



Stratham Planning Board Meeting Minutes
April 15, 2026
Stratham Municipal Center
Time: 7:00 pm

Members Present: Thomas House, Chair
John Kunowski, Vice Chair
Chris Zaremba, Regular Member
Jay Fraprie, Regular Member
Tedd Tramaloni, Ex-Officio Select Board Member
Nate Allison, Alternate Member

Members Absent: None

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. Review and Approval of Minutes

A. April 1, 2026, Planning Board meeting minutes

Mr. Zaremba made a motion to approve the meeting minutes from April 1, 2026. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.

3. Public Meeting (New Business)

A. Lindt & Sprungli (USA) Inc. (Applicant and Owner) request for a Site Plan Amendment to extend the existing dead-end fire lane to the existing parking area to create a fire access loop around the southeast side of the existing building #1. The property is located at One Fine Chocolate Place (Tax Map 3, Lot 1) in the Industrial District. Application submitted by Tighe & Bond, Inc., 177 Corporate Drive, Portsmouth NH 03801

Ms. Price explained that the project manager and applicant submitted a request for an additional 120 days to comply with the Notice of Decision. They intend to proceed with construction during the upcoming summer season.

Mr. Kunowski made a motion to extend the One Fine Chocolate Place Fire Access Road for 120 days as requested. Mr. Tramaloni seconded the motion. All voted in favor and the motion passed

4. Public Hearing (New Business):

A. Ben Collins (Applicant and Owner) request for a Conditional Use Permit for a proposed swimming pool, patio surround, and fence at 11 Treat Farm Road (Tax Map 14, Lot 167) in the Residential-Agricultural District and the Wetlands Conservation Overlay District. The project includes the

44 construction of a 16-foot by 40-foot swimming pool, patio surround, and fence within the wetlands
45 setback.

46 Ms. Price provided the Board with her comments that the submitted plan is an alteration of an
47 existing plan and needs to be stamped by a wetland scientist and she has informed the applicant of
48 this requirement. Mr. House invited the owner to speak.

49

50 Mr. Collins stated that they plan to complete the survey and wetland scientist requirements but
51 before spending money for that work, he'd like to get feedback from the Board on the proposed
52 location. The project is outside the 25-foot buffer, but within the additional 50-foot wetland
53 setback and does not encroach in the 10-foot side property line setback. They plan to put trees on
54 the southern border and east and west for additional privacy.

55

56 Mr. Collins stated that they want to maintain the wetland as they are fans of nature and added that
57 although he is not an expert, the wetland is not vibrant; there's nothing living in it and no water
58 holes there, but they do want to protect that. They are outside the 25-foot buffer and he is looking
59 for guidance on if they come back with the proper plans, is this something that the Board would
60 be against or for.

61

62 Mr. House stated that because this is a full application and is not complete, they can't talk too
63 much about it. Mr. Collins replied that he reviewed the zoning ordinance and it was vague as to
64 what needs to be submitted. He will complete the survey work and understands it can't be reviewed
65 today.

66

67 Mr. House replied that they can't talk too much about it but asked if there are any comments from
68 the Board. He added that this is more of a design consultation and any discussion is non-binding.
69 He added that for him it is not a good idea to put a pool, patio, and fencing within wetland setbacks.

70

71 Mr. Allison asked if the plan submitted was prepared by an engineer.

72

73 Mr. Collins replied it was prepared by the pool contractor.

74

75 Mr. Allison commented that the plan shows a swale going through one corner of the swimming
76 pool. He advised the owner to find somebody who is knowledgeable in preparation of these types
77 of plans so that what he has can actually be constructed.

78

79 Mr. Fraprie agreed that a survey site plan is needed.

80

81 Mr. Zaremba stated he has concerns with the whole pool and the majority of the patio in the
82 wetland setback.

83

84 Mr. House asked if the pool is in-ground or above ground. Mr. Collins replied in-ground.

85

86 Mr. Kunowski also has concerns with the extent of impact into the setback that he can see on the
87 preliminary drawing.

