



TOWN OF STRATHAM

Incorporated 1716

10 Bunker Hill Avenue · Stratham, NH 03885

Town Clerk/Tax Collector 603-772-4741

Select Board's Office/ Administration/ Assessing 603-772-7391

Code Enforcement/ Building Inspections/ Planning 603-772-7391

PLANNING BOARD MEETING AGENDA

January 17, 2024, 7:00 pm

Stratham Municipal Center

10 Bunker Hill Avenue, Stratham NH

1. Call to Order/Roll Call

2. Review and Approval of Minutes:

- a. January 3, 2024 Planning Board Minutes

3. Public Hearing:

- a. The Planning Board will hold a public hearing on the proposed zoning amendments outlined below and vote to advance amendments to the Town Clerk for placement on the 2024 Town Ballot. The full-text of the amendments is available at the Stratham Planning Department and on the Town website at www.strathamnh.gov.
 1. Amendment #2: To amend Section II *Definitions*, and Section III, Table 3.6 *Table of Uses*, and *Footnotes to Table 3.6* to include new definitions and property uses that are not currently defined. This is a housekeeping amendment to better define terms, building uses and associated requirements.
 2. Amendment #3: To amend the Building Ordinance, Article III *Permits*, to clarify the circumstances in which the Building Inspector may require that a plan prepared and stamped by a licensed land surveyor or certified wetland scientist is required. This amendment provides the Building Inspector discretion to require a plan prepared and stamped by a certified professional where there is a reasonable basis to question if a building permit application meets the requirements of the Zoning and Building Ordinances and/or the State Building and Fire Codes.
 3. Amendment #4: To amend Section V *Supplementary Regulations*, Sub-section 5.12 *Home Occupation* to clarify the requirements associated with home occupations. This amendment would limit the aggregate size of home occupations and clarify requirements associated with inspections and renewals of home occupations.
 4. Amendment #5: To amend Section III, *Footnotes to Table 3.6* to consolidate the number of criteria the Planning Board considers in Conditional Use Permit applications. The purpose of this amendment is to expedite reviews of Conditional Use Permit applications while maintaining the core permit

review criteria.

5. Amendment #6: To amend Section VIII *Residential Open Space Cluster Development*, to amend the requirements associated with residential cluster developments. This amendment would establish minimum lot sizes for individual lots, require that open space parcels meet additional minimum requirements, and to require that historical resources be preserved and incorporated into cluster developments whenever practicable.
6. Amendment #7: To amend Section V *Supplementary Regulations*, to create a new Sub-section 5.14 for *Small Accessory Structures*. The purpose of this amendment is to provide for reduced setbacks for small sheds or accessory structures under 120 square-feet in size provided that the structure meets a number of minimum criteria.
7. Amendment #8: To amend Section IV *Dimensional Regulations*, Sub-section 4.1.4 *Maximum Residential Density* to clarify that non-buildable areas cannot be incorporated into maximum residential density calculations. This amendment would also reduce the maximum residential density in the Route 33 Heritage District from three units per acre to two units per acre.
8. Amendment #9: To amend Section V *Supplementary Regulations*, Sub-section 5.13 *Solar Energy Systems* to allow small-scale ground-mount solar energy systems by right if the proposal meets a number of minimum criteria.
9. Amendment #10: To amend Section V *Supplementary Regulations* to enact additional regulations, including screening requirements, on storage containers, semi trailers, and associated structures.

4. Public Meeting:

- a. Miscellaneous Community Planning Issues
 1. Open Space & Connectivity Plan Update
 2. Housing Supply Update
 3. Pending Land Use Applications Update

5. Adjournment

No new agenda items will be heard after 10:00 pm subject to the discretion of the Planning Board Chair. Full text of the agenda and related information can be found on file with the Stratham Planning Department and posted on the Town website at <https://www.strathamnh.gov/planning-board>. All interested persons may be heard. Persons needing special accommodations and /or those interested in viewing the application materials should contact the Stratham Planning Department at (603) 772-7391 ext. 180.



Stratham Planning Board Meeting Minutes
January 3, 2024
Stratham Municipal Center
Time: 7:00 pm

Members Present: Thomas House, Chair
Mike Houghton, Select Board's Representative
David Canada, Vice Chair
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 6:58 pm and took roll call.

2. Approval of Minutes

a. December 20, 2023

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

3. Public Meeting:

- a. Paul Gallant, Trustee (Applicant), Helen E. Gallant Revocable Trust of 1995 (Owner) - Request for a Preliminary Consultation of a proposed subdivision of 80 and 80R Winnicutt Road, Tax Map 14, Lots 56 and 57, into a Residential Open Space Cluster Development with 54 residential lots and two open space parcels. The parcel is Zoned Residential/Agricultural. Application submitted by Jones & Beach Engineers, P.O. Box 219, Stratham, NH 03885.**

Mr. House announced that this application was continued from the Planning Board's December 20, 2023 meeting at the request of the Applicant. Mr. House read aloud a letter from Jones and Beach Engineers received this morning requesting on behalf of the owner that the application be continued until the February 21, 2024 meeting. Mr. House stated that the public meeting is still open for this application and he requested a motion to continue the hearing.

Mr. Canada asked to speak. He stated that last minute postponements are difficult for abutters who have come to two meetings to speak. He suggests rejecting the request and requiring that the Applicant start over so that abutter notification is provided again. Mr. Allison asked if they can

45 require that abutters be noticed of the continuance. Mr. Kunowski does not have a strong opinion
46 to deny the request but he respects the abutters' time and if they want a continuance, the Applicant
47 should pay for notice again. Mr. Zaremba agrees with Mr. Canada. Mr. Houghton agrees and stated
48 it lacks respect for abutters and at a minimum they should be required to provide abutter notice
49 again. Mr. Canada asked if the Town can require that. Mr. House replied yes and Mr. Connors
50 stated the Board can grant the postponement on the condition that they re-notify all of the abutters
51 or the Board can reject the continuance and the Applicant would need to submit a new application.
52 Mr. House called for a motion. Mr. Zaremba asked for clarification if rejecting the postponement
53 also rejects the application. Mr. Connors replied that the Board would be closing the preliminary
54 consultation, but the applicant could re-apply. Mr. Allison asked if there is an application fee for
55 a preliminary consultation. Mr. Connors replied yes, but it is nominal. Mr. Allison commented that
56 the fee would be waived if the Board only requires re-notification to abutters as opposed to re-filing
57 the entire application. Mr. Zaremba asked if the Board will still hear from the public tonight. Mr.
58 House replied that the public meeting is still open and addressed the public stating that if there are
59 new people in attendance they are welcome to speak about the project. He added that this is only
60 a consultation and the Applicant still needs to submit a formal application and complete that
61 process. Mr. House asked if any members of the public want to speak. No members of the public
62 came forward.

