



Stratham Planning Board Meeting Minutes
October 4, 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
John Kunowski, Regular Member
Nate Allison, Alternate Member

Members Absent: None.

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.

2. Approval of Minutes

a. September 20, 2023

Mr. Zaremba made a motion to approve the September 20, 2023 meeting minutes. Mr. Kunowski seconded the motion. All voted in favor and the motion was approved.

3. New Business:

a. Stratham Community Power Presentation by Paul Deschaine, Stratham Energy Commission

Mr. Deschaine began his presentation thanking the Board for their time and directed their attention to a handout describing the Community Power Initiative that the Select Board supports and the Energy Commission has initiated. The Commission has identified a means of communication to the Town and its residents, by way of presentation to each of the Town Boards, Commissions, and committees. Mr. Deschaine explained that on each electric bill there is a distribution cost for wires, crews, billing, etc. along with the power supply charge. The distribution cost includes a margin for profit. Up until now there were only two options for power supply: Unitil's default rate which goes out to bid every 6 months and on which there is no mark-up, or a third-party power supplier with varying terms. Sometimes third-party is less than the default rate and sometimes not. Within the last year the default rate increased dramatically. Just prior to that the Statutes changed and now allow Community Power. Community Power allows communities to aggregate all of their users into one buying block. Through that power of the market, the Town can market its customer base to different utilities. The process is that the Town created and the Select Board approved a plan

45 that was sent to the New Hampshire Public Utilities Commission for approval. The PUC approved
46 Stratham's Plan. The final step is approval at Town Meeting. This step could take place in March
47 at the annual Town Meeting, but the next default rate bid is in February, therefore a Special Town
48 Meeting has been scheduled for October 26, 2023 at 7:00 pm at Stratham Memorial School. About
49 80% of Stratham uses the default rate. If the vote is passed, then Stratham can participate in the
50 next rate bid process. The Commission recommended and the Select Board agreed that Stratham
51 should choose the Community Power Coalition of New Hampshire which is a non-profit
52 organization representing over 43 New Hampshire communities. About 15 communities are
53 currently in the plan including Exeter, Rye, and Portsmouth. Their initial rate in May 2023 was 15
54 cents per kWh where Unitil's default rate was 26 cents per kWh. If Stratham had been able to
55 participate in the May 2023 rate process, the average Stratham customer would have saved \$315
56 in the period of May through August. In August Unitil's rate came down, but CPC's rate was still
57 lower by about 1 or 2 cents. There is no cost to the taxpayer if the Special Town Meeting vote is
58 passed.

59
60 Mr. House stated that he believes Unitil is offering free solar panels currently and asked how that
61 works into the program. Mr. Deschaine is not familiar with that proposal from Unitil, but he is
62 aware that part of the plan envisions other renewable energy projects that the Town could get
63 involved with. It is not currently offered by CPC, but it is a future option.

64
65 Mr. Canada asked if there has been any opposition. Mr. Deschaine responded that one element of
66 the process is that it is an opt out process. That if it is adopted, the community power program
67 becomes the default service instead of Unitil. Some have questioned why they have to opt out and
68 that is how the Statute is written. The plan also states that Stratham will not implement a
69 community power plan unless the initial rate is less than Unitil's.

70
71 Mr. Kunowski asked if the community power rate will always be less than the Unitil rate. Mr.
72 Deschaine cannot confirm that is the case forever. Mr. Allison noted that Unitil could become
73 more competitive. Mr. Deschaine responded that Unitil has no interest in that since they make no
74 profit from the default rate.

75
76 Mr. House asked if the vote passes, what does the consumer have to do. Mr. Deschaine replied
77 nothing. A notice will be delivered to customers 30 days in advance of implementation which will
78 include a phone number if a customer wants to opt out.