88

89 Mr. Tramaloni shares the other board members' concerns.

90

91 Mr. House asked if the sidewalks, stairs, and wall are existing or proposed. Mr. Collins replied
92 they are part of the new project and stated there is a rock wall now that would be constructed as a

93 paver wall. He doesn't think the current design works and stated that if Mr. Collins wants to move
94 forward, he needs a site engineer.

95
96 Mr. Collins noted that with the 75-foot setback there is no other spot that will work on the property
97 and that would mean they couldn't build a pool. That is the feedback he wanted to understand
98 before proceeding.

99
100 Ms. Price commented that the project will also need to be reviewed by the Conservation
101 Commission.

102
103 Mr. House suggested some changes to the project that would limit the setback disturbance that Mr.
104 Collins could discuss with a site engineer. Mr. Tramaloni added that those changes may make it
105 easier to access and service the pool equipment.

106
107 Ms. Price requested a motion for the application.

108
109 **Mr. Zaremba made a motion to continue the application for 11 Treat Farm Road to May 6th.**
110 **Mr. Kunowski seconded the motion. All voted in favor and the motion passed.**

111
112 **4. Public Hearing (Old Business)**

113 A. Packer Brook Holdings LLC (Applicant and Owner) request for approval of a Site Plan and
114 Conditional Use Permits for a Mixed-Use Development. This development is to include a Light
115 Manufacturing Facility and proposed construction within the wetland setback. The project involves
116 constructing a new ±6,110 square foot office/shop for a residential contracting business. This
117 facility will be located behind an existing single-family residence, which will continue to operate
118 in its current capacity. The location is at 170 Portsmouth Avenue (Tax Map 17, Lot 86) in the
119 Route 33 Legacy Highway Heritage Zoning District. Continued from April 1, 2026

120
121 Ms. Price announced that the Applicant requested to continue the application to May 6th to address
122 additional technical comments that they received for the draft notice of decision. There were no
123 questions or comments from the Board.

124
125 **Mr. Kunowski made a motion to continue the Mighty Roots, 170 Portsmouth Avenue**
126 **application to the May 6th meeting. Mr. Tramaloni seconded the motion. All voted in favor**
127 **and the motion passed.**

128
129 **5. Public Hearing (New Business):**

130 A. Brendan Sheehan (Applicant and Owner) request for Subdivision, Conditional Use Permit, and
131 Route 33 Heritage District applications for a proposed residential development at 210 Portsmouth
132 Avenue (Tax Map 21, Lot 81) in the Route 33 Legacy Highway Heritage District and the Wetlands
133 Conservation Overlay District. The project includes the construction of four duplexes (two-
134 bedroom units), while retaining the existing duplex and barn. Conditional Use Permits are required
135 for construction in wetland, wetland buffer, and/or wetland setback areas for a shared driveway, a
136 dry hydrant to an existing pond, three of the duplexes, water supply well installation, and
137 stormwater infrastructure. The applications were submitted by Beals Associates, 70 Portsmouth
138 Avenue, Stratham NH 03885.

139
140 Ms. Price stated that the project completed preliminary consultation and design review applications
141 and this formal application is a reduced scope from those previous applications. The Technical

142 Review Committee met this week, and the meeting minutes are in the Board's packet along with
143 the Planning staff memo and comments from SELT and an abutter. The project will be presented
144 to the Conservation Commission on May 22nd for comments. Ms. Price noted that HISS mapping
145 is not presented and instead of requesting a waiver from it, the Applicant stated that they will
146 update the plans. The Board needs to determine if the application is complete.

