



**Stratham Planning Board
AGENDA**
April 6, 2022
Stratham Municipal Center
Hutton Room
Time: 7:00 PM

The public may also access this meeting at the date and time above using this conference call information. Please dial **1-800-764-1559** and input **4438** when prompted for a user pin/code. Please follow the Chair's instructions delivered at the meeting in order to register comments during the public meeting.

If at any time during the meeting you have difficulty hearing the proceedings, please e-mail mconnors@strathamnh.gov.

1. Call to Order/Roll Call

2. Approval of Minutes:

- a. March 16, 2022

3. Public Hearing:

- a. Public hearing for consideration of adoption of a Special Event Permit Program into the Stratham Site Plan Regulations, codified as new section 3.6 'Special Events.'

4. Public Meeting:

- a. Housing and Economic Development Workshop
- b. Miscellaneous Community Planning Issues

5. Adjournment

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
March 16, 2022
Stratham Municipal Center
Time: 7:00 pm**

Member Present: Tom House, Chair
David Canada, Vice Chair
Mike Houghton, Selectmen's Representative
Chris Zaremba, Regular Member

Members Absent: Pamela Hollasch, Regular Member

Staff Present: Mark Connors, Town Planner

1. Call to Order/Roll Call

Mr. House called the meeting to order and took roll call.

2. Approval of Minutes

a. February 16, 2022

Mr. House requested that a reference to the architectural detail of the proposed Citizen's Bank ATM facility be corrected to "eave." Mr. House noted that Mr. Zaremba could still vote for the minutes even if he wasn't in attendance at the meeting.

b. March 2, 2022

Mr. House noted that Mr. Zaremba had been promoted to a Regular Member by the Select Board before the March 2, 2022 meeting and requested that the reference to Mr. Zaremba be corrected from Alternate Member to Regular Member.

3. Public Meeting:

a. Special Event Permit Discussion

Mr. Connors said the Board discussed this extensively at its last meeting. Based on that discussion, several changes were incorporated. The permit has been made specific to events in which commercial transactions are conducted in which more than 50 people are anticipated. That is evident in the language proposed for the Site Plan Regulations and in the text included at the top of the permit itself. Social events, including family events and block parties would be exempt and

not require a permit. Mr. Connors said the intent is not to create a complicated new process, but when the Town was approached with the idea for the event, we realized we needed to have something in place. This has been discussed for some time, just not ever implemented. Mr. Canada said from reviewing the minutes, it was a good discussion. He said that he agreed with the Board discussion that social events should be exempt and not require a permit. Mr. Zaremba asked what the motivation for enacting this permit program was. Mr. Connors said that a business owner in the Town Center inquired about hosting Art Shows on her property approximately eight times during the warmer months, essentially on a monthly basis. When the Town was approached, we liked the idea, we thought it would be good for the Town and the Town Center but we realized we didn't have a tool in place to permit it. Many towns have Special Event Permit programs in place, so this draws off those efforts. We also implemented an Outdoor Seating Program during the COVID-19 pandemic, so it's a similar review and approval process to that.

Mr. House said that it looked like the changes that were discussed by the Board were incorporated. What would be the next step, he asked. Mr. Connors said if the Board is comfortable with the Permit and the proposed language for the Site Plan Regulations, that the Board could schedule a public hearing to adopt it. That would be for your first April meeting. The date is April 6, 2022. Mr. House asked does that give you enough time to post this for public hearing. Mr. Connors said yes it does. Mr. House asked if there was a motion to advance this to public hearing.

Mr. Houghton made a motion to schedule a public hearing for April 6, 2022 to consider the adoption of the Special Event Permit Program into the Site Plan Regulations. Mr. Canada seconded the motion. All voted in favor.

b. Design Review Phase of the Site Plan Regulations and d. Sign Ordinance

Mr. Connors noted that he would like to take an agenda item out of order and discuss the Sign Ordinance. Mr. Connors made a presentation to the Planning Board regarding the Sign Ordinance. Mr. Connors said that there was a Supreme Court decision in 2016 called Reed v. Town of Gilbert that significantly affected how municipalities regulate signage. In that case, a church in Arizona wanted to post temporary signs around town advertising their church services. The church rented public space for its services and did not have a permanent home where it could accommodate a permanent sign. The Town treated the signs as Special Event signs and the Town required these types of signs to be much smaller than they did for other types of temporary signs, including political signs or real estate signs. The church sued the Town and the case made it all the way to the Supreme Court.

