



**Stratham Planning Board Meeting Minutes**  
**November 20, 2024**  
**Stratham Municipal Center**  
**Time: 7:00 pm**

**Members Present:** Thomas House, Chair  
Mike Houghton, Select Board's Representative  
Chris Zaremba, Regular Member (arrived 7:34 pm)  
Nate Allison, Alternate Member

**Members Absent:** David Canada, Vice Chair  
John Kunowski, Regular Member

**Staff Present:** Susan Connors, Planning Project Assistant

**1. Call to Order/Roll Call**

Mr. House called the meeting to order at 7:02 pm and took roll call.

**2. Approval of Minutes**

**a. November 6, 2024**

The Board tabled the approval of the November 6, 2024 minutes to the December 4, 2024 meeting.

**3. Public Meeting (New Business):**

- a. 219 Portsmouth Avenue.** Debra Ficara (Applicant), Ficara Family Revocable Trust (Owner), request for approval of a Route 33 Heritage District application to construct a detached accessory dwelling unit at 219 Portsmouth Avenue, Tax Map 21, Lot 89, Zoned Route 33 Heritage District. *This application was continued from November 6, 2024.*

Ms. Connors stated that this application is reviewed through a public meeting and not a hearing. The Route 33 Heritage District Advisory Committee voted to recommend the application for Planning Board review and recommended that special consideration be given to the siding material and structure visibility from Route 33. The Applicant submitted additional renderings and photographs as requested by the Advisory Committee.

Mr. House appointed Mr. Allison as a voting member for the meeting.

Andrew Schrag designed the ADU and represented the Applicant. They are proposing a detached ADU near the back part of the lot about 257 feet from the road. He stated the location is lower in grade than the road. The owner (Debra Ficara) has lived in the home for 28 or 29 years. The house was built in 1745 and the owner has put a lot of work into the existing home. Ms. Ficara wishes to construct the ADU for her use and sell the property to her youngest son. Mr. Schrag described the floor plans and the architecture. He stated that they are requesting to use vinyl siding on the ADU from a maintenance and a cost perspective as the existing, old home requires quite a bit of upkeep. They would like the ADU to be relatively easy maintenance. Mr. Schrag described that there would

not be a lot of j channels and instead they would wrap the corner boards and use nice trim around the windows and sills which would be a step up from typical vinyl siding. He stated they believe vinyl can be used due to the set back of the ADU from the road and presented plans showing the location and existing screening.

Mr. House stated that the drawings should be updated for the Planning Board files to reflect the kind of siding proposed. He also noted that the elevations are a little confusing as compared to the site plans and requested Mr. Schrag review them and correct as needed.

Mr. House asked what the siding material for the existing home is. Mr. Schrag replied that it is clapboard. Mr. House asked if there are two gables on the roof. Mr. Schrag replied yes and explained there are intersecting gables.

Mr. Allison asked if it will be the same color scheme as the primary home. Mr. Schrag replied they have not decided on the color yet as if they are approved for vinyl siding, then they will look at what the manufacturer offers. He prefers a lighter colored vinyl than a darker one because sometimes the darker colors warp over time and also they do not want to draw attention to the ADU. He stated the main house is a dark blue and an additional outbuilding is white or yellow. He added that it was not designed to look like a barn so they will not use a dark or bright red and that it is detailed to look like a small cottage.

Mr. Houghton stated that it is a nice, well-done project, but he is not in favor of vinyl siding because it is not consistent with the character of the existing home. Mr. House noted that the outbuilding has vinyl siding and asked Mr. Allison his thoughts. Mr. Allison replied that it will not be particularly visible and although vinyl is not allowed in the zone, he would be in favor of giving relief if the siding is good quality and really looks like siding. He added that he understands why clapboard and paint are not desirable and noted that it is a small building that won't be terribly visible. Mr. Houghton stated that the character of the property is hugely defined by the 1750s house, which is a beautiful home, along with the stone wall that runs along the front of the house.