63
64 **Mr. Canada made a motion to continue the application to the February 21, 2024 meeting**
65 **under the condition that the applicant is required to re-notice to the abutters. Mr. Zaremba**
66 **seconded the motion. All voted in favor and the motion was approved.**

67
68 **b. Town Administrator's Presentation of the Draft 2024 Capital Improvement Program**

69
70 David Moore, Stratham Town Administrator, directed the Board's attention to a handout on the
71 Capital Improvement Program. He stated that the New Hampshire State Statutes required that
72 when a municipality has adopted a Master Plan that a Capital Improvement Plan (CIP) be
73 submitted to the Planning Board for the purpose of determining consistency with the Master Plan.
74 The Master Plan is intended to look at the future of the Town and project growth, needs for public
75 services, changes, etc. The CIP is a financial plan for meeting the financial needs to realize the
76 future of the Town's services and expansion of facilities envisioned through the Master Plan. The
77 action he requests from the Planning Board is a determination from the Board that the CIP
78 presented tonight is consistent with the Master Plan.

79
80 Mr. Moore stated that there are items in the plan related to the Town's operation and rolling stock
81 vehicles that may be of some interest to the Planning Board. There are other projects related to
82 technology and other infrastructure. Other projects of interest to the Planning Board relate to
83 Stratham Hill Park, roadways, and environmental and planning projects for town buildings. Mr.
84 Moore highlighted projects that he believes are most interesting to the Planning Board but is happy
85 to hear any observations from the Board. He added that the Town is at the beginning of the annual
86 budget appropriation process that culminates in Town Meeting. Staff, Department Heads, and the
87 Select Board have been working on draft budget materials in preparation for a series of meetings
88 known as the Budget Advisory Committee meetings that take place in January and result in a
89 finalized proposed budget by the Select Board that goes to Town Meeting in March. Mr. Moore
90 stated that although the numbers have been seen by the Select Board this is only the beginning
91 stages of determining what the Town can afford and desires to move forward with. He added that
92 the Planning Board's participation is a programmatic check.

94 Mr. Moore explained that for the last three years the Town has had the opportunity to spend
95 approximately three-quarters of million dollars in American Rescue Plan Act (ARPA) funds. The
96 Town has slowly been spending the funds on eligible projects with a lot of flexibility. The strategy
97 of the Select Board has been to concentrate the use of those funds on non-regular, non-recurring
98 projects as much as possible. In municipal budgeting the core functions should not be financed by
99 a non-recurring revenue source like ARPA.

100
101 Mr. Moore provided example projects that might be of interest to the Planning Board including the
102 Open Space and Connectivity Plan that is in progress. That project was identified as a need in the
103 Master Plan and it was funded through this CIP process in previous years. The project went under
104 contract last year and is included again to finish the project. One of the most significant changes
105 in Stratham Hill Park is that the infrastructure has aged and the program has evolved. The park is
106 not acting like a fairgrounds and instead more flexibly used for different types of programs and is
107 the premiere outdoor space for the townspeople. The park is in need of investment and a future,
108 and money has been put aside through this process so that that Town can follow the Open Space
109 Plan with a future and vision for the park. Mr. Moore continued that there is money for the Town
110 to maintain their responsibilities for stormwater compliance with the Town's MS4 Permit. There
111 are aspects of complete compliance that require additional professional assistance for example
112 with regards to monitoring contaminant levels at stormwater collection points. Mr. Moore stated
113 that there is a lot of time spent in town caring for the community's heritage which is led by the
114 Heritage Commission. The Town's role is to maintain its own assets and therefore funding is
115 included for the Gifford Barn stabilization and the fire tower. Mr. Moore continued that the
116 document also includes funding for the future and there are a number of financial tools used as
117 repositories for funds to pursue replacements of rolling stock, for example for the Fire Department
118 and the Highway Capital Reserve Fund and also the Conservation Fund, the Heritage Preservation
119 Fund, and the Town Buildings and Grounds Maintenance Trust. Mr. Moore asked if there are any
120 questions from the Board.

121
122 Mr. House asked what the asterisk symbolizes at the top of the 2024 ARPA column. Mr. Moore
123 replied that it will be for a note on deadlines to expend the ARPA funds and that funds must be
124 contractually committed by December 31, 2024. Mr. House asked for a description of the column
125 titled "Balance (2020-2023) estimate". Mr. Moore replied in previous years the Town appropriated
126 funds for projects so that is the balance of the remaining funds.

127
128 Mr. Canada asked when the fire tower was last painted. Mr. Moore believes it was about 10 years
129 ago. Mr. Canada asked if there is any estimate on the life time. Mr. Moore replied no but a
130 structural assessment was completed and it was determined to be in good shape with some repair
131 recommendations including concrete at the base. Mr. Canada asked if \$15,000 is sufficient. Mr.
132 Moore replied no and that a proposal was submitted since putting the money aside and previously
133 there was another \$14,000 set aside, so the total for the project is about \$29,000.

134
135 Mr. Canada wondered about the library funding and stated that a grant was denied last year and
136 asked if \$20,000 rather than \$15,000 would better. Mr. Moore replied they can look at that and
137 clarified for others that Mr. Canada is referring to repairs at the Historic Society Building that the
138 library occupied and now the Historical Society is the steward of the building. Mr. Moore agrees
139 that the Town is due for a broader conversation regarding how the Town will get the next phase
140 completed. Mr. Canada suggested after Town Meeting there can be a discussion about that. Mr.
141 Moore agreed.

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Mr. House asked about the numbers on page 2 for the Fire Department Capital Reserve Fund and Mr. Moore replied that is a formula issue that he will correct and the new total should be 182. Mr. Moore added that last year the fund was about \$680,000 and is less this year because money for the new fire truck was moved to the General Fund. The Town is rebuilding for future projected needs and they are reviewing the numbers and updating them as needed.

Mr. Zaremba asked what the plan is for the Stevens Park Pavilion and Facility Improvements. Mr. Moore replied there is a vision that has developed for needed improvements at Stevens Park that has come from a variety of observations. One issue is there is a deficit in parking at peak times. Another issue is that the park is underutilized and there has been a vision of constructing a pavilion like at Stratham Hill Park with bathroom facilities. As a recreational facility it is sorely lacking in restrooms and a sheltered space for programming. Mr. Moore added that there are camps and offerings of the Parks Department that would be more robust, and be able to serve more people, and be safer, at a facility with shelter at the site. Mr. Moore added that the courts are oversubscribed with pickleball players and the idea is to engage the community in conversation to ask if they agree with the observations and if the plan is missing additional uses or needs or problems that can be addressed through a project. Mr. Zaremba asked for confirmation that no decisions have been made yet. Mr. Moore confirmed there is no specific plan yet but the savings have begun. He said the first interaction with the public should be in about a month or so. Mr. Canada asked if the baseball field there is utilized. Mr. Moore replied yes and he believes it is mostly the Babe Ruth program. Mr. Canada asked if that is a town program. Mr. Moore replied no and it might also be used by the regional Longhorn's non-profit, non-government program. He added that initial discussions suggested that the field could be more usable with drainage improvements. Mr. Canada asked if the Town gets revenue from the non-Town groups that use it. Mr. Moore replied yes, rental fees and that the Town has received gifts like \$25,000 from the soccer program.

Mr. House asked if the fire station parking lot paving is for the front and the back and does it include the Historic Society area. Mr. Moore does not know the exact scope but the Town needs to take care of it all. He added that he's received a new estimate since speaking the Select Board that is larger than the number in the plan, so there may be some phasing of the work.

Mr. House asked for an update on the road reconstruction program and which roads will be included. Mr. Moore does not have a schedule yet. The Town has been without a DPW Director since August but the Town is committed to funding a consistent and very high level of service for its roadway network. The selections are based on a pavement analysis index and the Town will keep up to date with the next work to be done.