Mr. Connors said that the Court unanimously found in favor of the church. The justices were somewhat divided on why, but it was a unanimous decision that the Town had overstepped its constitutional obligations. The main holding of the Court was that the Town could not regulate the content of signage. Mr. Connors described that most towns have had to change their Ordinances to comply with the decision but Stratham has not done this yet. Stratham will have to overhaul its Ordinance because it does regulate some forms of signage by content.

85 Mr. Connors described how some of the regulations would need to be changed to comply with the
86 decision. He said this would be a good time to make updates to the Sign Ordinance. Mr. Connors
87 said it would be helpful to get a sense from the Board how it feels about signage in Stratham. Is it
88 appropriate? Is it too extensive? Do Board members think it needs to be further regulated or is the
89 Town too strict in its current approach? Mr. Canada said that as a Select Board member, you heard
90 more from people who felt the regulations were too stringent. You heard from people that were
91 denied a sign for some reason. His perspective is a little bit different now. It seems reasonable. Do
92 you think it needs to be further regulated or is the Town too strict in its current approach. Mr.
93 Zaremba said that he had never really noticed signage as sticking out, but that must be a good sign.
94 The commercial parts of Town are separate from the residential ones, so it doesn't have a
95 significant affect on residents. Mr. Houghton said that he felt for the most part the existing
96 ordinance was appropriate. Mr. Connors said that staff will work with the Board this year on the
97 updates to the Sign Ordinance so that a zoning amendment can be put forward in 2023.

98
99 Mr. Connors said there is a state law in New Hampshire that allows for a Design Review process
100 by the Planning Board. He described it as between a Preliminary Plan and the Final Site Plan
101 application. The plans are not finalized but they are engineered so they are more complete than the
102 Preliminary stage. The Planning Board can decide when this process closes and the applicant can
103 move forward to application for final approval. Since there are some larger scale development
104 applications being discussed, it might be helpful, he said. The Board discussed the Design Review
105 process and determined that it would not be necessary in Stratham because the Town has a good
106 track record of working with applicants during the Site Plan Review process to incorporate
107 compromises and arrive at strong projects.

108
109 **c. Planning Board Composition**

110 Mr. House noted that Mr. Anderson had been elected a Select Board member in the Town Election
111 and has therefore stepped down from the Planning Board. Mr. House said that leaves two vacancies
112 for regular member positions on the Board. The Board discussed potential candidates and agreed
113 to work to encourage and recruit new members. Mr. Connors said that the Town would continue
114 to advertise the vacancies.

115
116 **d. Updates regarding Route 33 Heritage District, Housing Discussion, NHDES
117 Coastal Program Grant, and May 4 Planning Board Meeting**

118 Mr. Connors noted that the Route 33 Heritage District passed in the Town Election with strong
119 support. The Planning Board has 120 days to appoint a designee to the Heritage District Advisory
120 Committee. He said this is less pressing than the Planning Board vacancies but asked members to
121 keep it on their collective radars. The Board has the option to appoint a Planning Board member
122 or someone else from the community so long as he or she lives in Stratham.

123
124 Mr. Connors shared some additional details surrounding Governor Sununu's new Housing
125 Challenge grant program. He said the specifics have not been finalized and that the Town would
126 be awaiting those details. The Board discussed housing issues in Stratham. Mr. Houghton said that
127 although the lack of affordable housing is a big problem for employers, he is not sure that most
128 residents consider it a major problem. There is a significant amount of public outreach that must
129 be done.

131 be done. That is most important before the Town determines potential options to consider related
132 to zoning. Mr. Connors said he would have additional materials prepared for the April 6, 2022
133 meeting.

