



Stratham Planning Board Meeting Minutes
July 12, 2023
Stratham Municipal Center
Time: 7:00 pm

Members Present: Thomas House, Chair
David Canada, Vice Chair
Mike Houghton, Select Board's Representative
Chris Zaremba, Regular Member
Nate Allison, Alternate Member

Members Absent: John Kunowski, Regular Member

Staff Present: Mark Connors, Director of Planning and Community Development

1. Call to Order/Roll Call

Mr. House called the meeting to order at 7:00 pm and took roll call. Mr. House appointed Mr. Allison as a voting member in place of Mr. Kunowski.

2. Approval of Minutes

a. June 21, 2023

Mr. Zaremba made a motion to approve the meeting minutes from June 21, 2023. Mr. Canada seconded the motion. All voted in favor and the motion was approved.

3. Public Hearing (Old Business):

a. JP Morgan Chase & Co. (Applicant) and NP Stratham LLC & Northstar Center LLC (Owners), Request for approval of a Site Plan and a Conditional Use Permit for a proposed 3,322 square foot Chase Bank with drive-thru service facilities and associated improvements at 20 Portsmouth Avenue (Tax Map 4, Lot 14). Application submitted by Bohler Engineering, 352 Turnpike Road, Southborough MA 01772. The applicant requested that this application, tabled from the June 21, 2023 meeting, be postponed to the August 2, 2023 Planning Board meeting.

Mr. Canada made a motion to continue the application for JP Morgan Chase & Co. to August 2, 2023. Mr. Houghton seconded the motion. All voted in favor and the motion was approved.

b. Bradford Sawler (Applicant and Owner), Request for approval of a Site Plan Application to convert approximately 1,000 square-feet of an existing residential property into office space for a building company and to construct additional parking areas at 240 Portsmouth Avenue (Tax Map 22, Lot 89), Zoned Route 33 Heritage District. Survey prepared by Boudreau Land Surveying, 2 Beatrice

Lane, Newmarket NH 03857. This application was tabled from the June 21, 2023 meeting.

Mr. House asked Mr. Connors if he would like to present any new information to the Board.

Mr. Connors directed the Board's attention to two plans submitted by the Applicant. One of the plans shows two new parking spaces on the south side of the lot that were added based on the discussion at the last Board meeting. The second plan shows one parking space in that area with the second space added to the northern end of the lot. Site plan changes from the last meeting include more parking added to the northern end of the lot and a 10-foot wide gravel access way to the rear of the property. The plans have been changed to note a one-way driveway configuration with the northern end being the entrance and the southern end being the exit.

Mr. Connors noted that Portsmouth Avenue is a State road and therefore requires review by the NH Department of Transportation (DOT). DOT typically requires applicants to meet current requirements. Mr. Connors presumes that the current driveway width at Portsmouth Avenue might be wider than DOT will allow. The Board could postpone review of the application pending DOT's review. Typically that would be a condition of approval but because this driveway is old, there might be some significant changes required by DOT. Mr. Canada asked if that would significantly delay the project. Mr. Connors replied that it would at least provide more information to the Board regarding one-way access and curb width. Mr. Canada asked why the Town is involved with DOT enforcement. Mr. Connors replied that the overall traffic pattern of the site is under the purview of the Board. Mr. Canada stated that if DOT does not like the configuration then DOT can require changes and he does not understand why it would be a condition of the Board's review. Mr. Connors replied that DOT could require significant changes that would change the site plan. Mr. Canada and Mr. Houghton replied then the Applicant would return to the Board. Mr. Sawler stated that he spoke with a DOT staff member yesterday who is familiar with the property and he did not indicate any concern with the driveway width, but Mr. Sawler acknowledges that the DOT staffer had not fully reviewed the plans yet. Mr. Connors asked if DOT mentioned a requirement for a one-way driveway. Mr. Sawler replied that DOT said they do prefer one-way and would like up to two 'Do Not Enter' signs at the exit and that DOT prefers to not have 'Enter Only' signs as the signs at the exit are sufficient. DOT would also like a painted stop bar and stop sign at the exit. Mr. House asked if DOT instructed Mr. Sawler where to put the stop bar with regards to the location in the right-of-way or on the subject property. Mr. Sawler replied that DOT has not seen the plan yet and he made a note to review the placement with DOT. Mr. House suggested that the width of the entrance and exit be added to the plan.

Mr. Zaremba asked if the Board is reviewing the plan dated July 11, 2023. Mr. Connors replied that he included both the July 10th and July 11th plans in case there were some aspects of each plan that the Board prefers.

Mr. House asked Mr. Connors if the Board previously determined that the application is complete and if the Board opened the public hearing. Mr. Connors replied that he does not recall if the Board voted on a complete application and that is typically done before the public hearing is opened. It was determined that the public hearing has not been opened officially and that this discussion is a consultation.

