



Meeting Minutes
North Hampton Planning Board
Tuesday, November 1, 2016 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: Tim Harned, Chair; Nancy Monaghan, Vice Chair; Members Phil Wilson, Dan Derby, Josh Jeffrey, Terry Belluche, and Jim Maggiore, Select Board Representative; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

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

I. Old Business

None.

II. New Business

- 1. Case #16:14 – Applicant: Brooks Rankin, Workout Anytime, LLC, 77 Hersey Street, Portland, ME 04103.** The Applicant requests a Conditional Use Sign Permit for signage associated with fitness club business. Zoning Ordinance waiver request: Section 506.6.K Wall Signs. Property owner: W/S North Hampton Properties OP, LLC; Property Location: Lafayette Crossing, 35 Lafayette Road, North Hampton, NH 03862; M/L: 007-053-000; Zoning District: Industrial – Business/Residential District.

In attendance for this application:

Brooks Rankin, applicant.

Mr. Rankin addressed the Board. Mr. Rankin stated that he was requesting to place an approximately 24 foot wide by 3 foot high wall sign along the 60 foot frontage of the building space containing his fitness club business. The size of the proposed sign was necessary in order to be visible across the large parking lot setback from the roadway.

Mr. Harned asked if the business would have an additional ground sign.

Mr. Rankin stated that there was no space available on the existing multi-tenant sign for the property. There would be no ground sign.

Ms. Rowden stated that the proposed sign appears to be consistent with signs previously approved for the Lafayette Crossing plaza.

Mr. Harned presented the waiver request to the Board.

Mr. Harned opened the public hearing connected to the waiver request for the proposed sign at 6:41 pm. No comments were made. Mr. Harned closed the public hearing at 6:42 pm.

Ms. Monaghan moved that the Planning Board grant the waiver for the wall sign as presented by the Workout Anytime business. Second by Mr. Wilson. The vote was unanimous in favor of the motion (7-0).

Mr. Wilson moved that the Planning Board approve the conditional use permit application submitted by the Workout Anytime business for the wall sign to be placed over the front entrance of the business location. Second by Mr. Jeffrey. The vote was unanimous in favor of the motion (7-0).

2. **Case #16:15 – Applicant: D.D. Cook Builders, Inc., P.O. Box 697, Greenland, NH 03840.** The Applicant requests a lot line adjustment for properties located along Mill Road. Property Owner: Russell W. Jeppesen, P.O. Box 9, Greenland, NH 03840; Property Locations: adjacent to 80 Mill Road, North Hampton, NH; M/L 007-002-001, 007-002-002, and 007-002-003; Zoning District: R-1, High Density District.

In attendance for this application:

Donald Cook, applicant; John Chagnon, engineer for the applicant.

Mr. Chagnon addressed the Board. Mr. Chagnon explained that the proposed lot line adjustment plan would increase the area for lots 007-002-001 and 007-002-002 in order for the lots to be in conformance with zoning ordinance requirements to build duplexes on both lots.

Mr. Harned opened the public hearing at 6:49 pm.

Seavie Rideout addressed the Board. Mr. Rideout asked for clarification on the allowed size of a lot for the construction of duplexes. He stated that currently a lot of water runs off of lots 007-002-001 and 007-002-002 onto his property. He is concerned that construction of duplexes would increase the amount of water run-off onto his property. Trees that help mitigate water run-off would be cut. The amount of impervious surface would increase with the larger size of duplexes. He is opposed to the construction of duplexes.

Mr. Harned explained that the proposed lot line adjustment will bring the lots into conformance with the zoning ordinance requirements for lot size connected to construction of duplexes.

Mr. Harned closed the public hearing at 6:53 pm.

Ms. Monaghan asked if there was anything that the Planning Board could do to address the water run-off issue.

Ms. Rowden stated that there was a relatively small chance that any development would increase the water run-off that already exists naturally.

Mr. Chagnon stated that a culvert for the water run-off currently exists. He suggested that some topography elements could be constructed to aid the efficiency of the culvert.

Mr. Derby asked if there was a way to ensure that appropriate measures are in place to mitigate water run-off.

