



Stratham Planning Board Meeting Minutes
March 17, 2021
Municipal Center, Meeting Room A
Time: 7:00 pm

Member Present: Tom House, Chair
David Canada, Vice Chair
Pamela Hollasch, Member (call in)
Robert Roseen, Member
Joe Anderson, Alternate Member
Mike Houghton, Selectmen's Representative

Mr. Roseen initially participated in the meeting by phone, but began attending in person starting at approximately 7:15 pm. Ms. Hollasch joined the meeting by phone at approximately 7:15 pm.

Members Absent: None

Staff Present: Mark Connors, Town Planner

1. Call to Order/Roll Call

Mr. House called the meeting to order at 7:01 pm and called roll call. Mr. Roseen, participating by phone, indicated that he was by himself.

2. Review/Approval of Meeting Minutes

March 3, 2021

Mr. House asked to correct the date on the Minutes to March 17, 2021. Mr. Canada made a motion to approve the minutes of March 3, 2021 subject to Mr. House's correction. Robert Roseen seconded the motion. All voted in favor.

3. Public Meeting:

- a. Stratham Source Water Protection Plan -- Mr. Connors noted that a sub-committee made up of different Town representatives have been working with the Regional Planning Commission to draft a Source Water Protection Plan. He introduced Jennifer Rowden, senior planner at the RPC, who has been working with the Town to develop the plan.

Ms. Rowden provided some background regarding the project. She noted that the RPC obtained funding for the project from the NH Department of Environmental Services and met with Town staff in early 2020, who agreed that the plan would be a good fit for the Town.

The RPC staff worked to develop the draft plan. A review committee made up of Town representatives was organized this year and has helped shape the plan. Mr. Anderson asked how did you decide to work with Stratham? Ms. Rowden noted that Stratham is a good representative from the region because it faces many of the same issues other communities are dealing with. There are a variety of water sources in Stratham and challenges to water quality.

A Source Water Protection Plan is designed to protect all sources of water, including both public systems and private systems. The goal of the plan is to ensure that clean water gets into taps and different steps the Town can take to help ensure that. She noted that approximately one-third of Stratham residents get their water from public systems, or systems where more than 15 users access the same source. Approximately 70 percent of residents use on-site water systems. All drinking water in Stratham comes from ground water sources and approximately 9 percent of the Town's land area is made up of impervious surfaces. She noted that the stratified drift aquifer makes up about 16 percent of the Town's land area. Ms. Rowden showed a map displaying all the Town's public water systems. She also displayed a map showing wellhead protection areas in Stratham. She noted that there are opportunities to improve protections for major source water areas in Stratham.

She noted that the plan is oriented to prevent future threats to water quality but not to address existing contamination issues. The plan is not mandatory. All of the recommendations are advisory. It is designed to be a resource for the Town. Mr. Anderson asked if we do want to implement the recommendations, is that a Planning Board process? Ms. Rowden said it depends on the recommendation.

Ms. Rowden said hopefully you had a chance to briefly review the draft plan. She said there are a variety of different implementation measures in the Plan. Some of those can be adopted through the Planning Board and I will focus on those tonight, she said. The Town should review the NHDES Ground Water Model Ordinance, which is the best model out there. It can be adopted in full or in part. She said simply expanding the area that is covered under the Aquifer Protection Ordinance would be a major step to help improve water quality. She noted there may be conflicts. Protecting water sources in the Gateway and other commercial areas is important but might be counter to your other land use and planning goals. Mr. Roseen asked do you have an example of a modified ground water protection district tailored to commercial/industrial areas? Ms. Rowden said regulations could be tailored only to businesses that handle hazardous materials regularly. You might not want to allow automotive uses within aquifer areas. This was followed by some discussion of different automotive uses in Stratham.

You can also codify in your ordinance your best management practices. The Town's aquifer areas need to be updated, and would be a simple action for the Planning Board. The Town could expand its private well radius area from 75 feet to 100 feet. Mr. Canada asked how do you do a 100-foot radius when you only require 200-feet of frontage? Ms. Rowden said that would be a

86 sticking point if there are conflicts within the zoning. Mr. Roseen said it is a good point, but you
87 could exempt certain things within the 100-foot area. Ms. Rowden said that you could adopt a
88 model stormwater ordinance into your Site Plan and Subdivision Regulations. Mr. Roseen noted
89 that the Town did that last year. Ms. Rowden said that she would download that document.

90
91 Ms. Rowden said the Town could also enact certain maintenance requirements for private septic
92 systems. The last one is to incorporate Climate Change into your land use and water quality
93 planning. She noted that sea level rise and increased periods of drought conditions are two
94 challenges associated with Climate Change. Ms. Rowden said the Source Water Protection Plan
95 could be incorporated into the Town's Master Plan. She noted many of the recommendations are
96 consistent with the Master Plan recommendations. The plan could simply be used as a reference
97 for the Town. Mr. Anderson asked if requiring water quality testing would be a Planning Board
98 action? Ms. Rowden said it would be a Select Board action. Mr. Anderson said many
99 homeowners do not understand the importance of water quality testing. This was followed by
100 some discussion of water quality testing.

101
102 The Planning Board discussed potential options for adopting the plan. Mr. House said it might be
103 helpful to adopt it as a guidance document so there are no legal ramifications. Ms. Rowden said
104 next, the Town and RPC will host a public information outreach session on March 30 at 4 pm to
105 introduce the plan to residents and discuss some of the recommendations to residents.