Mr. House summarized that Mr. Allison is okay with vinyl and Mr. Houghton prefers wood siding. Mr. Allison clarified that he doesn't have a problem with vinyl, but he recognizes this is a new building and not a situation where someone is asking for relief due to a mistake that was made or approval was tacitly given, so there is an opportunity to follow the zoning.

Mr. Schrag asked if the intent of the zoning is from the perspective of the road or the character of the entire property. Mr. House replied it is the character of the property and the surrounding neighborhood. He explained that he understands the request for vinyl because of maintenance but there is a character in town that the ordinance is trying to protect.

**Mr. House made a motion to open the meeting to the public. Mr. Allison seconded the motion. All voted in favor and the motion passed.** No members of the public spoke. **Mr. Houghton made a motion to close the meeting to the public. Mr. Allison seconded the motion. All voted in favor and the motion passed.**

**Mr. Houghton made a motion to approve the application for Debra Ficara, Ficara Family Revocable Trust (Owner), for approval of a Route 33 Heritage District application to construct a detached accessory dwelling unit at 219 Portsmouth Avenue, Tax Map 21, Lot 89, Zoned Route 33 Heritage District subject to the following conditions:**

1. That the siding material be natural wood or cement based, artificial wood siding.
2. That plans be revised for the file to include a notation of materials.

**4. Public Hearing (Old Business):**

- a. Anthony Fusco, Fox Construction, LLC (Applicant), Charles B. Rocha III and Lori J. Rocha Revocable Trust (Owners) – Request for approval of Conditional Use Permits to allow encroachments into the Wetlands Conservation and Shoreland Protection Districts for the construction of a driveway serving a proposed residence at 23 Winding Brook Drive, Tax Map 16, Lot 1, Zoned R/A. *This application was continued from November 6, 2024.*

Ms. Connors stated that the staff memo was updated to reflect the site walk on October 31 and removed the question about the property being in the Aquifer Protection District as staff confirmed that it is not in that district. Since the last meeting it was also determined that the project needs a variance from the Zoning Board to construct within 100 feet of very poorly drained soils in addition to the Special Exception required for construction in the Shoreland Protection Zone. The Conservation Commission reviewed the Planning Board application for the driveway crossing the wetlands and they had no objection to the application moving forward. The application package includes updated materials including a cover letter, the NHDES permit for the wetlands crossing, the CUP application, the driveway analysis, and public comments submitted through email. Ms. Connors noted that neither commenter is an abutter and that they provided comments just from seeing the project posted.

Scott Frankiewicz of NH Land Consultants and Antony Fusco with Fox Construction presented the application. Mr. Frankiewicz stated that after the last meeting, they put together a full package with the drainage analysis prepared by a professional engineer, updated the plans and tried to make the plans as clear as possible with regards to setbacks. The revised plans show the entire site wrapped with silt fencing. They addressed comments about grading getting too close to the abutter on the right. The septic design is under review with the Rockingham County Conservation District and is expected to be approved tomorrow. The crossing itself has stayed exactly the same as it was originally submitted to the Planning Board and approved by NHDES.

Mr. House asked how many test pits were done. Mr. Frankiewicz replied one test pit and Mike Cuomo from RCCD stated that only one was needed for an existing lot of record. Mr. House replied that he believes Stratham's Zoning Ordinance requires two.

Mr. House asked about the culvert details and Mr. Frankiewicz presented the plan and described the construction which includes a guard rail.

Mr. House summarized that the Planning Board review is for the driveway crossing only and described at the site walk that the area was very wet. He stated that although this board is not reviewing the house location, it is a high, dry area. Mr. House believes the culvert is the most important aspect of the Planning Board application. Mr. Frankiewicz described that the culvert is 48 inches and mimics the ones upstream and downstream. It is proposed to be HDPE plastic with head walls.