Mr. House discussed the six parking spots at the northern end of the property and presumed that one of the residential unit dwellers would need to park there. Mr. Sawler replied that there are currently only two or three cars for the units and that would be a fourth spot to meet zoning

94 requirements.

95
96 Mr. House asked if Mr. Sawler has applied to NHDES for review of the septic system capacity.
97 Mr. Sawler replied that he has not.

98
99 Mr. House commented that the sixth parking spot on the northern end looks difficult to maneuver.
100 Mr. Sawler replied it depends on the quality of the driver. Mr. Allison commented that to access
101 that space there is no T off to the side and that a driver may have to back into the space. Mr.
102 Zaremba asked why was one of the parking spaces from the southern end moved to the northern
103 end. Mr. Sawler replied that he and Mr. Connors discussed limiting the amount of parking near the
104 drinking water well. Mr. Sawler suggested that the six parking spaces could be rotated further to
105 ease the maneuvering. Mr. Canada commented that it appears that the snow storage area will be
106 block by cars. Mr. Sawler agreed that is the case if a car is parked in the sixth spot during plowing,
107 but that is a common occurrence in any parking lot. If it is an overnight storm, there wouldn't be
108 anyone parked there. Mr. Canada asked if that is tenant parking. Mr. Sawler replied no, that it is
109 business parking. He explained that currently the tenants are on their own until they leave for the
110 day and then the plowing is completed at the end. Mr. Zaremba commented that the parking is
111 tight, but he does not have a suggestion as to where else to put parking. Mr. House approached the
112 screen and suggested rotating some parking spaces. Mr. Connors commented that with the sixth
113 parking space it will be tight to enter it, but even more challenging to exit.

114
115 Mr. House commented that softening turning radius on the left side of the curb entering the
116 property would be helpful for accessing parking. Mr. Sawler understands.

117
118 Mr. Sawler suggested that he could shift the parking area towards the proposed 10-foot wide gravel
119 access. Mr. Zaremba asked if the gravel would be a parking spot and an access. Mr. Sawler replied
120 it would not really be a parking spot, but access for a vehicle to access the shed.

121
122 Mr. Zaremba commented that nine parking spots are displayed but the project only needs seven.
123 Mr. Connors replied that there are five employees and the residential units require four spaces and
124 agreed that seven is the requirement, but in practice nine are needed. Mr. Sawler replied that in
125 practice he needs only eight – three for tenants with two or three vehicles. Mr. House replied that
126 the residential requirement is four and he has five employees, so nine spots are needed. Mr.
127 Houghton commented that shifting the parking could inhibit access to the shed. Mr. Sawler replied
128 that is only if someone is parked in the handicapped parking spot. He added that only two
129 employees will work all day at the property and that he is in and out of the business throughout the
130 day. Mr. House commented that it would only be the hatched handicapped parking access and not
131 the actual vehicle parking that would overlap into the shed access lane. He added that the hatched
132 handicapped access would need to be pavement and not gravel. Mr. Sawler agreed.

133
134 Mr. Connors commented that the width of the exit is very welcoming to traffic potentially entering
135 and he recommends narrowing it or reversing the entrance and exit. Mr. Sawler does not have a
136 preference either way. He chose the entrance to be closer to the business.

137
138 Mr. Allison commented that the proposed rain garden could be moved and redesigned to allow the
139 parking to shift farther back towards the wetlands buffer thereby giving more room for
140 maneuvering.

141
142 Mr. House asked how wide the one-way driveway is. Mr. Sawler replied at the house it is 19 feet

143 and gets slightly narrower at points. Mr. House commented that Mr. Sawler should be cautious of
144 landscape plantings affecting the line of sight at the northerly end. Mr. Houghton commented that
145 switching the entrance and exit would assist with that. Mr. House commented that Mr. Sawler
146 previously stated that not many clients come to the site, so there will not be a lot of traffic. Mr.
147 Sawler replied clients only come to the office about three to six times per month.

148
149 Mr. House asked for details on the dumpster fencing. Mr. Sawler is considering a wooden stockade
150 fence and asked if the Board has a preference. Mr. Zaremba asked if there are requirements for
151 fencing in the Heritage District. Mr. Connors replied that for screening, there is a six-foot
152 requirement. Mr. Connors will review the ordinance to determine if the fencing material is
153 prescribed.

154
155 Mr. Houghton commented on the northerly section parking and suggested a drainage swale instead
156 of a rain garden and angling it differently to pick up space. Mr. Sawler agreed to review that.

