



Stratham Planning Board Meeting Minutes

July 16, 2025

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

Members Absent: Nate Allison, Alternate Member

Staff Present: Vanessa Price, Director of Planning and Building

1. Call to Order and Roll Call

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

2. Approval of Minutes

a. July 2, 2025

Mr. Zaremba made a motion to approve the meeting minutes from July 2, 2025. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.

3. Public Meeting (New Business):

a. Parks and Recreation Director (Applicant) for the Town of Stratham for a Preliminary Consultation for improvements to Stevens Park located at 68 Bunker Hill Avenue (Tax Map 9, Lot 84), in the Residential/Agricultural Zoning District.

Ms. Price announced that the Applicant submitted a request to postpone the project review to the next regularly scheduled Planning Board meeting due to the large scope of the agenda this evening. There were no questions from the Board.

Mr. Canada made a motion to continue to August 6, 2025. Mr. Zaremba seconded the motion. All voted in favor and the motion passed.

4. Public Meeting (Ongoing Business):

a. Land Bank Properties, LLC (Applicant and Owner) request for approval of a Condominium Subdivision, Conditional Use Permit, and Route 33 Heritage District Application at 217 Portsmouth Avenue, Tax Map 21, Lot 88 in the Route 33 Legacy Highway Heritage District. — *Amendment to the Notice of Decision.*

Ms. Price explained the proposed amendment to the NOD to include a Preservation Easement. Tim Phoenix of Hoefle, Phoenix, Gormley & Roberts represented the Applicant and stated he concurs with the amended decision.

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49 Mr. Canada made a motion to approve adding the permanent preservation easement
50 language to the condition of approval. Mr. Zaremba seconded the motion. All voted in favor
51 and the motion passed.
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55 **5. Public Hearing Ongoing Business:**

56 a. 41 Portsmouth Avenue LLC (Applicant) and 41 Portsmouth Avenue Realty LLC (Owner) request
57 a Site Plan Review and Conditional Use Permit for a new 30,000 square foot auto dealership at 41
58 Portsmouth Avenue, Tax Map 9, Lot 4 in the Gateway Commercial Business and
59 Residential/Agricultural Districts.
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61 Ms. Price stated that the Applicant is close to conditional approval for this project. The Applicant
62 is working on revisions to the architectural plans. Regarding road connectivity there is an
63 agreement from 2015 that addresses the sidewalk. There is some discussion about the car delivery
64 trucks. The Code Enforcement Officer provided some comments on the signage that can be
65 addressed during the building permit process.

66 Mr. House asked if the traffic study is complete. Ms. Price replied that it has not been submitted
67 yet to the town and it will be a condition of approval. Mr. House invited the applicant to present.
68

69 Bruce Scamman of Emanuel Engineering and James Verra & Associates spoke on behalf of the
70 applicant. He introduced Chris Lane (the owner) and John Arnold from Orr and Reno. Mr. Arnold
71 stated he has been working on the question of vesting with Cordell Johnston, the Town's counsel.
72 He described the location of a private road that has been built. He stated that the owner of the
73 property in 2015 entered into an agreement in principle with the Town that governed and touched
74 on the Town's desire to convert the private section of the road to public in the future. Pursuant to
75 that agreement in principle, the prior owner of the property agreed, essentially to cooperate with
76 the Town on making that road public in the future, understanding that there were still a number of
77 variables that needed to be worked out. One of those is making this intersection a full access
78 intersection, meaning turns either way, in and out, a signal there, if needed, based on the traffic
79 volume, and getting the agreement of the relevant parties. The road was essentially to be designed,
80 permitted, and constructed by the Town at such time that the Town wanted to make it public. It
81 was contingent upon getting the approvals from the necessary parties involved with the
82 easements and benefited by those easements, as well as their mortgage holders, and getting
83 approvals from the State for the access and the full service access on Route 108. The discussion
84 he had with Mr. Johnston is that they both believe that agreement can still be applicable and could
85 be referenced in a conditional approval for this project. The road itself has obviously been designed
86 and constructed already, so that's an obligation that the Town would no longer have as it has been
87 done by the prior owner of the property. The major concern is that the road is used by the existing
88 and proposed dealerships for loading and unloading car carriers and they don't want to lose the
89 ability for that, which is integral to how they operate. They are concerned with safety if it was a
90 public road with cars trying to squeeze by and causing accidents. Mr. Arnold requested that the
91 Town perform some design work on how to install designated pull-offs for loading and unloading.
92 Provided that can be done, the other conditions of the agreement can be met, and they can obtain
93 approval from all parties including mortgage lenders, then they would agree to incorporate the
94 agreement in principle into the conditional approval. He added that once that road becomes public,
there is much less need for a portion of River Road. He described discontinuing a portion of River
Road and explained an alternative route. He has not researched how River Road was created,
whether there was a deed to the Town for the fee underlying the road or whether it's an easement.
He proposed that in either event, if the Town discontinued that section of River Road, then the