Mr. Zaremba asked for clarification on the lot size as materials within the application differ. Mr. Frankiewicz replied that he believes it is 1.4 acres. Mr. Zaremba asked if the lot size affects the driveway analysis. Mr. Frankiewicz replied no, that the acreage was just a description of the lot and the entire subcatchment was analyzed.

143 **Mr. Houghton made a motion to open the hearing to the public. Mr. Zaremba seconded the**  
144 **motion. All voted in favor and the motion passed.** No members of the public spoke. Ms. Connors  
145 stated that two emails were submitted by members of the public for the record. **Mr. Houghton**  
146 **made a motion to close the hearing to the public. Mr. Zaremba seconded the motion. All**  
147 **voted in favor and the motion passed.**

148  
149 Mr. Frankiewicz presented to the Board how the application meets each of the Conditional Use  
150 Permit criteria in Section 3.6 of the Ordinance. The board had no comments.

151  
152 Mr. Frankiewicz presented to the Board how the application meets each of the Conditional Use  
153 Permit criteria in Sections 11.4 and 12.7 of the Ordinance. Mr. House asked if the utility lines from  
154 the street to the home will be above ground. Mr. Frankiewicz replied they will be below ground  
155 but within the driveway. Mr. Allison commented that there will be a lot of fill brought in for the  
156 driveway and he would like to see a tire scrubber at the entrance to limit the amount of material  
157 tracked on the road.

158  
159 **Mr. Allison made a motion that the Planning Board approve the Conditional Use Permit to**  
160 **allow encroachment into the Wetlands Conservation and Shoreland Protection Districts for**  
161 **the construction of a driveway serving a proposed residence at 23 Winding Brook Drive, Tax**  
162 **Map 16, Lot 1, Zoned R/A, subject to the following conditions:**

- 163 1. That soil erosion and protection controls be provided at the entrance of the driveway
- 164 into the site during construction, such as a tire scrubber.
- 165 2. The details of the protection controls shall be included on the plans.
- 166 3. The Applicant shall obtain a subsurface sewage disposal permit from NH DES.

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

168  
169 **b. Potential Zoning Amendments**

- 170 1. Article II. Table of Dimensional Requirements and Explanatory Notes
- 171 2. Article III. Residential Open Space Cluster Development
- 172 3. Article IV. Accessory Dwelling Unit requirements
- 173 4. Article V. Sign Ordinance amendments
- 174 5. Article VI. Re-zoning of split-zoned PRE and R/A parcels and Re-zoning of parcels 13-071,
- 175 13-072, 13-073, 13-075 and 13-076 to PRE from R/A.

176  
177 Ms. Connors explained that these five amendments are ready for the Board to vote to send to the  
178 ballot if they are comfortable with the language. The only changes made from the last meeting are  
179 to add five parcels to the article for rezoning at the request of the property owner.

180  
181 **Mr. Zaremba made a motion that the Planning Board approve Article II, Table of**  
182 **Dimensional Requirements and Explanatory Notes to move to the town ballot. Mr. House**  
183 **seconded the motion. All voted in favor and the motion passed.**

184  
185 **Mr. Zaremba made a motion that the Planning Board approve Article III, Residential Open**  
186 **Space Cluster Developments to move to the town ballot. Mr. House seconded the motion. All**  
187 **voted in favor and the motion passed.**

188  
189 **Mr. Zaremba made a motion that the Planning Board approve Article IV, Accessory Dwelling**  
190 **Unit to move to the town ballot. Mr. House seconded the motion. All voted in favor and the**  
191 **motion passed.**

192 **Mr. Zaremba made a motion that the Planning Board approve Article V, Sign Ordinance, to**  
193 **move to the town ballot. Mr. House seconded the motion. All voted in favor and the motion**  
194 **passed.**