147
148 John Lorden of Beals Associates, representing the Owner, provided information on the HISS
149 mapping. In 2019 the NHDES Alteration of Terrain program switched from HISS mapping to site-
150 specific soil mapping. Luke Hurley is a soil scientist who has done a lot of work in Stratham and
151 he knew this would be an issue. Mr. Hurley's plans in the soil report contain both site-specific soils
152 and HISS mapping. Mr. Lorden also explained the details of Plan Sheet 4 that provides a chart of
153 SSSM vs. HISS symbols. They will add the HISS symbology to the plan mapping.

154
155 **Mr. Zaremba made a motion to accept the application as complete. Mr. Kunowski seconded**
156 **the motion. All voted in favor and the motion passed.**

157
158 **Mr. Zaremba made a motion to open the public hearing. Mr. Kunowski seconded the motion.**
159 **All voted in favor and the motion passed.**

160
161 Ms. Price presented an overview of comments from the Route 33 Heritage Advisory Committee
162 which were largely related to architecture and materials, landscaping, and the site layout. The
163 Committee requested some changes and would recommend approval of the Route 33 application
164 once the changes are incorporated into the final design.

165
166 Ms. Price presented an overview of comments from the Technical Review Committee. The TRC
167 review is advisory only and does not constitute acceptance of the application. Fire department
168 comments include ensuring that a minimum 20-foot wide is maintained at all times specifically
169 with regard to snow plowing. There is also concern if the proposed fire pond can meet fire flow
170 requirements. The project will be presented to the Conservation Commission on April 22nd. The
171 Conservation Commission member at the TRC expressed concerns with the wetland crossing and
172 road culvert and duplexes located in the wetland setback. The Heritage Commission member at
173 the TRC spoke against vinyl siding and commented that the architecture is not what they are
174 expecting in the Heritage District.

175
176 Mr. House invited the project team to speak. The team included Brendan Sheehan, the property
177 owner; Brett Allard, attorney with Shaughnessy Allard; and John Lorden with Beals Associates.

178
179 Mr. Sheehan presented the project. He described the reduction in scope from the previous
180 applications and stated that the Stratham Hill Park trails and the Barker's farm access trail to
181 Crockett Farm will not be impacted by the project. Mr. Lorden presented the technical aspects of
182 the plan. Mr. Sheehan presented the wetland buffer enhancement plan prepared by the wetland
183 scientist for the project.

184
185 Mr. Allard explained to the Board that he prepared the condominium documents and is available
186 to answer any questions about condominium ownership, documents, etc.

187
188 Mr. Kunowski asked for confirmation that there is no intention of selling the individual condo
189 units. Mr. Allard replied that for the foreseeable future, Mr. Sheehan will maintain ownership of
190 all the units. He will be the Declarant and Board of Directors. As a practical matter, how things
191 would operate on the ground would be typical without a lot of distinction in terms of private

192 ownership, because the condos haven't been sold. The condominium won't be turned over to the
193 association, so to speak. Mr. Sheehan would handle all the maintenance that the association would
194 typically handle.

195
196 Mr. Tramaloni asked if the units would be rented out. Mr. Allard replied yes, and eventually the
197 units could be sold and at that point there would be other owners that would join the Board of
198 Directors.

199
200 Mr. House noted that changes requested by the Advisory Committee and the Technical Review
201 Committee have not yet been incorporated. Mr. Sheehan replied they will be addressed in the next
202 plan set iteration as there was not time to do for this meeting.

203
204 The Board agreed to hold review of the Conditional Use Permits to hear comments from the
205 Conservation Commission.

206
207 Mr. House asked if there are any waivers for the project. Mr. Lorden replied that no need for
208 waivers is known or planned.

209
210 Mr. House asked if there are any ZBA issues to be addressed. Ms. Price replied that she is aware
211 of.

212
213 Mr. House asked for comments from the public.

