



Stratham Planning Board Meeting Minutes

June 5, 2024

Stratham Municipal Center

Time: 7:00 pm

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

Members Absent: None

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

1. Call to Order/Roll Call

Mr. House called the meeting to order at 7:00 pm and took roll call.

2. Approval of Minutes

a. May 15, 2024

Mr. Kunowski made a motion to approve the May 15, 2024 meeting minutes. Mr. Canada seconded the motion. All voted in favor and the motion passed.

3. Public Hearing (Old Business):

a. Albany Road-200 Domain LLC (Applicant and Owner) – Request for approval of a Site Plan Amendment associated with a building addition and conversion of an existing industrial building to accommodate multi-tenant industrial uses and a Conditional Use Permit to allow for construction of pedestrian accessways and a driveway that encroaches into the Wetlands Conservation District at 200 Domain Drive, Tax Map 1, Lot 3, Zoned Industrial. The applicant is represented by Tighe & Bond, 177 Corporate Drive, Portsmouth, NH 03801.

Mr. House recused himself from the discussion due to a working relationship with the architect on the project team. Mr. Canada chaired the discussion.

Patrick Crimmins of Tighe & Bond presented the project. He introduced Brian Brooks of Boulos Asset Management. Mr. Crimmins described the existing building as a 257,000 square foot building that was previously occupied by Timberland. Timberland has downsized to 157,000 square feet. The purpose of the project is to repurpose and revitalize the building by creating a multi-tenant space. Entrance improvements are proposed to the front and rear of the building. The

45 application submitted in November 2023 was quite a different plan. The project was presented to
46 the Conservation Commission in December 2023 with about 2,000 square feet of direct wetlands
47 impact. That plan was revised and resubmitted to the Conservation Commission in March 2024
48 and received unanimous approval. There are some structures within the wetlands buffer zone
49 which required relief from the Zoning Board of Adjustment. The ZBA reviewed the project last
50 evening and a variance was granted with unanimous approval. Mr. Crimmins stated that they are
51 seeking a site plan approval and a conditional use permit from the Planning Board tonight. He used
52 visual aids to describe the front and rear improvements. The rear of the building will include a new
53 amenity area, lobby, service drive, and service corridor. He explained that the existing conditions
54 in the rear of the property are unique in that the building is separated quite a distance from the
55 parking area and there are two pocket wetlands that sit in between the building and the parking
56 area. Mr. Crimmins stated they do not know the history and suggested that the pocket wetlands
57 may have been man-made during construction of the building and parking area. In December the
58 Conservation Commission requested that the project avoid or minimize direct impacts to those
59 wetlands. The sidewalk was relocated completely out of the wetlands so there is no direct impact.
60 Mr. Crimmins explained the new entry and described the proposed patio and service drive with
61 respect to added impervious surface. Stormwater from an existing patio and walkway is currently
62 not treated and sheet flows into the wetlands. The project proposed rain gardens for stormwater
63 management that will improve and treat existing impervious surface and mitigate additional buffer
64 impact that is the subject of the conditional use permit application. Mr. Crimmins described a
65 proposed landscape plan with native plantings to create a nice entrance and a nice amenity area
66 where tenants can go outside for enjoyment. The project team believes that by incorporating these
67 stormwater management BMPs and adding robust native plantings, that they are enhancing the
68 previously disturbed wetland. He added that the wetland has very low value, almost no habitat
69 function, and basically acts like a small stormwater collection area. The project is avoiding the
70 wetlands and is not removing any existing trees that are within the wetland and proposes significant
71 plantings around it to enhance this area. He asked for questions from the Board.
72

73 Mr. Connors asked for a presentation on the architecture. Mr. Crimmins described the shared patio
74 and outdoor space and the new entry area. The entry area is currently open air and is proposed to
75 be enclosed with glass.
76

77 Mr. Connors explained to the Board that the site plan application is for the improvements and the
78 ordinance allows the Board to grant relief for encroachments into a wetland buffer for access ways.
79 The pedestrian walkway in the front driveway is the subject of CUP application.
80