Ms. Rowden stated that a condition of approval for the lot line adjustment plan could be that a stormwater drainage analysis be conducted to show that any proposed development did not increase the amount of water run-off above the level that occurs naturally.

Mr. Wilson suggested language for a condition of approval which required the submittal of a development plan for each lot and a stormwater drainage analysis for each lot indicating that the proposed development will not increase stormwater run-off onto abutting lots.

The Board came to a consensus without objection that Mr. Wilson's suggested language was sufficient to address the water run-off issue.

Mr. Derby moved that the Planning Board take jurisdiction of the lot line adjustment application for properties designated as Map/Lot 007-002-001, 007-002-002, and 007-002-003. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (7-0).

Mr. Harned re-opened the public hearing at 7:37.

Mr. Rideout stated that his concerns regarding stormwater run-off are derived from his desire to protect the substantial amount of wetlands located on his property.

Mr. Harned closed the public hearing at 7:40 pm.

Mr. Wilson moved that the Planning Board approve the Lot Line Adjustment application for Case #16:15 to adjust lot lines for properties designated as Map/Lot 007-002-001, 007-002-002, and 007-002-003 subject to the following conditions:

1. Before the Building Inspector issues a Building Permit for each lot of the three lots of this subdivision (007-002-001, 007-002-002, and 007-002-003):

A. The applicant for the Building Permit shall submit a development plan for the lot that is complete and sufficient for a Building Permit to be issued, and

B. The applicant for the Building Permit shall submit a drainage analysis for the subject lot that has been reviewed and verified by the Town Engineer and that demonstrates that the proposed development on the subject lot will not increase stormwater run-off to abutting lots.

2. Applicant shall submit a recordable Mylar of the approved plan with signatures and seals affixed of all licensed professionals whose names appear on the plan. All conditions of approval shall be listed on the Mylar pursuant to NH RSA 676:3.III.

3. Applicant shall submit a Certificate of Monumentation, stamped and signed by a NH Licensed Land Surveyor, certifying that all monuments depicted on the plan have been properly set.

4. Applicant shall submit evidence of receipt of all required federal, state, and local permits including, but not limited to, NHDOT driveway and NHDES subsurface system approvals and shall note their numbers, as appropriate, on the recorded page of the plan.

5. Applicant shall submit a check made payable to the Rockingham County Registry of Deeds in the amount of \$25.00 for mandatory state fee to fund the Land and Community Heritage Investment Program (LCHIP).

6. All fees incurred by the Planning Board including, but not limited to, consulting, engineering and legal fees, have been paid by the applicant.

7. There shall be no changes to the approved site plan on the recordable mylar except to meet these conditions of approval.

Second by Ms. Monaghan. The vote was unanimous in favor of the motion (7-0).

3. Case #16:16 – Applicant: PSNH dba Eversource Energy, 13 Legends Way, Hooksett, NH 03106.

The Applicant requests a site plan review for the replacement of nine (9) utility poles along an existing Eversource transmission line. The Applicant also requests a Conditional Use Permit to allow the erection of a new structure within the Wetlands Conservation District and/or its buffer area. The Applicant also requests several waivers from the Town of North Hampton Regulations. Property Owner: Sagamore Hampton Golf Club, Inc., 101 North Road, North Hampton, NH 03862; Property Locations: adjacent to both sides of Interstate 95 south of Post Road and Lovering Road, North Hampton, NH 03862; M/L: 018-037-000, 018-058-000, 018-059-000, and 018-060-000; Zoning Districts: R-1 High Density District, R-2 Medium Density District, and Wetlands Conservation District.

In attendance for this application:

John Casey – Eversource Energy, applicant.

Mr. Casey addressed the Board. Mr. Casey stated that Eversource Energy intended to replace nine (9) utility poles on both sides of Interstate 95 due to the deteriorated condition of the poles and upgrade the quality of the structures to meet improved standards for interstate highway crossings. Timber mats and a work platform will be used during construction to protect the wetlands in the area.

Mr. Harned presented the applicant's waiver request to the Board. Waivers from several site plan regulations were requested.