95 property line would be reestablished down the center line of River Road so that half would belong
96 to the Applicant and the other half would become part of the Subaru dealership. Regarding a
97 sidewalk along Portsmouth Avenue, because of the drainage infrastructure that has been built in
98 front of the property, the sidewalk would likely need to be partially or fully within the State right-
99 of-way and would require State approval. If the State approves it, the Applicant is willing to
100 construct the sidewalk. However, he clarified that if the section of the driveway between 41 and
101 45 Portsmouth Ave becomes public, the Applicant will not build sidewalks along the new road.
102 The final vesting issue that he discussed with Town Counsel was regarding the roof design which
103 he believes they have incorporated on the plans.

104
105 Mr. House asked Mr. Arnold to clarify his statement on sidewalks. Mr. Arnold replied that if that
106 shared driveway became public, they would not build sidewalks perpendicular to Route 108.
107

108 Mr. Canada asked Mr. Scamman to show on the plans how far the sidewalk might encroach into
109 the right-of-way for Route 108. Mr. Scamman demonstrated that on the plans.
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111 Mr. Scamman stated that with regards to River Road being given back to the property owners,
112 when the site plan for Subaru was created, there was a phase of that project prepared showing the
113 property to the center line of River Road that was approved by the Town because it was anticipated
114 that section of River Road would go away.
115

116 Mr. Canada asked if the sidewalk could be constructed over the buried drainage structures. Mr.
117 Scamman replied no, they are bioretention ponds with water storage above grade and treatment
118 below grade. Mr. Canada asked if it is impossible. Mr. Scamman replied he never says impossible
119 with regards to civil engineering, but the ponds are constructed and it would be difficult and
120 expensive to install.
121

122 Mr. Kunowski asked if the proposed town road would have any impact on the proposed easement
123 at the bottom of the property to the fields in the back. Mr. Scamman replied that he can't imagine
124 it does, because it'd be a driveway like pulling off any town road to get into a property. Mr. Arnold
125 reiterated his earlier points about the parties needing to consent to this. There is a declaration of
126 easements in place that is recorded for the use of this private road and it benefits the proposed and
127 existing dealerships, the residential lot, and the open space land in the back. All those parties would
128 need to consent to the public road and he believes the easement in the back of the property would
129 be modified.
130

131 Mr. Scamman stated there will be some amendments to the landscape plan that will be
132 forthcoming. They responded to the fire department's comments and submitted responses to
133 comments on vesting, the road connectivity, and architecture. Plans are still in the process of being
134 updated. He asked if the Board would like to see a phase of the plan that shows River Road being
135 part of the property.
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137 Mr. Zaremba asked if the 2015 agreement included the discontinuation of River Road. Mr. Arnold
138 replied it did not expressly address that, but it was on a concept plan that was contemplated. Mr.
139 Zaremba wondered if Subaru might have an issue with it down the road.
140

141 Mr. House asked if Mr. Scamman knows if the road is an easement. Mr. Scamman replied that he
142 researched it in the past and he believes it is a right-of-way and not in fee ownership. So
143 traditionally, those would go back to the owners at the center line. The only odd thing about it is
144 when they did the two boundaries, the Town asked for additional width in this section of road to

145 50 feet where originally he thought it was 33 feet. Mr. House said that he does not think it is
146 necessary at this point for the Applicant to show the possible new boundary of River Road if it is
147 discontinued. Mr. Houghton stated that he thinks the next step is for the parties to compose a
148 document that expresses the intent clearly. He added that the Town cannot control when DOT
149 installs a traffic light, but there is a design intent with the Planning Board review that should be
150 memorialized. Mr. Canada agrees that if the Applicant wants to show it on a plan now, then it
151 makes sense to him. Mr. Scamman and the Board discussed some design options for the
152 discontinuation of River Road. Mr. Scamman will check on the status of the driveway permit and
153 provide copies to the Board.

