



Stratham Planning Board Meeting Minutes
January 19, 2022
Stratham Municipal Center
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

Members Absent: Chris Zaremba, Alternate Member
Robert Roseen, Member

Staff Present: Mark Connors, Town Planner

1. Call to Order/Roll Call

Mr. House called the meeting to order and took roll call.

2. Approval of Minutes

a. January 5, 2022

Mr. Anderson made a motion to approve the minutes of January 5, 2022. Ms. Hollasch seconded the motion. Motion passed unanimously.

3. Public Hearing

a. Stratham Retail Management, LLC (Owner), Request for site plan approval to construct a 10,260 square-foot medical office building and associated improvements at 23 Portsmouth Avenue (Tax Map 4, Lot 13), Zoned Gateway Commercial. Applicant's representative is Stonefield Engineering and Design, 92 Park Avenue, Rutherford, NJ 07070.

Mr. Connors stated this is the first public hearing on this site plan application. The siting, size, and architectural design of the structure are very similar to what was reviewed during the preliminary consultations at previous meetings. The applicant is proposing a 10,260 square foot dermatology center. Mr. Connors noted that he has shared emails with the board from Jim Hewitt, from NH DOT who stated the driveway access is conceptually approved; Police Chief King stating that he has no concerns; and from Fire Chief Larrabee who indicated a preference that traffic not be allowed to exist onto Portsmouth Avenue and only exit onto McInnis Avenue

44 behind the facility. Mr. Anderson asked Mr. Connors if he understood the reason for Chief
45 Larrabee's concern. Mr. Connors said not fully. He received the e-mail only today and had
46 reached back out to the Chief for more information but had not heard back. He said that he could
47 speculate that in some right-only turn configurations, there is concern that traffic will make
48 illegal left-turns which would present a safety concern, but he said he couldn't speak for Chief
49 Larrabee in this case.
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51 Max Puyanic of Optima Dermatology thanked the Board and stated the applicant's engineer is
52 running late. He briefly introduced some of the team behind Optima Dermatology. Jake
53 Modestow, of Stonefield Engineering and Design, introduced himself as the representative for
54 the applicant, property owner, and current tenant for the property, Optima Dermatology and
55 apologized for his late arrival. Mr. Modestow gave an overview of the site and application. The
56 property is a 1.4 acre parcel with frontage on Portsmouth Avenue (Route 108) and McInnis
57 Avenue that is a private road in the back of the property. There is a reciprocal easement
58 agreement which gives rights to McInnis Avenue. Mr. Modestow stated there is a 15 foot grade
59 change from the north of the property to the south of the property. Mr. Modestow stated this
60 property is part of the Gateway District, which is the entrance to the town and the corridor with
61 the goal to have a vibrant, mixed use district. The applicant is proposing the structure to be
62 pushed to the front of the property along Portsmouth Avenue and to provide architectural
63 characters that fit the district. The structure will be a single-story medical office 15 feet from
64 Portsmouth Avenue to comply with the intent of the use and location. The applicant is proposing
65 additional square footage for the front sidewalk area and it has been doubled in size from the
66 main entrance that faces Portsmouth Avenue. The traffic flow will be left and right turns into the
67 property and right turn only for exiting the property. A traffic generation memo was submitted
68 to NH DOT and in the application to explain this proposed use is considered "low traffic
69 generator". During peak hours there is no more than one car every two minutes. Sixty-six (66)
70 parking spaces are being proposed, eleven (11) above the fifty-five (55) spaces required by code.
71 There are two areas dedicated for snow storage. There will be two (2) proposed retaining walls
72 for the grade change on the east and west side of the property. The applicant is proposing an
73 underground chamber system for storm water. Mr. Modestow gave an overview of the building
74 elevations and proposed materials. There will be two (2) tower unit components that will have
75 wood and concrete looking materials to bring it together with the 110 Grille neighboring
76 property. The roofs will be sloped with arches away from the central entrance. Metal awnings
77 will be installed to break up and define the building on all elevations. The landscaping will
78 incorporate different elements against the building to provide texture between the building and
79 the green space/open space of the property. There will be six (6) area lights that are LED
80 modern fixtures that will be down lit and dark sky compliant. The applicant is requesting a
81 waiver for lighting beyond the property line that will only be located at the driveway locations.
82 Mr. Puyanic gave an overview of the interior design for the proposed structure.
83