Mr. House asked if there are any comments from the public. One member said a merry-go-round at Stratham Hill Park would be nice. Mr. Moore thanked everyone for their time.

4. Public Hearing:

- a.** The Planning Board held a public hearing on the proposed zoning amendments outlined below.

Mr. House explained that he will review the agenda but will not read aloud the entire text of the Ordinance. This is the first of two public hearings to review the articles for the March ballot.

Mr. Houghton made a motion to open the public hearing to discuss 2024 proposed zoning

192 **amendments. Mr. Zaremba seconded the motion. All voted in favor and the motion was**
193 **approved.**
194

195 Amendment #2: To amend Section II *Definitions*, and Section III, Table 3.6 *Table of Uses*, and
196 *Footnotes to Table 3.6* to include new definitions and property uses that are not currently defined.
197 This is a housekeeping amendment to better define terms, building uses and associated
198 requirements.
199

200 Mr. Connors explained Amendment #2 is to add definitions to the Ordinance for uses currently not
201 defined including half-story and mixed-use development. Mixed-use will be permitted in most of
202 the commercial districts and not permitted in the residential and industrial districts. The amendment
203 adds a requirement that a minimum of 25% of the interior space must be reserved for commercial
204 uses. The purpose to prevent the commercial districts from becoming dominantly residential and to
205 maintain a commercial tax base. There are some minor changes to the definition of structure notably
206 excluding burial vaults, septic tanks, and pre-fabricated children's playsets. There were no questions
207 or comments from the Board or the public.
208

209 Amendment #3: To amend the Building Ordinance, Article III *Permits*, to clarify the circumstances in
210 which the Building Inspector may require that a plan prepared and stamped by a licensed land surveyor
211 or certified wetland scientist is required. This amendment provides the Building Inspector discretion to
212 require a plan prepared and stamped by a certified professional where there is a reasonable basis to
213 question if a building permit application meets the requirements of the Zoning and Building Ordinances
214 and/or the State Building and Fire Codes.
215

216 Mr. Connors explained Amendment #3 makes a minor change to the Building Ordinance. He
217 provided an example that there is a maximum impervious area requirements and in smaller lots that
218 could be an issue. The requirement will allow the Building Inspector to require a plan so he can
219 determine if a project meets the threshold. There were no questions or comments from the Board or
220 the public.
221

222 Amendment #4: To amend Section V *Supplementary Regulations*, Sub-section 5.12 *Home Occupation*
223 to clarify the requirements associated with home occupations. This amendment would limit the
224 aggregate size of home occupations and clarify requirements associated with inspections and renewals
225 of home occupations.
226

227 Mr. Connors explained the current requirement is that a Home Occupation cannot exceed 25% of
228 the floor area of the house and the amendment adds a maximum of 1,000 square feet. He added that
229 a business over 1,000 square feet should consider relocating to a commercial property. The process
230 for renewing a Home Occupation is also proposed to be updated. Dominique Grey of 20 Squamscott
231 Road asked how many Home Occupations are currently in Stratham. Mr. Connors replied about 40.
232 Ms. Grey thought that number sounded low and asked if they all have been renewing. Mr. Connors
233 replied that some have not properly renewed and this formalizes the process and if a resident hasn't
234 renewed, they need to go back to the Zoning Board. Ms. Grey asked if the ones that haven't renewed
235 owe some money. Mr. Connors replied there is a nominal fee and the intent of renewal is for the
236 Building Inspector to inspect the property to insure the business is operating under its original
237 approval. Ms. Grey asked if ones in business for a long time are grandfathered. Mr. Connors replied
238 that a few that existed prior to when Home Occupation was introduced into the ordinance are
239 grandfathered, but most fall under the requirements. Ms. Grey asked for confirmation that the
240 Town's goal is to help the businesses. Mr. Connors provided an example of when a business may

241 have outgrown the definition of a Home Occupation and should consider relocating to a commercial
242 property. Ms. Grey asked if the goal is to insure that home businesses stay invisible. Mr. Connors
243 replied the goal is more for the Town to get a better handle on what the Home Occupations are and
244 if they are expanding. Mr. House added that in the regulations there are five exemptions from Home
245 Occupations so there may be businesses operating properly without oversight.

246
247 Amendment #5: To amend Section III, *Footnotes to Table 3.6* to consolidate the number of criteria the
248 Planning Board considers in Conditional Use Permit applications. The purpose of this amendment is to
249 expedite reviews of Conditional Use Permit applications while maintaining the core permit review
250 criteria.

251
252 Mr. Connors explained Amendment #5 is a housekeeping amendment. CUPs are the most common
253 application submitted to the Planning Board. Eleven criteria are required to be voted on and some of the
254 criteria are long and often don't relate to the particular application. The goal of this amendment is to
255 condense the criteria from 11 to 7 while keeping the core review criteria so it is not a significant change
256 to what the Board is reviewing. There were no questions or comments from the Board or the public.

257
258 Amendment #6: To amend Section VIII *Residential Open Space Cluster Development*, to amend the
259 requirements associated with residential cluster developments. This amendment would establish
260 minimum lot sizes for individual lots, require that open space parcels meet additional minimum
261 requirements, and to require that historical resources be preserved and incorporated into cluster
262 developments whenever practicable.

263
264 Mr. Connors explained each individual change in Amendment #6. The proposal to reduce the total
265 minimum lot size that can be developed as a cluster development was eliminated. There is a
266 proposed change in Section 8.8 that requires any historic buildings to be preserved if practicable.
267 The second change is to require that the 50-foot buffer strip between the cluster development and
268 adjacent properties be part of the Common Land and not part of the individual parcels. The next
269 change establishes minimum lot size requirements that are much smaller than the conventional lot
270 size requirements. The requirement is based on whether there are water and/or septic facilities on
271 the individual lot. Mr. Canada commented that the proposed language regarding that historic
272 building preservation not be a hardship on the Applicant takes the heart out of the section. He added
273 that any developer will think it is in the best interest of the development to tear down the structure.
274 Mr. Canada stated he believes that owners have overwhelming rights but if the Town is going to
275 protect historic structures then we need to put some teeth in it. He added that cluster developments
276 are optional and developers can choose a conventional development instead and in which case they
277 can tear any building down. Mr. Canada asked that the following language be changed: "whenever
278 practicable and provided that the preservation of the structure or feature does not place an undue
279 hardship on the applicant". He doesn't want to make it impossible that the Planning Board
280 accommodate a request but he believes the language is too weak. Mr. Zaremba stated that he has
281 concerns with who will determine "undue hardship" and asked if the language is removed is there
282 a way that the Demolition Review Committee and the Historic Preservation Committee could
283 review it or would it just require Planning Board review. Mr. Connors replied the proposed language
284 includes how a disagreement regarding the feasibility of preservation would be addressed. Mr.
285 Houghton suggested changing "practicable" to "feasible" and deleting the rest of that sentence, and
286 keeping the language regarding how to settle a disagreement on feasibility. Mr. House and Mr.
287 Canada agree.