154
155 Mr. Scamman provided an update on the water system. The new building will connect to the fire
156 cistern at the Nissan dealership so there will be a fire sprinkler system in this building. He noted
157 the location of a gas line that will be under a future town road. They need to finalize the septic,
158 holding tank, and Alteration of Terrain permits.

159
160 Mr. Scamman noted that the lighting plan shows some bright areas near the property line that might
161 be moved in the future. He is unsure if they need a waiver for that. In the previous General
162 Commercial zoning, some bleeding over the line of .5 foot-candles was acceptable. They can try
163 to adjust the light fixtures or submit a waiver. Mr. Canada asked if there is a lighting plan. Mr.
164 Scamman replied that they can prepare one. The Board agreed they would like a lighting plan. Mr.
165 Houghton asked that they try to reduce the bleed. Mr. Scamman replied that they have worked on
166 that and it is hard because the lighting is at 18 or 20 and other dealerships have 30 to 50 foot-
167 candles, so this is already much darker than other dealerships in town. Mr. Houghton replied that
168 the Town has been working steadfast to reduce light pollution. Mr. Scamman replied that they will
169 prepare a night plan for reducing at night the light fixtures and see if they can move fixtures so
170 there is no bleed. Mr. House noted it will be challenging in the back for security. Mr. Zaremba
171 asked if lights will be on 24/7 or will some of them be security lights with a motion sensor. Mr.
172 Scamman replied that he thinks some would probably be motion sensor and some would be 24/7
173 but they haven't discussed that yet.

174
175 Mr. House asked if the project is all set with the fire department. Mr. Scamman replied that they
176 submitted the fire truck turning radii plans. Ms. Price replied that she will follow up with the fire
177 chief. Mr. House asked if the Applicant responded to the fire engineer's comments. Mr. Scamman
178 replied that they addressed the engineer's comments on fire truck reach and prepared a plan
179 showing that the ladder trucks are able to reach those areas. He added that the fire protection
180 sprinkler system will be reviewed as part of the building permit review process.

181
182 Mr. Scamman described the proposed signage. The Board noted that the 15-foot height of the Kia
183 brand sign is not compliant with the zoning ordinance.

184
185 Mr. House asked what date that the Applicant would like to have the application continued to in
186 order to complete their submittals. Mr. Scamman replied August 20th.

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188 **Mr. Canada made a motion to continue to August 20, 2025. Mr. Zaremba seconded the**
189 **motion. All voted in favor and the motion passed.**

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191 Mr. Arnold asked the Board to clarify what is their opinion on vesting for this project. Mr.
192 Houghton replied that he thinks the spirit and intent appears to exist and we need to finalize
193 documents along those lines. To the extent that the Board has no issues, he doesn't have a problem
194 moving forward. The Board members agreed.

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b. Copley Properties, LLC (Applicant) and CAT Trust (Owner) request for approval of a Site Plan,
Conditional Use Permit, and Route 33 Heritage District Application for an approximate 4,535 SF,
three-unit, multi-family structure consisting of 3-bedroom units. The location is 301 Portsmouth
Avenue (Tax Map 22, Lot 24), in the Route 33 Legacy Highway Heritage Zoning District.

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Ms. Price introduced the project. She stated there are three revisions so far on this project. Before the Board can accept the application as complete, the waiver from submission of digital plans as required in Addendum B of the Site Plan Regulations must be reviewed.