214
215 Jason Reimers with BCM Environmental & Land Law spoke on behalf of an abutter, Edie and
216 Forrest Barker. He submitted a comment letter for the record and added that they also agree with
217 the concerns submitted by the Southeast Land Trust (SELT). They are particularly concerned with
218 impacts to wetlands which include the Barker's Farm irrigation pond that is on the property line.
219 Barker's farmland is subject to two conservation easements held by SELT. The irrigation pond is
220 the sole water source for the front field at Barker's farm. Conservation easements prohibit most
221 development of the Barker's farm property and ensure that the farm will be farmed in perpetuity
222 and protected as open space. Mr. Reimers stated that the Barkers have a tremendous amount
223 invested in this conservation easement on the front that's held by SELT, and they donated a
224 conservation easement on the back field to SELT. This is a working farm that is an important asset
225 to the Town of Stratham and the region, because there are less farms due to development. Mr.
226 Reimers was happy to hear Mr. Sheehan say that he doesn't plan to stop the farm from using the
227 woods road through the property. But nevertheless, they want to see that this project satisfies all
228 the regulations that apply to it. This includes filing a subdivision plan that shows all the wetlands
229 impacts and getting the necessary variances from the ZBA. Mr. Reimers commented that three
230 septic systems seem to be within 100 feet of a wetland which is not allowed per the Zoning
231 Ordinance. He asserts that a variance is also required for the proposed dry hydrant as he does not
232 believe it meets the uses allowed per Section 11.5.1 of the Zoning Ordinance. Mr. Reimers stated
233 that in order for a conditional use permit to be granted, the project must meet all five criteria and
234 this project does not seem to satisfy the criterion that economic advantage alone is not the reason
235 for the proposed development. The applications do not explain how this criterion is met. The
236 property has long been used productively and currently has a duplex with five total bedrooms. It
237 is Mr. Reimer's understanding that the Applicant has shown that an additional duplex can be
238 located without wetland or wetland buffer impacts. So, it seems that the proposed conditional use
239 permits are needed solely to increase the economic and development potential of the property, in
240 which case they don't satisfy that criterion and the conditional use permit can't be granted.
241 Regarding the well radii, they extend onto the Barker's farm property, while they may be within

242 the building setback of the Barker's farm property, they farm almost up to the property line, which
243 is their right. They are concerned that the well radius will adversely impact the agricultural use of
244 Barker's farm and are also concerned that if there is an issue with well water quality, that Barker's
245 farm would be blamed for that. Mr. Reimer stated that this concern highlights the impacts posed
246 by the heavy development on this narrow strip of land. He continued that also with the conservation
247 easements on the Barker's farm property, the Barkers can't grant a well radius easement without
248 SELT's approval and probably without the approval of the National Resource Conservation
249 Service. He briefly described the other concerns in the letter to the Board as including there should
250 be a springtime site walk to verify existing wetlands conditions, which is suggested as note 13 of
251 the existing conditions plan. There also appears to be additional impact in the zero to 25-foot buffer
252 area from a wetland where there appears to be a well within there. There is very little room shown
253 on the plan for the construction of duplex one, where it goes right up to the buffer and it appears
254 there will be buffer impact from the duplex and the water lines, which are not shown on the plan.
255 Mr. Reimer continued that Well 2 is located next to the rip rap weir, which is the overflow channel
256 for the infiltration pond number one and he questioned the wisdom of having a well next to
257 untreated stormwater overflow. He concluded with stating that three septic systems and three wells
258 on this narrow property with wetlands in close proximity to the Barker's farm is very concerning
259 for Barker's farm, and even though this is less proposed development than reviewed in design
260 review last year, that's not the standard. What they're proposing now is what needs to satisfy the
261 zoning ordinance and all the other regulations.

262
263 Mr. House invited the project team to respond to the comments.