288
289 Mr. Connors continued with the proposed final change in Section 8.10 that stated no more than 25%

290 of the open space shall be made up of wetlands. Mr. Connors provided the Board with examples
291 from other towns and the subdivision plan from Treat Farm that shows the open space is dominated
292 by wetlands. He added that it makes sense to have the wetlands areas away from the homes but
293 the area of the property marketed as recreation space for the homeowners is not high quality open
294 space to use. The ordinance currently does not have a cap on the amount of wetlands in the open
295 space and this amendment would establish a 25% cap on wetlands in the open space. Mr. Zaremba
296 asked about the handout regarding other towns. Mr. Connors replied that he researched other towns
297 and some like Newmarket have no limitations, but most towns have a cap of some kind. He added
298 that the minimum open space requirement in Stratham of 35% is reasonably low compared to other
299 towns that have 50% or 65%. He did find, however, in those other towns that the amount of wetlands
300 allowed is on the low side. He added that 25% might be on the low end, but it is not unheard of, for
301 example Greenland's requirement is 15%. Mr. Canada thought in previous discussions the Board
302 decided on 20%. Mr. Connors replied that he made the modification after his research and he can
303 change it back to 20% if the Board prefers. He added that the challenge is that almost all of the
304 parcels able to be subdivided have wetlands so there will be wetlands on open space parcels in all
305 cases. Mr. Canada replied that it was discussed at length and the Board decided on 20% and he
306 would like to change it. The remaining Board members agreed with 20%. Mr. Zaremba asked if
307 there is a reason why Stratham is so low with the minimum open space compared to other towns.
308 Mr. Connors replied that the 50-foot buffer area does not count towards open space, so the total
309 open space will now be a little higher.

310
311 Amendment #7: To amend Section V *Supplementary Regulations*, to create a new Sub-section 5.14 for
312 *Small Accessory Structures*. The purpose of this amendment is to provide for reduced setbacks for small
313 sheds or accessory structures under 120 square-feet in size provided that the structure meets a number
314 of minimum criteria.

315
316 Mr. Connors explained Amendment #7 adds a new section to the Supplementary Regulations
317 section of the Ordinance for small accessory structures. It will allow small buildings, like sheds,
318 less than 120 square feet to have reduced setbacks of 5 feet to side and rear boundary lines and 15
319 feet from a wetland boundary. Certain structural criteria are required including it cannot have a
320 permanent foundation, it cannot be within a 50-foot Residential Open Space Cluster Development
321 buffer, the property cannot be subject to site plan review, and the structure cannot be taller than 12
322 feet. There were no questions or comments from the Board or the public.

323
324 Amendment #8: To amend Section IV *Dimensional Regulations*, Sub-section 4.1.4 *Maximum*
325 *Residential Density* to clarify that non-buildable areas cannot be incorporated into maximum residential
326 density calculations. This amendment would also reduce the maximum residential density in the Route
327 33 Heritage District from three units per acre to two units per acre.

328
329 Mr. Connors explained that Stratham allows for higher residential densities in the commercial districts
330 and Amendment #8 clarifies that non-buildable areas such as wetlands and conservation easements
331 cannot count towards the maximum residential density and in the Route 33 Heritage District the density
332 would be decreased from 3 units to 2 units. There were no questions or comments from the Board or
333 the public.

334
335 Amendment #9: To amend Section V *Supplementary Regulations*, Sub-section 5.13 *Solar Energy*
336 *Systems* to allow small-scale ground-mount solar energy systems by right if the proposal meets a number
337 of minimum criteria.

338

339 Mr. Connors explained the proposed language has been updated to reflect changes requested by the
340 Board at the last meeting. The amendment includes allowing small-scale ground mounted systems
341 by right if they meet 5 criteria related to location, tree cutting, setbacks to property lines and Wetland
342 Conservation and Shoreland Protection Districts, and the height of the structure. Mr. Connors stated
343 that the tree clearing requirement is new and is an attempt to address a discussion at the last meeting
344 regarding screening. He considered adding landscaping requirements but an approval by right will
345 allow the project to go directly to the Building Inspector for review and that puts a lot of
346 responsibility on the Inspector to review and approve a landscape plan. Mr. Connors asked for
347 comments on the changes. Mr. Kunowski stated that the language listed as a requirement that certain
348 systems are subject to the Site Plan Regulations is not really a permitted by right requirement and
349 should be a standalone addition. Mr. Connors agreed and will move that language out of the list.

350
351 Amendment #10: To amend Section V *Supplementary Regulations* to enact additional regulations,
352 including screening requirements, on storage containers, semi trailers, and associated structures.

353
354 Mr. Connors explained that Amendment #10 is the newest amendment based on feedback from
355 a resident. He stated the point of this amendment is to add requirements for storage containers
356 and large dumpsters on residential properties. Mr. Connors reviewed changes in the amendment
357 based on the discussion at the last meeting including increasing the size of dumpsters to 6 cubic
358 yards and reducing the size of campers to 20 feet. Mr. Zaremba asked if the exemption language
359 related to recreational vehicles having a current NH state registration and inspection applies only
360 to vehicles greater than 20 feet. Mr. Connors replied yes. Mr. Zaremba asked if they are less than
361 20 feet then the Ordinance does not apply. Mr. Connors replied yes. Mr. Zaremba stated that he
362 thought the Board discussed applying the registered and inspected vehicle requirement to all
363 vehicles regardless of size. Mr. Connors replied he may have misunderstood. Mr. Zaremba
364 replied that he doesn't have a strong opinion either way and if the other Board members are
365 comfortable with the language then he is as well. The Board members approved the changes.

366
367 Mr. House noted for the public that the zoning amendments begin with Amendment 2 and asked
368 Mr. Connors to explain what Amendment 1 is. Mr. Connors stated that Amendment 1 is the
369 election of officers like the Select Board.

370
371 **Mr. Zaremba made a motion to continue the public hearing to the Planning Board meeting**
372 **on January 17, 2024. Mr. Kunowski seconded the motion. All voted in favor and the motion**
373 **was approved.**

374 375 5. Adjournment

376
377 **Mr. Zaremba made a motion to adjourn the meeting at 8:21 pm. Mr. Canada seconded the**
378 **motion. All voted in favor and the motion was approved.**



TOWN OF STRATHAM

Incorporated 1716

10 Bunker Hill Avenue · Stratham, NH 03885

Town Clerk/Tax Collector 603-772-4741

Select Board/Administration/Assessing 603-772-7391

Code Enforcement/Building Inspections/Planning 603-772-7391

Fax (All Offices) 603-775-0517

TO: Planning Board Members
FROM: Mark Connors, Planning & Community Development Director
FOR: January 17, 2024
RE: Public Hearing for Proposed 2024 Zoning Amendments

This is the second and final public hearing for the proposed 2024 zoning amendments. The Board will be voting to advance the articles to the 2024 Town Ballot, though it has the option to withhold an amendment if it chooses. At this point in the process, the Board should not be making any material changes to the amendment language (though minor grammatical edits are acceptable).

