



Meeting Minutes
North Hampton Planning Board
Tuesday, December 6, 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: Nancy Monaghan, Vice Chair; Members Phil Wilson, Dan Derby, and Jim Maggiore, Select Board Representative; Jennifer Rowden, RPC Circuit Rider; and Rick Milner, Recording Secretary.

Vice Chair Monaghan called the meeting to order at 6:35 pm. Ms. Monaghan announced that Mr. Maggiore will need to leave the meeting for a short time. Due to the lack of a quorum, the meeting will be recessed until Mr. Maggiore returns.

I. Old Business

- 1. 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. This case is continued from the November 1, 2016 meeting.

In attendance for this application:

Joe Coronati, engineer for the applicant.

Ms. Monaghan informed the Board that the applicant has officially withdrawn the waiver request and submitted a stormwater drainage analysis report.

Mr. Coronati addressed the Board. Mr. Coronati presented a revised site plan and noted the following details:

- a. drainage analysis report has been reviewed and approved by the Town Engineer
- b. a mezzanine and office space has been added to the plan
- c. the vehicle service area will be used to service vehicles from the general public in addition to the in-stock vehicles
- d. parking layout has been revised to accommodate the additional office and service uses; 37 customer and staff parking spaces and 39 spaces for display cars
- e. NHDES septic and NHDOT driveway permits are still pending
- f. green space and 10 foot landscape buffer have been added to the plan to conform to the site plan regulations

- g. a location for a proposed propane gas tank used to heat the building has not been determined; parking spaces may need to be removed to accommodate the tank.

Ms. Monaghan referenced the Town Engineer's note that a second handicapped parking space needed to be added to the plan.

Mr. Coronati stated that a second handicapped parking space would be added to the plan.

Ms. Rowden stated the following:

- a. Architectural renderings have been provided. This note in her review letter has been satisfied.
- b. The use of the motor vehicle service area by the general public will require a special exception approval issued by the Zoning Board of Adjustment (ZBA).
- c. Adding the proposed location for a propane tank on the site plan could be listed as a condition of approval.

Ms. Monaghan opened the public hearing at 6:47 pm. No comments were made. Ms. Monaghan closed the public hearing at 6:48 pm.

Ms. Rowden stated that, in her opinion, the application was complete.

Mr. Wilson moved that the Planning Board take jurisdiction of the amended site plan application for demolition of an existing vehicle dealership building and construction of a new 9,705 square foot vehicle dealership building with associated site improvements at 108 Lafayette Road. Second by Mr. Derby. The vote was unanimous in favor of the motion (4-0).

Mr. Maggiore stepped down from the Board. Ms. Monaghan recessed the meeting at 6:53 pm due to the lack of a quorum. Mr. Maggiore returned to the Board at 7:13 pm. Ms. Monaghan called the meeting to order at 7:13 pm.

Ms. Monaghan asked the Board for additional comments. No comments were made.

The Board came to a consensus without objection that a performance guarantee was not necessary for this project.

Mr. Derby moved that the Planning Board approve the Site Plan Review application for Case #16:18 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 at 108 Lafayette Road subject to the following conditions:

- 1. Applicant shall add to the plan an indication of a location that would be used in the event that a propane tank is required for heating the building.**
- 2. Applicant shall submit a decision letter from the Zoning Board of Adjustment indicating approval of a special exception allowing a motor vehicle service facility on the property.**
- 3. 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.**
- 4. 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.**

5. 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.

6. 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).

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

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

Second by Mr. Wilson. The vote was unanimous in favor of the motion (4-0).

II. New Business

1. **Case #16:19 – Applicant: Brian Clark, 8 Cedarview Lane, Hampton, NH 03842.** The Applicant requests a change of use from the previous auto body use to a proposed granite countertop fabrication use. Property Owner: ZJBV Properties, LLC, 300 Gay Street, Manchester, NH 03103; Property Location: 68 Lafayette Road, North Hampton, NH; M/L 007-122-000; Zoning District: I-B/R, Industrial – Business/Residential District.

In attendance for this application:

Brian Clark, applicant.

Mr. Clark addressed the Board. Mr. Clark stated that his business would produce granite countertops. Slabs of granite would be shipped in already made and polished. He would cut and re-shape the slabs to the specifications of the client using a large water saw. Mr. Clark provided the following details:

- a. All material will be stored inside the building.
- b. Refuse water will be recycled.
- c. The process is dust-free. Slurry refuse would be contained and disposed of properly using on-site dumpsters.

Ms. Rowden asked for details regarding hours of operation and number of employees.

Mr. Clark answered that the hours of operation would be 8:00 am to 5:00 pm. There would be five to six employees.

Ms. Monaghan asked for confirmation that there would be no outside storage of materials.

Mr. Clark confirmed that there would be no outside storage of materials.

Ms. Rowden informed the Board that there was some question that the proposed use may be considered a light manufacturing use that required a special exception issued by the ZBA. In her opinion, since the slabs of material are pre-made off-site and only need to be cut / shaped on-site, the proposed use does not meet the threshold required for a special exception. However, the Board should determine if the special exception is necessary.