81 Mr. Canada asked what the current driveway conditions are. Mr. Crimmins replied when
82 Timberland had the entire building, they used a loading dock on the opposite side of the building
83 but a demising wall was constructed, so there is no access to that loading dock. Because of that the
84 project required some form of access.
85

86 Mr. Allison acknowledged the plans show some erosion control measures and inlet protection and
87 asked specifically where the silt fence will be installed. Mr. Crimmins replied describing the
88 location and that they received a request from the ZBA Chair last night that they include
89 construction fencing along the back of the erosion control so that the contractors are aware that
90 they cannot disturb the wetlands. Mr. Allison asked if silt fencing will be installed around the area
91 of disturbance for the proposed ADA spaces. Mr. Crimmins replied that area drains away from the
92 wetlands. Mr. Allison has concerns with large pieces of equipment. Mr. Crimmins replied they
93 could do both for both wetlands. Mr. Allison commented that he appreciates how the project it

94 limiting disturbance.

95
96 Mr. Kunowski asked if the new roadway access to the new loading dock is a single lane access
97 that a truck would have to back into. Mr. Crimmins replied that they reviewed turning templates
98 and are removing a portion of an island so trucks will have the ability to enter and back in. Smaller
99 vehicles could probably go straight back out.

100
101 There were no more questions from the Board.

102
103 **Mr. Zaremba made a motion to open the public hearing. Mr. Kunowski seconded the motion.**
104 **All voted in favor and the motion passed.**

105
106 **Mr. Houghton made a motion to accept the application as complete. Mr. Zaremba seconded**
107 **the motion. All voted in favor and the motion passed.**

108
109 Mr. Canada invited members of the public to speak. No members of the public spoke.

110
111 **Mr. Zaremba made a motion to close the public hearing. Mr. Kunowski seconded the motion.**
112 **All voted in favor and the motion passed.**

113
114 Mr. Crimmins described how the application meets the conditional use permit criteria by
115 minimizing impact to the extent feasible, avoiding direct wetlands impacts, mitigating impervious
116 surface impacts, incorporating stormwater BMPs that do not currently exist, and incorporating
117 robust, native, vegetated enhancement of the landscape. Mr. Crimmins further described each
118 criterion.

119
120 *Criteria 1. Explain how the proposed construction is essential to the productive use of land not*
121 *within the wetlands conservation district.*

122
123 Mr. Crimmins stated that in order to create a multi-tenant building, the rear entry is essential to the
124 project. There are unique site constraints with the isolated pocket wetlands that are located between
125 the building and the parking area and he noted the previously described mitigation.

126
127 *Criteria 2. Detail how the design and construction methods will minimize detrimental impact to*
128 *the wetland.*

129
130 Mr. Canada stated that he believes Criteria 2 has been sufficiently addressed.

131
132 *Criteria 3. Explain how the proposed construction design of powerlines, pipelines, or other*
133 *transmission lines includes provisions for restoration of the site as nearly as possible to its original*
134 *grade and condition.*

135
136 Mr. Crimmins stated Criteria 3 is not applicable to the project.

137
138 *Criteria 4. Detail what alternatives were considered.*

139
140 Mr. Crimmins stated that this plan is an alternative. The desire originally was to have direct access
141 into the entrance lobby. The plan was revised in response to the Conservation Commission's
142 feedback. The entry walk was relocated to between the two pocket wetlands in order to avoid direct

143 wetland impact and to minimize the buffer impact to the extent feasible.
144

145 *Criteria 5. Explain how economic advantage alone is not the reason for the proposed construction.*
146

147 Mr. Crimmins explained that the project is needed in order to revitalize the building and convert it
148 into a multi-tenant building which will enhance the building and the property value.
149

