



Stratham Planning Board Meeting Minutes
August 17, 2022
Stratham Municipal Center
Time: 7:00 pm

Members Present: Thomas House, Chair
David Canada, Vice Chair
Mike Houghton, Select Board's Representative
Pamela Hollasch, Regular Member
Chris Zaremba, Regular Member
John Kunowski, Alternate Member

Staff Present: Mark Connors, Town Planner

1. Call to Order/Roll Call

Mr. House called the meeting to order and took roll call.

2. Approval of Minutes

a. August 3, 2022

Ms. Hollasch made a motion to approve the meeting minutes from August 3, 2022. Mr. Zaremba seconded the motion. All voted in favor.

3. Public Hearing:

- a. Tulip Tree, LLC (Owner), Kyle and Sophie Saltonstall (Applicants) - Request for approval of a site plan amendment to allow for modifications to the landscape plan associated with an event venue, non-profit lodge, and private school use at 61 Stratham Heights Road (Tax Map 5, Lot 81) approved by the Planning Board on March 6, 2019, Zoned Residential Agricultural.**

John Kunowski recused himself from the hearing as he is an abutter. Mr. Connors presented the project. The project was approved first by the Zoning Board for a special exception and then the site plan for an event venue was approved by the Planning Board in 2019. Evergreens were required to be planted north of the parking area as a buffer to the abutters. The evergreens were planted but the plantings died. In February 2022 Jim Marchese, the Code Enforcement Officer, informed the Applicant in writing that the plantings needed to be addressed and offered two options: replant trees as they are shown on the plan or submit a revised plan to the Planning Board for approval. The Applicant has submitted a revised plan.

Kyle Saltonstall presented the revised plan. The Saltonstall farm is a diversified farm in its early stages of development. The contractor hired to perform the landscaping failed to follow the plans

45 and Mr. Saltonstall regrets that they did not identify the deficiencies prior to requesting a
46 certificate of occupancy. In May 2020, Mr. Shanti Wolph, the previous Code Enforcement
47 Officer, informed the Applicants that the trees would need to be planted in order to be issued a
48 certificate of occupancy. Mr. Saltonstall voiced his concerns that June is a terrible time to plant
49 trees, particularly evergreens; that he was concerned the trees would die; and he asked if the trees
50 were required to survive. Mr. Saltonstall stated that Mr. Wolph replied it only mattered that the
51 trees were planted for the certificate of occupancy and what happened after issuance was of no
52 importance to Mr. Wolph. Half of the trees died in the winter of 2020-2021. In the spring of 2021
53 Mr. Saltonstall confirmed with Mr. Wolph that he did not need to replant the trees. The
54 Applicants removed the dead trees and planted 10 foot tall sunflowers. The remaining trees died
55 in the winter of 2021-2022. Mr. Saltonstall suspects the reason the trees died is because they
56 were planted in an exceptionally well drained area. The parking area is essentially a dug and
57 filled gravel pit that is lined with geotextile fabric and drainage tiles and hence the area is
58 extremely dry in the winter. Irrigation cannot occur in the winter due to the freezing of pipes. Mr.
59 Saltonstall reiterated that he had no intention to intentionally break the rules and that he either
60 misunderstood Mr. Wolph or that Mr. Wolph misspoke.

61
62 Mr. Saltonstall said that Jim Marchese, the current Code Enforcement Officer, informed the
63 Applicants in February 2022 that the trees would need to be replanted. Mr. Saltonstall informed
64 Mr. Marchese that they were working with an engineering firm and a landscape architect to
65 create a new landscaping plan that would far exceed the intent of the original site plan, with
66 special attention to the border between the Applicant's property and the Cooper's property (the
67 abutter). Mr. Saltonstall stated that Mr. Marchese said that the business was not in danger of
68 being shut down. In April 2022 Mr. Marchese performed an inspection at the property and
69 informed the Applicants that they needed to replant the trees along the north side of the parking
70 lot before they could hold any events in the barn or apply for an amendment to the site plan by
71 June 15, 2022. The Applicants chose to apply for the amendment as trees planted this summer
72 would have been negatively impacted by the current dry weather.

73
74 Mr. Saltonstall stated they are in the process of designing a superior landscape management plan
75 that will be implemented in the fall of 2022 and spring of 2023. Mr. Saltonstall presented a
76 concept plan from a landscape architect. The portion of the property in question is classified by
77 the New Hampshire Wildlife Habitat Action Plan as Tier 1 habitat which is the highest rating of
78 wildlife habitat. The concept plan consists of native grassland habitat and flowers and in the
79 center of the property a mowed fescue lawn for gatherings surrounded by a hedge. The area north
80 of the parking area is proposed to be woodland infill. The Applicants have planted corn, in the
81 interim, north of the parking area and presented recent photographs. The Applicants requested
82 time to prepare a fully developed landscape plan to present to the Planning Board and allow the
83 business to continue to operate in the interim.