Mr. Derby stated that he does not believe that the proposed use fits the definition of light manufacturing found in the zoning ordinance.

Ms. Monaghan opened the public hearing at 7:26 pm.

Abutter John Dal Santo addressed the Board. Mr. Dal Santo stated that he supports the proposed business as long as no negative environmental impact is created.

Ms. Monaghan closed the public hearing at 7:29 pm.

Ms. Monaghan asked for clarification regarding any potential environmental issues associated with this type of business.

Mr. Clark stated that there was no negative environmental impact. No chemicals are used in the shaping process. Only water and stone is used to cut the slabs. A catch basin is in place to collect refuse to be contained in dumpsters and hauled away for disposal.

Mr. Wilson asked what types of polishing materials are used.

Mr. Clark stated that the slabs are polished using only a power hand tool and polishing pads.

Mr. Wilson moved that the Planning Board take jurisdiction of the Change of Use application associated with the proposed granite countertop fabrication business at 68 Lafayette Road. Second by Mr. Derby. The vote was unanimous in favor of the motion (4-0).

Mr. Wilson moved that the Planning Board find that a special exception allowing a light manufacturing use is not needed for the Change of Use application associated with Case # 16:19. Second by Mr. Derby. The vote was unanimous in favor of the motion (4-0).

Mr. Maggiore moved that the Planning Board approve the Change of Use application for a change of use from the previous auto body use to a proposed granite countertop fabrication use at 68 Lafayette Road subject to the following condition:

- 1. No outside storage of materials is allowed on the site.**

Second by Mr. Derby. The vote was unanimous in favor of the motion (4-0).

- 2. Case #16:20 – Applicant: Christopher Lane, 151 Portsmouth Avenue, Exeter, NH 03833.** The Applicant requests a three (3) lot subdivision of property. Subdivision Regulations waiver requests: a. Section VIII.B.3 – Scale, b. Section VIII.B.15 – Topography, c. Section VIII.B.20 – Stormwater Drainage Control Plan, d. Section IX.B – Erosion and Sediment Control Regulations; Property Owner: Christopher Lane, 151 Portsmouth Avenue, Exeter, NH 03833; Property Location: 146 Post Road, North Hampton, NH; M/L 014-130-000; Zoning District: R-1 High Density District.

In attendance for this application:

Christopher Lane, applicant; Joe Coronati, engineer for the applicant.

Mr. Coronati addressed the Board. Mr. Coronati presented a subdivision plan which proposed to create three lots within the 36 acre parcel located at 146 Post Road. The plan indicated the following:

- a. Middle Lot #2 will contain 31 acres with a significant amount of wetlands in the back portion of the property. The existing home on the property will remain on Lot #2, be moved back away from Post Road, and renovated. The existing barn will remain in its current location.
- b. Lot #1 (to the south of Lot #2) will contain 3 acres of land, 40 feet of frontage along Post Road, and conform to the back lot provisions of the zoning ordinance.
- c. Lot #3 (to the north of Lot #2) will be a conventional 2 acre lot with 175 feet of frontage along Post Road.

Ms. Monaghan asked Mr. Coronati to explain the justification for the waiver requests included in the application.

Mr. Coronati stated that waivers to the scale and topography requirements of the subdivision regulations were requested due to the fact that a large amount of land on Lot #2 contained significant amounts of wetlands and several distinct features which would be time consuming and expensive to professionally survey and present on a plan. There are no potential areas of development associated with this portion of the property. Professionally surveyed details have been provided on the plan for the two lots which will likely be developed in the future (Lots # 1 and #3).

Mr. Coronati further stated that waivers to the erosion and stormwater requirements of the subdivision regulations were requested due to the fact that the plan may be interpreted as creating only two new buildable lots while the requirements apply only to subdivisions of three or more buildable lots. Also, the site mainly slopes to the back of the property. The stormwater flow for the potential areas to be developed would drain towards the wetlands, not abutting properties. One exception to this flow pattern is a small area at the northerly corner of Lot #3 near Post Road which drains onto the abutting property. However, there is a hole along the lot line that catches the water run-off. A contour rises up on the abutting property preventing flow beyond this hole on the property line.

Ms. Rowden suggested that the Board follow the subdivision regulations regarding erosion and stormwater drainage due to the fact that:

- a. there was still a possibility of an increase in stormwater flow onto abutting properties, even if minor in nature
- b. three buildable lots were being created, not two.

Ms. Monaghan open the public hearing associated with the waiver requests at 7:42 pm.

Abutter Bill Pelletier addressed the Board. Mr. Pelletier stated that the water run-off flowed in a northerly direction behind his property; not southerly as described earlier by Mr. Coronati.

Ms. Monaghan closed the public hearing at 7:44 pm.