134
135 Mr. Connors noted that unfortunately he would be away for the May 4, 2022 Planning Board
136 meeting. Mr. Canada noted that the Select Board usually held their meetings if the Town
137 Administrator was away and felt the meeting should go forward. It was the consensus of the Board
138 that the meeting could go forward but that they would reassess in the weeks before the meeting.
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140 **e. Miscellaneous Planning Issues**

141 **4. Adjournment**

142 Mr. Canada made a motion to adjourn at 8:19 pm. Mr. Zaremba seconded the motion. Motion
143 carried unanimously.

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153 *Note(s):*

- 154 1. *Materials related to the above meeting are available for review at the Municipal Center during normal business hours.*
155 *For more information, contact the Stratham Planning Office at 603-772-7391 ext. 147.*
- 156 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*
157 *on the agenda.*



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, Town Planner
FOR: March 2, 2022, Updated for April 6, 2022
RE: Special Event Permit Program

Update April 6, 2022: At its March 16, 2022 meeting, the Planning Board voted to schedule a public hearing for consideration of adoption of the Special Event Permit provisions into the Stratham Site Plan Regulations. The proposed language for inclusion in the Site Plan Regulations and the Special Event Permit application itself is included in the Planning Board packets as well as previous staff memos for background information.

Many towns and cities provide a permit process for Special Events or larger events on private property where it would be helpful for the Town to be aware of the event in advance and to coordinate any necessary traffic controls, parking requirements, or other crowd controls and to ensure that the events operate within the applicable Town Ordinances. This has been discussed in Stratham but never formalized.

A property owner is interested in hosting Art Shows in the Town Center and this has brought this issue to the fore and highlighted the need for a permit process. Based on the discussion at the previous March 2, 2022 Board meeting, staff has revised the permit to exempt agricultural events and events of a personal nature, including family gatherings, weddings, block parties, and similar events. The program would be limited to events where commercial transactions are conducted outdoors or in temporary structures where at least 50 patrons are anticipated. The intent is not to create a burdensome process, but to make relevant Town Departments aware of such events and provide an opportunity for them to place reasonable conditions on such events. If there are issues associated with a particular event, it would also be helpful for the Town to have the contact information of the event organizer on file to communicate with.

At the most recent meeting, there was some discussion about the process for Yard Sales in Stratham. The Town enacted a restriction limiting yard sales in Stratham to no more than three on individual properties. This was enacted in response to a property owner who very frequently held such events. The Town does not require a permit for yard sales but does enforce the three-event annual maximum if an issue arises. The intent of the Special Event Permit program is not to further regulate typical yard sales, however larger events where several property owners team up to hold a large single event would likely fall under the program.

Attached is a proposed permit application in draft form. Similar to the Town's Outdoor Dining Permit program, this permit would allow for the Department Heads of the Police, Fire,

Planning, and Building Departments to issue a Special Event Permit for a fee of \$25 for a single event and \$50 for 2-4 events. As currently drafted, a maximum of four event could be hosted under a single permit and a maximum of three permit could be issued in a calendar year for the same property. If a property owner wants to host more than 12 events in a year, it would require Planning Board approval.

The Site Plan Regulations would need to be updated to account for the Special Event Permit and some draft language is included below for the Board's consideration. The Planning Board could require Special Event permits be approved by the Planning Board, but it would be more efficient for smaller, less frequent events to be approved on an administrative level.

PROPOSED ADDITIONAL LANGUAGE TO THE SITE PLAN REGULATIONS:

3.6 Special Events

Special events occurring outdoors or in temporary structures in which commercial transactions are conducted and more than 50 patrons are anticipated, including tent sales, farmers markets, art shows or like events require approval of a Special Event Permit. Events directly associated with an agricultural use or events of a personal nature, in which no commercial transactions are conducted, are exempt and do not require approval of a Special Event Permit. Special Events shall be conducted within the spirit and intent of the applicable zoning district.

A single Special Event shall not exceed 12 hours in duration and shall not occur between the hours of 10 pm to 7 am. For properties located in the Residential/Agricultural, Manufactured Housing and Retirement Planned Community zoning districts, no more than 4 (four) Special Events shall be held within a calendar year. For all other zoning districts, no more than twelve special events may be held on a single property within a calendar year.

Applicants should submit a completed Special Event Permit to the Stratham Planning Department a minimum of 14 days in advance of the date of the event, however the Town may accept applications submitted later at the discretion of the Town Planner. Special Event Permits may be issued after approval of the Town Planner, Building Inspector/Code Enforcement Officer, Police Chief and Fire Chief. The Town may impose reasonable conditions on a Special Event Permit to ensure safe access, site circulation, adequate sanitation, and reduced impacts to abutting property owner.



