



Meeting Minutes

North Hampton Planning Board

Tuesday, February 6, 2024 at 6:30pm
Town Hall, 231 Atlantic Avenue

These minutes were prepared as a reasonable summary of the essential content of this meeting, not as a transcription.

In attendance: Phil Wilson, Chair; Rob Omberg, Vice Chair; Members Nancy Monaghan, Shep Kroner, Valerie Gamache, John Sillay, and Jim Maggiore, Select Board Representative; Alternate Members Tim Harned and Susan McCullom-Barry; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

Chair Wilson called the meeting to order at 6:35pm.

I. New Business

1. Case #24:01 – Applicants: Russ and Kim Goddard, 26 Autumn Way, Seabrook, NH 03874. The Applicants request a Design Review for proposed construction of a 100 foot by 260 foot commercial building and associated site improvements for restaurant with indoor/outdoor seating, food preparation kitchen, and food truck/vehicle storage uses. Property Owner: David B. Tilton Family Limited Partnership, P.O. Box 68, 390 Washington Road, Rye, NH 03870. Property Location: 195 Lafayette Road, North Hampton, NH 03862; M/L: 017-092-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Russ and Kim Goddard, applicants; Bruce Scamman, engineer.

Mr. Wilson noted that the current discussion was a non-binding review of general design and engineering details.

Mr. Scamman addressed the Board. Mr. Scamman presented to the Board a satellite photo of the currently vacant two acre lot at 195 Lafayette Road and a site drawing which indicated the following proposed improvements:

- a. a 100 foot wide by 260 foot long commercial building,
- b. 100 foot by 50 foot front section of the building to be used for a restaurant seating 68 customers indoors,
- c. a 12 foot wide porch wrapping around the front of the building to be used for restaurant outdoor seating to accommodate approximately 12 customers,
- d. 100 foot by 25 foot middle section of the building to be used for a commercial kitchen to supply food trucks,
- e. 100 foot by 185 foot back section of the building to be used for storage of four food trucks and other types of vehicles,
- f. septic system at the front of the lot,
- g. locations for approximately 36 parking spaces,
- h. locations for traditional pavement and porous pavement on the site,
- i. access and egress locations for the lot,
- j. structure setbacks from front, side, and rear lot lines, and

k. vegetation locations.

Ms. Rowden made the following comments:

a. The proposed uses are permitted within the Industrial-Business/Residential District.

b. Based on submitted information, the proposal will require the following approvals:

i. Site Plan approval from the Planning Board,

ii. Conditional Use Permit under Zoning Ordinance 503.6.G.1.a to allow proposed uses within the Aquifer Protection District, and

iii. Variance from the ZBA for the porch structure being proposed within the 50 foot structure setback from the front lot line.

c. The applicant may want to consider reconfiguring the building dimensions as there appears to be sufficient space on the site to avoid the need for the variance, while still allowing sufficient space for parking and traffic circulation.

d. As part of any site plan application, a stormwater management plan in conformance with the Site Plan Regulations will be required. The application information indicates that the site improvements will include porous pavement which will keep the proposed lot coverage by impervious surface well below the maximum allowed 75% impervious surface lot coverage. Details regarding porous pavement installation, operation, and maintenance should be included in the site plan application materials.

e. If any outside storage is proposed, that will need to be indicated on the plan.

f. It is recommended that the applicant meet with the Fire and Building Departments regarding the plan prior to submitting a formal site plan application.

g. NHDES septic system approval and NHDOT driveway permit for new uses will be required. It is recommended that the applicant identify the 12-foot easement at the front of this lot which is typically required with a driveway permit along Lafayette Road/Route 1.

Mr. Wilson noted that all proposed vehicle storage on the site must comply with the requirements of the Aquifer Protection District section of the zoning ordinance.

Mr. Sillay asked for clarification regarding the length of time vehicles would be stored on the site.

Mr. Scamman stated that both long term seasonal storage of items such as RV campers and boats may occur along with short term storage of food trucks that may leave and enter the site on a daily or weekly schedule.

Ms. Monaghan asked if the food trucks will conduct business on the site.

Mr. Scamman stated that food trucks will not serve or sell food on the site.

Ms. Monaghan asked if all storage activities will occur inside the proposed building.

Mr. Scamman confirmed that all storage activities will occur inside the proposed building. The applicant does not propose any outside storage.

Ms. Monaghan stated that the proposal should adhere to the architectural standards included in the Site Plan Regulations.

Ms. Monaghan asked if the applicants intended to allow overnight operations to occur on the site.

Mr. Scamman stated that no overnight operations are proposed. However, food trucks may occasionally enter and leave the site at times outside of the restaurant's regular hours of operation.

Ms. Monaghan stated that the proposal should adhere to the outdoor lighting standards included in the zoning ordinance.

Mr. Scamman stated that lighting will most likely be limited to light fixtures with full cut-off features on the sides of the building.

Ms. Monaghan stated that no one should be allowed to live in any recreational vehicle stored on the site.