Changes to the language of the amendments since the January 3, 2024 Planning Board hearing are relatively few and were requested by members of the Board. Those changes include:

- Removed language from ARTICLE VI. Cluster Open Space Residential Developments relating to undue hardship under the requirement for the preservation of historic structure and elements in Open Space Subdivision. Specifically, language that indicated preservation must take place **unless [the preservation of the historic elements] poses an undue hardship for the applicant** was eliminated. The language was also slightly altered to require historic preservation whenever **feasible**, instead of whenever **practicable**.
- Revised the requirement related to maximum area of wetlands on open space parcels in ARTICLE VI. Cluster Open Space Residential Developments from **25%** to **20%**.
- Under ARTICLE X. Accessory Outside Storage modified the language to make the requirements applicable to all recreational vehicles or travel trailers/campers and not just those longer than 20-feet, however these type of vehicles will remain exempt from the requirements so long as they maintain an active state registration and have passed state inspection within the preceding 15 months.

PROCESS:

The Planning Board will need to hold the second public hearing (the public hearing can be for all proposed amendments). The Board will also need to vote to advance the amendments to the Town Clerk for inclusion on the 2024 Town Ballot. The Board will also need to vote individually on each amendment as to the following question: Does the Planning Board recommend passage of Article X? (YES OR NO). This vote will be included on the Town Ballot.



TOWN OF STRATHAM

Incorporated 1716

10 Bunker Hill Avenue · Stratham, NH 03885

Town Clerk/Tax Collector 603-772-4741

Select Board/Administration/Assessing 603-772-7391

Code Enforcement/Building Inspections/Planning 603-772-7391

Fax (All Offices) 603-775-0517

TO: Planning Board Members
FROM: Mark Connors, Planning & Community Development Director
FOR: January 3, 2024
RE: 2024 Proposed Zoning Amendments - Public Hearing

ARTICLE II. Definitions & Table of Uses

Article 2: Are you in favor of the following amendment to the Town of Stratham Building Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section II *Definitions*, and Section III, Table 3.6 *Table of Uses, and Footnotes to Table 3.6* to include new definitions and property uses that are not defined under the Ordinance? This is a housekeeping amendment to better define terms, building uses and associated requirements, in the Zoning Ordinance.

2.1.38 Half Story: A building story in which the area of habitable square-footage is less than the areas of habitable rooms on the first floor with at least two opposite exterior walls meeting the sloping roof not more than three feet above that floor level.

2.1.54 Mixed-Use Development: A complementary combination of permitted residential uses and commercial land uses, occupying the same site or building.

Table 3.6 Table of Uses would be amended to include a new use category for Mixed-Use Development which would be permitted by Conditional Use Permit in the Gateway Commercial Business District, Town Center District, Professional/Residential District, Special Commercial District, and Route 33 Heritage District.

Mixed-Use Development would be prohibited in the Residential Agricultural District, Industrial District, Manufactured Housing/Mobile Home District, Retirement Planned Community District, and Commercial/Light Industrial/Offices District.

Footnote 18 to Table 3.6 Table of Uses In the Gateway Commercial Business, Professional/Residential, and Town Center Districts a minimum of 25 percent of the gross interior habitable space of the development must be allocated to non-residential uses.

2.1.81 Structure: Anything constructed or erected with a fixed location on or in the ground, or attached to something having a fixed location on or in the ground. Structures include but are not limited to buildings, mobile home, bridges, trestles, towers, **frameworks**, hoop houses, tanks or group of tanks exceeding a total of 500 gallons (~~excluding septic tanks~~), tunnels, stadiums, platforms, shelters, piers, wharfs, **signs**, fences **over six-feet in height**, and retaining walls over ~~six-feet (6')~~ in height, swimming pools, or the like. **This definition shall exclude burial vaults, septic tanks and associated infrastructure, and pre-fabricated children's playsets.** Where the Stratham Zoning Ordinance is silent, then the most current edition of the State Building Code shall be assumed to apply. (Rev. 3/90, 3/11, 3/20).

ARTICLE III: Building Ordinance

Article 3: Are you in favor of the following amendment to the Town of Stratham Building Ordinance as proposed by the Planning Board?

To amend the Building Ordinance, Article III *Permits*, to clarify the circumstances in which the Building Inspector may require that a plan prepared and stamped by a licensed land surveyor or certified wetland scientist be submitted with a building permit application? This amendment provides the Building Inspector discretion to require a plan prepared and stamped by a certified professional prior to the issuance of a building permit where there is a reasonable basis for questioning whether an application meets the requirements of the Zoning and Building Ordinances and/or the State Building and Fire Codes.

BUILDING ORDINANCE - ARTICLE III: PERMITS

3.5 No building permit shall be issued until the Building Inspector has certified that the proposed building or structure and its intended use comply with the provisions of ~~this~~ **the Stratham Zoning and Building Ordinances.**

~~*3.10 Before issuance of a Building Permit, the Building Inspector may require that property lines be properly established when not readily apparent, in accordance with the Town's Subdivision Regulations, by a registered surveyor. (Rev. 3/90)*~~

3.10 Prior to the issuance of a building permit, the Building Inspector may require, at his or her discretion and where there is a reasonable basis to question whether the plan meets the requirements of the Zoning and Building Ordinances, that a plan be prepared and stamped by a licensed surveyor to confirm that the application meets the requirements of the Stratham Zoning and Building Ordinances, including all relevant dimensional requirements (4.2 Table of Dimensional Requirements). The Building Inspector may also require that a plan be prepared and stamped by a licensed wetland scientist, where there is a reasonable basis to question whether an application conforms to the requirements of the Zoning and Building Ordinances, to confirm that the application meets the requirements of the Stratham Wetlands Conservation District and Shoreland Protection Districts.

ARTICLE IV: Home Occupations

Article 4: Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section V *Supplementary Regulations*, Sub-section 5.12 *Home Occupation* to clarify the requirements associated with home occupations? This amendment would limit the aggregate size of home occupations and clarify requirements associated with inspections and renewals of home occupations.

5.12.2 (excerpt)

- a. The total area occupied, including storage in accordance with “F” below, by a home occupation shall utilize an area of no more than twenty five percent (25%) of the total floor area of finished floor space of the dwelling, including the basement if finished as habitable space, **or no more than 1,000 square-feet (whichever is less)**, and does not change the residential character of the premises thereof. (Rev. 3/19)

5.12.3 (excerpt)

- b. Before a public hearing is held for a special exception under this section, the ~~special exception is granted considered, mandatory building inspections~~ a building inspection shall be conducted ~~made~~ by the Code Enforcement Officer of the portions of the property to be utilized for the home occupation. ~~if the public is to be served at the proposed location or if hazardous materials are to be stored there. At or within five days of the inspection, the Code Enforcement Officer will make the applicant aware of any life safety/building code improvements necessary to operate the home occupation.~~ In addition, a formal site plan review by the Planning Board may be required if deemed necessary by the Zoning Board of Adjustment and/or Code Enforcement Officer.
- c. Upon the granting of the special exception, **the applicant shall be required to address any conditions of the special exception and other necessary improvements required by the Code Enforcement Officer. Prior to the start of operation, the applicant shall schedule a final inspection with the Town. If the proposed use meets all requirements of the special exception and those required under life safety/building codes, the Code Enforcement Officer shall issue a Certificate of Occupancy for the home occupation. Only home occupations with a valid Certificate of Occupancy may operate in Stratham. an application for a home occupation permit shall be made to the Building Department on a form provided by the Building Department.**
- d. All home occupation permits shall be issued for a period of three (3) years and may be renewed provided there is no violation of the provisions of Section 5.12. Requests for renewals shall be submitted to the Building Department **within three years of the date of the original Certificate of Occupancy** accompanied by the renewal fee as approved by the Select Board. The Code Enforcement Officer shall conduct an inspection of the home occupation prior to the approval of

a renewal to ensure the use is operating in conformance with its Town approvals. **The Town will mail one notice alerting the applicant of the need to renew the permit. The applicant shall be provided a 90-day grace period to file a renewal application. If no renewal application is filed within this period, the Certificate of Occupancy shall expire, and the home occupation must cease operation.**