150 **Mr. Zaremba made a motion that the Planning Board grant Site Plan approval and approval**
151 **of a Conditional Use Permit to allow for encroachments for the wetland buffer and setback**
152 **requirements per Section 11.4 of the Zoning Ordinance to permit improvements to 200**
153 **Domain Drive, Tax Map 1 Lot 3, Zoned Industrial, consistent with the site plan prepared by**
154 **Tighe & Bond last revised May 2 2024 as the Applicant has demonstrated compliance with**
155 **the Conditional Use Permit criteria, subject to the following conditions to be incorporated**
156 **prior to final plan signature, or as otherwise noted.**

- 157 1. The Applicant shall incorporate any minor technical comments from planning staff.
158 2. The Applicant shall respond to comments provided by the Town's consulting engineer
159 to ensure the application meets the spirit and letter of the Town's stormwater
160 regulations. The Applicant shall be responsible to compensate the Town for all third
161 party reviews.
162 3. The Applicant shall contact the Planning Department and schedule an inspection of
163 erosion control measures prior to start of construction.
164 4. The Applicant shall record a stormwater management agreement with the Town
165 obligating the owner to maintain the stormwater measures in good working order in
166 perpetuity. As part of the agreement the owner shall provide the Town an annual
167 report every year confirming that stormwater management facilities are operating in
168 accordance with the design intent.
169 5. Conditions associated with the Planning Board and Zoning Board approval shall be
170 noted on the plans.

171 **Mr. Kunowski seconded the motion. All voted in favor and the motion passed.**
172

173 Mr. House returned to chair the remainder of the meeting.
174

175 **4. Other Business:**
176

- 177 a. Discussion of proposed Illicit Discharge Detection and Elimination (IDDE) Ordinance
178

179 Mr. Connors stated that one of the requirements of the Town's MS4 Permit is to adopt an illicit
180 discharge detection and elimination ordinance. In Stratham, there are separate stormwater systems
181 in different developments. Generally catch basins drain to a stormwater basin or into a wetland.
182 This ordinance would prohibit people from discharging any kind of hazardous materials directly
183 into the stormwater systems. Examples include pouring chemical waste into the catch basins or
184 accumulating pet waste and dumping it into a wetland which can contaminate surface waters. The
185 purpose of the ordinance is to provide the town a regulatory mechanism so if we find a problem
186 the town can enforce on it. This ordinance would be town-wide and not related to development
187 explicitly. This is an ordinance that the Select Board can pass after a public hearing and Mr.
188 Connors is seeking comments from the Planning Board on the proposed ordinance.
189

190 Mr. House asked if Mr. Connors wants to review the document tonight or return with questions.
191 Mr. Connors replied that the Board can email Mr. Connors with any questions and added that this

192 is a permit requirement that many towns have already enacted.
193

194 Mr. House stated that he has seen people winterize their boats outside with antifreeze. Mr. Connors
195 replied that any illicit discharge would fall under this. Mr. Canada stated that would have to lead
196 into a stream instead of just killing their grass.
197

198 Mr. Canada stated that he thinks the ordinance is fair in that the first reaction is to instruct and
199 amend the behavior and not issue a fine. Mr. Connors agreed that is the goal, not to fine people but
200 to correct the problem.
201

202 Mr. Houghton stated that he doesn't think the ordinance is optional, that EPA is driving some level
203 of requirement. Secondly he believes the average resident is uninformed and asked how the Town
204 will engage the community to understand their individual and personal responsibilities. Mr.
205 Canada suggested a pamphlet in the tax bill in addition to posting on the website and in the Select
206 Board newsletter. Mr. Houghton agrees that is a great suggestion. Mr. Zaremba asked if the transfer
207 station could hand them out. Mr. Houghton agreed that could be another avenue. Mr. Connors
208 stated that educational notices were also sent with dog licenses. Mr. House added that a posting on
209 Facebook could be useful as well. Mr. Houghton agreed with all of the suggestions and added that
210 the tax bill would have the most exposure and he does not think that all of those forms bear a
211 significant cost. Mr. Connors added that public education is requirement of the permit as well.
212

213 Mr. Zaremba asked about the term MS4 and if it applies to all drainage that is built in
214 developments. Mr. Connors replied that it is any kind of conveyance system.
215