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Incorporated 1716

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Fax (All Offices) 603-775-0517

SPECIAL EVENT PERMIT APPLICATION 2022

A Special Event Permit is required for events where commercial transactions will be conducted outdoors or in temporary structures where 50 or more persons are anticipated. Events directly associated with an agricultural use are exempt and do not require a Special Event Permit. Events of a personal nature, including social, civic, or philanthropic gatherings, in which no commercial transactions are conducted, are exempt and do not require a Special Event Permit.

*A Special Event Permit application must be submitted to the Stratham Planning Department
a minimum of 14 days before the date of the first event.*

INFORMATION FOR APPLICANT (INDIVIDUAL) RESPONSIBLE FOR THE EVENT:

NAME: _____ ADDRESS: _____

CITY, STATE, ZIP: _____ PHONE: _____

ALTERNATE PHONE: _____ E-MAIL: _____

ALTERNATE CONTACT NAME & PHONE NUMBER: _____

IF THIS EVENT WILL BE SPONSORED BY A BUSINESS OR ORGANIZATION, PLEASE COMPLETE THE SECTION BELOW:

NAME: _____ ADDRESS: _____

CITY, STATE, ZIP: _____ PHONE: _____

LOCATION OF THE EVENT: _____

Note: If the applicant is not the property owner, the property owner must provide signed authorization on Page 2.

ZONING DISTRICT: _____ MAP NO.: _____ LOT NO.: _____

Proposed 2022 Dates of Special Event (*Note: No more than four events may be held under one Special Event permit. A maximum of three Special Event Permits may be issued within one calendar year*).

Date 1: _____ Event Start and End Times: _____

Date 2: _____ Event Start and End Times: _____

Date 3: _____ Event Start and End Times: _____

Date 4: _____ Event Start and End Times: _____

Description of proposed Special Event:

Estimated number of attendees: _____ Maximum Capacity (at one time): _____

Will ready-to-eat food be served at the Special Event? YES NO

Will amplified sound be used at the event? YES NO If yes, please describe the sound amplification equipment proposed for the event: _____

Please describe proposed parking and traffic control plans for the event:

Will a tent be used at the event? YES NO If yes, provide tent dimensions: _____
Note: Approval of a tent permit may be required from the Stratham Building Department.

SPECIAL EVENT PERMIT FEE:

A fee of \$25 (for a single event) or \$50 (for two to four events) is due to the Town of Stratham at the time the completed application is submitted.

SITE PLAN REQUIREMENT:

A Special Event Permit is not complete without a site plan or plot plan submitted with the application which clearly depicts where the event will be held on the property, as well as the location for parking (including total number of parking spaces), traffic circulation, and the location of tents, seating, sanitary facilities and sound equipment.

APPLICANT'S SIGNATURE:

My signature below indicates my certification that the information included in this application is true to the best of my knowledge. It also indicates my permission for Town Staff to inspect the property if necessary prior to the event. Further, my signature indicates my understanding to that the Town may revoke this Special Event Permit if I do not operate the events in accordance with applicable Town Ordinances and state law or if unresolved complaints are levied to the Town regarding the event. If approved, I pledge to operate the event within the confines of any conditions set forth by the Town of Stratham.

Signature

Date

PROPERTY OWNER'S SIGNATURE (if different from the applicant):

My signature below indicates my permission to hold Special Event(s) consistent with the information included in this application at my property. My signature provides permission for Town Staff to inspect the property if necessary prior to the event.

Signature

Date

For Town Staff Use Only:

FEE: _____ (\$25/\$50) Date Received: _____ Payment Type: _____ Check No: _____

For Town Staff Use Only:

Special Event Permit is APPROVED DENIED MORE INFORMATION REQUIRED

Note: If the More Information Required option is selected by the Town, the applicant must provide the requested information and wait for an Approval by the Town.

Reasons for Denial or description of Additional Information Required:

APPROVAL:

My signature below indicates my review of the submitted application materials for a Special Event Permit, and findings that the Special Event is consistent with the applicable Town of Stratham ordinances.