5.12.4 Exemptions from Special Exception Application Requirements:

- ~~a. Home occupations in which neither customers nor vehicles, apart from periodic business deliveries, come to the location where the business activity takes place and at which no sign is displayed and no outside person is to be employed and there is no outward appearance of business activity.~~
- b. Home occupations which meet all of the following criteria shall be considered exempt from these requirements and may operate without a special exception:
 - 1. The business activity does not generate any additional traffic, including no customer and/or supplier traffic, apart from periodic business deliveries. Periodic business deliveries shall be defined as not more than five deliveries a week by vehicles weighing less than 26,000 pounds.
 - 2. The business activity does not employ anyone who does not have a primary residence at the property.
 - 3. No sign associated with the business activity is displayed at the property.
 - 4. There is no outward appearance of a business activity on the property nor any noxious odors or noises produced by the home occupation.
 - 5. No hazardous materials directly associated with the home occupation are maintained at the property.

ARTICLE V. Conditional Use Permit Criteria

Article 5: Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section III, *Footnotes to Table 3.6* to consolidate the number of criteria the Planning Board considers in Conditional Use Permit applications from 11 criteria to 7 criteria. The purpose of this amendment is to expedite reviews of Conditional Use Permit applications while maintaining core review criteria.

- a. Criteria Required for Consideration of a Conditional Use Permit. A conditional use permit shall be granted only if the Planning Board determines that the proposal conforms to all of the following conditional use permit criteria:

- i. Spirit & Intent of the Zoning Ordinance and Master Plan: The proposed development is located on a site in which there are no existing violations of the Stratham Zoning Ordinance and will be constructed in a manner compatible with the spirit and intent of the Stratham Master Plan and Zoning Ordinance.
- ~~ii. Spirit and Intent of the Ordinance: The proposed development will be constructed in a manner compatible with the spirit and intent of the Stratham Master Plan and Zoning Ordinance.~~
- ~~iii. Conformity to Zoning Ordinance: That there are no existing violations of the Stratham Zoning Ordinance on the subject property.~~
- iv. Site suitability: The site is suitable for the proposed use which includes the following:
 1. Adequate vehicular and pedestrian access for the intended use.
 2. The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, schools, and other municipal services.
 3. The absence of environmental constraints (floodplain, steep slope, etc.).
 4. The availability of appropriate utilities to serve the intended use including water, sewage disposal, storm water disposal, electricity, and similar utilities.
- v. External impacts: The external impacts of the proposed use on abutting properties and the neighborhood shall be no greater than the impacts of ~~adjacent~~ surrounding existing uses or other uses permitted in the zone. This shall include, but not be limited to, traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare. ~~In addition, the location, nature, design, and height of the structure and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use, shall not have an adverse effect on the surrounding environment nor discourage the appropriate and orderly development and use of land and buildings in the neighborhood.~~
- vi. The proposed layout and design of the site and new buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include the relationship of the development to the street, the scale, height, and massing of the building, architectural design, buffering from adjacent properties, and provisions for pedestrian and vehicular access. The proposed use and development of the site shall preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties
- ~~vii. Character of the site development: The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts of the use on the neighborhood. This shall include, but not be limited to, the relationship of the building to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site.~~
- ~~viii. Character of the buildings and structures: The design of any new buildings or structures and the modification of existing buildings or structures on the site~~

~~shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roof line, the architectural treatment of the front or street elevation, the location of the principal entrance, and the material and colors proposed to be used.~~

- ~~ix. Preservation of natural, cultural, historic, and scenic resources: The proposed use of the site, including all related development activities, shall preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, shore land buffers, significant wildlife habitat, stonewalls, mature tree lines, cemeteries, graveyards, designated historic buildings or sites/landscapes, scenic views, view sheds, and the establishment, protection, and promotion of agricultural uses of the site.~~
- x. Impact on property values: There will be no greater diminution of neighboring property values than would be created under any other use or development permitted in the underlying zone;
- ~~xi. Availability of Public Services & Facilities: Adequate and lawful facilities or arrangements for sewage disposal, solid waste disposal, water supply, utilities, drainage, and other necessary public or private services, are approved or assured, to the end that the use will be capable of proper operation. In addition, it must be determined that these services will not cause excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police protection, fire protection, and schools.~~
- xii. Fiscal impacts: The proposed use will not have a negative fiscal impact on the Town unless the Planning Board determines that there are other positive community impacts that off-set the negative fiscal aspects of the proposed use. The Planning Board's decision shall be based upon an analysis of the fiscal impact of the project on the town. The Planning Board may commission, at the applicant's expense, an independent analysis of the fiscal impact of the project on the town.
- xiii. Public Interest: The permit is in the public interest.

ARTICLE VI. Cluster Open Space Residential Developments

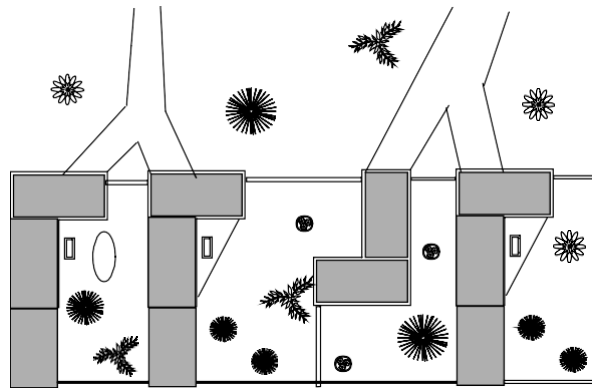
Article 6: Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section VIII *Residential Open Space Cluster Development*, to incorporate four major changes to the requirements associated with residential cluster developments? This amendment would reduce the minimum lot size for cluster developments, establish minimum lot sizes for individual lots, require that open space parcels meet additional minimum requirements, and to require that historical and scenic resources be preserved and incorporated into such developments whenever practicable.

8.8 USES

- a. Only residential uses shall be permitted in the Residential Open Space Cluster Developments.

- b. Single-family detached homes are permitted.
- c. Multi-family Units: Shall be permitted up to a unit count of four (4) per building or structure. For the purpose of elderly affordable and workforce housing developments, multi-family means a building or structure containing five (5) or more dwelling units, each designed for occupancy by an individual household. These are units that are structural joined and share walls with no yard between units. (Rev. 3/10)
- d. Joined-Array Units: Single-family units that are attached by and share a common yard and/or fence as part of a tightly-constructed joined-array, not to exceed four joined units, shall be considered single family units for setbacks to other arrays or detached units but shall not require setbacks from each other provided that yard space at least twenty (20) feet wide is available for individual use between units. In no case shall structures be less than ten (10) feet apart (example below).



