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5 **Stratham Planning Board**
6 **Meeting Minutes**
7 **April 20, 2016**
8 **Municipal Center, Selectmen's Meeting Room**
9 10 Bunker Hill Avenue
10 Time: 7:00 PM
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13 Members Present: Mike Houghton, Chairman
14 Jameson Paine, Member
15 Tom House, Member
16 Nancy Ober, Alternate
17 Lee Paladino, Alternate
18
19 Members Absent: David Canada, Selectmen's Representative
20 Bob Baskerville, Vice Chairman
21
22 Staff Present: Tavis Austin, Town Planner
23

24 **1. Call to Order/Roll Call**

25 The Chairman took roll call and asked Ms. Ober to be a voting member. Ms. Ober agreed.

26 **2. Review/Approval of Meeting Minutes**

27 **a. April 6, 2016**

28 Mr. Paine made a motion to approve the meeting minutes for April 6, 2016 as presented.
29 Motion seconded by Mr. House.

30 **3. Public Hearing**

31 **a. Lindt & Sprungli (USA), Inc., One Fine Chocolate Place, Stratham, NH, Tax Map 3 Lot**

32 **1. Site Plan Review;** construction of a 124 space parking lot and associated minor site
33 improvements

34 Mr. Austin explained that although the application is complete in regard to the site plan
35 checklist, there is a waiver request, a visit to the ConComm (ConComm), a variance required,
36 some D.E.S. permitting and other elements that will need to be discussed.

37 Mr. Austin asked the Board if they would like a waiver for parking below that required by the
38 existing use or existing parking being added to a previous waiver from 2014.

39 Mr. House made a motion to accept the application as complete. Motion seconded by Mr.
40 Paine. Motion carried unanimously.

1 Mr. Brad Mezquita from Tighe & Bond took the floor. He explained that they would like to
2 expand an existing parking lot which serves as employee parking. He said that at some point
3 there won't be enough surface for parking and they will end up building upwards as has been
4 discussed in the past. For this application there is a total of 51 extra spots, but more
5 importantly it is setting up for the future of the parking going upwards.

6 Mr. Mezquita referred to the existing conditions and the wetlands out just beyond the existing
7 lot and said they will need to appear before the ConComm, and the AOT permit has been
8 submitted to the D.E.S. He reminded the Board that back in 2009 they built the liquor plant
9 and as part of that project there was a large expansion of the existing pond and as part of that,
10 Lindt over permitted a lot of additional impervious square footage anticipating future
11 development out there that goes to the pond for detention and storm water treatment. Since
12 they put in the liquor plant, they have worked off the banked impervious coverage for the
13 existing new office space out front and 77,000S.F. addition out back. There is still a lot of
14 impervious surface available to them before they hit the threshold. He talked about storm
15 water and explained that currently there are a couple of drainpipes beneath the drives to the
16 loading dock as well as underneath the parking lot to get to where they are needed. They will
17 end up putting in a new drainpipe of sufficient size to handle the extra storm water.

18 Mr. Mezquita updated the Board on missing items: the AOT permit has been submitted to the
19 State. They will go before the ConComm about the wetland impacts at the next meeting and
20 they are undecided about going before the ZBA about the encroachment into the wetland
21 buffer zone as they believe there may be an existing variance which could cover this project.
22 Mr. Mezquita referred to the internal landscaping waiver saying they keep the green space
23 inside to a minimum because if it becomes a parking deck in the future, they don't want to
24 have to pull out stuff.

25 Mr. House asked how many levels would be anticipated when they build a parking deck. Mr.
26 Mezquita said they have laid out one level conceptually. Mr. House said he was asking with
27 the waiver in mind and asked if Mr. Mezquita had an idea of how long it would be before the
28 parking deck was built. Mr. John Pelletier, Director of Engineering for Lindt, said probably
29 2 to 3 years beyond the completion of this lot.

30 Mr. Paine asked what kind of wetlands Lindt would be impacting and how a storm event
31 would be handled. Mr. Mezquita said they are taking all the impervious coverage and now
32 piping and treating it in the storm water pond instead of where it goes now.

33 Mr. Houghton inquired about snow storage or removal. Mr. Mezquita showed the area for
34 that on the plan. Mr. House asked about the lighting. Mr. Mezquita said the lighting will be
35 dark sky compliant and L.E.D.

36 Ms. Kathleen Breslin, Stratham Heights Road asked what the size of the retention pond was.
37 Mr. Mezquita said he didn't have the exact number of square feet, but could get the
38 information. Ms. Breslin asked how far beyond what is shown on the plan does the pond go.
39 Mr. Mezquita laid out an overall conditions plan for Ms. Breslin to see. Ms. Breslin said she
40 there is an area that she can see from her property where there used to be live trees which are
41 now dead. It seems to her that there is water coming from somewhere that kills the trees. Mr.
42 Mezquita said that Stratham Heights drains towards the Lindt property. Mr. Paul Deschaine,
43 Town Administrator shared that the ConComm had been contacted by the Cooperative Middle
44 School as there is a colony of beavers wreaking havoc on the school property.

1 Mr. Paine referred to Lindt's neighbor and asked if there was any concern about headlights or
2 any other kind disruption. Mr. Mezquita said the parking lot is 78 feet away and there a lot
3 of trees. Mr. House asked what kind of trees as headlights tend to be at a low level. Mr.
4 Mezquita said they are a combination of hardwoods and evergreens. Mr. Deschaine said to
5 think of the elevation once the parking lot is built upwards.