216 Mr. Kunowski stated that there are larger undeveloped properties still in private hands and asked
217 about potential private dumping. He wonders how the Town will regulate this and wonders the
218 degree that it's already happening today. Mr. Connors replied that there are other ordinances that
219 would be a better fit for illegal dumping. If the dumping was associated with the stormwater
220 system, then it would be addressed through this ordinance.
221

222 Mr. Kunowski stated that there is direct reference to pet waste and asked about other animal waste
223 such as agricultural manure. Mr. Connors replied that he does not think it would be included
224 because it is an agricultural use and not purposeful dumping.
225

226 Mr. Allison commented that this is similar to recycling and trash categories and suggested it be
227 linked to that area on the website. That the Town advertise that contaminants should not be
228 disposed of in the ground or into water systems. Mr. Houghton agreed.
229

230 Mr. Zaremba asked how the Town would suspend access to a stormwater system if someone
231 violates as noted towards the end of the ordinance. Mr. Connors replied that sometimes people do
232 things like reroute their septic system into the stormwater drain illegally.
233

234 Mr. Canada stated that in response to the question about agricultural waste, it is listed as a pollutant
235 if discharged into water. He provided an example of a large farm in town that is very conscientious
236 but could possibly have some runoff into a ditch. He asked if agricultural waste discharged into
237 water could be removed. Mr. Allison stated that years ago the Soil Conservation Service used to
238 regulate that type of discharge and lagoons were mandatory. He added that lagoon ended up being
239 a catastrophe due to not being well maintained. Mr. Canada would like to remove agricultural
240 waste from the ordinance because it is tightly controlled by the state already. Mr. Houghton asked

241 if Mr. Connors can check on that. Mr. Connors replied yes.
242

243 Mr. Kunowski asked what dechlorinated swimming pool discharge is. Mr. Zaremba replied that
244 when pool water is allowed to sit, the chlorine will dissipate and then can be disposed.
245

246 Mr. Kunowski asked how much of the ordinance is boiler plate. Mr. Connors replied most of it is.
247

248 **b. Discussion of transportation planning priorities**

249 Mr. Connors stated that the Regional Planning Commission (RPC) is asking for new transportation
250 project suggestions. There are two plans that they manage, a long range transportation plan which
251 is like a master plan for transportation projects, and the State's 10-year plan. The goal is to get
252 projects in the 10-year plan because those projects are much more actionable and they are budgeted
253 for. Stratham has two projects in the current draft 10-year plan. The first is the Bunker Hill
254 intersection improvements, signalization, and potentially some widening of that intersection,
255 which is budgeted for \$1.4 million in 2027. The second is a project that Stratham got a grant for
256 last year which is to coordinate the traffic signals on Portsmouth Avenue. There are four traffic
257 signals that are located very close to each other. The idea is during peak periods of travel, those
258 four systems would talk to each other and through traffic would be prioritized so you would only
259 stop at one of those lights. The goal would be to minimize queuing and congestion associated with
260 those lights. Stratham tried to go in on that grant with Exeter but Exeter declined to participate.
261 Stratham did get the grant but it will only address Stratham's signals and not the ones in Exeter.
262 There are six projects in the long range transportation plan and RPC recommended ranking the
263 Town's priorities.
264

265 Mr. Connors stated that the Board should choose one because realistically Stratham will likely
266 only get one project into the 10-year plan. The larger budget projects like the traffic circle are hard
267 to get into the 10-year plan if they don't have a major regional impact. One suggested project
268 discussed in the past is the Route 101 Exit 12 ramp. On some mornings traffic can back up almost
269 to the highway, especially on the east bound lane. The problem with that project is that Exeter does
270 not want to sponsor it as they are focused on Exit 9. The RPC recommended that Stratham could
271 write a letter highlighting the need for improvements there and the RPC could sponsor the project.
272 Stratham can't sponsor the project because it is not in the Town of Stratham. Mr. Connors stated
273 that the Select Board will ultimately choose the project, but he is seeking input from the Planning
274 Board on the biggest priority outside of the 10-year plan projects.
275

