



**Stratham Planning Board Meeting Minutes**  
**December 21, 2022**  
**Stratham Municipal Center**  
**Time: 7:00 pm**

**Members Present:** Thomas House, Chair  
Mike Houghton, Select Board's Representative  
Pamela Hollasch, Regular Member  
Chris Zaremba, Regular Member  
John Kunowski, Alternate Member  
Nate Allison, Alternate Member

**Members Absent:** David Canada, Vice Chair

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

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

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

**2. Approval of Minutes**

**a. November 16, 2022**

**Mr. Zaremba made a motion to approve the November 16, 2022 meeting minutes. Ms. Hollasch seconded the motion. All voted in favor and the motion was approved.**

**b. December 7, 2022**

Mr. Kunowski noted that line 68 should reference closing, not opening the public hearing. **Ms. Hollasch made a motion as amended to approve December 7, 2022 meeting minutes. Mr. Zaremba seconded the motion. All voted in favor and the motion was approved.**

**3. Public Meeting:**

**a. Discussion of Draft 2023 Capital Improvement Program**

David Moore, Stratham Town Administrator, discussed the Planning Board's role in the capital planning process. By state law, towns that have adopted a Master Plan are required to also have a Capital Improvement Plan (CIP). Mr. Moore presented the Board with a summary of Stratham's CIP. It is not a budget for appropriations. The role of the Planning Board in the CIP process is to confirm that the Plan is consistent with Master Plan goals. Mr. Moore requests that the Board find that the Plan, as drafted, is consistent with the 2019 Town of Stratham Master Plan. The Town is

in the planning stage for the next Town Meeting in March 2023. Project summaries will educate the community on how Stratham will maintain its capital assets and how the Town is following up on Master Plan priorities. There are 36 projects in total and Mr. Moore highlighted 8 projects for the Planning Board. In addition to CIP monies that will be appropriated at Town Meeting, Stratham received money from the American Rescue Plan Act (ARPA). Over the past two years, capital projects have been identified that would benefit from the one-time ARPA funds. Mr. Moore presented a list of 2023 projects which highlights those to be funded by ARPA. Projects of interest to the Planning Board include 1) town-wide workstation replacements, 2) online permitting software and electronic storage, 3) Master Plan update and related studies, 4) Open Space, Parklands & Connectivity Plan and implementation, 5) municipal center audio-visual and remote meetings upgrades, 6) PFAS response and remediation, 7) Stratham Hill Park Area Plan and 8) the Heritage Preservation Fund. Mr. Moore also discussed the importance of water resource protection.

Mr. House asked if matching funds from the Town are required for the state roadway/intersection capital projects. Mr. Connors responded that matching funds are not typically required for projects in the NHDOT Ten Year Plan. Mr. House asked for clarification if the state roadway project category are those projects in the Ten Year Plan. Mr. Moore confirmed and added that it also can be used for other State grant programs such as the Congestion Management and Air Quality (CMAQ) application the Town is preparing. The CMAQ project requires matching funds and Mr. Moore added that the Town is not interested in helping to fund projects in the Ten Year Plan.

**Mr. House made a motion that the CIP is consistent with the 2019 Town of Stratham Master Plan. Mr. Zaremba seconded the motion.** Mr. House appointed Mr. Allison a voting member for the meeting. **All voted in favor and the motion was approved.**

**b. Discussion of ZBA decision re: 23 Portsmouth Avenue**

Mr. Connors distributed the draft ZBA meeting minutes from December 13, 2022 and discussed the case reviewed by the ZBA at that meeting. The applicants for the building under construction at 23 Portsmouth Avenue requested a variance from zoning requirements to allow building signage in excess of what the Town would typically allow. A maximum of 237.5 square feet of signage is permitted. The applicant requested a variance to allow 450 square feet of signage which was approved by the Zoning Board. Mr. Connors said that he placed this item on the Planning Board agenda because Mr. House requested it.

Mr. House said that the reason I wanted to talk about this tonight is the building is quite tall and very prominent the way it is situated on the site. Mr. House said he had several concerns when he read the ZBA minutes. He said that several misstatements were made by the applicant at the ZBA hearing relating to the Planning Board site plan review process. Mr. House said that they claimed that the Planning Board requested the building be moved closer to the road. Mr. House said the Board did not request that. In the meeting minutes I reviewed, we asked them to push the building back five feet and they would not do that because its placement was within the requirements.

Mr. House stated that additionally nowhere in our meeting minutes do we even discuss signage and they stated that we did. He said he believes they made assumptions. Mr. House said that there was some discussion at the ZBA meeting about reducing the sign area on the front of the building, as the sides of the building are most visible. Mr. House said that the argument was that signage was needed on front for people in the Staples parking lot. Mr. House said he's viewed the building

95 from that location and the side of the building is visible. Ms. Hollasch said there may be a few  
96 vantage points where the sides of the building are not visible. Mr. House responded even so, the  
97 building is very prominent. There should be no issues for people finding it, even if they  
98 accidentally do travel in to the Staples parking lot. You do not necessarily need to have signage on  
99 the front of the building.

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101 Mr. House is also concerned with the accuracy of the applicant's comments that they were not  
102 aware of the sign requirements. Mr. House said that is the responsibility of the engineers and the  
103 other professionals to know that information. That is not our responsibility.