6 Mr. Houghton referred to the waiver request concerning interior landscaping and said given
7 the location of this particular parking lot, he doesn't think it is necessary as it's not highly
8 visible plus given the potential future use, he would support the request. Mr. Paine and Mr.
9 House both agreed. Mr. Paine said that previously the time of day for shift changes had been
10 discussed which offsets some of the need for more parking spaces.

11 Mr. Paine made a motion to allow for the waiver pertaining to Section 5.2.h Landscape Design
12 standards in parking areas based on the plan shown and the discussion had to date. Motion
13 seconded by Mr. House. Motion carried unanimously.

14 Mr. Houghton referred to the wetland issue and said he had a reasonably high level of
15 confidence the right thing will be done, but he is hesitant to the extent that the ConComm has
16 not seen this plan.

17 Mr. Austin said the ZBA issue alluded to by Mr. Mezquita was interesting. He had found a
18 plan which shows a truck parking lot in the first row closest to the main drive in 2007 and that
19 lot alone would have been give or take 50 feet within the wetland at that time. He cannot find
20 a ZBA case tied into the buffer encroachment nor can he find a ZBA case later for the
21 expansion of the parking lot that currently exists. If a case is made for a variance for
22 something that already exists and it's not granted, that will become interesting for all. He
23 said if the applicant can produce evidence of a variance, it would be accepted. Mr. Deschaine
24 wondered if the variance was a subsidiary request of a primary one.

25 Mr. Deschaine observed that once they get the approvals, the applicant may need to make
26 changes to the current plan and have to come back for an amendment to the conditional
27 approval the Board is willing to grant. Mr. Deschaine said to clarify, there is no approval
28 process with the ConComm, all they have is a comment period of 30 days.

29 Mr. Paine asked if the applicant had considered other sites for this parking lot. Mr. Mezquita
30 said they had and this was the smallest impact. Mr. Paine asked if they had considered upland
31 areas. Mr. Mezquita said they had, but the location would not be appropriate. Mr. Houghton
32 asked the applicant what they could do for mitigation efforts when they meet the ConComm.
33 Mr. Mezquita said they would most likely propose they do the State fee program. He added
34 that the ConComm has to be part of the process, they can't submit to the State without sending
35 a copy to the ConComm and they have 30 days to respond. Mr. Paine said it is always nice
36 to get the Commission's input prior to making a final decision. Mr. Austin said it wouldn't be
37 able to be approved tonight if the Board would like to hear from the ConComm first.

38 There was much discussion around how to word a conditional approval.

39 Mr. House made a motion to close the public hearing. Motion seconded by Ms. Ober. Motion
40 carried unanimously.

41 Mr. Paine made a motion to approve the site plan review application for Lindt and Sprungli
42 at 1 Fine Chocolate Place, Stratham, Map 3 Lot 1 for the application to construct a 124 space
43 parking lot and associated minor site improvements with the conditions that the applicant

1 consult with the ConComm prior to submittal of the NH Wetlands Bureau application
2 package, that the applicant receive NHDES Wetlands and Alteration of Terrain approval for
3 the project as proposed tonight, and if any major changes are made, the applicant will need to
4 come back to the Planning Board. Lastly to present to the Zoning Board of Adjustment with
5 regards to the wetland buffer impacts, unless Town staff determines that an adjustment is not
6 needed or a previous adjustment has been made. Mr. House asked to add the condition that
7 the applicant should work with staff to clear any housekeeping items on the plans. Motion
8 seconded by Ms. Ober.

9 Motion carried unanimously.

10 **4. Miscellaneous**

11 a. Report of Officers/Committees.

12 i. Technical Review Committee

13
14 Mr. Austin said the TRC should be looking at 71 Portsmouth Avenue at their May 31st
15 meeting. 23 Portsmouth Avenue may end up before the TRC as well depending on the
16 outcome of their preliminary consultation with the Planning Board.

17 b. Other.

18 Mr. Austin said on the Notice of Decision for the Rollins Hill Development, Conditions
19 subsequent, number 3f: the applicant was required to submit septic system designs for lots
20 selected by the Planning Board to DES for review and approval. It called out approximately
21 19 lots within the project. Staff received 10 of 19 of those septic designs this week and each
22 one has a cover sheet seeking a Town signature and stamp. Mr. Austin sought clarification
23 for how the Board would like to handle this. Mr. Houghton said his recollection was that Mr.
24 Baskerville was going to identify which lots would be chosen so he should be contacted. Mr.
25 Houghton said he didn't feel they were qualified to sign these and it should be sent out to Paul
26 Connelly at Civilworks. Mr. Austin said he would communicate with Mr. Baskerville and
27 report back at the next meeting.

28 Mr. Paine asked about the Town Center project. Mr. Austin said it started yesterday and the
29 sidewalk should take about 6 weeks for the sidewalk.

30 Mr. Paine asked about seasonal flags. Mr. Deschaine said each light will have a banner
31 bracket which will replace the current ones on telephone poles. Mr. Austin said to put up 10
32 – 12 banners 300th Anniversary banners on the utility poles, \$1200 has been approved from
33 the Town Center Revitalization Committee with the condition that the 300th Committee pay
34 as much of it as they can. The Heritage Commission has said they will help out also. Mr.
35 Austin said he doesn't have a design for the banners, but once he has, he can get it to the same
36 people who made the current ones in the Town Center. He hopes it can be done before the
37 actual event.

38 **5. Adjournment.**

39 Mr. House made a motion to adjourn at 8:07 pm. Motion seconded by Ms. Ober. Motion
40 carried unanimously.