



**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

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

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

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

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

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

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

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

#### **4. Other Business:**

##### **a. Discussion of proposed Illicit Discharge Detection and Elimination (IDDE) Ordinance**

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

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

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

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

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

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

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

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

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

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

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

#### c. Miscellaneous community planning issues

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

### 5. Adjournment

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