84 Mr. Canada and Mr. Anderson voiced concern with the location of the structure so close to
85 Portsmouth Avenue. Mr. Modestow stated the structure is 15 feet from the right of way and
86 moved back an extra five (5) feet per the board's request. Mr. House questioned the
87 inconsistencies between the architecture and the site plan. Mr. Modestow explained the
88 elevations were updated and provided in the presentation to the board this evening. Mr.
89 Anderson asked for clarification of the snow storage areas. Mr. Modestow confirmed the snow
90 storage areas on the plan submitted before the board this evening. Ms. Hollasch questioned the
91 setback of 110 Grille. Mr. Connors stated 110 Grille setback is approximately 25 feet back from

92 Portsmouth Avenue. The board recommended the structure be set back five (5) extra feet. The
93 applicant explained the structure was designed with many architectural features to be attractive
94 from either direction of travel. Mr. Modestow stated there may be room to move the structure
95 another five (5) feet away from Portsmouth Avenue and they do not want to be too close to the
96 septic and the well at the rear of the property. Ms. Hollasch stated her approval with the current
97 location of the structure as it follows current requirements. Mr. Anderson asked for clarification
98 of the septic and well location. Mr. Modestow confirmed location on the plan before the board
99 this evening. Ms. Hollasch approved all aspects of this project and would like to recommend the
100 applicant provide pedestrian connectivity with a sidewalk in the front of the property. Mr.
101 Modestow stated a connection from the front to the back of the property is harder than it seems
102 from the grading standpoint and may be intrusive. The sidewalk is will be required to be ADA
103 compliant that the applicant will need to adhere to. Ramps with a handrail would be required. A
104 sidewalk may be added with proper approvals and signoffs. Mr. House asked if the application
105 had been through peer review. Mr. Connors stated no. Mr. House asked Mr. Connors to move
106 forward with third party peer review. Mr. Connors stated the existing structure is over 50 years
107 old so a demolition permit and process will be required. Mr. Houghton stated this is a great
108 project that has come a long way and likes that there is no parking in the front of the property
109 which enhances its visual appeal. Mr. Houghton understands the applicant's challenges with
110 timelines and recommends the board list items of concerns as "conditions of approval" and final
111 approval as per the town planner. Mr. Houghton stated he will not approve a waiver for the
112 lighting and lighting needs to follow the current standards. Mr. Connors asked for clarification
113 whether the plans submitted, dated January 10, 2022, have been changed. Mr. Modestow stated
114 any changes were listed in the response letter to the town dated January 6, 2021.
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116 Mr. Canada made a motion to open the hearing up for public comment. Mr. Anderson seconded
117 the motion. Motion carried unanimously.
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119 Dr. Brian Connolly, of Chisholm Farm Drive, stated his excitement to be a part of the Optima
120 team. He noted that he is a Board-certified dermatologist who would be seeing patients at the
121 new Stratham facility. Mr. Connolly stated that Stratham is a great community to live in, noted he
122 was looking forward serving the community as a physician, and asked the board to approve the
123 site plan application.
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125 Mr. Anderson made a motion to close the public hearing. Mr. Canada seconded the motion.
126 Motion carried unanimously.
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128 Mr. Connors recommended the following conditions and the board discussed.
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130 1) The applicant shall move the structure back five (5) feet further from Portsmouth Avenue.
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132 Mr. Modestow stated the applicant would like to keep the location of the structure as they are
133 following current zoning district regulations. Mr. Canada and Mr. Houghton stated the
134 applicant is following current regulations and agreed with the structure's location. The
135 majority of the board agreed with the current location so the building will remain in the
136 location presented to the board this evening.
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138 2) The applicant shall revise the plan to eliminate the need for a lighting waiver.
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- 3) The applicant shall add a sidewalk to cross the front setback of the building.

