



Stratham Planning Board Meeting Minutes
June 1, 2022
Stratham Municipal Center
Time: 7:00 pm

Members Present: Tom House, Chair
David Canada, Vice Chair
Michael Houghton, Select Board Representative
Pamela Hollasch, Regular Member
Chris Zarembo, Regular Member
John Kunowski, Alternate Member

Members Absent:

Staff Present: Mark Connors, Town Planner

1. Call to Order/Roll Call

Mr. House called the meeting to order and took roll call. There was a full board in session.

2. Approval of Minutes

a. May 18, 2022

The approval of minutes from May 18, 2022. The approval of the March 16th meeting minutes which were moved to discuss in June should have read June 22nd, 2022. Mr. House made a motion to approve the draft minutes as amended. Ms. Hollasch seconded the motion.

Scheduling of the Planning Board for the summer

Mr. Connors said that the next meeting would be June 22nd, 2022 and the following meeting will be July 13th, 2022.

3. Public Meeting:

a. Discussion regarding potential implementation of source water protection strategies

Mr. Connors noted that at the Board's previous meeting Jennifer Rowland, Land Use Program Manager at the Rockingham Planning Commission, returned to the Board to continue the discussion initiated in April where the Board discussed different methods the Town could

41 undertake to improve source water quality. Mr. Connors explained that Ms. Rowland's focus has
42 been on Aquifer Protection Ordinance. Ms. Rowland is proposing that the Town expand that
43 ordinance to include wellhead protection areas. Mr. Connors explained that this would vastly
44 expand the area that would be covered by the requirements of this Ordinance. Currently about
45 25% of the Town is under the aquifer protection district and this proposal would expand it to
46 about 60 to 65 percent of the land area in Stratham. Mr. Connors continued that this would
47 include all of the Town's commercial districts; the Town Center, the Gateway District and the
48 Industrial Park. Mr. Connors indicated that he was a little apprehensive to proceed in that
49 direction because it so vastly expands the reach of the Aquifer Protection Ordinance. He added
50 that for many property owners, it is not intuitive that they are within an aquifer protection district
51 or wellhead protection area, and it would be confusing if the district only applies to part of your
52 property. He explained the only way to know whether different parts of your property would fall
53 within these zones would be to have a property survey completed, which would be expensive for
54 single family property owners. Mr. Connors indicated his recommendation would be to pursue
55 townwide improvements that may not go as far the RPC proposes, but there would be clarity that
56 they apply to all new developments. He mentioned there were other options as listed in the
57 report. Mr. Connors stated that currently the Town requires new site plans or subdivisions to
58 install storm water management, but once installed these systems are not maintained very well
59 maintained and therefore tend to function less well over time and lose the ability to properly treat
60 storm water.

61
62 Mr. Connors mentioned 23 Portsmouth Avenue, the site of the new medical office building. One
63 of their conditions of approval is that they have to file an inspection report with the Town every
64 year, stating that the stormwater facilities are functioning and in good working order. Mr.
65 Connors suggested that this could be something added to the regulations, stating that with every
66 new site plan you have to meet certain criteria. Mr. House asked how that would work for
67 homeowners in a subdivision. Mr. Connors responded that the HOA would have to file the
68 report. Mr. House asked what the report would consist of. Mr. Connors stated that it would need
69 to state that the underground facilities or drainage facilities were maintained and functioning in
70 accordance with the Operations & Maintenance Plan. Mr. House commented that there is an
71 assumption that there will always be a homeowners association, but that's not always the case.
72 Mr. Connors agreed. Mr. Connors said that for a single family property you could probably
73 waive the requirements but it is important for larger subdivisions. Mr. House asked if Treat Farm
74 (which has 22 units) has a Home Owners Association. Mr. Connors replied yes, at some point
75 they will because it is an open space subdivision and the HOA is responsible to maintain the
76 open space. Mr. House asked if it would it be on each individual homeowner? Mr. Connors
77 replied no, that they would probably be asked to form an association for the purpose of filing this
78 report. It was noted that there would be a lot of legal work involved to create these instruments.
79 Mr. Canada said if it was for one purpose for the HOA to maintain that one thing and not have to
80 oversee anything else. Mr. House mentioned that he would not like to put the burden on the HOA
81 for each individual property owner. Mr. Connors mentioned that you could structure it so that it
82 only applied to larger projects, so that for a 3 lot subdivision for example the Board could have
83 the option waive it but for larger subdivisions, you would require it.
84