84
85 Mr. House asked if the berm on the original site plan was constructed. Mr. Saltonstall answered
86 that the site plan depicted a straight row of trees in the area north of the parking lot and that a
87 berm shown between the parking lot and the house at 55 Stratham Heights Road was built and
88 landscaped along with the berm shown on the north corner of the parking lot. Mr. House agrees
89 that corn stalks are dense when grown, but when removed or during early growth, they do not
90 provide sufficient screen. Mr. Saltonstall stated that the business is closed annually from October
91 31st through April 1st and for most of the year, the parking lot is used for farm vehicle storage
92 when there are no events. The majority of events are in September and October when the corn is
93 tall. In June, July, and August there are minimal events in the barn. The Applicants are not

requesting to plant corn again next year but requesting approval to continue to hold events in 2022 while a new plan is developed and approved.

A question and answer discussion continued that included details on the new landscape architect, the events planned through October 31, 2022, and the proposed plantings - a mix of deciduous and evergreens with a focus on fruit bearing and native trees. Mr. Houghton suggested that the Applicants continue to work with the Town Planner to develop a plan that meets the spirit and intent of the approved site plan with a deadline that includes plantings taking root by next spring for the area in question. Mr. Saltonstall agreed. Ms. Hollasch asked how this requirement impacts the broader project for the property and if it produces strain on the project. Mr. Saltonstall replied that the projects can be melded without difficulty. Mr. Zaremba asked how many parking spots are there. Mr. Saltonstall replied 37.

Mr. Canada made a motion to open the public hearing. Ms. Hollasch seconded the motion. All voted in favor and the motion was approved.

The abutter, Kimberly Cooper, provided comments. For two years there have been no trees to shield them from cars, buses, police details with lights, noise, etc. The corn and sunflowers are not sufficient light and noise barriers, so the Coopers are requesting that the trees be replanted.

Mr. Kunowski questioned the concept plan as a member of the public. The L-shaped berm does not appear to be on the modified plan and the parking area in question now appears to be more exposed with the proposed tractor path. Mr. Saltonstall responded that the L-shaped berm will be installed.

Mr. Saltonstall proposed that the corn remain as a temporary measure because if the corn is removed now and evergreen trees planted, the evergreens won't be as full as the corn for this season. He agrees that if the evergreen trees had two years to grow and fill out they would be a better screen, but the trees that they will plant in the future will be better than corn and better than the original plan.

Ms. Hollasch made a motion to close the public hearing. Mr. Canada seconded the motion. All voted in favor and the motion was approved.

Mr. Houghton stated that the property should be brought into compliance with the existing approved site plan.

Mr. Canada made a motion to approve a delay until October 31, 2022, with a revised plan required to be submitted to the Planning Board by October 5, 2022, and final planting to be completed by May 1, 2023. Ms. Hollasch seconded the motion. Mr. Canada, Ms. Hollasch, and Mr. House voted in favor. Mr. Zaremba and Mr. Houghton opposed. The motion passed 3 to 2.

4. Public Meeting:

a. InvestNH Grant Opportunities Discussion

Mr. Connors presented the topic. There are grant opportunities totaling \$100 million offered by the State of New Hampshire to accelerate the approval and construction of affordable workforce

housing in New Hampshire. The Regional Planning Commission offered to submit applications for the Town. Mr. Connors is seeking support from the Planning Board to move forward with submitting applications for two ideas and also welcomes any additional ideas from the board for projects to increase housing in Stratham.

The first idea is a recommendation from the Master Plan to encourage cottage-style or small single family housing. The Town has a 2-acre minimum lot size which tends to result in larger homes. The Town could offer a density bonus if a developer limits unit sizes enforceable with a deed restriction. Those projects could also be subject to enhanced setback requirements making the development less visible from surrounding properties. Certain architectural features could be required like front porches to create a community feel. The Town would not place a cost restriction on the units, but instead would limit the unit sizes in an effort to limit housing cost. The Town would apply for a grant to hire a consultant to work with the Planning Board to develop the density bonus language.

Another idea is a bonus for workforce housing which is subject to restrictions on rental or purchase costs and those costs fluctuate with median income for the area. For Stratham the ownership cost limit for workforce housing is currently in the mid-\$400,000s. Stratham has existing bonuses for housing density, but to date no developers have pursued constructing affordable housing. The second idea would be to look at the existing density bonus language to see if it can be more generous to encourage workforce housing development.