157
158 Mr. House asked if the dumpster is within the wetlands buffer. Mr. Sawler will have the surveyor
159 extend the buffer line on the site plan to the property line. Mr. House asked if the dumpster can be
160 within the wetlands buffer. Mr. Connors replied it can be within the buffer but not within the
161 setback. It was noted there may be a typo on the plan showing a 56-foot vs. 50-foot buffer on the
162 southern end of the lot. Mr. Sawler will check on that. Mr. Canada asked if the Board can grant a
163 waiver to put the dumpster in the wetlands buffer. Mr. Connors replied that it cannot be within the
164 25-foot no disturbance area. Mr. Allison commented that it may be outside both the setback and
165 the buffer and that the site plan is lacking the information. Mr. Sawler believes it is within the 50-
166 foot buffer, but not the 25-foot setback. Mr. House agrees.

167
168 Mr. Zaremba asked if the 'Do Not Enter' signs are DOT signs or are regulated under the Zoning
169 Ordinance. Mr. Sawler replied that DOT told him they are DOT signs. Mr. Zaremba asked if they
170 are required to be DOT signs. Mr. Connors replied that they need to be the standard DOT signs.
171 Mr. Connors suggested that Mr. Sawler schedule a meeting with DOT and Mr. Connors to have
172 an initial site plan consultation. Mr. Connors believes the 5 space configuration works better than
173 6 spaces in the northern end. Mr. Zaremba asked Mr. Sawler if eight spaces are sufficient for his
174 project particularly if Mr. Sawler parks his personal truck on the gravel. Mr. Sawler said eight
175 would be sufficient. There was a discussion regarding how much parking is needed vs. how much
176 parking is allowed and if a waiver is required. It was determined that eight parking spaces are
177 sufficient for the need. Mr. House commented that future tenants might utilize a total of four
178 parking spaces.

179
180 Mr. Allison questioned if the entrance could be moved north of the telephone pole to allow more
181 space for maneuvering in and out of the parking at the northern end. Mr. Sawler prefers to not take
182 on the expense of moving that entrance. Mr. Allison acknowledges the cost but stated that it makes
183 the circulation plan more functional and the parking spaces more accessible. Mr. Sawler believes
184 he can achieve the same result by reversing the one-way direction to south to north. Mr. Allison
185 commented that if the entrance remains at the northern end, it would be a tight right turn in, but if
186 the entrance is at the southern end, it is a gradual right turn in. He believes it looks preferable to
187 have the one-way direction from the south to the north. Mr. Sawler agreed with Mr. Allison's
188 comments.

189
190 Mr. Zaremba asked if changing the one-way direction will affect the trash pickup. Mr. Sawler
191 replied that the trash truck would have to turn around on the property to complete the pickup.

192
193 Mr. House asked if Mr. Sawler consulted with Mr. Connors regarding stormwater requirements.
194 Mr. Connors replied yes and that Mr. Sawler added a rain garden to the plan. Mr. Zaremba asked
195 if the rain garden can be within the 25-foot no disturbance buffer. Mr. Connors replied it cannot
196 be within the buffer.

197
198 Mr. House asked why there are two sets of overhead wires coming into the building in the same
199 location. Mr. Sawler replied that he believes one set is an old communications cable and that the
200 northerly line is the electrical service.

201
202 Mr. Connors requested that more plantings be added to the landscaping plan for screening. He
203 believes it is a relatively low cost way to beautify the property. Mr. Connors asked if the existing
204 vegetation will be maintained. Mr. Sawler replied yes except for one dead tree that will be
205 removed.

206
207 Mr. House asked if bollards should be installed between the driveway and the building. Mr.
208 Connors replied it would be a good idea for one end of the building where there will be more
209 traffic.

210
211 Mr. House asked what kind of lighting is proposed for the new parking area. Mr. Sawler replied a
212 flood light on the corner of the building would be helpful, but he had not considered more than
213 that. Mr. Sawler asked if the Board would like more lighting specific to the parking. Mr. House
214 replied yes and to take into account dark sky lighting standards.

215
216 Mr. House reminded Mr. Sawler to consult with NH DES on the septic capacity.

217
218 Mr. House asked what is the Heritage plaque mentioned in the application. Mr. Canada replied
219 that it is a brass plaque with a short description about the historical part of the building. Mr. Sawler
220 added that he hasn't had a chance to connect with Nate Merrill from the Heritage Commission.

221
222 Mr. Houghton commented on the parking lot lighting that he prefers a motion sensing light that
223 does not stay on all night. Mr. Sawler will look into that. Mr. House summarized that the lighting
224 plan should focus on safety but not be on all night disturbing the neighbors.

225
226 Mr. House asked if the Board should address the waivers. Mr. Houghton asked if the public hearing
227 has been opened. Mr. Canada added that the board also needs to determine if the application is
228 complete. Mr. Connors does not believe the hearing was opened as it was not recorded in the
229 minutes from the last meeting. He advised that the Board should open the hearing and make a
230 determination if the application is complete. Mr. House asked Mr. Connors if he believes the
231 application is complete. Mr. Connors replied that because there are a number of items to change
232 on the plan, he advises the Board to wait until the changes are submitted instead of creating
233 conditions of approval. Mr. House agrees with Mr. Connors. He asked Mr. Sawler to make the
234 changes and asked if he could attend the next meeting. Mr. Sawler agreed.