Mr. Wilson stated that erosion control information may not be needed at this time due to the fact that the nature of proposed development on Lots #1 and 3 is not known at this time. That information can be submitted to the Building Department as part of the building permit process.

Mr. Derby asked if the dimensions for the proposed lots conformed to the zoning ordinance requirements.

Ms. Rowden confirmed that the lots conformed to the zoning ordinance dimensional requirements.

Mr. Wilson stated that the waiver requests for scale, topography, and erosion control seemed reasonable.

Mr. Wilson moved that the Planning Board grant waivers from the requirements of the following sections of the Town of North Hampton Subdivision Regulations:

a. Section VIII.B.3 – Scale

b. Section VIII.B.15 – Topography

c. Section IX.B – Erosion and Sediment Control Regulations

Second by Mr. Derby. The vote was unanimous in favor of the motion (4-0).

The Board discussed the topography of the site specifically as it relates to the slope, possible hole, and contour rise along both sides of the property line at the northerly corner of Lot #3 along Post Road and whether that topography creates stormwater run-off onto the abutting property or if the run-off is contained and drained within the depression. The topography depictions on the plan stop at the property line. The depression on the abutting property is not depicted on the plan. The Board discussed if anyone knew that the depression and contour rise on the abutting property actually existed.

Ms. Monaghan re-opened the public hearing for the discussion of stormwater run-off at 7:55 pm.

Abutter Bill Pelletier stated that the hole/depression did exist. Stormwater run-off sinks into the ground. There is no surface puddling.

Abutter Charles Pray addressed the Board. Mr. Pray stated that the current owners of 146 Post Road property are doing a good job attempting to renovate the buildings and improve the property. He supports their efforts.

Ms. Monaghan closed the public hearing at 8:22 pm.

Mr. Wilson stated that a significant amount of impervious surface would have to be created to increase the natural amount of stormwater flow onto abutter's property. He asked Mr. Coronati to describe the potential type of development that would occur on Lot #3.

Mr. Coronati stated that a standard residential home and driveway would most likely be built on the property. Only a minimal amount of water run-off would be created by this type of construction. Also, the placement of the home and driveway would not be near the abutting property line. Therefore, the water run-off could be contained within the good draining soils located on the Lot #3 site.

Mr. Wilson stated that the creation of a drainage report for one undeveloped residential lot seems excessive at this time. He suggested that the waiver for the stormwater drainage report be approved with a condition that addressed the stormwater flows during the building permit review process.

Mr. Wilson moved that the Planning Board grant a waiver from the requirements of the Town of North Hampton Subdivision Regulation Section VIII.B.20 – Stormwater Drainage Control Plan subject to the following condition:

278 a. A note shall be added to the subdivision plan indicating that no building permits shall be
279 issued for Lot 3 until applicant for building permit demonstrates that there will be no increase
280 in stormwater flow onto abutting properties as the result of proposed construction on Lot 3.
281 **Second by Mr. Maggiore. The vote was unanimous in favor of the motion (4-0).**

282
283 **Mr. Wilson moved that the Planning Board take jurisdiction of the Subdivision application for a three**
284 **(3) lot subdivision of property at 146 Post Road. Second by Mr. Derby. The vote was unanimous in**
285 **favor of the motion (4-0).**

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287 Ms. Monaghan opened the public hearing associated with the subdivision plan at 8:19 pm.

288
289 Abutter Lori McCarthy addressed the Board. Ms. McCarthy stated that adding plantings that absorb
290 large amounts of water may help the water run-off issues in the area and allow the plan to move
291 forward.

292
293 Abutter Bill Pelletier stated that he has no issues with the plan as long as the water run-off issues are
294 addressed.

295
296 Ms. Monaghan closed the public hearing at 8:22 pm.

297
298 Mr. Coronati stated that NHDES subdivision approval is still pending. Public water supply will be
299 provided to all three lots to satisfy the state's requirements for subdivision approval.

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301 Ms. Monaghan asked for clarification regarding the disposition of the barn on the site.

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303 Mr. Coronati stated that the barn will remain in place.

304
305 **Mr. Wilson moved that the Planning Board approve the Subdivision application for a three (3) lot**
306 **subdivision of property at 146 Post Road subject to the following conditions:**

307 **1. A note shall be added to the recorded page of the subdivision plan indicating that no building**
308 **permits shall be issued for Lot 3 until applicant for building permit demonstrates that there will be no**
309 **increase in stormwater flow onto abutting properties as the result of proposed construction on Lot 3.**

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

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

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

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

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

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

Second by Mr. Derby. The vote was unanimous in favor of the motion (4-0).

III. Other Business

1. Minutes.

Ms. Monaghan presented the minutes of the November 29, 2016 Planning Board meeting.

Mr. Maggiore moved that the Planning Board accept the minutes of the November 29, 2016 Planning Board meeting as written. Second by Mr. Wilson. The vote was unanimous in favor of the motion (4-0).

The meeting was adjourned at 8:30 pm without objection.

Respectfully submitted,

Rick Milner
Recording Secretary