



Stratham Planning Board Meeting Minutes
September 1, 2021
Municipal Center, Meeting Room A
Time: 7:00 pm

Member Present: Tom House, Chair
David Canada, Vice Chair
Mike Houghton, Selectmen's Representative
Pamela Hollasch, Member
Joe Anderson, Alternate Member
Chris Zaremba, Alternate Member

Members Absent: Robert Roseen, Member

Staff Present: Mark Connors, Town Planner

1. Call to Order/Roll Call

Mr. House called the meeting to order at 7:00 pm and called roll call. Mr. House appointed Mr. Zaremba as a voting member.

2. Review/Approval of Meeting Minutes

August 4, 2021

Mr. House stated Page 1, Line 27, the second word "anyone" needs to be removed. Mr. Houghton made a motion to approve the meeting minutes of August 4, 2021 as amended. Ms. Hollasch seconded the motion. Motion passed unanimously.

3. Public Hearing:

- a. Richard D. Vitale (Owner) - Request for approval of a condominium subdivision to create two separate condominium units on the property, including one for a residential use and one for an office use, at 7 Emery Lane (Tax Map 13, Lot 44), Zoned Professional Residential. Applicant's representative is David W. Vincent, LLS, Land Surveying Services, P.O. Box 1622, Dover, NH 03821.

Mr. Connors stated the applicant is requesting a condominium subdivision for the existing two buildings (one building is currently a residence and one is currently an office) to be split into two condominiums. Mr. Connors recommends the board find the application complete. Mr.

42 Zaremba made a motion to accept the application as complete. Mr. Canada seconded the
43 motion. Motion carried unanimously.
44

45 Mr. Canada made a motion to open the public hearing. Ms. Hollasch seconded the motion.
46 Motion carried unanimously.
47

48 David Vincent, Land Surveying Services, stated there are currently two existing structures on
49 the property, one structure is a three (3) bedroom single family home that is currently vacant
50 and being worked on and the other structure is a real estate office currently in use. This
51 property is located in mixed use zoning that allows residential and/or professional use. The
52 property is under 1 (one) acre with an existing septic system for each structure which the
53 approximate location is shown on the plan. There is an existing well that serves both structures
54 that is located in the middle of the property. The applicant is requesting a condominium
55 subdivision and separate the properties with a limited common area line down through the
56 middle of the property. A subdivision approval through NH DES is required for a
57 condominium subdivision which will have two (2) new, separate, septic systems to be installed
58 as well as a second well. The new septic systems and well locations are shown on the site plan
59 submitted to the board. The subdivision approval application has been submitted to NH DES.
60 Mr. Vincent stated the recommendation noted by the Town Planner (Item #3) that the
61 condominium documents shall be revised to note that Unit 2 shall serve a commercial office
62 use and Unit 1 shall serve as a residential use. Mr. Vincent stated this is not the intent and the
63 condominium approval request is to have a Unit #1 and Unit #2. The property has an existing
64 three (3) bedroom structure noted as 7 Emery Lane, Unit #1; and 7B Emery Lane is a
65 commercial use for a real estate office. This approval will be based on the lot loading
66 depending on what the future owner would like to do with the property. The applicant is
67 requesting that both structures can be used as either residential or commercial use. Alex x
68 Monastiero, Gove Group Real Estate, stated the intent is allow the use as the zoning allows
69 rather than a requirement in front of the planning board. The existing Unit #2 is used as a Land
70 Development office today but it could be used a residence in the future if an owner chose that
71 use; same for the current residential structure. Mr. Connors stated the property owner would
72 be required to go before the Planning Board to change the use and the condominium
73 documents could be amended at that time. Mr. Vincent said it is not easy to amend
74 condominium documents. Ms. Monastiero stated the condominium documents, as written,
75 allow either residential or office use in either building. Mr. Canada stated the board should not
76 add layers of requirements to the zoning ordinance and if both units could be used as
77 commercial and further restrictions would not be helpful. If it is currently being used as
78 residential the property owner would need to come back before the planning board to change
79 the use.
80

81 Mr. Anderson questioned who is responsible for driveway maintenance on the property. Ms.
82 Monastiero stated the plan is to separate the parking area and each unit owner would be
83 responsible for their own maintenance. Mr. Vincent stated the utilities would also be separate
84 for each unit. Mr. House asked for clarification of the location of the proposed septic systems.
85 Mr. Vincent explained the septic system design is ready to be submitted to the state pending
86 planning board approval. Mr. House asked for clarification of the plans submitted which state
87 the use as office use and a single family dwelling and questioned if that is the use being sent to

