



**Stratham Planning Board Meeting Minutes**  
**May 18, 2022**  
**Stratham Municipal Center**  
**Time: 7:00 pm**

**Member Present:** David Canada, Vice Chair, acting as Chair in the absence of Tom House  
Mike Houghton, Selectmen's Representative  
John Kunowski, Alternate Member

**Members Absent:** Thomas House, Chair  
Pamela Hollasch, Regular Member

**Staff Present:** Mark Connors, Town Planner

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

Mr. Canada announced that he would be chairing the meeting in the absence of Mr. House. Mr. Canada called the meeting to order and introduced Mr. Kunowski as a new alternate member of the Planning Board and took roll call. He appointed Mr. Kunowski as a voting member for the meeting.

**2. Approval of Minutes**

**a. March 16, 2022**

The approval of minutes was put off until the June 20<sup>th</sup> meeting since several members were missing from the meeting.

**3. Public Meeting:**

- a. Stratham Retail Management, LLC (Owner) - Request for approval of a 60-day extension to a site plan approval granted on January 19, 2022 for a 10,260 square-foot medical office building at 23 Portsmouth Avenue (Tax Map 4, Lot 13), Zoned Gateway Commercial. Applicant's representative is Stonefield Engineering & Design, LLC, 92 Park Avenue, Rutherford, NJ 07070. Stratham Retail Management LLC.**

Mr. Canada asked Mr. Connors to briefly describe the request. Mr. Connors said that the applicant is requesting a 60 day extension to approval of a site plan. Approval was granted of the site plan on January 19<sup>th</sup>, 2022 for a 10,260 sq. ft. medical office building located at 23 Portsmouth Avenue. Mr. Connors explained that this was the dermatology clinic which the board approved in January and they are working to satisfy their conditions. Mr. Connors explained that the part of the delay is because NH DOT has not yet granted a driveway permit, so they are

requesting a 60 day extension which would give until July 19<sup>th</sup> to satisfy all conditions and get the plans finalized and signed by the Board. Mr. Connors did not have any objections to their extension request as they are actively working to finish requirements and start construction. Mr. Houghton asked if there was an existing driveway and what the issues were. Mr. Connors responded that there was a driveway many years ago and but it is not currently in an accessible condition. Because of the new use, the DOT would require a new driveway permit and there are a number of engineering issues DOT asks the applicant to address. Mr. Connors said he is included in the e-mails between the applicant and NHDOT and that the applicant recently responded to all of the DOT comments, so he believes the permit should be issued relatively shortly.

**Mr. Houghton moved that the Planning Board grant a 60-day time extension to the site plan approval granted for 23 Portsmouth Avenue for a 10,260 square-foot medical office building. The applicant must satisfy all precedent conditions and obtain plan signature by July 19, 2022. The motion was seconded by Mr. Canada. All were in favor and the motion was approved.**

**b. Discussion with Rockingham Planning Commission regarding potential implementation of source water protection strategies**

Jennifer Rowland, Land Use Program Manager at the Rockingham Planning Commission handed out maps and explained the update to the aquifer protection district which was discussed in April and the changes made based on conversations about Stratham being interested in expanding their aquifer protection district. Currently Stratham protects its stratified drift aquifer district and all the requirements that are bound by the boundary. Ms. Rowland explained that Stratham currently does not include wellhead protection areas of all the public water supply wells as part of the Aquifer District. She asked if the Board would consider changes to Stratham's prohibited uses, conditional use permit, adding more definition to Stratham's permitted uses and capturing increased performance standard uses for how uses can be developed on sites. Referring to the edits made to the Ordinance text, she noted some additions that were added, including adding a definition for a junkyard. She cited the RSA on page 9 for definition of junkyard. Explaining that Stratham has always prohibited junkyards in the Aquifer Protection District and if the district were to expand the aquifer district, those prohibited uses would go with the expansion and anything that already exists would be allowed to continue as existing non-conforming uses. If expansion were to happen the biggest impact are automotive related (gas stations and auto servicing). Ms. Rowland showed a map of the current aquifer protection district that coincides with the current stratified drift aquifer and a second map showing how the district would expand if it were enlarged to include wellhead protection areas, which are not currently protected under the Ordinance. She pointed out the prohibited uses change explaining that expansion would change areas up and down 33 and 108, noting that these would become part of Stratham's aquifer district. Ms. Rowland noted that this is a fairly complex topic with a lot of terminology.