264
265 Mr. Allard addressed the zoning comments. He doesn't think Mr. Reimer's interpretation of the
266 Zoning Ordinance, particularly 11.5.1, is correct. He stated that a dry hydrant is literally,
267 functionally, and structurally a pipeline used for water transmission; it is a utility. He does not
268 think a variance is required. Mr. Allard stated that with respect to the septic systems they are
269 holding the 75-ft buffer required from the leach fields. Regarding proximity to the fire pond, he
270 provided his opinion that there is a conflation between wetlands and water bodies and that not all
271 wetlands are water bodies. He asserts that certain utility infrastructure, like a stormwater basin, are
272 not wetlands and one wouldn't necessarily have to hold a 75-foot setback for a septic system from
273 storm water utilities even though they hold water. He believes the same holds true for manmade
274 ponds like this one that is going to serve as a fire suppression utility and therefore he does not
275 believe that a variance is required. Regarding conditional use permits, Mr. Allard reminded the
276 Board that conditional use permits are not prohibited uses and they are not variances. Conditional
277 use permits are uses that are allowed by right, as long as the criteria are met. A conditional use
278 permit request is to do something that the ordinance allows by checking the boxes so that the
279 functionality works the way it should with no detriment, no harm, no environmental contamination
280 or anything like that.

281
282 There was a discussion between the Board, Mr. Allard, and Mr. Reimer regarding the function of
283 the dry hydrant and how it relates to Section 11.5.1 of the Zoning Ordinance where Mr. Allard and
284 Mr. Reimer disagree. Mr. Reimer also disagrees with Mr. Allard regarding the classification of the
285 fire pond and noted that three septic systems are within 100 feet of some wetland.

286
287 Mr. Allard addressed the drinking well radii extending over the property line by stating that
288 NHDES requires that the well radius be on your own lot unless one can show that it extends into
289 an area that can never be developed, such as a property line setback on an abutting property.
290 Regarding the well by the spillway, a spillway is for larger storms 50 years or so. The one-inch
291 storm is what needs to get treated and everything beyond one inch is clean. In addition, if water

292 goes over that and into the well area, the well doesn't suck water from the surface. It withdraws it
293 from 250 to 300 feet down in the ground.

294
295 Mr. Sheehan addressed the wetland delineation timing. He stated that his wetland scientist, Sergio
296 Bonilla, performed a third site visit and his notes include the statement that wetland delineation is
297 very frequently conducted during winter conditions through New Hampshire and explained in
298 detail the soil analysis performed to delineate wetlands and stated that Mr. Bonilla's March 2026
299 site walk confirmed his earlier delineation.

300
301 Mr. Sheehan will provide the Board with a copy of the March 14, 2026, email from Mr. Bonilla.

302
303 Mr. Reimer provided further comments on one-inch storms; that they happen often, and he does
304 not agree that the stormwater runoff or the excess overflow will never be used. Regarding the
305 Barker's farm use of their property, he stated that even if the nothing can be built in the setback,
306 (although there are couple of building envelopes where they can build something) that area is
307 subject to fertilizer, manure, and whatever else the Barkers or future farmers use, because this is
308 going to be a farm forever. So we're concerned that farm use is going to be adversely impacted by
309 having a well radius.

310
311 Mr. Allard stated that a one-inch storm will not overflow, it will completely infiltrate into the
312 ground through bio media and is completely treated before it infiltrates. He added that Barker's
313 property flows onto this site, not the other way.

314
315 Mark Mordecai, member of the Board of Directors of Crockett Farm HOA spoke. He stated that
316 the HOA appreciates the reduction in the scope of the project. However, they are concerned that
317 this might not be the end of the development on this property. He asked if it can be expanded in
318 the future to the undeveloped land that is not in conservation.

319
320 Mr. House replied there is a major wetland that they would have to cross.

321
322 Mr. Mordecai stated that the wetland they propose to cross with this project is also a major wetland.
323 He added that if the project moves forward, they would like to see a formal conservation easement
324 possibly for public use of the undeveloped land on the property. Mr. Sheehan declined to comment
325 on that request.