106
107 Ms. Rowden invited Planning Board members to email her if they have further questions or
108 comments. Members of the Board thanked Ms. Rowden for her presentation.

- 109
110 **b. Preliminary Consultation - 'Off Lovell Road' woodlot** -- Mr. Connors provided some
111 background on the lot in question. It was created back in the late 1970s when the Planning Board
112 approved a 50-foot wide right-of-way for another woodlot. That right-of-way had the effect of
113 subdividing the Bacons' property in half, creating a new woodlot. The Bacons maintained a
114 right-of-way through the 50-foot wide right-of-way area for themselves to access their lot so the
115 lot does have right-of-way access to Lovell Road. However, a wetland may inhibit access. The
116 Town of Stratham now owns the right-of-way area which links to a much larger lot to the south
117 with frontage on Gifford Farm Road. The Heberts recently purchased the lot and would like to
118 talk with the Town about potential access.

119
120 Tim Hebert said they have been looking to move to the Seacoast for many years. They have a
121 purchase and sales agreement on this property and would like the Planning Board's input on how
122 to figure this out. Mr. Hebert said the right-of-way area is wetland. Mr. Hebert said one solution
123 would be to provide a right-of-way over the Town's land to access Gifford Farm Road. Mr.
124 Canada corrected Mr. Hebert's pronunciation of the town's name. Mr. Canada clarified that the
125 lot does not currently have access. Mr. Hebert said no because of the wetland but we would like
126 to access the lot through Gifford Farm Road. But can you do that, Mr. Canada asked. Mr.
127 Connors said no, not unless the Town sold them the property or granted them an easement to
128 build a driveway on Town land. Mr. Roseen asked what is the law regarding access to land-
129 locked parcels. Mr. Connors said they would need access to a public road to build on the
130 property. It's the responsibility of the owner to obtain the access.

131 Mr. House clarified that you want to give up part of your lot to obtain the right-of-way from the
132 Town to Gifford Farm Road? Mr. Hebert said yes. Mr. House said that any kind of land swap
133 would need to go through the Select Board. Mr. Houghton said that before this goes to the Select
134 Board, they will want more information. He said that Mr. Connors can gather more information
135 regarding the legality of building on woodlots. Mr. Canada asked what is in it for the Town?
136 Mr. Hebert said that the Town would get the wetlands on their property. Mr. Hebert said that he
137 would be willing to provide a gravel parking area off the driveway for visitors to park if the
138 Town. Mr. House said another option would be to swap land with the Town to get a frontage lot
139 off of Gifford Farm Road. Mr. Hebert asked if it was buildable? Mr. House said that he did not
140 know. Mr. Canada questioned why the Town would want to swap frontage land for land that is
141 not accessible. Mr. House said well, there are a couple different things to look at. Have we
142 answered your questions? Mr. Hebert said it was helpful.

144 Mr. Houghton said, Mark, can we get more information regarding the legality of building on
145 woodlots for a future meeting? Mr. Connors suggested that for the second April meeting, the
146 Town could have a legal memo prepared for the Board to revisit this. It was agreed that the
147 applicants would return for the Board's second April meeting. Mr. Roseen asked Mr. Connors is
148 there an obligation for the Town to work with the applicant. Mr. Connors said no. However, in
149 this case, the owner does enjoy the right-of-way access over a part of the Town-owned land. Mr.
150 Canada asked if it was a legal building lot. Mr. Connors said there was no discussion in the
151 minutes about creating an additional lot for the Bacons. But it is a moot issue because the Town
152 has been treating it as a separate lot for many years. It is a legal lot of record, but not necessarily
153 a buildable lot.

- 155 c. Technical College Site Mr. Connors said that in the Board's discussions on housing the former
156 Technical College site on Portsmouth Avenue keeps coming up, so I did a little more research
157 into that property. He provided a brief history of the property, noting that the Town created a
158 special zoning district for the parcel back in 2007 even before the technical college vacated the
159 property. The zoning is very flexible and allows a number of different uses.

161 The most recent plan for the site, to establish a research and development headquarters for a
162 defense contractor to manufacture a naval vessel, appears to have not advanced. The property has
163 been dormant for some period of time.

165 Mr. Anderson said that he would like to invite the owner in just to talk to them about the
166 redevelopment of the property. Mr. Houghton agreed. Mr. Anderson said maybe we should look
167 at the zoning first to determine what we want to incentivize on the property. Mr. Canada said this
168 would be a property where we could change the regulations so that we are not incentivizing
169 age restricted housing. Mr. Roseen noted that the residential real estate market has taken off since
170 the pandemic so this is a good time to discuss this.

172 Mr. Houghton said the Planning Board should meet with the owner to offer how the Town can
173 help in advancing the redevelopment of the property. The Board agreed that the owner would be
174 invited in to meet with the Board. Mr. Roseen said that this is related to the Planning Board's

discussions relating to workforce housing and age-restricted housing and if the Town should incentivize age-restricted housing over other forms of housing. This was followed by some discussion of housing by the Board. The Board agreed that they would schedule a housing workshop for April 19, 2021 to discuss this issue in more depth.

- d. Growth Management Ordinance** -- The Planning Board agreed that they would take this item up at a future meeting.

4. Adjournment

Mr. Anderson made a motion to adjourn at 9:00 pm. Mr. Canada seconded the motion.
Motion carried 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 ext. 147.*
- 2. The Planning Board reserves the right to take item, out of order and to discuss and/or vote on items that are not listed on the agenda.*