88 the state for septic loading. Mr. Vincent explained commercial use is a minimum of 300
89 gallons per day or two (2) bedroom design. Mr. Vincent confirmed one structure will be
90 designed for a 4 (bedroom) use and the other structure will be designed for a (2) bedroom
91 design if the structures were to be used a residential. Mr. House stated the board is looking to
92 approve Building #2 as a commercial office space and Building #1 as residential. Mr. Canada
93 stated the board should not lock the applicant into this current use. Mr. House stated if the
94 future property owner would like to change the use they would be required to come before the
95 planning board for approval. Mr. Connors stated if the board would like to change the
96 proposed condition #3, he would recommend that at least the second sentence remain that a
97 note be added to the plan that any changes to the use would be required to come before the
98 planning board for approval.
99

100 Beth Petit, 12 Emery Lane, stated concern and questioned if a future property owner could
101 remove the current structure and add a commercial structure such as a Dunkin Donuts. Mr.
102 Canada stated the current zoning would not allow that use. Mr. House explained the
103 professional/residential zoning would allow for office use, not commercial use.
104

105 Mr. Canada made a motion to close the public hearing. Ms. Hollasch seconded the motion.
106 Motion carried unanimously.
107

108 Mr. Houghton stated the applicant is requesting two (2) waivers. Mr. House read the
109 following:
110

111 Waiver #1 from Town of Stratham Subdivision Regulations 2.3.2.d which requires high
112 intensity soils information with lot size calculations and cover letter from a soils scientist. This
113 is an existing lot of record with two (2) existing structures and no new lots are being created,
114 only two new limited common areas on the existing lot. Mr. Houghton made a motion to
115 approve Waiver #1 for Subdivision Regulation 2.3.2.d for high intensity soil information with
116 lot size calculations. Ms. Hollasch seconded the motion. Motion passed unanimously.
117

118 Waiver #2 from Town of Stratham Subdivision Regulations 2.3.2.h which requires a copy of
119 the plan submitted in a digital format as provided for in Addendum D, Digital Submission
120 Requirements. This is an existing lot of record with two (2) existing structures and no new lots
121 are being only two new limited common areas on the existing lot. The planner has no concerns
122 with this request. Mr. Canada made a motion to grant the waiver from Subdivision
123 Regulations 2.3.2.h. which requires a copy of plans in digital format. Mr. Zaremba seconded
124 the motion. Motion carried unanimously.
125

126 Mr. Canada made a motion to approve the application for a condominium subdivision to create
127 two separate condominium units on the property, including one for a residential use and one
128 for an office use at 7 Emery Lane (Tax Map 13, Lot 44), Zoned Professional Residential
129 consistent with the subdivision plan submitted by, David W. Vincent, LLS, Land Surveying
130 Services dated July 12, 2021 subject to the following conditions to be incorporated prior to
131 plan signature or as noted.
132

133 Conditions:

- 134 1. The applicant shall obtain an address number, and map and lot number for each
135 condominium unit from the Town of Stratham Assessing Department. The map and lot
136 number shall be clearly depicted on the Condominium Plan. The condominium unit
137 numbers shall correspond with the lot numbers.
138 2. The draft condominium documents shall be subject to review and final approval of the
139 Town of Stratham.
140 3. It shall be noted that proposed changes to current uses require the approval of the Planning
141 Board.
142 4. The plan should be updated to show the 75 foot protective well radii for both wells that are
143 part of this application. Additionally the applicant shall submit documentation indicating
144 the wells were constructed in accordance with NH DES requirements.
145 5. The applicant shall obtain subdivision and septic permit approvals from NH Department
146 of Environmental Services.
147 6. All recording fees shall be paid by the applicant.
148

149 Mr. Zaremba seconded the motion. Motion carried unanimously.
150

- 151 b. Seacoast Modular Homes, Inc. (Owner & Applicant) - Request for approval of a Conditional
152 Use Permit to allow the construction of a septic system that does not meet the Town
153 requirements under Section 20.1.4 (a and b) of the Zoning Ordinance for a vacant lot on Union
154 Road, (Tax Map 15, Lot 76), Zoned Residential Agricultural.
155

156 Mr. Connors stated this parcel is an existing lot of record that has not been developed, the lot is
157 encumbered by utility easements that limits the majority of the lot. Test pits do not align with
158 the town requirements but the town does allow the board to grant a conditional use permit for
159 lots of record. Mr. Connors recommended the board find the application to be complete.
160

161 Mr. Canada made a motion to accept the application as complete. Mr. Anderson seconded the
162 motion. Motion carried unanimously.
163

164 Ms. Hollasch made a motion to open the public hearing. Mr. Canada seconded the motion.
165 Motion carried unanimously.
166

