 PM. Mr.
71 Lavery seconded the motion which passed with a unanimous roll call vote.

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73 **b. Stratham Green Condo Unit Owners Assoc. Solar.** Proposal to install 230
74 (400 watt) photovoltaic modules (5)-14.4 kw inverters, MT Solar pile driven
75 racking, AC/DC disconnects and revenue grade meters at Stratham Green
76 Condos, College Road, Stratham, NH 03885; Tax Map 17, Lot 31.
77 Application submitted by George Horrocks, Harmony Energy Works, 10 Gale
78 Road, Hampton, NH 03842.

79 Mr. Austin provided an overview of the submitted application materials and the

proposed project. He also noted the current project to be the same as presented to and approved by the Board this past February. Mr. Austin recommended that the application was complete and, further, recommended the Board open the public hearing following acceptance of the application as complete.

Ms. Hollasch motioned to accept the application as complete. Mr. Lavery seconded the motion. The application was accepted as complete upon a unanimous roll call vote.

Ms. Hollasch motioned to open the public hearing. Mr. Lavery seconded the motion. The public hearing was opened at 7:24 PM, upon a unanimous roll call vote.

Jeff Gallagher, President of the Stratham Green Association, spoke to the Board regarding their application and the efforts made towards compliance with the conditions of approval from the previous Board action.

Mr. Austin stated his recommendations for potential conditions of approval; essentially the same as previously required by the Board.

Ms. Hollasch left the meeting at 7:35 PM.

Board members generally discussed the need for the landscaping, from the proposed conditions, needing to last for the life of the project. Mr. Canada asked if the Board would be involved in any enforcement if the landscaping was not installed properly or proved ineffective over time. Mr. Austin stated the landscape screening is being considered as a condition of the project, so failure of the landscaping to satisfy the condition would be enforceable by the Town. Mr. Gallagher expressed the Association's intent to maintain their project in compliance with the Board's action and insure the abutter's concerns are mitigated.

Mr. Houghton motioned to accept and approve the requested waivers. Mr. Canada seconded the motion which passed with a unanimous roll call vote.

Mr. Houghton motioned to approve the Site Plan and Conditional Use Permit for the project as submitted with the following conditions:

Conditions Precedent:

1) Applicant to coordinate with abutter (DeRousch) on mutually acceptable screen plantings to satisfaction of Town Planner; and

2) Prior to building permit issuance, Applicant shall satisfy the performance agreement as outlined in the Solar Regulations or, alternatively, or provide easement and related lien language to satisfy similar the public interest as the performance agreement for Town Counsel Review and recommendations to Town Planner.

Conditions Subsequent:

1) Prior to final inspection and/or Certificate of Occupancy, applicant shall submit an as-built plan of the landscape screening which shall include statement and signature of abutter verifying satisfaction with install landscaping.

Mr. Roseen Lavery seconded the motion which passed with a unanimous roll call vote.

- c) **Parkman Brook Plaza—Proposed ATM. Preliminary Consultation.**
Proposal to construct a freestanding ATM at 20 Portsmouth Ave,
Stratham, NH 03885; property owned by NP Stratham LLC, c/o Northstar
Properties, 150 East 58th Street, 20th Floor, New York, NY 10155.
Submitted by Ken Knowles, Eaglebrook Engineering & Survey, LLC

Mr. Austin introduced the project and reminded the Board that as a Preliminary Consultation, all discussion was non-binding on behalf of the Board and the applicant.

Ken Knowles of Eaglebrook Engineering & Survey, LLC, provided some additional background and brought site plan details to the Board's attention. He noted the site would remain in compliance with the required number of off-street parking stalls, the property already at maximum capacity with regard to water and sewer while his proposal required neither.

Mr. Austin expressed concern over general inconsistency with the Gateway regulations specifically architectural features and desire for drive-through only service unlike other recent projects where drive through was an incidental component of a larger project.

Mr. Canada stated his concern that the proposed ATM was *only* drive-through.

Mr. Houghton questioned the lack of a walkability component; no way to walk from the plaza building for example. He also expressed concerns related to landscaping and lighting, illumination, and public safety.

Mr. Lavery commented the need for more detail on those items previously mentioned. He added desire to see site signage or directional signage/guidance to the proposed ATM.

Mr. Knowles acknowledged the need for the detail requested by the Board. He stated that his intent for the Preliminary Consultation was to gain a sense of the Board's receptivity to the proposal.

Mr. Canada stated his skepticism that the applicant could satisfy the regulations with a drive-through only facility and was uncertain the Board would be able to make the necessary findings to grant the Conditional Use Permit.

Mr. House reiterated an earlier comment noting the lack of architectural compliance with the proposed ATM.

d) Board Discussion Items

Mr. Austin suggested the Board wait until Mr. Roseen was present to provide an update on MS4. The Board generally consented.

Mr. Austin informed the Board of the current process to recommend projects to the NH Department of Transportation 10-year Plan. He noted Marin Way/NH-111 intersection as well as Stratham Circle updates and asked the Board if there were other projects they would like him to move forward with. The Board had no

comments to add.

Mr. Austin provided an overview of proposed Subdivision Regulation Amendments on the topic Driveway Regulations. Mr. Lavery expressed concern over the fee schedule offered in the amendment and suggested Board's more urgent attention be paid to Gateway Zoning District Amendments. The Board generally agreed with the relative importance of the Gateway changes.

Mr. Austin referred to a memo previously shared with the Select Board on the topic of Gateway Zoning District Amendments. He added that staff preference was for the Planning Board to schedule a series of workshops during regular Board meeting times to work on the amendments rather than appointing a subcommittee. The Board agreed to not appoint a subcommittee and set their August 19, 2020 meeting as the first workshop to review potential zoning amendments to the Gateway District regulations in preparation for Town Meeting 2021.

Mr. Houghton stated the Board is capable of doing the work and is aware—from Starbucks, Chipotle, and others—where changes can be made that are practical to developers and responsive to feedback received at Town Meeting 2020. He stated his belief that design guidelines and the architectural goals of the current Gateway language should remain while other items such as alleys and streets may not be practical to pursue or require without infrastructure.

Mr. Austin suggested inviting Town Meeting 2020 participants and design professionals to future workshops for input. Board members agreed with such an approach.

Mr. Lavery stated he believed the Town should be encouraged to continue its dialogue with Exeter and other communities as the need for infrastructure is still there and failure to pursue such negotiations—if only for future demands and needs as the population of Stratham continues to grow and change—would not be responsible.

The Board contemplated discussing driveway regulations and MS4 at their August 19, 2020 meeting. Consensus was to focus on Gateway amendments.

3. Adjournment

Mr. Lavery made a motion to adjourn the meeting at 8:54 PM. Mr. Roseen, seconded the motion which passed with a unanimous roll call vote.

Note(s):

1. Materials related to the above meeting are available for review at the Municipal Center during normal business hours. For more information, contact the Stratham Planning Office at 603-772-7391 ext. 147.

2. The Planning Board reserves the right to take items out of order and to discuss and/or vote on items that are not listed on the agenda.