79
80 The second matter relating to possible opposition is there is a problem relative to the utility's
81 compliance with net metering requirements. All community power organizations are having
82 difficulty working with utilities on the credit given to customers with solar energy systems that are
83 getting a benefit from net metering. Most net metering customers will not be included in the initial
84 offering unless a decision is made by PUC before February 2024. The plan does allow participation
85 by net metering customers, but it can't be implemented immediately. Mr. Canada stated that he
86 has net metering and asked if that means he can't join or is it that he just doesn't get the advantage
87 of the buy back. Mr. Deschaine replied there are three scenarios for net metering. The first is if the
88 power generated onsite never exceeds the total load, then that customer should join. If a customer's
89 power production occasionally exceeds the use then the program still might be advantageous. If a
90 customer's power production always exceeds the power used, then that customer should review
91 their individual situation carefully.

92
93 Mr. Canada asked if the supplier changes periodically. Mr. Deschaine replied yes and they are

94 matching the same time periods for bidding as the power companies. Once there is more experience
95 and a stable customer base then the CPC will analyze the market more frequently.
96

97 Mr. Kunowski asked if Unitil will still bill customers. Mr. Deschaine replied there will still be one
98 bill. That might be one solution for net metering is to have independent billing from CPC, but
99 that's not desirable. Mr. Deschaine noted that only about 5 to 6 % of Stratham customers have net
100 metering.
101

102 Mr. Connors asked for confirmation of the meeting format in that the Supervisors of the Checklist
103 will be present to confirm voter registration, then a presentation, and a formal vote. Mr. Deschaine
104 agreed and noted that overwhelmingly there has been positive response.
105

106 Mr. Kunowski asked if there is concern with low attendance at the meeting making a decision for
107 the majority of the town, and realizes that is the case for any town meeting. Mr. Deschaine agreed
108 and added that is why they are trying to get the word out that this is a positive program and to
109 encourage attendance.
110

111 Mr. House asked Mr. Connors if the Board needed to open the discussion for public comment. Mr.
112 Connors replied it is not required, but recommended that they do so. **Mr. Zaremba made a motion
113 to open the meeting to the public. Mr. Kunowski seconded the motion. All voted in favor and
114 the motion was approved.**
115

116 Bruce Scamman of 3 Blossom Lane asked if the customers currently using a third party will
117 automatically be switched. Mr. Deschaine replied those customers have contractual obligations
118 they are obligated to. The provider might not have a cancellation fee or the fee might be monetarily
119 in the customer's favor. Mr. Deschaine added that relative to the Town's plan, a customer can opt
120 in and opt out at any time, but Unitil might have some restrictions on that frequency. Mr. Scamman
121 asked if the plan is online. Mr. Deschaine replied yes, that it is on the Stratham Energy
122 Commission's webpage. Mr. Scamman commented that he looked at the Town's web page
123 regarding Town Meeting last week and did not see any mention of the Special Town Meeting and
124 suggested it be updated.
125

126 **Mr. Zaremba made a motion to close the meeting to the public. Mr. Kunowski seconded the
127 motion. All voted in favor and the motion was approved.**
128

- 129 **b.** Copley Properties, LLC (Applicant), C.A.N. Realty Trust and GGF, LLC (Owners) - Request for
130 review of a Preliminary Consultation application of a proposed redevelopment plan to demolish
131 two existing office buildings and to construct an office building and three additional structures
132 containing a total of 9 (nine) multi-family residential units at 89 and 91 Portsmouth Avenue, Tax
133 Map 13, Lot 21 and 22. Applicant's representative is Emanuel Engineering Inc., 118 Portsmouth
134 Ave., Stratham, NH 03885.
135

136 Mr. Connors introduced the project as two properties containing two existing office buildings on
137 Portsmouth Avenue. The preliminary plan is to demolish the existing buildings, merge the two
138 lots, and construct three new buildings. There would be three two-bedroom apartments in each
139 building and an office building near the front of the site. The access would be moved slightly to
140 the south.
141