Mr. Wilson stated that the listed site plan regulations were not applicable to this project.

Mr. Harned stated that the waiver request was reasonable.

Mr. Harned opened the public hearing at 7:59 pm.

Clyde Janvrin addressed the Board. Mr. Janvrin asked for clarification on the location of the proposed work. Mr. Casey indicated the area of the proposed work.

Mr. Harned closed the public hearing at 8:00 pm.

Mr. Wilson moved that the Planning Board grant the waivers from the Town of North Hampton Site Plan Regulations Sec. IV.E.2.a, b, c, d, e, f, g, h; Sec. VIII.B.11, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27; Sec. IX.D.2, 3, 4.b & c; Sec. X.A.9; Sec. X.B.4; Sec. X.C.1, 2; Sec. X.D.1, 2, 3, 5, 5.b, 5.c; Sec. X.E; Sec. X.G.1, 2; Sec. X.J; Sec. XI.8; and Sec. XIV to allow the replacement of nine (9) utility poles along an existing Eversource transmission line. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (7-0).

Mr. Wilson moved that the Planning Board take jurisdiction of the site plan application for the replacement of nine (9) utility poles along an existing Eversource transmission line. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (7-0).

Mr. Harned opened the public hearing at 8:02 pm. No comments were made. Mr. Harned closed the public hearing at 8:03 pm. Mr. Harned presented the conditional use permit application to the Board.

Mr. Wilson moved that the Planning Board grant the Conditional Use Permit to allow replacement of nine (9) utility poles along an existing Eversource transmission line within the Wetlands Conservation District pursuant to Section 409.10 of the Town of North Hampton Zoning Ordinance. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (7-0).

Mr. Harned presented the site plan application to the Board.

Mr. Belluche moved that the Planning Board approve the Site Plan Review application for Case #16:16 to replace nine (9) utility poles along an existing Eversource transmission line on properties adjacent to both sides of Interstate 95 south of Lovering Road and southwest of Post Road subject to the following conditions:

1. Applicant shall submit evidence of receipt of NHDES wetlands permit approval and shall note the permit number, as appropriate, on the plan.

2. Applicant shall add a note to the plan indicating Planning Board approval of Conditional Use Permit to allow construction of nine (9) utility poles within the Wetlands Conservation District pursuant to Section 409.10 of the Town of North Hampton Zoning Ordinance and the date of approval (November 1, 2016).

3. Applicant shall add a note to the plan indicating Planning Board approval of waivers from the following sections of the Town of North Hampton Site Plan Regulations:

Sec. IV.E.2.a, b, c, d, e, f, g, h; Sec. VIII.B.11, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27;

Sec. IX.D.2, 3, 4.b & c; Sec. X.A.9; Sec. X.B.4; Sec. X.C.1, 2; Sec. X.D.1, 2, 3, 5, 5.b, 5.c; Sec. X.E;

Sec. X.G.1, 2; Sec. X.J; Sec. XI.8; Sec. XIV. The note shall include the date of approval (November 1, 2016).

Second by Ms. Monaghan. The vote was unanimous in favor of the motion (7-0).

- 4. Case #16:17 – Applicant: Seacoast Birth and Family Connection, LLC, 7 Taft Road, Portsmouth, NH 03801.** The Applicant requests a site plan review to amend previous site plan approval by constructing a 4,400 square foot two-story building addition and expanded parking area. Property Owner: Seacoast Birth and Family Connection, LLC, 7 Taft Road, Portsmouth, NH 03801; Property Location: 165 Lafayette Road, North Hampton, NH 03862; M/L: 017-099-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Michelle Brewster, applicant; Joe Coronati, engineer for the applicant.

Mr. Coronati addressed the Board. Mr. Coronati stated that the applicant plans to construct a 4,400 square foot addition on the back of the existing building. The addition would include 4,000 square feet of retail space. Mr. Coronati presented the following plan details:

- a. The property is located in the Aquifer Protection District. A hydrogeological study as required by the zoning ordinance has been completed.
- b. A parking lot will be constructed in front of and along the side of the building. The area will include twenty (20) paved parking spaces.
- c. The septic system and leach field are adequate to handle the requirements of the additional space and proposed use.

