



Stratham Planning Board Meeting Minutes
December 18, 2019
Municipal Center, Selectmen's Meeting Room
10 Bunker Hill Avenue
Time: 7:00 PM

Members Present: David Canada, Member
Tom House, Member
Mike Houghton, Selectmen's Representative
Colin Lavery, Member

Members Absent: Pamela Hollasch, Alternate Member
Robert Baskerville, Alternate Member
Robert Roseen, Member

Staff Present: Tavis Austin, Town Planner

1. Call to Order/Roll Call

Mr. House took roll call.

2. Review/Approval of Meeting Minutes

a. December 04, 2019

Mr. Canada made a motion to approve the meeting minutes of December 04, 2019 as presented. Mr. Houghton seconded the motion, which passed with a unanimous vote.

3. Public Hearing(s):

- a. *Site Plan Review and Conditional Use Permit.*** Project LEGO, at One Fine Chocolate Place, Stratham NH 03885, Tax Map 03 Lot 01. Lindt Expansion (32,769 s.f.) for growth and optimization. Submitted by Joshua Fenhaus, Hunt Construction Group, Inc, 13344 Noel Road, Fourth Floor, Dallas, TX 75240.

Mr. Austin stated the applicant had submitted an email requesting a continuance of the public hearing until January 15, 2020.

Mr. Canada made a motion to continue the hearing to January 15, 2020. Mr. Lavery seconded the motion which passed with unanimous approval.

b. Boundary Line Adjustment Application to facilitate a minor boundary line adjustment between Tax Map 10 Lots 6, 7, and 8; *a.k.a* 83, 83L, and 83R Bunker Hill Avenue, Stratham, NH 03885; submitted by Raymond Bisson, LLC, Stonewall Surveying.

Mr. Austin provided an overview of the project as outlined in the Planning Board's packet, stated staff's position of a complete application, and noted some potential conditions for the Board's consideration.

Mr. Canada motioned to accept the application as complete; Mr. Lavery seconded and the vote was unanimous. Mr. Lavery motioned to open the public hearing; Mr. Canada seconded and the vote was unanimous.

Gordon Swenness, of 5 Russell Drive, asked what the motivation was for the proposed boundary line adjustment. Mr. Austin responded, through the chair, the desire to remove a property line from the center of the existing structure.

Mr. Lavery motioned to close the public hearing; Mr. Canada seconded the motion and the vote to close the public hearing was unanimous at 7:10PM.

Mr. Austin reminded the Board of the proposed conditions of approval, should the board desire to approve the project as submitted.

Mr. Canada motioned to approve the project as submitted with the following conditions:

Condition Precedent:

1) *"Buildings to be removed" shall be removed from the plan for purposes of recordation.*

Condition Subsequent:

1) *No building permits shall be issued to either property until the "Buildings to be removed" are removed.*

Mr. Lavery seconded the motion which passed with a unanimous vote.

4. Public Meeting:

a. 2020 Board Meeting Schedule.

Mr. Austin presented the 2020 Planning Board Meeting Schedule based on first/third

73 Wednesdays and pointed out two conflicts.

74 Mr. Lavery motioned to approve the calendar noting the cancellation of the listed January 01,
75 2020 meeting, and modifying the submission date for the January 15, 2020 meeting from
76 December 25, 2019 to December 24, 2019. Mr. Canada seconded the motion which passed
77 with a unanimous vote.

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79 **b. Noise Ordinance Update—Shanti Wolf, BI/CEO**
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81 Mr. Wolf reported on his memo to the Board outlining the research on noise ordinances as
82 requested by the Planning Board 12/04/19.

83 Mr. Houghton noted that an average household air conditioner runs at approximately 60
84 decibels (dB) which is consistent with the Site Plan Regulations. He noted further, reducing
85 the decibel threshold in the Regulations may put numerous properties in violation
86 unintentionally.

87 Mr. Wolf reminded the Board that the Town Noise Ordinance does not have a decibel limit
88 rather it is premised on “nuisance.” The Board generally discussed the topic.

89 Mr. Canada motioned to recommend that no changes be made to the Site Plan Regulations
90 related to noise at this time, but instead Staff be directed to submit to the Select Board a
91 recommendation they consider adding a decibel limit or threshold to the Town Noise
92 Ordinance and include therewith a paragraph or two of exempt noises such as snow plows,
93 backup beacons related to Town, garbage and similar vehicles. Mr. Lavery seconded the
94 motion which passed unanimously.

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96 **c. Zoning Amendments: Discussion of 2020 Amendments**

97 Mr. Austin outlined the provided public hearing notice and related proposed warrant articles
98 for zoning amendments as previously discussed by the Board. The Board generally
99 discussed and accepted each as read.

100 Mr. Houghton requested that the proposed warrant article specific to Section XI *Wetlands*
101 *Conservation District Overlay* be submitted to the Conservation Commission for their
102 comments with the intention of having their comments following their January 8, 2020
103 meeting. Mr. Austin stated such a request would be forwarded 12/19/2019.

104 Mr. Canada motioned to set the public hearing for the proposed zoning amendment articles
105 as provided to the Board December 18, 2019. Mr. Lavery seconded the motion which
106 passed unanimously. Mr. Austin noted the potential need to schedule a special Planning
107 Board meeting should the Board desire to substantially modify any of the proposed articles.

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109 **d. Route 33 Legacy Highway Ad-Hoc update**

110 Mr. Austin outlined the process of advertising and recruiting participants for the Route 33
111 Legacy Highway Ad-Hoc Committee created by the Board on November 20, 2019. He

provided a list of respondents to date and asked the Board for direction.

Mr. House, noting there were at least five confirmed interested parties, motioned to appoint Tom House, April Mason, Forrest Barker, Nathan Merrill, and Robert Roseen to the Route 33 Legacy Highway Ad-Hoc Committee and added that should there be later interest from Mr. Dardinski, or Mr. Hughes, that they be appointed at the next Board meeting. Mr. Lavery seconded the motion which passed with a unanimous vote.

Mr. Austin outlined the Staff's course for the committee noting the desire to have a report and related deliverables to the Board by June/July 2020. The Board generally agreed with the timeline and proposal.

5. Adjournment

Mr. Lavery made a motion to adjourn the meeting at 8:45 PM. Mr. Canada seconded which passed unanimously.

Note(s):

1. Materials related to the above meeting are available for review at the Municipal Center during normal business hours. For more information, contact the Stratham Planning Office at 603-772-7391.
2. The Planning Board reserves the right to take items out of order and to discuss and/or vote on items that are not listed on the agenda.