Mr. Canada asked for clarification of the material to be used for the sidewalk. The applicant stated concrete.
- 4) The applicant shall revise the driveway onto Portsmouth Avenue from 20 feet back to 14 feet.

Mr. Modestow explained this request is from NH DOT as part of their requirement. The board requested the applicant to request the change with NH DOT and if they are not in agreement then it will remain at 20 feet wide exit aisle. Mr. Modestow stated there will be signage to direct traffic to and from the property.
- 5) The applicant shall have third party peer review of the storm water plans, address any comments from the third party engineer, and pay all related fees.
- 6) The applicant shall provide ready-block or a suitable alternative to be administratively approved by the Town Planner.

Mr. Canada made a motion to approve this application based on the submitted plans dated January 6, 2022 with the conditions listed below. Mr. Anderson seconded the motion. Motion carried unanimously.

Conditions of Approval:

- 1) The exterior lighting plan shall be revised to eliminate the need for any waiver from the town's Site Plan requirements.
- 2) The applicant shall obtain NH DOT driveway permit and the permit number shall be noted on the plan. If NH DOT agrees to reduce the exit aisle to 14 feet in width, the exit aisle shall be reduced to that width.
- 3) The storm water report and plan shall be subject to a third party engineering review. The applicant shall be responsible for the cost of the third party review. The applicant shall also be responsible to respond to any technical comments that the third party engineer provides to the satisfaction of the Planning Department.
- 4) The plan shall be revised to include a detail for the retaining wall in ready-block. The Town Planner may administratively approve a change in material for the retaining wall if necessary.
- 5) The applicant shall obtain NH DES septic permit approval and the approval number shall be noted on the plan.
- 6) The applicant shall provide an operations and maintenance manual for the storm water facilities and an affidavit stating that the owner shall be responsible to obtain the storm water system in good working order. This document shall be recorded and the recording fee shall be the responsibility of the applicant.
- 7) The site plan shall be recorded and recording fees shall be the responsibility of the applicant.
- 8) The town's third party engineer shall conduct at least one (1) inspection of the site during construction to ensure that the storm water facilities are installed according to plan. The cost of the inspections shall be the responsibility of the applicant.