Mr. Houghton commented that although Stratham has a 2-acre minimum lot size, the majority of housing constructed in the last ten years has been cluster development with less than 1-acre lots. He appreciates the emphasis on housing needs by the state and other communities, but Stratham's zoning and density bonuses have resulted in expensive homes on smaller lots, so he is not convinced the cottage style density subdivisions will meet the goal. Mr. Connors stated that a public outreach program is required as part of the grants but we are not required to adopt what we research. Ms. Hollasch noted that the population we need to hear from are not existing residents, but are people that want to move to Stratham and cannot afford to and asked if anybody has data showing that people want to move to Stratham and cannot. Mr. Connors suggested talking to employers in Stratham to ask where employees are living and if they have trouble recruiting employees due to commuting or housing. Ms. Hollasch stated that if Stratham is serious about workforce housing, then we need to better incentivize it because the existing zoning bonuses are not working. Mr. House stated that he believes the economy is dictating what developers choose to build and not a lack of incentive by the Town. Mr. Houghton believes Stratham does not have the infrastructure (e.g. public water and sewer) to support workforce housing.

Ms. Hollasch asked if towns are required to have workforce housing and who is enforcing the requirement. Mr. Connors replied that it is not required, but the Town must provide reasonable opportunities to build workforce housing. Mr. Zaremba suggested conducting a feasibility study with the grant money to find out what could be reasonably constructed without public water and public sewer. Mr. Houghton supports applying for a grant to gain objectivity and analysis of what the potential could be from a third party and suggested the idea of a global look at the possibilities in Stratham. Mr. Canada suggested an independent consultant prepare an economic model showing the cost effectiveness of building water and sewer infrastructure in the Town. The board supports Mr. Connors pursuing an application for a Housing Opportunity Planning Grant.

192 **b. Open Space & Connectivity Plan Update**

193
194 The RFP will be posted on August 18, 2022 and Mr. Connors will continue to provide updates to
195 the Board on the process. The Town should establish an advisory committee to steer the plan and
196 one or two members of the Planning Board should be on that committee.

197
198 **c. Discussion of potential 2023 zoning amendments**

199
200 Mr. Connors explained House Bill 1021, an Act prohibiting certain zoning regulation of land or
201 structures used primarily for religious purposes, and how it impacts site plan review. Mr.
202 Connors will prepare draft language for the site plan review regulations and schedule a public
203 hearing for the Planning Board on September 21, 2022.

204
205 **Ms. Hollasch made a motion to schedule a public hearing to address House Bill 1021 on**
206 **September 21, 2022. Mr. Zaremba seconded the motion. All voted in favor and the motion**
207 **was approved.**

208
209 Mr. Connors presented a zoning amendment topic regarding limiting the number of automobile
210 dealerships. The choices are to keep the existing process of approval through Conditional Use
211 Permits; limit dealerships to only parcels where they currently exist; or prohibit them and require
212 a zoning variance. The Board members discussed the different options and decided not to limit
213 automobile dealerships.

214
215 Mr. Connors presented a zoning amendment topic regarding Gateway District setbacks. The
216 Town currently allows zero-distance front setbacks along Portsmouth Avenue in the Gateway
217 District. Planning staff is supportive of a front setback in the range of 15 to 30 feet to allow for
218 sidewalks and landscaping features which would create a more active and pleasant environment.
219 The Board members agreed to consider setbacks in the Gateway District.

220
221 Also in the Gateway District, pedestrian and bicycle conditions along Portsmouth Avenue could
222 be improved by limiting the number of driveways or access points that direct traffic off the main
223 thoroughfare as these present more conflict points for cyclists and pedestrians. The Board could
224 update the Gateway Standards to require certain geometric standards for new driveways to make
225 them more pedestrian- and cyclist-friendly, to discourage or further restrict new driveways, or to
226 require shared driveways when an existing driveway is located in close proximity. The Board
227 members agreed to consider addressing driveways in the Gateway District.

228
229 Mr. Connors presented a zoning amendment topic regarding the Professional/Residential
230 District. A footnote in the Table of Dimensional Regulations requires a 100-foot front setback,
231 50-foot side and rear setback when a commercial use abuts a residential use or residential zone.
232 In the case of 100 Portsmouth Avenue, this requirement places all of the existing buildings
233 within the setback district. Mr. Connors suggests this requirement, particularly as it relates to the
234 front setback, appears overly restrictive and recommends the Board revisit it so as not to
235 discourage redevelopment opportunities along the corridor. Mr. Canada suggested a prospective
236 property owner could request a variance in advance of a final zoning amendment. The Board
237 members agreed to consider addressing the front setback in the Professional/Residential District.

238
239 **d. Discussion of method of distributing Planning Board materials**

241 Mr. Connors asked if the Board would be amenable to viewing meeting materials electronically
242 on tablets to be provided by the Town instead of printed. The Board was generally in favor of
243 considering this for the 2023 budget.
244

245 e. Miscellaneous Community Planning Issues
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247 No discussion.
248

249 **5. Adjournment:**
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251 Mr. Zaremba made a motion to adjourn at 9:08 pm. Mr. Houghton seconded the motion. All
252 voted in favor and the motion was approved.
253