Mr. Scamman stated that he has no problem with submitting a final copy but he has concerns with submitting draft GIS files that might be used incorrectly. Drew Goddard of Copley Properties added that he has not had to submit this in other municipalities. Mr. Zaremba commented that it has been a requirement since at least 2008 and he is not convinced of the risks that are inherent by providing them to the Town, but if staff is comfortable for this project with not getting the files, then he is fine with it. Mr. House added that this project appears to be pretty simple, and he doesn't have a problem either.

Mr. Zaremba made a motion to grant the waiver from Addendum B of the site plan regulations to provide digital files at this stage. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.

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

Ms. Price stated that comments from Department Heads, the Heritage Commission, and the Route 33 Heritage District Advisory Committee are in the Board's packets.

Mr. Scamman presented the project. He addressed comments from the abutter, Abigail Morgan, who asked that the tractor trailer owned by the Applicant be removed from her property and said the owner is aware that it needs to be removed as part of the sale of the property. The proposed project is a home with an extension into a barn that will have two residential units for a total of three residential units. They made changes to the architecture based on comments from the Heritage Commission and the Route 33 Heritage District Advisory Committee. They propose wells in the front of the property and a leachfield in the back. There is a single driveway with access to a double garage for the home in the front and single car garages for the two rear units. They show fire truck access that was approved by the fire department. They have a sight distance profile that will be submitted to NH DOT. They prepared a landscaping plan for landscaping down the side and in the front.

Mr. House asked if the existing building will be razed. Mr. Goddard replied yes. Mr. House stated that a demo permit will be needed, and he asked if the same foundation footprint will be used. Mr. Goddard replied the new foundation is larger. He noted that the garage doors will not be visible from Portsmouth Avenue.

Mr. Scamman stated that they increased the driveway width from 18 feet to 20 feet at the request of the fire department. Mr. House asked how close is the driveway to the building. Mr. Scamman replied it is about 22 feet at the closest point, which is enough room to park a full-sized vehicle. The plan has six parking spaces outside of the garages for the three residents.

Mr. Goddard stated there will be minimal lot clearing beyond what is already cleared. Mr.

245 Scamman added it will be removal of sumac and other brush.
246

247 Abigail Morgan of 297 Portsmouth Avenue is an abutter and expressed concern with the existing
248 tree line and the cutting of any of those trees. In the winter the garages will face her master bedroom
249 window, and she is concerned with vehicle lights going into her bedroom. Mr. House paused the
250 discussion to open the meeting to the public. **Mr. Houghton made a motion to open the public**
251 **hearing. Mr. Zaremba seconded the motion. All voted in favor and the motion passed.**

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253 Mr. Scamman replied that the tree line is over the property line. The existing owner cut over the
254 property line and they are not proposing to cut over the property line. The only cutting will be in
255 the back for the leachfield and at the end for the turnaround.

256
257 Mr. Zaremba asked if there is a driveway already in the location of the proposed driveway. Mr.
258 Goddard replied yes and they submitted an application to NHDOT.

259
260 Mr. House asked for the plans to be updated to show Ms. Morgan's home. Ms. Morgan stated that
261 she is excited about the project as it is a huge improvement, but she is concerned with the tree line
262 as the proposed structure is about 100 feet from her home. She stated that in the past construction
263 trucks have gone through the pass through and out her driveway and torn up her side yard. She
264 wants to make sure that they use the ingress and egress that belongs to that property and not drive
265 over that grass. Mr. Scamman asked if the concrete road was ripped up in front of her home. Ms.
266 Morgan replied yes, that it is grass and trucks in the spring and winter can tear it up. Mr. Scamman
267 stated there is an existing powerline easement, so utility trucks have the right to traverse that area.

268
269 Mr. Scamman stated they worked with the fire department on sprinklers and a Knox box. They
270 added light poles, but the light bleeds over the property line and he thinks they could be removed
271 as there is other lighting sufficient for walking and when driving into the property at night, vehicle
272 headlights would be sufficient. He stated that it is not a commercial business, and he assumes that
273 when Holbrook Associates prepared the plan, they were considering a commercial use. There is
274 lighting of 11 and a half foot-candles on the driveway and he doesn't think that's necessary. Mr.
275 Goddard added that the lighting is all downlit and dark sky compliant. The front of the structure
276 will have period correct lanterns and any fixtures visible from Portsmouth Avenue will be reviewed
277 and approved by the Heritage. Mr. House replied that they need to update the lighting plan because
278 the building layout changed.