85 Mr. Canada said he would be absolutely opposed to what Ms. Rowlands proposed, explaining
86 that it is a land taking that's uncompensated and unrestricted. Mr. Houghton asked if there was a
87 way something could be connected to a percentage of impervious surface? Mr. Connors
88 responded absolutely. Mr. Houghton went on to say that in essence that's what you're trying to
89 deal with and that's why cluster subdivisions end up forming HOAs because they need storm
90 water runoff basins. He went on to explain different mitigation measures in cluster subdivisions.
91 Mr. Houghton mentioned that it tends to come up more when you are in smaller parcels and
92 maybe there's a play here to certain amounts of impervious surface required that certain amounts
93 of storm water runoff and management be put in place and maintained through the HOA.
94 Ms. Hollasch mentioned that this appeared to be covered in 13.4b where it states that within this
95 district no more than 20% of the land area may be impervious to ground water but it may exceed
96 20% provided these standards are met and then that's the new green and that would be that storm
97 water drainage plan on page 7. You are kind of defining that 20%. Mr. Connors said that 20% is
98 reasonable for single-family residential but it would be low for commercial. Mr. Canada said he
99 would be in support of such an approach in regard to tying the requirements directly to the
100 percent of land area that is impervious. Mr. Kunowski asked if we could do that across the
101 whole town or just in the current aquifer protection zone? Mr. Connors replied that stormwater
102 plans are required for residential or commercial, but there is a big loop hole if it's under 40,000 sq.
103 ft. then the Board can waive the applicant having to do a storm water report. Mr. Zaremba asked if
104 historically we have waived some and Mr. Connors replied that since he has been with the Town
105 there have been some residential waivers, but he would be in support of reducing that since it
106 creates a lot of disturbance. Mr. Connors said that Mr. Houghton's point that you could base it on
107 the amount of percentage of the lot that's being disturbed so if it's less than 20% you could
108 RAISE IT. Ms. Hollasch said she thought it made more sense to base it on the percentage of the
109 lot being disturbed verses the sq. footage for the building.
110

111 Ms. Hollasch asked about the existing standards. Mr. Connors clarified that the ordinance the
112 Board is currently looking at was just the Aquifer Protection Ordinance not the town wide storm
113 water protection ordinance. Ms. Hollasch asked what the current aquifer guidelines are if it is
114 more than 20% impervious. The comment was made that storm water is singled out in this
115 aquifer protection district there must be a storm water requirement for any large development in
116 the town, or that was covered in some other documentation? Mr. Connors noted that there are
117 townwide requirements for stormwater mitigation but this discussion is focused on the Aquifer
118 Protection District as the RPC recommended we make significant changes there. From the
119 discussion however, it sounds like the Board would be more in favor of looking at stormwater
120 requirements townwide and tying them to the percentage of impervious coverage on a lot.
121

122 Mr. Connors asked if there was general agreement from the Board that they would not like to go
123 the route of expanding the Aquifer Protection District to include the wellhead protection areas.
124 There was agreement among the Board to keep the existing Aquifer District area but to update
125 the language so the regulations are more stringent. Ms. Hollasch asked what the changes in the
126 language will change for Stratham's water from the current aquifer and will any language affect
127 positive change? Mr. Connors proposed increasing regulations a bit since the town does have
128 water quality issues, and these issues should be addressed, but Mr. Connors did not want to go as
129 far as was proposed. Ms. Hollasch asked if the storm water language exists in the different

130 regulation and if it applies to any new construction and additions. Mr. Connors affirmed this. Mr.
131 Zaremba asked if the Board does not expand the Aquifer Protection District is the board still
132 looking to change the actual ordinance for the actual aquifer protection district? Mr. House said
133 it needs to be looked at again since it has been a while since it has been looked at and particularly
134 if it is going to be made more restrictive. Mr. Connors said it is probably due for an update since
135 this section of the ordinance is roughly 22 years old. Mr. Houghton said stormwater mitigation
136 needs to be tightened up to ensure it is being treated and not contaminating source or drinking
137 water. Mr. Houghton advocated that increasing regulations townwide makes sense. Mr.
138 Kunowski asked if it goes before the town in March. Mr. Connors responded that it depends
139 upon what is decided upon; if the aquifer district is changed that is part of the Zoning Ordinance
140 which the Town would need to vote on. However changes to the Site Plan/Subdivision
141 Regulations could be handled through the public hearing process.
142

143 **b. Update on and discussion of Invest New Hampshire Housing Grant Program**

144 Mr. Connors gave an update on the InvestNH grant program initiated by Governor Sununu
145 mentioned using federal ARPA funds. The Governor proposed to put \$100 million toward
146 housing. This was approved in early May, but the funding has not opened yet. A document was
147 handed out detailing how the grant funds will be applied, including the different grant funding
148 opportunities available. Mr. Connors described the different categories of funding available,
149 including grants for projects that increase workforce housing (available to both developers and
150 municipalities), planning grants, and demolition grants to support demolitions necessary to build
151 new housing.
152

153 Mr. House asked if there was a timeframe to use this money. Mr. Connors replied that
154 applications open June 20th. The Board discussed the Stoneybrook Lane and former Technical
155 College projects and if they might be projects that could be supported through the program. Mr.
156 Connors said that if the projects included workforce housing and were moving toward approval
157 and necessary permits, they might be eligible.
158

159 The Board discussed on how the money would need to be spent. Mr. Connors said he wasn't
160 aware of any requirements associated with how a municipality spends the grant funds.
161

162 **a. Miscellaneous Community Planning Issues**

163
164 Mr. Connors gave an update that he is trying to organize the first Route 33 Heritage Advisory
165 Committee meeting so they can the Town can begin accepting applications for the new zoning
166 district that was approved in March.

167 Mr. Connors gave an update on the Aberdeen West appeal. He mentioned that it is going to court
168 on June 22, 2022 and the town has to file a brief which is due on June 10th. Mr. Connors is
169 working with the Town attorneys to get that prepared.
170
171

172 **4. Adjournment:**

173
174 Mr. Houghton made a motion to move into a non-public session to discuss a legal matter at 7:59 pm.
175 The motion was seconded.
176

177 A motion was made to go back into public. Ms. Hollasch seconded the motion. Mr. House made a
178 motion to adjourn the meeting at 8:04 pm. The motion was seconded by Mr. Zaremba. All voted in
179 favor and the meeting was adjourned.