Matthew Larrabee, Fire Chief

Anthony King, Police Chief

Mark Connors, Town Planner

James Marchese, Building Inspector/CEO

CONDITIONS OF APPROVAL:

The Special Event must be operated within the conditions (if any) outlined below:

Housing & Economic Development

Stratham Planning Board

April 6, 2022

Rockingham County

- 0.8% vacancy rate for rental units
- \$1,672 median rent for 2-bedroom units (highest in state)
- 27% increase in median rent since 2016
- Only 10% of apartments affordable to median income households
- \$550,000 median sales price for single-family homes in February 2022 (set new record)

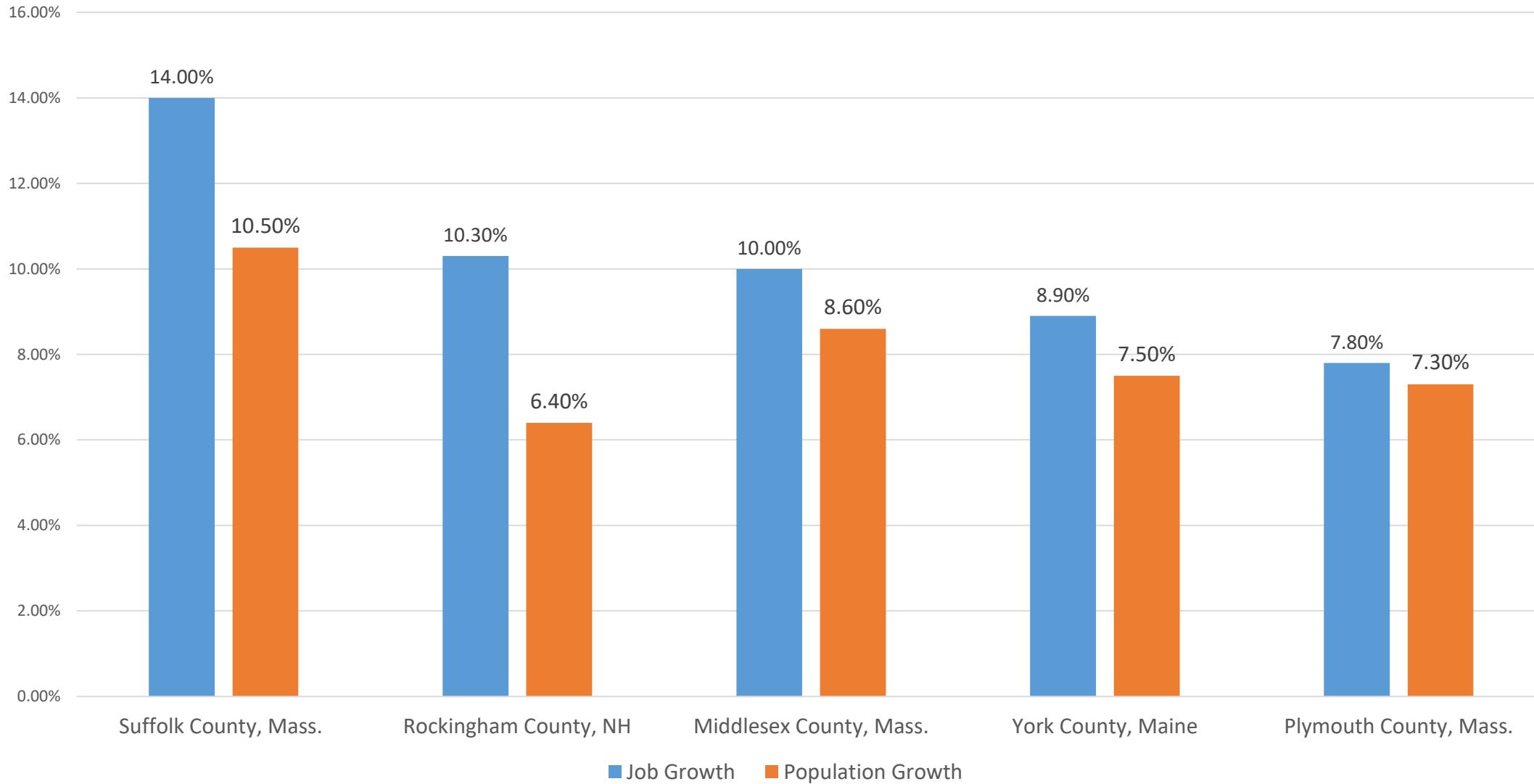
New England Major Job Growth Centers (2011-2021)