279
280 Mr. Scamman continued describing some changes to grading, a retaining wall, and the driveway.
281 Mr. House asked if they are eliminating the concrete drive between the two driveways. Mr.
282 Goddard replied it is asphalt and yes it will be removed. Mr. House replied that could be a great
283 place for the fire truck to turn around and go back out.

284
285 Mr. Scamman demonstrated on the tv screen the location of the vegetative buffer between this
286 property and Ms. Morgan's property.

287
288 Mr. House asked what kind of power line easement is there. Mr. Goddard replied that he met with
289 Consolidated and it should be prescriptive, but there are no recorded easements on the lot. He
290 presumes that is because of the age. Mr. Scamman and Mr. Goddard described the proposed
291 building setback and the location of the garages with regards to Ms. Morgan's concerns. Mr.
292 Scamman asked if they can use GIS type information to locate Ms. Morgan's building versus a
293 survey. The Board agreed a survey is not needed.

295 Mr. Scamman asked the Board if they will require accessible parking. He does not typically show
296 a handicapped space for residential units. He described where he could add some handicapped
297 spots. Mr. Goddard does not believe any ADA spaces are required per the Site Plan Regulations
298 because it is not over 10 units and it is not a parking lot. He doesn't believe a waiver is required.
299 Mr. House replied that federal regulations prevail over local regulations and asked Mr. Goddard
300 to confirm ADA regulations do not require parking. Mr. Scamman asked if they can instead depict
301 where ADA spaces can fit but not paint them unless someone needs handicapped accessible. Mr.
302 House asked them to look at the ADA requirements. He asked if the units will be rentals. Mr.
303 Goddard replied yes. Ms. Price clarified that her question to the Applicant was if they were going
304 to provide ADA spaces and not that it was required. She quickly looked up the Fair Housing Act
305 and it defines multi-family as four or more units. Mr. Houghton made an observation about the
306 parking that with a one-car garage many people might use that for storage so if each unit has two
307 drivers, then they will need two external parking spaces and then there is no room for guests. Mr.
308 Scamman replied that guests can park on one side of the driveway. Mr. Houghton noted in that
309 case there would be only one aisle. Mr. Scamman replied, but how often are they going to have
310 guests and that they are providing two spaces per unit plus the garage. Mr. Houghton commented
311 that two more spots could be added to the left of the septic system. Mr. House added that parking
312 could be added in the hammerhead. Mr. Scamman replied that he assumes people will park there.
313 Mr. Goddard stated that he heard that Senate Bill 284 may have been signed into law that limits
314 municipal authority to require only one space per unit. Mr. Houghton noted that his comments are
315 just an observation.

316
317 Mr. Scamman stated that he believes they have shown loading facilities for deliveries within the
318 20-foot-wide aisle. He asked the Board for questions.

319
320 Mr. Zaremba asked how big the lot is. Mr. Goddard replied one acre.

321
322 Mr. Kunowski commented that he sees a deck on the back of the back unit but it doesn't see that
323 the front or middle units have dedicated outdoor space. He asked how do they expect people to use
324 outdoor space. Mr. Goddard replied that originally the barn was not attached and it allowed for a
325 patio area between two buildings but having two primary uses is not allowed. By joining the
326 buildings, he lost some space and adding decks does not work well with setbacks and visualization.

327
328 Mr. House asked how close to the tree root balls will the proposed retaining wall be constructed.
329 Mr. Scamman replied that the wall only needs to be dug down about nine or twelve inches. Mr.
330 House asked if stormwater behind the wall will dump on the abutting property. Mr. Scamman
331 replied there is a couple of feet but they can put stone behind it and all water flows to the back of
332 the property. Mr. House asked that the plans be revised to correct the detail for the wall that appears
333 to show the existing grade as higher than the existing abutter's property grade which is not the
334 case.

335
336 Mr. House asked what kind of block is proposed for the wall. Mr. Scamman replied eight-inch
337 keystone standard three straight units. Mr. House asked that they provide a picture for the benefit
338 of the abutter.