142 Bruce Scamman with Emanuel Engineering spoke on behalf of the Applicant. The Applicant is

143 working with the current owners on a possible redevelopment. The proposal is to demolish the
144 existing structures which have been enlarged over the years. Due to all of the past renovations, the
145 Applicant prefers to demolish the existing structures and rebuild. Currently there is a central
146 driveway and parking along the wet area and the powerlines. The property lines are split along the
147 driveway. There is also a foundation in the rear of one building that was constructed for a garage,
148 but the garage was never built. The proposal includes a new driveway, depending on wetlands
149 delineation. Originally the Applicant proposed a central driveway, but old wetlands plans indicated
150 that setbacks would not allow for that. A wetlands scientist reviewed the property this week and
151 determined some areas are not wetlands so there might be some changes to the property layout.
152 The basic plan is to have three triplexes and a commercial office building with a driveway
153 separating them, but the first plan depicts the driveway along the power line easement. The number
154 of units allowed per acre under the Zoning Ordinance was reviewed and determined that nine units
155 would be allowed. The commercial building is proposed in the front to align with the Gateway and
156 Professional/Residential districts.

157
158 Andrew Goddard, the Applicant, added that wetlands flagging has been taking place all week and
159 more concrete information will be available upon completion. The plan before the Board is concept
160 only for mixed-use. Mr. Scamman added that other than the recent project at 94 Portsmouth
161 Avenue, this is the first real mixed-use project proposed recently.

162
163 Mr. Kunowski asked how many office suites would be proposed and how many people would be
164 working. Mr. Scamman responded it's a 3,200 square-foot footprint. Mr. Goddard added that there
165 will be three stories for a total of 10,000 square feet. He included parking that would accommodate
166 a medical office. Conceptually it looks like the property can handle the proposed septic load and
167 the septic load will ultimately dictate the office building use. Mr. Kunowski commented the basis
168 for his question was does the project need that much parking and Mr. Goddard confirmed that with
169 his response. Mr. Scamman added that there is nothing worse than an office building without
170 enough parking.

171
172 Mr. Scamman presented a rendering of the vision of the triplexes showing garage doors and
173 multiple dormers. Mr. Goddard added that similar structures were built recently in Greenland.
174 They have good layouts with two bedrooms and just over 2,000 square feet. Mr. Goddard added
175 that he hoped to obtain four parcels to connect to each other and that is the reason for requesting a
176 curb cut from NHDOT, for future development of the neighboring parcels as well. Mr. House
177 noted that in 2027 NHDOT will begin to redesign the Bunker Hill and Portsmouth Ave
178 intersection. Mr. House asked Mr. Connors if the intersection has been designed yet. Mr. Connors
179 replied that supposedly it is in preliminary engineering, but he has not yet seen a plan. Mr. House
180 asked if a copy of the design can be provided to the Applicant to see if it impacts their plan. He
181 added that even if they are not part of the intersection, the curb cut needs to be a certain distance
182 away. Mr. Goddard replied that they will look into that and contact NHDOT.

183
184 Mr. Goddard stated that there is a footnote in the Zoning Ordinance that the building footprint that
185 that side of Portsmouth Avenue should be 1,600 square feet or less and they are proposing larger
186 than that. He notes that the current office footprint is greater than what is proposed and they are
187 merging two lots. Mr. House replied that after demolition, the Zoning Ordinance must be fully
188 complied with. Mr. Goddard asked the Board's opinion on a waiver request for that. Mr. Zaremba
189 asked if that would be a Planning Board or Zoning Board of Adjustment process. Mr. Connors
190 replied that it depends if the existing properties were granted a variance, then they could probably
191 work under that variance, but the buildings likely pre-date the Ordinance, therefore it would require

192 a Variance from the ZBA. Mr. Scamman added he was involved in an expansion of one of the
193 buildings and he will research the process for that approval since the building is greater than 1,600
194 square feet.

195
196 Mr. House commented to make sure the office building height does not exceed 35 feet.

197
198 Mr. House asked if the Applicant is aware that this is a public water system. Mr. Goddard agreed.
199 Mr. House noted that the well radius includes development which is not allowed by NHDES. Mr.
200 Scamman replied that he believes some development is allowed.