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105 Mr. Zaremba agreed that some of the applicant's comments regarding the Planning Board were  
106 not accurate and noted that with regards to the applicant's comments on road speed, there may be  
107 studies on sign size with regards to visibility for motorists in a 40 mph zone, but that is at the  
108 ZBA's discretion. Mr. Zaremba said his biggest concern was the focus in the ZBA minutes of the  
109 Planning Board requiring the building to be where it is located. That was used as a justification for  
110 why the variance was needed. Mr. Zaremba said the Planning Board does not have the authority  
111 to dictate exactly where a building is situated on a site so long as it is consistent with the zoning.  
112 Mr. House noted that the building is situated between two traffic signals so it is unlikely traffic  
113 will be going very fast in the vicinity.

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115 Mr. Zaremba noted that the ZBA is an independent board and they do have a great deal of  
116 discretion. However, if the applicant was factually wrong in some of their statements, that is  
117 concerning.

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119 Mr. House would like the Planning Board to review the building height limitations in the zoning  
120 ordinance for future amendments.

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122 Ms. Hollasch said it would be helpful for the ZBA to review the Planning Board meeting minutes.  
123 Communication between boards could be improved, she said. Mr. House said the attorney  
124 representing the applicant did not appear to read the Planning Board meeting minutes.

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126 Mr. Zaremba asked for clarification on the applicant's comment at the ZBA meeting about needing  
127 another variance for a portion of the building that extends into the side property line setback. Mr.  
128 Connors responded that his understanding is that the Building Inspector determined relief was  
129 needed because the roofline projects forward from the building into the setback area. He said he  
130 would have to research if that was an issue for the ZBA or Planning Board.

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132 Mr. Connors noted that the Select Board must file a motion for rehearing within 30 days of the  
133 ZBA decision so if the Planning Board wants to make a recommendation to the Select Board for a  
134 rehearing, the Planning Board should decide that tonight. He briefly explained the process for  
135 requesting a rehearing.

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137 Mr. Kunowski asked if the Planning Board's goal is to correct the mischaracterizations in the ZBA  
138 meeting minutes or to change the ZBA's decision. Mr. Connors replied both options are valid. He  
139 noted that the Planning Board is in the process of making changes to the sign ordinance to reduce  
140 the sizes allowed.

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142 Mr. Allison said that the building does have a very prominent impressive profile. It looks very  
143 large and he indicated that was partially due to its location close to the road. He said the building

144 appeared to be, if not the closest, one of the closest buildings to the road along the entire corridor.  
145 Mr. House confirmed that is the case. Mr. House said he does not believe more signage [than what  
146 is permitted] is necessary in this case. Mr. Allison agreed.  
147

148 Mr. Allison commented that the building looks large and is close the street and asked if the signs  
149 are proposed to be lit 24/7. Mr. House confirmed. Mr. Kunowski noted that internally lit signs are  
150 proposed to be prohibited in the zoning amendment currently under consideration by the Board.  
151

152 Mr. Zaremba noted that the Planning Board is proposing to make the Sign Ordinance stricter, but  
153 they are getting relief under the existing regulations. Mr. House said it wasn't fair to compare the  
154 signage to others, including Market Basket, because those signs have been in place for decades.  
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156 Mr. Zaremba expressed concern for not wanting to step on the toes of the ZBA. He said he did not  
157 want to question their discretion to make this decision. Mr. Moore said that tone of such requests  
158 is very important and the Town recognized that.  
159

160 **Mr. Kunowski made a motion that the Planning Board make a recommendation that the**  
161 **Select Board request the Zoning Board file a motion for rehearing related to the ZBA**  
162 **decision in the matter of 23 Portsmouth Avenue. Ms. Hollasch seconded the motion. Mr.**  
163 **Houghton abstained and the Board voted in favor and the motion was approved by a vote of**  
164 **4 to 0 with one abstention.**  
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- 166 c. Proposed 2023 Zoning Amendments to post for public hearing on January 4, 2023 and January 18,  
167 2023  
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169 Mr. Connors presented his staff memo of proposed 2023 zoning amendments including: allowable  
170 building height in the Gateway Commercial Business District (GCBD); setbacks in the  
171 Professional/Residential District; adding standards for driveways and sidewalks and adding  
172 provisions for electric vehicle charging facilities in the GCBD; amendments to correct clerical  
173 errors between the GCBD section and the Table of Uses; amend the definitions and Table of Uses  
174 to include Places of Worship; establish maximum residential densities in Stratham's commercial  
175 districts and to clarify that only one primary dwelling shall be permitted on lots in the  
176 Residential/Agricultural and Manufactured Housing Districts; amend the sign ordinance to comply  
177 with the United States Supreme Court decision on sign content and to amend the regulations on  
178 size, height, and illumination of commercial signage; and to amend the Solar Energy Systems  
179 section to remove the financial security requirement and require a decommission plan.  
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181 The Board discussed the amendments, provided comments, and agreed to advance all of the  
182 amendments to public hearing.  
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184 As this is the last meeting for Ms. Hollasch as a board member, the Board thanked her for her time  
185 on the Planning Board. Ms. Hollasch left the meeting.  
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187 **Mr. Zaremba made a motion to post Amendments 2 through 10 for public hearing on**  
188 **January 4, 2023 and January 18, 2023. Mr. House seconded the motion. All voted in favor**  
189 **and the motion was approved.**  
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- 191 d. Draft 2023 Planning Board Schedule  
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193 **Mr. Houghton made a motion to accept the proposed 2023 Schedule of Regular Board**  
194 **Meetings. Mr. Zaremba seconded the motion. All voted in favor and the motion was**  
195 **approved.**

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197 **e. Miscellaneous Community Planning Issues**

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199 No issues were discussed.

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201 **4. Adjournment:**

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203 **Mr. Zaremba made a motion to adjourn at 8:47 pm. Mr. Kunowski seconded the motion. All**  
204 **voted in favor and the meeting adjourned.**