

DRAFT – NO LEGAL VALUE

Planning Board Work Session Minutes

Location: Strafford Town Hall Conference Room

Date & Time: December 3, 2025 6:00PM

Members Present:

Phil Auger – Chair

Lynn Sweet – Selectman Representative

Alternate Members Present:

Donald Coker

Susan Arnold

Sue Higgins

Others Present:

Jennifer Czysz, Strafford Regional Planning Commission, Executive Director

Robert Fletcher, Minutes Recorder

The Chair, Phil Auger, called the Work Session to order at 6:00PM. He noted that Charlie Moreno's and Terry Hyland's term as Planning Board members will expire in 2026.

This work session was scheduled to address the statutorily mandated and non-mandated zoning ordinance amendments to be addressed at the 2026 Strafford Town meeting. Jennifer Czysz, filling in for Owen Corcoran, presented each amendment as follows:

Statutorily Mandated Zoning Ordinance Amendments:

HB 296, Zoning Board of Adjustment Appeals Deadlines. Requires ZBA to hear appeals within 30 days of decision instead of within a "reasonable time."

No action required.

HB 457, Zoning Restrictions on Dwelling Units or Occupancy. Prohibits municipalities from adopting or enforcing ordinances that limit the number of occupants in a dwelling unit to fewer than two occupants per bedroom and other discriminatory provisions relating to occupancy such as requiring a familial relationship.

No Action Required.

HB 577, Accessory Dwelling Units (ADUs). Expands the existing ADU law to allow one attached or detached ADU as a matter of right in all zoning districts where single-family homes are permitted and increases the maximum square footage. In addition, this bill:

- allows for conversion of existing structures, including detached garages, into ADUs even if structure doesn't meet setback or lot coverage dimensional standards.
- adds flexibility for ingress and egress.
- retains local option to require owner occupancy of the principal dwelling unit or ADU.

- allows ADUs to be up to 950 square feet, unless otherwise authorized by the municipality, but a municipality can't limit to less than 750 square feet.

This amendment requires significant change to the current ordinance which is best accomplished by a remove and replace method. The Board discussed the following at length.

- 1) Dwelling unit is described inconsistently as either a single-family residence, a principal dwelling unit, or a primary residence. **The Board agreed to use principal dwelling unit throughout its zoning and subdivision regulations for consistency.**
- 2) ADU square footage requirement. **The Board agreed to the maximum of 950 square feet with no minimum specified.**
- 3) Duplication in Sections 1-4-1d and 1-4-1k. **Section 1-4-1k will be discarded.**
- 4) Number of bedrooms and bedroom occupancy limits. **The Board agreed not to limit either.**
- 5) Definition of ADU, ADU-attached, and ADU-detached. **The Board agreed to consistent use of principal dwelling unit in each definition and to reword the attached and detached definitions.**

HB 631, Residential Uses in Commercial Zones. Municipalities are required to allow multi-family residential development (3+ units) in commercial zones, provided there is adequate infrastructure to support the development. Municipalities can prohibit residential in zones where industrial and manufacturing are permitted, can require all or a percentage of ground floor area to be retail, must provide an exemption to any dimensional requirements when converting to multi-family or mixed use provided there are no changes to the existing structure's dimensions.

No action required. There are no commercial zones in Strafford.

HB 1567, Home-Based Child Care Facilities. Mandates that family and group family child care programs be permitted as an accessory use to any primary residential use under local zoning and planning regulations. The bill specifies that family or group family child care should be allowed without being subject to local site plan review regulations in any residential zone, provided that all requirements set by the department of health and human services are met.

No action required.

SB 284, Minimum On-Site Parking Requirements. Modifies the maximum number of accessory parking spaces that municipalities can require for residential units. Specifically, it changes the requirement from a maximum of 1.5 residential parking spaces per unit to a maximum of one residential parking space per unit. Developers are not prohibited from building more than one parking spot.

No action required.

Statutorily Mandated Development Regulation Amendments:

HB 296, Private Roads. Allows a local governing body to authorize the issuance of building permits for buildings on private roads after review and comment from the planning board OR "establishing that the private road identifies and complies with policy adopted by the governing body of the municipality."

The Board indicated the need to address this in detail to develop clear guidance.

HB 413, Vesting. Extends period to reach active and substantial development from 2 years to 3 years after the date of approval and the corresponding vesting period from 5 years to 7 after approval. The bill also changes the building code and fire code appeals process.

The Board suggested one-third of the total infrastructure improvements to a site rather than 25% as active and substantial completion of a project; however, the Town Attorney would need to concur with this increase.

SB 281, Waiver for Building on Class VI Roads. An act prohibiting municipalities from denying building or occupancy permits for property adjacent to class VI roads under certain circumstances.

The Board indicated the need to address this in detail to develop clear guidance.

Non-Statutorily Mandated Zoning Ordinance Amendments:

Non-Conforming Use, Lot, or Structure. The Town Attorney previously suggested wording for changes to Article 1.7.1 which will be presented to the public for approval during the 2026 Town elections.

Other Business

The Chair indicated several other Town regulatory items that needed to be discussed:

Minimum Land Area. Current regulations require a minimum land area of five acres in locations with an elevation of 800 feet or greater above sea level. This would not need to be changed because the state did not pass new legislation that would prohibit minimum lot size greater than 3-acres.

Cell Tower Ordinance. Current ordinance requires a performance security for removal of cell towers that have been decommissioned.

The Board determined no action is required.

Conservation Design. Currently falls under zoning regulation and the Chair would like to move it to Planning Board; however, it needs to stay in zoning because a conservation design allows non-compliance with zoning regulations.

Telecommunication Facilities. This regulation was not removed when the new ordinance was accepted. The Board agreed remove everything but the first sentence.

Reference to Planning Board Meeting Minutes in regulatory documents.

- Motion by Albert Leighton to require anyone building a dock or pier obtain a permit from the selectmen. The Board suggested this requirement be restated to other than a motion but would need to be reviewed by the Town Attorney.

- Motion by George Foss that Selectmen be authorized to appoint a building inspector for a term of one year. The Board agreed to remove this reference.

Home-Based Child Care Facilities Revisited.

The Chair expressed concern regarding the new mandate. No Planning Board oversight of facility safety may result in unsafe conditions for children. Subsequent discussion indicated that responsibility for proper childcare facility operation rests with the state department of health and human services; however, town departments and boards may need to evaluate traffic flow, drop-off/pick-up area, and building safety. Susan Arnold suggested a review of the town regulation for compliance with the new mandate. Jennifer Czysz indicated that additional town requirements could possibly be addressed through a Conditional Use Permit. Lynn Sweet suggested the use of a Special Exception to require a home care business to appear before a town board. Jennifer Czysz indicated that it would not be allowed under a Special Exception. The Chair asked her to draft language to properly address this issue and other applicable operations under a Conditional Use Permit.

Work Session Scheduling

The Chair stated, at Owen Corcoran's earlier suggestion, that the Board should schedule work sessions throughout the year which will allow adequate town notice. In addition, the Board will need another work session to prepare for regulatory changes to present at the 2026 Town Meeting. The Board agreed to meet for a work session on December 16, 2025 at 6:30PM. In preparation for this meeting, Jennifer Czysz will provide draft warrant article/amendments and request Planning Board Attorney review.

There being no further business before the Board, the Work Session adjourned at 7:48PM.

Minutes Prepared by Robert Fletcher