201
202 Mr. House advised the Applicant talk to the fire department because he does not see any turn
203 around for fire trucks.

204
205 Mr. House asked Mr. Houghton how is the student population in town and if that is a concern. Mr.
206 Zaremba replied that the town needs more teachers. Mr. Houghton replied that any development
207 potentially adds to the school population and he does not see that as an issue. Mr. Canada does not
208 believe that is in the purview of the Board. Mr. House understands that but noted that this is a
209 consultation to discuss all potential issues.

210
211 Mr. House advised that the Applicant review trash service.

212
213 Mr. Goddard asked if a Conditional Use Permit is required for multi-family housing. The Board
214 replied yes. Mr. Goddard asked if the building separation requirement is 30 feet. Mr. Connors
215 replied that is determined by the fire code. Mr. Goddard replied the state building code is 20 feet.
216 Mr. House stated that the buildings can be closer than 20 feet if the exterior walls are constructed
217 to meet fire code.

218
219 Mr. Allison commented that this is a concept sketch and he expects the next plan to be revised with
220 regards to turn arounds. He asked if there would be one garage space and one parking space for
221 each unit. Mr. Scamman replied correct. With regards to public water supply, Mr. Allison
222 commented that his development was recently required to correct deficiencies in their public water
223 supply protection areas and there are some very strict requirements as to what can be within the
224 protection area. He recommends the Applicant take a close look at that.

225
226 Mr. Kunowski asked if there are plans for any outdoor residential spaces like patios, fences, or
227 courtyards and if there would be any issues with property line setbacks. Mr. Connors replied fences
228 are allowed up to 6 feet tall and patios would be allowed, but not a deck.

229
230 Mr. Allison asked why there is a lot of gravel at the property now. Mr. Goddard replied it is for
231 access for telephone pole replacement.

232
233 Mr. Zaremba asked if the Town has design requirements for this area like with the Gateway
234 District. Mr. Connors replied there are general town architectural site plan requirements but not as
235 specific as the Gateway. Mr. Zaremba asked Mr. Goddard if he will return with renderings. Mr.
236 Goddard replied that he has the residential design renderings as it is a design that he likes and he
237 has not completed any renderings yet for the office building. With his project at 94 Portsmouth
238 Ave he worked with the historic commission on design elements and he would do the same with
239 this property. He would like the office building to shield the residential units. He believes the

240 current buildings are obsolete and would like to improve the properties.

241
242 Mr. Zaremba requested that the concept consider pedestrian access to other properties in the area.

243
244 Mr. Allison asked if construction fencing could be installed between the property and the rear
245 parcel. Mr. Goddard replied that is possible and he is considering a permanent fence. Mr. Scamman
246 added there is a stone wall that runs along the back of the property. Mr. Allison noted that the wall
247 may accomplish the same goal as a construction fence.

248
249 Mr. Canada commented that the project appears to meet zoning and he agrees with Mr. Zaremba's
250 comments regarding pedestrian access. Mr. Goddard replied that the NHDOT right of way extends
251 far into the property and he is not sure that sidewalks could be installed. Mr. Canada replied that
252 NHDOT will allow a sidewalk in the right of way. Mr. Connors added that NHDOT will not
253 maintain the sidewalk, the Town would have to, but NHDOT will allow one to be constructed. Mr.
254 Scamman stated that in the properties where Emmanuel Engineering has designed them, NHDOT
255 asked that the sidewalks be placed outside of the right of way. Mr. Canada and Mr. House
256 encouraged the Applicant to have a discussion with NHDOT regarding sidewalks.

257
258 Mr. Houghton reiterated the Applicant should address fire access.

259
260 Mr. House asked the Applicant to describe the note on the plan about future access to Lot 13-21.
261 Mr. Scamman replied that is a potential spot to connect these parcels to the neighboring parcels if
262 Mr. Goddard's plan of developing all four parcels in the future is realized. Mr. Allison commented
263 he thought that area would be for the dumpster and asked where the dumpster would go. Mr.
264 Scamman replied straight in.