- 187 9) The applicant and the Town of Stratham shall enter into a development agreement and
188 provide a performance guarantee to ensure the site is developed according to plan.
189 10) Prior to the issuance of a Certificate of Occupancy, all improvements depicted on the plan
190 shall be installed.
191 11) Within 90-days of the issuance of the Certificate of Occupancy, the applicant shall provide
192 a certified as-built plan to the town.
193 12) The plan shall be revised to provide a sidewalk in the front setback, across the property
194 line, as per the red-lined plan revisions dated January 19, 2022.
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196 **b. The Planning Board held a public hearing on the proposed zoning amendments outlined**
197 **below. The full text of the amendments is available at the Planning Department and on the**
198 **Town website at www.strathamnh.gov.**
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- 200 i. Amendment #3: Amendment #3: Accessory Dwelling Units. To delete Sub-Section 5.4
201 Accessory Dwelling Units in its entirety and to replace with a revised Sub-Section 5.4
202 Accessory Dwelling Units to clarify the requirements associated with accessory dwelling
203 units and to enact additional requirements for detached accessory dwelling units to ensure
204 that such uses do not create the appearance of two primary residences on a single lot.
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- 206 ii. Amendment #4: Solar Energy Systems. To delete Sub-Section 5.14.4.2 Setbacks for Solar
207 Energy Systems in its entirety and replace with a revised Sub-Section 5.14.4.2 in order to
208 require small-scale ground-mounted solar energy systems to meet the minimum property
209 setbacks of the applicable zoning district and to increase the front setback requirement for
210 medium- and large-scale systems.
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- 212 iii. Amendment #5: Route 33 Legacy Highway Heritage District. To create a new zoning
213 district, the Route 33 Legacy Highway Heritage District, for parcels with frontages along
214 the Route 33 corridor from the Town Center District to the Greenland town line. The intent
215 of the District is to encourage historic preservation and adaptive re-use of structure through
216 both greater regulation of demolitions and major building alterations as well as through
217 greater flexibility in land uses.
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- 219 iv. Amendment #6: Table of Uses. To delete Section 3.6 Table of Uses and Footnotes to Table
220 3.6 in its entirety and replace with a revised Section 3.6 Table of Uses and Footnotes to
221 Table 3.6 in order to better clarify permitted and prohibited uses by zoning district.
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- 223 v. Amendment #7: Definitions. To amend Section II Definitions to provide definitions for land
224 uses included in the Table of Uses to better define and clarify the permitted nature and
225 scope of land uses.
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- 227 vi. Amendment #8: Table of Dimensional Requirements. To amend Section 4.2 Table of
228 Dimensional Requirements and Section 4.3 Explanatory Notes to clarify the minimum
229 frontage requirement for residential parcels and properties in the Professional/Residential
230 District.
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- 232 vii. Amendment #9: Affordable Senior Housing. To eliminate Section 5.7 Affordable Senior
233 Housing and re-number subsequent sections of the Ordinance, because the Ordinance

234 already provides for Elderly Affordable Housing and this section is duplicative. This is a
235 housekeeping amendment to eliminate inconsistencies related to the land use in the
236 Ordinance.

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238 viii. Amendment #10: Building Ordinance. To amend Section 16.2.1 of the Building Ordinance
239 to add a Sub-Section A to prohibit the issuance of building permits for a property if existing
240 non-inspected permits are outstanding on the property.

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242 Mr. House asked Mr. Connors to provide a brief update to the Board regarding the amendment
243 language if there had been any changes since the previous public hearing. Mr. Connors said that
244 there had been relatively few languages. Staff had made the changes to the Route 33 draft zoning
245 language consistent with the Board’s directives from the previous hearings. All of those changes are
246 highlighted in the document. As requested, the Town’s legal counsel also reviewed the zoning
247 language and there were some generally minor changes incorporated based on her suggestions. Mr.
248 Connors briefly went through all of the changes recommended by the Town’s legal counsel. The
249 Board agreed with the changes that were incorporated.

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251 Mr. Canada made a motion to open the public hearing for comment. Mr. Anderson seconded the
252 motion. Motion carried unanimously.

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254 Hearing none, Mr. Canada made a motion to close the public hearing. Mr. Anderson seconded the
255 motion. Motion carried unanimously.

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257 Mr. Anderson made a motion to advance Amendments #3 through #10 to the Town Warrant. Mr.
258 Canada seconded the motion. Motion carried unanimously.

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260 **4. Public Meeting**

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262 a. Discussion of Pedestrian Cyclist Advisory Committee

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264 Mr. Connors stated the PCAC is appointed by the Select Board every year. There have been
265 discussions to move PCAC from a town standing committee to an advisory committee of the
266 Planning Board. The Planning Board would be responsible to appoint members and give tasks to
267 complete. After board discussion and approval, Mr. Connors stated he will put together a list of
268 committee members to be approved at the next meeting. Ms. Hollasch volunteered to be the
269 Planning Board representative for the committee.

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271 **5. Adjournment**

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273 Mr. Anderson made a motion to adjourn at 9:00 pm. Mr. Canada seconded the motion. Motion
274 carried unanimously.

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276 *Note(s):*

- 277 1. *Materials related to the above meeting are available for review at the Municipal Center during normal business hours.*
278 *For more information, contact the Stratham Planning Office at 603-772-7391 ext. 147.*
279 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*
280 *on the agenda.*

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