326
327 Mr. Mordecai continued that the plans do not show the wetlands on the Crockett Farm property
328 which are significant. The wetlands are on both sides of the farmland used by the Barkers and the
329 Crockett Farm HOA are the stewards of the farmland leased to the Barkers. It is part of the
330 Declaration of Crockett Farm that the HOA ensures the land in Crockett Farm is maintained for
331 agricultural use, so anything that impacts runoff from this project to the Crockett Farm property is
332 a concern if it impacts agricultural use. He stated that all of the water from this property runs
333 towards the Crockett Farm property. The HOA has concerns with the proximity of the septic
334 systems to the wetlands and any ponds that ultimately flow towards Crockett Farm and asserts that
335 it will impact the farmland. He added that it is a source of contamination that the HOA cannot
336 control.

337
338 Mr. Mordecai stated that beyond just wetlands conservation, the HOA is concerned with runoff
339 from stormwater, from septic fields, and that kind of stuff. He asked the Board to pay extra
340 attention to those issues.

341

342 Mr. Mordecai provided comments on public access. He stated there are currently three trails across
343 the subject property and one of them, last he saw, was blocked off. He asked if it has been opened.

344
345 Mr. Sheehan replied that some trees fell down in the winter over the trail and he just cleared them.
346 He also clarified that there were no closed signs posted and that there were just some trees that
347 fell.

348
349 Mr. Mordecai continued that it is important to the HOA and to the Town that those trails continue
350 to be in current use, which includes (at least on one trail) farm implements, and hiking and biking
351 and all those other recreational activities that we love at Stratham Hill Park, along with access to
352 the Park and Town Forrest. The HOA would like to make sure that those are not promised, but that
353 they are detailed, so it is implemented, as opposed to just being someone's statement that they'll
354 make it happen. Whatever that takes to be able to make that happen, the HOA is in favor of that.

355
356 Mr. Mordecai stated that one member of the HOA voiced concerns with dog waste. With new
357 families on the property, he asked what will constrain pets from going onto the farmland and
358 wrecking the crops. It is a concern when talking about density that residents will let their pets run
359 wild next to Crockett Farm's fields and there will be negative consequences. He added that there
360 are legal remedies for that, but anything that can be done to avoid that problem is important. Mr.
361 House replied that something could probably be added to the condominium documents.

362
363 Mr. Mordecai commented that from a visibility standpoint, it is typical with these developments
364 to keep a vegetation barrier along the abutting property. It appears that between the ponds and the
365 septic fields, that area may need to be cleared, so this development could be highly visible from
366 what is an agricultural community. He stated that to the extent that vegetation barriers are possible,
367 it is important that they be included in the plan.

368
369 Mr. Mordecai added that with regards to stormwater, there is a lot of paving and buildings proposed
370 in areas that are pretty sensitive. He asked how the stormwater would be managed. He understands
371 the property owner wants to develop his land and they are happy to support that provided that
372 public benefit is not decreased by trying to put density and infrastructure into a very narrow strip
373 of land that is difficult to support.

374
375 Mark Sweetser, an abutter, spoke. He commented that car lights are going to shine directly into his
376 home and asked that they construct a stockade fence or something like that. He also expressed
377 concerns with the filling of the proposed fire pond that it will overflow onto his land. Mr. Lorden
378 replied it won't be full. Mr. Sweetser replied it is full now and running onto his land; he doesn't
379 want it to be a problem for him. He asked if there are any exclusion zones on his property. Mr.
380 Lorden replied there is on the back of the property, and it is about 7 feet. Mr. Sweetser replied that
381 he has a vegetable garden there.

382
383 Mr. Sweetser asked if there would be anything to address salt remediation on the road going into
384 the ponds.

385
386 Mr. Lorden replied there is a salt plan that is part of the maintenance.

387
388 Denise Sweetser, an abutter, commented that the pond is coming onto their land now and an owner
389 before Mr. Sheehan had done something around the pond that is causing more water onto the
390 Sweetser's yard. She said that she will print out pictures for the file. They have lived there since
391 1986 and never had that problem.