167 Drew Pierce, 16 Stephen Drive, introduced himself as the owner of the parcel and explained he
168 purchased the lot in December 2020. The lot has been surveyed and working on a site plan to
169 build a single family home. Test pits were dug and the town requirements is that two (2) pits
170 with 18 inches of soil before the estimated seasonal high water table. Four (4) test pits were
171 dug and there is a very small window of land that is on the property that can be used due to two
172 (2) gas lines and two (2) electric transmission utility easements. Because of the easements the
173 area is limited to where the septic can be placed. The proposed septic is shown on the plan
174 before the board which shows the required 18 inches of soil. There are other pits that have 14
175 inches of soil before estimated seasonal high water table. Mr. Pierce explained Zoning
176 Ordinance 20.1.4 a&b gives the board the authority to grant a Conditional Use Permit is the
177 applicant meets the criteria. Mr. Pierce read through the criteria. The lot is an official lot of
178 record as recorded in the Rockingham County Registry of Deeds prior to the request. The use

179 for which the exception is sought cannot feasibly be carried out on a portion or portions of the
180 lot which complies more fully with this section of the ordinance. Mr. Pierce stated the survey
181 shows the proposed septic plan and it shows there is not much room that is usable on that lot.
182 Mr. Pierce stated the lot was designed to comply with the zoning setback requirements. The
183 design and construction of the proposed use will be consistent with the purpose and intent of
184 this section. Mr. Pierce stated the proposed use is a 2-story colonial single family home with
185 attached garage. Mr. Pierce showed the board a similar built home located at 115 Union Road.
186 The lot is surrounded by single family homes of similar size. The applicant has exceeded other
187 applicable minimum design requirements in an effort to mitigate impact resulting from the
188 limitations of this site. Mr. Pierce explained they went above and beyond what the ordinance
189 calls for because of the diminished test pits and are proposing to install a pre-treatment plan
190 and doubling the size of the required leach field usually installed with a pre-treatment plan.
191 Mr. Pierce stated this property is located in a single family home neighborhood and backs up to
192 the golf course and complies with "reasonable use". Mr. Pierce explained the spirit and intent
193 of the ordinance will be met since the proposed home will be constructed in a manner
194 compatible with the spirit and intent of the Stratham Master Plan and Zoning Ordinance.
195 There are no existing violations of the Stratham Zoning Ordinance on the property. The site is
196 suitable for the proposed use. Mr. Pierce stated there are some wetlands identified but they are
197 beyond the limits of the property and have been located on the survey. No topographical or
198 site challenges exist on the property. The proposed use will not impact the neighboring
199 properties. Mr. Pierce explained the property will have a drilled well, individual septic, and
200 power is provided at the street. Mr. Pierce explained the proposed home will be almost
201 identical to other homes in the area. The impact on surrounding properties will be a positive
202 impact as it will add value to the surrounding properties. There will be no removal or
203 rebuilding of any identified natural or historic resources.

204
205 Mr. Zaremba and Mr. House complimented the applicant on placing the home and septic
206 perfectly on a very difficult lot. Mr. Canada stated he has experience with the type of septic
207 system being proposed and stated they work very well. Mr. House requested the applicant
208 make a note to revise "waiver request" to "conditional use permit" on the mylar. Mr. Pierce
209 will speak with the septic designer regarding a septic reserve area. Mr. House asked that the
210 septic reserve area be added to the plan.

211
212 Paul McKendry, 91 Union Road, introduced himself as the neighbor across the street and asked
213 to see what was going to be built and to make sure it was according to regulations. Mr. Pierce
214 explained the plan to Mr. McKendry.

215
216 Ms. Hollasch made a motion to close the public hearing. Mr. Canada seconded the motion.
217 Motion carried unanimously.

218
219 Mr. Canada made a motion to approve the application for Conditional Use Permit to allow the
220 construction of a septic system on Map 15 Lot 76 consistent with the applicant materials
221 submitted by the applicant, Drew Pierce, submit to the board's deliberations the application
222 meets the Conditional Use Permit criteria described under Section 20.4 of the Zoning
223 Ordinance with the following condition.
224

225 Condition:

- 226 1. The mylars shall include the septic reserve area and revise note “municipal waiver request”
227 to “Conditional Use Permit”.

228 Ms. Hollasch seconded the motion. Motion carried unanimously.
229

- 230 c. Lester and Catherine Carbonneau (Owners) - Request for approval of a subdivision of portions
231 of 83 and 85 Bunker Hill Avenue (Tax Map 10, Lots 6 and 7) to create one new residential lot,
232 Zoned Residential Agricultural. Applicant’s representative is Stonewall Surveying, P.O. Box
233 458, Barrington, NH 03825.
234

235 Mr. House stated this application has been postponed to the October 6, 2021 planning board
236 meeting at the request of the applicant.
237

238 Mr. Houghton made a motion to continue this hearing to the date specific of October 6, 2021.
239 Ms. Hollasch seconded the motion. Motion carried unanimously.
240