276 Mr. Connors listed the projects in the long range transportation plan including the reconfiguration
277 of the Stratham traffic circle which is only conceptual at this time and would involve a lot of work
278 and is a high cost. The Board discussed options for that circle other than a redesign including
279 improvements to the yield signage. Mr. Connors offered to write a letter to DOT with some
280 suggestions. Mr. Connors listed the other potential projects: potential signalization at Frying Pan
281 Lane and Portsmouth Avenue; potential signalization at Winnicutt Road and Portsmouth Avenue;
282 Gateway District pedestrian bicycle improvements; Squamscott Road flood mitigation at Jewel
283 Hill Brook; and Route 111/Marin Way intersection improvements.
284

285 Mr. Zaremba asked if the Squamscott Road project is where new culverts were installed. Mr.
286 Connors replied no, that is a different crossing.
287

288 Mr. Canada asked if the Frying Pan Lane project includes River Road. He stated that there was a
289

290 letter of understanding with Autofair back in 2012 or 2013 that they would work with the Town to
291 use the road between the Autofair dealership and the one south of that to make it part of River
292 Road. He acknowledged that the dealership has since sold but there may be some more impetus on
293 the new owner to work with the Town. Mr. Houghton added that the access off Route 108 to River
294 Road is supposed to be removed with that project. Mr. Connors replied that he thinks the Frying
295 Pan Lane project does include River Road.

296
297 Mr. Zaremba asked about the results of a survey sent out years ago. Mr. Connors replied it
298 reinforced that Bunker Hill Avenue was the main priority and that's when the Town added the
299 Gateway District improvements.

300
301 Mr. Connors noted the Bunker Hill Avenue/Portsmouth Avenue intersection is currently a 3-way
302 intersection and that the Ten Year Plan includes improvements to the intersections including
303 signalization and likely some widening for turn lanes but within its current three-way intersection
304 form. There has been discussion about creating a 4-way intersection, with a spur added to the
305 intersection serving Raedar Drive and Butterfield Lane. That makes sense because those roads are
306 located a short distance in either direction from Bunker Hill Ave on the west side of Portsmouth
307 Avenue. It would be a safety improvement to provide signalized access to those residential areas.
308 However, he noted it would be challenging within the current scope of the project in the Ten Year
309 Plan because it would require a significant amount of right-of-way acquisition and the construction
310 of a new access road linking both roadways. There is a proposed project at 89 and 91 Portsmouth
311 Avenue that will come before the Planning Board soon where there are potential opportunities to
312 improve traffic flow.

313
314 Mr. Connors presented other projects including the addition of sidewalks from Bunker Hill Avenue
315 almost to Route 101 and improvements to Exit 12 on Route 101. Mr. House stated that he thought
316 the Exit 12 project includes ripping up the roads in addition to signalization. Mr. Connors replied
317 that he thinks the right of way is fairly wide so he doesn't think it would affect any properties but
318 there may be some lane widening. He added that the State wants a left turn lane on Route 111
319 serving the industrial park. Mr. Connors stated that the Town is seeking an estimate for how much
320 that project would cost that could be presented to the owners in the Industrial Park as an alternative
321 to the police details that they currently pay for. Mr. Zaremba asked if the owners agree to pay for
322 it, does it need to go into the 10-year plan. Mr. Connors replied the state needs to approve the
323 design but no, it would not go in the plan. Mr. Allison provided detailed comments on the Exit 12
324 traffic issues.

325
326 The Board decided to write a letter to the RPC to request sponsorship for the Route 101 Exit 12
327 project and to write a letter to NH DOT to request more yield signage at the Stratham traffic circle.

328
329 c. Miscellaneous community planning issues

330
331 Mr. Connors stated the next meeting will include a new Site Plan project and a preliminary
332 consultation for a subdivision.

333
334 5. Adjournment

335
336 Mr. House made a motion to adjourn the meeting at 8:15 pm. Mr. Canada seconded the motion.
337 All voted in favor and the motion passed.