265
266 Mr. Goddard added that he will probably move away from triplexes and investigate the 20-foot
267 separation for duplexes to avoid a Conditional Use Permit. He added that middle units are not as
268 desirable and the property is limited with room due to setbacks, parking, building separation, etc.

269
270 Mr. House asked if Mr. Allison's question on the dumpster is for the office building. Mr. Allison
271 replied yes but assumes the residences need to be addressed as well. Mr. House stated he thought
272 the residential properties would have pickup like the rest of the town. Mr. Allison said that might
273 be the case, but property looks difficult for maneuvering. Mr. House and Mr. Allison agree that if
274 a truck turnaround area is created, that would be helpful. Mr. Goddard added that he thought his
275 approval for 94 Portsmouth Avenue indicated that the residential units are required to use a
276 dumpster. Nobody believes the Town's trash hauler would pull into private property. Mr.
277 Houghton noted that most condos have their own trash pickup.

278
279 Mr. House asked if the units will be condos or rental units. Mr. Goddard replied that he will sell
280 them as condos. Mr. House stated that the Board will need to review the condo documents. Mr.
281 Connors added that a condominium subdivision approval would be necessary and that could be
282 reviewed at the same time as the other applications.

283
284 Mr. House asked if there were any more questions for the Board. Mr. Goddard replied that he
285 needs to review the footnote about the 1,600 square foot limitation, but that he believes it only
286 applies to office buildings and not residential. He suggests if he keeps the parcels separate then he
287 can construct two separate office buildings. Mr. Zaremba stated that there could be a joint meeting

288 of the Planning Board and the ZBA to discuss that. Mr. Scamman asked what would be the process
289 for requesting approval of a larger footprint. Mr. Connors replied that the project would come
290 before the Planning Board and the Applicant would request a joint meeting which would be
291 scheduled. Mr. Connors replied it is an easier process and allows for open dialogue. Mr. House
292 commented that the Applicant needs to ensure that they can show a hardship.
293

294 Mr. Connors asked Mr. Scamman to show the aerial photo of the project and asked if they could
295 talk to the neighboring property about a shared driveway or if the wetlands impact is not as great,
296 could the entrance be moved to the other side of the property. Mr. Goddard replied that he believes
297 they can put a curb cut under the power line easement, just no structures, but he's not sure if the
298 neighbor will be amenable.
299

300 Mr. Scamman asked if there is any concern from the Board with the mixed use. Mr. House stated
301 it is allowed and they just need to review the public water system, building heights, and building
302 footprint.
303

304 Mr. Kunowski asked if the office space will be condominium units. Mr. Goddard replied that his
305 initial plan is to rent them but he would review the market and make a decision later. Mr. Scamman
306 added that if they are all on one lot, then they will be all condos, it's just a matter of whether Mr.
307 Goddard owns the office condos or not.
308

309 Mr. Connors asked if there are existing tenants in the two buildings. Mr. Goddard replied yes, that
310 there is one tenant in 91 Portsmouth who just completed a nice renovation and there are three
311 tenants at 89 Portsmouth. The tenant at 91 Portsmouth would like to move to the new building and
312 there are four tenants at 89 Portsmouth that he would like to shift temporarily to 91 Portsmouth.
313

314 **Mr. Zaremba made a motion to open the meeting to the public. Mr. Canada seconded the**
315 **motion. All voted in favor and the motion was approved.**
316

317 Mr. Deschaine of 31 Thornhill Road, commented that conceptually it is a great project. He added
318 that with regards to trash pickup, being a mixed use project, it should be spelled out in the
319 condominium documents and the owner should provide an easement to the Town and/or its
320 contractors to access the property. In the past, that needed to be completed retroactively for
321 condominium properties that the Town does service. His second comment is with regards to the
322 Portsmouth Avenue and Bunker Hill intersection and commented that NHDOT has suggested in
323 the past a round-about. Sidewalks are a great suggestion but with the grade change at the properties
324 they might have to go within the State right of way to make them practicable. Mr. Scamman replied
325 that having a connection between these properties and the neighbors could be important.
326