The next discussion point (page 6, line 179) was in regards to maximum site coverage. Stratham currently limits maximum site coverage for impervious surface to 20% for any building lot under the Aquifer Protection District. There is no distinction based on use. It applies to commercial and

residential uses. Ms. Rowland's suggestion was to add criteria by which someone can exceed that 20%. She mentioned that other towns are expanding their areas to include protection of the well head protection areas. A question was asked as to the amount of land in Stratham this would entail. Ms. Rowland mentioned it was over half and Mr. Connors estimated it would be about 60-65 percent of the Town's land area. Ms. Rowland explained that expanding the boundaries and enhancing performance standards were a good way of being proactive.

Mr. Connors noted that there is a small Board tonight and it might be better to discuss this with the larger Board before we give additional direction to Ms. Rowland. Mr. Connors noted that there are alternative mechanisms the Board could pursue to protect water quality including revisions to our Stormwater Requirements. We currently allow applicants to request waiving the standards if the amount of disturbance is less than one acre. But there are quite a few projects that fall in that threshold. For example the entire parcel for the medical office building at 23 Portsmouth Avenue is only 1.1 acre. We could tighten up those requirements so it is harder to have them waived. The Board discussed alternatives to the proposed changes to the Aquifer Protection District. Mr. Connors will put it on the agenda for the next Planning Board meeting.

- c. Appointment of a planning board designee for the Rt. 33 Advisory Heritage Committee.

**Mr. Houghton nominated Tom House to serve as the Planning Board representative to the Route 33 Heritage Advisory Committee. Mr. Canada seconded the motion. All voter in favor and the motion was approved.**

- d. Update on the New Hampshire Housing Appeals Board

Mark Connors noted that the Board had previously requested more information related to Housing Appeals Board decisions. Mr. Connors had done some additional research regarding the reasons cited for overturning Planning Board decisions. Mr. Connors provided an overview of the six decisions reached by the Board relating to Planning Board decisions. The Board discussed the Shattuck case against Francestown, which was overturned because the Board determined the Planning Board relied on considerations that were subjective and undefined in the Ordinance. In that case, rural character was a prominent discussion point for denying the application. Mr. Houghton asked if the lesson was that the Town should better define terms in the Ordinance including rural character. Mr. Connors said yes, the Appeals Board is clearly looking for defining language that is specific and not overly subjective.

- a. Miscellaneous Community Planning Issues

Mr. Connors updated the board the Stoneybrook project south of Route 101. Mr. Connors met with the developers, the Exeter Town Manager and Exeter DPW staff regarding the developer's request to hook into the Exeter Water and Sewer system. The Exeter Town Manger set up a meeting for them to appear before the Exeter Select Board to discuss the request on June 13, 2022. It appears the applicant is willing to provide at least 20 percent of the units as dedicated workforce housing units.

132 Mr. Connors will wait to give a brief update on the pending Aberdeen appeal at the next meeting.  
133 He reminded the Board that the Age Friendly Community Forum will take place on Wednesday,  
134 May 25<sup>th</sup> with two sessions including a morning and evening session. Mr. Connors asked Board  
135 members to attend if possible and to encourage others to.

136 **4. Adjournment:**  
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138 Mr. Houghton made a motion to adjourn at 8:09 pm. Mr. Canada seconded the motion. All voted in  
139 favor and the motion was approved.  
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