339
340 Ms. Price asked if the Board wants to consider the second waiver request from Section 5.14 of the
341 Site Plan Regulations to allow the proposed shared driveway width of 20 feet where a 60-foot right
342 of way is required. Mr. Goddard stated this is not a roadway; it is a shared driveway. Ms. Price
343 replied that the regulations don't identify the difference between a road and a driveway. Mr.
344 Scamman stated that they proposed an 18-foot driveway originally and the fire department

345 requested a 20-foot wide fire lane per NFPA. They do not believe this is a road, that instead it is a
346 driveway, they don't believe they should design a 24-foot wide road for three residences and it is
347 not a subdivision. A road design also requires a 60-foot wide right-of-way which would be more
348 intrusive to the neighbor. Additionally, behind this property is conservation land and nobody
349 would construct a road to access conservation land. Mr. Goddard added that this driveway will not
350 be named and that it is viewed as a driveway and not a roadway by 911. Mr. Zaremba commented
351 that the regulations state that streets in multi-family developments shall be constructed to Town
352 specifications as set forth in the subdivision regulations for street construction. Mr. Goddard
353 replied he was not aware of that. Mr. Houghton asked if the project will be reviewed by a third-
354 party engineer. Ms. Price replied that the Board needs to determine that. The Board decided to hold
355 off on reviewing the waiver until the project is reviewed by CMA Engineers. Mr. Goddard asked
356 that the review be expedited. Mr. House replied that is not in the Board's purview, but he asked
357 Ms. Price to request that CMA's review be expedited. Ms. Price asked if the Board would also like
358 a fire protection engineering review. The fire chief is fine with waiving a fire review for this
359 project. Mr. Goddard replied that the building will be sprinklered.
360

361 **Mr. Zaremba made a motion to send the application for 301 Portsmouth Avenue to a third-
362 party engineer. Mr. Kunowski seconded the motion. All voted in favor and the motion
363 passed.**

364 Mr. Zaremba asked how many bedrooms are in each unit. Mr. Goddard replied three.
365

366 **Mr. Houghton made a motion to continue the application to September 3rd. Mr. Zaremba
367 seconded the motion. All voted in favor and the motion passed.**

369 **6. Public Hearing (New Business):**

370 **a. Adoption of Amended Site Plan Regulations**

371 Ms. Price stated that Town Counsel reviewed the changes and provided some minor comments.
372 She stated that previous comments from the Board have been incorporated into the posted
373 amendments.
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375 **Mr. Canada made a motion to open the hearing to the public. Mr. Zaremba seconded the
376 motion. All voted in favor and the motion passed.**

377 Ms. Price explained the comments from Town Counsel and stated if the Board does not feel they
378 are substantial changes and there are no other objections, then the Board can move forward with
379 adoption tonight.
380

381 Mr. Scamman spoke in opposition to the 28-day requirement for application submittals. It was
382 only recently changed to 28 days from 21 days in Stratham. He is pleased that a Design Review
383 process was added.
384

385 **Mr. Houghton made a motion to close the hearing to the public. Mr. Zaremba seconded the
386 motion. All voted in favor, and the motion passed.**

387 **Mr. Zaremba made a motion to approve the site plan amendments with the legal comments
388 incorporated. Mr. Kunowski seconded the motion. All voted in favor, and the motion passed.**

389 **7. Miscellaneous**

395 a. NHDOT Bunker Hill Ave, Frying Pan Lane, and Rt 108 Intersection Safety Improvements
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397 Ms. Price stated that NHDOT spoke at a Select Board meeting about intersection improvements.
398 The budget for a project at Bunker Hill Avenue is a little over \$1 million. There are several
399 alternatives, including a traffic signal, a traffic circle, and designated turning lanes. NHDOT
400 prefers designating Bunker Hill Avenue as a right turn only, due to cost limitations. NHDOT
401 wants to look at performing a corridor study with the Rockingham Planning Commission.
402 NHDOT is returning to the Select Board on July 21, 2025, to present their decision.
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404 **8. Adjournment**
405

406 **Mr. Canada made a motion to adjourn at 9:54 pm. Mr. Zaremba seconded the motion. All voted
407 in favor and the motion passed.**