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Nicole Decarolis of SELT spoke. She noted that they sent written comments for the record. She asked how much are the well radii extending into the Barker's property. Mr. Lorden replied that he doesn't have an exact measurement, but less than 20 feet. She asked if there will be another opportunity to comment after the revised plan. Mr. House replied absolutely and the Board typically closes the public's participation when they get closer to the end of the project.

There were no further comments from the public. Mr. House asked questions from the Board.

Mr. Zaremba asked for confirmation that they cannot get a well radius completely on the property. Mr. Lorden replied that to keep the radii on the property they would need a greater number and smaller flows.

Mr. Allison stated that infiltration basins are used all the time now as opposed to pipe conveyance. He does not see a water surface elevation on the pond, only a contour at about 94 and the bottom of the infiltration basin shows only about a foot between the bottom of a basin that is supposed to infiltrate and a wetlands area beside it. He wonders how the infiltration will work. Mr. Lorden replied the seasonal high-water table is 94.15. After water goes through a forebay, it flows through one foot of material. Mr. Allison commented that runoff is coming from the roads and the houses at just about the elevation of wetlands. Mr. Allison asked if the stormwater calculations show there is sufficient area for recharge.

Mr. Lorden replied that scenario might happen for only two weeks out of a year, and they are required by the State to provide one foot of separation.

Mr. Allison questioned leakage from the fire pond.

Mr. Lorden replied it will be lined with clay.

Mr. Allison asked if there will be a control outlet to the adjoining land.

Mr. Lorden replied no, it will be designed to accept capacity for additional stormwater and it will not infiltrate.

Mr. Allison commented that some infiltration basins recently constructed in Stratham did not infiltrate this past winter. Mr. Lorden replied that basins are designed and should be maintained to completely infiltrate within 72 hours. Mr. Allison replied that isn't happening with other basins in town.

Mr. Lorden replied those might not be maintained.

Mr. Allison asked who is going to maintain the basins for this project.

Mr. Lorden replied the HOA will.

Mr. House announced that the project will need a third-party engineering review and asked the project team if they are comfortable with the current plans and materials being sent for review. Mr. Lorden replied that they would like to go to the Conservation Commission first in order to incorporate any comments before initiating an engineering review.

Ms. Price asked if the Board wants to see the plan revisions before they are sent to engineering review. The Board discussed the subject with the project team, and it was determined that the project team would bring revised plans back to the Planning Board in order to review the CUP applications and then send the plans to engineering review.

Mr. Zaremba made a motion to continue the application to May 20th for legal opinion, CUP application review, and resubmittal of plans. Mr. Kunowski seconded the motion. All voted in favor and the motion passed.

6. Public Hearing: Subdivision Regulations

Mr. House requested a motion to open the public hearing for Subdivision Regulation amendments.

Mr. Kunowski made a motion to open the public hearing for Subdivision Regulations. Mr. Zaremba seconded the motion. All voted in favor and the motion passed.

Ms. Price described new regulations for amendments to subdivision plans. Town counsel has reviewed the amendments. An amendment request will follow the formal application process. It is up to the Board to decide if an application is an amendment or a new application.

Mr. Zaremba asked if the Board has been hearing amendments under the normal application process in the past. Ms. Price replied yes and that it is the Board's decision as to whether a change is minor or major.