235 236 **4. Other Business:**

- 237
238 **a.** The Planning Board entered a non-public session, permitted under RSA 91-A:3 for the purposes
239 of consideration or negotiation of pending claims or litigation. Mr. House recused himself from
240 the discussion and Mr. Canada chaired the discussion.

241 **Mr. Houghton made a motion to enter into a non-public session at 8:03 pm as permitted**
242 **under RSA 91-A:3 to discuss matters that may affect the reputation of others and legal**
243 **matters. Mr. Zaremba seconded the motion. All voted in favor and the motion was approved.**
244

245 **Mr. Houghton made a motion to exit the non-public session at 8:28 pm. Mr. Zaremba**
246 **seconded the motion. All voted in favor and the motion was approved.**
247

248 **Mr. Houghton made a motion to seal the minutes at 8:28 pm. Mr. Zaremba seconded the**
249 **motion. All voted in favor and the motion was approved.**
250

251 The Planning Board re-entered the public meeting and Mr. House returned to chair the Board at
252 8:29 pm.
253

254 **b. Discussion of proposed revisions to the Site Plan and Subdivision Regulations (continued)**
255

256 Mr. Connors presented some proposed changes to the Site Plan Regulations. One change to
257 consider is to address certified mail that is not timely delivered to abutters. Staff were notified in
258 a recent Zoning case where the abutters were on vacation when the notice of certified mail was
259 delivered. The abutters were not able to get to the post office until after the hearing. The length of
260 time between delivery attempts was significant. Mr. Connors suggested raising the abutter notice
261 fees by \$1.00 to add a second envelope by regular delivery. Mr. Connors noted that we are not
262 required to do this by RSA, but there were two abutters who were concerned. Mr. Allison and Mr.
263 House think it is a good idea. Mr. Houghton commented that \$1.00 might not be enough to cover
264 the cost of postage, mailing materials, and staff time. Mr. Zaremba asked what the current mailing
265 costs are. Mr. Connors replied that certified postage is almost \$5.00 and the Town charges \$8.00
266 per abutter. Mr. Houghton commented that he doesn't have all of the facts and just wants to make
267 sure that the Town is not at a financial disadvantage. Mr. Canada asked if the applicant provides
268 mailing labels. Mr. Connors replied yes and that the Town provides the paper, envelopes, and staff
269 time. Mr. Allison commented that the Town would just charge more for the process. He thinks the
270 \$1.00 increase is reasonable. Mr. Canada agrees that \$1.00 is sufficient. Mr. Connors added that
271 since postage is only \$0.66 currently, then the additional money will cover our costs. Mr. House
272 asked what would be the additional costs. Mr. Connors replied ink, paper, envelopes, and a little
273 bit more staff time. Mr. Houghton believes it would be more than \$1.00 because the process is
274 being done twice. He believes it is a great idea and that we should do it, but the fee should be
275 appropriate. Mr. Canada asked if the Select Board sets the fees. Mr. Connors replied that the
276 Planning Board sets planning fees. Mr. Connors suggests \$1.50. Mr. Canada suggested rounding
277 the total to \$10 per abutter. Mr. Connors added that when the Town sends enforcement letters they
278 send them by both certified and regular mail. The discussion continued regarding the problem and
279 solutions. Mr. Connors summarized that the final Board decision is to add a regular mailing and
280 increase the total mailing cost to \$10.00.
281

282 Mr. Connors presented thoughts on changes to landscaping requirements. The Town Center and
283 Gateway Districts have their own landscaping requirements in the Zoning Ordinance which differ
284 from the Site Plan Regulations. He recommends consolidating all landscaping requirements into
285 the Site Plan Regulations. Board members agree that reviewing the requirements in one document
286 is easier. Mr. Connors presented additional examples of eliminating confusing language on
287 landscaping requirements, changing qualitative standards to quantitative standards, and
288 eliminating language that is difficult to enforce. The Board agreed to review draft changes prepared
289 by Mr. Connors at a future meeting.

290
291 c. Miscellaneous Community Planning Issues
292

293 Mr. Connors stated that the grand opening for Optima is July 12th, 2023. Mr. Connors plans to
294 attend and asked if a Board member could attend as well. No board members are available to
295 attend.
296

297 **5. Adjournment**
298

299 **Mr. Zaremba made a motion to adjourn the meeting at 9:04 pm. Mr. Canada seconded the**
300 **motion. All voted in favor and the motion was approved.**