



**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

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

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

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

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

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

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

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

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

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

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

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

Mr. Houghton reiterated the Applicant should address fire access.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr. Goddard asked what Stratham's setbacks to wetlands are. Mr. Scamman replied that there are different types of wetlands and the setbacks vary based on the type of wetland. Mr. Goddard asked 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

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

#### **4. Adjournment**

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