- d. The drainage design uses two (2) rain gardens to infiltrate stormwater run-off.
- e. NHDOT driveway permit has been submitted for the parking lot access.
- f. Landscaping requirement detailed in the site plan regulations for open area of the parking lot may not apply to this site. There is landscaping around the building and around the edges of the parking lot proposed.

Ms. Rowden stated that adherence to the site plan regulation landscaping requirement is not necessary for this project. The proposed parking lot is not expansive. The regulation is intended for larger sites.

Mr. Derby stated that the proposed parking lot is broken up by the features of the site. He agrees with Ms. Rowden that the extra parking lot landscaping is not necessary.

Ms. Monaghan asked for clarification regarding the intended uses for the additional spaces.

Ms. Brewster explained that the spaces would be used for various retail purposes associated with supporting families, parenting, etc. The building addition would retain the look of a residential home. Small businesses would be contained wholly within the addition.

Mr. Wilson asked for clarification regarding the maintenance program and life expectancy of the proposed rain gardens.

Mr. Coronati referred to the design considerations and maintenance notes on the detail sheet of the plan which indicated annual inspection of the rain gardens, replacement of dead vegetation, and removal of invasive species.

Mr. Wilson suggested that the submittal to the Town of North Hampton of an annual report indicating that the rain gardens are functioning as designed be a condition of approval.

Ms. Monaghan asked for clarification regarding the placement of the light poles.

Mr. Coronati stated that the light poles could not be placed as required by the zoning ordinance due to the small size of the lot.

Ms. Rowden stated that a variance would be necessary if the light poles were constructed in the locations indicated on the site plan.

Mr. Coronati stated that he may have the lighting design revised to comply with the zoning ordinance.

Mr. Maggiore moved that the Planning Board take jurisdiction of the amended site plan application to construct a 4,400 square foot two-story building addition and expanded parking area at 165 Lafayette Road property. Second by Mr. Belluche. The vote was unanimous in favor of the motion (7-0).

Mr. Harned opened the public hearing at 8:31 pm. No comments were made. Mr. Harned closed the public hearing at 8:32 pm.

Mr. Wilson moved that the Planning Board approve the Site Plan Review application for Case #16:17 to amend previous site plan approval by constructing a 4,400 square foot two-story building addition and expanded parking area at 165 Lafayette Road property subject to the following conditions:

1. Applicant shall submit evidence of receipt of variance granted by the Zoning Board of Adjustment for placement of light poles pursuant to Section 515.4.B of the Town of North Hampton Zoning Ordinance or submit a revised site plan which indicates lighting in full compliance with the Town of North Hampton Zoning Ordinance.

2. All luminaires proposed in the site plan application shall comply with dark sky standards.

3. The property owner shall submit on September 1 of each year a report concerning the rain gardens proposed in the site plan application which indicates that the rain gardens are functioning as designed.

4. Applicant shall submit a letter from the Town Engineer indicating that all of the Town Engineer's site plan application review concerns have been satisfied.

5. If a certificate of occupancy is requested for the site prior to the completion of all elements of the site plan, the property owner shall submit a cost estimate of all proposed development that has not been completed. The cost estimate shall be verified by the Town Engineer. The property owner shall deposit with the Town of North Hampton a performance guarantee equal to the verified amount of cost to complete the proposed development prior to the issuance of a certificate of occupancy.

6. Applicant shall submit a recordable mylar of the approved plan with signatures and seals affixed of all licensed professionals whose names appear on the plan. All conditions of approval shall be listed on the Mylar pursuant to NH RSA 676:3.III.

7. Applicant shall submit a Certificate of Monumentation, stamped and signed by a NH Licensed Land Surveyor, certifying that all monuments depicted on the plan have been properly set.

8. Applicant shall submit evidence of receipt of all required federal, state, and local permits including, but not limited to, NHDOT driveway and NHDES subsurface system approvals and shall note their numbers, as appropriate, on the recorded page of the plan.

9. Applicant shall submit a check made payable to the Rockingham County Registry of Deeds in the amount of \$25.00 for mandatory state fee to fund the Land and Community Heritage Investment Program (LCHIP).