327 **Mr. Zaremba made a motion to close the meeting to the public. Mr. Kunowski seconded the**
328 **motion. All voted in favor and the motion was approved.**
329

330 Mr. Allison commented that with regards to the dumpster, if there is no central area for collection,
331 then a large turnout over by the pond might be a good idea. He recognizes this is a concept plan,
332 but he doesn't see how a truck can maneuver.
333

334 Mr. Goddard asked what Stratham's setbacks to wetlands are. Mr. Scamman replied that there are
335 different types of wetlands and the setbacks vary based on the type of wetland. Mr. Goddard asked
336 if that is a town regulation and have other site plans had leniency with, for example, a 75-foot

337 setback instead of 100 feet. Mr. Connors confirmed it is a town regulation and it would be a ZBA
338 decision. Mr. Scamman added that he would think that the existing pavement is a grandfathered
339 condition and asked if any improvement would be accepted by the Planning Board. Mr. Connors
340 replied that a driveway would require a conditional use permit and not a variance, but structures
341 would require a variance. Mr. Scamman asked which application would apply to parking. Mr.
342 Connors would need to research that. Mr. Scamman asked the Board's feelings on that proposal.
343 The Board feels the farther the setback from wetlands, the better.
344

- 345 c. Review of proposed red-lined amendments to Stratham Site Plan Regulations including to Sections
346 III Scope & Requirements, Section IV Application Procedures and Requirements, Section V
347 Design & Construction Requirements. The proposed amendments relate to application processes
348 and notification fees, criteria qualifying projects for site plan review, and required materials for
349 site plan applications.
350

351 Mr. Connors presented proposed amendments including the following:

- 352 • Updating the definition of abutter to include reference to the NH RSA abutter definition.
- 353 • Adding regular mail abutter notification for preliminary consultation applications.
- 354 • Clarifying the required application materials.
- 355 • Clarifying the timing of the site plan application submittal relative to the preliminary
356 consultation.
- 357 • Establishing a deadline for written abutter comments along with potential time limitations
358 for verbal comments.
- 359 • Adding regular mail abutter notifications for applications that require certified mailing.
- 360 • Updates to abutter and public notice fees for preliminary consultations and site plan
361 reviews.
- 362 • Amendments to the special investigative costs to include examples of potential costs.
- 363 • Updates to the recording costs to include the cost of town staff delivering materials to the
364 Registry of Deeds.
- 365 • Removing outdated language that references the Rockingham Planning Commission
366 Circuit Rider Planner.
- 367 • Requiring all plans under review to be stamped by a licensed surveyor and a professional
368 engineer.
- 369 • Clarifying plan requirements under review to include compliance with parking
370 requirements, locations of fire hydrants/ponds/cisterns, and wetlands stamped by a certified
371 Wetlands Scientist.
- 372 • Removing the requirement for a licensed landscape architect to stamp plans.
- 373 • Clarifying the lighting plan should be a photometric plan.
- 374 • Adding a 95-day review period for regional impact projects in accordance with State Law.
- 375 • Removing the requirement that the Select Board approve an application extension.
376

377 Mr. Zaremba asked with regards to the seven day postmark for preliminary consultations, if the
378 seven days is not met, will the consultation be heard. He likes the idea of notifying abutters, but is
379 concerned with strict interpretation of the deadline. Mr. Connors suggested removing the seven
380 day requirement and simplifying the language that notice will be sent in advance of the meeting.
381 Mr. Canada agrees notification is a good idea and he thinks it should occur in a timely manner.
382 Mr. Zaremba asked if the consultation would be delayed if we didn't meet the requirement and
383 what happens currently. Mr. Connors replied that certified mailings are different and need to be