195  
196 **Mr. Zaremba made a motion that the Planning Board approve Article IV, Rezoning to move**  
197 **to the town ballot. Mr. House seconded the motion. All voted in favor and the motion passed.**  
198

199 **5. Public Hearing (New Business):**

200 **a. Subdivision Regulation Amendments**

- 201 1. Section 4.3 Soils Based Lot Size Determination to clarify that land within dimensional
- 202 setbacks areas or within wetland buffer areas shall not count toward the minimum buildable
- 203 area requirements.
- 204 2. Section 4.4.2 to eliminate the provisions for pork chop lots, which was approved by Town
- 205 Meeting in 2023.
- 206 3. Section 4.6 Open Space Cluster Developments to clarify requirements for Yield Plans
- 207

208 Ms. Connors explained that that the Board has reviewed the proposed subdivision regulation  
209 changes at previous meetings and approved it moving forward to public hearing. The public notice  
210 has been completed and this is the formal public hearing.

211  
212 **Mr. Houghton made a motion to open the public hearing. Mr. Zaremba seconded the motion.**  
213 **All voted in favor and the motion passed.**  
214

215 The Board had no comments on the changes.

216  
217 Fred Emanuel of 6 Patriots Road asked if the changes are more restrictive or progressive. Mr.  
218 Allison replied that the changes are clarification for conflicting or absent areas of the Ordinance.  
219

220 **Mr. House made a motion to close the public hearing. Mr. Allison seconded the motion. All**  
221 **voted in favor and the motion passed.**  
222

223 **Mr. Houghton made a motion to approve the subdivision regulation amendments that**  
224 **include the addition of text to minimum lot sizes, the elimination of provisions for pork chop**  
225 **lots, and the addition of text to clarify requirements associated with Open Space Cluster**  
226 **Developments. Mr. Zaremba seconded the motion. All voted in favor and the motion passed.**  
227

228 **6. Public Meeting (Old Business):**

229 **a. Discussion of Potential Zoning Amendments**

- 230 1. Potential Portsmouth Avenue Heritage Overlay District
- 231 2. Professional/Residential District architectural standards
- 232 3. Route 33 Heritage District
- 233 4. Wetlands Ordinance
- 234

235 Ms. Connors explained that the Town's attorney reviewed the proposed Portsmouth Avenue  
236 Heritage District proposal, and, in his opinion, it is not supported by Statute and would not be  
237 enforceable. It was noted however that that demolition delay exists town-wide under Section  
238 16.5 Historic Demolition Review. Mr. Zaremba asked for clarification that the Ordinance was  
239 limited to demolition. Ms. Connors believed that was the case and would research it and provide  
240 an update to the Board at the next meeting.

Ms. Connors requested that the Board review the language for the Professional/Residential District architectural standards and the Route 33 Heritage District density changes and be prepared to comment on the amendments for the next meeting.

Ms. Connors described conceptual changes to the Wetlands Conservation District. Carol Ogilvie, the Interim Town Planner, prepared a staff memo that describes that using poorly drained and very poorly drained soils as a setback indicator is an outdated approach. Ms. Connors explained that having two setbacks for wetlands: 50 feet for poorly drained and 100 feet for very poorly drained, is challenging to manage. Mark Connors, the previous Town Planner, presented conceptual changes to the Board in the past including creating one setback to wetlands and the Board was in agreement with one setback at 75 feet. Ms. Connors noted that the Conservation Commission was in agreement with removing agricultural uses as a permitted use. Staff reached out to NHDES with an inquiry on permitted uses in wetlands and is waiting for a response. A final comment from staff is that the Board could consider an amendment that allows uses outside the no-disturbance zone to be approved through a Conditional Use Permit and reserve Variances for projects that are more serious and are proposed to encroach in the no-disturbance zone or the wetlands.

## **7. Adjournment**

**Mr. Zaremba made a motion to adjourn the meeting at 8:58 pm. Mr. Allison seconded the motion. All voted in favor and the motion passed.**