Second by Mr. Maggiore. The vote was unanimous in favor of the motion (7-0).

5. **Case #16:18 – Applicant: Logic Enterprises, LLC, 108 Lafayette Road, North Hampton, NH 03862.** The Applicant requests a site plan review to amend previous site plan approval by demolishing an existing vehicle dealership building and constructing a new 9,705 square foot vehicle dealership building with associated site improvements. The Applicant also requests a waiver from Site Plan Regulations Section VIII.B.20 and Section X.C.2 – Stormwater Drainage Control Plan. Property Owner: Logic Enterprises, LLC, 108 Lafayette Road, North Hampton, NH 03862; Property Location: 108 Lafayette Road, North Hampton, NH 03862; M/L: 013-028-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Joe Coronati, engineer for the applicant.

Mr. Coronati addressed the Board. Mr. Coronati stated that, after the applicant's previously approved temporary use of the existing building ends within the next year, the applicant intends to demolish the existing 5,560 square foot building and construct a 9,705 square foot vehicle dealership building with associated site improvements.

Mr. Coronati presented the following plan details:

- a. The primary use of the site will be for the sale of high end used cars and motorcycles.
- b. Existing fences will be removed.
- c. A new septic system leach field will be placed at the front of the site.
- d. A mezzanine office area will be added to the plan. Parking design will be revised to accommodate this use.
- e. Two current curb cuts (one on Elm Road and one on Lafayette Road) will be eliminated.
- f. Landscaping requirement detailed in the site plan regulations for open area of the parking lot may not apply to this site. There is landscaping around the building and around the edges of the parking lot proposed.
- g. The applicant is requesting a waiver from the stormwater drainage analysis requirement. The proposed plan will reduce the amount of impervious coverage from 92.5 % to 81.6%.
- h. The lighting design re-uses the existing light poles with new LED fixtures attached. The location of the poles does not conform to the zoning ordinance requirements.

Ms. Rowden and Mr. Milner stated that the intended use of the service area indicated on the site plan must be more clearly defined in order to accurately determine the parking requirements for the site and whether a special exception from the Zoning Board of Adjustment is necessary.

Mr. Harned asked the Board for comments regarding the stormwater drainage analysis requirement.

Mr. Wilson stated that, since the plan indicates the removal or reclamation of pavement, he believes that a drainage analysis is necessary for this project.

Mr. Harned stated that drainage calculations are necessary in his opinion due to the large amount of impervious surface.

Mr. Coronati officially withdrew the request for a waiver from the site plan regulations stormwater drainage analysis requirement. Mr. Coronati requested that consideration of the site plan application for the vehicle dealership construction at 108 Lafayette Road be continued to the December 6, 2016 meeting.

Mr. Wilson moved that the Planning Board grant a continuance of Case #16:18 to the December 6, 2016 meeting. Second by Ms. Monaghan. The vote was unanimous in favor of the motion (7-0).

III. Other Business

1. Review of proposed 2017 proposed zoning amendments.

Mr. Harned presented the finalized revisions to Section 302 Definitions and Section 507 Home Occupation of the Town of North Hampton Zoning Ordinance.

Ms. Monaghan moved that the Planning Board schedule a public hearing at the November 15, 2016 Planning Board meeting to consider the adoption of the Town of North Hampton Zoning Ordinance Section 302 Definitions and Section 507 Home Occupation revisions language for inclusion on the 2017 Town Warrant. Second by Mr. Maggiore. The vote was unanimous in favor of the motion (7-0).

374 2. Minutes.

375 Mr. Harned presented the minutes of the October 18, 2016 Planning Board meeting.

376 **Ms. Monaghan moved that the Planning Board accept the minutes of the October 18, 2016 Planning**
377 **Board meeting as written. Second by Mr. Jeffrey. The vote was 5-0-2 in favor of the motion with Mr.**
378 **Wilson and Mr. Belluche abstaining.**

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380 The meeting was adjourned at 9:26 pm without objection.

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382 Respectfully submitted,

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386 Rick Milner

387 Recording Secretary