- 1.) Suffolk County, Mass. (Boston) +14.0%
- 2.) Rockingham County, NH (Portsmouth, Derry, Salem) +10.3%**
- 3.) Middlesex County, Mass. (Cambridge, Newton, Lowell) +10%
- 4.) York County, Maine (Kittery, Biddeford/Saco, Sanford) +8.9%
- 5.) Plymouth County, Mass. (Brockton, Plymouth) +7.8%

Hartford County, Conn. (Hartford Region) -0.7%

Fairfield County, Conn. (Southeast Conn.) -2.3%

New England's Centers for Job Growth



Housing Appeals Board

- Created as part of Compromise Budget approved by NH Legislature and Governor (strong support by Governor Sununu) in 2019
- Empowered to decide “questions of housing and housing development”
- Lower cost, more expedited alternative appeal option than Superior Court (plaintiff can decide where to file appeal)
- Three full-time members appointed by Supreme Court (one must be attorney and one must be licensed engineer or surveyor)
- Decision must be issued within 180 days
- Decisions may be appealed to NH Supreme Court

Housing Appeals Board

- Most Common Outcome - Town must reconsider its decision
(7 Decisions)
- Town's Decision Affirmed **(4 decisions)**
- Split Decision **(1 decision)**
- 'Builders Remedy' Town's decision is reversed and approval is granted
(2 decisions)

The case of Hanover, NH

NH's housing shortage is hindering the search for cancer cures in the Upper Valley

By Michael Cousineau New Hampshire Union Leader May 22, 2021 Updated Mar 20, 2022



New Hampshire Bulletin

STATE HOUSE VOTING HEALTH EDUCATION ENERGY + ENVIRONMENT COMMENTARY

EDUCATION

'The perfect storm': Housing shortage pinches the Upper Valley

BY: AMANDA GOKEE - JULY 8, 2021 6:15 AM



Anchored by Dartmouth-Hitchcock Medical Center, the largest employer in the state, and Dartmouth College, along with some of the most recognizable and successful manufacturing and tech companies in New Hampshire, the Upper Valley has one of the most robust economies in the state of



Looking For an Affordable House in the Upper Valley? Good Luck With That.

New Hampshire Public Radio
Published March 26, 2018 at 9:26 AM EDT

▶ LISTEN • 4:20



In the Upper Valley, housing is THE challenge

NH Business Review roundtable participants see it as key other issues facing the region

June 6, 2019 by Jeff Feingold



BM Service Business and Limited Manufacturing

D Downtown:

- D-1 Downtown Center
- D-2 Downtown Edge
- B Business

RO Residence and Office

OL Office and Laboratory

I Institutional

GR General Residence:

- GR-1 General Residence-1
- GR-2 General Residence-2
- GR-3 General Residence-3
- GR-4 General Residence-4

SR Single Residence:

- SR-1 Single Residence-1
- SR-2 Single Residence-2
- SR-3 Single Residence-3

RR Rural Residence

GP Goose Pond

F Forestry & Recreation

NP Natural Preserve

Sources:

United States Geological Survey
Complex Systems Research Center
at the University of New Hampshire
Grafton County Registry of Deeds
Town of Hanover Assessors, Planning,
and Public Works records