- e. Home occupations are not permitted in Residential Open Space Cluster Developments.
- f. **If a parcel proposed for a Cluster Open Space Cluster Development includes a historic structure(s) regulated under Section 16.5 *Historic Demolition Review* or a historic landscape or feature, or a scenic vista, the structure(s) and/or feature shall be preserved and incorporated into the development whenever feasible. In cases where there is disagreement regarding the feasibility of the preservation of a historic resource, the Demolition Review Committee shall provide an advisory opinion, and the Planning Board shall make a final determination. The Planning Board may also seek an advisory opinion by a historic preservation expert, the costs of which shall be borne by the applicant, before making such a determination.**

8.9 DIMENSIONAL REQUIREMENTS & SETBACKS

8.9.1 Buffer Area: (Rev. 3/13, 3/17)

- 8.9.1.1.1 A vegetated buffer strip of at least fifty (50) feet shall be maintained along the external perimeter or property line of the Residential Open Space Cluster Development to minimize

potential impacts on abutting properties. The natural vegetation shall be retained or, if required, vegetation of a type and amount as deemed appropriate by the Planning Board shall be planted and maintained. No dwelling, accessory structure, street or parking area shall be permitted within the designated buffer area. **The vegetated buffer strip shall be located solely on open space parcels, including on common land, conservation land, and/or public open land, and shall not encumber individual residential parcels.** Streets that serve as access to the development, walls, underground utilities, and drainage structures may be located within this buffer. Said buffer strip shall not be included in the calculation of open space for the development.

8.9.2 Residential Open Space Cluster Lot or Unit:

8.9.2.1 Frontage and **Minimum Lot Size** Requirements:

8.9.2.1.1 Each single-family lot or unit shall have a minimum of fifty (50) feet of frontage on interior roadways. **Each single-family lot with both on-site well and septic facilities shall be sited on a minimum of one-acre. Single-family lots with on-site wells but no on-site septic facilities shall be a minimum of 35,000 square-feet. Single-family lots with on-site septic facilities but no on-site wells shall be a minimum of 25,000 square-feet. Single-family lots with no on-site well and septic facilities shall be a minimum of 15,000 square-feet.**

All single-family lots shall include a minimum of 12,500 square-feet of contiguous upland buildable area.

1. Joined-Array single family units, as described in Section 8.8 shall have one hundred twenty-five (125) feet of frontage. **For joined array single family units sited on individual lots, the minimum lot areas prescribed under Section 8.9.b.i.1 shall apply at a 0.75 ratio for each housing unit.**
2. Duplex and Multi-family units, sharing a common wall shall have seventy-five (75) feet of frontage. **For joined array single family units sited on individual lots, the minimum lot areas prescribed under Section 8.9.b.i.1 shall apply at a 0.75 ratio for each housing unit.**

8.10 MINIMUM OPEN SPACE REQUIREMENTS (Rev. 3/13)

In addition to the requirements of this section, the Planning Board shall adopt regulations that prescribe additional criteria for open space parcels.

- g. The parcel must contain a minimum of 35% of the total land in the parcel dedicated as open space. The fifty foot (50') vegetated buffer as described in Section 8.9.a.iii, shall not be used in the calculation of said minimum.
- h. For purpose of this Section, the minimum open space requirements shall be established in accordance with Section 4.6.6 of the

Subdivision Regulations.

- i. **No less than 75%** of the dedicated usable open space shall be contiguous. **No more than 20% of the open space shall be made up of wetlands.**
- j. Such land shall be preserved in perpetuity through deed restriction or conservation easement, and designated on the approved and recorded plat. Such restriction shall be approved by the Planning Board and Town Counsel.
- k. The minimum required open space is land unbuilt upon, which must be permanently kept in that condition, and cannot be subjected to current use taxation or discretionary easements. However, actively operated farmland, classified as "prime" or "unique" by the Rockingham County Conservation District will be entitled to current use taxation or discretionary easements.
- l. The open space and/or common area within a cluster development shall be owned by and bound by one or more of the following:
 - i. Mandatory Homeowners Association: Which may use it for common recreational facilities or may designate it as Open Space, or may grant a public body an Open Space Easement.
 - ii. A Public Body: Which shall use it as Conservation Land or Public Open Land.
 - iii. Such Designation must be made prior to approval of the subdivision application by the Planning Board; such lands shall be held in such type of legal entity as the Planning Board deems appropriate.

ARTICLE VII: Small Accessory Structures

Article VII: Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section V *Supplementary Regulations*, to create a new Sub-section 5.14 for *Small Accessory Structures*? The purpose of this amendment is to provide for reduced side, rear, and wetland setbacks for small sheds or accessory structures under 120 square-feet in size provided that the structure meets a number of criteria.

5.14 Small Accessory Structures

- i. Small accessory structures or sheds less than or equal to 120 square-feet in area may be constructed no less than five (5) feet of a side and/or rear property boundary and no less than 15 (fifteen) feet of a wetland boundary and shall not require the issuance of a building permit, if all criteria in 5.14.ii are met.
- ii. Criteria:
 - a. The structure shall not contain a poured concrete foundation or slab.
 - b. The height of the shed shall not exceed 12 feet as measured to the roof peak.
 - c. A maximum of one shed per parcel shall be allowed under this section.
 - d. The shed shall not be constructed within the 50-foot vegetated buffer strip that is

required to be maintained along the external perimeter or property line of a Residential Open Space Cluster Development.

f. This section shall not apply to parcels that are subject to site plan review by the Planning Board.

ARTICLE VIII: Permitted Residential Densities

Article VIII: Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section IV *Dimensional Regulations, Sub-section 4.1.4 Maximum Residential Density* to clarify that non-buildable areas, including wetlands, steep slopes, and areas protected by conservation easements or deed restrictions cannot be incorporated into maximum residential density calculations. This amendment would also reduce the maximum residential density in the Route 33 Heritage District from three units per acre to two units per acre.

4.1.1 Maximum Residential Density

For commercially-zoned properties serviced by on-site septic facilities, the maximum residential density of a parcel shall be determined by computing the maximum septic capacity of the parcel as determined by the NH Department of Environmental Services. However in no case shall the maximum allowable residential density exceed the following:

Gateway Commercial Business District: 5 units per acre

Town Center District: 4 units per acre

Flexible Mixed Use District: 4 units per acre

Professional/Residential District: 3 units per acre

Route 33 Legacy Highway Heritage District: ~~3~~ 2 units per acre*

Special Commercial Districts: 3 units per acre

In all Districts, non-buildable areas, including wetlands, lands protected under conservation/agricultural easements, and steep slopes shall not be counted toward the maximum residential density and shall be subtracted from the total land area before computing the maximum residential density calculation.

4.1.2 Primary dwellings in residential districts

Unless permitted as part of a condominium or mobile home park form of development, only one primary dwelling shall be permitted on individual parcels within the Residential/Agricultural and Manufactured Housing Districts. Parcels where agriculture is the primary use shall be exempt from this requirement.

ARTICLE IX. Solar Energy Systems

Article IX: Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend the Zoning Ordinance, Section V *Supplementary Regulations, Sub-section 5.13 Solar Energy Systems* to allow small-scale ground-mount solar energy systems by right if they meet a number of minimum criteria? The purpose of this amendment is to exempt small-scale solar energy systems from requiring a Conditional Use Permit by the Planning Board if they meet certain minimum criteria.