384 completed more in advance. Mr. Allison stated this is just a courtesy. Mr. Zaremba countered it is
385 not a courtesy if it becomes regulation. Mr. Houghton does not believe seven days is onerous. Mr.
386 Zaremba asked if the mailings are completed by the applicant. Mr. Connors replied no, that they
387 are completed by town staff and that's why he suggested using the postmark. With that information
388 Mr. Zaremba is more comfortable with the requirement. Mr. Houghton commented that
389 preliminary consultations are non-binding. Mr. Zaremba agrees and was just looking to preserve
390 that. Mr. Connors explained some suggested changes to preliminary consultation application
391 materials including the base map, written narrative, architectural renderings, preliminary site plans,
392 and potential waiver requests.

393
394 Mr. Canada asked if the proposed wetlands scientist stamp on the site plan is related to the Board's
395 previous discussion regarding when a wetlands scientist would be required. Mr. Connors replied
396 no, this is only for site plan reviews. The previous discussion related to building permit applications
397 that are not under site plan review.

398
399 Mr. Kunowski asked what the process is to complete the site plan regulation updates and if a town
400 vote is required. Mr. Connors replied that for amendments to the Site Plan Regulations, the
401 Planning Board holds one public hearing and there is no town vote.

402
403 **d. Miscellaneous Community Planning Issues**

404
405 1. Conservation Commission/Open Space Plan Updates

406
407 Mr. Connors explained that the Open Space and Connectivity Steering Committee is working on
408 the Open Space Plan and the goals and strategies with draft materials proposed for next month.
409 There will be a public open house in January 2024.

410
411 Mr. Connors announced that the Conservation Commission has come to an agreement with the
412 landowner for a 17-acre land-locked parcel of land that abuts Stratham Hill Park and includes a
413 portion of the trail network. The Town is pursuing a grant to cover up to half of the cost to acquire
414 the parcel. The Conservation Commission will hold a public hearing on October 25, 2023.

415
416 2. Building Permit fee update

417
418 Mr. Connors explained that the Town is considering proposed changes to the Building Department
419 permit fees to simplify the fee structure for both the Town and applicants. The fee structure has
420 not been updated for several years. Mr. Connors presented examples of other towns' fee structures
421 and examples of the project fees within Stratham along with the proposed changes. Mr. Canada
422 commented that the example in the presentation is a considerable increase to the current fees and
423 that the Town should not be a profit center and stated that the building department exists to regulate
424 and help and it is a service the town should be offering as a break-even proposition. Mr. Connors
425 replied that some of the costs of providing the service will come from taxpayers if not from the
426 applicants. Mr. Canada replied that the office provides a public function and a certain amount of
427 tax dollars to support the office is acceptable. Mr. Connors presented the example of reducing the
428 fees for HVAC/plumbing permits for residential use and increasing them for commercial uses.
429 Currently the same value project would have a lower fee if commercial.

430
431 Mr. Canada asked if the Planning Board has any input on the fees or if this presentation is only
432 informational. Mr. Connors replied that the Select Board makes the decision, but if there are any

433 strong opinions from Planning Board members then he would note them prior to approaching the
434 Select Board. Mr. Canada stated that he does think the Building Department should be a profit
435 center for the town and that the example increase is scandalous. Mr. Connors explained the current
436 commercial fee structure is a decreasing rate when the scale of the project is increased. He
437 presented an example of the fee for a large commercial project in Stratham being one-third of the
438 cost compared to other towns.

439
440 Mr. Connors summarized that the current fee structure is complicated, more prone to mistakes in
441 calculation, difficult to explain, and has potential inequities between residential and commercial
442 projects. He presented a chart of how Stratham's proposed fees would compare to other towns (in
443 the middle). In summary, the town would maintain low, flat rates for relatively simple projects,
444 like fencing, residential window and roof replacement, etc., that do not require significant review
445 from the Building Inspector and have a cost per square footage minimum measure for projects
446 where estimated costs do not seem reasonable.