scale = 1 : 50,000

1 inch = 4,167 feet = 0.80 miles



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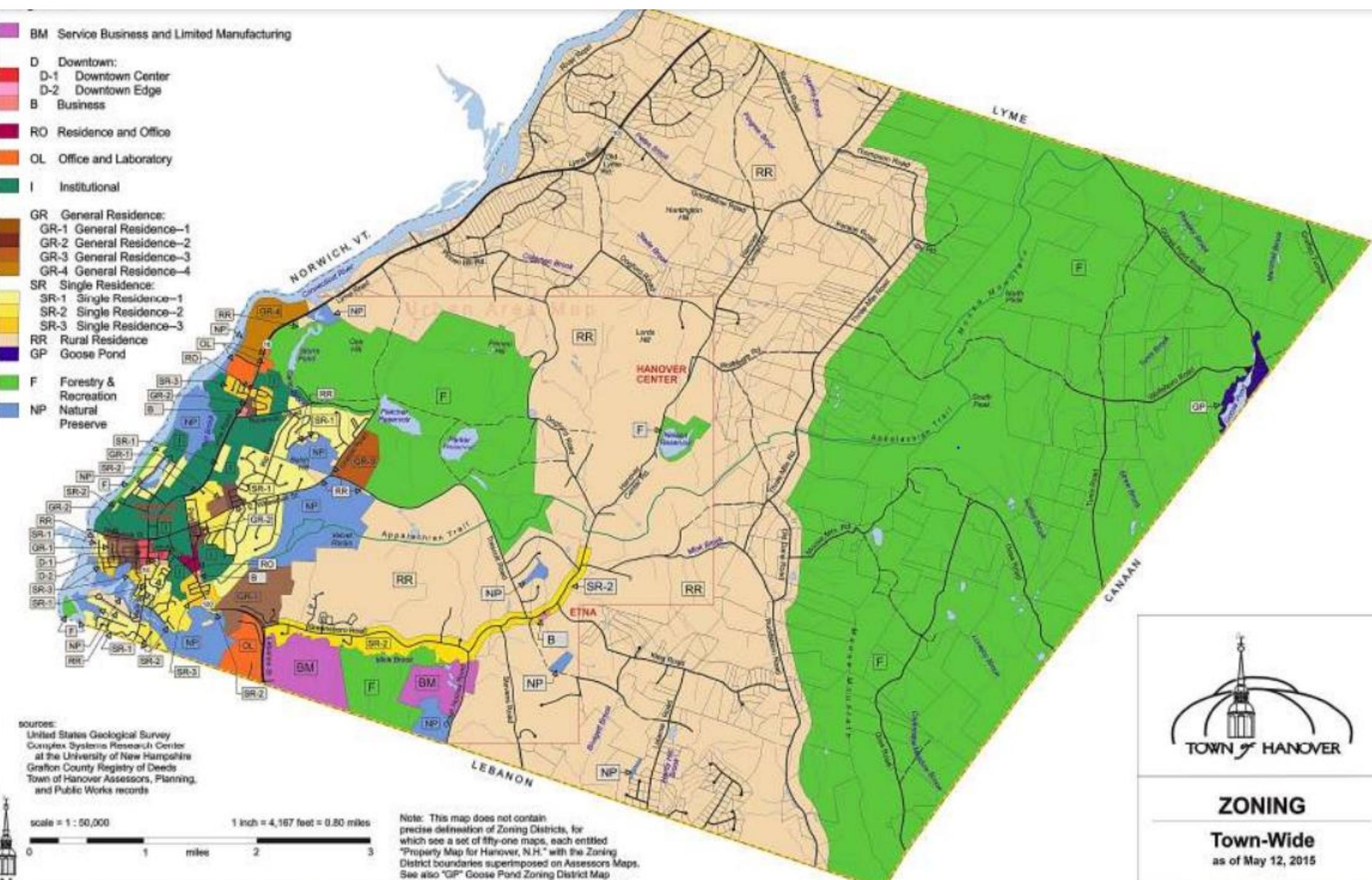
1

miles

2

3

Note: This map does not contain
precise delineation of Zoning Districts, for
which see a set of fifty-one maps, each entitled
"Property Map for Hanover, N.H." with the Zoning
District boundaries superimposed on Assessors Maps.
See also "GP" Goose Pond Zoning District Map.



ZONING

Town-Wide

as of May 12, 2015

Students propose zoning amendments that could increase housing capacity in Hanover

The amendments, which were signed by 30 students, will be voted on in the town election in May.

by [Angus Yip](#) | 2/25/22 5:10am [f](#) [t](#)



LOCAL

'Big changes need to happen': Portsmouth launches affordable housing initiative

Jeff McMenemy Portsmouth Herald

Published 11:00 p.m. ET Feb. 11, 2022

[View Comments](#)



PORTSMOUTH — The City Council voted to create a Housing Committee, which is aimed at addressing the lack of affordable housing in Portsmouth that was a frequent topic in last year's municipal elections.

City Councilor Beth Moreau, who proposed the creation of the Housing Committee and will be one of its nine members, said "we need to take a look at everything that we've been talking about over the last year."

The committee will review "all current zoning and policy surrounding housing and development to encourage sustainable, diverse and affordable development,