- 241 d. Proposed amendments of the Stratham Site Plan Regulations to revise Section 3.3, clarifying
242 when Planning Board site plan review is required, and to adopt a new Section 3.4, to
243 incorporate an Expedited Planning Board Review process, with subsequent sections
244 renumbered.
245

246 Mr. Connors stated the proposed amendments were publically noticed and once the board
247 approves it will added to the site plan regulations. Section 3.3 captures changes to sites to
248 assure the planning board is involved in any changes to use even if no exterior changes are
249 being made. This change will require any Change of Use to come before the planning board
250 and require any architectural modifications being proposed to a commercial building or multi-
251 family building to go before the planning board. Section 3.4 will allow the planning board to
252 waive the public hearing for small, minor, applications to site plans (described in “a” through
253 “f” in this section). Mr. Connors stated the current Change of Use allows under 3,000 square
254 feet to go through this expedited process and suggested the board may want to reduce this
255 threshold to 1,000 square feet. Section F was added to allow time extension to fall under
256 Section 3.4. Mr. Connors explained any current change of use 3,000 square feet or over is
257 required to go before the planning board and traditional public hearing notice. Ms. Hollasch
258 stated this would also be less than 50% of the gross interior square footage. Mr. Connors
259 agreed. Mr. Zaremba asked whether the board could move it to full site plan review if
260 warranted. Mr. Connors stated yes.
261

262 Ms. Hollasch made a motion to open the public hearing. Mr. Anderson seconded the motion.
263 Motion carried unanimously.
264

265 Hearing no comments from the audience Mr. Anderson made a motion to close the public
266 hearing. Ms. Hollasch seconded the motion. Motion carried unanimously.
267

268 Ms. Hollasch made a motion to adopt revisions to Section 3.3 of the Site Plan Regulations
269 clarifying when planning board site plan review is required and to adopt a new Section 3.4 to

incorporate an expedited planning board review process with subsequent sections renumbers.
Mr. Zaremba seconded the motion. Motion carried unanimously.

4. Public Meeting:

a. NHDOT Ten Year Plan

Mr. Connors explained the Department of Transportation updates the NH 10-year plan every two (2) years and it will begin this fall. Mr. Connor recommended a survey on the town website regarding major transportation projects in Stratham. There a projects on a “long range” transportation plan but this does not include any items on the 10-year plan. Mr. Connors explained the only project Stratham currently has in the 10-year plan is the Bunker Hill Avenue/Portsmouth Avenue intersection improvements signalization which is not slated to be constructed until 2027. Mr. Connors is hoping to lobby to move this plan up by two (2) years with additional monies allocated for infrastructure. The Stratham Circle improvements which have been in long range transportation plan for some time is slated for 2031 and the last sections of these improvements may fall under the 10-year plan. Mr. Connors stated discussions need to be had with the state to incorporate this. Mr. House asked for clarification on the plans for the traffic circle. Mr. Connors stated the town hosted a design charrette for the Traffic Circle several years back which recommended a complete modification of the circle to include new intersections and roundabouts. The goal was to reduce traffic speeds, improve traffic safety, create more spaces for pedestrians and cyclists and foster an environment that is more conducive to a Town Center. Mr. Connors asked the board to review and email him any input on the survey. Ms. Hollasch questioned the installation of a “hawk” signal in front of Stratham Hill Park. Mr. Connors said that it is a requirement of the draft zoning changes for the Community College parcel that the developer work with the Town to provide a safe pedestrian crossing. The Board discussed the challenges of crossing Portsmouth Avenue for pedestrians. Mr. Connors said the Town would advocate to include a pedestrian signal and crossing as part of the Bunker Hill intersection improvements when those are constructed.

b. Miscellaneous Community Planning Issues

Mr. Connors stated there are several businesses in the town that are not following the sign requirements and the code enforcement officer is reaching out to get businesses to comply.

Mr. House stated Rob Roseen requested a personal leave of absence for September and October. Mr. Canada questioned if the board was allowed to grant the leave since members are Select Board appointed. Mr. Houghton stated it would be the Select Board to provide and file final decision but the planning board could offer their views on the leave. Mr. Anderson stated Mr. Roseen is a valuable contributor and supports granting the leave. Mr. Zaremba, Ms. Hollasch, Mr. Canada, and Mr. House agreed. Mr. Houghton requested the board make their recommendation to the Select Board to grant the leave.

5. Adjournment

315 Ms. Hollasch made a motion to adjourn at 8:15 pm. Mr. Zaremba seconded the motion. Motion
316 carried unanimously.

317
318 *Note(s):*

- 319 1. *Materials related to the above meeting are available for review at the Municipal Center during normal business hours. For more*
320 *information, contact the Stratham Planning Office at 603-772-7391 ext. 147.*
321 2. *The Planning Board reserves the right to take item, out of order and to discuss and/or vote on items that are not listed on the*
322 *agenda.*