5.13.3 Use Regulations (Table 1):

	Residential Zones (R/A, MH, RPC, FMU)	Commercial Zones (GCBD, CLIO, PRE, TC)	Industrial Zone (IND)
PRINCIPAL USE			
Medium-Scale Ground-Mounted Solar Energy System	C	P	P
Large-Scale Ground-Mounted Solar Energy System	X	C	C
ACCESSORY USE			
Roof-Mounted Solar Energy System	P	P	P
Small-Scale Ground-Mounted Solar Energy System	P/C*	P/C*	P/C*
Medium-Scale Ground-Mounted Solar Energy System	C	C	C

P = Permitted C = Conditional Use Permit

*** - Small-Scale Ground Mounted Solar Energy Systems shall be permitted by right if the application conforms to all of the following requirements:**

- 1.) The solar energy system is sited in the rear yard only and the application shall not include the clear-cutting of vegetation or the removal of mature trees located within 20-feet of any lot boundary.
- 2.) The solar energy system is sited a minimum of 50-feet from the front property boundary (or any lot boundary that directly borders a road frontage) and a minimum of 35-feet from all property boundaries.
- 3.) The solar energy system complies with the minimum setback requirements of the Wetland Conservation and Shoreland Protection Districts.
- 4.) The solar energy system does not exceed a maximum height (tallest point of structure) of 12-feet above natural grade.
- 5.) Small-scale solar energy systems on commercial, industrial, mixed-use, or multi-family residential properties shall be subject to the Stratham Site Plan Regulations.

Small-Scale Ground Mounted Solar Energy Systems that do not conform to all of the criteria above shall be permitted by Conditional Use Permit only.

ARTICLE X. Accessory Outside Storage

Article X: Are you in favor of the following amendment to the Town of Stratham Zoning Ordinance as proposed by the Planning Board?

To amend Section V Supplementary Regulations to enact additional regulations, including screening requirements, on storage containers, semi trailers, and associated structures.

ACCESSORY OUTSIDE STORAGE, STORAGE CONTAINERS, TRAILERS, DUMPSTERS

Accessory storage materials used in conjunction with a permitted use within any district shall be permitted on the same property as the permitted use **except for uses regulated under Section 5.5.1.** ~~However~~ All goods and materials must be stored in accordance with minimum yard dimensions specified in Table 4.2, Table of Dimensional Requirements. The Planning Board may require screening of said storage areas through the Site Plan Review Process.

---- ALL NEW TEXT BELOW ----

- 5.5.1 Storage containers, semi trailers, dumpsters larger than 6 cubic yards, recreational vehicles or travel trailers/campers, and other similar structures shall be prohibited on parcels in Stratham if they are maintained on a site for more than 30 consecutive days unless any of the following criteria are met:
- a.) An active building permit is open for a building renovation or remediation, or for the construction of new structures or building additions on the property. All such structures must be removed at the conclusion of construction activity.
 - b.) The structure is located in the rear-yard only of the property.
 - c.) The use is maintained fully within a garage or existing structure or is maintained in the rear yard of the property only a minimum of 30-feet from any property boundary.
 - d.) The primary land use of the property is commercial or industrial or the structure, and its location on the property, is associated with a land use application reviewed and approved by the Planning Board or Zoning Board of Adjustment.
 - e.) The structure is utilized for agricultural purposes or is directly associated with an active agricultural land use provided that the parcel is at least 4-acres in size.
 - f.) Recreational vehicles or travel trailers/campers shall be exempt from these requirements so long as the vehicle is road worthy in its current condition and maintains a current New Hampshire state registration and passed state inspection within the preceding 15 months.
- 5.5.2 Storage containers larger than 20-feet in length or 1,320 cubic feet in size or semi trailers more than 20-feet in length shall be prohibited on parcels in Stratham unless the use meets the criteria described in Section 5.5.1.c and 5.5.1.e.

SEMI TRAILER: A vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle, but does not include a mobile home. This definition shall not apply to horse trailers or

STORAGE CONTAINER: A prefabricated structure designed for the storage of materials.



STRATHAM

OPEN SPACE and
CONNECTIVITY PLAN

PUBLIC OUTREACH EVENT

FEBRUARY 12, 2024 AT 6 PM



Come learn about the **Draft Open Space & Connectivity Plan strategies and recommendations and participate in a demonstration of the Plan's interactive Storymap feature.**

Event at Stratham Municipal Center, Refreshments served

PLEASE REGISTER TO ATTEND BY E-MAILING PLANNING@STRATHAMNH.GOV



TOWN OF STRATHAM

Incorporated 1716

10 Bunker Hill Avenue · Stratham, NH 03885

Town Clerk/Tax Collector 603-772-4741

Select Board/Administration/Assessing 603-772-7391

Code Enforcement/Building Inspections/Planning 603-772-7391

Fax (All Offices) 603-775-0517

TO: Planning Board Members
FROM: Mark Connors, Planning & Community Development Director
FOR: January 4, 2024
RE: NH Housing Supply Residential Building Permits, 2019-2021

The State has updated its inventory of residential building permits issued by municipality for the years 2019 through 2021. These figures can be accessed at the following site:

[https://www.nheconomy.com/office-of-planning-and-development/what-we-do/state-data-center-\(census-data\)/housing-and-household-data](https://www.nheconomy.com/office-of-planning-and-development/what-we-do/state-data-center-(census-data)/housing-and-household-data)

The municipalities that approved the most residential permits are outlined below:

RANK	MUNICIPALITY	POPULATION (2020)	POP. RANK	RESIDENTIAL BUILDING PERMITS	SHARE MULTI-FAMILY (5+)
1	Merrimack	26,632	8	1,170	81%
2	Salem	30,089	7	566	62%
3	Lebanon	14,282	22	510	88%
4	Londonderry	25,826	9	499	26%
5	Nashua	91,322	2	470	74%
6	Dover	32,741	5	416	59%
7	Rochester	32,492	6	405	52%
8	Bedford	23,322	11	396	83%
9	Manchester	115,644	1	366	54%
10	Concord	43,976	3	275	56%
11	Milford	16,131	17	244	6%
12	Portsmouth	21,956	13	230	48%
13	Hudson	25,394	10	211	42%
14	Epping	7,125	46	204	24%
15	Conway	9,822	29	200	31%

Among larger municipalities that issued the fewest number of residential building permits, a few stand out. Hanover (population 11,870) issued only 36 permits over the reporting period, Durham (population 15,490) issued 59 permits, and Newmarket (population 9,430) issued 35 permits.

Stratham issued building permits for 114 residential units during this period. This increase was dominated by permits for single-family homes, accounting for 94 permits, though 20 units in duplexes were also issued permits. Towns with similar populations and those in the Rockingham County region are shown on the following page for comparison with Stratham.

MUNICIPALITY	POPULATION (2020)	RESIDENTIAL BUILDING PERMITS
Hampstead	8,998	75
Seabrook	8,401	36
Hollis	8,342	161
Bow	8,229	54
Plaistow	7,830	28
Gilford	7,699	80
Stratham	7,669	114
Epping	7,125	204
Atkinson	7,087	119
Sandown	6,548	48
Kingston	6,202	43

Residential Building Permits, 2019-21