2.1.2 Subdivision Permits and Site Plans:

- a. In all cases where any amendment of any such subdivision plat is proposed, the applicant must also secure the approval of the amendment from the Planning Board. **The applicant would file any amendment under the formal application process.**
- b. No building permit may be issued for the construction or alteration of any building or structure within the purview of these Regulations until an approved subdivision plat or amendments thereto have been secured by the applicant and presented to the Building Inspector. The Planning Board shall certify on each subdivision plat or amendments thereto whether or not the plat meets the requirements of these Regulations and other regulations and ordinances of the Town of Stratham.
- c. In cases where a variance is required from the Zoning Ordinance, the applicant shall first present the plan to the Planning Board so as to allow the Board to render a decision at a public hearing. (Added 7/89) (Rev. 8/99 and 6/00)
- d. At the Applicant's request, the Planning Board may, at its sole discretion, waive the general requirements for a complete application, in accordance with these regulations, in order to advance the application to the Zoning Board of Appeals. Said waivers would be granted for the sole purpose of accepting the application, thereby providing the Board with jurisdiction to render a formal decision on the plan. Waivers of any or all of these general requirements shall be granted on a one time only basis and shall not be considered as justification for any future waivers of said regulations. The applicant assumes all risk of any further zoning relief that may be found necessary as a result of subsequent Planning Board reviews of the application. (Rev. 6/00)

2.14 MODIFICATION TO PLANS: (Added 10/25)

2.14.1 General Guidance:

If at any time after the Planning Board approval, the applicant determines that unforeseen conditions make it necessary, or preferable, to modify the design, the applicant shall present the modification to

491 the Town Planner in writing. The Town Planner will determine how to proceed with the design
492 change, and if the design change is minor or major.

493
494 **2.14.2 Minor Design Change:**

- 495 a. Minor design changes do not appreciably change the nature of the development and do not
496 require waivers from Town Regulations. Examples of minor design changes are relocating
497 proposed utilities, ~~or~~ relocating proposed driveways ~~or houses~~.
498 b. Minor design changes require a field sketch for review, and if approved, the minor design change
499 shall be documented in the as-built drawings.
500 c. Minor design changes require ~~Town Planner~~ **Planning Board** approval, **but do not require**
501 **submission of a new application or a public hearing.** ~~and~~ They may also require approval from
502 Department Heads.
503

504 **2.14.3 Major Design Change:**

- 505 a. Major design changes alter the nature of the development, how it functions, or the longevity of
506 the infrastructure. Examples of major design changes are: modifying the roadway design,
507 stormwater treatment system(s), ~~or~~ property boundaries.
508 b. The Planning Board may consider waiver requests when reviewing major design change.
509 c. Major design changes require **submission of an amended subdivision application and** Planning
510 Board approval **after public hearing**, and may require amending the Notice of Decision or
511 Approved Plans.
512

513 **2.14.4 Fees:** Any request for review and approval of a modification to an approved Plan shall be
514 accompanied by a fee of an amount to be determined in accordance with the Fee Schedule.
515

516 It was noted for the record that no members of the public were present.
517

518 **Mr. Zaremba made a motion to close the public hearing for Subdivision Regulations. Mr.**
519 **Kunowski seconded the motion. All voted in favor and the motion passed.**
520

521 **Mr. Kunowski made a motion to accept the revisions to the Subdivision Regulations as discussed**
522 **at the Wednesday, April 15th public hearing. Mr. Tramaloni seconded the motion. All voted in**
523 **favor and the motion passed.**
524

525 **7. Public Meeting: Subdivision Regulations**

526 Ms. Price presented a new amendment to the Subdivision Regulations to clarify how new property
527 lines should be drawn in order to prevent odd shaped lots and to clarify lot line layout in the field.
528

529 Mr. Allison suggested that ‘as possible’ be added to the draft language because he considers a scenario
530 where every new subdivision will have to submit a waiver request because a couple of lots might not
531 be able to meet the requirement.
532

533 Mr. Zaremba prefers to be clearer and not use ‘as possible’.
534

535 Mr. Allison suggested ‘as practicable’ or ‘feasible’ instead.
536

537 The Board continued the discussion and provided comment to leave the language for Section 2.4.2.ii
538 in the previously approved Subdivision regulations as written.
539

540 **8. Adjourn**
541 **Mr. Kunowski made a motion to adjourn at 9:34 pm. Mr. Zaremba seconded the motion. All**
542 **voted in favor, and the motion passed. All voted in favor, and the motion passed.**
543
544 *Respectfully submitted by Susan Connors*