447
448 Mr. Zaremba commented that it makes sense to simplify to an extent and that using project cost
449 accounts for inflation, but he agrees with Mr. Canada that the fee structure should not be profit-
450 generating.

451
452 Mr. Allison asked if the fees include inspections. Mr. Connors replied yes.

453
454 Mr. Connors stated that Stratham does not see a lot of million dollar renovations, and that is an
455 example of where the fee will dramatically increase but there are minimal applications in that
456 category. He supports capping the fee for projects like roof replacements that do not use a lot of
457 the Building Inspector's time. Mr. Connors stated that the next step would be to review how the
458 revenue would change. He believes it will increase, but not drastically.

459
460 Mr. Kunowski asked if increasing the fees would be a barrier to submitting applications. Mr.
461 Connors replied that the Town would be in comparison to surrounding communities. Mr. Canada
462 commented that the Town is not in competition with other towns and instead the Town should
463 charge what it costs the Town to provide the service. He gave the example if another Town needs
464 \$25,000 to provide a service, but we can provide it for \$5,000, then we should charge \$5,000. He
465 added that we are not trying to foster or stifle development; we are trying to recoup the costs that
466 the development is done properly. Mr. Connors said he understands, but stated that the Town needs
467 to consider correcting the inequities in discounts for large commercial projects compared to smaller
468 projects.

469
470 Mr. Houghton stated this is an appropriate discussion, but he is not sure that the Town knows their
471 costs. He agrees that a larger commercial project with more inspections should not have a lower
472 fee than a residential project. He agrees the Building Department should not be a profit center, but
473 that the Town should cover their costs. He gave the example that a \$650,000 project with an
474 application fee of \$600 is not covering the Town's costs.

475
476 Mr. House asked if cost of living raises into the future are considered in the fee schedule. Mr.
477 Zaremba replied that's where the cost of project is a factor. Mr. Houghton gave an example of the
478 downside of using square footage that there are older properties in town where a 3,500 square foot
479 project could be \$1,000,000 and there have been new homes in Stratham constructed for
480 \$1,000,000 that are only 2,000 square feet. He thinks it is an important issue to pursue and the
481 debate is good and that the Town needs to find an equitable balance between commercial and

482 residential and the cost of providing service. Mr. Canada stated that the Town should be able to
483 determine cost of service for example, preparing Planning Board minutes and the cost of
484 inspections and the entire building permit process and asked how does the Town calculate an
485 equitable amount. Mr. Houghton replied that if the course of action is to seek parity with
486 surrounding communities then that is not really thinking about costs and it is reasonable for the
487 Town to pursue researching the cost of services. Mr. House suggested asking the Code
488 Enforcement Officer how long it takes to review an application. He added that he does not see the
489 cost of construction coming down any time soon, but it's still the same size building and simply
490 costs more due to materials and labor, but not necessarily more time of the Code Enforcement
491 Officer. Mr. House provided an example of the CEO looking at a faucet to determine if it is
492 functional is the same amount of time for every faucet regardless of material cost. Mr. Canada
493 added that there is importance with square footage with regards to inspection time from an
494 equitable point of view. He added that square footage is a verifiable figure and that there is no
495 mechanism for the Town to verify building costs. Mr. Houghton commented that the flip side to
496 that is more expensive homes can have more complex infrastructure. Mr. House asked if the
497 Building Inspector was consulted. Mr. Connors replied that the Town has an interim inspector and
498 he was consulted. He summarized that this is not a change that will be made in the immediate
499 future and that the process will include how any fee changes will impact revenues and what percent
500 of the total cost of running the office the proposed fees will cover. He said all of that information
501 would be presented and considered before any final decisions are reached.
502

503 **4. Adjournment**

504
505 **Mr. Canada made a motion to adjourn the meeting at 9:01 pm. Mr. Zaremba seconded the**
506 **motion. All voted in favor and the motion was approved.**