Mr. Scamman confirmed that no persons will be allowed to reside on the site.

Ms. Gamache asked for clarification regarding proposed hours of operation for activities on the site.

Ms. Goddard addressed the Board. Ms. Goddard stated that the proposed hours of operation for the restaurant will be 7:00am to 2:00pm. Two food trucks will leave the site for an entire season. The other two food trucks will leave the site around 7:00am and return around 2:00pm on a daily basis. There may be rare times when food trucks will leave and return to the site for a nighttime event.

Mr. Kroner suggested that the applicant provide adequate screening along the rear lot line of the property to protect the residents behind the site from adverse noise and light issues. The lighting plan for the project should indicate no light spillage onto neighboring properties.

Mr. Wilson asked if the commercial building would include garage bay doors.

Mr. Scamman confirmed that garage bay doors will be included on both sides of the proposed commercial building.

Mr. Wilson stated that the proposal appeared to be a reasonable use of the property. Mr. Wilson suggested that the applicant become familiar with the dark sky regulation criteria required for outdoor lighting fixtures.

Ms. Monaghan asked if mechanical repair or servicing of vehicles would occur on the site.

Mr. Scamman responded that no mechanical repair or servicing of vehicles will occur on the site.

2. Town of North Hampton, NH discussion of State of New Hampshire Legislature bills regarding housing matters.

Mr. Maggiore presented bills regarding housing matters being considered by the State of New Hampshire House of Representatives that may impact the Town of North Hampton and necessitate changes in the Town's zoning ordinance. A brief summary of the bills are as follows:

a. HB 1053 – allow residential use on a commercial lot as a matter of right,

b. HB 1065 – fire suppression or sprinkler systems shall not be required in residential structures that meet specific criteria,

c. HB 1215 – All subdivision plan, site plan, and building permit approvals shall be exempt from all subsequent changes to any ordinance and regulation adopted under the planning and zoning title section of the State of New Hampshire Revised Statutes Annotated.

d. HB 1281 – A local legislative body shall not adopt or enforce an ordinance or regulation that restricts the number of occupants to less than two occupants per bedroom based upon the existence of unrelated or non-familial relationships between the occupants of a rental property.

e. HB 1291 – A municipality that adopts a zoning ordinance shall allow accessory dwelling units in all districts that permit single family dwellings. The bill also allows one detached accessory dwelling unit and one additional attached accessory dwelling on a property and the criteria under which the accessory dwelling units may exist.

f. HB 1361 – Expands land use regulations for manufactured housing and subdivisions.

g. HB 1399 – Allows the expansion of a single family residence in an urban area to no more than two residential units without discretionary review or hearing under certain requirements.

The Board discussed the implications of each bill. Mr. Maggiore stated that Board members and the general public can provide testimony or other types of input for a particular bill on the State of NH General Court website.

3. Town of North Hampton, NH discussion of proposed Master Plan Natural Resources Chapter.

Ms. Rowden suggested that, in response to the Planning Board's desire to include an updated version of a Natural Resources Chapter in the Town's Master Plan, she could create a summary document describing the information contained within the Natural Resources Inventory document adopted by the Conservation Commission in 2021 as a Master Plan Chapter. The summary document would include goals, recommendations, and action plans to provide guidance for achieving natural resource planning objectives. The Master Plan Chapter would also indicate the link to access the entire Natural Resources Inventory document on the Town website.

Ms. Monaghan moved that the Planning Board authorizes Circuit Rider Planner Jennifer Rowden to create a Master Plan Natural Resource Chapter draft document for the Planning Board's review and consideration at a future work session. Second by Mr. Omberg. The vote was unanimous in favor of the motion (7-0).

4. Town of North Hampton, NH discussion of Rockingham Planning Commission Transportation Advisory Committee appointment.

Mr. Wilson informed the Board that the Rockingham Planning Commission (RPC) was requesting that the Town of North Hampton provide information regarding the Town's representative on the RPC Transportation Advisory Committee. Mr. Wilson stated that it was important for the Town of North Hampton to have a representative who possessed a thorough knowledge of planning principles and the intricacies of the Town's and the Seacoast Region's infrastructure and transportation needs. Mr. Wilson suggested that Mr. Kroner possessed the knowledge and commitment necessary to successfully represent the Town of North Hampton on the Transportation Advisory Committee. Mr. Kroner stated that he was willing to serve on the Transportation Advisory Committee.

Ms. Monaghan moved that the Planning Board recommend to the Select Board that Robert 'Shep' Kroner be appointed as the Town of North Hampton's representative on the RPC Transportation

188 **Advisory Committee for the term established by the Rockingham Planning Commission. Second by Ms.**
189 **Gamache. The vote was 6-0-1 in favor of the motion with Mr. Kroner abstaining.**

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191 The meeting was adjourned at 8:25pm without objection.

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193 Respectfully submitted,

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197 Rick Milner

198 Recording Secretary